

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

7
8 Heritage Center
9 Barrow, Alaska

10
11 February 26, 2013
12 9:11 a.m.
13

14
15 COUNCIL MEMBERS PRESENT:
16

17 Harry Brower, Chair
18 Rosemary Ahtuanguaruak
19 Gordon Brower
20 Theodore Frankson
21 Lee Kayotuk
22 James Nageak
23 Roy Nageak
24 Robert Shears
25
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29 Regional Council Coordinator, Eva Patton
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1 P R O C E E D I N G S
2
3 (Barrow, Alaska - 2/26/2013)
4
5 (On record)
6
7 CHAIRMAN BROWER: Good morning. Radio
8 check, Tina.
9
10 REPORTER: Yeah. Open mic.
11
12 (Laughter)
13
14 CHAIRMAN BROWER: Thank you. I'm going
15 to start an open mic karaoke this morning. I'll take
16 the lead.
17
18 (Laughter)
19
20 CHAIRMAN BROWER: We're at the North
21 Slope Regional Advisory Council this morning. It's
22 February 26th. I'll call the meeting to order at this
23 time. It's 9:11.
24
25 I'll follow the agenda. We have a roll
26 call to establish a quorum. Who's conducting our roll
27 call.
28
29 CHAIRMAN BROWER: Secretary. Turn your
30 mic on, Lee, please.
31
32 MR. KAYOTUK: Good morning. I'd like
33 to make a motion to roll call for the meeting of
34 February 26th. Gordon R. Brower.
35
36 MR. G. BROWER: Here.
37
38 MR. KAYOTUK: Good morning. Robert V.
39 Shears.
40
41 MR. SHEARS: Here.
42
43 MR. KAYOTUK: Roy Maloney Nageak, Sr.
44
45 MR. R. NAGEAK: Here.
46
47 MR. KAYOTUK: We have a vacant. Harry
48 K. Brower, Jr.
49
50 CHAIRMAN BROWER: Here.

1 MR. KAYOTUK: Number 6 we have vacant.
2 James M. Nageak.
3
4 MR. J. NAGEAK: Here.
5
6 MR. KAYOTUK: Theodore A. Frankson, Jr.
7
8 (No response)
9
10 MR. KAYOTUK: He's not here. Lee
11 Kayotuk. Here. Rosemary Ahtuanguak.
12
13 MS. AHTUANGARUAK: Here.
14
15 MR. KAYOTUK: Good morning. We have
16 members that are called for a meeting this morning.
17
18 CHAIRMAN BROWER: Thank you, Lee. If
19 we could do our next agenda item, invocation. I've
20 asked James to give us an invocation this morning.
21
22 James.
23
24 MR. J. NAGEAK: Keep Robert and Michael
25 in mind. They're somewhere. They got caught in the
26 storm.
27
28 MR. R. NAGEAK: Who?
29
30 MR. J. NAGEAK: Michael Thomas and
31 Robert, our nephew, Nageak. They're trying to send
32 search and rescue out there, but they're having
33 problems.
34
35 MR. R. NAGEAK: Oh. Between here and
36 Nuiqsut?
37
38 MR. J. NAGEAK: Somewhere between Cape
39 Halkett. Last heard on the satellite phone that
40 they're out of fuel to try to keep warm.
41
42 (Invocation)
43
44 CHAIRMAN BROWER: Thank you, James.
45 Welcome and introductions. I welcome you all to Barrow
46 and hope your travels were smooth within the storm. We
47 have a busy two days, I guess. We'll take things in a
48 little bit more slow approach from our last meeting. I
49 recall the fast moving, fast talking we had to do
50 during the last meeting. So I welcome you all to

1 Barrow and I hope you enjoy your time for the next
2 couple days.
3
4 With that, we'll start with our
5 introductions. We'll start with Roy at the end here.
6 Sorry, Roy.
7
8 MR. R. NAGEAK: Roy Maloney Nageak,
9 Sr., Barrow.
10
11 MR. KAYOTUK: Lee Kayotuk, Kaktovik.
12
13 MR. G. BROWER: Gordon Brown, Barrow,
14 Alaska. Good morning.
15
16 MR. SHEARS: Good morning, everybody.
17 Bob Shears from Wainwright.
18
19 MS. AHTUANGARUAK: Rosemary
20 Ahtuanguaruak, Barrow.
21
22 CHAIRMAN BROWER: Harry Brower from
23 Barrow.
24
25 MR. J. NAGEAK: James Nageak from
26 Anaktuvuk Pass.
27
28 MS. PATTON: Eva Patton, Council
29 coordinator. Council, our new Council member Ted
30 Frankson from Point Hope was going to join us via
31 teleconference this morning and we're actually trying
32 to get him in on that flight this afternoon if
33 possible. We'll keep trying. Hopefully he'll be able
34 to join us this afternoon.
35
36 CHAIRMAN BROWER: You had our heads
37 turning, Eva, where's Ted.
38
39 (Laughter)
40
41 CHAIRMAN BROWER: Anyway, we'll
42 continue with our introductions. I'm not sure how you
43 all want to introduce yourselves. Dr. Yokel.
44
45 DR. YOKEL: Good morning. Dan Yokel
46 with Bureau of Land Management in Fairbanks.
47
48 MS. PETRIVELLI: Pat Petrivelli with
49 Bureau of Indian Affairs, anthropologist out of
50 Anchorage.

1 MS. YUHAS: I'm Jennifer Yuhas with the
2 State and I'm very excited to be in Barrow for the
3 first time.
4
5 MR. ROBARDS: Martin Robards, Wildlife
6 Conservation Society.
7
8 MS. STELLRECHT: Neesha Stellrecht,
9 Fish and Wildlife Service out of Fairbanks.
10
11 MR. E. NAGEAK: Ernest Nageak, Fish and
12 Wildlife Service out of Barrow.
13
14 MR. MATHEWS: Vince Mathews,
15 Subsistence coordinator for Arctic, Kanuti and Yukon
16 Flats. It's great to be back in Barrow.
17
18 MR. EVANS: Good morning. This is Tom
19 Evans from the Office of Subsistence Management in
20 Anchorage.
21
22 CHAIRMAN BROWER: I'm not sure who all
23 is on the teleconference, but thank you, Tom. Anybody
24 else on the teleconference. If not, Helen.
25
26 MS. H. ARMSTRONG: Helen Armstrong.
27 I'm the anthropologist at OSM that's been serving this
28 Council since time immemorial.
29
30 CHAIRMAN BROWER: Seems to be a very
31 long time. Tina.
32
33 REPORTER: My name is Tina Hile, the
34 court reporter.
35
36 CHAIRMAN BROWER: Thank you, Tina.
37 Thank you all for introducing yourselves. I can
38 remember most of the names, but not all the names.
39 Thank you for going through that.
40
41 We're moving right along with our
42 agenda. Down to item number 5, review and adoption of
43 the agenda.
44
45 MR. R. NAGEAK: So moved, Mr. Chair.
46
47 CHAIRMAN BROWER: Motion on the floor
48 to adopt the agenda of February 26-27, North Slope
49 Regional Advisory Council in Barrow.
50

1 MR. G. BROWER: Second.
2
3 CHAIRMAN BROWER: Discussion.
4
5 MR. R. NAGEAK: Mr. Chair.
6
7 CHAIRMAN BROWER: Yes, Roy.
8
9 MR. R. NAGEAK: I see my term is ending
10 this year. Already we're having elections of Chair,
11 vice chair, secretary. What does that do to my term?
12
13 CHAIRMAN BROWER: We'll let Eva respond
14 to it.
15
16 MR. R. NAGEAK: I'm still on or.....
17
18 MS. PATTON: Mr. Chair. Yes, you're on
19 through the end of 2013.
20
21 MR. R. NAGEAK: Oh, okay.
22
23 MS. PATTON: And we would love for you
24 to reapply. That application -- I had talked over the
25 phone and then the application packets were sent. That
26 application period has been extended, so there's still
27 time to get in your application.
28
29 MR. R. NAGEAK: I'm filling it out
30 right now.
31
32 MS. PATTON: Thank you very much. And
33 Gordon Brower as well. Your appointment is through the
34 end of 2013 and would love for you to reapply.
35
36 MR. G. BROWER: Yeah, I was looking at
37 it. I thought it said 2014.
38
39 MS. AHTUANGARUAK: Yeah, in the book it
40 says '14 and Bob's is '13. So that's a question.....
41
42 CHAIRMAN BROWER: Am I looking at the
43 wrong book?
44
45 MS. AHTUANGARUAK: This is the book I
46 got through the mail, so you tell me.
47
48 CHAIRMAN BROWER: Go ahead, Eva.
49
50 MS. PATTON: You are correct. Thank

1 you.

2

3

MR. G. BROWER: Mr. Chair.

4

5

CHAIRMAN BROWER: Yes, Gordon.

6

7

8

MR. G. BROWER: Do we address as Madame
Coordinator or just Eva?

9

10

11

MS. PATTON: Just call me by my first
name. That's fine. Thank you.

12

13

14

MR. G. BROWER: Do we have existing
seats that need to be nominated for still?

15

16

17

18

19

20

21

22

23

24

MS. PATTON: Yes, there are currently
two vacant seats on the Council, so we have currently
eight members. Lloyd Leavitt retired in the fall early
and Ted Frankson is the new Council member from Point
Hope, but essentially he replaces Lloyd's position, so
we still have two Council seats open. Nominations are
very helpful to reach out to other people in the
community here and other communities that are not
represented.

25

26

27

Thank you.

28

29

30

MR. G. BROWER: Mr. Chair.

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MR. R. NAGEAK: For clarification, Mr.
Chair. Madame coordinator, all those village seats
that are open too? Because I don't see Point Lay or
Nuiqsut.

MS. PATTON: Through the Chair. Yes,

1 we don't have representation from Nuiqsut and Atqasuk
2 and Point Lay. Those are three communities that are
3 not currently represented on the Council. The Council
4 represents the region, but of course it is very good if
5 it's possible to have members from each of the
6 communities in the region. So additional assistance in
7 reaching out to those communities, Atqasuk, Nuiqsut and
8 Point Lay would be wonderful.

9

10 Thank you.

11

12 MR. R. NAGEAK: Thank you.

13

14 CHAIRMAN BROWER: Thank you, Roy, for
15 the question.

16

17 MR. G. BROWER: Mr. Chair.

18

19 CHAIRMAN BROWER: Yes, Gordon.

20

21 MR. G. BROWER: Just a follow-up
22 question to Madame coordinator. Yeah, I think there
23 should be some clarification because what happens if we
24 over-nominate from Barrow and we don't get the specific
25 information that would be needed area wide? I mean I
26 can't profess to know things about Anaktuvuk Pass area
27 or to Point Hope or Kaktovik. It seems to me that
28 having too much representative from one village
29 constitute almost a monopoly of ideas without taking
30 into account specific areas out there. I mean I can --
31 I mean it just seems that we should have the
32 representative from the villages.

33

34 CHAIRMAN BROWER: Thank you, Gordon. I
35 think that's why we look to -- looking at our title,
36 North Slope Regional Advisory Council, and that's how
37 we've addressed it in the past. I think we should
38 continue following that process, trying to get
39 representation from each of our villages so we could
40 have basically our communities represented through this
41 Council. Like Gordon stated, we have different timings
42 and resources that we take that we have to look forward
43 to hunting during their migration and movements of the
44 resources and that doesn't all coincide with one
45 community's observations of movement and the
46 availability of resources for hunting.

47

48 The regulations we've addressed over
49 the many years I've been trying to focus on our
50 community needs and our community's activities for

1 different resources. I still look to doing that kind
2 of communicating and trying to establish those types of
3 hunting regulations that we could introduce to reflect
4 our communities activities.

5
6 I'll stop here. Any further discussion
7 on the motion of approving the agenda.

8
9 MR. R. NAGEAK: Question.

10
11 CHAIRMAN BROWER: James.

12
13 MR. J. NAGEAK: Do you need a second?

14
15 CHAIRMAN BROWER: It's already been
16 seconded. We're under discussion. Any further
17 discussion.

18
19 (No comments)

20
21 MR. R. NAGEAK: I'll call for the
22 question.

23
24 CHAIRMAN BROWER: The question has been
25 called on the motion to adopt the agenda February 26-
26 27. All in favor of the motion signify by saying aye.

27
28 IN UNISON: Aye.

29
30 CHAIRMAN BROWER: Opposed say nay.

31
32 (No opposing votes)

33
34 CHAIRMAN BROWER: None noted. Thank
35 you. We have an agenda before us.

36
37 Next item is the election of officers.
38 Give the mic to Eva.

39
40 MS. PATTON: Mr. Chair. We have an
41 election for the seat of the Chair. Can we please have
42 nominations for Chair for this year.

43
44 MR. R. NAGEAK: I nominate Harry
45 Brower.

46
47 MR. SHEARS: Second.

48
49 MR. J. NAGEAK: Call for unanimous
50 consent.

1 MS. PATTON: No other nominations.
2
3 (No comments)
4
5 MS. PATTON: Do you accept the
6 nomination?
7
8 CHAIRMAN BROWER: With a big smile.
9 Thank you.
10
11 (Laughter)
12
13 MS. PATTON: Okay. Call for unanimous
14 consent, all say aye.
15
16 IN UNISON: Aye.
17
18 MS. PATTON: Mr. Harry K. Brower, Jr.,
19 Chair.
20
21 CHAIRMAN BROWER: Thank you, everybody.
22 I'll continue to do as much as I can working with you
23 all. It's always an honor to be here representing our
24 communities.
25
26 Thank you.
27
28 MR. SHEARS: Thank you, Harry, for
29 serving.
30
31 MS. PATTON: Thank you. And now I get
32 to turn it back over to you, Mr. Chair.
33
34 CHAIRMAN BROWER: We now have election
35 of officer for the vice chair. Open nominations for
36 the vice chair.
37
38 MR. J. NAGEAK: I nominate Rosemary.
39
40 MR. G. BROWER: Mr. Chair. I nominate
41 Roy.
42
43 MR. R. NAGEAK: Mr. Chair. I
44 respectfully decline.
45
46 CHAIRMAN BROWER: Okay.
47
48 MR. R. NAGEAK: I'm busy in my
49 community.
50

1 CHAIRMAN BROWER: You have to look at
2 Gordon. He's the one that nominated you.
3
4 MR. KAYOTUK: I think my mic died.
5
6 MR. SHEARS: Mr. Chair. I second
7 Rosemary.
8
9 CHAIRMAN BROWER: Okay.
10
11 MR. KAYOTUK: Mr. Chair, I second
12 Rosemary.
13
14 CHAIRMAN BROWER: Something is going on
15 with our mics. Lee, were you mentioning something?
16
17 MR. KAYOTUK: I mentioned I nominate
18 Rosemary.
19
20 CHAIRMAN BROWER: She's already
21 nominated, seconded by Bob.
22
23 (No comments)
24
25 CHAIRMAN BROWER: If there's no further
26 nominations, we have one on the table.
27
28 MR. R. NAGEAK: Move nominations be
29 closed, Mr. Chair.
30
31 CHAIRMAN BROWER: Motion on the floor
32 to close nominations for vice chair. All in favor say
33 aye.
34
35 IN UNISON: Aye.
36
37 CHAIRMAN BROWER: Opposed say nay.
38
39 MR. G. BROWER: Nay.
40
41 CHAIRMAN BROWER: Five yes, one nay.
42 So noted. Well, Rosemary, congratulations.
43
44 ROSEMARY: Thank you.
45
46 CHAIRMAN BROWER: We have the next
47 election of officers for the secretary. The floor is
48 open for nominations of the secretary.
49
50 MR. G. BROWER: Nominate Lee.

1 CHAIRMAN BROWER: We have a motion to
2 nominate Lee.
3
4 MR. R. NAGEAK: Ask for unanimous
5 consent, Mr. Chair.
6
7 CHAIRMAN BROWER: You have to put your
8 mic on, Roy.
9
10 MR. R. NAGEAK: Do a song.
11
12 REPORTER: I got it. I heard him.
13
14 CHAIRMAN BROWER: Okay.
15
16 MR. R. NAGEAK: Ask for unanimous
17 consent.
18
19 CHAIRMAN BROWER: Any objections to the
20 request.
21
22 (No comments)
23
24 CHAIRMAN BROWER: No objections noted.
25 Thank you, Roy. Lee, congratulations.
26
27 MR. KAYOTUK: Thank you.
28
29 CHAIRMAN BROWER: So we have election
30 of officers. Chair is Harry Brower, vice chair is
31 Rosemary, secretary is Lee Kayotuk.
32
33 Do we need a five-minute recess?
34
35 REPORTER: Yes.
36
37 CHAIRMAN BROWER: Okay. Take a five-
38 minute recess to fix the mic and get Mike back in
39 order.
40
41 (Laughter)
42
43 (Off record)
44
45 (On record)
46
47 CHAIRMAN BROWER: Let's call the
48 meeting of the Regional Advisory Council back to order
49 at this time after a brief recess. We all can see mic
50 is working in order now. Thank you, Tina. We're down

1 to our agenda item number 7, review and approve
2 previous meeting minutes. What's on the agenda is
3 August 14, 2012 and December 7, 2012.
4
5 MS. AHTUANGARUAK: Motion to approve
6 the minutes as presented.
7
8 CHAIRMAN BROWER: Both of them?
9
10 MS. AHTUANGARUAK: Yes, both.
11
12 CHAIRMAN BROWER: Motion on the floor
13 to adopt the minutes of August 14, 2012 and December 7,
14 2012.
15
16 MR. KAYOTUK: Second it.
17
18 CHAIRMAN BROWER: Seconded by Lee.
19 Discussion.
20
21 MR. R. NAGEAK: Mr. Chair.
22
23 CHAIRMAN BROWER: Yes, Roy.
24
25 MR. R. NAGEAK: I like the way the
26 minutes are being presented. Just a concern. I became
27 60 how many years ago, so my thought process kind of
28 slows down, and now a year later we're going to approve
29 the minutes and I'm going I can't think that far back.
30
31 CHAIRMAN BROWER: Thank you for sharing
32 that, Roy. Our Regional Advisory Council only meets
33 like twice a year.
34
35 MR. R. NAGEAK: Right.
36
37 CHAIRMAN BROWER: So you'll have to
38 bring that up to the attention of the Federal
39 government to look at our retiring age.
40
41 (Laughter)
42
43 MR. R. NAGEAK: Maybe right after they
44 finish the minutes to make them available to us to look
45 at them right away and then we could jot down notes if
46 memory -- notes of importance to us and whether any
47 follow through was given.
48
49 Thank you.
50

1 CHAIRMAN BROWER: Thank you, Roy, for
2 sharing that. Any further discussion on the review and
3 approval of the minutes of August 14 and December 7,
4 2012.

5
6 Comments.

7
8 Concerns.

9
10 (No comments)

11
12 MR. J. NAGEAK: I call for the
13 question.

14
15 CHAIRMAN BROWER: The question has been
16 called on the motion to approve the meeting minutes of
17 August 14 and December 7, 2012. All in favor of the
18 motion signify by saying aye.

19
20 IN UNISON: Aye.

21
22 CHAIRMAN BROWER: Opposed say nay.

23
24 (No opposing votes)

25
26 CHAIRMAN BROWER: None noted. We have
27 the meeting minutes approved. Thank you. Reports.
28 Agenda Item 8, Council member reports. Should I start?
29 I couldn't make it to a couple meetings and I had to
30 ask Rosemary to fill in for me a couple times because
31 of compounding meeting dates. For some reason that
32 keeps occurring with all the number of other meetings
33 we deal with. Despite that I asked Rosemary to help
34 fill in and represent our Regional Advisory Council at
35 a couple meetings. Maybe I'll ask Rosemary if you
36 could recall those.

37
38 MS. AHTUANGARUAK: We had a pretty
39 lengthy discussion last year with the Federal
40 Subsistence Board in Anchorage. There were a couple
41 issues related to customary and traditional use and the
42 barter and trade. For us, it's important to follow the
43 statewide process and how regulations are being
44 assessed and changes to harvesting with increased
45 competition in various areas. There's concerns for our
46 area in how these decisions are made and precedent
47 setting, so we went through a pretty extensive
48 discussion in that area. There was also discussion
49 with the sheep near Kaktovik in which we were
50 successful in discussing that issue and supporting

1 Kaktovik's request for changes in that regulation.

2

3 There was also a lot of work that's
4 been done with the working group on the consultation
5 policy and that process has continued with the
6 information being submitted into the meeting process
7 for considerations and their recommendations in
8 approving that document and moving into the
9 implementation process.

10

11 In the last meeting we had issues
12 related to the moose discussion and there's a lot of
13 good discussion around that with changes to
14 understanding of information which there's also
15 additional information in our packet for further
16 discussion on the moose issue in 26C.

17

18 CHAIRMAN BROWER: Thank you, Rosemary.
19 I'm trying to look at Lee in terms of how did you go
20 forward in regards to that proposal that we were
21 considering last fall being generated with your
22 community's involvement? Was that from Arctic National
23 Wildlife Refuge?

24

25 Lee and Eva could respond to it.

26

27 MR. KAYOTUK: Yeah, thank you, Chair
28 and Council. For the village of Kaktovik, I would like
29 to put to the table to get the emergency hunt extension
30 in our village due to the weather conditions we have in
31 the March season, end of March, due to -- we tried to
32 go out several times and the weather was too bad and by
33 the time we had -- by the time we went out the
34 conditions were too late and the moose closure was
35 closed and that ended the season for that time of year.
36 So I would like to put that on the floor to open that
37 discussion with the Council and move forward on that
38 item.

39

40 Thank you.

41

42 MS. PATTON: Mr. Chair. If I may, just
43 a quick question. You were also working with the
44 community on submitting a proposal through the regular
45 process to extend the season. I just wanted to touch
46 base on that, if you had still wanted to bring that
47 proposal forward to the Council from the community
48 through the regular process.

49

50 MR. KAYOTUK: Yes. For the Chair and

1 the Council, I would like to do the proposal to
2 continue and go through the regulatory process of the
3 proposal of that moose hunting in 26C.

4

5 CHAIRMAN BROWER: Thank you, Lee and
6 Eva. We'll have some time under old business, under
7 the proposals at that time if that's okay with Lee. We
8 could elaborate more in the discussion on the emergency
9 hunt and the extension for the moose season in 26C. I
10 think it's under old business, under Item 10. That
11 would be an opportune time to bring in your community's
12 request.

13

14 MR. KAYOTUK: Thank you, Mr. Chair.

15

16 CHAIRMAN BROWER: Any other Council
17 members on the report from other villages or concerns
18 on wildlife or any other reports to share with the
19 Council.

20

21 MR. J. NAGEAK: Mr. Chair.

22

23 CHAIRMAN BROWER: Yes, James.

24

25 MR. J. NAGEAK: I like -- I think I was
26 asked -- you know I'm on the Subsistence Resource
27 Commission for the National Park Service and I think we
28 need to look and see whether this body needs to make
29 another consideration to maybe reappoint me to that
30 commission.

31

32 CHAIRMAN BROWER: Okay. Eva.

33

34 MS. PATTON: Mr. Chair, if I may. The
35 Council had voted unanimously at the fall meeting to
36 reappoint you.....

37

38 CHAIRMAN BROWER: It's in the minutes.

39

40 MS. PATTON:to the Subsistence
41 Resource Commission and we have the formal letter for
42 Harry to sign at this meeting here, so we'll have the
43 formal letter for you.

44

45 MR. J. NAGEAK: I wasn't here at that
46 meeting, was I?

47

48 MS. PATTON: Yes, you were. Yes.

49

50 MR. J. NAGEAK: Okay. Thank you.

1 MS. PATTON: So you were unanimously
2 reappointed for the RAC seat on the SRC.

3
4 MR. J. NAGEAK: I'm older than Roy, so
5 I had that moment of.....

6
7 MS. PATTON: But that is part of old
8 business to get you the formal letter for the Council.

9
10 MR. R. NAGEAK: We call it a senior
11 moment.

12
13 (Laughter)

14
15 MR. J. NAGEAK: And I'd like to report
16 that we had a good trapping season. The young people
17 that are trapping are getting wolverines and wolves and
18 red foxes and they're doing good. They're having a
19 good season this year because we have caribou around us
20 this winter, so that's been a good addition to the
21 needs of the community. Some of them are staying
22 pretty close to the village because of the wolves.
23 They know where to go when the wolves are after them.
24 They come right in the village, so we are happy for
25 that.

26
27 The caribou concern that we have, this
28 body is being informed of the road to Umiat issue, you
29 know, how the road to Umiat would be a detriment to the
30 migration of caribou that we hunt in the spring and in
31 the fall, especially in the fall when they start coming
32 in from the north. I had a letter last -- now I'm
33 starting to remember. I remember having a letter
34 written by the SRC vice chair, a guy from Wiseman,
35 stating the concern that we have. That letter really
36 made it clear why we are not in favor of having an east
37 to west road to Umiat.

38
39 There has been some studies done on the
40 effect of caribou having difficulty crossing roads,
41 pipelines, things like that. I think that we can maybe
42 consider getting an official report on something like
43 that. Who is doing the studies for -- they've done
44 some studies over there at Red Dog Mine area, how the
45 road system has been affecting the caribou in that area
46 and also we really need to make it known that we really
47 are concerned.

48
49 Thank you for your support on that too
50 since the last time we met and continue to do so

1 because they're getting more and more -- there are more
2 and more activities. There's been some activities at
3 Umiat already this winter having an ice road. Not an
4 ice road, but like the one from here to Atqasuk, you
5 know, that kind of a -- they pack the snow down real
6 hard and make.....

7

8 CHAIRMAN BROWER: Access.

9

10 MR. J. NAGEAK:Umiat accessible
11 from the Dalton Highway, so it's an east to west route.
12 So we really are concerned about that particular issue
13 that's we'll be facing for years since December 21
14 never happened.

15

16 (Laughter)

17

18 MR. J. NAGEAK: I told one time at a
19 meeting that, you know, December -- I asked them when
20 is the proposed activity, you know, when are they going
21 to start building, he said 2015 or something like that,
22 so I said it's a moot point because on December 21,
23 2012, you know. But now that it's over I have to be
24 more concerned about it now.

25

26 CHAIRMAN BROWER: I guess that December
27 21 was supposed to be the end of the world?

28

29 MR. J. NAGEAK: Yeah, as we know it.

30

31 (Laughter)

32

33 CHAIRMAN BROWER: Okay. Thank you,
34 James. I didn't mean to interrupt.

35

36 Any other comments or concerns.

37

38 MR. SHEARS: Mr. Chairman. I guess I
39 have one report. On December 4-5 the Western Arctic
40 Caribou Working Group convened in Anchorage for their
41 annual meeting. Enoch Oktollik in Wainwright is a
42 representative on that group, but he also serves on the
43 Walrus Commission who was meeting at the same time in
44 Anchorage. He couldn't attend and I was invited by Eva
45 to sit in as an observer to the process and to the
46 information that was being shared there.

47

48 I was astonished, you know, at the
49 level of professional expertise that was being exerted
50 towards managing that large herd of caribou. There's a

1 lot of changes in that herd recently and the most
2 notable is the decline in population. A significant 20
3 percent decline in population in a herd that's been
4 recognized over the last six years. And trying to come
5 to an understanding of what's affecting that, what is
6 possibly causing that and if there's any trends that
7 should be concerning to us subsistence users for that
8 herd in the future. No real conclusions yet. There's
9 continued monitoring. Satisfied that the monitoring is
10 as intensive as it could possibly be without affecting
11 the subsistence uses.

12

13 Of notable concern is migratory seasons
14 are changing dramatically due to numerous reasons. The
15 concerns by the communities is predominantly the
16 outfitters that are sport hunting the herd out of Nome
17 and Kotzebue. They had 446 flights last year,
18 outfitter flights, into the areas of the Kobuk and the
19 Upper Noatak River region, which could affect migratory
20 patterns. Of course, there's dramatic weather changes
21 as compared to other years. There's studies going that
22 suggest that vegetation is growing differently due to
23 climatic conditions. Vegetation that is necessary for
24 the sustenance of animals.

25

26 Again they're predicting a continued
27 decline in the population. Not shocking yet, but to
28 expect it and to continue monitoring it. That's the
29 conclusion of my report in regards to my attendance of
30 that meeting.

31

32 CHAIRMAN BROWER: Thank you, Robert.

33

34 Any comments or concerns.

35

36 MR. R. NAGEAK: Mr. Chair.

37

38 CHAIRMAN BROWER: Roy.

39

40 MR. R. NAGEAK: I went a lot this
41 summer and I kept waiting for the Western Arctic Herd,
42 kept waiting, kept waiting, because that's a herd that
43 kind of usually goes along the coast, up this way in
44 the summertime. I know the Teshekpuk Herd always go
45 around in front of the meat. That herd is always
46 scrawny and I always wait for the Western Arctic Herd,
47 but for some reason they went south from Wainwright
48 from what I understood. Usually I go down the coast
49 and up inland and I know that they never showed up
50 because they're a different breed.

1 MR. SHEARS: Yeah.

2

3 MR. R. NAGEAK: They're more fatter and
4 somehow tastier and I've come to expect that because
5 they just follow the ocean side, take their time coming
6 up and they're usually here by the last part of July or
7 first part of August, but for some reason they never
8 showed up. That's just my observations.

9

10 MR. SHEARS: Yeah.

11

12 MR. R. NAGEAK: And my concerns about
13 traffic. I don't know whether this would be the body
14 to ensure like what you mentioned, the airplane flights
15 and how on a GPS it's so easy to track where you go
16 personally and I'm wondering whether any State or
17 Federal regulations especially with airplanes be
18 required so that they could track where they go.
19 Because it's so hard if there's like 400 or how many
20 flights around the northwest area impacting the caribou
21 herds and it would be so easy on a satellite where you
22 could track airplanes and what they do, whether they go
23 around in circles herding caribou or whatnot, you could
24 really see that. I see that route when I go into my
25 hunting areas. I know where I went and it's with me
26 for like -- every time I put it on my GPS. And I don't
27 know whether we could make any recommendations that
28 anybody that flies planes and how it impacts
29 subsistence hunting, how it could be a requirement to
30 keep them honest and whether they divert big herds of
31 caribou just for their accomplishment of sports
32 hunting. It would be real easy to do. It's just a
33 matter of regulation to make sure that these airplanes
34 could be tracked. If I could track myself, it will be
35 real easy to satellite to track these individual planes
36 and make sure that rules and regulations that are so
37 hard to enforce and our government workers are so few
38 that we could see on a pattern which way the planes are
39 going. I mean the technology is there. I don't know
40 why it wouldn't help to suggest that rule and
41 regulation with sport hunters, especially flying, be
42 required to input and report their traffic to the areas
43 that they fly into. This is something that somehow we
44 need to get on top of, especially if it's going to
45 impact subsistence hunters by sport hunters, especially
46 the planes.

47

48 CHAIRMAN BROWER: Thank you, Roy.
49 Before we go any further I'd like to follow up with
50 some of the teleconferencing that we established for

1 this meeting and I'd like to find out who's on the air
2 or on the teleconference with us this morning. We
3 heard of one checking in this morning, but we don't
4 know who the others are as of now. If we could have
5 you introduce yourselves, please.
6
7 MR. SHARP: Dan Sharp with BLM.
8
9 MS. HYER: Hi, this is Karen Hyer with
10 OSM.
11
12 MR. EVANS: This is Tom Evans with OSM.
13
14 MR. FOX: Hi, this is Trevor Fox with
15 OSM.
16
17 MR. MCKEE: Chris McKee with OSM.
18
19 MR. LORRIGAN: Jack Lorrigan with OSM.
20
21 CHAIRMAN BROWER: So that's six names.
22 Dan, Karen, Tom, Trevor, Chris, Jack. Did I miss
23 anybody?
24
25 MS. MEDEIROS: Hi, this is Andrea
26 Medeiros with OSM.
27
28 CHAIRMAN BROWER: Your first name
29 again.
30
31 MS. MEDEIROS: Andrea.
32
33 CHAIRMAN BROWER: Thank you, Andrea.
34 Anybody else?
35
36 (No comments)
37
38 CHAIRMAN BROWER: Thank you for
39 introducing yourselves. Like I said, I only heard of
40 one this morning and now we have seven, but that's
41 fine. Thank you for taking the time to participate
42 with us.
43
44 Helen.
45
46 MS. H. ARMSTRONG: Thank you, Mr.
47 Chair. I just wanted to let the Council know that
48 because the people didn't identify what their role is,
49 that Jack Lorrigan, who is the Native liaison, is
50 online. I heard that last time you were interested in

1 knowing who he was and more about him, so he will be
2 online and doing the information on the tribal
3 consultation.

4

5 CHAIRMAN BROWER: Okay.

6

7 MS. H. ARMSTRONG: Then there were
8 three wildlife biologists you'll be hearing from and
9 then Karen Hyer is a fisheries biologist. Because of
10 our budget problems with the Federal government we're
11 having to really limit the number of people coming to
12 meetings. I mean you've all been hearing about this on
13 the news and it's a reality unfortunately, so we're
14 trying to teleconference in people as much as we can.
15 So we want to make sure that this -- you know, we can
16 ask them if they have things they want to say and that
17 sort of thing when it's appropriate.

18

19 I'm not sure they're hearing really
20 well, so all of you out there on teleconference if you
21 can't hear, let me know because you can chat with me on
22 gmail because I have that up and if you want to say
23 something, you're going to have to speak up and say Mr.
24 Chair. We're going to have to figure out a good way to
25 handle all that.

26

27 Thank you.

28

29 CHAIRMAN BROWER: Thank you, Helen.

30 Roy.

31

32 MR. R. NAGEAK: It's more like
33 Honorable Chairman for them.

34

35 (Laughter)

36

37 CHAIRMAN BROWER: No, just Chair is
38 fine.

39

40 MR. R. NAGEAK: I forgot one issue that
41 came out just currently is the Alaska Federation of
42 Natives allowing the regional tribal entities to be a
43 part of Alaska Federation of Natives and whether our
44 role as subsistence hunters -- how that will be
45 impacted because they're really in there now, the roles
46 of Native tribes.

47

48 We as subsistence Federally recognized
49 committees for our region, whether that relationship
50 now with the tribes will be the ones to address any

1 subsistence issues in that new -- with AFN's move to
2 allow more tribal issues to be a part of their -- how
3 should we fit in now, now that they've got the tribal
4 involvement. If anybody looks at it or whether or
5 issues that we're addressing will be taken over by
6 tribes. Which, in a sense, when I look at it, it's
7 like a double-edged sword because the corporations will
8 be involved with those tribes now onto one Alaska
9 Federation of Natives.

10

11 I know for a fact that the corporations
12 are hard for development and we see that -- which is a
13 positive in a sense for our people that get the
14 dividends, but when they're so forward and are in
15 partnership with a lot of companies that want to open
16 up our areas for development and whether the
17 subsistence issues that we're addressing as a group
18 right now will somehow be defrayed or impacted by what
19 AFN Natives organization is doing allowing the tribal
20 to be a part of AFN and to start probably addressing
21 some of the issues we're addressing.

22

23 I just want to see how that will impact
24 us or how the membership of the tribes into AFN will
25 cease and desist Federally regional recognition of
26 subsistence activity. There's a lot of issues and it's
27 like a double-edged sword. I want to know how that
28 would be impacted.

29

30 CHAIRMAN BROWER: So, Roy, I think
31 we'll have some comments or presentations on some of
32 the items, not all of the items. That might be one of
33 them in terms of tribal and corporation consultation.
34 That's something that's on the agenda that we'll hear
35 more about.

36

37 MR. R. NAGEAK: Okay. Because I'm
38 concerned about it. It will be a double-edged sword
39 where our protection of subsistence issues will be
40 somehow watered down if we're part of a corporation or
41 part of AFN to address our subsistence way of life
42 because we know for a fact the corporations are
43 powerful and in partnership with a lot of development
44 people and how we might be on the back burner again or
45 somehow the Federal government needs to recognize that
46 because it's going to impact us definitely.

47

48 CHAIRMAN BROWER: Again, thank you,
49 Roy, for your concerns. We'll definitely hear -- like
50 I said, hear some reports. If we don't address the

1 ones you're identifying, you need to speak up when we
2 get into the agency reports. There are several items
3 that you've mentioned. Consultation with tribes and
4 ANCSA corporations, that's also on the agenda under
5 12(8). That's something that we'll bring that up and
6 something similar to what you're identifying with.

7

8 Getting back to Robert Shear's comments
9 in regard to Western Arctic Caribou. Again I had time
10 constraints and conflicting meeting events and I
11 couldn't be at two meetings. Just a follow up on some
12 of the work behind that. Some years ago when Barbara
13 Atoruk was our coordinator there was some information
14 that was going -- correspondence going back and forth
15 whether we should be a part of that working group.

16

17 As we were following up and time had
18 lapsed, they had indicated that we were not needed to
19 be a member to that organization. Again, time has
20 lapsed and I tried coordinating with Eva in trying to
21 identify those correspondence, but we were not
22 successful and maybe you could help a little bit with
23 that Eva in terms of where we ended off in terms of
24 getting Robert to that meeting as well.

25

26 MS. PATTON: Mr. Chair. The Western
27 Arctic Caribou Herd Working Group had responded to the
28 request of this Council and it was an e-mail that was
29 generated through Barbara Atoruk, the Council
30 coordinator, at the request of the Council to request
31 the Western Arctic Caribou Herd Working Group to add an
32 additional seat that would be a representative from
33 this Council to sit on their working group.

34

35 The working group considered that at
36 their winter meeting. We received a letter from the
37 Western Arctic Caribou Herd Working Group, which was
38 delivered right after the fall meeting. So I had e-
39 mailed that out and I do have copies of that again for
40 all of you. Their response was that they felt they
41 would have to change their charter to include an
42 additional seat and that they had representatives from
43 each region of the North Slope currently on the Council
44 and felt that was sufficient. They felt if they
45 expanded their seats further it would make their
46 working process cumbersome or too large.

47

48 So I do have a copy of that letter for
49 you. I didn't place it out yet. I thought we'd get to
50 that later in the agenda. But that was their reply.

1 We're hoping the coordinator for the Western Arctic
2 Caribou Herd Working Group might be able to be on for a
3 little bit tomorrow along with the reports from ADF&G
4 on caribou status. So she may be able to speak to it.
5 That was all that she could say that was the Council's
6 vote or the working group's vote on that request from
7 the Council.

8

9 Our new Council member, Ted Frankson,
10 is currently a member of the Western Arctic Caribou
11 Herd Working Group, so while it's not official, we do
12 now have a Council member that is an official part of
13 the working group and they had expressed the North
14 Slope Regional Advisory Council is, of course, welcome
15 to participate in those meetings and provide input.
16 OSM had supported Harry's travel for that or a
17 representative to attend that meeting. I'll pull up
18 those letters for you too, the copies.

19

20 CHAIRMAN BROWER: Yes. We could
21 disseminate that at some point in time. I just wanted
22 to bring that conversation back up before we lose sight
23 of it. There is some other -- in regards to the
24 representation, I have some concerns about that. If
25 you look at the organization chart in representation of
26 the North Slope, they've combined our villages with one
27 representative from two villages in that segment and it
28 doesn't seem fair in a sense in my opinion, I'm not
29 sure how you all feel about it, that our North Slope
30 communities are combined but all the western villages
31 are single representatives to that organization. So it
32 seems unfair, but that's up to how you all want to view
33 that in terms of representation.

34

35 These are caribou that reside here in
36 the North Slope, use the area for calving grounds and
37 that kind of stuff. There's a lot of activity and
38 decisions that are being made regarding that movement
39 of those caribou. Robert's comment in terms of the
40 population estimates, we've known that they've been
41 inclining for many years. They're getting into the 400
42 -- over the 400,000 range, almost 500,000 animals
43 within that population and there was some predictions
44 at some point in time it was going to peak out and then
45 we'll start seeing the reverse trend, decline of the
46 population over time.

47

48 Again, not having all the research
49 being conducted in regard to that specific caribou
50 population and the range where that range was at its

1 capacity in terms of the number of animals that were
2 being identified. We're concerned that probably in the
3 early '90s they're trying to identify when that
4 population was going to peak out and level off for
5 several years and then we'll start seeing the reverse
6 and the decline of number of animals within that
7 population because of the range being -- the food for
8 the number of caribou within that specific herd were
9 going to be able to continually provide for the large
10 number of caribou.

11
12 So those were some of the discussions I
13 have in remembrance of some of the conversations that
14 went on for many years, but over the years that this
15 group has formalized itself as a working group, it's a
16 fairly large group and it consists of a lot of folks
17 from the other areas. It's a State organization with
18 Federal funds being used in supporting that
19 organization.

20
21 I just wanted to bring these things out
22 on the table before we get too far in regards to some
23 of the communications that -- in regard to the Council
24 reports. I've seen Gordon's hand and then Rosemary.
25 Gordon.

26
27 MR. G. BROWER: Mr. Chair. Gordon
28 Brower for the record, Barrow. In terms of maybe just
29 a little bit of clarity, in bundling villages to have
30 one representative, is that within the working group
31 itself? The other question I had was what's the
32 benefit of the Regional Advisory Council to have a seat
33 on there versus observing? Does it carry more weight
34 in working with them or does just being an observer
35 and being at the meeting suffice to our concerns on the
36 working group?

37
38 I just wanted to see if there was a
39 difference between -- I think it's a moot point anyway.
40 It sounds like they don't want to change their charter
41 or there's a charter change needing to be worked in
42 order for a Regional Subsistence Advisory Council to
43 appoint or select a person to be on the working group.

44
45 CHAIRMAN BROWER: Thank you, Gordon. I
46 don't have all the material before me. They have a
47 pretty well laid out organizational chart and
48 identified 20 chairs would be the starting point that
49 would be inclusive of what they call their users of
50 different areas, the recreational users, the sport

1 hunter users, the subsistence hunter users, guiding
2 outfitter users. There's a whole range of different
3 chairs that are identified on their organizational
4 chart.

5
6 In regards to the bundling of the North
7 Slope, you don't see that anywhere else within the
8 organizational chart of having communities bundles or
9 being representatives to that organization. It's just
10 on the North Slope. That's how it's in my view. I
11 read through the materials and I noted.

12
13 In regards to the second portion,
14 Gordon, I'm not sure how this Council would view that.
15 I think it's up to us to have that discussion to see
16 whether we want to be observers or members to the
17 organization. I guess it would weight in a bit more in
18 terms of having representatives and trying to follow
19 through with what our structure is and how we would
20 represent our communities to the Western Arctic Caribou
21 Herd Working Group. I guess there needs to be some
22 more discussion on that matter as well in terms of how
23 you, as the Council, wish to follow through.

24
25 There may be some weight differences in
26 terms of observance and regional membership in terms of
27 the level of participation or acknowledgment to the
28 communications that occur. Maybe I'll stop here.
29 There's Gordon and then Rosemary and then Roy.

30
31 MR. G. BROWER: Just one follow up to
32 that. If representation carries more weight and we have
33 Teddy Frankson that's just joining in as Regional
34 Advisory Council member, but he's on the Western Arctic
35 Caribou Herd Working Group because of his location, not
36 because he was on the Regional Advisory Council. So I
37 think there is a -- I think personally that the Federal
38 Regional Subsistence Advisory Council should have a
39 membership in there.

40
41 I'm from Barrow. When I'm hunting, I
42 can notice which herds I'm hunting as well. The
43 Western Arctic Herd is a huge big herd. I've seen the
44 difference between Teshekpuk tutu and the Western
45 Arctic. We get the outer fringes when they're coming
46 through. The migration is a wide swath. I notice we
47 do get the outer fringes around the Ikpihpuk area. The
48 tutus are pretty different.

49
50 Anyway, I think that would be important

1 to note the multiple villages, I think even including
2 Barrow, does use Western Arctic Herd.

3

4 CHAIRMAN BROWER: Thank you, Gordon.
5 Rosemary.

6

7 MS. AHTUANGARUAK: I also wanted to
8 support James in his process. We work with a number of
9 people from Anaktuvuk to share their concerns and help
10 them learn more about the process of where they can
11 bring their concerns related to the road. They also
12 participated in going to Juneau to share their
13 concerns.

14

15 This is a really big issue between
16 Nuiqsut and Anaktuvuk Pass because both share in the
17 migration and both would be impacted on different
18 portions of the migration in that process. The
19 villages have worked very strongly together in trying
20 to protect that migration in supporting one another and
21 assisting one another when there are impacts that
22 they're not accessing the animals with migration and
23 that's very important to continue in this process.

24

25 Representation on that process for the
26 working group has shown that conflict because Anaktuvuk
27 and Nuiqsut have to share that position and they've had
28 to decide who will go to present on their issues when
29 both of them are facing similar issues and only one can
30 go. At the process you have a different set of
31 discussions coming from Anaktuvuk than the discussions
32 that are coming from Nuiqsut because of their location
33 and their progression on the migration and that's very
34 important.

35

36 There also has been a number of young
37 people from Anaktuvuk Pass that also visited with me
38 during the elders and youth conference still sharing
39 this similar concern of their importance for their
40 future of continuing their traditional way of life and
41 that's also important. I encouraged them to work with
42 Benny Nageak, our new representative on this process
43 for these concerns. Whatever we can do to support them
44 in their effort to participate and share these concerns
45 must be allowed to occur because this is generational
46 issues that could be at risk and we want to prevent
47 this from occurring.

48

49 I'm very concerned because of the
50 process to create the road. It's a Department of

1 Transportation process and there are current
2 regulations that limit the involvement of the local
3 communities in that process and there's current changes
4 that are being proposed with senate bills that could
5 impact the resources tribes have on trying to protect
6 their continued traditional and cultural uses and areas
7 that are being impacted by changes to lands and water.

8

9 CHAIRMAN BROWER: Are you done,
10 Rosemary?

11

12 MS. AHTUANGARUAK: Yes.

13

14 CHAIRMAN BROWER: Thank you, Rosemary.
15 Roy.

16

17 MR. R. NAGEAK: I want to welcome Ted
18 Frankson from Point Hope. One of the issues we've
19 dealt with in the past is that Point Hope is in a
20 particular situation where some of the issues from the
21 Northwest area they're regional because of Federal
22 lands in both and whether -- we've talked about that.
23 Whether issues that are being addressed by the regional
24 and the regional area impacts Point Hope and they're
25 right at that border of both NANA and North Slope and
26 whether that issue was ever rectified because I
27 remember Mr. Koonuk trying to address the issues with
28 NANA Subsistence Advisory Council making
29 recommendations and how it impacts the Point Hope area,
30 whether those things are being addressed by the Federal
31 government. He was caught in both regions Subsistence
32 Advisory Councils and what they recommend. It would be
33 different recommendations coming from the North Slope
34 and different recommendations coming from NANA that is
35 impacting the Point Hope area and their subsistence
36 hunting and whether those were worked out or whether
37 they're still on the table. They still need to be on
38 the table because of the concerns.

39

40 On the village participation, I'm all
41 for that each village needs to be represented on the
42 North Slope because of the impacts basically all across
43 the board on the North Slope, the impact and for that
44 purpose hearing from each village instead of bundling
45 is of importance. We're just only seven or eight
46 compared to so many villages and like always point that
47 out in NANA region. We need to have that
48 individualized from the villages.

49

50 Thank you.

1 CHAIRMAN BROWER: Thank you, Roy.
2 James.
3
4 MR. J. NAGEAK: I would support some
5 kind of participation in that Western Arctic Herd
6 because we do get the Western Herd Caribou coming to
7 our area at Anaktuvuk Pass and they usually travel from
8 the west and go to the south of Anaktuvuk Pass in the
9 summertime, so they start coming into our area. So for
10 that reason I would like to know who is on the Western
11 Arctic Herd Working Group. I vaguely remember somebody
12 from Anaktuvuk Pass close to that.....
13
14 MS. AHTUANGARUAK: Esther and Isaac
15 were the last that I know of. They were the ones
16 sharing that position.
17
18 MR. J. NAGEAK: Uh-huh. So it would be
19 good to know who's on.
20
21 MR. SHEARS: Mr. Chair.
22
23 CHAIRMAN BROWER: I think if we could
24 get the names for them. Like I said, I don't have all
25 the material right before me. They usually provide --
26 what is that?
27
28 MR. SHEARS: There's two
29 representatives on there from the North Slope. Enoch
30 Oktollik from Wainwright and Teddy Frankson from Point
31 Hope. Those were the only representatives for the
32 North Slope.
33
34 CHAIRMAN BROWER: Thank you, Bob. So
35 like I said they bundle up the North Slope villages. I
36 think there's three. One of them was the primary and
37 the other was the alternate.....
38
39 MS. AHTUANGARUAK: Right, right.
40
41 CHAIRMAN BROWER:for Nuiqsut and
42 Anaktuvuk. So that's how I've read it in that -- what
43 do they call it, their trail something.
44
45 MR. R. NAGEAK: Newsletter.
46
47 CHAIRMAN BROWER: Newsletter that they
48 put out. I mean I read through that stuff and that's
49 where I pick up a lot of my information just reading
50 that newsletter. Anyway, I think that we need to

1 continue having that discussion at some point in time.
2 I'm not sure how you all want to follow up in terms of
3 the comments that they generate and maybe after
4 reviewing some of the material from Eva in regards to
5 the communications and correspondence that have
6 occurred we could have another discussion at some point
7 in time. Is that agreeable with you all.

8

9 MR. R. NAGEAK: Mr. Chair.

10

11 CHAIRMAN BROWER: Yes, Roy.

12

13 MR. R. NAGEAK: Your comments in
14 regards to the Western Arctic Herd were it's at its
15 peak and some expectancy of decline. For some reason
16 it just keeps coming back because of global warming
17 where some species are being looked at being
18 endangered. When you look down 20, 25 years from now.
19 I don't know what kind of format they utilize for that
20 unless they have research or studies that indicate
21 that's going to happen. But we know with the caribou
22 herd and how they've studied them for so many years and
23 the expectancy of decline is there because we've seen
24 it before.

25

26 Whether the rules and regulations that
27 control who's got access to that herd that they use
28 those models to say, okay, because of this expectancy
29 so that it won't be impacting our subsistence users
30 that they use that model and say we're going to stop a
31 certain group that really impacts that herd. And
32 that's that thing that we have on rural -- what do you
33 call that. That we'd be the first ones, the
34 subsistence users have first dibs if there's any.....

35

36 CHAIRMAN BROWER: Subsistence rural
37 determination?

38

39 MR. R. NAGEAK: Pardon?

40

41 CHAIRMAN BROWER: Subsistence rural
42 determination?

43

44 MR. R. NAGEAK: Yes. That we'll have
45 first dibs at whoever impacts that herd. There will be
46 a sense of order if we see a decline coming that this
47 be said already, that the usage for sport hunting that
48 we start thinking about making rules and regulations to
49 expect those that just do it for money, for sports and
50 guiding, that those will start to have to be assessed

1 right now because of expectancy of decline. Because
2 it's already a format that's being utilized by the
3 Federal government in forecasting what's going to be
4 impacted by global warming and try to declare
5 endangered species, but in a sense that the State and
6 the Federal government could look at it and allow the
7 subsistence users to have less impact of the decline of
8 the Western Arctic Caribou Herd.

9

10 Thank you.

11

12 CHAIRMAN BROWER: Thank you, Roy, for
13 your comments. We are dealing with Federal
14 regulations. We also have the State regulations that
15 are imposed on the same resources, so there's two
16 different resource managers that we have to deal with
17 within our North Slope region and see how we can best
18 approach the comments and concerns. Again, look into
19 our agenda and see where we could have another
20 discussion and follow up to address the comments and
21 concerns.

22

23 Thank you.

24

25 Can I recognize some people?

26

27 MR. J. NAGEAK: You're the Chair.

28

29 CHAIRMAN BROWER: Rosemary?

30

31 MS. AHTUANGARUAK: That's fine.

32

33 CHAIRMAN BROWER: We have two other
34 folks at the table here. Dr. Yokel and I'm not sure
35 who wants to go first. Dr. Yokel.

36

37 MR. G. BROWER: Age before beauty.

38

39 DR. YOKEL: I just look older. Thank
40 you, Mr. Chair. I just want to clarify one thing and
41 that is the Western Arctic Caribou Herd range includes
42 about 40 villages all the way from Nuiqsut down to the
43 Norton Sound. There are many villages in the NANA
44 region and the Seward Peninsula region that are bundled
45 together as you put it with a single representative on
46 that group. That's not unique to the North Slope
47 villages on the Western Arctic Working Group.

48

49 I just wanted to make that one point,
50 thank you.

1 CHAIRMAN BROWER: Thank you. Helen.

2

3 MS. H. ARMSTRONG: Mr. Chair. Members
4 of the Council. I wanted to respond to what Roy said
5 because there -- I just wanted to explain part of the
6 Federal regulations that ANILCA says, is that if you
7 have a resource that becomes -- the population is low
8 enough that it can't support a sport, possibly
9 commercial and subsistence harvest, then there are
10 regulations that would go into effect. They would only
11 be effective on Federal public lands, not State lands.

12

13

14 So what Harry is saying is you do have
15 then -- there might be a hunt on State lands, but
16 there's a significant amount of Federal land on the
17 North Slope. You've got NPR-A, you're got the Wildlife
18 Refuge, you've got the Gates of the Arctic. So if
19 there weren't enough caribou, God forbid, that the
20 population crashed so much, then you could ask for
21 what's called a Section .804 analysis. Then they look
22 at who are the people who are closest to the resource
23 who are most dependant on the resource, have the
24 longest history of taking the resource, that sort of
25 thing, and then they decide who those people should be
26 who are allowed to hunt it. And they would have to
27 close Federal public lands at the same time to non-
28 subsistence uses.

29

30 So there are things in place that can
31 happen, but the population would have to crash so much
32 that there was a concern that it could only support
33 subsistence uses.

34

35 And then, of course, the last, but
36 hopefully it won't happen, thing is that there's not
37 enough to support anything. Like with muskox in 26C,
38 they don't have a hunt anymore up there until that
39 population comes back, if it comes back.

40

41 MR. R. NAGEAK: Mr. Chair.

42

43 CHAIRMAN BROWER: Helen, are you done?
44 Roy and then Gordon.

45

46 MR. R. NAGEAK: I'm a person of the
47 five P's, prior planning prevents poor performance. So
48 that if we have -- before anything happens we should
49 have something set to guide us if that ever happens.
50 Hopefully it doesn't. All these things, rules and

1 regulations, could always be changed, but if you set
2 rules before anything crashes hopefully that matter of
3 people butting heads is the worst thing to happen.
4 It's a matter of assuring that these plans were
5 developed, these plans will be followed and these plans
6 come from different variety of groups that agree for
7 the betterment of what we utilize for subsistence food
8 that issues like these be addressed before anything
9 happens. I just want to point that out.

10

11 Thank you.

12

13 MS. H. ARMSTRONG: Excellent comment.

14 Thank you.

15

16 CHAIRMAN BROWER: Thank you, Roy.

17 Gordon.

18

19 MR. G. BROWER: Mr. Chair. Gordon
20 Brower for the record, Barrow. Along the same lines as
21 Roy's comments and I tried to write a few notes down
22 because I start to forget my train of thought. Anyway,
23 this is probably for Helen and probably OSM folks. In
24 talking about the priority set, I'm pretty sure when
25 you look at the subsistence use of the resource, if you
26 put Western Arctic Herd in context from Nome through
27 the NANA region where these animals go and they're
28 harvested for subsistence use.

29

30 I can imagine the level of detail and
31 work that's involved in what a village take is on its
32 route. I think you have all of those numbers already
33 and just those numbers alone and calculate the
34 reproduction and the sustained yield principle you
35 would have a threshold level of an amount before it
36 became an emergency between -- a battle between
37 subsistence and commercial recreational, sport hunting
38 of the same resource. I'm pretty sure there's already
39 an established threshold level that the agencies use.

40

41 I think this is a good concern to talk
42 about considering what the State has done in terms of
43 Kuskokwim fish, putting people in peril and when a
44 resource is deemed depleted beyond a sustained yield
45 principal to take it away, take their nets away from
46 the rivers and fine them and whatnot. This is a very
47 critical issue because we're also embarking on an MOU
48 between the State and the Feds for management of these
49 resources on Federal lands. It brings big red flags
50 about going together at it with the State having seen

1 the issues that it's generated.

2

3 So I'll just stop it there.

4

5 I'll probably ramble on more than I
6 need to.

7

8 CHAIRMAN BROWER: Thank you, Gordon.
9 James and -- did I cut you off earlier, Rosemary?

10

11 MS. AHTUANGARUAK: No worries. We'll
12 get there.

13

14 CHAIRMAN BROWER: Okay. James.

15

16 MR. J. NAGEAK: Thank you. I just keep
17 thinking about the nomadic lifestyle of the Nunamiut in
18 the early 1900s and up until 1949 when they established
19 the city of Anaktuvuk Pass at its location now. In the
20 early 1900s, there was a migration of people from
21 Alaska to Canada because of the decline of the
22 caribou and possibly the Western Herd because I
23 remember reading something about Sheldon Jackson
24 bringing some reindeer from Siberia and bringing them
25 over here so that the people that migrated into this
26 area would have enough meat to sustain themselves for
27 the winter.

28

29 It helped the Nunamiut because they
30 were nomadic at that point. They were able to -- it
31 wasn't something unusual for them to pack and follow
32 the caribou around and that's how come my mother-in-law
33 was born in Canada in the early 1920s because people
34 from that area -- now if we begin to think that we are
35 no longer nomadic, we have an established village, how
36 is that going to affect the village of Anaktuvuk Pass
37 when the decline of the caribou is so drastic that it
38 happens like in the early 1900s where there was a lot
39 of starvation even though the people were nomadic at
40 that point because, you know -- and that's why they
41 moved from our area and all the way over to -- the
42 Porcupine Herd was good at that point, I guess, and
43 luckily for some of the people from Anaktuvuk Pass they
44 were able to come back after the caribou in their area
45 has re-established themselves.

46

47 We asked the agencies to do some
48 research on how the pack of caribou declining at a rate
49 that affected the people in early 1900s, you know. How
50 can we learn from the history, from the people that

1 were affected by that decline of the caribou.

2

3 Thank you.

4

5 CHAIRMAN BROWER: Thank you, James.

6 Rosemary.

7

8 MS. AHTUANGARUAK: I agree with a lot
9 of this discussion that's going on, but I also want to
10 step back and recognize Ray Koonuk for his involvement.
11 We've lost him recently and that's a big loss in the
12 process. I feel really bad that we weren't able to
13 address his concern of being in between the two units
14 and I'm really glad you brought that up. I did discuss
15 it a little bit with Eva yesterday and didn't get it on
16 the agenda, but it is very important to note that we
17 have many resources that move through many different
18 areas and understanding how we can be involved
19 effectively and managing our resources is important.

20

21 One of the things that Nuiqsut shared
22 with me was their draft report that showed the changes
23 in Nuiqsut's harvesting. I think that's really
24 relevant in this discussion. I have it on my phone and
25 I can forward it to whoever needs it, but you have a
26 big area of red where they were harvesting before
27 activities of alpine and then it turns yellow because
28 they're not actively harvesting. It's important to
29 note that it's area that it's changing with successful
30 harvest, not that they're not still using these areas.
31 People still go into these areas, but with the changes
32 of what's happening on these lands and waters they're
33 not successfully harvesting.

34

35 These discussions are important with
36 the changes that are coming around us changing our
37 lands and waters. There's a lot of requests to change
38 things and if the road to Umiat, the road to Ambler,
39 the road to Nome goes in, those are things that are
40 going to affect all these herds that we're discussing
41 today as well as many other villages that could be
42 affected with all of the changes that are being
43 proposed.

44

45 A lot of the activities to change our
46 nearshore environment with the changes that are coming
47 with efforts to move with offshore development we
48 haven't had those discussions on where some of these
49 infrastructure can be placed without decreasing the
50 biological diversity of these areas that are important

1 for our sustainability and I hope that we have efforts
2 to look at some of this information to guide the
3 decision-making process and give us a strong seat at
4 the table because when we're taken out of these
5 discussions and at the decision-making tables,
6 profitability guides the decision and it's a different
7 view for us who are living off the lands and waters and
8 want to continue with the foods that are necessary to
9 keep us healthy.

10

11 CHAIRMAN BROWER: Thank you, Rosemary.
12 I'd like to turn the discussion on the boundary. I
13 think that's another one that we'll be identifying
14 within regard to the agenda items that we have. One
15 area would be under the agency reports and rural
16 determinations. It's within that area that we could
17 probably identify with on what the concern voiced by
18 Roy and Rosemary and our previous Council member Ray
19 Koonuk. I have to look back in terms of how we dealt
20 with Anaktuvuk as well because Anaktuvuk is right in
21 the boundary of 24 and 26 and the boundary line goes
22 right into that Continental Divide. One side is 24 and
23 the other side is Unit 26. So those are the things I
24 could reference back in terms of where we need to
25 follow up on and we've had some comments.

26

27 We've had joint meetings with other
28 Regional Advisory Councils regarding discussing mutual
29 concerns within the respective boundaries and
30 representation for the betterment of our community
31 needs. That's something we had addressed in other
32 meetings in the past. I just make mention of that and
33 that's something we could make happen again at the
34 request of this Council. So we could keep that in mind
35 as well in regards to how we could better move forward
36 in making our concerns being voiced and learning from
37 our other counterparts or constituents from either
38 Northwest Arctic Borough or Unit 24, the Interior
39 folks, because we've had some issues that we've dealt
40 with in the past before.

41

42 I'll stop here. Gordon and then Lee.

43

44 MR. G. BROWER: Mr. Chair. I'm just
45 compelled to say a couple words here and with the
46 utmost respect to my colleagues here. In terms of the
47 harvest, the general shift in harvest locations and
48 harvest patterns within the Nuiqsut area, being a land
49 manager for the North Slope Borough for about 20 years
50 now working with the Borough and looking at the

1 development pressure related to impacts to harvest,
2 there are many different studies going on with
3 terrestrial mammal monitoring that we should equally
4 give way to the findings and the use of these studies
5 when we're going to talk about the areas that are being
6 impacted because I believe the effort to move forward
7 with development is a joint effort between the
8 communities and the industry and the Borough, in
9 reviewing projects that have a large-scale potential
10 impact and the mitigation measures that are in place
11 and designed to help alleviate a balanced approach to
12 development and subsistence harvesting.

13

14 So there exist these mitigation
15 measures and the effectiveness of how these things are
16 being administered through mitigation advisory
17 committees that are born out of Nuiqsut should be the
18 folks to, you know, render some advice as to how well
19 mitigation efforts work. We knew going forward with
20 the development proposals -- even the North Slope
21 Borough had concluded that there would be potential
22 large-scale deflections or displacement by mere added
23 infrastructure in areas that were primarily used for
24 subsistence.

25

26 Even the record of decision in 1998
27 identified a lot of these areas as high subsistence
28 priority use areas yet the move forward as the cost of
29 deflection and the use and the nation's need for oil.
30 These are real issues that are out there. But there
31 are mitigation measures in place and the studies that
32 are in place and designed to capture the impacts should
33 be referenced.

34

35 That's all I wanted to say in the best
36 interest of balancing the comments.

37

38 CHAIRMAN BROWER: Thank you, Gordon.
39 Lee.

40

41 MR. KAYOTUK: Thank you, Mr. Chair and
42 Council. For the caribou is a pretty much very -- I
43 think is very important because two weeks ago we were
44 up in the Brooks Range and we did harvest four caribou.
45 We noticed a difference between -- I'm not sure if it's
46 two different herds, but we noticed the caribou in the
47 Brooks Range stayed there during our hunt, but when we
48 got to the coast there we noticed a herd of caribou
49 that were in the area they fled off just like anything,
50 like something was chasing them, which were wolves and

1 wolverines on the coast that are following them around
2 now. But there's a big difference between the two
3 sides there in our area.

4

5 We also notice that ptarmigans come
6 around early this year in January and find out that we
7 didn't get too much during freeze-up time or during the
8 time that they do migrate, which came early.

9

10 For the village we have snow
11 conditions, but less than a foot of snow on the Brooks
12 Range. I'm always less than a foot of snow on the
13 coast. We do have some polar bears in our area. Our
14 biggest thing right now is our -- we have our runway
15 project now that is in place now in Kaktovik, which are
16 doing blasting of the gravel now, which is a big
17 concern because it's -- I don't know if they're not
18 doing their reports right, but every other day we have
19 a blast and a lot of people's houses are shaking
20 because of the gravel blast in our area and we notice a
21 herd of caribou that came by, but they fled 15 miles
22 east and just kept going, but other than that that's a
23 notice in our area for construction or the blasting
24 would move these caribou east, the herd we seen.

25

26 Thank you.

27

28 CHAIRMAN BROWER: Thank you, Lee for
29 your comments and concerns. Any others regarding
30 Council reports.

31

32 MR. G. BROWER: Mr. Chair.

33

34 CHAIRMAN BROWER: Gordon.

35

36 MR. G. BROWER: If there is no
37 questions for Lee, I'd like to give a little report.

38

39 CHAIRMAN BROWER: Continue, Gordon.

40

41 MR. G. BROWER: Mr. Chairman. Members
42 of the Council. Gordon Brower from Barrow. It's
43 always good to -- I think for land managers to see what
44 kind of pressures and subsistence resources that we
45 harvest and things that we observe. I think they use
46 these things as some sort of measuring stick of sorts,
47 I think. From a subsistence standpoint, I think our
48 caribou, like many others that observed, from my own
49 observation I think that a westerly wind that was
50 relentless, the west wind for a long, long time -- as

1 you know, caribou will turn into the wind and then go
2 with it. It's like a relief. The caribou went west.
3 I know know if Wainwright and Point Lay would attest to
4 caribou being in their presence for a longer duration
5 of time, but certain around Chip River the caribou
6 were sparse. It was hard to find them unless you went
7 way up river or you waited around long enough.

8

9 I was to the thought that if I waited
10 around long enough in my area they would come. Towards
11 probably that last week in September they finally
12 showed up. Usually you would see them around the
13 middle of August when the wind is just right and they
14 start to move around. They get antsy, you know, when
15 the rut is getting ready to begin. You know where
16 they're going to go and then they come back.

17

18 Last year was pretty late. It was very
19 difficult, but we did harvest just before they started
20 to turn, so my harvesting was -- you know, I had to
21 stop hunting bulls and just go into females because it
22 was late enough in the season where I didn't want to
23 hunt anymore bulls because of the rutting that was
24 changing their chemistry or something. Nobody likes to
25 eat them that way anyway.

26

27 Other than that, the same as last -- I
28 guess not the same as last year, but we have a very big
29 difference in our freeze-up. It's substantially
30 changed. The rivers in Ikpikpuk in September were just
31 about bank to bank and there's no way the river is
32 going to freeze. There's no way the river is going to
33 freeze. There's no way you can put nets in the river
34 unless, you know, something drastic happened. I'm
35 pretty sure the fish spawned because there was some
36 other fishermen reporting that their fishing was pretty
37 good, but they had to move their nets immediately when
38 the river rose up a little bit.

39

40 Fish harvesting for me was the most
41 difficult I've ever seen it. You know, I fish with my
42 parents, I fish alone, I fished with my sons for the
43 better part of 30 years now and this is probably the
44 most difficult time I've encountered in terms of
45 climatic effects to our fishing. It would freeze for a
46 little bit and then the weather would change and the
47 whole thing -- big chunks broke off and you try to put
48 in a net and the ice getting it and tear it up. It was
49 just horrendous.

50

1 Those were my issues on fishing and
2 hunting. We had good geese. Caribou was good, you
3 know, but I think it was kind of late in some areas.

4
5 Other things that related to concerns.
6 I just want to inform, if Anaktuvuk doesn't know and
7 others, being a land manager for the Borough, we do
8 have a public hearing in Nuiqsut on the 28th regarding
9 Arctic Adventure Guides. It's their request to
10 establish guiding. It turns out this Arctic Adventure
11 Guides have been permitted by the State and probably
12 the Federal agency since 1997 and eluded the Borough's
13 regulatory process for many, many years. Once we got
14 our inspectors in Prudhoe Bay to corner this person and
15 talk with him, he didn't appear to have any North Slope
16 Borough permits in place. Well, anyway, it's a long
17 story. The guy is very difficult to work with, but the
18 permits were elevated by the administrators for a
19 public hearing on the 28th if Anaktuvuk are not fully
20 aware of that

21
22 ASRC has also made concern of this
23 individual. ASRC has a habit of rafting to a certain
24 location on the Colville and their land managers raft
25 down the Colville River in an area that they deemed is
26 off limits to sport hunting, but primarily used for
27 subsistence and that is their covenant or whatever,
28 how they regulate that, and found this particular guide
29 with photographs that they were actually on ASRC lands
30 doing their guiding and spike camp activities on ASRC
31 land. So, with that in mind and the concerns that were
32 raised with the notice of violation to this outfit that
33 further consideration by the planning commission was
34 sought.

35
36 I think there needs to be a more
37 concerted effort between Federal agencies, the State
38 agencies, land managers from BLM, Gates of the Arctic,
39 ANWR. I think to have a better workshop or better
40 working relationship with local governments in terms of
41 permitting sport activities that do not seem fit to
42 recognize the local government's jurisdiction in these
43 things. I think there really needs to be a sit-down
44 and talk about notification. If we can have Karen
45 Jettmar taking tusks from NPR-A and displaying them on
46 Facebook and then being cited by a Federal grand jury
47 of sorts to this AAA Arctic Adventure Guides being
48 permitted since 1997 by Federal agencies and the State
49 agencies and eluding or disregarding local government
50 laws and ordinances is highly concerning.

1 Other than that I did encounter -- when
2 I first had caribou arrive in this area, me and my son
3 had been waiting for caribou for a long time. He's 12
4 years old. The minute we said -- we use our
5 spyglasses. Wow, they're coming over coming from
6 Atqasuk area, coming from the west, we could see them
7 coming down the hills. The minute they get close to us
8 between Alaktak and Chip River, I took pictures of this
9 aircraft. It's a gray Skyvan and I don't know if it's
10 a Fish and Wildlife Service or if it's some transporter
11 or something, but repeated very low level pass on about
12 a 500 strong herd that just came to us and we've been
13 hurting for caribou. Coming down like 500 feet and
14 making big swooping turns and doing that again.

15
16 Pretty soon this big herd that we were
17 expecting to stop and we can sit down and have coffee
18 and shoot one and wait for another one, then all of
19 that went away. The tutus -- the plane pushed them and
20 pushed them out of our reach. We were lucky to get
21 four of them, but we got them about two miles from the
22 river and having to nunmuk, you know, you put it on
23 your shoulder and carry a hindquarter, I had to do that
24 for two miles to the river. Very very painful. But I
25 had to do it because it was my only caribou and we
26 hadn't had any for a long time.

27
28 That kind of impact is I think
29 unwarranted. I immediately -- you know, I'm at my camp
30 and I have my own satellite phone, so I called Bart
31 Ahsogeak from the Borough and reported this airplane
32 and had Bart call FAA to see what's going on. Other
33 than that I haven't heard too much about the outcome of
34 this.

35
36 People concern about helicopters and
37 there was a report from BLM about 4,000 take-offs and
38 touch-downs of helicopters in one season in the BLM
39 area only. It leads to some good questions as to the
40 level of impact.

41
42 Additionally, other concerns I wanted
43 to bring out were -- and I may have pointed this out
44 already. I think the North Slope Borough probably
45 takes the lead where the Federal government needs to
46 step up to the plate as well. You know, we get
47 complaints from subsistence users. I've heard it from
48 people around the Chip/Alaktak about small helicopters
49 and big helicopters and trying to respond to the level
50 of -- not the fixed wing at this stage, but the

1 helicopter interference.

2

3 Some of them we were readily able to
4 work with and identified who the instigators were and
5 re-routed them. Some of them were industry folks with
6 big helicopters with their need to practice for safe
7 extra action should an emergency occur in the ocean or
8 something. They have to practice extracting people or
9 something. But we were able to work with that one, but
10 others like Fish and Wildlife Service or USGS -- we
11 haven't elected yet to do major enforcement because of
12 the posturing of Federal agencies that say I got my BLM
13 permit and that's all I need, and if you think you
14 could do more to regulate me, I have my attorney here
15 on the telephone. You're going to need to talk with
16 him.

17

18 I think posturing -- this only leads me
19 to think the Federal agencies -- there needs to be a
20 more understanding of regulatory processes. We hate to
21 start generating enforcement actions and then have the
22 weight of the Federal government saying in the name of
23 national security, primacy and all of this kind of
24 dialogue that starts to ensue for bird watching or
25 studying the bird flu or studying bugs going around for
26 climate change events or some other development
27 pressure. It shouldn't be at the cost of somebody's
28 ability to harvest caribou for their families when
29 you've got to put a cache of caribou away for the
30 season.

31

32 That is at the heart of it. I think
33 subsistence resources are of major issue up here to be
34 harvested when the time is right. That's a big key
35 issue. When the time is right, when the caribou are
36 fat and when the fish have eggs. Issues like that are
37 -- you know, we hunt caribou all the time, but it's
38 more sought after when they're in their prime state.

39

40 It still leads me to think that not
41 only does the North Slope Borough have a
42 responsibility. I think there should be KBRW
43 announcements. If you have concerns on Federal lands
44 about helicopters and impacts of your subsistence,
45 contact Dave Yokel, BLM, here he is, or somebody at
46 OSM, not just the North Slope Borough. There should be
47 a concerted effort to remedy the situation when you're
48 going to have folks like USGS and Fish and Wildlife
49 Service and say I'll put my conexas where I please,
50 you're not going to tell me with a permit where to put

1 them or any other stipulation that we should abide by
2 and you can take that to the bank and I'll have my
3 attorney backing me up with the U.S. government, the
4 President of the United States backing me up. I think
5 that's inappropriate and there should be better means
6 to address these things rather than put the Borough's
7 authority on the line as they say sometimes.

8
9 Anyway those were the limit of my
10 concerns. I did hear a lot of other -- I have a lot of
11 nephews that hunt wolves and listen to a lot of
12 different hunters and, boy, there's a lot of success
13 out there this year. A lot of people are getting
14 wolverines, four at a time. Wolves, I think my nephew
15 was boasting he's got like 11 of them. I said how
16 could you get that many. That's very efficient. So I
17 think it's a good season and it's a good time and I
18 applaud the young folks that go out there and do these
19 things because these are resources that are good for
20 our community. We have good customary and traditional
21 ties to all of these resources.

22
23 That would end my report, Mr. Chair.

24
25 CHAIRMAN BROWER: Thank you, Gordon.

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

28
29 CHAIRMAN BROWER: Roy.

30
31 MR. R. NAGEAK: Just to follow up, we
32 certainly are being blessed on the North Slope with a
33 lot of caribou and one of my great nephews got a lynx
34 just like a mile, two miles out of Barrow. Within my
35 short term as being a representative for this Regional,
36 it kind of behooves me to ask questions about the
37 leadership roles of all these different Federal lands
38 that are here. They all spread out and they all divide
39 it in a sense for us to respond in different ways,
40 especially the State, who is headstrong.

41
42 This is our land, but we're fortunate
43 that a lot of it is Federal land on the North Slope
44 where I know they have their heartaches in regards to
45 PET 4 and a lot of our National Wildlife Refuge, but
46 it's been a plus for us because that allows us to do
47 what we've always done since time immemorial. But
48 somehow to me when I see all these things that are
49 happening we need to find good leadership from wherever
50 it would come from the Federal nation or Federal

1 government because it's not there. When I see good
2 leadership, especially on the North Slope, that are
3 against a lot of things that are happening in our
4 village and that's going to happen. I mean it's not
5 going to stop.

6
7 It just so happened I just came back
8 from New Orleans and they were talking about energy and
9 what needs to be done on a nationwide basis and they're
10 looking towards the North Slope. There's no way to
11 stop that gigantic effort to replace what's happening
12 in the Far East or whatever. But we're missing a key
13 leadership role from the Federal government in getting
14 all these different Federal departments together and
15 work together with our people because most of our
16 people are going to bump heads with them.

17
18 But times are changing. When there's
19 good leadership, the people will accept the change if
20 they are involved in it. For the State side, when
21 they're putting nets and taking out subsistence people
22 all over the state to court, that's not the right way
23 of leadership that we know about, that we grew up on
24 within our communities. It's all going out of whack.
25 We need to ask a leadership role of somebody that's
26 impacting the North Slope because for a fact 90 percent
27 of the revenue for the State comes from the North
28 Slope. Ninety-five percent if you include NANA
29 regions.

30
31 One of these days our people are going
32 to get together and say, hey, we got big time problems
33 the way that you're dealing within our lands and our
34 renewable resources. We need to start working together
35 with these. If not, who knows, we might ask for North
36 Slope State of Alaska because those are issues that
37 have been addressed in the Lower 48 when people are
38 being impacted, but the majority of the money goes to
39 people that are further away from the impactment, from
40 the development. I'm glad a lot of this is Federal
41 land because it allows us to keep our way of life that
42 we have and we're being blessed. We're being blessed,
43 but we need to have a hand in the development and have
44 some form of leadership and from the State too for
45 crying out loud.

46
47 We're all for development if it's done
48 in the right way because it impacts our way of life
49 too. It puts monetary things in our life.
50 Recommendations for new regulations to follow all those

1 planes, all those helicopters, it should be real easy
2 to do and see who the people that aren't really
3 following what needs to be followed and impacting the
4 wildlife, food resources that we have like those planes
5 that fly really low. It would be real easy just to
6 punch up a number and find out who's flying in those
7 areas just on a computer. Just following them around
8 like the GPS follows me around.

9

10 The technology is there.

11

12 Thank you.

13

14 CHAIRMAN BROWER: Thank you, Roy. I've
15 been wanting to mention we had formed a committee to
16 address one of the -- or to submit comments on one of
17 our concerns that we voiced over the fall meeting.
18 Eva, I'm not sure -- I can't recall what we were
19 talking about, but we formed a committee to develop a
20 response on -- was it the road?

21

22 MR. G. BROWER: NPR-A

23

24 CHAIRMAN BROWER: Was it NPR-A?

25

26 MR. J. NAGEAK: The MOU, I think,
27 wasn't it?

28

29 MS. PATTON: Mr. Chair.

30

31 CHAIRMAN BROWER: Go ahead, Eva.

32

33 MS. PATTON: At the fall meeting, the
34 North Slope Regional Advisory Council formed a -- made
35 a motion to form a working group of several members of
36 the Council to work on bringing forth concerns on the
37 NPR-A EIS and draft a letter. James Nageak, Rosemary
38 Ahtuanguaruak, Robert Shears and Gordon Brower were
39 members of that working group. We had tried on
40 numerous occasions through the fall correspondence via
41 e-mail. We weren't able to find a time to meet via
42 teleconference as a group. People were pretty busy and
43 lots of other meetings going on, so that opportunity
44 still stands. There were not substantial comments
45 provided at the time in the fall and we're not able to
46 develop a consensus letter yet. I had spoken with the
47 working group members.

48

49 There was a news release from NPR -- or
50 from the Secretary of the Interior on the record of

1 decision. Dr. Yokel will be presenting tomorrow on the
2 NPR update and I have those letters from the Secretary
3 of Interior as well. So the Council still has that
4 opportunity to further provide those comments and
5 concerns, subsistence concerns that the Council sees
6 that were not addressed in the EIS and the letter from
7 the Secretary. So that's still an opportunity and
8 ongoing work and hopefully both the Council and the
9 working group we can compile those concerns and draft a
10 letter.

11

12 MR. G. BROWER: Mr. Chair.

13

14 CHAIRMAN BROWER: Thank you, Eva.

15

16 Gordon.

17

18 MR. G. BROWER: Gordon Brower, Barrow,
19 for the record. I think I touched a little bit on this
20 with Eva, Madame Chairperson -- or Madame Coordinator
21 the other day, but having the record of decision final
22 and signed by the Secretary of Interior and he's an
23 outgoing administration. There's going to be somebody
24 new in there, but he's kind of sealed it with his
25 decision. The intent behind last fall to try and form
26 an opinion with a working group to send prior to the
27 record of decision being signed, the final EIS, was the
28 intent.

29

30 You're still saying there's an
31 opportunity, but the weight of it I think is less
32 carried when the door is open versus when the door is
33 closed. I think that is a very, very high concern to
34 me in terms of being able to coordinate a response from
35 a group that was designated to create a response and
36 dialogue about the final alternative of the EIS in a
37 timely fashion should have been done in November. No
38 sleeping and no going on vacations until that thing is
39 done and a commitment from the committee to get those
40 comments up and going. That would be the level of my
41 concern because we had a record of decision on its way.

42

43

44 You alluded to the door is still open
45 with some dialogue, that they are now able to now
46 consider pipelines. That was the fear. That was the
47 fear of the record of decision being developed and now
48 it's a reality that we're going to start to think about
49 pipelines in the heart of NPR-A where major areas of
50 closures, of special areas being established, which

1 would have been a higher priority sort of if you look
2 at the impacts. Potentially, if you look at the Dalton
3 Highway and the radio-collared information that exists
4 around that Dalton Highway Corridor that seems to
5 suggest that the caribou will stop there and follow the
6 pipeline. There's been many interpretations about
7 that, which some of them sound pretty crazy and wild to
8 me.

9

10 If you put a pipeline like that across
11 the heart of NPR-A 70, 80 miles south of our major
12 village, the highest populated village that would
13 subsist on these resources that are needing to come
14 through and you develop a scenario that exists around
15 the Dalton Highway. It's very concerning. I would
16 have thought the pipeline coordinator would have been
17 more preferred along the coastline. At least the
18 caribou got to the coast.

19

20 Those are the fears I would think that
21 people would have unless there is some new technology
22 that allows the caribou not to be afraid of pipelines
23 and roads. I think there is scientific information
24 that kind of heeds the warning that roads and pipelines
25 create barriers. Especially if you're going to be not
26 just 10 caribou. You could be looking at the 80,000
27 strong caribou that need to come around to each village
28 along the coast and potentially fencing them off.

29

30 Those would have been my concerns if
31 there is still time. Now we're talking about -- to my
32 understanding that now we can talk about pipelines
33 because the record of decision is done and pipeline
34 issues are now fair game.

35

36 CHAIRMAN BROWER: Thank you, Gordon.

37

38 MR. REXFORD: May I speak?

39

40 CHAIRMAN BROWER: Yes, Delbert, come on
41 up. There's a mic here and there's an off and on, the
42 silver button.

43

44 MR. D. REXFORD: Good afternoon.
45 Delbert Rexford, resident of Barrow. During Kiviuk
46 Week we met with the tribal governments and village
47 corporations, with their leadership, for the very
48 concerns that Mr. Brower has alluded to, of potential
49 development within NPR-A. We had a full day session
50 and we came up with 10 guiding principles that each

1 tribal government and each village corporations will
2 consider at their respective governing board levels and
3 tribal council levels.

4
5 Those guiding principals are based on
6 mitigating and maximizing protection of our subsistence
7 way of life within NPR-A with the ongoing proposed
8 development of NPR-A and potential of offshore
9 development coming onshore most likely through a
10 pipeline.

11
12 However, the core of the discussions
13 were the Department of Interior's tribal consultation
14 policy, Secretarial Order 3317 and Presidential
15 Executive Order 13175. We discussed in detail the far-
16 reaching authority and opportunity to sit at the table
17 with each and every agency that may affect our
18 communities. It was a strenuous exercise as tribal
19 governments and village corporations to identify
20 guiding principals that were acceptable to all. Again,
21 I emphasize that those guiding principals will be
22 subject to consideration and approval by the respective
23 governing bodies.

24
25 However, the dialogue was based on
26 tribal government and Alaska ANCSA corporations that
27 had been granted authority to have tribal consultation
28 with all of the Federal agencies. That was the core
29 and the basis for the gathering. In all due respect
30 for the North Slope Subsistence Advisory Committee,
31 I've served on the Gates of the Arctic and I've served
32 on other advisory councils in the past. When it says
33 advisory, it's advisory, but we need to take to heart
34 that our tribes and our village corporations have
35 access to the Secretary, to the Indian desk or to any
36 agency that affects our way of life. Whether it's
37 through subsistence, whether it's development, it is
38 there and it has been -- the news release has been
39 released by Department of Interior.

40
41 I would encourage the North Slope
42 Subsistence Regional Advisory Council to at least
43 consider being sanctioned through the tribes so that
44 you can carry that weight, that extra weight to take to
45 the table because, as it is, I do not know if you
46 represent tribal governments. I don't know that, but
47 that's where the tribal consultation would be
48 effectively put together for the committee that would
49 have to have face-to-face meetings with the agencies,
50 with the State.

1 Let's not forget that the State failed
2 to deliver the subsistence management programs under
3 their agreement with the Federal government previously.
4 That should be noted on the record before it goes back
5 to the State, who are not friendly to rural Alaska. I
6 want to emphasize that. We fought too many years that
7 battle. It's not because we want to break the law.
8 It's because we want to eat our traditional country
9 foods. Simple and straightforward. What we grew up
10 with, what sustained our cultures and utilizing the
11 sustainable matter since time immemorial.

12
13 So I just want to emphasize and ask the
14 Advisory Board to consider the vehicles that are
15 already in place. Presidential Executive Order 13175,
16 the Department of Interior tribal consultation policy
17 and the Secretarial order for each respective agency
18 within the Department.

19
20 I leave you on that note because during
21 Kiviuk Week we had some very strenuous exercises
22 because we feel that we need to go to the table as
23 ANCSA corporations and tribes to voice our concerns out
24 and bring the Federal government to our table versus
25 being left out in the cold, development happens,
26 there's adverse impacts. We want to be a part of that.
27 There were some strong opposition and rightly so when
28 it comes to the migration of the caribou herd. Very
29 emotional, tears in our eyes, of the fear of caribou
30 not migrating through our respective communities.

31
32 So I just want to provide that brief
33 information regarding the meeting that we had with the
34 tribal governments and the village corporations. April
35 1st is the next time we're going to have a joint
36 meeting regarding the guiding principles that have been
37 submitted to their governing bodies for consideration
38 because just like you we are concerned about how
39 development will affect our access and our subsistence
40 way of life.

41
42 Thank you.

43
44 MR. R. NAGEAK: Thank you, Delbert, for
45 your comments and concerns.

46
47 MR. R. NAGEAK: Mr. Chair.

48
49 CHAIRMAN BROWER: Roy.

50

1 MR. R. NAGEAK: Thank you, Delbert.
2 Roy Nageak for the record. Thank you, Gordon. Those
3 were the same concerns I had in regards to the village
4 corporations, the regional corporations allowing the
5 Native tribal areas to be a member finally within
6 Alaska Federations of Natives. And how when you look
7 at the North Slope where active roles in allowing
8 development to come from leaderships of the North Slope
9 and leaderships of the regional and village
10 corporations to allow development because they go in
11 partnership with businesses that are coming up, big
12 businesses that in a sense control what happens to our
13 rules and regulations. I don't want to get in that
14 area. I saw the election of Obama where money speaks,
15 but they lost.

16
17 And the partnership of the corporations
18 with the tribal where it might have a double-edged
19 sword because the corporation who has the money and the
20 tribes who don't have the money will become a spokesman
21 for the tribe and that's my only fear, is that the
22 relationship between the Federal government and the
23 tribes, which has always been there and have always
24 been on the back burner or been whatever they call the
25 black sheep of the family, but the powers that they
26 have with our way of life is so important.

27
28 I always remember my father who passed
29 on a long time ago and he saw the North Slope Borough
30 being created and then what he said because when we sit
31 around the table having dinner it's like -- the
32 political training I had from my dad, he says why are
33 we trying to start a State government which will be
34 answerable to State laws while we have an Inupiat
35 Community of the Arctic Slope, Federally recognized
36 even before the state became in 1959 and this ICAS was
37 there since '40s or something, way back. Now his words
38 are coming back. ICAS still has that relationship and
39 basically all the powers that come with a tribe where
40 consultation needs to be taken.

41
42 I think all the different corporations
43 when I look through the North Slope of the past trying
44 to get all the people together to decide on which way
45 the North Slope is going to be developed there's always
46 a block and the block is the relationship between the
47 Federal government and the tribes, which is different,
48 it's always been there and the corporations are the new
49 things that are -- the ones that lands were set aside
50 for. But in a sense I see ACIS a broad span of what

1 they were is still there and nobody wants to address
2 it. From a State perspective, they don't want to
3 address it because that issue of the people that had
4 voted for the Native Claims Settlement Act the North
5 Slope said no and that issue is still there.

6

7 But like I say we need to work
8 together. If they work with us, I know we're a few and
9 they've taken most of the land that we subsistence on.
10 I know the border of where AIC lands is and it's
11 uncomfortable. A way of life that had no borders
12 before have borders now. But, like I say, I'm glad the
13 Federal government has a vast area of our lands where
14 we could work with them through our relationship from
15 tribes to the Federal government, which is still
16 powerful.

17

18 It's just a matter of, like I stated,
19 some form of leadership that will come from the Federal
20 government with all of them put together, with all the
21 Federal people put together, and have some form of
22 prior planning prevents poor performance because it's
23 going to come and it's going to impact us, but we need
24 to plan for it. If you plan the people that are going
25 to be impacted, all the more better because we're being
26 blessed. We're being blessed with renewable sources.
27 We want to share with the State, but not at the level
28 that they come in like cowboys with their pistols and
29 whatever they always carry. I'm sorry, the term.

30

31 And it's not like the Manifest Destiny
32 before of what came forward and just kind of blew
33 everything in the Lower 48 and put every little tribe
34 in a little corner. This is different. This is
35 something -- the North Slope would be in the area where
36 they finally, the Federal government and the powers of
37 the State might be, if they want to do it right, it's
38 there. If they don't do it right, it's a more -- I
39 don't know. It's the end of the world. There's
40 nothing else above. Hopefully they'll do it right this
41 time with the Native people that needs to be fair
42 somehow in their way of life.

43

44 Thank you.

45

46 CHAIRMAN BROWER: Thank you, Roy. Any
47 other Council member reports.

48

49 MS. AHTUANGARUAK: I needed to add.....

50

1 CHAIRMAN BROWER: I was going to say in
2 regard to some of the Chair's report and I think we've
3 had some discussions over some of the contents of that
4 Chair's report, but I was going to see what else did we
5 miss in terms of what we've brought up for discussion.

6
7 MR. R. NAGEAK: I'm ready for business
8 now.

9
10 (Laughter)

11
12 MR. SHEARS: I'll make that motion.

13
14 (Laughter)

15
16 MS. AHTUANGARUAK: The thing that I
17 needed to bring up was that there's also a process with
18 the National Tribal Environment that held think tank in
19 which they're looking at ways to prioritize issues in
20 the state of Alaska. I worked on this process over
21 three months consulting each of the regions. I didn't
22 get all the feedback that I wanted, but the list that
23 we were able to create was food security and
24 adaptation, land and water impacts from resource
25 extraction, ocean acidification and climate change, and
26 then partnership building with the multi-layered
27 approach in Alaska that we need to create strong
28 partnerships to address our issues.

29
30 Within the think tank process, as it
31 went into the national process, the priorities that
32 they came up with is food, resource extraction,
33 infrastructure, climate and health and clean air. I
34 just wanted to make you guys aware that this process
35 has been occurring over the last -- I started in the
36 process 12 years ago.

37
38 CHAIRMAN BROWER: Thank you, Rosemary.
39 I was just trying to think back in terms of what else I
40 could identify in terms of the Chair's report and some
41 of the discussions have already occurred in regard to
42 representation by Rosemary to the Federal Subsistence
43 Board meetings, we had Bob at the Western Arctic
44 Caribou Working Group, we touched a little bit on that
45 subcommittee to respond to the NPR-A EIS, we had the
46 concern that Lee had voiced in regard to the extended
47 moose season or emergency opening for Kaktovik.

48
49 I didn't see any proposals in regards
50 to fisheries coming from the North Slope. I don't

1 recall even if we had generated any. I just recall
2 some of the concerns that we had voiced on the need to
3 do some kind of fisheries research in the Mead River
4 delta for Atqasuk. The previous Council member had
5 requested that there be some kind of studies in that
6 area in regards to fisheries. I'm not sure how the
7 fisheries research by the State has -- if it's
8 concluded any of its findings for the fisheries
9 research that it conducted within the State programs.

10

11 And James, your concern regarding
12 Subsistence Resource Commission's appointment. I think
13 we did that while you were not looking and reappointed
14 you.

15

16 (Laughter)

17

18 CHAIRMAN BROWER: So you are still our
19 representative from this Council to the Subsistence
20 Resource Commission being from Anaktuvuk.

21

22 MR. J. NAGEAK: We have a meeting in
23 Ambler in April.

24

25 CHAIRMAN BROWER: So you'll be meeting
26 in Ambler in April. Okay, thank you. So those are
27 some of the issues I could identify in terms of the
28 Chair's report that we needed to share with you. If
29 any of you Council members recall anything that I
30 missed, you know, this is the opportune time to bring
31 it up. Rosemary.

32

33 MS. AHTUANGARUAK: The working group
34 for the tribal consultation process is still going on
35 with the recommendations for the ANCSA corporations
36 consultation. That's a process that will be
37 continuing.

38

39 CHAIRMAN BROWER: Thank you. James.

40

41 MR. J. NAGEAK: Yes, Mr. Chair. James
42 Nageak from Anaktuvuk Pass. Another concern that needs
43 to be thought about or discussed is the Native
44 allotments. The concern that I have is I think BLM is
45 involved with the Native allotments. Is that right,
46 Dr. Yokel?

47

48 DR. YOKEL: (Nods affirmatively)

49

50 MR. J. NAGEAK: Many of the Native

1 allotments, 160 acres for each person in the State of
2 Alaska were appropriated on those allotments. Now
3 there would be restrictions as to how or who would get
4 into those allotments. The Native allotments, when the
5 person is getting older, would sell the allotments. So
6 there is that concern that we should start talking
7 about it. I haven't heard much about Native allotments
8 being sold to different agencies. I think it's just
9 going back to the Federal government and the Federal
10 government is willing to pay so much for the Native
11 allotments to get that land back to be able to regulate
12 the area. I just wanted to make it known that Native
13 allotments are going back to the Federal government's
14 hands by way of Native allotment holder is selling the
15 lands back to the Federal government.

16

17 Thank you.

18

19 MS. AHTUANGARUAK: I think it's also
20 important to note that there were a number of Native
21 allotments that were not honored. There are vets that
22 didn't get their allotments honored as well as there
23 were a number of people that weren't aware of the
24 process and fully informed to be able to take into
25 that. I remember some elders in Nuiqsut that didn't
26 get allotments. I know my mom only got part of her
27 allotment, so it's important to note that not everyone
28 was able to partake in that process.

29

30 Harry's coming. The question is where
31 we're at on the agenda and need for consideration for
32 lunch.

33

34 CHAIRMAN BROWER: I just stepped out
35 for one minute.

36

37 (Laughter)

38

39 MS. AHTUANGARUAK: I know. You can't
40 do that.

41

42 MR. R. NAGEAK: I heard who's buying
43 lunch.

44

45 CHAIRMAN BROWER: I'm not sure.
46 There's a question in regards to where we are in the
47 agenda. Under agenda Item 8 we've covered pretty much
48 the Council member reports. I just gave a little
49 highlight over the Chair's report in terms of where --
50 what activities occurred from the past year. Isn't

1 that pretty much where we were. There's this
2 discussion on agenda Item 8 in regards to .805 report
3 summary of Federal Subsistence Board actions on
4 fisheries proposal, but before we get into that.....

5
6 MS. YUHAS: Thank you, Mr. Chairman.
7 Jennifer Yuhas with the State. This RAC and the
8 Southeast RAC move a little more orderly than some of
9 the other RACs and I didn't want to miss the
10 opportunity if you would like for me to address a
11 couple of Mr. Brower's concerns regarding the guide
12 hearing.

13
14 CHAIRMAN BROWER: Might as well at this
15 time. We have a few minutes before lunch, Jennifer, so
16 we can allow that. Go ahead.

17
18 MS. YUHAS: Thank you, Mr. Chair. I
19 just wanted to make sure I did it on the same item. I
20 wanted to let the RAC know that I am not personally
21 familiar with this particular guide, but I've put in a
22 request to be able to stay one extra day to attend the
23 hearing. Before I was working for the State I actually
24 spent five years working for the Fairbanks North Star
25 Borough mayor, so not everybody understands exactly
26 where boroughs fit into our constitution and what their
27 powers are, but I do.

28
29 I think it would be entirely
30 appropriate at your hearing or prior to your hearing to
31 request that this person bring his permits that he has
32 from the Federal government and from the State because
33 although I don't know who he is and I have not seen his
34 permit, I'm confident enough to speculate that it
35 includes a clause that he obey all laws and regulations
36 and we would be very interested at the State level to
37 see what your findings are from your hearing as they
38 apply to his State issued permit.

39
40 MR. G. BROWER: Mr. Chair.

41
42 CHAIRMAN BROWER: Yes, Gordon.

43
44 MR. G. BROWER: If I may briefly
45 respond.

46
47 CHAIRMAN BROWER: Yes.

48
49 MR. G. BROWER: I think this is an
50 important situation because we've had a very limited

1 number of compliant outfitters out there. Ralph from
2 Delta Outfitters used to say why don't you deputize me
3 on the Dalton Highway at Happy Valley and I will do
4 citations on the number of other guides in the North
5 Slope that you are not aware of that do not even look
6 at the borough. Even though when I tell them, hey, I'm
7 the only responsible guide here with all my permits
8 including the local government, you guys should go home
9 and let me do my business, that was his attitude. He's
10 a very gentle person, very kind and we always like to
11 visit him, but he was correct. There are -- if you
12 look on the internet, there are multiple different
13 types of guiding operations within Gates of the Arctic,
14 within ANWR, NPR-A, State lands, you have it. I mean,
15 you know, \$8,000 to get a grizzly bear, caribou hunts
16 for \$5-6,000 a shot.

17
18 I think it's just important that they
19 recognize that the State and the Federal government are
20 not the only requirements. I have elected to try to
21 travel to the Big Game Services board meetings and did
22 a presentation in front of that board while all the
23 guides are being reviewed for their licensing. It was
24 alarming the kind of response from very arrogant
25 guides. I mean these guys amount to being wild west
26 cowboy type folks with spurs on their feet that really
27 have a difficult time wanting to be in anybody's
28 regulatory sites.

29
30 Anyway, the hearing is in Nuiqsut, in
31 the village of Nuiqsut, on the 28th of this month. We
32 have a regular meeting at 3:00 o'clock and the public
33 hearing commences at 7:00 p.m. at the community center
34 in Nuiqsut. I didn't mean to suggest we were having a
35 public hearing tomorrow here. Maybe you didn't
36 understand quite well. I just wanted to make that
37 clear.

38
39 It would be nice to get your contact
40 information. It's good to see other managers that have
41 worked with these issues in the past. I've often
42 thought that we needed a workshop with the Fairbanks
43 Borough, with the Mat-Su Borough, Kenai Borough and see
44 the types of issues and challenges they face that can
45 be compared and how they handle things as well.

46
47 Thank you.

48
49 MR. R. NAGEAK: Mr. Chair.
50

1 CHAIRMAN BROWER: Just a second, Roy.
2 Jennifer, did that help with your comments and
3 concerns.
4
5 MS. YUHAS: Yes. Thank you, Mr. Chair.
6 I just wanted to make the RAC aware that the State
7 would be interested in knowing the findings and to
8 clarify the location of the hearing, so I'll have to
9 get back on my Smartphone and ask the State travel
10 office what the likelihood of getting me over and back
11 to Nuiqsut is.
12
13 Ms. Eva Patton, your Council
14 coordinator, has all of my contact information.
15
16 Thank you for that.
17
18 CHAIRMAN BROWER: Thank you, Jennifer.
19 Roy.
20
21 MR. R. NAGEAK: Along the same lines on
22 what is permitted on State lands, it just so happens
23 Flying Wild Alaska, in the show during the year shows
24 somebody southeast of Prudhoe Bay in some kind of
25 oilfield camp, and they fly in and fly out and show how
26 dangerous it is, but somebody guiding right there.
27 It's so obvious right on national TV. If the State
28 doesn't know what's happening in State lands, it
29 behooves us to question how they manage their lands.
30
31 CHAIRMAN BROWER: Are you done, Roy?
32
33 MR. R. NAGEAK: I guess. It seems like
34 the only time they come out is to enforce whatever the
35 law they want to enforce and let others be as they be.
36 Welcome to the North Slope.
37
38 We'll be nice.
39
40 CHAIRMAN BROWER: Thank you, Roy. And
41 you as well, Jennifer, for bringing up the concern. I
42 was hearing something about lunch or who's buying
43 lunch. It's a quarter till, 11:45. What's the wish of
44 the Council? Do you want to address one more agenda
45 item or take an early lunch?
46
47 MR. R. NAGEAK: One more agenda item
48
49 MR. SHEARS: Where are we at, Mr.
50 Chair?

1 MS. AHTUANGARUAK: 805 .

2

3 CHAIRMAN BROWER: 805 report, summary
4 of Federal Subsistence Board actions on fisheries
5 proposals. Eva.

6

7 MS. PATTON: Mr. Chair. The Federal
8 Subsistence Board met in mid January. Chairman Harry
9 Brower was there for a portion of the meeting and
10 Rosemary Ahtuanguaruak was online for that. There were
11 no Federal subsistence fisheries proposals from the
12 North Slope Region this year, so the Council was not
13 addressing any proposals directly affecting the North
14 Slope Region.

15

16 The final .805 report, which is the
17 summary of the Board's action to the Council is in
18 review and will be signed by Tim Towarak, the Board
19 Chair, and will be sent directly to the Council.
20 Again, there were no actions taken affecting the North
21 Slope directly. However, the North Slope Regional
22 Advisory Council had kept track of some of the actions
23 by other Councils in the region addressing customary
24 trade.

25

26 So just to provide you with an update
27 on one of the Yukon River fisheries proposals FP13-06,
28 which was one of the proposals submitted by the Y-K
29 Delta, Western Interior and Eastern Interior Councils
30 to address customary trade regulations for Yukon River
31 Drainage chinook king salmon and it was seeking to
32 limit customary trade of Yukon River chinook salmon for
33 those with current customary and traditional use
34 determination for the Yukon River.

35

36 The Board did take action on that one
37 proposal. It was originally submitted by the Western
38 Interior RAC and the Tri-RAC Subcommittee, which
39 included Eastern Interior and Y-K Delta, also weighed
40 in on these proposals. So this was the only one that
41 the Board took action on with modification to include
42 -- to clarify that customary trade will only occur
43 between users with existing customary and traditional
44 use determination for Yukon River chinook salmon.

45

46 The Board modified regulations dealing
47 with customary trade among Federally qualified
48 subsistence users statewide in Section 27(c)(11) and
49 between Federally qualified subsistence users and
50 nonrural residents or others in Section 25(c)(12). So

1 that was the one regulation addressing customary trade.
2 I wanted to bring that to your attention since you were
3 following that.

4
5 Thank you.

6
7 MS. AHTUANGARUAK: That was very
8 important for us because it also had some implications
9 that if our species continued to decline it could
10 consider the State taking over management of them and
11 that was a good amendment that went through that
12 process. We have subsistence harvest that's taking
13 about three percent of the harvest and continuing to
14 restrict subsistence usage when there are other
15 activities affecting subsistence harvest, we need to
16 make sure we protect our continued management of our
17 resources and that was very important as part of that
18 discussion.

19
20 CHAIRMAN BROWER: Any questions or
21 comments.

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

24
25 CHAIRMAN BROWER: Gordon.

26
27 MR. G. BROWER: Yeah, it's just a
28 concern. I don't quite understand what the customary
29 and traditional use modification. Is that to include
30 some other tribe or is that some other region? You
31 know, there's been issues like the Kuskokwim area
32 having a crash, issues like that, so that there's an
33 alternate resource elsewhere that they should have a
34 customary use because it provides an area for those
35 resources to be had. That would be my concern, is
36 making sure those resources are available.

37
38 You know, I get to trade from areas
39 that fish from that area as well, you know. We have
40 customary use determination, I think, for some species
41 of salmon here as well. I think those were big
42 concerns. My heart was hurting when I was hearing that
43 the State was taking nets from folks that are actually
44 trying to make a subsistence life. You have to realize
45 some of the villages around the Kuskokwim area they're
46 95-100 percent dependent on the resources and to start
47 making it illegal for you to put food on the table,
48 they better be coming with the State is going to
49 provide steak and other resources to supplement their
50 nutritional needs rather than just take it away.

1 CHAIRMAN BROWER: Thank you, Gordon.
2
3 MR. SHEARS: Mr. Chair. Question for
4 Eva.
5
6 CHAIRMAN BROWER: Yes, Bob.
7
8 MR. SHEARS: Bob Shears, Wainwright.
9 Eva, I guess I need some more clarification about the
10 Yukon River king customary trade closure. Is this a
11 Federal controlled fishery, the Yukon River king, or is
12 that a State controlled fishery? The State
13 automatically across the board mandates it. They
14 disallow customary trade and subsistence practices.
15 Federal condones it. Federal fishery regulations
16 condones customary trade. Only the district of Nome
17 has there been an agreement established between Federal
18 and subsistence regulations which allows a \$300 a year
19 minimum customary trade cash transaction between
20 subsistence users within that area to exchange fish for
21 cash.
22
23 So I guess I need more clarification.
24 So we've got a Federal mandate now that no longer
25 condones customary trade of Federally caught Yukon
26 River king and what is a Federally caught Yukon River
27 king?
28
29 MS. PATTON: Mr. Chair. I'll try to
30 answer your questions as best I can here. So the
31 management of chinook and salmon on the Yukon River is
32 joint management with both the State and the Feds
33 working together on that. The proposal on customary
34 trade actually was put forth by the Regional Advisory
35 Councils themselves and the intention of the proposal
36 was -- and there was a lot of discussions. So the
37 three Councils actually met on numerous occasions.
38 They formed a Tri-RAC Subcommittee to discuss what
39 might be the options because there are severe chinook
40 declines on the Yukon River. What might be options for
41 conservation.
42
43 I'm summarizing a lot of discussion
44 that went on between the Councils and between the
45 Councils and also public testimony on the issue. I
46 think the intent the Councils were looking for were
47 ways to protect the salmon. They saw as a means to do
48 that by preventing large sales of chinook salmon to
49 people outside the region. There were three separate
50 proposals that were put forward, slightly different

1 language from each Council, but that was the core of
2 their intention, not to restrict trade between people
3 that have always traded for salmon and outside of the
4 region as well, but to try to prevent the excessive
5 sale or the sale of fish from rural areas to urban
6 centers.

7

8 Others may be able to speak to this
9 process too that were working with the Tri-RAC and with
10 the Federal Subsistence Board on their response.

11

12 MR. SHEARS: For example then the RAC
13 is not making regulations to stop the customary trade
14 of sale of smoked Yukon River king strips at the trade
15 fair downstairs at the AFN convention in October then,
16 right? They're just trying to restrict the
17 exportation. I guess I'm still not clear.

18

19 MS. PETRIVELLI: My name is Pat
20 Petrivelli and I work with the Bureau of Indian
21 Affairs. I attend a lot of the RAC meetings just
22 because we go throughout the State. First question --
23 you had a question about the jurisdiction of the
24 Federal program on the Yukon and there's dual
25 management. I don't know if you have the Federal reg
26 book, but on pages 26 and 27 -- actually you have the
27 wildlife one, but anywhere where you see the Yukon
28 River and there's colored areas the Federal program
29 exercises jurisdiction within the -- it's Federal
30 public waters within the boundaries. Wherever the Yukon
31 River is within the boundaries of a conservation unit
32 they have exerted jurisdiction for those waters.

33

34 So when there's no color where the
35 river is, then the State has jurisdiction, at least
36 that's what the Federal government asserts. The State
37 has different feelings about that, but we just go to
38 court. But as far as we're managing the program now,
39 wherever there is colored waters of the river the
40 Federal program exerts jurisdiction, so those are where
41 are regulations apply.

42

43 In the regulations, like you said, the
44 State does have their thing for the Seward Pen. For
45 the Federal program there are no specific regulations
46 on customary trade at this time. It's just saying it's
47 allowed. We do have dollar limits in different areas.

48

49

50 The Board did just pass the regulation

1 for the Yukon River that said it will only be limited
2 to people -- so the people who catch the fish under our
3 regulations can sell the fish to other people that have
4 C&T for those fish because they're facing shortages and
5 they haven't met escapement for the past eight years.
6 I forget the numbers, but there is a very big concern
7 about chinook salmon on the Yukon.

8

9 The three Councils have met repeatedly
10 and their solution was if the fish are going to be
11 sold, they would be sold only to people who live along
12 the river. That was their concern and the Board agreed
13 with them. So that's so far the only restrictions they
14 made. Throughout the fishing season the managers work
15 together, the Federal and State, and they close the
16 season. They have windows where they close the fishing
17 for conservation concerns and they have windows where
18 certain people fish at certain times just to spread the
19 harvest throughout the river.

20

21 But as far as customary trade goes that
22 is the restriction they put in place to restrict the
23 sale of subsistence fish under Federal regulations to
24 people who have the C&T use determination. Mainly those
25 are residents of the Yukon River Drainage plus a few
26 other communities, but it's in the regulation booklet.

27

28 MR. SHEARS: Thank you.

29

30 MR. R. NAGEAK: Mr. Chairman.

31

32 CHAIRMAN BROWER: Thank you, Bob, for
33 your question.

34

35 MR. R. NAGEAK: I've got a
36 clarification.....

37

38 CHAIRMAN BROWER: Pat, thank you.

39

40 MR. R. NAGEAK:on the fisheries.

41

42 CHAIRMAN BROWER: Roy.

43

44 MR. R. NAGEAK: Always interesting
45 because we see things like this on TV and for the life
46 of me I saw Sarah Palin, former governor, doing
47 customary and traditional things on the river. Somehow
48 -- who's customary and traditional?

49

50 MS. PETRIVELLI: Well, under our

1 regulations with the Federal program the first thing is
2 you're a rural resident, so that's.....

3

4 MR. R. NAGEAK: It doesn't say Native,
5 it just says rural?

6

7 MS. PETRIVELLI: No, it says rural
8 resident. Then after the screen of rural resident,
9 then the Federal Board has made customary and
10 traditional use determinations for certain species.
11 So, like for chinook salmon, it lists those people.
12 Then for

13 all other fish on the Yukon besides salmon, residents
14 of the Yukon northern area have customary and
15 traditional use of fish in the Yukon northern area.

16

17 MR. R. NAGEAK: There is no restriction
18 though.

19

20 MS. PETRIVELLI: There is not. The
21 Federal Board recognizes subsistence uses by rural
22 residents.

23

24 MR. R. NAGEAK: It doesn't matter who
25 they are.

26

27 MS. PETRIVELLI: No.

28

29 MR. R. NAGEAK: It's just the
30 difference between the subsistence user, commercial
31 user and a sportsman.

32

33 MS. PETRIVELLI: Our Federal program
34 makes subsistence regulations. The State manages sport
35 and commercial uses. Our Federal program provides a
36 priority for subsistence uses. We recognize that rural
37 residents are eligible for that priority. The State
38 has a responsibility to manage sport and commercial.
39 The Federal government only manages sport and
40 commercial when there's a need to provide the priority.
41 Then it's usually via restriction, like they'll close
42 Federal public lands to all other uses in order to
43 provide the priority for subsistence.

44

45 Our purpose under ANILCA is to provide
46 a preference for subsistence uses on Federal public
47 lands, not to regulate the other uses.

48

49 MR. R. NAGEAK: So if I'm a traditional
50 user, I still could be -- or have a lodge for sportsman

1 or be a commercial fisherman.

2

3 MS. PETRIVELLI: Yes.

4

5 MR. R. NAGEAK: No wonder it's so
6 convoluted.

7

8 CHAIRMAN BROWER: Did that help, Roy?

9

10 MR. R. NAGEAK: Yeah. I was trying to
11 get the idea of why State was doing what they did with
12 the subsistence users. It's using the different rules
13 and regulations that apply to everybody.

14

15 MR. G. BROWER: Mr. Chair.

16

17 CHAIRMAN BROWER: Gordon.

18

19 MR. G. BROWER: Mr. Chair. Gordon
20 Brower from Barrow. Just concerns, you know. When
21 there is a determination being made for harvest and
22 sharing of the resource and limited severely,
23 especially for trade practices -- nowadays trade
24 practices you can include monetary as a traditional
25 trade practice because we don't have dog teams around
26 here anymore and we don't -- you have to buy things.
27 All of our whaling has been shifted with modern tools,
28 with snowmachines and gasoline and heating our tents
29 with fuels and things like that that we got to pay for
30 and that just strikes a concern because being able to
31 have free trade among a customary -- this is a
32 traditional economy. It is not to be regulated to the
33 point where you're severely limiting.

34

35 I could see concerns raised about
36 you're limiting the resources because it's low, but why
37 is it low? Is it offshore catch that's not being
38 properly regulated offshore in the ocean where they go
39 out to mature and return? Is it the commercial
40 fishing? There should be adequate threshold levels to
41 include making sure that customary trade is included in
42 your threshold level so that you could properly
43 regulate sport and offshore catches from industrial
44 commercial fishing of that same resource offshore.

45

46 MS. PETRIVELLI: When the Federal Board
47 was hearing about these proposals there was testimony
48 by TCC and Doyon expressing just that concern, that
49 people who have fish camps need cash to carry out their
50 subsistence way of life, but on the Yukon River it has

1 been closed to commercial fishing for a number of
2 years. Primarily the harvest of chinook is primarily
3 by subsistence users.

4
5 The Board looked hard and long and
6 heard lots of testimony, but all three Councils
7 supported this restriction. In light of the concern of
8 the shortages, repeated chinook shortages along the
9 river the Board felt compelled to follow the three
10 Councils who have the primary responsibility for the
11 Yukon River.

12
13 I don't know if Helen wants to add, but
14 the Board did hear very much testimony about that and
15 about other factors, but since all three Councils
16 agreed and the only use that is occurring now is
17 subsistence use, the Board followed the Councils'
18 recommendations.

19
20 MR. G. BROWER: Mr. Chair. Just one
21 follow up, a real quick one.

22
23 CHAIRMAN BROWER: Yes, Gordon.

24
25 MR. G. BROWER: The determination for
26 rural versus Native. I think when ANILCA was passed
27 the determination is for a Native preference on these
28 resources, that we had a customary and traditional use
29 tied to our resources in the past. Through the -- over
30 the course of time it has changed to rural versus -- I
31 think the Native Land Claims had it as Natives.

32
33 MS. H. ARMSTRONG: Mr. Chair.

34
35 CHAIRMAN BROWER: Yes, Helen.

36
37 MS. H. ARMSTRONG: Helen Armstrong,
38 OSM. I'm glad you brought that up. We're actually
39 going to discuss a little bit about rural later on in
40 the agenda, what's happening with that. The original
41 intent, if you read the Senate reports, they talk about
42 it being Native legislation, but when ANILCA was
43 passed, when you read ANILCA, it's written for rural
44 and not for Natives. It was an agreement that came out,
45 you know, in negotiations in Congress. I have no idea
46 what behind the scenes, but ANILCA is written for
47 rural. It's also why they have Section .804, which
48 we're going to talk a little bit more about too. When
49 there's a shortage of the resource, then .804 can be
50 used to distinguish between users. It's not been done

1 on the level of Native versus non-Native or people who
2 have lived there the longest, but it certainly has that
3 potential if it ever needed to be. I mean it's written
4 in such a way that it could be used that way and I
5 think that was probably the compromise that they put
6 in. When there's a shortage of -- you know, when
7 there's enough of everything, then it's for all rural
8 residents, but when there's not enough then you can
9 distinguish between users. It's just never been done
10 in that way. We've distinguished between users on a
11 community basis, but not on an individual basis so far.
12 The program has only been in effect, what, 20-something
13 years. So, to answer that question.

14

15 CHAIRMAN BROWER: Okay. Thank you,
16 Helen.

17

18 MS. H. ARMSTRONG: I wanted to also
19 just emphasize.....

20

21 CHAIRMAN BROWER: I just.....

22

23 MS. H. ARMSTRONG: Sorry.

24

25 CHAIRMAN BROWER: I just want to remind
26 everybody we're getting into our lunch hour and I have
27 a hot lunch date and I'm losing my time.

28

29 (Laughter)

30

31 CHAIRMAN BROWER: Anyway, if we could
32 recess for lunch now and come back at 1:15 and start
33 again. We'll start right back on where we left off.
34 If we could do that, please. I know we have important
35 discussions here and these are very important
36 information we're talking about in terms of how things
37 are changing within our state and even our own
38 community, so we'll recess until 1:15.

39

40 Thank you.

41

42 (Off record)

43

44 (On record)

45

46 CHAIRMAN BROWER: Good afternoon,
47 everyone. We'll call the Regional Advisory meeting
48 back to order after a lunch recess. We have probably
49 some folks online. If you can hear me communicating
50 with you, I just want to make sure you're able to hear

1 us okay. I'm not sure who's online at the moment.
2
3 MS. PATTON: If you could ask them to
4 introduce themselves online because they'll be
5 answering some of the questions.
6
7 CHAIRMAN BROWER: Calling the meeting
8 back to order and ask the folks on the teleconference
9 to introduce themselves, please, so we can know who's
10 online.
11
12 MR. SHARP: Dan Sharp with BLM.
13
14 MS. HERNANDEZ: Melinda Hernandez,
15 Office of Subsistence Management.
16
17 MS. HYER: This is Karen Hyer, Office
18 of Subsistence Management.
19
20 MR. FOX: Trevor Fox with OSM.
21
22 MR. MCKEE: Chris McKee with OSM.
23
24 MR. EVANS: Tom Evans with OSM.
25
26 MS. O'REILLY-DOYLE: Kathy O'Reilly-
27 Doyle with OSM.
28
29 MS. OKADA: Marcy Okada with the
30 National Park Service.
31
32 CHAIRMAN BROWER: Thank you all. Is
33 there anybody else online that we missed?
34
35 (No comments)
36
37 CHAIRMAN BROWER: Thank you all for
38 your introductions and letting us know who's online.
39 At this time we're on agenda Item Number 8. We're
40 still under the discussion 8 , .805 report, summary of
41 Federal Subsistence Board action on fisheries
42 proposals. We were having a big discussion about the
43 customary and traditional use determinations, customary
44 trade, right before the lunch recess. I'd like to ask
45 any of the Council members if there are any other
46 comments or concerns to be voiced regarding the
47 fisheries proposals or the Board actions on fisheries.
48
49 MR. R. NAGEAK: Mr. Chairman.
50

1 CHAIRMAN BROWER: Yes, Roy.

2

3 MR. R. NAGEAK: So, in a sense, when
4 they say that traditional uses are from rural areas,
5 the definition that was given it doesn't matter whether
6 they're Natives or non-Natives. When that is being
7 utilized, then they would be considered subsistence
8 hunters across the board. Now the term under ANILCA
9 and the time that it was changed to rural, was that
10 something that we missed? Did they change it or it's
11 always been -- I'm trying to get to the point where
12 basically the language changes along the line, the term
13 subsistence hunters that reference to the people that
14 owned the land before ANILCA and before manifestation
15 of destiny or something that was termed a long time ago
16 for whatever reason. The relinquishment of lands that
17 used to be used by Native Americans. I'm trying to
18 pinpoint or get the idea of when all this convoluted
19 system started.

20

21 MS. PETRIVELLI: Mr. Chair.

22

23 CHAIRMAN BROWER: Yes, Pat.

24

25 MS. PETRIVELLI: This is Pat Petrivelli
26 again with BIA. Yes, initially after Land Claims when
27 Congress was doing the Land Claims Settlement, numerous
28 Alaska Natives went before Congress and said how
29 important subsistence was and that they needed enough
30 land to continue subsistence uses. Then the Congress
31 said we're going to pass Alaska Native Interest Lands
32 Act that will do that. I was in college then. I
33 remember coming home and they'd have those D-2 hearings
34 publicized on TV and talking about the lands. There
35 was the different commissions.

36

37 As Congress worked through the
38 legislation, the State of Alaska went before Congress
39 and said if you're going to do this, you need to make
40 it a priority for rural residents because Congress --
41 they talked about the importance of the State managing
42 the lands and the State said that their constitution
43 did not allow for a priority for Native use, that it
44 had to be for rural residents.

45

46 Of course, later we learned that their
47 priority didn't even allow for rural residents because
48 the State did manage the subsistence priority for
49 ANILCA when ANILCA was passed until 1991. But it was a
50 thing to allow for the State to manage the resources as

1 the one manager. So the State had asked Congress to
2 have a priority for rural residents. Since it's been
3 passed in different areas of the state, like with the
4 Southeast Council with different communities, their
5 Council is able to recognize the idea of a customary
6 and traditional use by the people who have done it for
7 millennium.

8
9 Then the customary and traditional use
10 of the people who live in rural areas because there's a
11 recognition that there's a rural use that is customary
12 and traditional, you know, where people are dependent
13 upon the resource that they do share, like anyone who
14 lives in a rural area and they're dependent. There's
15 just different kinds of customary and traditional uses.
16 All those customary and traditional uses are provided
17 for a priority under ANILCA because of the way just to
18 have it recognized since ANILCA was passed.

19
20 MR. R. NAGEAK: Now the term that we
21 always use for subsistence users and that term covers
22 what population?

23
24 MS. PETRIVELLI: I'm not sure I
25 understand your question.

26
27 MR. R. NAGEAK: We have a committee,
28 North Slope Subsistence Regional Advisory Council. Who
29 would be under the term subsistence users?

30
31 MS. PETRIVELLI: All the rural
32 residents of the North Slope region.

33
34 MR. R. NAGEAK: When I hear
35 traditional, there must be a timeframe that they become
36 rural.

37
38 MS. PETRIVELLI: Under our regulations
39 a rural resident could live in a community for 30 days
40 and that's because there was a recognition when we were
41 making our regulations that people move back and forth
42 between a rural and nonrural area for jobs, for
43 education, for health reasons and that they could go
44 into Anchorage for a year and then go back to the
45 village, so it's the 30 days.

46
47 I think for State hunting licenses you
48 have to be a resident for 12 months, but otherwise it's
49 a 30 day that you consider the community your primary
50 place of residence and various agencies have had

1 different mechanisms to determine the primary place of
2 residence. I know like -- and it's more of a problem
3 on the road system, like in Glennallen, where they have
4 people fill out affidavits saying this is my primary
5 place of residence to prevent people from Anchorage
6 just to go there and say that they live in Glennallen.
7

8 MR. R. NAGEAK: So I'm trying to
9 clarify this so that we could have better preparation
10 if the State ever comes up especially around Nuiqsut
11 and where there's State lands that determine the term
12 because the term subsistence hunters was -- that
13 subsistence fishermen that was decided by the State
14 Fish and Wildlife enforcement people because of limits
15 or because of time frames. Was it under the rural
16 definition or rural -- what were they really citing for
17 in a sense, that they were fishing outside of a
18 timeframe or outside of a limit?
19

20 MS. PETRIVELLI: Like they did on the
21 Kuskokwim when they -- or the Yukon where they arrested
22 those people?
23

24 MR. R. NAGEAK: Uh-huh. (Affirmative)
25
26

27 MS. PETRIVELLI: Both the State and the
28 Federal program had shut fishing down because of the
29 shortages of chinook and they had closed it to all
30 fishing. And then the users there wanted to have a
31 protest fishery to show how important subsistence was
32 and the State just decided to arrest them because they
33 were fishing during a closed season. The Federal
34 season was also closed. They closed it for
35 conservation reasons. I mean I guess different
36 managers could have handled it different ways because
37 the people had said they were doing a protest fishery,
38 but the State chose to arrest the people. It was
39 closed to any fishing because of conservation reasons
40 because of the shortages of chinooks.
41

42 Generally, I'm not sure how enforcement
43 people would distinguish between the different users
44 and I don't really know how it would work.
45

46 MR. R. NAGEAK: See, that's what we
47 don't want to see on the North Slope is the closing and
48 the control over fisheries, which are beyond our
49 control. They are controlled by the impact of where
50 the fish are. The question would be the ones that

1 control the catch and how much they could catch, which
2 is basically south side of the rivers out in the ocean.
3 Have they plans for those or how do they control so
4 that impact on the rivers will not be to the level
5 where they need to start arresting people? You know
6 what I mean, that prior planning prevents an abundance
7 of fish for the needs of the people. You know where
8 I'm coming from? That it shouldn't have come to that
9 level where there's a big shortage of fish and
10 subsistence needs are not being met or traditional
11 living needs are not being met.

12

13 MR. MATHEWS: Through the Chair to Roy.

14

15 MR. R. NAGEAK: Because it's a big
16 concern.

17

18 MR. MATHEWS: It is a big concern.

19 I've worked both rivers, so we'll talk about the
20 Kuskokwim right now. The Kuskokwim has what's called a
21 Kuskokwim Salmon Working Group, which is made up of all
22 different people along the river and different
23 interests and they meet with the in-season managers, I
24 can't remember the name of the State manager, as well
25 as the Federal manager and then they look at all the
26 season projections and all the information and then
27 they start prosecuting, start running the fishery.

28

29 I didn't monitor last year, but my
30 feeling is it's the same on the Yukon that it looked
31 very poor and then it probably even turned less than
32 poor, so they needed to shut down the fishery. The four
33 villages or whatever number of villages decided through
34 their chiefs and elders to continue fishing, so that
35 put the managers and management in a bad position
36 because they have a conservation concern, not enough
37 fish getting to the grounds to produce fish for future
38 years, so it had already gone through a public process
39 of looking at the season, how to run it and all that
40 stuff and then ended up people saying we're not going
41 to follow that, so then you have to come in with law
42 enforcement. There's a lot more details of that.
43 We'll have to wait for the trials to go through and all
44 that, but that's the basics.

45

46 Now you're going to ask, well, how come
47 there's not enough fish and all that. On the Yukon it
48 varies, but the last statement was two out of the last
49 six years they met escapement. This is allowing enough
50 females and males to get to the spawning ground for

1 future generations four to six years down the road to
2 come back. We have not met escapement for two of the
3 last six years for Yukon kings that go into Canada.

4
5 The similar situation, I don't remember
6 the years on meeting escapement for the Kuskokwim, but
7 I would gather it's probably the same. So if you would
8 allow as a manager for them to overharvest during these
9 poor times, then future generations will not have the
10 same abundance of fish. I just spent a week at
11 St. Mary's with fishermen. Some are saying if we don't
12 take measures to protect this fish there may not be
13 fish. This is kings now, chinooks, for future
14 generations.

15
16 Now let me get you back to your
17 original question and hopefully I can pull this off in
18 45 seconds. Your question is how did we get to rural
19 versus Native or traditional.

20
21 MR. R. NAGEAK: No, it's subsistence.

22
23 MR. MATHEWS: Well, subsistence, I
24 won't touch that one, but basically, as you may
25 remember, you don't have any treaties in Alaska. In
26 Lower 48 you had treaties. We're going to let you do
27 this on the lands as long as the grass is green and all
28 that stuff. You did not have treaties in Alaska. So
29 when the land claims started really taking off in the
30 '60s -- they were going on before that. When the land
31 claims came up, aboriginal hunting and fishing rights
32 were extinguished in exchange for 40 million acres and
33 one short of \$1 billion.

34
35 During that whole process -- because I
36 had to read all this for my masters. It's kind of dry
37 at times. But the point was up until it went into this
38 conference committee there was all these different
39 options to deal with subsistence under Native claims.
40 The need to get the land claims through in the
41 conference committee they threw out subsistence and
42 said the governor of Alaska, Secretary of Interior, you
43 make sure subsistence needs are met. Okay, you deal
44 with that. That didn't happen for various reasons.
45 Then you had the 17(d)(2) legislation, which gets
46 thrown around.

47
48 When these lands were divvied out, 104
49 million acres to the state, 40 to the Native
50 corporations, agencies looked at it and they want Parks

1 and Refuges and et cetera. That, plus the fact that
2 subsistence needs were not being met, in my estimation,
3 resulted in the Alaska National Interest Lands
4 Conservation Act. The rural priority was to honor --
5 again, I'm not a lawyer, but it was probably to honor
6 the state's constitution of equal, you know, residency.
7 Equal there, not Native, non-Native, non-ethnicity. So
8 that's where the rural came into effect was under
9 ANILCA.

10

11 So nothing changed. You had mentioned
12 earlier, well, we had ANILCA and then all of a sudden
13 we got to rural. ANILCA established rural.

14

15 MR. R. NAGEAK: By Congress.

16

17 MR. MATHEWS: By Congress, correct. By
18 Congress.

19

20 MR. R. NAGEAK: Okay.

21

22 MR. MATHEWS: So you have this big
23 umbrella rural and then, when you get below that
24 because of management concerns or user conflicts within
25 subsistence users, then you can go down to positive
26 customary and traditional use determinations. Okay.
27 Since we were talking about Yukon River, the positive
28 use determination for chinook salmon is all the
29 residents that are rural within the Yukon drainage and
30 Stebbins. Okay. So that's how that breaks down. So
31 the customary trade, they can trade fish for cash
32 between residents of the Yukon and Stebbins.

33

34 So that kind of gets you down to where
35 you're at. It is complex. Then you're going to ask,
36 well, what are you here for. Well, you're here for as
37 an advisory group representing the North Slope's varied
38 interests including Native traditional users, including
39 residents of the region, to bring forth that knowledge,
40 information and recommendations to the Federal
41 Subsistence Board to make wise decisions on the
42 management of subsistence uses on Federal lands.

43

44 I know I lost you about halfway there,
45 but.....

46

47 MR. R. NAGEAK: No. I'm trying to
48 figure out why they put subsistence on there or where
49 you just stated that it should be rural users.

50

1 MR. MATHEWS: Okay.
2
3 MR. G. BROWER: I got a question.
4
5 MR. MATHEWS: Subsistence is the
6 activity. Rural is the people who qualify. The reason
7 I avoided your subsistence is because I get hammered by
8 elders saying we don't use that word subsistence.
9 That's not a word in our terminology and it isn't a
10 word in their terminology, so I don't know where that
11 word came up. I'd have to ask an anthropologist. But
12 the point is, that's the term now used for that
13 activity that you might call -- somebody said country
14 food, someone said traditional ways, but that's the
15 term that we're using now to work through this process.
16 Does that help you?
17
18 CHAIRMAN BROWER: Thank you, Vince and
19 Pat.
20
21 MR. R. NAGEAK: Well, I'm trying to --
22 I'm trying to figure.....
23
24 CHAIRMAN BROWER: Roy, I have a
25 question over here from Gordon.
26
27 MR. R. NAGEAK: Okay. I'll hear from
28 Gordon too.
29
30 CHAIRMAN BROWER: We're going to have a
31 full lengthy discussion on this. Thank you for the
32 education.
33
34 MR. R. NAGEAK: That's what I'm trying
35 to get is the background.
36
37 CHAIRMAN BROWER: But we need to focus
38 on our agenda a little bit in terms of moving forward.
39 I understand the concern and going back and forth
40 through the definitions of what's being addressed or
41 being discussed, I have to say English is a very hard
42 language to learn, so we have to continue. So Gordon.
43
44 MR. G. BROWER: Just a couple of
45 observations too. It is very useful to hear the terms
46 and definitions leading up to certain things. I get
47 educated all the time and I like to learn these kind of
48 things. But it is a big concern and I hate to see
49 things like that unfold for us up here on the North
50 Slope here. I would have really loved to see things

1 have unfolded differently to where it was
2 differentiated properly.

3
4 For conservation measures you
5 distinguish between the Native traditional customary
6 use versus the rural resident of anybody that was out
7 there doing subsistence and distinguishing that to
8 further limit. So just for the purpose of making sure
9 food security in these villages is secure. I don't
10 know what the overriding reason why fish return was at
11 a point where you needed to do that, but it seems to me
12 there was some failure somewhere. There is offshore
13 intercepts, there are major commercial fishing outside
14 of the mouth of these rivers just in the bays of these
15 areas that probably were not limited to some extent.
16 Then the wrath of the law being placed on the
17 communities that need it to survive.

18
19 Those are just my concerns.

20
21 Thank you.

22
23 CHAIRMAN BROWER: Thank you, Gordon.

24
25 Go ahead, Pat.

26
27 MS. PETRIVELLI: I just had to make a
28 correction. I said 30 days and I was wrong. It's on
29 Page 132 of the book and it's 12 months. To be
30 considered a resident you have to be there 12 months.
31 So I apologize. I guess I was thinking of voting
32 requirements. That's the only thing I think is 30
33 days. But it's 12 months, so I apologize.

34
35 CHAIRMAN BROWER: Thank you, Pat.

36
37 MR. R. NAGEAK: Thank you.

38
39 MR. SHEARS: Mr. Chairman. I have a
40 question for Pat or Vince before they leave.

41
42 CHAIRMAN BROWER: Okay.

43
44 MR. SHEARS: It might help clarify my
45 thoughts on this subject. I can't find any allusion to
46 it in my documents. I thought that somehow there was
47 an implied -- there was an implication of intent for
48 the rural advisory board to protect subsistence
49 resources for Natives specifically under a small clause
50 that infers it in ANILCA, where ANILCA mandates the

1 Federal government protect Native culture on the lands
2 that it manages. It doesn't say, but Native cultural
3 in this area specifically, you know, in this rural
4 area, Native culture is hand in hand entwined with
5 subsistence.

6

7 Am I wrong? Because I always felt that
8 what we were protecting was not so much subsistence
9 resources, but the culture of Natives living a
10 subsistence lifestyle.

11

12 MS. H. ARMSTRONG: Mr. Chair. Pat is
13 looking it up, but I have a suggestion that maybe we at
14 the next meeting we have a training where we can really
15 dig in and talk about ANILCA that would be a separate
16 training. We haven't actually had a training for the
17 program too. We were going to do it this time. We had
18 some problems with getting Teddy in here. But this
19 might be a topic to really understand ANILCA better for
20 the next meeting. I'm not trying to put it off, but I
21 know Harry is trying to move ahead on the agenda, so
22 that's a suggestion I have. Pat has something.

23

24 ANILCA is in your book that's on the
25 table. It's in the back of the -- Eva can pull it up.
26 But you guys might want to look at ANILCA, good bedtime
27 reading. It's in the Regional Council manual there
28 somewhere and that might be something to kind of look
29 at and digest and understand it.

30

31 MR. MATHEWS: Then we can talk in
32 private on it, but the bottom line is the current
33 interpretation of ANILCA is it's not Indian
34 Legislation. Through the training you'll get all that
35 out of it and we can talk about the benefits of rural
36 and the benefits of not rural.

37

38 To close out my little thing, the State
39 was in compliance up until 1990 with this rural
40 preference and had a system of breaking it down
41 different ways and then it went to court and was found
42 -- State supreme court found it to be unconstitutional.
43 So not to put the State in bad light, just to close out
44 that history why you're here and you have to know which
45 color lands you influence.

46

47 CHAIRMAN BROWER: Thank you, Vince and
48 Pat and Helen.

49

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

1 Instead of training maybe we'll just call a lawyer like
2 that guy that won a permit for guiding system.

3

4 CHAIRMAN BROWER: Thank you, Roy. At
5 this time I'd like to acknowledge and recognize that
6 Teddy Frankson is here with us. Welcome, Teddy. We
7 know you took a long time to get here. If you'd just
8 turn on the mic.

9

10 MR. FRANKSON: Yeah, I missed my flight
11 the first day. I was a few minutes late. The plane
12 wouldn't stop even though they saw us coming.

13

14 CHAIRMAN BROWER: All right. Thank
15 you. And welcome to the Regional Advisory Council. I
16 also have another face in the audience, area biologist
17 Geoff Carroll. Welcome back, Geoff. I don't know
18 where you went, but we couldn't get a hold of you last
19 week. There's a mic right there. Come on down to the
20 table and introduce yourself, please.

21

22 MR. CARROLL: I had to attend my
23 daughter's master's thesis defense in Fairbanks
24 yesterday, so I jumped on a plane this morning and came
25 back up. So sorry I'm tardy, but I had a pretty good
26 excuse.

27

28 MR. R. NAGEAK: What was the thesis on?

29

30 MR. CARROLL: Moose. A chip off the
31 old block.

32

33 MS. AHTUANGARUAK: I have a concern
34 related to.....

35

36 CHAIRMAN BROWER: Rosemary, if I could
37 just finish getting the introductions. Another face in
38 here I'm not familiar with your name or who you are.
39 If you could just come up to the mic, please, and
40 introduce yourself.

41

42 MR. BALOGH: Hi. My name is Greg
43 Balogh. I actually spoke to the Council last year on
44 the topic of the Arctic Landscape Conservation
45 Cooperative and I'll be doing that again tomorrow. I'm
46 here early.

47

48 (Laughter)

49

50 CHAIRMAN BROWER: Okay. Thanks, Greg,

1 for your introduction. Rosemary.

2

3 MS. AHTUANGARUAK: One concern that
4 comes out with me in this process is that with our
5 discussions it was really important that we noted that
6 we had traditional and customary use associated with
7 inter-community and tribal trading patterns that were
8 established eons ago, way before this process continued
9 and that the discussion with the Yukon and the
10 Kuskokwim limits it to residency along those
11 tributaries and that's concerning that this process is
12 still moving forward with that discussion because
13 that's not something that was well understood in our
14 process.

15

16 We were trying to protect that trading
17 and customary use. It's also very important that we
18 continue to try to protect that usage, especially for
19 ceremonial usage. At times when we are losing family
20 members, we have certain foods that are very important
21 to share within the process of recognizing our families
22 and the inter-family generational ties throughout the
23 state and even in the Lower 48.

24

25 These things are very important for us
26 and that was strongly discussed in the meetings that
27 led to this discussion, but how we lost out on the
28 discussion that limits it now along the residency on
29 those tributaries is beyond me because I feel that's
30 greatly impacting statewide and which I was really
31 trying to prevent. The precedent setting of these
32 proposals on how it can affect us and our life and our
33 ways of living.

34

35 CHAIRMAN BROWER: Thank you, Rosemary.
36 In regard to our agenda, I'd like to move on if there's
37 no other comments or concerns to be voiced regarding
38 Federal Board actions on fisheries proposals.

39

40 (No comments)

41

42 CHAIRMAN BROWER: No comments or
43 concerns. Agenda Item 9 is public and tribal comments
44 on non-agenda items. Do we have any public or tribal
45 representative wanting to comment on non-agenda items
46 at this time.

47

48 MR. R. NAGEAK: Just for clarification,
49 there were no fisheries proposals in front of us,
50 right?

1 CHAIRMAN BROWER: Not for the North
2 Slope.
3
4 MS. PATTON: Mr. Chair. That's
5 correct. There were no direct proposals from the North
6 Slope, but there were the proposals on the Yukon
7 addressing customary trade that were of concern to this
8 Council and that's what we were just discussing now.
9
10 MR. R. NAGEAK: Right.
11
12 MS. PATTON: Also, just to make an
13 update too, now that we have our member Teddy Frankson
14 here, we had intended to have a training for the full
15 Council to cover some of ANILCA and to introduce Teddy
16 to the Regional Advisory Council process. If that
17 would be possible to do, if we could have a working
18 lunch tomorrow in order to gather everyone, cover these
19 questions on ANILCA and the process and authorities of
20 the Council, that would be great. That would be our
21 opportunity. I'd hoped to have it in advance, my
22 apologies, but we have a full group now.
23
24 MR. R. NAGEAK: I thought we were going
25 to do that in Hawaii or someplace for the whole group.
26
27 CHAIRMAN BROWER: Where there's no
28 disturbance. So you heard what Eva mentioned in regard
29 to probably holding a working lunch tomorrow. So much
30 for my hot date tomorrow. Anyway, we'll keep that in
31 mind through today and into the evening and we'll see
32 how we progress through the agenda. In regards to
33 public and tribal comments on non-agenda items.
34
35 Is anyone online that's willing to
36 speak at this time regarding the agenda item just
37 mentioned.
38
39 MR. R. NAGEAK: Mr. Chair. I've got
40 one that I forgot to mention.
41
42 CHAIRMAN BROWER: Anybody online.
43
44 MR. R. NAGEAK: Oh.
45
46 REPORTER: Roy, you're not online.
47
48 MR. R. NAGEAK: Wait, let me call.
49
50 (Laughter)

1 REPORTER: No.
2
3 (Laughter)
4
5 CHAIRMAN BROWER: I can't hear anybody
6 commenting, so, Roy.
7
8 MR. R. NAGEAK: I had one where Alaska
9 Oil and Gas designations within our region to somehow
10 control development. Anybody is aware of the Alaska
11 Oil and Gas leases for lands designated by the State of
12 Alaska that are needed for their advantage to try to
13 make sure that everything is centralized.
14
15 CHAIRMAN BROWER: We're talking Federal
16 subsistence.
17
18 MR. R. NAGEAK: I know, but those are
19 lands that are designated within the North Slope. With
20 PET 4 development, I'm trying to get an idea of where
21 those are going to be considered.
22
23 CHAIRMAN BROWER: PET 4 is now BLM,
24 NPR-A.
25
26 MR. R. NAGEAK: I know. Okay. I know
27 that, but.....
28
29 CHAIRMAN BROWER: There's different
30 terms that we use now. It's just like what we were
31 discussing earlier, different terms that have been
32 interjected.
33
34 MR. R. NAGEAK: Okay. Maybe that could
35 be something as we get further along in our agenda for
36 what kind of development will be happening.
37
38 MS. PATTON: Through the Chair. Roy,
39 we do have BLM on the agenda to give.....
40
41 MR. R. NAGEAK: Okay.
42
43 MS. PATTON:an update on NPR-A
44 and likely that will happen under agency reports
45 tomorrow as we move along in the agenda.
46
47 MR. R. NAGEAK: Thank you.
48
49 CHAIRMAN BROWER: Okay. Since we
50 didn't have any public or tribal comments we'll move on

1 to our next agenda item, Item 10, old business. 10(a)
2 is approve draft annual report for the fiscal year
3 2012. Eva.

4
5 MS. PATTON: Mr. Chair. Council. On
6 Page 38 and 39 of the meeting book is the draft annual
7 report summarizing the specific concerns and comments
8 that the Council had brought up to be included in this
9 annual report to the Federal Subsistence Board. If you
10 could please take a look at that, see if there are
11 additions to what is in here currently or other topics
12 of concern that you would like to have included in the
13 annual report that are not in here so far. These are
14 the summaries from the fall meeting, the issues the
15 Council brought forward to bring to the Federal
16 Subsistence Board in this annual report.

17
18 Thank you.

19
20 CHAIRMAN BROWER: Thank you, Eva.

21
22 MR. R. NAGEAK: Mr. Chairman. Are
23 there maps available on this project? Maps.

24
25 MS. PATTON: Mr. Chair. Are you
26 looking for maps on.....

27
28 MR. R. NAGEAK: On Page 38, the
29 proposed road to Umiat.

30
31 MS. PATTON: There are not maps in
32 here. Tomorrow there is a presentation. The Council
33 had also asked for an update on the road to Umiat EIS
34 process. Army Corps of Engineers, who is overseeing
35 that EIS process, will give a presentation tomorrow and
36 she has a PowerPoint presentation that goes with it as
37 well that includes maps and other materials. So we'll
38 have that update from Army Corps tomorrow. The
39 information in this annual report was the concerns that
40 were brought forward by the Council at the August
41 meeting.

42
43 MR. R. NAGEAK: And I think, Mr.
44 Chairman, in the past we had asked questions about how
45 far State hunters could get beyond the Dalton Highway
46 or is it all the way through State lands that they're
47 able to transverse or the rivers that are available
48 through all that, whether those are available for the
49 people that hunt in the Dalton, how far they can go
50 into the rivers. Especially on State lands, how far

1 can they transfer or travel?

2

3 Thank you.

4

5 CHAIRMAN BROWER: There are limitations
6 in terms of the method of access. There's access sites
7 along the Dalton Highway near the foothills and there's
8 limited access until you get into the Prudhoe Bay oil
9 fields. Those are the ones I know of unless there's
10 others. Gordon might have some insight on other sites,
11 but the access is somewhat limited. It's basically on
12 foot within the corridor itself.

13

14 Gordon.

15

16 MR. G. BROWER: Yeah, Mr. Chair. To my
17 understanding, on either side of the Trans-Alaska
18 Pipeline I think it's five miles and I think there's no
19 motorized vehicles to be accessing these areas. You
20 can use a bow and arrow from the road. But my concern
21 as well is we have an inspection team that goes up and
22 down the highway and if it's a motorized vehicle, is it
23 limited to just four-wheelers or does that include
24 boats and other vehicles that are accessing hunting
25 areas? Because within five miles of the pipeline
26 there's a lot of boat traffic with guides, hunters and
27 accessing with motorized vehicles that way. I think a
28 boat constitutes those types of things as well. I
29 don't know, but that's something that's yet to be
30 interpreted further.

31

32 CHAIRMAN BROWER: I hope that helps,
33 Roy, in regards to our approval of annual report for
34 2012. Was somebody calling my name?

35

36 MR. G. BROWER: Yeah, there was
37 somebody raising their hand back there.

38

39 CHAIRMAN BROWER: Vince, was that you?

40

41 MR. MATHEWS: To answer his question
42 you just need -- it's in the regulations, the whole
43 Dalton Highway Corridor, what it's restricted to, and
44 that's on Page 120 in your book. He's correct, it's
45 five miles, and then it tells you what vehicles are
46 used, but I want to make it clear that the use of
47 snowmachines is authorized only for subsistence taking
48 wildlife by residents living within the Dalton Highway
49 Corridor. So they can use snowmachines in that area.
50 So you can read the description on Page 120 on the

1 Dalton Highway Corridor if that answers that.

2

3 MR. G. BROWER: Mr. Chair. While Vince
4 is there. You said only to those that reside as
5 subsistence users within the corridor. How does it
6 view the commercial guides and activities that use all
7 these fan boats that are within five miles of the
8 corridor and accessing through the Dalton Highway into
9 the river? That's within five miles of the corridor.

10

11 MR. MATHEWS: I will defer that to BLM
12 because I need to understand this statement on Page
13 120. But there is guiding activity within the Dalton
14 Highway Corridor, which is managed by BLM, but your
15 question is the use of access, what means are they
16 using to access, and I'd have to look at this further
17 on that. But not to ignore that is a concern by the
18 Western Interior Regional Advisory Council about the
19 level of activity in the Dalton Highway Corridor. So
20 that may be something you'd want to get consultation
21 from them.

22

23 But it is an issue that comes up and
24 there's communication, I believe, between North Slope
25 Borough and residents in the Dalton Highway Corridor on
26 this very issue. So we'll leave it at that and then
27 later on if you still have that question we'll explore
28 the use of boats in that area by guides.

29

30 MR. R. NAGEAK: Mr. Chair.

31

32 CHAIRMAN BROWER: Roy.

33

34 MR. R. NAGEAK: One of the concerns
35 that I had with access to the Dalton Highway and with
36 the security of the Pipeline, the concern is to assure
37 that nobody is coming up the pike or the Dalton Highway
38 with explosive that could do damage to one of the
39 revenue source for the state of Alaska. Somehow
40 they're missing the boat with security on the Dalton
41 Highway with so much traffic, especially in the summer
42 time, and not knowing what's being brought up. Anybody
43 could bring a case of dynamite and blow up our sole
44 source of revenue for the state and being a state
45 citizen what is the State going to do about it? It's a
46 concern.

47

48 MR. MATHEWS: Yes, it is a concern.

49

50 MR. R. NAGEAK: That should be

1 addressed with this, the security of the pipeline that
2 creates revenue for the state of Alaska. It needs to
3 be addressed because when they open up the Dalton
4 Highway for things that they could load up and nobody
5 is overseeing it alongside the pipeline, being a state
6 citizen, it concerns me. Make sure that it's being
7 addressed, somebody.

8

9 MR. MATHEWS: That would be something
10 to address during your annual report process and that
11 is a concern. I'm not speaking for the North Slope
12 Borough, but I believe there was concerns when the
13 highway was opened up, those very concerns, but that is
14 progressed now where the road is open. So, yes, law
15 enforcement concerns is very high on the Western
16 Interior Regional Advisory Council in the corridor.
17 Again, you could talk to their leadership on their
18 concerns on the activities in the corridor as well as
19 law enforcement capability.

20

21 CHAIRMAN BROWER: Thank you, Vince.

22

23 MR. R. NAGEAK: During this time, Mr.
24 Chair, is it correct for me to assure that in No. 2
25 Haul Road/Dalton Highway hunting access impacts the
26 caribou but also impacts the security of the pipeline
27 to ensure that whoever is in authority to assure the
28 safety and security of the pipeline that supports 90
29 percent of the state revenue for the state of Alaska.

30

31 For the record, if anything happens,
32 we've told the State and they can't be stating nobody
33 told us about it.

34

35 MS. PATTON: Mr. Chair.

36

37 CHAIRMAN BROWER: Eva.

38

39 MS. PATTON: For the annual report the
40 primary concern of this report in requesting the Board
41 take action on certain issues or bringing issues to the
42 attention of the Federal Subsistence Board is primarily
43 to address Federal Subsistence issues. It can be
44 expanded into things that have impact on subsistence
45 also. The Board themselves would not be able to take
46 up the security of the pipeline itself.

47

48 MR. R. NAGEAK: Do you know how
49 damaging an oil spill would be to our subsistence
50 resource?

1 MS. PATTON: Yes. So we can include
2 that in here to address the security concerns.....
3
4 MR. R. NAGEAK: Thank you.
5
6 MS. PATTON:and potential impacts
7 to subsistence. Thank you.
8
9 MR. G. BROWER: Mr. Chair.
10
11 CHAIRMAN BROWER: Just to follow up on
12 your comment -- just a second, Gordon. I think this
13 would be indicated from the 2012 report. Now we're
14 dealing with 2013.
15
16 MS. PATTON: That's correct. This is
17 the report from the Council from 2012, but you have an
18 opportunity to review it and make edits.
19
20 CHAIRMAN BROWER: And restate for the
21 2013 report.
22
23 MS. PATTON: It still comes as the 2012
24 report to the Council or to the Board when they meet
25 next and can respond to this letter, but this is the
26 opportunity to add or edit as well.
27
28 Thank you.
29
30 CHAIRMAN BROWER: Thank you.
31
32 Gordon.
33
34 MR. G. BROWER: I just wanted to -- I
35 saw that this had an asterisk as an action item. I
36 think we need a motion to approve and get into
37 discussion as well, right?
38
39 CHAIRMAN BROWER: Yes. Thank you for
40 catching that, Gordon. I was just looking over the
41 agenda and kept referring to Page 38 and 39. At this
42 time I'd entertain a motion to approve the draft annual
43 report for 2012.
44
45 MR. SHEARS: Mr. Chairman. Motion to
46 approve the draft annual report for 2012.
47
48 CHAIRMAN BROWER: Motion by Robert.
49
50 MS. AHTUANGARUAK: Second for further

1 discussion.

2

3 CHAIRMAN BROWER: Second by Rosemary.

4 Discussion. Rosemary.

5

6 MS. AHTUANGARUAK: I think it's really
7 important to add there's some discussion that has
8 happened in the last couple years that also changes our
9 view of the understanding of this process. With the
10 Scenic Byways designation, which also incorporated
11 signage along the Dalton Highway, there's also
12 recognition of other uses in the process when we're at
13 the effort to try to protect our subsistence uses and
14 having additional boats and whatnot come up the Dalton
15 Highway for the Scenic Byways and access these
16 waterway. We were all very concerned about it. And
17 there's relevant discussion that was given in testimony
18 to that process in the legislative sessions.

19

20 Archie Akhiviana talked extensively
21 about increasing activities along the Dalton Highway
22 with some of those hearings that occurred and the
23 misleading of the representatives in that process that
24 encouraged usage in this area. It was a very difficult
25 process for us to even participate in because we have a
26 call-in system and if you're not at a site where you
27 can participate effectively or you're stuck on the
28 phone waiting to be heard and if you cannot be
29 recognized in the narrow time frames of time that they
30 gave for people to participate, our comments are held
31 out.

32

33 It was very concerning on how these
34 issues are representative of continuing impacts with
35 failures of management regimes that give us
36 insinuations that there's going to be protection put in
37 place and yet, as years go on, we continue to lose
38 those protections to continue to protect our way of
39 life.

40

41 CHAIRMAN BROWER: Thank you, Rosemary.

42

43 Any further discussion.

44

45 James.

46

47 MR. J. NAGEAK: I think one of the
48 things that we were concerned about on the SRC was the
49 number of take on the Dalton Highway. I think there
50 was an increase in how many caribou they can get.

1 MR. G. BROWER: Five per day per
2 person.
3
4 MR. J. NAGEAK: Yeah, five per person
5 or something like that.
6
7 MR. G. BROWER: Per day.
8
9 MR. J. NAGEAK: So I wanted to put that
10 in for a concern for the residents on the North Slope.
11
12 MR. G. BROWER: Mr. Chair.
13
14 CHAIRMAN BROWER: Yes, Gordon.
15
16 MR. G. BROWER: I know there's sport
17 hunting and State concession process to designate areas
18 for guides and stuff like that and then there's
19 subsistence. The dialogue about you must be a resident
20 for 30 days to be a rural subsistence harvester.....
21
22 MR. SHEARS: Twelve months.
23
24 MR. G. BROWER:or 12 months, how
25 could the Dalton Highway be dotted with hundreds and
26 hundreds of motorhomes and the folks obviously are --
27 some of them I've stopped to talk with are coming from
28 Montana, from Seattle. Isn't that a problem there? If
29 you're going to say you've got to be a resident to be
30 able to do rural subsistence, it seems to me there's
31 issues right there in itself in the lack of
32 enforcement.
33
34 I'm just one of those that go down the
35 Haul Road once in a while with a land management group
36 and take pictures and try to find un-permitted
37 recreational guiding operations going on, but we see a
38 lot of different things and that's one of the things.
39 I know it's open to the public, but the hunting thereof
40 is regulated to some extent and maybe I need to be
41 corrected here. Unless there's a Catch-22 developed
42 somewhere in your mind.
43
44 Let me know.
45
46 MR. R. NAGEAK: We're not looking at
47 you, Geoff. It's the person right behind you.
48
49 (Laughter)
50

1 CHAIRMAN BROWER: Maybe at the both of
2 them. Thank you, Gordon. I'm trying to distinguish
3 just from the conversation of what's happening with the
4 number of vehicles. Some might be sightseeing, some
5 might be traveling to conduct a hunt, some are sport
6 harvesting. You know, those are the things that are
7 questionable, but in terms of enforcement I think there
8 is a concern about how do we move forward with the
9 hunting segment that we're concerned about and the
10 number of animals harvested within the corridors.

11
12 I also observed a number of vehicles
13 going through, but it's not always they're all hunters.
14 There's some that are tourists and some sightseeing and
15 then there's a large number of the others, the hunters
16 that do come up the road. Again, we're in the midst of
17 a State-managed corridor and yet we're voicing concerns
18 on this and we need to be clear as to how we want to
19 address it through this annual report.

20
21 Our agenda item is the discussion of
22 our 2012 annual report. We have a motion on the floor.

23
24 MR. R. NAGEAK: Mr. Chair.

25
26 CHAIRMAN BROWER: Roy.

27
28 MR. R. NAGEAK: You bring up a good
29 point where the State don't have a lot of taxes within
30 the big cities, no sales tax, nothing, but I think it
31 behooves the state to start taxing whatever comes up
32 the Haul Road, especially on item number 3, suggestions
33 for possible sources of funding to build such cabins.
34 That would be one revenue that could create a funding
35 for -- if it's going to be an impact in the area, we
36 could make it so that they could help us build whatever
37 we need for safety, remote access areas, safety cabins.
38 Just a suggestion.

39
40 CHAIRMAN BROWER: Thank you.

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

43
44 CHAIRMAN BROWER: Gordon.

45
46 MR. G. BROWER: It seems to me this is
47 under the purview of the Haul Road and I think there
48 are some sections of the Haul Road that are within BLM
49 jurisdiction, Galbraith and other areas further south.
50 But it seems to be there's some silence to that effect

1 if somebody can enlighten us as to if there is a double
2 standard at play or is there an actual regulation that
3 allows for Fairbanks residents to be hunting on the
4 North Slope without having residency is, I think, a
5 question to be had.

6

7 MS. LEONARD: Mr. Chair. This is Beth
8 Leonard from Fish and Game in Fairbanks and I am
9 responsible for part of that area and I might be able
10 to answer some of those questions that the Council
11 would like me to try.

12

13 CHAIRMAN BROWER: Okay. Thank you,
14 Beth, for coming on. I think they're basically waiting
15 to hear your responses.

16

17 MS. LEONARD: Okay. To the question
18 that was just posed, you're correct, some of that land
19 along the Dalton Highway from about Atigun Pass to what
20 we call Slope Mountain in the corridor is BLM land and
21 then land beyond that are State-managed lands. Because
22 that herd is about 70,000 caribou and there's no
23 conservation issue, right now the regulations are
24 liberal and the regulations, whether it's on BLM or
25 State lands allow for Alaska State residents to hunt up
26 there and also for non-residents, people from the Lower
27 48 or from even other countries to come up and hunt.
28 Right now that is legal because there's no conservation
29 issue on the Central Arctic Caribou Herd.

30

31 CHAIRMAN BROWER: Does that help,
32 Gordon.

33

34 MR. G. BROWER: Yeah, Mr. Chair, I
35 think that answers the question. There is no
36 conservation problem in the area or for the herd itself
37 at this point where it's sufficient for all users to be
38 taking.

39

40 CHAIRMAN BROWER: Thank you. Beth, was
41 there anything else you wanted to add?

42

43 MS. LEONARD: Pardon me. This is Beth.
44 I didn't quite hear
45 what you asked.

46

47 CHAIRMAN BROWER: Did you have
48 something else that you wanted to add?

49

50 MS. LEONARD: I have some numbers on

1 numbers of hunters and harvest. Actually in the ADF&G
2 report there will be a handout later on, probably
3 tomorrow, when Geoff comes that will have graphs and
4 figures for you to look at. If you wanted to know what
5 some of those numbers are now, I could talk about that
6 now or we could wait until you have that handout in
7 front of you and have some figures to look at.

8

9 CHAIRMAN BROWER: I think we'll take
10 the later option because we have other agenda items
11 that we'd like to cover as well. If you're done, Beth,
12 I'd like to recognize Dr. Yokel unless you have some
13 other comments you would like to provide.

14

15 DR. YOKEL: Do you have anything else,
16 Beth?

17

18 MS. LEONARD: No, I don't. I'm just
19 listening if there are any more questions about that
20 area.

21

22 CHAIRMAN BROWER: Go ahead, Dr. Yokel.

23

24 DR. YOKEL: Thank you, Mr. Chair. I've
25 been sitting here and listening to all this
26 conversation and very hesitant to actually get up and
27 waste any more of your time. It seems -- it's my
28 personal opinion that there's enough confusion here on
29 State and Federal regulations that it's going to
30 require a lot more than a quickie training session at
31 lunch tomorrow to resolve them. If you'll bear with me
32 a few minutes, I'll maybe try to get at some of your
33 questions by going through a little history.

34

35 In 1975 the Dalton Highway was
36 constructed prior to ANILCA and way prior to any
37 Federal subsistence regulations. There was a large
38 concern at the time that building that highway all the
39 way from Livengood to Prudhoe Bay would open a vast
40 portion of the state to people hunting by road and
41 there were conservation concerns for a lot of the
42 resources along that way.

43

44 I don't know exactly how it happened
45 between the State legislature and the State Board of
46 Game. They chose to make a corridor within five miles
47 of either side of the highway, hunting by no use of
48 firearms within that area. Also they said you may not
49 use motorized vehicles to get from the highway to that
50 five mile limit. The motorized vehicles excluded boats

1 and planes.

2

3

4 When the BLM developed its land use
5 plan for its portion of the utility corridor, which at
6 that time in the late 1980s extended up to about Pump
7 Station No. 2, they did not want to go against any of
8 the State rules, so they adopted the same thing, five
9 miles no motorized vehicles. BLM didn't manage
10 hunting. That wasn't a part of the land use plan, but
11 they said you may not use motorized vehicles on BLM
12 lands within five miles of the highway.

12

13

14 So that answers some of your questions,
15 I think, about boats. As far as residents and
16 somebody's question about a person from Fairbanks, I'm
17 a little bit -- the question confused me, so I'm not
18 sure what the issue was. I'm a resident of Fairbanks
19 and I can get a State hunting license and I can get a
20 State resident hunting license if I've been a resident
21 of the State for 12 months and I can go hunting up the
22 Dalton Highway if I follow all of the State's hunting
23 regulations. Somebody from Montana can come up and not
24 be a resident of the State and can get a State non-
25 resident hunting license and they can go up the Dalton
26 Highway and hunt if they follow all of the State's
27 hunting regulations.

27

28 There's been a lot of legislation and
29 attempts at legislation over the years to resolve other
30 concerns, but I think I'd rather leave it at that and
31 see if the Chair has need for anymore.

32

33

34 CHAIRMAN BROWER: Got a mouthful right
35 now, Dave. Anyway, thank you for your input on that
36 and helped with some clarification on the discussion.

36

37

MR. R. NAGEAK: Mr. Chair.

38

39

40 CHAIRMAN BROWER: I was going to say we
41 have a motion in regards to the annual report.

41

42

MR. R. NAGEAK: One last comment.

43

44

CHAIRMAN BROWER: Roy.

45

46

47 MR. R. NAGEAK: I agree. We've been
48 blessed with land that's got a lot of renewable
49 resources and in some places in the rest of Alaska a
50 lot of the renewable resources that are close by urban
51 areas have been decimated in a sense. For me, I agree

1 if we have it and there's more than enough, let them
2 drive up. Let them have access to what is renewable.
3 It's just a matter for me a sense of security for the
4 pipeline in the sense of some form of respect for the
5 subsistence hunters especially around Anaktuvuk Pass.

6

7 If people are educated or through the
8 process of education to not hunt when the caribou are
9 migrating towards areas that will help our hunters in
10 the villages. Always let the first ones go though.
11 That's what we always say because they'll follow
12 through. It's just a matter of respect for each other
13 and not us against them.

14

15 Our elders know that if we don't share
16 and don't allow people to utilize what is renewable,
17 there won't be no more. Just that concern that we
18 respect each other in times like these and they'll
19 always be there if we treat them with respect, the
20 caribou and the lands.

21

22 Thank you.

23

24 CHAIRMAN BROWER: Thank you, Roy. I'll
25 recognize Eva just to restate what was recommended to
26 add on to the segment 2 regarding the Dalton Highway.

27

28 Eva.

29

30 MS. PATTON: Mr. Chair. So the draft
31 annual report as amended, the comment on security of
32 pipeline and the potential impacts to subsistence under
33 number 2, so review of the Haul Road.

34

35 MR. R. NAGEAK: For the record.

36

37 MS. PATTON: So the amendment was to
38 include a statement in the annual report under number
39 2, review of the Haul Road and Dalton Highway to
40 address the security of the pipeline to prevent any
41 potential oil spill or impacts to subsistence.

42

43 MR. R. NAGEAK: Thank you. This is for
44 2103, Mr. Chair, or is this just a follow up on our
45 2012?

46

47 MS. PATTON: Mr. Chair and Council. So
48 this is your 2012 report that was generated at the fall
49 meeting.....

50

1 MR. R. NAGEAK: Okay.
2
3 MS. PATTON:based on concerns
4 from the last year. This is the opportunity to review
5 and approve it and add any additions such as this.
6
7 MR. R. NAGEAK: Mr. Chair. Any other
8 concerns for 2013 will be approved next year, 2014.
9
10 MS. PATTON: That's correct. So at the
11 fall meeting in August will be the opportunity for the
12 Council to bring up additional concerns in 2013. So
13 the annual report comes every year. Just the review,
14 the way the Council meetings line up happens just after
15 the year that it's drafted in.
16
17 Thank you.
18
19 MR. R. NAGEAK: Thank you.
20
21 MS. AHTUANGARUAK: Mr. Chair. I also
22 wanted to make sure that we have language in that area
23 to recognize the Scenic Byways designation and the
24 increased activity around the area that impacts our
25 subsistence.
26
27 CHAIRMAN BROWER: So we've generated a
28 motion. We're under discussion of the approve the
29 draft annual report for 2012. Any further comments or
30 discussion.
31
32 (No comments)
33
34 CHAIRMAN BROWER: We have a slight
35 modification to the letter and you've heard Eva read
36 the contents.
37
38 MR. R. NAGEAK: For the record.
39
40 CHAIRMAN BROWER: Again for the record,
41 Eva.
42
43 MS. PATTON: We have an additional
44 amendment to the annual report under Item No. 2, review
45 of the Haul Road, to bring to the attention of the
46 Federal Subsistence Board. Recognize that the Scenic
47 Byways designations has caused increased traffic and
48 use in areas that may impact subsistence.
49
50 MR. G. BROWER: Mr. Chair.

1 CHAIRMAN BROWER: Gordon.
2
3 MR. G. BROWER: I just wanted to thank
4 Dr. Yokel for his explanations on residency for Alaska.
5 There was no implied bias on my part. I was just
6 trying to merely talk about an example. Maybe a little
7 bit mixed up and construed to believe that rural
8 residency for our communities was at play. Other than
9 that, I would call for the question, Mr. Chair.
10
11 MS. AHTUANGARUAK: I'd like to make a
12 motion first to support the amendments that were
13 recommended by Staff and ask for that approval.
14
15 MR. R. NAGEAK: Second for amendments.
16
17 CHAIRMAN BROWER: Motion on the floor
18 regarding an amending motion and seconded. Any further
19 discussion on the amending motion.
20
21 (No comments)
22
23 MR. R. NAGEAK: Question.
24
25 MR. G. BROWER: Call for the question.
26
27 CHAIRMAN BROWER: The question has been
28 called on the amending motion to add verbiage to the
29 2012 annual report. All in favor of the amending
30 motion signify by saying aye.
31
32 IN UNISON: Aye.
33
34 CHAIRMAN BROWER: Thank you.
35
36 MS. AHTUANGARUAK: Just a note for our
37 board. You need to turn off the mic so that others can
38 turn on their mics because there's a limitation to the
39 number of people who can have their mic on.
40
41 Thank you.
42
43 MR. R. NAGEAK: Call the question on
44 the main motion.
45
46 CHAIRMAN BROWER: The question has been
47 called on the main motion. All in favor of supporting
48 the 2012 annual report to the Federal Subsistence Board
49 signify by saying aye.
50

1 IN UNISON: Aye.
2
3 CHAIRMAN BROWER: Opposed say nay.
4
5 (No opposing votes)
6
7 CHAIRMAN BROWER: None noted. Thank
8 you. We're down to 10(B) wildlife closure review
9 WCR12-18 Unit 23 Baird Mountain Sheep. Is it one
10 sheep?
11
12 (Laughter)
13
14 MS. PATTON: Mr. Chair, if I may.
15 There are actually three closure reviews and we have
16 OSM subsistence wildlife Staff online. In your manila
17 packets there is some additional materials, both public
18 comments to the Council and State comments to the
19 Council and in response to the OSM review, and also the
20 closure review itself is in here since that closure
21 review only was completed recently after the printing
22 of the book.
23
24 There is also in your Council
25 Operations Manual on Page 100 that addresses the
26 process of the closure reviews for the Council. So the
27 Council has the opportunity when these are completed to
28 review the analysis and provide comment or, if the
29 Council or communities want to submit wildlife
30 proposals during the Federal wildlife cycle.
31
32 MS. H. ARMSTRONG: Mr. Chair. Can I
33 just add that the closure reviews are reviewed on a
34 three-year cycle and this was something that was
35 established a few years ago. You may remember that
36 because we were closing and then they stayed closed and
37 the State said we need this reviewed every so often, so
38 that's why we do a review. We do it every three years
39 on all the closures and we're doing these, as Eva said,
40 before we get to the wildlife proposals to see if
41 anybody has a proposal that might want to change the
42 closure or not
43
44 If I may, Mr. Chair. The wildlife
45 biologist will be presenting this from our office and
46 they're having a hard time hearing everything everyone
47 is saying. So when you have a question of them, if you
48 can speak really close to the mic and clearly so they
49 can hear it and they can text me and let me know if
50 they're not hearing it too, so we're hoping this will

1 work. Presenting by teleconference is a little bit
2 difficult, so we need to get your input too as to how
3 you feel this went.

4
5 Thank you.

6
7 MS. AHTUANGARUAK: As well as
8 participating by teleconference is very difficult also.
9

10 MR. EVANS: Mr. Chairman and members of
11 the Council. Can you hear me?

12
13 MR. R. NAGEAK: Get the mic closer.

14
15 REPORTER: Thanks, Roy.

16
17 MR. EVANS: Thank you, Mr. Chairman and
18 members of the Council. Can you hear me okay?

19
20 CHAIRMAN BROWER: Yes, we can.

21
22 MR. EVANS: Well, on that note I guess
23 I'll go ahead and start on the first closure review
24 WCR12-18. My name is Tom Evans and I'm a wildlife
25 biologist for the Office of Subsistence Management.
26 Before I start on the summaries of the individual
27 closure reviews I thought it would be good to provide a
28 brief background on the closure review process. I know
29 that's in your book, but this won't take very long.

30
31 In 2007, the Federal Subsistence Board
32 reviewed and approved the policy addressing Federal
33 closures to hunting, trapping and fishing on Federal
34 public lands and water in Alaska. Two points included
35 in that policy state closure should be removed as soon
36 as practicable when conditions that originally justify
37 the closure have changed to such an extent that the
38 closure is no longer necessary. We do actually have a
39 closure review WCR-12-31 that actually dealt with that
40 very issue.

41
42 The second point was to ensure that the
43 closures do not remain in place longer than necessary.
44 All future closures will be reviewed by the Federal
45 Subsistence Board no more than three years from the
46 establishment of the closure or at least every three
47 years thereafter, which Helen just spoke to.

48
49 These closure reviews provide updated
50 information on Federal closures and provide the RACs

1 and individuals an opportunity to submit proposals that
2 they feel regulatory changes are necessary. The closure
3 reviews are reviewed by the OSM field team, the OSM
4 leadership team and finally by the InterAgency Staff
5 and the State. The current regulations for WCR12-18
6 are listed on Page 24 of the Council meeting book and
7 I'll start in with that one.

8

9 At any time if you can't hear me,
10 please let me know. The issue hunting on Federal
11 public lands in Unit 23 is closed to the taking of
12 sheep except by the rural residents of Unit 23 north of
13 the Arctic Circle and Point Lay holding a Federal
14 registration permit and hunting under these
15 regulations. This barely gets into your area, but
16 Point Lay is in your area, Point Hope is in Unit 23,
17 but this is part of the North Slope Borough area.

18

19 The closure was last reviewed in 2008.
20 In 1999, the population was recovering from a decline
21 associated with severe winters. Although the
22 population was recovering there was still a weak cohort
23 of four to eight year olds and a surplus of older rams,
24 thus it was determined that only a limited subsistence
25 hunt could occur.

26

27 Due to declines in the 1990s the sheep
28 population in the western Baird Mountains has
29 increased. The most recent estimate is 578 sheep in
30 2011, which was lower than the 2009 minimum but similar
31 to the long-term average of 631 sheep. The population
32 composition has also improved and became less skewed
33 towards the older age classes. However, the number of
34 full curl rams has declined from an average of 19 to 32
35 percent between 2002 and 2009 to 7 to 15 percent in
36 2011.

37

38 The harvest has remained under the
39 quota since 1998 except for one year, the 2005-2006
40 regulatory year. An average of 14 sheep have been
41 harvested per year since 2004 under the Federal
42 registration permit. The quotas were set at 15 rams
43 and 6 ewes.

44

45 OSM's recommendation for this is to
46 maintain the status quo for this closure WCR12-18. The
47 justification being that the number of sheep in the
48 Baird Mountains has rebounded from a population decline
49 that occurred in the 1990s, however the harvestable
50 surplus remains low. Since the total allowable harvest

1 is limited by quota, lifting the closure would decrease
2 the opportunity for Federally qualified subsistence
3 users as the harvest quota would be shared between
4 Federal and non-Federal hunters. This is assuming, of
5 course, that the State would open up the season if the
6 closure was lifted.

7

8 Thus the recommendation is to maintain
9 the closure, which is consistent with sound management
10 practices and conservation of population while at the
11 same time allowing for continued subsistence use by
12 Federally qualified users.

13

14 Now I'm a little bit new to this
15 process, but I think that I stop between each closure
16 review for some discussion and then before I go on to
17 the next one.

18

19 CHAIRMAN BROWER: Thank you for that
20 introduction of WCR12-18. I'd like to ask the Alaska
21 Department of Fish and Game if they have any comments.

22

23 MS. YUHAS: Thank you, Mr. Chairman.
24 Jennifer Yuhas with the Department of Fish and Game. I
25 just wanted to note for the Council that the analysis
26 you were provided only includes the State's original
27 comments when the closure was initiated in 1999 and we
28 did say that we had no objection to the status quo and
29 agreed with the OSM conclusion for this and we just
30 want to make sure that's on the record.

31

32 CHAIRMAN BROWER: Thank you, Jennifer.

33

34 Any other Federal agencies wishing to
35 comment on WCR12-18.

36

37 MR. R. NAGEAK: Mr. Chair.

38

39 CHAIRMAN BROWER: Roy.

40

41 MR. R. NAGEAK: Just a question to the
42 biologist. This is Roy Nageak for the record, Barrow.
43 When you look at 403 and what percent of a take will
44 not impact the growth of the population of sheep? I'm
45 looking at Page 27 of the report that you've done on
46 Table 1. What type of percentage will not impact the
47 growth of the population? Are you using the study?

48

49 MR. EVANS: I think if I understand the
50 question you want to know what proportion of the

1 harvest you can harvest out of the population and still
2 have a healthy population. Was that correct?
3
4 MR. R. NAGEAK: Where the impact of the
5 growth of the young ones won't be impacted. They'll
6 still be growing.
7
8 CHAIRMAN BROWER: What's the allowable
9 removal take.
10
11 MR. R. NAGEAK: The removal take to
12 provide a healthy stock because we're familiar.....
13
14 CHAIRMAN BROWER: Let him answer the
15 question.
16
17 MS. H. ARMSTRONG: Did you hear that?
18 What's the allowable take?
19
20 MR. EVANS: Yeah, the allowable take.
21 I think the allowable take of the average of 14 per
22 year has not had an impact on the population and is
23 considered sustainable. That's the average harvest.
24 The actual quota was 15 rams and 6 ewes, but that's
25 considered sustainable.
26
27 CHAIRMAN BROWER: Did that help, Roy?
28
29 MR. R. NAGEAK: In a sense, yes. Yes.
30
31 CHAIRMAN BROWER: Thank you.
32
33 MR. R. NAGEAK: So, just out of
34 curiosity in 1989 with 574, I see where there was 30
35 and 28. What percentage of that at that time was
36 taken?
37
38 CHAIRMAN BROWER: Roy, we'll be
39 allowing you.....
40
41 MR. R. NAGEAK: Okay.
42
43 CHAIRMAN BROWER:comments and
44 questions later on down the line. I'm just following a
45 process that we have identified and Regional Council
46 recommendations and motions we'll be hearing as we get
47 done with our presentation on this proposal. We're
48 under Item C, Federal agencies. Any other Federal
49 agencies wishing to comment on this proposal WCR12-18.
50

1 (No comments)
2
3 CHAIRMAN BROWER: Do we have any
4 Native, tribal or village with comments regarding this
5 proposal.
6
7 (No comments)
8
9 CHAIRMAN BROWER: None noted.
10
11 MR. R. NAGEAK: Mr. Chair. I'm looking
12 at our map again and Unit 23 goes from.....
13
14 CHAIRMAN BROWER: Point Hope.
15
16 MR. R. NAGEAK:just south of
17 Point Hope, straight across, and then up to Point Lay.
18 That's what you've presented on Table 1, 27. Is that
19 just in that area where Unit 23 is designated, that
20 line, the studies that are being done or the count that
21 is being done? Is it just within that Unit 23 or the
22 study goes outside of Unit 23?
23
24 MR. EVANS: The population for the --
25 the Unit is primarily Unit 23, but it includes any
26 Alaska rural residents north of the Arctic Circle as
27 well as Point Lay. So the harvest for that area is
28 included in the tables and the figures presented in the
29 analysis. Primarily in Unit 23, but goes a little bit
30 into parts north of Unit 23 obviously when it hits
31 Point Lay.
32
33 CHAIRMAN BROWER: Does that help, Roy?
34
35 MR. R. NAGEAK: I'm trying to figure
36 out because there's Cape Krusenstern and there's a
37 dividing line right around Kivalina. That's a
38 different unit that's being studied too for population
39 for take from the NANA region.
40
41 MR. EVANS: Yes. So the sheep are
42 taken from Unit 23 and this area overlaps with the
43 Western Region, so this proposal will also be discussed
44 when the Western Region -- or the Northwest Arctic
45 Region is taken up next week.
46
47 MR. R. NAGEAK: So they'll have a
48 different count for the unit outside -- right under
49 Unit 23 because the population count that you did is
50 basically inside Unit 23.

1 MR. EVANS: Correct.
2
3 MR. R. NAGEAK: Thank you.
4
5 CHAIRMAN BROWER: Any other agency
6 comments, Native, tribal, village and other.
7
8 (No comments)
9
10 CHAIRMAN BROWER: Any other comments
11 from these organizations.
12
13 (No comments)
14
15 CHAIRMAN BROWER: We have none. Number
16 3 is advisory groups comments.
17
18 (No comments)
19
20 CHAIRMAN BROWER: Neighboring Regional
21 Councils.
22
23 (No comments)
24
25 CHAIRMAN BROWER: Local fish and game
26 advisory committees.
27
28 (No comments)
29
30 CHAIRMAN BROWER: National Park
31 Subsistence Resource Commission.
32
33 (No comments)
34
35 CHAIRMAN BROWER: Any of those
36 Representatives here.
37
38 (No comments)
39
40 CHAIRMAN BROWER: I'm looking at James,
41 National Park Subsistence Resource Commission.
42
43 MR. R. NAGEAK: Mr. Chairman. I want
44 to apologize. I didn't know there was a standard
45 procedure to follow for presentation procedures for
46 proposals. I'm sorry. I repent.
47
48 (Laughter)
49
50 CHAIRMAN BROWER: Thank you, Roy.

1 We'll continue with the practice that we're following
2 now.
3
4 So, James.
5
6 MR. J. NAGEAK: The National Park
7 Service is going to meet April 8th in Ambler, so we
8 haven't met to consider this particular one.
9
10 CHAIRMAN BROWER: Thank you, James. If
11 there are no other advisory groups or committees.
12
13 (No comments)
14
15 CHAIRMAN BROWER: We'll move on to
16 Number 4. Summary of written comments.
17
18 MS. PATTON: Mr. Chair. There were no
19 written comments submitted to the Council on this
20 particular wildlife closure.
21
22 Thank you.
23
24 CHAIRMAN BROWER: Thank you, Eva.
25
26 Number 5, public testimony.
27
28 (No comments)
29
30 CHAIRMAN BROWER: No movement there.
31 Number 6, Regional Council recommendation, motion.
32 Always a positive motion. That's what I'm reading on
33 the back of the board. Bob.
34
35 MR. SHEARS: Mr. Chair. When can we
36 ask questions?
37
38 MS. AHTUANGARUAK: Make a motion to
39 approve.
40
41 CHAIRMAN BROWER: Under discussion.
42
43 MR. SHEARS: Okay, gotcha.
44
45 CHAIRMAN BROWER: Council
46 recommendation.
47
48 MS. AHTUANGARUAK: So at this point
49 we're ready to make a recommendation to discuss this
50 Proposal WCR12-18.

1 MS. H. ARMSTRONG: Mr. Chair.
2
3 CHAIRMAN BROWER: Helen.
4
5 MS. H. ARMSTRONG: I don't believe you
6 have to take action on the closure review.
7
8 MR. R. NAGEAK: Status quo.
9
10 MS. H. ARMSTRONG: It's status quo.
11 It's not exactly like a proposal where you would take
12 some action as if you wanted to open the lands that
13 were closed and then you would have a wildlife proposal
14 put in. So I don't think you have to -- you can
15 discuss it for sure and you can vote to have it status
16 quo, but you don't have to. It's not going to go to
17 the Board I don't believe.
18
19 CHAIRMAN BROWER: I think we'd like to
20 be recorded.
21
22 (Laughter)
23
24 MS. H. ARMSTRONG: Go forward and do
25 great things.
26
27 CHAIRMAN BROWER: Thank you, Helen. I
28 found the page. On Page 29 it says OSM preliminary
29 recommendation is to maintain status quo.
30
31 MR. R. NAGEAK: Mr. Chair.
32
33 CHAIRMAN BROWER: Roy.
34
35 MR. R. NAGEAK: Just out of curiosity
36 and inviting our delegate from Point Hope, Ted
37 Frankson, Jr., do they hunt a lot of sheep in Point
38 Hope?
39
40 MR. FRANKSON: No, not very much. We
41 mostly go for caribou. The usual is about one or two
42 every five years usually for hunters in Point Hope to
43 get sheep because we like mostly caribou. We have to
44 go way up in the mountains to get these sheep and that
45 usually takes a 20-30 mile one way trip to go after
46 them. They're usually in the Cape Lisburne area and
47 the Cape Thompson area, although the majority have been
48 in the Cape Lisburne area. We rarely see any on the
49 Cape Thompson area, which is on the south side on your
50 map. Right under where it says 23 that's Cape Thompson

1 and then you know where Cape Lisburne is. That's where
2 the majority of the sheep are. I, myself, the last
3 time I got one was back in '89, '88.

4
5 MR. R. NAGEAK: Thank you.

6
7 MR. SHEARS: Mr. Chair.

8
9 CHAIRMAN BROWER: Bob.

10
11 MR. SHEARS: I don't know if I have a
12 position on this yet until I ask a few questions if I
13 may.

14
15 CHAIRMAN BROWER: Yes, go ahead.

16
17 MR. SHEARS: First of all, Anaktuvuk
18 Pass subsistence sheep hunting is conducted primarily
19 in Unit 26B, am I correct, 26B and perhaps adjoining
20 Unit 26A. My question would be to the Alaska
21 Department Fish and Game. Is there a sheep sport -- is
22 there a sport hunting season for sheep in Unit 26? I
23 have the subsistence regulations, but I don't have the
24 sport hunting regulations in front of me.

25
26 MS. LEONARD: Mr. Chair. This is Beth
27 Leonard from Fish and Game in Fairbanks.

28
29 MR. R. NAGEAK: Put the mic closer to
30 her, please.

31
32 MS. H. ARMSTRONG: (Complies)

33
34 MR. SHEARS: Yes, go ahead. I can hear
35 you faintly.

36
37 CHAIRMAN BROWER: Go ahead, Beth.

38
39 MS. LEONARD: For 26B, which includes
40 part of the Dalton Highway, there is a State sheep
41 hunting season that opens August 10th and also, or at
42 least the eastern in parts of 26A where it's not closed
43 to non-Federally qualified users, there's a sheep hunt
44 also for the State.

45
46 MR. SHEARS: Okay. Eva just handed out
47 the State's sport hunting regulations to us and I've
48 got it open in front of me. Okay, thank you. So that
49 leads me to my question to James Nageak our rep from
50 Anaktuvuk Pass. Does your community feel competition

1 for subsistence sheep hunting with the sport hunting
2 that's going on in the same unit?

3
4 My point I guess I'm alluding to is if
5 we see subsistence hunting for sheep being possibly
6 impacted in 26 by sport hunting, perhaps maybe we want
7 to look at Unit 23 as a relief valve for sport hunting
8 to perhaps alleviate some of the stress on 26.

9
10 The population in 23, like they're
11 indicating here, is a little low, it's a little poor,
12 and taken at face value I support continued closure in
13 Unit 23 in the area defined as the Baird Mountains;
14 however, it's not a real bad population. It could
15 possibly serve a benefit to subsistence hunting if we
16 may consider a motion to open it if it would help 26.

17
18 I would like to hear our representative
19 from Anaktuvuk Pass, James Nageak's ideas on this
20 subject so I can get a better idea in my mind how I
21 feel about this closure review.

22
23 MR. J. NAGEAK: Anaktuvuk Pass is
24 within the Gates of the Arctic and there are some
25 restrictions on sport hunting of the sheep in that
26 area. So being within the National Park itself there's
27 limited access by people who are outside of the Gates
28 of the Arctic. The residents of Anaktuvuk Pass will be
29 able to do their traditional customary use of the sheep
30 in that area, so we're not totally impacted by sport
31 hunters. If you look at Gates of the Arctic, the
32 activities that are happening with the sport hunters of
33 the sheep are right pretty close to the Dalton Highway
34 in that area where you see that yellow area. That's
35 where the sport hunting is.

36
37 You know, we don't go out and kill a
38 whole lot of sheep. We like the caribou, but sheep is
39 something that is in addition to our -- some of us like
40 sheep meat better than -- you know, it's really a good
41 addition to our nutritional input. We like it the way
42 -- you know, we're not hurting from sport hunters in
43 our area.

44
45 MR. SHEARS: Okay.

46
47 MR. J. NAGEAK: Because we're within
48 the Gates of the Arctic. That really helps us when
49 they set up the Gates of the Arctic that the residents
50 within the Gates will be able to -- we have a pretty

1 good-sized intake. I mean how many we can take within
2 that area.

3

4 CHAIRMAN BROWER: Thank you, James.
5 You're referring to the community harvest limit. I
6 think we've established something for the community
7 harvest, something similar to Kaktovik as well, some
8 time ago that we have community harvest limits.

9

10 MS. H. ARMSTRONG: That's correct. For
11 Anaktuvuk Pass they have a community limit instead of
12 individual limits for sheep.

13

14 CHAIRMAN BROWER: So we established
15 that. I'm not sure if you're aware of that, Bob.

16

17 MR. SHEARS: No.

18

19 CHAIRMAN BROWER: But that's something
20 we established some time ago because some years
21 Anaktuvuk was faced with caribou hardship, not enough
22 caribou coming through, so we had to supplement their
23 needs for the community and we had established that
24 community harvest bag limit for Anaktuvuk and I think
25 one for Kaktovik as well.

26

27 MR. R. NAGEAK: It's on Page 122.

28

29 MS. AHTUANGARUAK: Mr. Chair.

30

31 CHAIRMAN BROWER: Let me just look at
32 Bob. Bob, were you done?

33

34 MR. SHEARS: Yes, that concludes it.
35 Therefore I can come to a conclusion that I support
36 status quo of this closure review.

37

38 CHAIRMAN BROWER: Rosemary and then
39 Teddy.

40

41 MS. AHTUANGARUAK: I recognize that we
42 have communities that have limited harvest in the
43 process, but I want to make sure we understand the
44 importance of continued harvest and the need to make
45 sure that we move forward with recommendations to
46 reassess as needed. With the information being
47 presented, it shows that there's limitations in
48 consideration for changing the status quo and I
49 understand that, but I also wanted to expand on that.
50 With my continued involvement with many of the villages

1 on the North Slope there is extensive travel from all
2 of our villages for our traditional and cultural
3 activities. As changes occur to our lands and waters
4 that affect the way we're harvesting near our
5 communities needs to change our harvest distances is
6 occurring and recognizing those needs to being able to
7 access traditional use areas that are being changed
8 with closures is something that needs to be continued
9 to be maintained as important for continued recognition
10 and reassessment and changing as soon as possible as
11 the recommendation in this document occurs.

12

13 CHAIRMAN BROWER: Thank you, Rosemary.

14

15 Teddy.

16

17 MR. FRANKSON: I wanted to tell Robert
18 Shears on his comment about going to Unit 23 for
19 getting sheep for Native, our area is a small area and
20 it's only sustainable like 100 or so and that's every
21 year. We don't go to use that unless it's an emergency
22 and we have no way of getting caribou. So I don't
23 think we'd be able to have anybody else come in from
24 another part of the state to try and get some sheep
25 from there because that area is small compared to these
26 up here. It can only sustain about 120 sheep a year
27 probably. Maybe that's too much because of the feed
28 that they have, not only with the muskox that come in
29 and feed on the mountain tops where they feed. It
30 would not be sustainable to have any hunters to come in
31 and trying to get some. I don't want to be sounding
32 negative on that part, but it would not be sustainable
33 for these sheep to maintain any other place to come in
34 unless it's an emergency. That was what I wanted to
35 say on that.

36

37 MR. SHEARS: And this area we're
38 considering today is an area on the Upper Kobuk, am I
39 correct? Teddy, are we talking about the same place?

40

41 MR. FRANKSON: We're talking about Unit
42 23. I heard you saying if you couldn't go from.....

43

44 MR. SHEARS: Baird Mountains?

45

46 MR. FRANKSON:where James is at
47 to go over there to DeLong Mountains to try and get
48 some sheep.

49

50 MR. SHEARS: Oh, no, no.

1 MR. FRANKSON: That's what I
2 understood.
3
4 MR. SHEARS: Okay, I understand. We're
5 talking about two different areas I think. I was
6 referring to the Baird Mountain areas and the Upper
7 Kobuk River drainage by Ambler.
8
9 MR. FRANKSON: I thought you mentioned
10 Unit 23.
11
12 MR. SHEARS: Yeah. I was talking about
13 way east of Point Hope, hundreds of miles east.
14
15 MR. FRANKSON: Oh, I thought you were
16 talking about 23, so I apologize.
17
18 CHAIRMAN BROWER: You guys are talking
19 of two different areas identified in the maps.
20
21 MR. J. NAGEAK: Mr. Chair.
22
23 CHAIRMAN BROWER: Yes, James.
24
25 MR. J. NAGEAK: I forgot to mention
26 that there is a concern from the Subsistence Resource
27 Commission of the Gates of the Arctic that there are no
28 enforcement things that maybe the guides that go into
29 the Gates of the Arctic out of Dalton Highway to get
30 the sheep, so there is that concern within our area,
31 which is east of Anaktuvuk Pass. The concern was
32 coming from the Wiseman residents there. You all know
33 Jack Reakoff. That was one of the concerns, that there
34 is no -- what do you call it? Not regulations but
35 enforcement or people that watch what the guides are
36 doing. If they're going into the Gates of the Arctic,
37 then they're breaking some kind of law I think. So
38 that is one of the concerns.
39
40 MR. R. NAGEAK: Mr. Chair.
41
42 CHAIRMAN BROWER: Thank you, James.
43 Roy.
44
45 MR. R. NAGEAK: If there's no more
46 questions on Unit 23, do we have a motion to approve
47 status quo on Unit 23 or do we need to make one?
48
49 CHAIRMAN BROWER: No. We were just on
50 discussion.

1 MR. R. NAGEAK: Oh, okay. Call for the
2 question.
3
4 CHAIRMAN BROWER: Motion you mean.
5
6 MR. R. NAGEAK: Oh, I thought there was
7 a motion already. Mr. Chair, I move that further
8 recommendation that we maintain status quo on Unit 23
9 for the take of sheep as recommended by the shepherds.
10
11 MR. J. NAGEAK: Mr. Chair.
12
13 CHAIRMAN BROWER: Motion on the floor.
14 James.
15
16 MR. J. NAGEAK: Usually the language is
17 in support of the group that is making this
18 recommendation as a status quo.
19
20 MR. R. NAGEAK: I stand corrected.
21
22 CHAIRMAN BROWER: Motion to support the
23 OSM preliminary recommendation.
24
25 MR. SHEARS: Second.
26
27 MR. J. NAGEAK: Question called.
28
29 CHAIRMAN BROWER: The question has been
30 called on the motion. All in favor of the motion
31 signify by saying aye.
32
33 IN UNISON: Aye.
34
35 CHAIRMAN BROWER: Opposed say nay.
36
37 (No opposing votes)
38
39 CHAIRMAN BROWER: None noted. Thank
40 you.
41
42 Next proposal.
43
44 MS. AHTUANGARUAK: Motion to move
45 WCR12-25 for discussion.
46
47 CHAIRMAN BROWER: The number again.
48
49 MS. AHTUANGARUAK: WCR12-25.
50

1 CHAIRMAN BROWER: Motion on the floor.
2
3 MR. R. NAGEAK: Second.
4
5 CHAIRMAN BROWER: Seconded for
6 discussion. I'll give the floor to OSM.
7
8 MS. H. ARMSTRONG: Tom, do you want to
9 give the presentation on 25. Hello.
10
11 CHAIRMAN BROWER: Tom, are you awake?
12
13 MR. EVANS: Hello. I will do the
14 presentation on 25 if that's agreeable with the
15 Chairman and everybody.
16
17 MS. H. ARMSTRONG: They're ready.
18
19 MR. EVANS: Okay. The current
20 regulations for WCR12-25 are listed on Page 31 of the
21 Council meeting book. The issue of this closure review
22 is hunting on Federal public lands in Unit 26C is
23 closed to the taking of muskox except by rural
24 residents from Kaktovik hunting under these
25 regulations, which is currently July 15th to March
26 31st. The closure was last reviewed in 2008.
27
28 The survey data from 2006 to 2011 over
29 the entire range of the population, which indicates
30 that the population is currently about 300 animals.
31 About 200 of the muskoxen in 26B west of the Arctic
32 Refuge and about 100 muskoxen in Yukon/Canada east of
33 the Arctic Refuge. Very few of these animals occupy
34 Unit 26D in Arctic Refuge.
35
36 Factors thought to affect survival,
37 recruitment and distribution are weather, predation and
38 the quantity of winter forage. Harvest has decreased
39 from a high of 15 during the regulatory year of 1996-97
40 to a low of 2 in 2001-2002. The number of permits
41 issued to the village of Kaktovik is done by a
42 percentage of the number of animals observed during the
43 pre-calving surveys in Unit 26C, so it's based on those
44 surveys of what that number would be. One permit was
45 issued in 2008 and 2009, but no animal was taken and
46 none were taken in 2011 because no muskox were counted
47 in Unit 26C.
48
49 If you'll look at Figure 1, you'll
50 notice that the number of muskox counted in Unit 26C

1 since 2003 has been very, very low. The recommendation
2 is to maintain the status quo for WCR12-25. The number
3 of muskox have been below the 3 percent threshold from
4 2002 to 2007 and only one permit was issued in 2008.
5 Due to conservation concerns, no permits have been
6 issued since 2008 and the recommendation is that these
7 Federal public lands should remain closed until the
8 population increases to a more sustainable level.
9 Again, this is consistent with sound management
10 principals and the conservation of healthy wildlife
11 populations.

12

13 Thank you.

14

15 That's it for that one.

16

17 CHAIRMAN BROWER: Thank you for the
18 presentation. Next we have agency comments. We'll
19 hear from Alaska Department of Fish and Game.

20

21 MS. YUHAS: Thank you, Mr. Chair.
22 Jennifer Yuhas again from Alaska Department of Fish and
23 Game. Although I don't see it in your analysis, the
24 State did say that we were fine with maintaining the
25 status quo on this. There's a clear conservation
26 concern and the area should stay closed.

27

28 CHAIRMAN BROWER: Thank you.

29

30 Any other Federal agency reports or
31 comments.

32

33 (No comments)

34

35

36 CHAIRMAN BROWER: Native, tribal,
37 village or other comments regarding Proposal WCR12-25
38 on muskox.

39

40 (No comments)

41

42

43 CHAIRMAN BROWER: InterAgency Staff
44 Committee comments.

45

46 (No comments)

47

48 CHAIRMAN BROWER: Advisory group
49 comments.

50

1 (No comments)
2
3 CHAIRMAN BROWER: Neighboring Regional
4 Councils.
5
6 (No comments)
7
8 CHAIRMAN BROWER: Local fish and game
9 advisory committees.
10
11 (No comments)
12
13 CHAIRMAN BROWER: National Park
14 Subsistence Resource Commission.
15
16 MR. J. NAGEAK: I'll make comments on
17 the Regional Council. We haven't considered this since
18 we haven't met. We didn't meet in the fall time.
19 We're going to meet in April in Ambler, so we're going
20 to consider this.
21
22 CHAIRMAN BROWER: Thank you, James.
23
24 Summary of written comments.
25
26 MS. PATTON: Mr. Chair. No written
27 comments have been submitted to the Council on this
28 particular proposal. Thank you.
29
30 CHAIRMAN BROWER: Thank you, Eva.
31
32 Public testimony on WCR12-25.
33
34 (No comments)
35
36 CHAIRMAN BROWER: Anybody online to
37 comment on WCR12-25. Helen is raising her hand.
38
39 (Laughter)
40
41 CHAIRMAN BROWER: Okay. Six, Regional
42 Council recommendation. Motion. Always a positive
43 motion. We had a motion on the floor in support to
44 maintain status quo. We're onto discussion.
45
46 Further discussion by the Council.
47
48 MR. J. NAGEAK: I want to move the
49 thing for discussion.
50

1 CHAIRMAN BROWER: We're under
2 discussion.
3
4 REPORTER: We already have a motion.
5
6 MR. J. NAGEAK: Oh, there's already a
7 motion?
8
9 REPORTER: (Nods affirmatively)
10
11 MR. J. NAGEAK: Oh, cool.
12
13 Well, I wanted to make a recommendation
14 to the Fish and Game or Fish and Wildlife people. We
15 get inadvertent presence of muskox in Anaktuvuk Pass
16 valley and we can't hunt them, but the brown bears and
17 the grizzly bears don't listen to these regulations, so
18 they kill them and we don't benefit from their
19 presence. At some point in the life of the Fish and
20 Game and Federal wildlife agencies they ought to
21 consider an inadvertent muskoxen in Anaktuvuk Pass be
22 killed by the residents of that area. So that's what I
23 wanted to comment on this one. You know, they come to
24 us to be taken, but we can't, but the bears, brown
25 bears and grizzly bears can take them and they do get
26 them since there are only one or two that come into our
27 valley.
28
29 That's my comment.
30
31 Thank you, Chair.
32
33 CHAIRMAN BROWER: Thank you, James. I
34 was going to say stick to your traditional practices,
35 man. Wait for the animal to get done feeding and go
36 help yourself to the leftovers.
37
38 (Laughter)
39
40 CHAIRMAN BROWER: I could have made a
41 different comment, but that's one I'll share with you
42 right now.
43
44 (Laughter)
45
46 MR. CARROLL: I would like to respond.
47
48 CHAIRMAN BROWER: Geoff.
49
50 MR. CARROLL: James, actually there is

1 a law on the books that if a muskox or muskoxen group
2 move into your area and you feel they are deflecting
3 the caribou migration that we can issue permits to
4 harvest, you know, one or two of those. Anyway, there
5 is a law on the book so that if muskoxen move into your
6 area like that that permits can be issued if you feel
7 like they're deflecting caribou migration.

8

9 MR. J. NAGEAK: Mr. Chair.

10

11 MR. CARROLL: That's a State
12 regulation.

13

14 CHAIRMAN BROWER: Yes, James.

15

16 MR. J. NAGEAK: When can we get that
17 permit?

18

19 MR. CARROLL: Contact me and then the
20 commissioner has to issue an emergency order to open
21 the hunt. It takes a while, but it is possible to do
22 that.

23

24 MR. J. NAGEAK: Mr. Chair. So if we
25 are anticipating the presence of muskoxen in Anaktuvuk
26 Pass area, we could apply for this permit prior to.....

27

28 MR. CARROLL: No, it has to actually be
29 there and it has to be diverting caribou migration.
30 That's the way the regulation is written.

31

32 MR. J. NAGEAK: But you just said it
33 might take a while. By the time we get the permit the
34 bears might get it.

35

36 MR. CARROLL: Well, I know. It's kind
37 of a race between the bureaucracy and the bears at that
38 point.

39

40 MR. R. NAGEAK: Mr. Chair. Just out of
41 curiosity, what if they see a brown bear kill a
42 muskoxen and they kill the brown bear?

43

44 MR. CARROLL: Well, I think the muskox
45 is theirs in that case. You know, just on a side with
46 brown bears, you know, we've recently liberalized
47 regulations with brown bears. It's a 12-month a year
48 season and you don't need any kind of special permit to
49 harvest a brown bear. If you have a hunting license,
50 you can harvest a brown bear and then notify us and we

1 can seal it. That's a lot easier than.....

2

3 MR. J. NAGEAK: So for my 25 cent
4 hunting lesson I got from you I could do that.

5

6 MR. CARROLL: That's correct.

7

8 CHAIRMAN BROWER: Roy.

9

10 MR. R. NAGEAK: I know James is in the
11 Gates of the Arctic, so the State allow things to
12 happen in the Gates of the Arctic?

13

14 MR. CARROLL: Well, you know, I guess
15 how it all fits together with Federal regulations -- I
16 mean I'm talking about State regulations and if there's
17 a Federal regulation that you can't kill bears in the
18 Gates of the Arctic, that's a different matter, but as
19 far as State regulations on private land and valley and
20 all that place, that area where the State regulations
21 apply, then.....

22

23 MR. J. NAGEAK: And the Federal
24 regulations are different that the bear has to attack
25 me in order for me to shoot it?

26

27 MR. CARROLL: Well, we better ask some
28 of these Federal.

29

30 MR. R. NAGEAK: Mr. Chair. From what
31 we heard the last time that Federal was subservient to
32 the State law.

33

34 CHAIRMAN BROWER: So you have to look
35 at your map. I think Anaktuvuk is right inside State
36 lands, isn't it? That's what I'm reading from this
37 map. Then outside those boundaries is the Gates of the
38 Arctic to the south. So they're still under State
39 jurisdiction.

40

41 MR. R. NAGEAK: No.

42

43 CHAIRMAN BROWER: I guess we have to
44 magnify Page 119 a little bit on your subsistence
45 management regulation. You see Anaktuvuk is right on
46 the red line, the white line and the purple line.
47 Anaktuvuk is right in the middle of three lines.

48

49 (Laughter)

50

1 MR. R. NAGEAK: Mr. Chair.
2
3 CHAIRMAN BROWER: Yes, Roy.
4
5 MR. R. NAGEAK: I think we need a
6 different map that has a different color for Native
7 corporate lands.
8
9 MR. J. NAGEAK: Mr. Chair.
10
11 CHAIRMAN BROWER: Yes, James.
12
13 MR. J. NAGEAK: I could try and address
14 some of the situation. I think there was some concern
15 about the Anaktuvuk Pass people having had to be within
16 the Federal land and then the Arctic Slope Regional
17 Corporation and Nunamiut Corporation or that group got
18 together and traded some land with the Federal
19 government so that the corporations would be closure to
20 Anaktuvuk Pass so that we can hunt within the Arctic
21 Slope. They did some land exchange of some sort. We
22 are within bounds of being able to hunt within Native
23 allotments and corporation land.
24
25 MS. AHTUANGARUAK: Mr. Chair.
26
27 CHAIRMAN BROWER: Rosemary.
28
29 MS. AHTUANGARUAK: These are all very
30 good discussions. There's also a process that we've
31 discussed with muskox hunts in Unit 26B that we also
32 added some additional opportunities with the bears and
33 that process should be assessed as to how that
34 management technique is assisting in the population
35 that's being discussed as we continue to look at these
36 closures for other modes to consider to try to protect
37 this population.
38
39 CHAIRMAN BROWER: Any further
40 discussion on the motion to support to maintain status
41 quo.
42
43 MR. G. BROWER: Mr. Chair.
44
45 CHAIRMAN BROWER: Gordon.
46
47 MR. G. BROWER: I think there is a
48 concern about the presence of muskox. We encountered
49 that one year in Chip River. I think we tried to work
50 with Fish and Game. The muskox wouldn't leave. We'd

1 wake up in the morning and there's a muskox between our
2 warehouse and our house. Being belligerent, the animal
3 was not -- I think there was four of them doing that
4 and then laying down at night by the cellar. It was
5 very disruptive to our harvesting of caribou because
6 they come in from the west and then we expect them to
7 come. Anyway, working with Fish and Game it was very
8 difficult to get an expedient response. We had to
9 request, took a while, it took a while. It seems like
10 there should be a way to address that expediently when
11 the issue arises because it does really impact hunting
12 your caribou because of these things. Sometimes they
13 bluff you and do certain things.

14

15 Anyway, I just thought I'd -- we've
16 encountered that already. I think we tried to address
17 that with you. By the time we got the permit to
18 harvest the muskox they already went over on the other
19 side and disappeared and we lost out on both things.

20

21 MR. CARROLL: I know we opened a muskox
22 season on Chip River one year. Like I say, I know it
23 was pretty cumbersome at first. We actually got a lot
24 better at it. Point Lay was kind of year after year
25 having muskoxen show up, so we got a little faster at
26 it, but it is a bit of a cumbersome process, I agree.
27 We have to contact the commissioner and give them
28 pretty good evidence that they're disrupting caribou
29 movements. Yeah, this stage is probably not going to
30 happen very fast.

31

32 CHAIRMAN BROWER: Thank you, Gordon and
33 Geoff.

34

35 Further discussion on the motion.

36

37 (No comments)

38

39 MR. R. NAGEAK: Question.

40

41 CHAIRMAN BROWER: All in favor of the
42 motion to support to maintain status quo signify by
43 saying aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN BROWER: Opposed say nay.

48

49 (NO opposing votes)

50

1 CHAIRMAN BROWER: None noted. Thank
2 you.
3
4 Next Proposal is WCR12-31, 26C moose.
5
6 MS. H. ARMSTRONG: Tom, they're ready
7 for you.
8
9 MR. EVANS: Thank you. We've had a
10 power outage in the building, so I have an interior
11 office, so it was complete black, so I've had to move
12 all this to sunlight, but I think this will work.
13 Thank you, Mr. Chairman. I believe you've been given
14 hard copies of Closure Review WCR12-31 if you want to
15 follow along as I talk.
16
17 The State expressed some concerns about
18 this closure review at the Eastern Interior RAC meeting
19 held last week, so I thought I'd take the opportunity
20 to further explain the sequence of events concerning
21 this closure.
22
23 As I mentioned before, closure reviews
24 are evaluated every three years or sooner if new
25 information becomes available that might allow for a
26 closure to be lifted. In 2011, moose surveys were
27 conducted in the Firth, Mancha and Upper Kongakut River
28 drainages of Unit 26C. Based on this updated survey
29 data the Alaska Board of Game opened the moose season
30 in the Firth, Mancha and Upper Kongakut area under
31 State regulations. However, the affected area
32 currently consists of Federally closed lands.
33
34 The Refuge and/or the State has
35 indicated that there were plans to conduct another
36 moose survey in the same area in the fall of 2012.
37 From this information we decided to include WCR12-31 in
38 the wildlife closure reviews to be considered in 2012.
39 This review provides an update on the closure and gives
40 the RAC or other individuals an opportunity to submit a
41 proposal during the wildlife regulatory cycle if they
42 feel a change is necessary.
43
44 The regulations for moose are done by
45 management units and not by population. Unit 26C
46 contains at least two distinct populations, the first
47 occurring on the Coastal Plan in the central portion of
48 Unit 26C and the other in the Old Crow Flats and the
49 Yukon/Canada, the Firth, Mancha and Kongakut River
50 drainages in Unit 26C and the Sheenjek and Coleen River

1 drainages in Unit 25A. So basically this population
2 ranges from Canada into 26C as well as 25A.

3
4 The analysis for WCR12-31 was completed
5 later than the other closure reviews because we were
6 waiting for additional data. We understood that there
7 were intentions to conduct additional surveys in the
8 affected area in November 2012. Surveys were not
9 conducted however in the Firth, Mancha and Upper
10 Kongakut area but were flown in the Sheenjek and Coleen
11 River drainages in Unit 25A by the Arctic National
12 Wildlife Refuge and the State respectively. We
13 received the last of the survey data on January 9th,
14 finished the analysis, sent it off for review within a
15 couple days.

16
17 The review process includes the
18 internal field review, the OSM leadership team review
19 and finally the InterAgency ISC Staff review. The ISC
20 review, which included the State, was sent out on
21 January 22nd. Again, this closure review is an update
22 on the biology, harvest history and status of Federal
23 closure of moose in Unit 26C. The information
24 presented in this closure review does not preclude the
25 submission of wildlife proposals for Unit 26C during
26 this wildlife cycle and any proposals submitted in the
27 future will be considered on their own merit without
28 regard to previous proposal or closure reviews.

29
30 Also I'd like to mention that there is
31 an error on the second bullet of the biological
32 background. The management objective for moose in Unit
33 26C should be 150 and not 300 as indicated.

34
35 CHAIRMAN BROWER: Did you say 600?

36
37 MR. EVANS: Hunting on Federal public
38 lands in Unit 26B and the remainder of Unit.....

39
40 MS. H. ARMSTRONG: Tom, hold on. Hold
41 on. They wanted to know what that number was again,
42 the error.

43
44 MR. EVANS: It should be 150, not 300
45 in the management objective for moose in 26C.

46
47 MS. H. ARMSTRONG: Okay. Thanks.

48
49 MR. EVANS: Hunting on Federal public
50 lands in Unit 26B and the remainder of Unit 26C is

1 closed to the taking of moose except by the residents
2 of Kaktovik holding a Federal registration permit and
3 hunting under these regulations. The harvest quota is
4 three, which consists of two antlered bulls and one of
5 either sex.

6
7 In March 2012, the Alaska Board of Game
8 adopted Proposal 174A to open a State moose season in a
9 portion of Unit 26C; however, the affected area
10 consists of Federal public lands that are closed to the
11 harvest of moose, except by Federally qualified
12 subsistence users. Thus, the State season is contingent
13 on the Federal Subsistence Board lifting the closure to
14 Federal public lands in the portion of Unit 26C in the
15 Firth River and Mancha Creek drainages and the Upper
16 Kongakut River drainage.

17
18 This closure review was last reviewed
19 in 2010, so simply if we hadn't done this earlier, the
20 next review would have been in 2013, but for the
21 reasons I mentioned earlier we did it in 2012 because
22 we thought there might be enough information available
23 to open up this area for hunting.

24
25 Moose harvest has been restricted in
26 Units 26B and 26C since 1996 when seasons were closed
27 under State and Federal regulations. The closure was
28 modified in 2004 to allow for a limited harvest only
29 for Kaktovik residents under Federal regulations. The
30 closure was last modified in 2008 when the closure was
31 lifted in a portion of Unit 26B.

32
33 The closure in 2004 was implemented for
34 conservation reasons, primarily low recruitment and
35 survival and it was given with the provision to allow
36 only the residents of Kaktovik to harvest a moose
37 because of the limited availability of moose in that
38 area.

39
40 State management goals for moose in
41 Unit 26B and Unit 26C are to maintain viable
42 populations throughout their historic range in the
43 region, provide for sustained moose harvest opportunity
44 and to provide opportunity for moose photography and
45 viewing.

46
47 The management objectives for each unit
48 are as follows: Unit 26B, maintain a population of at
49 least 300 moose with short yearlings (those are moose
50 that are roughly 10 or 11 years old) comprising at

1 least 15 percent of the population. For Unit 26C,
2 maintain a population of at least 150 moose (this is
3 where the correction was made) with short yearlings
4 comprising at least 15 percent of the population as
5 well based on the three year running average.

6
7 Smaller scale surveys have been used to
8 estimate moose and abundance, but complete area-wide
9 population surveys have not been conducted. The moose
10 population in the eastern portion of Unit 26B including
11 the Canning River rebounded from low levels found in
12 1998 to 2000 to 335 observed in 2005. That's in Figure
13 1. The moose population in the eastern Unit 26B
14 appears to have declined following high counts in 2005
15 to 2008. The composition of short yearlings has ranged
16 in 2005 to 2008 from 15-18 percent, but subsequently
17 declined to 11 percent in 2009.

18
19 The central portion of Unit 26C, which
20 consists of the foothills and coastal areas, is
21 surveyed every other year by Arctic National Wildlife
22 Refuge Staff. Between 2003 and 2011, the population in
23 the survey area has remained fairly stable at around 52
24 animals.

25
26 The portion of Unit 26C that includes
27 the Firth River, Mancha Creek, and upper Kongakut River
28 drainages was surveyed in 1991, 2000, 2002 and then not
29 again until 2011, which was last year. The data
30 indicated that the moose population in this area has
31 fluctuated, but recent data suggested the moose
32 population may have recovered from lower numbers
33 observed in the early 2000s. However, the 2011 survey
34 was associated with an expanded modified survey area
35 and a different survey intensity, which limits the
36 ability to make direct comparisons with previous
37 surveys.

38
39 The fall survey in 2011 provides us
40 with only a point estimate for the population. The
41 Alaska Department of Fish and Game anticipated
42 completing another survey in the Firth/Mancha area in
43 2012, but that did not occur. This population is one
44 of the few migratory populations of moose. The moose
45 basically calve and summer in the Old Crow Flats of the
46 Yukon Territory of Canada and then move into the Brooks
47 Range to winter. In the winter, moose move from Old
48 Crow Flats to Firth, Mancha, Kongakut, Coleen and
49 Sheenjek River drainages in Alaska. The fall movement
50 to wintering areas occurs primarily in August and early

1 September and spring movement back to the Yukon occurs
2 in March and April.

3
4 Preliminary data from a study using
5 satellite collared moose in Canada to track moose
6 movement at finer scales corroborate the seasonal
7 movements of this population. Moose movement data from
8 the telemetry study initiated in 1995, I think Fran
9 Mauer was project leader for this study, indicates that
10 moose migrated to Old Crow Flats from the wintering
11 areas. The numbers they gave from that study, there
12 were 96 percent from the Firth, 86 percent from
13 Kongakut, 75 percent from the Coleen and 43 percent
14 from the Sheenjek. This data also indicated that moose
15 move between these ranges during migration. So moose
16 were observed to be moving between the Firth, Kongakut,
17 Coleen and Sheenjek. Some of the moose were observed
18 moving between the drainages during the winter. Again,
19 the movement for the summer breeding areas occurs in
20 March and early April.

21
22 Additional movement data collected from
23 the telemetry study collected in the Yukon on 19
24 collared moose from 2007 to 2009 found that once moose
25 selected a drainage they tended to stay there
26 throughout the winter, which was a little bit different
27 than the earlier study where some of the moose moved
28 between the drainages, but the earlier study had a
29 larger population size, larger number of animals
30 collared than the Yukon study.

31
32 Data suggests there are two populations
33 in Unit 26C. A resident population in the coastal
34 plain on the northern side of the Brooks Range and the
35 Old Crow Flats population. Although the sample size is
36 small, none of the moose collared in Old Crow Flats
37 moved to the coastal plain on the northern side of the
38 Brooks Range from the Yukon study. The data indicates
39 that the Unit 26C moose population overlaps with the
40 Unit 25A. Basically it ranges over both units, Unit
41 26C and Unit 25A.

42
43 The harvest on Federal public lands in
44 Unit 26B and 26C has been limited to residents of
45 Kaktovik since 2004. They've averaged one moose per
46 year though up to three permits have been issued
47 annually.

48
49 The OSM preliminary recommendation is
50 to maintain the status quo for WCR12-22. The

1 justification for this is that the low moose numbers in
2 Unit 26B remainder and Unit 26C continue to be a
3 conservation concern and additional moose harvest
4 beyond the harvest by Kaktovik residents may not be
5 sustainable. The harvest quota is limited to only
6 three moose and Kaktovik residents continue to utilize
7 these moose for subsistence
8 purposes.

9
10 Survey results in the Firth River,
11 Mancha Creek, and upper Kongakut River drainages
12 indicate the population may be growing. However,
13 interpreting the status of a population with
14 essentially a single data point that is spaced out from
15 the first one since early 2000s is questionable,
16 especially given differences in survey conditions,
17 sporadic survey history, and the migratory behavior of
18 moose in the area. Therefore, Federal public lands in
19 Unit 26B remainder and Unit 26C should remain closed to
20 non-Federally qualified users for the conservation of a
21 healthy population and to allow for the continuation of
22 subsistence uses under Section .804 of ANILCA.

23
24 The necessity of the closure to Federal
25 public lands in the affected area will be reassessed in
26 three years, per the Federal Subsistence Board review
27 process, or sooner if additional survey data suggest
28 the closure should be lifted. So if another survey
29 occurs in the Firth/Mancha/Kongakut area next fall and
30 the population seems to be stable or indicates it's
31 increasing, then that might be reason to open up this
32 area the following season.

33
34 That's all.

35
36 Thank you.

37
38 CHAIRMAN BROWER: Agency comments,
39 Alaska Department of Fish and Game.

40
41 MS. YUHAS: Thank you, Mr. Chairman.
42 Jennifer Yuhas, Alaska Department of Fish and Game for
43 the record again. This one's not as easy as the other
44 ones. You have a letter in front of you from our
45 Wildlife Director that outlines some of the concerns
46 from our biologists and Beth Leonard is also online to
47 speak to those concerns.

48
49 I guess the bottom line on this one is
50 that we'll be asking the RAC today to defer your

1 recommendation based on the idea that we're building an
2 official record at this meeting and we want that to be
3 as clean as possible for the public. Besides our
4 biological concerns, a major concern on this for us was
5 the timing of the review.

6
7 OSM testified that they were bringing
8 this to you before the three-year mark in case you
9 wanted to open it, but there's not a recommendation to
10 open it. The Department thinks it's coming up early.
11 We want to bring more information to your fall meeting
12 so that we can have a more thorough discussion about
13 this on the record rather than throwing a bunch of
14 conflicting information at you with a seven-day review
15 period where biologists are pointing fingers at each
16 other. We're hoping we'll have a better discussion
17 about this at the fall meeting after we've had a little
18 more time.

19
20 We agreed with nearly all the closures
21 that were given to us this last regulatory cycle, but
22 we also had a month to six weeks to review those. This
23 one came in with a real quick turnaround while we were
24 at the Federal Subsistence Board meeting and biologists
25 were in the field. We turned this around real quick.
26 The OSM recommendation surprised us and we have arguing
27 biologists who just don't think that's very good for
28 the process.

29
30 Beth Leonard is online if you have some
31 questions. She'd like to speak to the biological
32 differences between the two analyses.

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

35
36 CHAIRMAN BROWER: Gordon.

37
38 MR. G. BROWER: You know, moose has
39 been discussed quite a bit in Unit 26C and Unit 26B for
40 many many years now. I'm not exactly sure if this is
41 speaking to the same stuff we were talking about back
42 then. If it is, then there's been a lot of concerns
43 raised about the movement of these moose. I was
44 reading I think last week on some of the dialogue, some
45 of the biologist dialogue about some of these moose
46 appear to be transient and they move from one unit to
47 the other and a more stable resident population is
48 increasing. All the while there's been evidence that
49 these things move around from unit to unit.

50

1 Basing a population -- saying the
2 resident population is increasing all the while they
3 move in and out is concerning to me, especially, you
4 know, when you want to put food on the table and other
5 resources aren't available readily and you're limited
6 to ceremonial events and to beg the land managers that
7 we need a moose, there's an event that warrants us to
8 get these.

9
10 Anyway, it's just been a long heartache
11 it seems like for these resources to be available for
12 normal consumption, but I recognize that there's a
13 balancing approach to needs. I'm hoping all the while
14 that areas where moose is plentiful and there's more
15 liberal hunting in the adjacent unit that that unit
16 doesn't unduly influence the fluctuation of your
17 resident population knowing that they go in between.
18 If there is an estimate in 26B that has recovered very
19 well, all the while saying it's starting to recover in
20 26C, but a more liberal bag limit or some sort of hunt
21 if it were to be occurring could have a detriment to --
22 a negative impact to your resident population
23 estimations. It's like there's a Catch-22 there
24 somewhere.

25
26 Someone told me in the past and it was
27 a biologist that these have been observed as transient
28 as well, not just a resident population, but moving
29 between borders.

30
31 MS. YUHAS: Through the Chair. You led
32 with the question of whether this was the same old
33 information that we've been discussing and we think
34 that it's new. We think that we've got the issue a
35 little more confused than it needed to be for this
36 meeting with what is new and what isn't. That's why
37 we're asking for the deferral, but I'd like to let the
38 biologist speak to the transient nature. They've been
39 showing me the maps with the arrows and why we talk to
40 the Canadians and where those moose go.

41
42 MS. LEONARD: Mr. Chair. This is Beth
43 Leonard and I can speak to that if you would like.

44
45 CHAIRMAN BROWER: Go ahead.

46
47 MS. LEONARD: We're definitely aware
48 that there's a migratory portion in this moose
49 population that's not uncommon. There's many migratory
50 moose populations in the state of Alaska and we manage

1 them accordingly, recognizing that those are migratory
2 populations. In this population what might be a little
3 bit different is that they move over a longer distance
4 than some of the other populations.

5
6 What we did propose is a hunt in just a
7 small portion of 26C was to accommodate for some of
8 that migratory movement by proposing a drawing permit
9 hunt so we would have a limited number of permits
10 available instead of an open hunt in a season. For
11 example, the caribou hunt is like that along the Dalton
12 Highway. In this remote area it would be a drawing
13 permit so we would maybe only issue 10 permits for that
14 area. It would be limited in the Upper Kongakut and in
15 the Firth/Mancha drainages, which are fairly remote
16 areas and that way we could accommodate the small
17 population size, you know, that migratory portion of
18 the population.

19
20 We think that there is room for some
21 harvest and we would be very conservative in the
22 beginning. Recognizing what folks up there already
23 know, which is that moose are on the edge of their
24 range up there and so we would want to watch that very
25 closely.

26
27 MR. R. NAGEAK: Mr. Chair.

28
29 CHAIRMAN BROWER: Roy.

30
31 MR. R. NAGEAK: The recommendation that
32 comes from the State of Alaska recommends that based on
33 their historic use and their moose population data
34 other users, non-Federally qualified subsistence users,
35 what's the population of those users?

36
37 MS. LEONARD: I'm sorry. My phone is
38 kind of cutting in and out. What was the question?

39
40 DR. YOKEL: Number of permits.

41
42 MR. R. NAGEAK: A question on the first
43 paragraph from the State of Alaska to the harvest of
44 moose by other users, non-Federally qualified users,
45 based on their historic use and recent moose population
46 data. This could be consistent with the Alaska Board
47 of Game 2012 action. It limited harvest according with
48 the passage of 2012 Proposal 174. What is the
49 population of historical users?

50

1 MS. LEONARD: We counted in that Upper
2 Kongakut, Firth/Mancha, we counted 339 moose in the
3 fall of 2011 and then, as the OSM biologist talked
4 about on the portion of the moose population that's
5 north of the Brooks Range and on that coastal plain in
6 the last two years the average has been about 50 moose
7 on the coastal plain. As I understand it, that is
8 where your harvestable surplus is coming from those
9 coastal plains and the more resident population of
10 moose and that's where that three percent harvest rate
11 comes off of those 50 moose.

12
13 So in years past we had not gotten over
14 to the Kongakut and the Firth/Mancha to count moose, so
15 the State agreed with OSM analysis keeping the 26C all
16 but closed. Then, when we did get in and count moose,
17 we found that we thought there was a harvestable
18 surplus, so that's why we put in a proposal. I think
19 there's room for Federally qualified users to take
20 moose out of that population also.

21
22 MR. R. NAGEAK: And then the question
23 that I was asking is who the other users are and what
24 their population is, the non-Federally qualified
25 subsistence users based on their historical use. What
26 is their population?

27
28 MS. LEONARD: The population for what
29 part?

30
31 MS. YUHAS: I believe we're getting to
32 the number of permits.

33
34 MS. LEONARD: Oh, okay. The number of
35 permits we thought we would issue would be -- for the
36 first year would be 10 permits and usually less than
37 that many people actually hunt because it's very remote
38 and they don't always realize how hard it is to get
39 there. Historically we only had two or three hunters
40 that ever went there for moose.

41
42 MR. R. NAGEAK: Those are residence
43 people?

44
45 MS. LEONARD: So we're not even
46 expecting if we have 10 permits that all 10 permit
47 winners will actually go there and hunt, but that's
48 what we thought we would start off conservatively with.

49
50 MR. R. NAGEAK: Where do they come

1 from?
2
3 MS. LEONARD: Can you repeat that,
4 Jennifer. I'm having a hard time hearing.
5
6 MR. R. NAGEAK: Where do they come from
7 if they are not qualified subsistence users based on
8 their historic use?
9
10 MS. YUHAS: Through the Chair.....
11
12 MS. LEONARD: If they're not -- go
13 ahead.
14
15 MS. YUHAS: Through the Chair. We
16 would not know until they apply for the permit, but
17 they would be any other user, so they could reside in
18 the state or outside of the state up to the three
19 people.
20
21 CHAIRMAN BROWER: Roy, did that help
22 with your question?
23
24 MR. R. NAGEAK: I'm trying to get the
25 idea of their historic use.
26
27 MS. LEONARD: Historic use?
28 Traditionally, while the season was closed in 1996 and
29 prior to that only about an average of probably three
30 to five hunters hunted there and took one or two moose
31 a year. It's a very remote area and it's hard to get
32 into. It's expensive. So that's on the historical use
33 of it.
34
35 MS. YUHAS: I believe the question
36 is.....
37
38 MS. LEONARD: These hunters were either
39 other Alaska residents from Fairbanks or Anchorage or
40 somewhere else or a non-resident.
41
42 CHAIRMAN BROWER: Does that help, Roy?
43
44 MR. G. BROWER: Mr. Chair.
45
46 CHAIRMAN BROWER: Yes, Gordon.
47
48 MR. G. BROWER: This is Gordon Brower
49 from Barrow. It seems to me if this is supposed to be
50 new information and a gradual opening to the very

1 restrictive nature of hunting moose, especially for
2 Kaktovik, you would want to start off by looking at an
3 opener that is geared to first determine the
4 sustainable needs of the village of Kaktovik or some
5 other village that is using this historically and then
6 moving forward if it the population trend seems to be
7 experiencing a high rate of calves and that you would
8 extend it out to other demographics that are
9 non-qualified users. It seems like there's a principle
10 problem here in determining that we extend the opener
11 the first time in a long time and it would be liberal
12 is my concern.

13

14 CHAIRMAN BROWER: Thank you, Gordon.

15

16 Rosemary.

17

18 MS. AHTUANGARUAK: I think this is
19 really important to discuss. I have also seen
20 additional communications from others that are
21 interested in this issue and the reality I have is that
22 our state has gone through a lot of assessment of
23 subsistence harvesting throughout our state and
24 increased unit development to allow additional harvest
25 has led to decrease in populations of many species and
26 this is very concerning with our process that our local
27 community of Kaktovik's needs are continuing as status
28 quo, but opening it out to other users to additional
29 harvest attempts without looking at Kaktovik's usage.

30

31 Nuiqsut and Kaktovik have discussed
32 this area tremendously in the past and Lee is here and
33 he needs to weigh in on this discussion, but we need to
34 look at what our charter is to deal with looking what
35 our needs are on the North Slope as our hunting efforts
36 and making sure that we sustain our needs first as we
37 look at the additional usage for other needs that comes
38 next.

39

40 MR. R. NAGEAK: Mr. Chair.

41

42 CHAIRMAN BROWER: Thank you, Rosemary.

43

44 MR. R. NAGEAK: I've got another
45 problem.....

46

47 CHAIRMAN BROWER: Lee.

48

49 MR. R. NAGEAK:with -- okay.

50

1 MR. KAYOTUK: Mr. Chair. Lee. Did
2 you say -- you said Anchorage and Fairbanks is hunting
3 moose in that 26C, you said?
4
5 MS. YUHAS: Through the Chair. A long
6 time ago, not currently.
7
8 MR. KAYOTUK: Okay. Thank you.
9
10 CHAIRMAN BROWER: Roy.
11
12 MR. G. BROWER: That is the proposal
13 though, right?
14
15 MS. YUHAS: Mr. Chairman. We're not
16 actually asking to discuss a proposal. We've got two
17 discussions going on at the time right now and one is
18 what did the Board of Game do and the other is what are
19 the biologists arguing over and we're not actually
20 asking to open the area today. We're not asking to
21 pass a hunt today. We're asking you to defer
22 discussion on the merits of the closure until the fall
23 meeting.
24
25 CHAIRMAN BROWER: Thank you.
26
27 Roy.
28
29 MR. R. NAGEAK: I'm disturbed by some
30 of this wording by the State of Alaska Department of
31 Fish and Game. In there it's noted in WCR12-31 OSM
32 analysis, in the second paragraph at the last sentence
33 it states in addition Federally recognized subsistence
34 users of Unit 26C do not hunt or have they historically
35 hunted in the Upper Kongakut or Firth/Mancha drainages.
36 Which historian are you using to make those statements?
37
38 MS. YUHAS: Through the Chair, Roy.
39 Those are historic harvest permits and if new
40 information.....
41
42 MR. R. NAGEAK: And when did those
43 start?
44
45 MS. YUHAS: I will let Beth give the
46 date since I don't have that information in front of
47 me, but it's more than 30 years, which is not as long
48 as time immemorial and I understand that.
49
50 MR. EVANS: Hi, this is Tom Evans. I

1 just wanted to bring out that occasionally residents
2 from Old Crow Flats will hunt from that population too,
3 but the numbers again are thought to be very small. I
4 just thought I'd add that to the conversation.

5
6 CHAIRMAN BROWER: Beth, did you want to
7 add on any more.....

8
9 MR. R. NAGEAK: One other question.

10
11 CHAIRMAN BROWER: Roy, if I could.....

12
13 MR. R. NAGEAK: Okay.

14
15 CHAIRMAN BROWER:have her respond
16 to your first concern. Beth, did you want to add on
17 any more language to what the previous question was?

18
19 (No comments)

20
21 CHAIRMAN BROWER: I guess she's not
22 hearing me.

23
24 MS. H. ARMSTRONG: Beth, are you still
25 on?

26
27 MS. LEONARD: Yes, I am. Maybe I
28 didn't -- was there a question directed to me?

29
30 MS. H. ARMSTRONG: There was. Once
31 again, Harry.

32
33 CHAIRMAN BROWER: We were referring to
34 the historical data and where did that come about and
35 what are the numbers that are being referred here.

36
37 MS. H. ARMSTRONG: Could you hear
38 Harry, Beth?

39
40 MS. LEONARD: I could not. I'm sorry.

41
42 MS. H. ARMSTRONG: That's okay. He
43 wants to know what the historic data, what the numbers
44 are that you're referring to and how long ago it was.
45 They're focused on the question of historic.

46
47 MS. YUHAS: So the survey data that you
48 have.

49
50 MS. LEONARD: Mr. Chair. Most of that

1 data is what I talked about for use was from our
2 harvest data base which goes back to like the late
3 '70s, 1980s and I tried to go through some of the
4 Division of Subsistence data and tried to find
5 information about historical use from Kaktovik and I
6 recognize, like Jennifer did, that a lot of times what
7 we think is historic, 30 or 40 or 50 years, may be not
8 historic to you, so I didn't find any indications at
9 least in the last 30 years that there was hunting in
10 that Upper Kongakut for moose and upper Firth/Mancha
11 from Kaktovik. Certainly I would like to hear what
12 information you have on that.

13

14 MR. R. NAGEAK: From who's perspective,
15 the subsistence hunters or the North Slope or the
16 Federal government?

17

18 CHAIRMAN BROWER: She was referring to
19 Alaska Department of Fish and Game's data.

20

21 MR. R. NAGEAK: Alaska.

22

23 CHAIRMAN BROWER: Alaska Department of
24 Fish and Game.

25

26 MS. LEONARD: That's correct.

27

28 CHAIRMAN BROWER: Vince, I see your
29 hand waving back there, but I could only see the box in
30 front of you. If you'd like to help further the
31 discussion on this proposal. Vince.

32

33 MR. MATHEWS: Mr. Chairman. I think
34 Jennifer laid it out to you. You're right now debating
35 a proposal that is not before you. What is before you
36 is to look at this closure and decide on the status of
37 it. It's good to talk about these potentials. What is
38 being asked of you is based on Fish and Game's data, 30
39 years, whatever it is, they didn't see any use of
40 Kaktovik in the area on the north side of the Brooks
41 Range, so they were asking you if you know of any
42 information that people did hunt in that area. That
43 would be helpful when the proposal comes and when the
44 analysis is done, but if you know of something now, it
45 would be great. If you don't, then go back to the
46 community or communities and say did you hunt in that
47 area in the past. I apologize, I didn't capture the
48 rivers, but you get the drift. You're mixing a whole
49 bunch of topics up right now and I think it would be
50 best just to focus on the closure and then maybe talk

1 about this proposal or wait until this proposal comes
2 in officially.

3

4 MR. R. NAGEAK: Mr. Chair. I've got a
5 big-time problem with that because once they include a
6 closure and if they have the State law behind them,
7 usually what happens in the Kuskokwim area -- and if
8 they've got a problem with biologists arguing with each
9 other about how much moose there is and then they're
10 talking closure and they say, well, we've got the law.
11 We're going to go ahead and get you. If you're hunting
12 within State regulations, you'll be liable to get
13 picked up and go to trial by our biologists that are
14 saying that historically you don't hunt like that
15 before.

16

17 MR. MATHEWS: Mr. Chairman. Roy. This
18 closure is not for your residents of Kaktovik. This
19 closure is for others to go into this area. So, if I
20 understand correctly.....

21

22 MR. R. NAGEAK: Okay.

23

24 MR. MATHEWS:that if you agree
25 with the status quo, the closure remains until this
26 proposal is completed by the Federal Board. If I
27 understand based on the Eastern Interior meeting, if
28 you take no action on this closure, the closure remains
29 in effect and I think Jennifer will do a better
30 job.....

31

32 MR. R. NAGEAK: Oh, okay.

33

34 MR. MATHEWS:of explaining, but
35 the closure is not on you. The closure is on other
36 users. I know that gets confusing in light of other
37 regulatory actions, but this is a closure of other
38 uses.

39

40 MR. R. NAGEAK: When I read the State
41 of Alaska, it's kind of confusing how they have more
42 historical use of the moose in the unit that they are
43 opposing the closure for and that there's more
44 historical use coming from some other area and how
45 those are being justified. Usually we know what
46 families have more historical use on the North Slope.
47 I'll verify for the Helmerick family real quickly and
48 any other families that are outside that have
49 historical use. I believe that's the only family I
50 could vouch for that has historical use on the North

1 Slope. I don't know about these other families that
2 have historical use within those regions that we're
3 talking about. If you know of any family names, give
4 them to us.

5

6 CHAIRMAN BROWER: I think the question
7 goes the other way around, Roy. It's to the community,
8 not to the State. They're the ones asking the question
9 in regards to the communities usage over time. If
10 there's any other documentation besides our oral
11 communications, that's what they're asking to be
12 identified.

13

14 So in regards to our proposal I know
15 we've had State agency discussions. I hope the
16 clarification helped from Vince that it's not on the
17 residents but it's on the other users. To further
18 along and moving the discussion, I'd like to ask if
19 there's any other points that need to be brought out
20 either by the Alaska Department of Fish and Game,
21 Federal agencies, Native, tribal organizations,
22 InterAgency Staff Committee comments.

23

24 (No comments)

25

26 CHAIRMAN BROWER:

27

28 MR. R. NAGEAK: Mr. Chair.

29

30 CHAIRMAN BROWER: Lee.

31

32 MR. KAYOTUK: Roy was -- go ahead, Roy.

33

34 MR. R. NAGEAK: I would like to have
35 more information on surveys that were conducted by
36 Department of Fish and Game and the different previous
37 surveys, different from previous surveys and what other
38 surveys how they differ. Is that a different agency or
39 the same agency out of curiosity that have opposing
40 biologist views and which has more greater
41 justification for the surveys?

42

43 MS. YUHAS: Mr. Chairman. I'll let
44 Beth Leonard, who is on speakerphone, answer that, but
45 it is both agencies who have done surveys and both
46 agencies have done surveys not exactly always in the
47 exact same area because they're trying to find the
48 animals and they don't stay in the same area, but I'll
49 let Beth speak to the specifics.

50

1 MS. LEONARD: Mr. Chair. Jennifer
2 summarized that correctly. U.S. Fish and Wildlife
3 Service did some of the earlier surveys and sometimes
4 search intensity meaning how long they flew or exact
5 area or what kind of airplane they used was different
6 between those years and then in 2011 we conducted a
7 survey.

8
9 However, I would like to clarify that
10 we worked with the Arctic Refuge biologist in
11 developing this survey area and trying to get at this
12 question. We've done that with both this survey and
13 the surveys in 25A that were referred to. We have a
14 good working relationship with the Refuge biologist and
15 also would run things by them before we would just go
16 forward. So I needed to clarify that.

17
18 I think what we got caught short on was
19 the analysis and there were some errors in it.
20 Normally we work with OSM and are able to catch all
21 those kinds of things and it was just because it was a
22 short turnaround time we were unable to get our
23 comments back in time so that we could kind of work
24 together so that you aren't having to deal with this.
25 Normally that's how we do things. So that's why
26 Jennifer has asked if -- we could probably clear up a
27 lot of that by your next fall meeting.

28
29 CHAIRMAN BROWER: Thank you.

30
31 Lee.

32
33 MR. KAYOTUK: I'll continue on to your
34 procedures in proposals. Thank you.

35
36 MR. G. BROWER: Mr. Chair. I had a
37 last comment on the matter.

38
39 CHAIRMAN BROWER: Gordon.

40
41 MR. G. BROWER: Yeah, I just want to
42 make sure I'm clear on the record on this stuff because
43 we've talked about moose for many, many years. The
44 transient nature of animals, we've tried to discuss
45 that over traditional knowledge. Biologists have
46 seemed to suggest that happens as well. When the
47 recruitment rate on a population that's -- say it's on
48 the rise and it's dependent on the plain from another
49 area a little further south and being able to
50 adequately say that it's large enough to do a sustained

1 yield type harvest level.

2

3 To go around and ask who historically
4 hunted these things is, I think, the wrong way of going
5 about it. You go about it -- I get five caribou a day
6 per day as an individual in Barrow and 3,000 other
7 people do the same thing and have that afforded them
8 because of the size of the herds. That's a big bag
9 limit. We're talking about a small area that's been
10 contentious for a long time.

11

12 You need to look at being able to see
13 the community's needs that have depended on this
14 historically not by how many have hunted here before,
15 but by the needs assessment for the community and go
16 from there before you open it up to -- because if you
17 arbitrarily open it up to Fairbanks, Canada, New York,
18 anybody else, there's enough there to go around when
19 there really isn't, it's going to arbitrarily --
20 probably to the detriment of Kaktovik make that small
21 again.

22

23 We've been arguing for so many years
24 about the small herd on the coastal plain that is
25 dependent on -- now that you have linked the two
26 together, it seems to me through biologists, you need
27 to go about it that way. You'll probably never see
28 this herd be 5,000 strong or it will take 60 years to
29 do that. In the meantime, you know, the community is
30 left to three moose annually or two, maybe one and a
31 half or something like that. You need to use sustained
32 yield and look at the community's needs before saying a
33 percentage should go out to anybody that wants to when
34 the dependence of our little population within the
35 coastal plain area is dependent with that link.

36

37 Anyway, I best stop right there. It
38 seems like we get convoluted over and over and the
39 dialogue gets kind of crazy and going up to proposals
40 leading to next fall. Take those into account because
41 I think that's the best method of determining is use
42 the community's needs assessment for these things.

43

44 MS. YUHAS: I appreciate those
45 comments, Mr. Chairman, Mr. Brower -- the other Mr.
46 Brower. We set out these processes and many of you
47 guys have been involved in this. I know Rosemary has a
48 lot longer than I have. You see a little tweak here
49 and a little tweak there and you make these comments at
50 a meeting on how we should be going about it and they

1 don't always change by the next time you see my face at
2 a meeting again. I know that. But we do need all the
3 input on how to make these little tweaks in this
4 imperfect process to make it a little bit better. So I
5 appreciate on what we should be considering before we
6 consider other things.

7

8 I know we had some conversations about
9 the Western Arctic Herd and how things are lumped
10 together. I talked a lot with our biologists. I
11 admit, I'm not familiar with this area and had to get
12 the history on it. I can't be familiar with the whole
13 state. I'm just not an elder enough on a lot of these
14 things and haven't been around these things. Some
15 areas I know real well and some I don't.

16

17 Our biologists are trying to separate
18 out the lumping and separate out just this area and I
19 do just want to put that on the record because that was
20 one of the first things that they told me was how big
21 the North Slope is and what they're trying to do with
22 this area and why it matters that it's small and why it
23 matters that there might be different populations in
24 this tiny area.

25

26 CHAIRMAN BROWER: So there could be a
27 mixed breed.

28

29 (Laughter)

30

31 CHAIRMAN BROWER: Anyway -- Helen. I
32 was going to say I'd like to move on, but, Helen, go
33 ahead.

34

35 MS. H. ARMSTRONG: I just wanted to
36 make the point that if you waited until the fall and
37 the State then, their biologists -- just hypothetically
38 say they got together and they said they wanted to make
39 a proposal to open this up, it would be out of sync
40 with our wildlife proposal, so there has to be
41 justification for doing a proposal out of sync. It's
42 pretty unusual when we do that because we're taking
43 proposals now and then they'll be addressed in the
44 fall.

45

46 I believe if what I heard the biologist
47 saying is they were trying to bring this before you now
48 because otherwise they would have had to wait another
49 two years. I think they wanted to look at it and see
50 what the data said should they recommend opening it up,

1 their conclusion was it shouldn't be opened up. So
2 that's why we got where we did with the short time
3 period, I believe. I'm not sure that I've got that all
4 completely straight, but I think that's why we got
5 where we did.

6

7

We can move on now.

8

9

CHAIRMAN BROWER: Thank you.

10

11

12 comment.

13

14

Because we've been -- the whole state,
15 especially when the Native population has been involved
16 with the Alaska Fish and Game Board and how drastic it
17 has been with the relationship that we have with them,
18 the way they've managed the fish in the Yukon area so
19 badly that they have closures and putting subsistence
20 users to court and somehow trying to trust the State
21 Fish and Game and their biologists in regards to what
22 they're doing with our renewable resources and the
23 impact that the renewable resources has with the State
24 form of management is not going in the right direction.

25

26

That's why trusting what biologists say
27 from the State of Alaska -- for us, the Native
28 population has seen what's happened in the Yukon Delta
29 with the management of fish. Somehow it's not, you
30 know, where we're coming from. But we're still
31 citizens of the state and citizens of the United States
32 and we need to be afforded that to where we are
33 involved with how the State manage or do studies that's
34 going to impact our lives.

35

36

Thank you.

37

38

CHAIRMAN BROWER: Thank you, Roy. We
39 had quite a lengthy discussion on the topic in regard
40 to the State, Fish and Game, Federal agencies, Native
41 or tribal, village and others. InterAgency Staff
42 Committee. That's the first two. We're just down to
43 the third one now.

44

45

Advisory groups comments.

46

47

(No comments)

48

49

CHAIRMAN BROWER: Neighboring Regional

50 Councils.

1 (No comments)
2
3 CHAIRMAN BROWER: Local fish and game
4 advisory committees.
5
6 (No comments)
7
8 CHAIRMAN BROWER: And National Park
9 Subsistence Resource Commission. James.
10
11 MR. J. NAGEAK: Repeat my -- we haven't
12 met for a long time, so we're going to be seeing these
13 things on April 8 meeting in Ambler.
14
15 Thank you.
16
17 CHAIRMAN BROWER: Thank you, James.
18
19 Eva.
20
21 MS. PATTON: Mr. Chair. The Eastern
22 Interior Regional Advisory Council had requested to
23 participate in the consideration of the closure review.
24 They received the same briefing by OSM and also the
25 documents from the State in consideration. They had a
26 couple letters that were presented to them in public
27 participation. The final decision at that meeting of
28 the Eastern Interior Regional Advisory Council was to
29 defer any comment on the proposal at that time until
30 the next fall cycle.
31
32 CHAIRMAN BROWER: Thank you, Eva. Just
33 to restate the current regulations under the proposal,
34 Unit 26B remainder and 26C moose. In Unit 26B
35 remainder and 26C one moose by Federal registration
36 permit by residents of Kaktovik only. The harvest
37 quota is three moose, two antlered bulls and one of
38 either sex provided that no more than two antlered bull
39 may be harvested from Unit 26C and cows may not be
40 harvested from Unit 26C. You may not take a cow
41 accompanied by a calf in Unit 26B. Only three Federal
42 registration permits will be issued. Federal public
43 lands are closed to the taking of moose except by
44 Kaktovik residents holding a Federal registration
45 permit and hunting under these regulations.
46
47 That's just to restate the current
48 regulations. What we're considering is the WCR12-31.
49
50 MR. R. NAGEAK: Mr. Chair.

1 CHAIRMAN BROWER: Let me find what I
2 was wanting to state here.
3

4 MR. R. NAGEAK: Did we already make a
5 motion on this, Mr. Chair.
6

7 CHAIRMAN BROWER: Not yet.
8

9 MS. AHTUANGARUAK: We're not there yet.
10

11 CHAIRMAN BROWER: OSM's preliminary
12 recommendation is to maintain status quo.
13

14 MR. R. NAGEAK: Mr. Chair.
15

16 CHAIRMAN BROWER: We have number 4,
17 Roy, summary of written public comments.
18

19 MR. R. NAGEAK: Okay. I'm out of line.
20

21 (Laughter)
22

23 CHAIRMAN BROWER: Eva.
24

25 MS. PATTON: Mr. Chair and Council.
26 There was a letter submitted to the Federal Subsistence
27 Board addressed to Mr. Tim Towarak that's in your
28 manila envelope along with the other documents on the
29 closure review. This is from a member of the public.
30 He also cc'd Rosemary Ahtuanguaruak and the North Slope
31 Regional Advisory Council on this letter.
32

33 CHAIRMAN BROWER: If you could just
34 read it for the record.
35

36 MS. PATTON: Okay. It's a short one-
37 page for the record. Again, this letter is addressed
38 to Mr. Tim Towarak and also cc'd the North Slope
39 Regional Advisory Council regarding moose management in
40 Game Unit 26C. Again, this is a member of the public,
41 I believe a retired biologist who used to work both as
42 a Federal biologist and was on the Board of Game.
43

44 The letter states he's been a moose
45 biologist in Alaska since 1974 and conducted studies in
46 the Nelchina Basin and the Copper River Delta, as well
47 as continuing research in Denali National Park now in
48 it's 34th year. He was also appointed to Alaska Board
49 of Game three times between 1985 and 2002 and after
50 reviewing biological information on moose in the

1 Eastern Brooks Range, I would like to offer comments
2 for the consideration on moose management in Game Unit
3 26C.

4

5 In considering the closure review for
6 2014, he strongly urges to retain the closure until
7 adequate data are available to thoroughly evaluate the
8 effects of hunting on this migratory moose population
9 and the closure review is complete. Biological
10 information indicates that Game Unit 26C population
11 segment overlaps with Game Unit 25A and moose
12 population in the Upper Sheenjek and Coleen Rivers.

13

14 Migratory moose move between these
15 areas, through the Firth and Kongakut areas, and while
16 the moose are vulnerable to hunting as most of the
17 country is quite open, the moose are easily spotted,
18 excessive vulnerability may lead to decline or slower
19 population growth in Unit 25A.

20

21 I'm also concerned that because of
22 their vulnerability to hunting mature bulls may be
23 virtually eliminated from this area, thereby
24 jeopardizing the long-term health of the population.
25 This might be alleviated by antler restrictions
26 designed to protect a portion of the large, mature
27 bulls.

28

29 He urges to adopt a comprehensive
30 conservation strategy for moose in the eastern Brooks
31 Range that recognizes the complex structure of
32 migratory moose populations segments in this area.
33 This would allow a long-term sustained yield of moose
34 for subsistence use and would maintain healthy
35 populations. Reopening the hunting season absent
36 additional data and completed closure review would
37 raise significant conservation concerns.

38

39 Thank you for the opportunity to
40 comment. Vic VanBallenberghe.

41

42 That's all, Mr. Chair. Thank you.

43

44 CHAIRMAN BROWER: Thank you, Eva.

45

46 Any other public comments.

47

48 (No comments)

49

50 CHAIRMAN BROWER: Public testimony.

1 Ernest, did you raise your hand back there.

2

3 MR. E. NAGEAK: No.

4

5 CHAIRMAN BROWER: Come on. Number 6,
6 Regional Council recommendation. Motion. Always a
7 positive motion.

8

9 MS. AHTUANGARUAK: I'd like to make a
10 motion for us to consider WCR12-31 with deferring the
11 decision until the fall meeting where we have
12 additional information. I also want to recognize that
13 we've had extensive discussion that is very consistent
14 with this concern of recommendation to changing the
15 current standing.

16

17 MR. R. NAGEAK: I second.

18

19 MR. G. BROWER: Discussion.

20

21 CHAIRMAN BROWER: Gordon.

22

23 MR. G. BROWER: Yeah, Mr. Chair. In
24 reading and listening to this letter to Tim Towarak,
25 this is the type of concern that we've had for a long
26 time. To make sure there's adequate assessment of
27 needs, looking at the population as a whole from
28 transient to -- these things have been our concern to
29 the level of harvest that our communities need for
30 their needs. It's just very hard to sometimes express
31 over the course of many years these concerns without
32 adequately -- seems to me adequately not addressing
33 them.

34

35 As the population starts to increase
36 and looking at a potential proposal, I think it was
37 adequate for us to weigh in early so that there's an
38 expectation when a proposal is being made that you
39 better be looking out for our community, you know,
40 whatever community is dependent on that population
41 estimate and stuff. If anything is going to be
42 opening, I think it should be to the increase of the
43 communities that have a customary use determination
44 made to these resources. That's where the increase
45 should go and not extend any opening to anywhere else.

46

47 Thank you.

48

49 MR. R. NAGEAK: Mr. Chair.

50

1 CHAIRMAN BROWER: Roy.

2

3 MR. R. NAGEAK: I'm disturbed by the
4 letter from the State
5 of Alaska. The areas noted in WCR12-31 OSM analysis,
6 in the second paragraph, where it states in addition
7 Federally recognized subsistence users of Unit 26C do
8 not hunt or have they historically hunted in the Upper
9 Kongakut or Firth/Mancha drainages. Statements like
10 that are not good statements to say against people that
11 have lived in those areas for thousands of years. When
12 does 30 years become historic. It's real disturbing
13 that they use historic use as justified reasons to go
14 into areas that they never really had subsistence
15 before. It's real disturbing.

16

17 Thank you.

18

19 For the record, Roy Nageak.

20

21 CHAIRMAN BROWER: Thank you for sharing
22 that.

23

24 Rosemary.

25

26 MS. AHTUANGARUAK: I also want to
27 recognize that we have a tremendous amount of
28 information of sharing our traditional stories of our
29 historical usage of this. We have generations of
30 stories that show our families harvesting in these
31 areas. The recognition of our inter-generational
32 travels in this area is not well understood or
33 documented and that needs to be considered in this
34 process because we don't have the references to show
35 the extensive use that we've had historically in this
36 area, but we have a lot of oral traditional knowledge
37 needs to be incorporated into this process that is
38 absent from this consideration.

39

40 I've heard many stories from Kaktovik,
41 Barrow and Nuiqsut people and if need be the travels to
42 sustain traditional cultural usage occurs as needed to
43 travel and go to the resources where we can harvest
44 them and bring back to our families needs. We have
45 family members that have traveled over 1,000 miles to
46 try to harvest and that information is not included in
47 this assessment. If the years are bad, we travel as
48 needed to meet our needs for nutritional sustainment.
49 The recognition of our needs for our bodies to eat our
50 foods and our quantities necessary to keep us healthy

1 is not well understood or documented and also needs to
2 be considered.

3

4 Thank you.

5

6 CHAIRMAN BROWER: Any further
7 discussion. Robert.

8

9 MR. SHEARS: Mr. Chairman. For the
10 record, I support deferring this WPC12-31 to our next
11 meeting for action. I was going to save my comments
12 because they're probably more suitable under our next
13 session of business under new business, customary and
14 traditional use determinations, but it's time now to
15 speak up because this is a prime issue to exemplify
16 failures in current Federal regulations in regards to
17 establishing moose hunting regulations in Kaktovik.

18

19 Not recognizing customary and
20 traditional uses there. Not recognizing the importance
21 of a very minor organism and the subsistence value and
22 the value to the culture of a Native community such as
23 Kaktovik. Three moose. You don't live on that, you
24 know. 380 people starve to death on that. You're not
25 recognizing the importance of it though. How those few
26 moose gets divided up through the whole community by
27 the couple people that managed to harvest, the lucky
28 one that comes in, brings the whole community
29 together. It breaks up the monotony of living on whales
30 and seals and caribou and fish, you know, boiled and
31 boiled and boiled. It's nice in our communities. It
32 really brings us together and makes our hearts warm.

33

34 It is a social battery these few moose.
35 You're not recognizing the importance of it by even
36 considering stressing the population of those three
37 moose that could be taken in Kaktovik by opening up for
38 state resident and non-resident hunters in an area 150
39 miles to the south. How does Kaktovik get three moose.
40 The same way Wainwright gets one moose per year. It's
41 by a population of moose in the hundreds 200 miles to
42 the south of us swelling in the valleys on the south
43 side of the Brooks Range to the point where one animal
44 pops and walks all the way north 200 miles where it
45 eventually happens to encounter a subsistence hunter
46 actively involved in doing something else.

47

48 A moose is a target of opportunity and
49 it can happen at any time of the year. You don't know
50 when God is going to give you a moose. That's why

1 they've got a nine month open season in Kaktovik and I
2 go what's that. They've got a permit hunt for three
3 moose. Why do they need to further regulate the
4 harvest of those moose by closing the season for three
5 months of the year during a period when the rivers are
6 breaking up.

7
8 Open the season up for Christ's sake,
9 you know, to the entire year. They're probably not
10 going to get those three moose in the first place, but
11 if you go and open up the area for hunting for state
12 hunting 200 miles south of them, an area that is not
13 covered by deciduous or conifer trees, it's wide open
14 habitat where these airplanes can scout, they can do a
15 fly-in, they can go set up camp and one day later their
16 hunters can walk over and shoot this moose and they'll
17 fly right back out of there, then there's no more
18 population pressure down there to pop those one or two
19 animals that might eventually become a valued
20 subsistence resource to our rural communities in the
21 north.

22
23 I completely oppose this, but for now
24 I'm all in favor of deferring it to the next meeting.

25
26 CHAIRMAN BROWER: Thank you. Any
27 further discussion.

28
29 James.

30
31 MR. J. NAGEAK: I have some historical
32 perspective on hunting in ANWR. That's what it's
33 called. I don't know what ANWR stands for.

34
35 CHAIRMAN BROWER: Arctic National
36 Wildlife Refuge.

37
38 MR. J. NAGEAK: Anyway, when I was
39 young, my Uncle Perry, Uncle George, Uncle Daniel and
40 my Uncle Perry's wife Maggie and I took a trek just
41 after 4th of July. I must have been about 9 or 10
42 years old. I don't know when the DC-3 crashed and
43 killed some people right there at Kaktovik. I have no
44 idea what year that was, but that could be the fact in
45 which the year can be determined. We left by dog team
46 from the shores of the mainland and went up to the
47 mountains by dog team. The sled wasn't the same as the
48 sled that we used. My Uncle Perry has a mechanical
49 mind and was a genius, eidetic person to make a sled
50 with wheels and the wheels were drums, 55 gallon drums

1 that he put together, and his 22 dogs could go with
2 this contraption with all the stuff on it; tent, food,
3 and all those other things.

4
5 We left there right after Fourth of
6 July and stayed in the mountains. That's where the
7 moose are, up in the mountains, but since ANWR you
8 can't travel up in that area unless you have a vehicle
9 that does not make any tracks on land. And you don't
10 hunt moose in the winter time. They're poor. The time
11 is September 1 through 15th, I think, but you can't go
12 up north because it's ANWR unless maybe you have some
13 kind of contraption like we used back in 1948, '49.

14
15 And I liked what Robert was saying.
16 That's the kind of situation we get for muskoxen in
17 Anaktuvuk Pass.

18
19 MR. SHEARS: Uh-huh.

20
21 MR. J. NAGEAK: They come
22 inadvertently. So what I'm trying to say, I guess, is
23 that it's hard -- I don't know. I could ask Lee over
24 there to see which direction they go for the moose, but
25 the fat ones are up in the mountains, but we can't --
26 they can't go up in that area because of the
27 restrictions that the Federal government has given the
28 Inupiat people.

29
30 When ANWR was being used, my
31 grandfather was told, hey, you can't go up and hunt
32 sheep anymore because it's a National Wildlife Refuge,
33 right. When my grandfather passed away, Colonel
34 Marston or the other guy, the artist, Halloran, had
35 written a letter to the governor, territorial governor
36 of Alaska, that my grandfather's answer to the
37 restrictions of subsistence hunting in ANWR was that
38 concept change. It's hard now for me to hunt, but if
39 these guys are telling me not to hunt sheep, hunger
40 knows no law. Sam Tullock (ph) got that letter and
41 repeated it in -- attributed to Sam Tullock now, but
42 those were the words of my grandfather stating things
43 to the Fish and Wildlife people that came.

44
45 You know, it's hard to -- when it comes
46 close to home, you know, we see closures down south
47 someplace and they're not home, but when it becomes a
48 place where I grew up, where my Uncle Perry, George,
49 Daniel and his wife Maggie went up and used those
50 contraptions, you know, the wheel sled of oil drums and

1 spent -- we left July, August, September, October, four
2 months up there and associated with Gwich'in Indians
3 from Arctic Village. I guess they started coming
4 around and stealing some of our dry meat, so we just
5 went home but with a different sled. They made the sled
6 out of trees so, you know, the regular kind of sled
7 that we use and we went home in one day. It took us
8 two weeks to get up there, but one day to get home.

9

10 It's kind of a historical perspective
11 on the life of ANWR/Kaktovik where I grew up. I don't
12 know if it's any help, you know. It's one of these
13 closures that if it's in favor of people I grew up
14 with, then I'm for it. Thanks.

15

16 CHAIRMAN BROWER: The motion was to
17 defer to take any action on WRC12-31 until the fall
18 meeting. Any further discussion. Lee.

19

20 MR. KAYOTUK: Mr. Chair. For the
21 village of Kaktovik I know it's a really tough time
22 when it comes to moose and not too often they'll get
23 moose on the coast, but we have to go 90 to 100 miles
24 and spend about four or five days in order to hunt
25 these moose, but when it comes down to closing of the
26 season I'm fighting to try and get an extension at
27 least a week, but hopefully that will happen, but I'm
28 not sure if that will happen.

29

30 During the time of the closure my
31 friends are coming up to me and saying let's go hunt
32 that moose. I said, no, we can't, we've got to go back
33 because the season is closed now. That is a big issue
34 in the village to where there's a lot of people still
35 like to eat the moose meat and stuff like that, but it
36 is a tough one. You have to make a decision that, you
37 know, we have to go by the law, but in different times
38 it's not always like that. When people are asking you
39 did you bring your moose back, we said no because we
40 had to head back home because of the closure of the
41 season and during the time would be stormy weather and
42 we could not harvest it last year.

43

44 So I strongly would like to bring
45 forward this to mention that to the village of Kaktovik
46 that it's an ongoing thing that will be always
47 happening.

48

49 Thank you.

50

1 CHAIRMAN BROWER: Thank you, Lee for
2 your comments and concerns voiced. I think we'll have
3 an opportunity to address your concern under new
4 business, call for wildlife regulatory proposals and
5 you can introduce your request for an extension at that
6 time, so we'll consider it along that line.

7
8 Just to comment, I think these
9 regulations will stand in place even though we tabled
10 to take action on this -- to further take action on
11 this until the fall meeting. These regulations still
12 stand in place and we will have, like I said, an
13 opportunity to provide Lee's community a request for an
14 extension on the moose season.

15
16 Any further discussion on the motion to
17 defer action on WCR12-31.

18
19 (No comments)

20
21 MR. G. BROWER: Call for the question,
22 Mr. Chair.

23
24 CHAIRMAN BROWER: The question has been
25 called on the motion to defer any action until the fall
26 meeting of the North Slope Regional Advisory Council of
27 WCR12-31. All in favor of the motion signify by saying
28 aye.

29
30 IN UNISON: Aye.

31
32 CHAIRMAN BROWER: Opposed say nay.

33
34 (No opposing votes)

35
36 CHAIRMAN BROWER: None noted. Thank
37 you.

38
39 MR. SHEARS: Mr. Chairman. Could we
40 have a five-minute recess before we get into new
41 business.

42
43 CHAIRMAN BROWER: I'm sorry, I'm trying
44 to do new business.

45
46 (Laughter)

47
48 CHAIRMAN BROWER: I think we're allowed
49 15 minutes, Bob.

50

1 (Off record)

2

3 (On record)

4

5 CHAIRMAN BROWER: In regard to getting
6 our Council members seated again, we'll get ready to
7 recess until tomorrow morning, I guess. I'd like to
8 bring Council back to order after a brief recess. I
9 wasn't paying attention to the time and how time lapsed
10 so quickly this afternoon. It's 5:02. At this time
11 I'd like to recess the Regional Advisory Council until
12 9:00 a.m. tomorrow morning. I was thinking it was only
13 3:00 o'clock when Bob was asking for a brief recess.

14

15 (Laughter)

16

17 CHAIRMAN BROWER: I apologize. I
18 wasn't even looking at the time. Anyway, the
19 recommendation was to recess until 9:00 a.m. tomorrow
20 morning.

21

22 Thank you all for being here with us
23 today.

24

25 (Off record)

26

27 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

I, Salena A. Hile, Notary Public, State of
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