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JOINT MEETING
OF
NORTH SLOPE SUBSISTENCE REGIONAL ADVISORY COUNCIL
AND
NORTH SLOPE FISH and GAME MANAGEMENT COMMITTEE

VOLUME I

ASRC Conference Room

Barrow, Alaska

March 3, 1998 - 9:00 a.m.

REGIONAL COUNCIL MEMBERS PRESENT:

Fenton O. Rexford, Chairman
Ray F. Koonuk, Sr., Vice Chairman
Harry K. Brower, Jr., Secretary
Terry L. Tagarook
Gordon C. Upicksoun
Barbara Armstrong, Coordinator

FISH and GAME COMMITTEE MEMBERS PRESENT:

Fenton O. Rexford, Chairman
Gordon Upicksoun
John Miller
Elijah Attugana
Mark Ahmakak
Edward Hopson, Sr.
James Kignak, Sr.
Sam Rulland
Rossman Peetook

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P R O C E E D I N G S

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(On record)

5 CHAIRMAN REXFORD: Good morning, everyone. Welcome to
6 our quarterly meeting. We usually have a joint meeting also in
7 the fall, but due to pressing issues that are going to be
8 coming up we decided to have a joint meeting this spring. I'd
9 like to open the joint meeting of the North Slope Subsistence
10 Regional Advisory Council and the North Slope Fish and Game
11 Management Committee meeting to order. The time is 9:14 a.m.

12
13 We'll be meeting from 9:00 a.m. to 5:00 p.m. today and
14 tomorrow, evening session at the call of the Chair if we need
15 to take a little bit longer, but we'll find that out the end of
16 today and possibly tomorrow morning. And we'll try and hurry
17 up with our agenda. There's a long agenda. We'll take care of
18 matters today and tomorrow.

19
20 At this time I also want to inform you that we'll be
21 opening up teleconference, the villages are being notified. At
22 this time they are getting ahold of the village coordinators,
23 we'll open up the telephone lines at 9:30. Hopefully -- there
24 was some village request to see whether we'll be available for
25 teleconferencing, so they can listen in or make comments as we
26 proceed.

27
28 Again, thank you for coming here and participating at
29 this public meeting of the North Slope and Fish and Game
30 Regional Advisory Council meeting. If there are going to be
31 any public testimony, I know there was a sign up sheet, but the
32 meeting is open, the floor is open to public comments.

33
34 MR. AHMAKAK: Mr. Chairman, I think there needs to be a
35 roll call who's the representatives there is.....

36
37 CHAIRMAN REXFORD: Yeah, I'm almost done, I was just
38 doing a little bit of housekeeping. Thank you, Mark.

39
40 Open floor to public comments on this, but it'll be
41 open throughout the meeting. So at this time I'll ask Harry
42 Brower to call the roll for the North Slope Borough Fish and
43 Game Management Committee.

44
45 MR. H. BROWER: Thank you, Mr. Chairman. Just to let
46 you know right off before we do the roll call, we have a swear
47 in for our new Fish and Game Management Committee members this
48 morning. Our borough clerk will be here shortly, she's been
49 busy trying to get ready with this North Slope Assembly meeting
50 agenda items that she needs to get done also and she'll be here

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1 shortly, so we'll swear in the new members. But I'll do the
2 roll call for our North Slope Borough Fish and Game Management
3 Committee.

4
5 Rossman Peetook?

6
7 MR. PEETOOK: Here.

8
9 MR. H. BROWER: Gordon Upicksoun?

10
11 MR. UPICKSOUN: Here.

12
13 MR. H. BROWER: Elijah Attugana?

14
15 MR. ATTUGANA: Here.

16
17 MR. H. BROWER: Mark Ahmakak?

18
19 MR. AHMAKAK: Here.

20
21 MR. H. BROWER: Fenton Rexford?

22
23 CHAIRMAN REXFORD: Here.

24
25 MR. H. BROWER: Edward Hopson, Sr.?

26
27 MR. E. HOPSON: Here.

28
29 MR. H. BROWER: John Miller?

30
31 MR. MILLER: Here.

32
33 MR. H. BROWER: James Kignak, Sr.?

34
35 MR. KIGNAK: Here.

36
37 MR. H. BROWER: Thomas Rulland?

38
39 MR. RULLAND: Here.

40
41 MR. H. BROWER: We have a quorum present for your Fish
42 and Game Management Committee.

43
44 CHAIRMAN REXFORD: Now for the North Slope Regional
45 Advisory.

46
47 MR. H. BROWER: Okay, for the North Slope Regional
48 Advisory Council is myself, I'm here. Fenton Rexford?

49
50 CHAIRMAN REXFORD: Here.

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1 MR. H. BROWER: Terry Tagarook?

2

3 MR. TAGAROOK: Here.

4

5 MR. H. BROWER: Gordon Upicksoun?

6

7 MR. UPICKSOUN: Here.

8

9 MR. H. BROWER: Benjamin Hopson?

10

11 (No response)

12

13 MR. H. BROWER: Ray Koonuk, Sr.

14

15 MR. KOONUK: Here.

16

17 MR. H. BROWER: Leonard Tukle?

18

19 (No response)

20

21 MR. AHMAKAK: According to you constitution, I'm also
22 the alternate for the Federal Advisory Committee if Leonard is
23 not be able to be here. Thank you.

24

25 MR. H. BROWER: So, Mark, you're -- Mark Ahmakak for
26 Nuiqsut. You have a quorum with the North Slope Regional
27 Council, Mr. Chairman.

28

29 CHAIRMAN REXFORD: Okay, thank you. Before we proceed
30 any further I want to ask Elijah Attugana to lead us in an
31 invocation. Elijah.

32

33 MR. ATTUGANA: (Invocation in Inupiaq)

34

35 CHAIRMAN REXFORD: Thank you very much, Elijah.

36

37 MR. UPICKSOUN: Mr. Chairman.

38

39 CHAIRMAN REXFORD: Gordon.

40

41 MR. UPICKSOUN: On the North Slope Regional Advisory
42 Council we brought up the issue of alternates before. There's
43 no provision in our charter for an alternate for members of the
44 Regional Advisory Council.

45

46 CHAIRMAN REXFORD: Okay.

47

48 MR. AHMAKAK: Mr. Chairman, for your question,
49 Mr. Upicksoun, for the last how many years your Advisory Board
50 where the Federal has always come up. In one of our meetings

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1 in the last several years, even my name is designated as an
2 alternate for Leonard Lambe (sic) as a Federal Advisory Board
3 member, if he's not able to attend according to your charter.
4

5 MR. UPICKSOUN: Okay. I just made reference to our
6 charter, Mr. Chairman.
7

8 CHAIRMAN REXFORD: Okay, thank you.
9

10 MR. PEETOOK: Mr. Chairman.
11

12 CHAIRMAN REXFORD: Mr. Peetook.
13

14 MR. PEETOOK: Is Ben Hopson coming?
15

16 CHAIRMAN REXFORD: I know he was on vacation starting
17 toward the end of February, so he may still be out, he had
18 quite a long vacation stint there, so he may be on vacation.
19

20 Barbara, have you heard from Ben?
21

22 MS. B. ARMSTRONG: No, I haven't.
23

24 CHAIRMAN REXFORD: Mr. Rulland, have you any
25 information on Mr. Hopson?
26

27 MR. RULLAND: No.
28

29 CHAIRMAN REXFORD: Thank you. Okay. Again, I want to
30 welcome everyone. Perhaps for the benefit of those Committee
31 members and Regional Advisory Council we can introduce
32 ourselves, starting with Mr. Peetook and work our way around
33 and then we'll start from Mr. Olemaun all the way back to Ms.
34 Armstrong. Tell us where you're from and who you are.
35 Introduce ourselves.
36

37 MR. PEETOOK: Oh, okay. I'm Rossman Peetook from
38 Wainwright.
39

40 MR. RULLAND: Tom Rulland from Anaktuvuk Pass.
41

42 MR. KIGNAK: James Kignak from Atqasuk.
43

44 MR. E. HOPSON: I'm Edward Hopson, Barrow.
45

46 MR. AHMAKAK: Mark Ahmakak from Nuiqsut. For your
47 notice Rossman Peetook and Mr. Hopson are the regional members
48 of the Committee of Fish and Game Management since inception.
49

50 CHAIRMAN REXFORD: Thank you, Mark.

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1 MR. ATTUGANA: Elijah Attugana, Point Hope.

2

3 MR. MILLER: John Miller from Barrow.

4

5 CHAIRMAN REXFORD: Yeah, I'm Fenton Rexford from
6 Kaktovik.

7

8 MR. H. BROWER: Harry Brower from Barrow.

9

10 MR. UPICKSOUN: I'm Gordon Upicksoun from Point Lay.

11

12 MR. TAGAROOK: Terry Tagarook from Wainwright.

13

14 MR. KOONUK: Ray Koonuk from Point Hope.

15

16 MR. OLEMAUN: Nate Olemaun, Barrow.

17

18 (Indiscernible - no microphone)

19

20 MR. PATKATOK: Mike Patkatok, Barrow.

21

22 MR. CEGELSKE: Jerry Cegelske, U.S. Fish and Wildlife
23 Service, Division of Law Enforcement out of Fairbanks.

24

25 MR. YOKEL: Good morning, I'm Dave Yokel with the
26 Bureau of Land Management, Northern District office in
27 Fairbanks.

28

29 MR. TRENT: I'm John Trent from Anchorage, Alaska
30 Department of Fish and Game.

31

32 MS. HEPA: Taqulik Hepa, North Slope Borough,
33 Department of Wildlife Management.

34

35 MR. C. BROWER: Charlie Brower, North Slope Borough
36 Wildlife Management.

37

38 MS. B. ARMSTRONG: Barbara Armstrong, Coordinator for
39 North Slope Federal Subsistence Advisory Council.

40

41 MS. GOTLIEB: I'm Judy Gotlieb with the National Park
42 Service in Anchorage.

43

44 MR. RABINOWITCH: Sandy Rabinowitch, Staff Committee
45 with the Federal Subsistence Board and work with the National
46 Park Service in Anchorage.

47

48 MS. DEWHURST: Donna Dewhurst with Fish and Wildlife
49 Service in Anchorage. The biologist on the team for the
50 Regional Council.

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1 MR. ULVI: Good morning, Steve Ulvi with Gates of the
2 Arctic National Park. Glad to be here.

3
4 MS. MEEHAN: Rosa Meehan, Fish and Wildlife Service.
5 I'm in the Office of Subsistence Management.

6
7 MR. WILSON: I'm Curt Wilson, I'm with the Bureau of
8 Land Management State office. I'm also on the staff to the
9 Advisory Board -- I'm sorry, the Board, the Federal Board.

10
11 MR. J. UPICKSOUN: I'm Joe Upicksoun, enrolled at Point
12 Lay, (indiscernible) and Barrow.

13
14 MS. H. ARMSTRONG: I'm Helen Armstrong with the Office
15 of Subsistence Management for Fish and Wildlife in Anchorage.
16 And I'm the anthropologist to this Board.

17
18 MR. KOLASINSKI: And I'm Joe Kolasinski your court
19 reporter for today.

20
21 CHAIRMAN REXFORD: Thank you, Joe. Thank you,
22 everyone. Again for homework we need to install a couple of
23 new members, that'll be Rossman Peetook and James Kignak, this
24 morning and tomorrow we'll take on a couple of more new members
25 after the Assembly meeting tonight for the North Slope Borough
26 Fish and Game Committee.

27
28 Bertha, we'll turn the floor over to you to take care
29 of business.

30
31 BERTHA: Rossman and James, would you stand up, please.
32 Raise your right hand.

33
34 (Oath administered)

35
36 (Applause)

37
38 CHAIRMAN REXFORD: Mr. Ahmakak, you have something?

39
40 MR. AHMAKAK: Yeah, I did send in my resignation as a
41 Committee member, it has never reached your office yet. Maybe
42 I give you notice now, I did write a letter of resignation.

43
44 CHAIRMAN REXFORD: Okay. We're supposed to have
45 Mr. Fred Armstrong under 3B, under our agenda. He had to take
46 a trip back east, so we're going to strike that 3B off of the
47 agenda.

48
49 MR. CEGELSKE: I could say a few things for Fish and
50 Wildlife if that would be possible.

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1 CHAIRMAN REXFORD: We have other areas in here. Thank
2 you. Yeah, we have agency reports under 10, under new
3 business. Okay, that brings us down to Item Number 4, review
4 and adopt the agenda.

5
6 MR. KOONUK: Mr. Chairman, so move to adopt the agenda.

7
8 MR. E. HOPSON: Second that.

9
10 CHAIRMAN REXFORD: It's been moved by Ray and seconded
11 by Mr. Hopson. Discretion, I know that we may have to make
12 some corrections or deletions, so we may need to make some
13 amendments. Harry.

14
15 MR. H. BROWER: Mr. Chairman, is there any poss -- or
16 just to throw this out for discussion purposes. Is there a
17 possibility of doing agency reports before we get into the
18 proposals? Is there a reason why we have the proposals in
19 before we hear the agency reports?

20
21 MS. B. ARMSTRONG: That's totally up to you.

22
23 CHAIRMAN REXFORD: Harry's suggestion, we move number
24 10B to 9 up before.....

25
26 MR. H. BROWER: Can I state my reason for.....

27
28 CHAIRMAN REXFORD: Yeah, go ahead, Mr. Brower.

29
30 MR. H. BROWER: The reason I was bringing this out is
31 that it's kind of redundant to making proposals and then
32 hearing agency reports after making proposals, Mr. Chairman.
33 It might be something that we could -- some information that we
34 probably could use from hearing from the agencies and then
35 doing the proposal, unless there's an objection to that, I'll
36 withdraw my comments.

37
38 CHAIRMAN REXFORD: Anything on the minutes?

39
40 UNIDENTIFIED: Is that in a motion to.....

41
42 MR. H. BROWER: No, that's just a thing for discussion.

43
44 MR. AHMAKAK: (Inupiaq) so move to the motion.

45
46 MR. E. HOPSON: I'll second.

47
48 CHAIRMAN REXFORD: Okay, moved to move Item 10B to 7 or

49 8.
50

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1 MR. E. HOPSON: Where do you move that?

2

3 CHAIRMAN REXFORD: From 10B to 8. Did you want to do
4 the proposal right after?

5

6 MR. H. BROWER: Um-hum.

7

8 CHAIRMAN REXFORD: We'll make 8 number 9 and on down
9 the line. Old business will be 10, new business will be 11 and
10 so on. Any other discussion? Mr. Yokel.

11

12 MR. YOKEL: Thank you, Mr. Chairman, two weeks ago that
13 the Musk-Ox Working Group meeting I was asked to summarize part
14 of that meeting at this meeting, did you want me to do that
15 under agency reports?

16

17 CHAIRMAN REXFORD: Yeah, under number 9, 10B, 9. You
18 got the minutes for our Committee members?

19

20 MR. H. BROWER: No.

21

22 CHAIRMAN REXFORD: Then we'll have to defer that to
23 tomorrow's meeting.

24

25 MR. H. BROWER: No, till our next meeting.

26

27 CHAIRMAN REXFORD: Okay, for you information, too, I'd
28 like to defer the minutes of the Fish and Game Committee
29 members, Item 5A. In place of that we have the minutes of the
30 Regional Advisory Council before you. So under 5, we'll have
31 the adoption of the Regional Advisory Council minutes, dated
32 September 16th and 17th.

33

34 MR. TAGAROOK: Mr. Chairman.

35

36 CHAIRMAN REXFORD: Mr. Tagarook.

37

38 MR. TAGAROOK: Did we adopt the changes in the agenda?

39

40 CHAIRMAN REXFORD: Yeah, I was just making a note there
41 that we'll need to defer -- okay, I see your point. Thank you,
42 Mr. Tagarook. I just wanted to insert the minutes of September
43 16 and 17.

44

45 MR. UPICKSOUN: That would be under 5A?

46

47 CHAIRMAN REXFORD: Yeah. Okay, we have an amendment to
48 the adoption of the minutes (sic), moving 10B to number 8 and
49 making number 8, 9 and so on down the line. Ray, is that a
50 question?

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1 MR. KOONUK: Yes.

2

3 CHAIRMAN REXFORD: Question is called on the amendment.
4 All those in favor say aye.

5

6 IN UNISON: Aye.

7

8 CHAIRMAN REXFORD: Those opposed same sign.

9

10 (No opposing responses)

11

12 CHAIRMAN REXFORD: Okay, we're on the main motion to
13 adopt the agenda.

14

15 MR. E. HOPSON: Call for question on the main motion.

16

17 CHAIRMAN REXFORD: Question on the main motion by
18 Mr. Hopson. All in favor of the motion adopting the agenda say
19 aye.

20

21 IN UNISON: Aye.

22

23 CHAIRMAN REXFORD: Those opposed same sign.

24

25 (No opposing responses)

26

27 CHAIRMAN REXFORD: Thank you. Okay, we'll move on to
28 number 5. As stated earlier, we are deferring the December
29 minutes, 1997 minutes of the North Slope Borough Fish and Game
30 Management Committee. In place of that we'll be adopting the
31 September 16 and 17. Regional Advisory Council members need to
32 act on that. These have been mailed out. The floor will
33 entertain a motion from the North Slope Regional Advisory
34 Council to adopt the minutes of September 16 and 17.

35

36 MR. UPICKSOUN: Mr. Chairman, I move we adopt the
37 minutes of the September 16 and 17 minutes.

38

39 MR. H. BROWER: Second that motion, Mr. Chairman.

40

41 CHAIRMAN REXFORD: Any discussion or question on the
42 minutes as presented from the Regional Advisory Council or the
43 Committee members?

44

45 MR. KOONUK: Question.

46

47 CHAIRMAN REXFORD: Okay, question is called by
48 Mr. Koonuk. All in favor of the adoption of September 16 and
49 17, 1997 of the North Slope Subsistence Regional Advisory
50 Council do so by saying aye.

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1 IN UNISON: Aye.

2

3 CHAIRMAN REXFORD: Those opposed same sign.

4

5 MR. AHMAKAK: Aye.

6

7 CHAIRMAN REXFORD: Thank you, Mark. Okay, that moves
8 us on to Item Number 6. At this time we'll be hearing from
9 village concerns from all of the members here. And the floor
10 is open to public comment on the Federal Subsistence Management
11 Program. Again, this opportunity continues throughout the
12 meeting and if you want to testify there's some forms on the
13 front desk over there.

14

15 MR. AHMAKAK: Mr. Chairman.

16

17 CHAIRMAN REXFORD: Mr. Ahmakak.

18

19 MR. AHMAKAK: Yeah, I do not need to state why I oppose
20 the adoption of the minutes. As an alternate member of the
21 Federal Subsistence Board (sic) which you know Leonard Lambe
22 (sic) could not be able to attend and I repeat (indiscernible)
23 the very last minute. Without further discussion I would not
24 question the meetings of your Federal Advisory Board as stated
25 in the documents.

26

27 MR. H. BROWER: Mr. Chairman.

28

29 CHAIRMAN REXFORD: Harry.

30

31 MR. H. BROWER: For the clarification, Mark, our
32 Regional Advisory Council members have been appointed and the
33 alternates also need to be appointed in order to be a voting
34 member to the Regional Advisory Council. Just a point of
35 clarification, Mr. Chairman.

36

37 MR. AHMAKAK: According to your charter, Mr. Chairman,
38 and with the Federal Advisory Board, if the main alternate
39 member would not be able to attend the meeting -- I was the
40 alternate, so I am here without question.

41

42 CHAIRMAN REXFORD: Thank you, Mr. Ahmakak. Okay, at
43 this time any other members? We'll be going around the table,
44 going from village, if there are any concerns or anything that
45 the village members would like bring up from their village.
46 We've done this in the past. Any reports of any type or
47 concerns from each of the village representatives. So I'll
48 start with Mr. Koonuk and go clockwise.

49

50 MR. KOONUK: Thank you, Mr. Chair. In our last meeting

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1 back in September, I brought an issue as far as the boundary
2 line between the North Slope and Northwest Arctic Borough.
3 Point Hope is within Unit 23 and Point Hope is part of the
4 North Slope Borough and we should be considered within Unit 26.
5 So I brought this issue up and I wanted to have, I guess, the
6 staff look into it and also Harry to look into some documents
7 in regards to this issue that was brought up back a few years
8 back. And I had one letter that came in, but that was from
9 you, Mr. Chairman, as far as this issue, you know, dying off,
10 but I would like to see this being discussed now because we
11 have the Borough management and the Federal. I think this is
12 important because, you know,

13
14 CHAIRMAN REXFORD: We've discussed this, it was going
15 to come up as a proposal, I think to the State Board of Game.
16 I stand to be corrected if not. We did work on a proposal at
17 your request and the matter -- we went back to the village and
18 they wanted to postpone that, presenting it to the State Board
19 of Game, so we'll need some documentation or resolutions or
20 something from the village, either from the Native Village of
21 Point Hope or the city government and/or some residents to that
22 effect. So we stepped ahead of ourselves and we needed to get
23 support from the community before we work on the regulations,
24 rules and regulations on the boundary.

25
26 We did discuss this at the North Slope Borough Fish and
27 Game Management Committee meeting in December. If anyone of
28 the other members or staff would like to touch upon that
29 matter. But there was a proposal going before the State Board
30 of Game and that issue was withdrawn pending word from the
31 Village of Point Hope.

32
33 Anyone else from the wildlife staff want to touch upon
34 that or talk about that?

35
36 MR. H. BROWER: Mr. Chairman.

37
38 CHAIRMAN REXFORD: Mr. Brower.

39
40 MR. H. BROWER: Like you stated earlier in your
41 comments, I just want to fall back on the request that was
42 presented to the Federal Regional Advisory Council, then, for
43 Anaktuvuk Pass. We had community support during that time when
44 approaching that request for a boundary change. The community
45 had representatives from the tribal organization and the city
46 government to make that request. And the mayor at the time had
47 -- Paul Eagle had approached our Committee and discussed their
48 request that they had placed on the boundary change that
49 Anaktuvuk being right in the middle of the boundary and not
50 being represented on both sides of the boundary. And that was

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1 the main discussion to get representation from side for the
2 Regional Advisory Council.

3

4 CHAIRMAN REXFORD: Okay. Does that answer your
5 question, Mr. Koonuk? We need to work with the residents or
6 the organizations at Point Hope and then request for
7 reconsideration or make a new proposal with support from the
8 folks from Point Hope.

9

10 MR. KOONUK: Okay. One other question is would this
11 have any effect as far service being provided? Because, like,
12 we have services from Kotzebue. Would that be any -- would it
13 have any effect as far as we changed the boundary line with the
14 borough or would Kotzebue have a hard time coming in as far as,
15 you know, Point Hope having problems, you know, maybe sick
16 animals or stuff like that, you know. Would there be any
17 problem?

18

19 CHAIRMAN REXFORD: Mr. Brower.

20

21 MR. C. BROWER: Mr. Chairman, thank you. We've been
22 through this issue -- for your information, Charlie Brower,
23 Director of Wildlife. The issue that Raymond is bringing up is
24 a concern that has been brought to us in a long period of time,
25 but to answer your question, Raymond, I don't think there would
26 be any difficulty for people from Point Hope to cross the
27 boundary to hunt and Kotzebue and NANA region to come up to
28 hunt on the borderline. But there is some restrictions on the
29 (indiscernible) of the boundary issues with, you know, Unit 23
30 and 26.

31

32 There's different standards, I guess, there, but when
33 the Regional Advisories or the Federal Advisory Councils were
34 formed the boundaries were put there without any input from our
35 local people, to my understanding. And we looked at that and
36 we have not got any response or -- Harry gave a good answer,
37 the community themselves have to act on that to change that
38 boundary to the IRA. And hopefully in the future that, you
39 know, we will combine Point Hope with 26(A) or 26(B), 26(C) all
40 within the whole North Slope.

41

42 But it's going to take some time, but we want to have
43 things move right along. We need to have some response from
44 the community to change that boundary back to where it was.

45

46 MR. KOONUK: Thanks, Chuck.

47

48 CHAIRMAN REXFORD: Okay, does that suffice?

49

50 MR. KOONUK: Yeah.

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1 MR. AHMAKAK: Mr. Chairman, take in the case of
2 Nuiqsut, there ain't a boundary change, still in Kaktovik and
3 Nuiqsut. In the case of musk-ox, how do you change that? You
4 got to go through a regulatory procedures with the Federal
5 government and the State government.

6
7 CHAIRMAN REXFORD: Okay, we'll have to have community
8 meeting and support, like Harry was stating, at Anaktuvuk Pass.
9 We had a similar situation when this program first started out,
10 I think they were in Game Management 22.

11
12 MR. H. BROWER: I think it was 6 and 26.

13
14
15 CHAIRMAN REXFORD: 26. Anyway they're in the Interior,
16 they were pretty close to th boundary, so we need to
17 accommodate the representation in their -- the boundary was
18 that they were in the Interior, so we had to make a request for
19 boundary change on that matter, so the community supported
20 discussion, they initiated a proposal from the village of
21 Anaktuvuk Pass and then that's how proceeded for a boundary
22 change.

23
24 MR. PEETOOK: Mr. Chairman.

25
26 CHAIRMAN REXFORD: Mr. Peetook.

27
28 MR. PEETOOK: Yeah, does each village have a boundary
29 now for hunting?

30
31 VARIOUS VOICES: No.

32
33 CHAIRMAN REXFORD: They're game units. The State game
34 units are 26(A) to the west bank of Coville River. The east
35 bank of Coville River is 26(B) to Canning River. And then
36 26(C). These are game unites that they adopted from the State.

37
38 MR. E. HOPSON: Mr. Chairman.

39
40 CHAIRMAN REXFORD: Mr. Hopson.

41
42 MR. E. HOPSON: What's it take to change the boundaries
43 on these areas? Is that.....

44
45 CHAIRMAN REXFORD: Community discussion.

46
47 MR. E. HOPSON: That have to go to local boundary
48 commission?

49
50 CHAIRMAN REXFORD: No, no, this is just hunting game

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1 units, it's not a local boundary, it's a regulation, a unit
2 boundary, it's not anything to do with community or regional
3 affairs.

4
5 MR. E. HOPSON: I mean what -- who all have to get
6 involved in changing a boundary like that?

7
8 CHAIRMAN REXFORD: The State Board of Game need to be
9 involved because they're the ones that make the unit
10 boundaries. The Federal Subsistence Board needs to be involved
11 in that.

12
13 MR. E. HOPSON: Now in the Point Hope case they're in
14 the NANA area.....

15
16 CHAIRMAN REXFORD: Unit 23.

17
18 MR. E. HOPSON: They're in that area?

19
20 CHAIRMAN REXFORD: Yeah, Unit 23.

21
22 MR. E. HOPSON: Have you got an agreement, some sort of
23 an agreement so Point Hope works with the North Slope Borough?
24 Has that been legalized or whatever? I don't know, I really
25 don't understand it, that's why I'm asking questions.

26
27 CHAIRMAN REXFORD: Yeah. No, there's no agreement,
28 it's -- when the Federal Subsistence Regional Program started
29 they used the North Slope Borough's boundary. The North Slope
30 Borough Region 10 as the North Slope Borough boundary and Point
31 Hope was included, but their hunting game unit is in Unit 23
32 where the rest of us are in Unit 26. Unit 23.....

33
34 MR. E. HOPSON: I know that. I'm asking about what all
35 you have to go through to change that boundary? Is that simple
36 or is that a lengthy debate on that?

37
38 CHAIRMAN REXFORD: No, I don't think it's lengthy, no.
39 Community support, community resolution, city resolution,
40 Native Village of Point Hope City Council, possibly the village
41 corporation and residents need to present it to the Board of
42 Game, submit a proposal and then we can support it from here or
43 both Committees here, or they can go direction to the Board of
44 Game to request for a boundary change. But it needs to be
45 talked about in the community.

46
47 Are you done, Mr. Koonuk, on you concerns?

48
49 MR. KOONUK: One more item. At the last meeting I
50 requested for any information on the caribou die offs and I

00016

1 haven't received anything yet. Is there any kind of results?

2

3 CHAIRMAN REXFORD: Yeah, there is a response, we could
4 possibly get that in for you tomorrow. Mr. Jim Dau from that
5 unit has a letter dated January 9. We were going to put it in
6 our packet here, but that was left out. It's under 10B(6)
7 regarding the sick caribou around that area. So tomorrow, I
8 think, we'll be able to get that.....

9

10 MS. B. ARMSTRONG: I'll get a copy.

11

12 CHAIRMAN REXFORD: Get a copy of that letter.

13

14 MR. KOONUK: Thank you.

15

16 CHAIRMAN REXFORD: Okay, sure. Mr. Upicksoun, I'm
17 sorry, I.....

18

19 MR. UPICKSOUN: Mr. Chairman, regarding the issue that
20 Mr. Koonuk brought up regarding the boundary between Game Unit
21 23 and 26. We're hearing different concerns regarding that
22 from the Native Village of Point Hope and from our Regional
23 Advisory Council and from the Game Management Unit. Some
24 people in Point Hope prefer being within Game Unit 23 because
25 they communicate better with Jim Dau. And we hear other people
26 wanting to be within Game Unit 26 so they'll be within the
27 North Slope.

28

29 So if Point Hope was to get together on this issue then
30 we can support whatever they decide, whatever the Village of
31 Point Hope decides on unified way, then we can support them and
32 strengthen that boundary issue.

33

34 CHAIRMAN REXFORD: Thank you, Mr. Upicksoun.

35

36 MR. AHMAKAK: Mr. Chairman, my question would be at the
37 moment, how can you begin to delineate 26(A) and 26(B). As you
38 know Nuiqsut is right in the middle of it. We can go hunt on
39 either side.

40

41 MR. E. HOPSON: You should have mentioned that.

42

43 MR. C. BROWER: Mr. Chairman.

44

45 CHAIRMAN REXFORD: Mr. Brower.

46

47 MR. C. BROWER: I don't think there's any problem for
48 any of the North Slope residents to hunt within 26(A), (B) and
49 (C). This is our region. It's just a unit that was brought
50 out by probably Board of Game or whoever, but I don't think

00017

1 there's any restrictions on where we can hunt. We can go
2 anywhere we want to. I mean, that's common sense.

3
4 Thank you.

5
6 CHAIRMAN REXFORD: Thank you. Anything else,
7 Mr. Koonuk?

8
9 MR. KOONUK: No.

10
11 CHAIRMAN REXFORD: Okay, thank you. Terry.

12
13 MR. TAGAROOK: I'm Terry Tagarook from Wainwright and
14 listening to people talking, I think most of the concerns that
15 I had are already brought up. If I think of anything else I'll
16 come back.

17
18 CHAIRMAN REXFORD: Okay. Mr. Upicksoun.

19
20 MR. UPICKSOUN: I'm Gordon Upicksoun from Point Lay.
21 Point Lay have not given me any concerns. Hunting has been
22 good this year. We've gotten some wolves, wolverines, polar
23 bears, fishing was good. But there's no village concerns
24 brought out by my village for this meeting.

25
26 That's all I have from Point Lay, Mr. Chairman.

27
28 CHAIRMAN REXFORD: Thank you, Mr. Upicksoun.
29 Mr. Brower.

30
31 MR. H. BROWER: Thank you, Mr. Chairman. I don't think
32 I have any concerns from Barrow. It's been pretty good hunting
33 opportunity throughout the fall and winter season and I don't
34 think we've had too many complaints besides local hunters here
35 observing other people hunting and that stuff, but it's
36 something that's going to be dealt in-house. I don't have any
37 other complaints or comments, Mr. Chairman.

38
39 CHAIRMAN REXFORD: Okay. In Kaktovik area -- my name
40 is Fenton Rexford, just a brief report that they were catching
41 caribou. This is the winter that finally they're catching a
42 few caribou on the foothills, possibly the Central Arctic Herd
43 sticking around. At times there's been a few wolverine caught
44 as well in the mountains. Lots of polar bears this fall and
45 winter. And nothing much else other than that, but there's
46 been quite a few polar bears sighted, but they're all out now.
47 No other concerns from Kaktovik.

48
49 MR. TAGAROOK: Mr. Chairman, I just remembered one
50 thing. After reading the material that we got from Barb about

00018

1 the global warming. If that should -- I know it will affect
2 the migration and whatever. And the regulations that we have
3 we might have -- we will have to change the dates and, you
4 know, the migration -- the dates on the regulations to conform
5 with the migration of our animals. I think global warming
6 happening and blame it on El Nino.

7
8 MR. AHMAKAK: Mr. Chairman, in order to clarify
9 (indiscernible) Mr. Tagarook's comment. I remember stating a
10 comment like that years ago as a committee member for North
11 Slope Borough Committee member when Loren Tingit (ph) was
12 alive. The climate change, it can affect our animals, our fish
13 and wildlife. I want to say in that very clearly. I know
14 Edward Hopson can remember when I stated that because he was
15 one of the original members of that North Slope Borough Game
16 Management Committee.

17
18 CHAIRMAN REXFORD: Okay, thank you, Mr. Ahmakak.
19 Mr. Miller.

20
21 MR. MILLER: John Miller, I'm a member at large North
22 Slope Borough Fish and Game Management Committee. I live here
23 in Barrow. I've nothing new to add to Harry's report about
24 Barrow, Mr. Brower's report. The hunting has been good.
25 There's been some comments made by local hunters about other
26 local hunters but overall the hunting's been pretty reasonable.

27
28 Thank you.

29
30 CHAIRMAN REXFORD: Thank you, John. Mr. Attugana.

31
32 MR. ATTUGANA: (Inupiaq)

33
34 MR. PEETOOK: (Inupiaq)

35
36 MR. ATTUGANA: (Inupiaq)

37
38 CHAIRMAN REXFORD: I'll just briefly translate what
39 Mr. Attugana mentioned in Inupiaq. At Point Hope there's been
40 a few folks that (Inupiaq) maybe four or five. There's been
41 some wolverine taken as well, not that many. Maybe because the
42 weather plays a factor on that. There's not too good of
43 weather or the snow is hard and there's also people that are
44 employed, that may be a factor in catching game at Point Hope.
45 There's been caribou this winter, he named a couple of places,
46 I didn't catch them, but the caribou has been numerous around
47 south of Point Hope this winter. They're hanging around there.

48
49 But what was to their amazement or wonderment this
50 winter the seal hunters sighted whales in the latter part of

00019

1 January, it was starting in January and they start seeing --
2 since then they sighted whales, bowhead whales. Now it's
3 getting into -- February is gone and they've been still seeing
4 whales but at one time there was a small open water and they
5 approached a whale which wasn't scared or didn't go away, so
6 they got close to it and observed the skin or the muktuk of
7 that whale, they got up close to it and looked at the condition
8 of the whale there, because they can tell the difference from a
9 spring whale that's coming up from the south. And this whale
10 that they saw was marked or it has rash or scratched --
11 lacerations on this particular whale that they observed. that
12 didn't get away or get scared. It maybe because of ice that
13 it's been traversing around this winter.

14
15 But there's no open water now so they decided to call
16 St. Lawrence Island, the whalers down there to see or talk to
17 them to see if they've seen whales coming up towards the north.
18 And they, according to Elijah, the folks from St. Lawrence
19 Island haven't see or sighted any whales yet.

20
21 And again, they've noticed a weather pattern or some
22 change this winter. There's been some crews that after seeing
23 the whales they maybe getting ready or they did get ready but
24 maybe due to weather and stuff they kind of hanging on to hunt
25 later this spring. He thinks that the whales that they've
26 sighted may be those that are hanging around near the point,
27 hanging around this winter eating, I don't know what do we call
28 those cod?

29
30 MR. H. BROWER: Tom cods.

31
32 CHAIRMAN REXFORD: Tom cods. Because there's a lot of
33 Tom cods around the point there, so he's figuring that the
34 whales that are hanging -- or staying around there may be
35 eating fish this winter around the point.

36
37 Rossman asked what type of whale was sighted. There
38 are various sizes that they've seen over there because again
39 Elijah stated that during spring migration the small ones come
40 in first; is that my understanding, the smaller one come in
41 first?

42
43 MR. ATTUGANA: (Nods in the affirmative)

44
45 CHAIRMAN REXFORD: But the ones sighted were mixed or
46 various sizes that were seen around Point Hope.

47
48 If I missed anything else, maybe somebody. Anything
49 else, Elijah?

50

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1 MR. ATTUGANA: No.

2

3 CHAIRMAN REXFORD: Okay, thank you. Mr. Ahmakak.

4

5 MR. AHMAKAK: With respect to our elders, Nuiqsut is
6 the hot place in the North Slope with all the activity going on
7 there. Subsistence hunters have been able to go and get their
8 usual wolverine, but they haven't get their amogoik (ph).
9 Caribou is coming around finally, with all the activity going
10 on with our village.

11

12 I won't comment right away as to what's going to happen
13 in the future but with what's going on over there with all the
14 traffic that's going on between the lakes and the river, the
15 Coville River, I think subsistence way of life is going to
16 diminish.

17

18 (Inupiaq)

19

20 CHAIRMAN REXFORD: Okay, thank you, Mark. Mr. Hopson.

21

22 MR. E. HOPSON: Actually I don't have anything to add
23 what Harry Brower and John Miller had reported, except that I
24 guess everybody noted that caribou had been right in town here
25 in Barrow all winter. Sometime they come right down in the
26 lagoon, between the end of Browerville, you know, just down --
27 they slide down from Senior's building, right in the lagoons,
28 they been taken caribou. You don't have to travel 50 miles to
29 get them all winter, you know, like that here. It's kind of
30 unusual. And, I don't know, we kind of appreciate the
31 information I got from Elijah on that whale. Unusual.

32

33 (Inupiaq) They reported that there had been whales
34 sighted in St. Lawrence Island, except that the wind had been
35 pretty windy. About just before Point Hope before sighting
36 those whales. So it's unusual for all of us. Just last week,
37 I guess, Rossman was one of the few people that went looking
38 for one and the ice was all closed in. Whales sighted from the
39 aircraft. Last week, Rossman (Inupiaq).

40

41 MR. PEETOOK: Yeah.

42

43 MR. E. HOPSON: My son was one of them out of
44 Wainwright. And normally here for whales, if you have open
45 water everybody expecting to see the first whale here arriving
46 on about 6, 7, 8 and 9th of April.

47

48 So I don't have anything to add to what Harry and John
49 reported.

50

00021

1 CHAIRMAN REXFORD: Okay, thank you, Mr. Hopson.
2 Mr. Kignak, any concerns to report?

3
4 MR. KIGNAK: (Inupiaq)

5
6 CHAIRMAN REXFORD: Okay, Mr. Kignak stated that he
7 hadn't heard any concerns or comments from the local residents
8 and hunters from Atqasuk, but he stated that there are a lot of
9 caribou around there, he can see them or look out his window,
10 like Elijah look out his window sighting whales, he can look
11 out his window and sight caribou right in town. But the
12 hunters prefer -- or once they get the caribou of town that's
13 where they catch caribou, but not right in town they don't try
14 and hunt them.

15
16 But that was his statement from Atqasuk. Thank you,
17 Mr. Kignak.

18
19 Mr. Rulland from Anaktuvuk, any concerns to report?

20
21 MR. RULLAND: Tom Rulland from Anaktuvuk Pass and we
22 had caribou about 35 miles south of Anaktuvuk, right over
23 Siavlat area, but we had to go around, a long way around, down
24 south about 35 miles down south and then turn over west -- east
25 another 10 miles probably and if there's deep snow around down
26 there in that area there's lots of caribou there. And we've
27 been hunting out there whole year almost, but it's a little bit
28 far for carrying a lot of meat from there with a snowmachine.

29
30 Two years now, I think, those caribou have been there
31 now in that area. They don't go nowhere except crossing the
32 Siavlat Valley back and forth. When they come this way they go
33 down and cross it and go north and come cross it again and just
34 go like that. We've been hunting there whole year round. We
35 didn't have much problem with the meat at this time because
36 everybody mostly hunted there. Most of them don't work and
37 sometimes work, but we had (indiscernible) not in a hole, not
38 (indiscernible) either, we tried to trap with lair, but there
39 very few wolves around there and not enough wolverine either.
40 I get one and one, that's about it.

41
42 And we don't have -- going fishing, we have a channel
43 that we usually -- buy we never go fishing yet. What I like to
44 do is put some chars in our Eleanor Lake from somewhere, then
45 we don't have to go far for chars, going fishing. That's all I
46 got, thank you.

47
48 CHAIRMAN REXFORD: Okay, thank you, Thomas. Move on to
49 Mr. Peetook.

50

00022

1 MR. AHMAKAK: Mr. Chairman, I got a question for Thomas
2 Rulland. (Inupiaq)

3
4 MR. RULLAND: At this time we don't really hunt sheep
5 because they poor. Falltime we usually get them. In winter
6 there's not much of a meat there. They're really poor at
7 winter, so falltime is the best time to get them. That's the
8 only time we hunt sheep, August month.

9
10 MR. AHMAKAK: (Inupiaq)

11
12 CHAIRMAN REXFORD: Mr. Rulland answered that very well.
13 Mr. Peetook, and then we'll take a break after Mr. Peetook.

14
15 MR. PEETOOK: (Inupiaq)

16
17 CHAIRMAN REXFORD: Okay, Mr. Peetook stated that there
18 are lots of caribou around town, that they get right into a
19 cemetery area which has a fence enclosure so they go in there
20 and rest in peace. But they're located -- they chased them
21 away from the airport because they were resting around there so
22 residents have to chase them from around the airport.

23
24 In his mind he thinks that maybe in the future maybe
25 they'll be hard to get because they're strange that they're
26 hanging around near town and maybe in the future they'll be
27 harder to get. That's what he was just stating.

28
29 Two or three weeks ago they went over to Point Lay for
30 funeral and I think through a plane they sighted a whale in an
31 open lead or an open area, they call a lake, but it's a small
32 open water. There were a couple of relatives that went out and
33 he didn't want to go alone, so he went after them and followed
34 them along and when they go to that area where they seen the
35 whale at, that lead was already closed.

36
37 Being desperate, since they like to get whale when they
38 sight whales over there, though the other two kept looking for
39 the whale, trying to find it, although Rossman was, I don't how
40 to say it, scared or disturbed or bothered to start seeing seal
41 holes here and there where he was traveling, the ice was fairly
42 thin in places, but those other two kept going further south
43 and he was just kind of hanging back. See, he's old and the
44 other two are younger than him and he values his life and going
45 on there on the ice, but he was -- he knows that the other two
46 were brave, but he kept going further north and he set some
47 distances, but they were beyond the horizon from a point there
48 at Wainwright.

49
50 So again, he wanted to state that any whales that are

00023

1 sighted the folks at Wainwright really want to try and get them
2 when the opportunity is there.

3
4 As far as polar bear or nanook, he would like to maybe
5 bring it up as a subject at a later date on whether to talk
6 more about maybe selling the skins in the future. I would like
7 to see that they start selling polar bear skins for -- as an
8 alternative resource, because there may be some other folks
9 that are not working and would like to see an alternative
10 resource for income to that effect, so he'd like to bring it up
11 as a subject later maybe in the future, he just got on, trying
12 to catch up with the matters that we're deliberating with and
13 he's happy to see Edward Hopson, Sr. and Mark Ahmakak as one of
14 the original members that he was with and he's happy that he's
15 able to catch both of them while they're still working with the
16 Fish and Game Committee.

17
18 So did you want to answer anything on the polar bear
19 skin, Charlie or the matter for Rossman's sake?

20
21 MR. C. BROWER: (Inupiaq)

22
23 CHAIRMAN REXFORD: Now say it for Joe.

24
25 MR. C. BROWER: I just answered some of -- Rossman's
26 concern was on the sale of polar bear hides. It has been
27 brought to our attention in the past, but it's pretty hard to
28 put it out for sale for sports hunt or sale to non-Natives, but
29 it's -- you can sell polar bear hides to Natives as a whole or
30 as handicraft. And the Canadians, under their land claims,
31 have that right to sell through their government and the
32 Greenlandics have in their own home rule charter, maintain
33 their own. So us here in the United States we have difficulty
34 and we're either controlled by the State Department or the
35 legislative issues that we cannot sell polar bear hides after
36 1972.

37
38 MR. KOONUK: Question for Charlie, how about if you're
39 married to a non-local, could you sell that polar bear to a
40 non-local? If you're married to a local girl, you know, a
41 local.

42
43 MR. C. BROWER: Uh-huh.

44
45 MR. KOONUK: And could you sell that polar bear to
46 them?

47
48 MR. C. BROWER: That's a difficult question. Just
49 because she's married to a White man doesn't mean you can sell
50 it to him. You probably can sell it to the Native lady, but in

00024

1 return, as a family, they can haul that.....

2

3 MR. KOONUK: Yeah.

4

5 CHAIRMAN REXFORD: Mr. Upicksoun.

6

7 MR. UPICKSOUN: Mr. Chairman, I appreciate our
8 representative from Wainwright's concern regarding the ability
9 to sell polar bear hides. And I think we can all agree that
10 the sport hunting brought this about. I remember on trips I
11 used to make to Kotzebue back in 1964. When I came into
12 Kotzebue about this part of the year it used to be like
13 Iditarod was in town, there was so many polar bear hunters. I
14 think that's what brought it about and when they try to crush
15 that, they took our right to sell polar bears away and I
16 appreciate this concern. Maybe somewhere down the line we can
17 restore that ability to sell polar bear hides again.

18

19 I remember very clearly the number of planes that used
20 to be at Kotzebue about this time of the year. All sports
21 hunters. That's what brought it about and maybe somewhere down
22 the line, like I said, we'll be able to sell polar bears again.

23

24 Thanks for bringing that up, Rossman.

25

26 CHAIRMAN REXFORD: Thank you, Mr. Upicksoun.

27

28 MR. E. HOPSON: Mr. Chairman.

29

30 CHAIRMAN REXFORD: Mr. Hopson.

31

32 MR. E. HOPSON: Now that he mentioned it, at the same
33 time here in Barrow you can see about 50 little Piper Cubs,
34 just about where the airport is right now, sports hunters.
35 They come in and they flying overhead, they see polar bear,
36 they shoot it down, they land on it, oh, that's too small,
37 let's go find another one. That's the way the sport hunter
38 operate. And I suspect that when the Federal, whoever is going
39 to take over the management of game, I suppose their first
40 priority would be to give it to the sports hunters. So we got
41 to watch that. Now that he mentioned, I remember real well
42 about 20 or 30 aircrafts, sports hunters come in. And I tell
43 -- I'm going to repeat. They shoot a polar bear from the air,
44 they land, it's too small, they just leave it lay there, go
45 find another one. No one, you know, how many that one sport
46 hunter kill that day looking for a big one.

47

48 Thank you.

49

50 CHAIRMAN REXFORD: Okay, thank you, Mr. Hopson. At

00025

1 this time we've gone around the table here, so the Chair will
2 entertain a motion for a 10 minute break.

3
4 MR. PEETOOK: I so move.

5
6 CHAIRMAN REXFORD: Mr. Peetook moved for a break, 10
7 minutes.

8
9 UNIDENTIFIED: Second it.

10
11 CHAIRMAN REXFORD: Seconded it. All in favor, stand
12 up.

13
14 (Off record)

15
16 (On record)

17
18 CHAIRMAN REXFORD: Call the meeting back to order after
19 a brief recess. I want to thank the members around the table
20 here for bringing out their concerns and reports from their
21 villages. It's important to hear what is happening out there.

22
23 Okay, we're going to get hooked up to a teleconference
24 since there was concern from a couple of the villages that
25 wanted to hear our discussion on the fisheries, which is our
26 next part of the agenda and we'll be going into agency reports
27 after the fisheries Proposed Rule subject.

28
29 MS. HEPA: Hi, we're on line.

30
31 CHAIRMAN REXFORD: Good morning, Marita.

32
33 MARITA: Good morning.

34
35 CHAIRMAN REXFORD: This is Fenton.

36
37 MARITA: Good morning, Fenton.

38
39 CHAIRMAN REXFORD: Okay, we'll get a list of who is all
40 attending there, Marita, for your record. We do have both the
41 Subsistence Regional Advisory Council and also the North Slope
42 Borough Fish and Game Management Committee meeting this
43 morning. Are there any village on line?

44
45 MARITA: No one has dialed in so far.

46
47 CHAIRMAN REXFORD: Okay, we'll stand-by and.....

48
49 MARITA: Okay. Well, I'll let you guys know when
50 someone comes up.

00026

1 CHAIRMAN REXFORD: Yes, please do, just break in there
2 any time while we're meeting.

3
4 MARITA: All right. Okay.

5
6 CHAIRMAN REXFORD: Thank you.

7
8 MARITA: You're welcome.

9
10 CHAIRMAN REXFORD: Okay, at this time we'll move on to
11 Item Number 7 and the proposed.....

12
13 MR. PATKATOK: Mr. Chairman, comment from the floor.

14
15 CHAIRMAN REXFORD: Mr. Patkatok, okay.

16
17 MR. PATKATOK: My name is Mike Patkatok for the record.

18
19 CHAIRMAN REXFORD: You need to get near a mike. Mike,
20 you need to come near a mike.

21
22 MR. PATKATOK: Mike Patkatok, concerned citizen from --
23 I'm a Kuukpik shareholder and living here in Barrow. During
24 this Saturday's meeting, which was a hearing on HB-406,
25 conspicuously absent without due respect to North Slope Borough
26 Management Committee and to the Region 10 Federal Subsistence
27 Board, both, any members from either were conspicuously absent.
28 The only people present were Point Hope and Nuiqsut, and the
29 Native Village of Barrow, Wildlife Director, Morgan Solomon and
30 myself.

31
32 As a concerned subsistence user I'd like to know what
33 position the Borough is taking on this position, whether in
34 support or in opposition to HB-406 and also at this particular
35 time with Mr. John Trent here, historically and for the record,
36 we've note since statehood that we've never been afforded
37 protection under Article VIII, Sections III and IV. Any form
38 of support from the State has always been in the form of either
39 their commercial hunters or their big game guides or their
40 sport hunters, always in opposition to subsistence hunters.
41 And that's just as a concerned citizen.

42
43 CHAIRMAN REXFORD: Okay, thank you, Mr. Patkatok.
44 Mr. Upicksoun.

45
46 MR. UPICKSOUN: I have a question, Mr. Chairman, for
47 Mike. Mike, House Bill-406, is that before the Natural
48 Resources Committee?

49
50 MR. PATKATOK: Yes. Yes, I'm sorry, I forgot to

00027

1 mention that. That's that bill the Mr. Scott Ogan and the
2 House (indiscernible) Committee is considering for the state.

3
4 MR. UPICKSOUN: Okay, thank you.

5
6 CHAIRMAN REXFORD: Thank you, Mr. Patkatok.

7
8 MR. AHMAKAK: Mr. Chairman.

9
10 CHAIRMAN REXFORD: Mr. Ahmakak.

11
12 MR. AHMAKAK: With due representation and the question
13 of Mr. Mike Patkatok, I think he's very correct, we need
14 representation from the Inupiat community of the Arctic Slope
15 as was discussed yesterday in the public hearing. As of now I
16 do not see any representative that has stated so arriving or
17 stating that the person is from ICAS, even though a
18 consideration in and the invitation was put out over the air.

19
20 CHAIRMAN REXFORD: Thank you, Mr. Ahmakak. Thank you,
21 Mr. Patkatok. We have item under new business that we may be
22 able to deliberate on the matter of House Bill-406 for this
23 body to consider. Thank you for bringing that up.

24
25 Any other comments from the floor?

26
27 (No audible responses)

28
29 CHAIRMAN REXFORD: If not, we have Ms. Rosa Meehan who
30 will give us the overview as well as a brief summary on the
31 public comments that were held yesterday. There will also be
32 an opportunity for public comment and we'll deliberate as a
33 Regional Council and Fish and Game Committee on the Proposed
34 Rule on the Federal subsistence fisheries management.

35
36 Rosa, the floor is yours.

37
38 MS. MEEHAN: Thank you, Mr. Chairman. As you may
39 recall for the Federal Council, during the winter meeting, the
40 fall meeting last year, we talked about the proposed
41 regulations for the expansion of the Federal program into
42 subsistence fisheries management. And many of you were also at
43 the public hearing last night where we talked more about the
44 Proposed Rule.

45
46 CHAIRMAN REXFORD: Just let me interrupt real quickly.
47 It under Tab P, the matter that she'll be discussing in our
48 booklet, under Tab P.

49
50 MS. MEEHAN: Oh, I'm sorry.

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1 MR. AHMAKAK: Mr. Chairman, the matter you're talking
2 about it's been published, it's been put on record and is it
3 publicized in each community or is this the first time that you
4 bring it up in this body?

5
6 MS. MEEHAN: Just briefly, for the record, we've had --
7 this is a matter that's been in front of the public for nearly
8 two years now and it started with what we call an Advanced
9 Notice of Proposed Rulemaking. And along with that Advanced
10 Notice there were public notices put out in local newspapers,
11 we had public service announcements on the radio and there were
12 also public hearing held around the state. And the public
13 hearings were a year and a half ago, there was one in Barrow.
14 I don't know where else on the North Slope there were public
15 hearings, but there were notices in local papers.

16
17 Similarly, this passed month there have been public
18 notices, again in local papers, public service announcements
19 and we've had a round of public hearings held around the state.
20 We've had a planned 30 meetings around the state, one of those
21 was in Barrow last night. And we attempted to make that public
22 hearing available to the village on the North Slope through the
23 use of a teleconference, in the same fashion that we're trying
24 to do right now. So we've made a tremendous effort to try and
25 share the process and seek public input as we've gone through
26 the process.

27
28 CHAIRMAN REXFORD: Okay, proceed, Ms. Meehan.

29
30 MS. MEEHAN: So what I would like to cover with you, it
31 is summarized on this page in your book, I would like to share
32 with you, essentially where process is, and again to seek input
33 on the regulation. Basically these regulations, which are not
34 in your book, but there's copies back behind me if anybody
35 needs a copy of the Proposed Rule. These regulations are
36 currently under public review, there's public notice out on
37 them until April 20th and we're seeking oral comments from
38 forums like this and also written comments up until April 20th.

39
40 These regulations have been prepared in response to
41 what commonly called the Katie John case in which the Ninth
42 Circuit Court found that the Federal government is responsible
43 for management of natural resources in navigable waters in
44 which the Federal government has an interest.

45
46 And so we've defined those waters, we've got state maps
47 that are back on the table behind me that show the drainage
48 where there the program -- where we proposed the program to
49 apply. We also have it marked on the map for this North Slope
50 Region, which is on the wall behind me.

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1 The proposed regulations, we have the public process
2 set upon this so that in the event that, first of all, the
3 State does not act to adopt a constitutional amendment to
4 support a rural preference and if the congressional delegation
5 does not put a moratorium on implementing a fisheries program
6 that come December 1st the Federal program will be prepared to
7 initiate a program to expand into fisheries management.

8
9 MR. AHMAKAK: Mr. Chairman.

10
11 CHAIRMAN REXFORD: Yes.

12
13 MR. AHMAKAK: Was this mandated to your department?

14
15 MS. MEEHAN: Yes, it.....

16
17 MR. AHMAKAK: Is the piece of paper that you have to
18 follow through that you cannot change?

19
20 MS. MEEHAN: We were directed by the court to implement
21 the expanded fisheries management. It's been a fairly complex
22 issue because while we were directed by the court to go ahead
23 an implement the expanded management, and that happened three
24 years ago, at that time our congressional delegation, the
25 Federal congressional delegation, put what we call a moratorium
26 in the budget. Basically what they said was we will not give
27 you any money to do this.

28
29 So we had two different entities, if you will, two
30 different bodies saying -- one saying you will do this and then
31 on the other hand we have the Congress saying you will not do
32 this. So what we've been able to kind of work between those
33 two directives is we've done all the -- we're in the middle of
34 getting all the paperwork done to implement a program. And
35 we're working between all the politics.

36
37 MR. AHMAKAK: Mr. Chairman. In other words you
38 department would be able to live or co-manage with the Inupiat
39 society according to your presentation and Inupiat people are
40 going follow through?

41
42 MS. MEEHAN: The approach that we're taking is to look
43 at this as an expansion of the current program. And so we
44 would be working with the Federal Council in very much the same
45 fashion as we work with the terrestrial program, so that we
46 look at this very much as a cooperative venture, very much rely
47 on the Regional Council to provide us the avenue into local
48 input into the process.

49
50 MR. AHMAKAK: Mr. Chairman. The other question that

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1 lingers in my mind on yesterday's public hearing that your
2 department would only be willing to listen and take suggestions
3 from the Federal Advisory Board and no other entities. That's
4 the only avenue you stated that you would be willing to work
5 with.

6
7 MS. MEEHAN: We look to the Council as our primary
8 group that we work with, however, the process is set up just
9 really basically to -- we would have a set of regulations on
10 paper and every year we have an annual process to review the
11 regulations and accept proposals to change those regulations
12 from anybody in the public. And so that's a very specific
13 opportunity where anybody whose got a question about the
14 regulations or they've identified a problem that needs to be
15 address has the opportunity to make that type of a proposal.
16 And those proposals then go into a process where we prepare
17 proposal analysis, we bring it back to the Regional
18 Council.....

19
20 MR. AHMAKAK: I know what avenue are, my main question
21 you never answered.

22
23 CHAIRMAN REXFORD: Mr. Ahmakak, I would like for
24 Ms. Meehan to make the presentation and then if we have any
25 concern or question we can bring them up at that time to sort
26 of go through this agenda item, so I would, with respect to
27 your concerns and comments and questions, I would like to have
28 Ms. Meehan finish the presentation or the summary and then
29 maybe we can come up with questions and answers and concerns.
30 Thank you.

31
32 Ms. Meehan.

33
34 MS. MEEHAN: So getting back to where we are in the
35 process, we are in the public comment period and we're looking
36 for specific public comments. The way we have structured the
37 fisheries expansion is in the regulations that we have for the
38 exiting terrestrial program we've basically added some pieces
39 to the exiting regulations to address fisheries.

40
41 And what I'd like to do is just call your attention to
42 where those changes are in the regulations. And these are on
43 that paper in front of you, they're listed as key provisions.
44 And the way to match those is in the text of this, this gives
45 you the page number, but also where there's new text within the
46 regulations, for instance, on that first point which identify
47 waters affected by new regulations, that's page 66222 and if
48 you look on that page in the regulations there's a line along
49 the side of the text that says new or modified text. And this
50 is just to help you in looking at the regulations. The rest of

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1 what's here are the existing regulations for our current
2 program. And so that's just a way to help you work through all
3 of the words involved in this.

4
5 Some key points in here that I want to really draw your
6 attention to is one of the issues is that selected but not yet
7 conveyed lands under this proposal would be included under the
8 definition of public lands. In other words, they would be
9 included within our program. And this is a side issue. It's a
10 response to a petition that was received and we rolled it into
11 this public rulemaking.

12
13 Another issue that has been of tremendous concern is
14 the ability of the Federal government or the authority of the
15 Federal government to essentially exercise their authority off
16 of Federal lands. This is called extraterritoriality. And the
17 point that I'd like to make here is that the Federal government
18 has always had this authority. It comes up very much in
19 fisheries and the example that gets used a lot is an issue
20 along the Yukon River/Seward Peninsula area that there's a very
21 tremendous concern that the Area M fishery, which is out in the
22 Aleutians by Unimak Island. There's a very grave concern that
23 that fishery, which is a State managed fishery, are blocking
24 the chum salmon return back to the Yukon River. And so the
25 question come forth, can a Federal program close down that
26 State fishery? And that would be exercising extraterritorial
27 jurisdiction.

28
29 Okay. That authority is in the Federal government, but
30 it stays with the Secretary, it would not be passed down to the
31 Federal Subsistence Board. So I wanted to be clear about that.
32 And that's a change from the Advanced Notice of Proposed
33 Rulemaking that we went through a couple of years ago.

34
35 Another important one, and this was one that came up as
36 questions last night at the public hearing, it had to do with
37 customary trade. And that's on page 66238 in the regulations,
38 which I have to find. There's a provision put within our
39 regulations to allow for current practices; the cutting of
40 salmon strips and then either selling them to someone who is
41 unable to get their strips or bartering them for other
42 resources. We're trying to recognize that type of practice, as
43 currently goes on. And I would draw your attention to the
44 language on that. Again, it's on page 66238 and it's
45 identified as new or modified text. This is different from the
46 State program, from the State regulations.

47
48 And then the final part is that the back part of the
49 regulations does contain seasons, harvest limits and the
50 methods and means for fisheries. It's very similar to what we

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1 do with the terrestrial program, we just have the fisheries
2 part added on. And these are basically the State regulations
3 that we've gone ahead and adopted into our Proposed Rule. It's
4 the same approach that we took when we started the terrestrial
5 program. You start with the State regulations, so there is a
6 minimum of confusion between the two programs.

7
8 It gives us a starting point and the idea is that if on
9 December 1st the State has not acted and if we don't have a
10 congressional block to doing things, then we will initiate the
11 program. We will put this rule out on the street for review
12 and that we would start our regular process of opening up a
13 period for people to comment and put proposal to change the
14 regulations. We would do analyses and then go through a
15 process to review those analyses and proposed changes.

16
17 That process would not start until -- that process of
18 receiving proposals and then reviewing them and then
19 potentially evaluating changes to the program would not start
20 until next year, about a year from now. So that puts us where
21 we're at with this.

22
23 And the final thing that I would like to note for you
24 is that, and this is on page 66239, and it's on the left-hand
25 column under H. And there's fishery management area
26 restrictions for Kotzebue northern area. And basically -- it's
27 up on the top part of that column. Basically what it says is
28 that for this northern area, all the drainages that drain into
29 the Arctic Ocean and into the Chukchi Sea there are no
30 subsistence regulations. That it's -- a fish may be taken for
31 subsistence purposes without a permit.

32
33 So that's the specific part that when you get right
34 down to what do the regulations say about practices on the
35 ground, it says, you can do it without a permit. So there's
36 minimal regulations involved.

37
38 And at this point, we lost our Chair, but I'd be glad
39 to take questions and again, I just -- before I do that, I just
40 want to reiterate that we're in the position of getting all of
41 our paperwork done and being ready to implement the program if
42 the State doesn't act and if we do not get another
43 congressional moratorium, so we're doing what we can, but we're
44 all waiting to see what happens on December 1st.

45
46 CHAIRMAN REXFORD: Thank you, Ms. Meehan.

47
48 MR. AHMAKAK: Mr. Chairman.

49
50 CHAIRMAN REXFORD: Mr. Ahmakak.

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1 MR. AHMAKAK: On the subject of customary use. There
2 was a gentleman, yesterday he brought out a question, what is
3 customary use? In other words, from the indication -- from
4 your response yesterday evening, you wanted to hear the type of
5 hunting we do on a different season, on different fish and
6 game, the animals we use, we go after and the meat we eat.
7 That's wanted to hear yesterday, the customary use.

8
9 But the other question is according to the State
10 regulations the Inupiat, in their mind, okay, we have to follow
11 this. We really don't have to, but honor it anyway. So we do
12 our own subsistence hunting, is that what you wanted to hear?

13
14 MS. MEEHAN: The question that I was addressing last
15 night was -- I was working with Warren Matumeak to make sure
16 that we were both saying the same thing about customary trade.
17 And in that provision the real question was customary trade,
18 and this is nothing to do with -- I'm not sure what you mean by
19 customary use. We're concerned about customary trade.
20 Providing existing practices of trade, barter and the concern
21 that we have and the concern that the State has always had, as
22 well, is to make sure that what's happening is customary trade
23 and does not become a commercial enterprise. And so what we've
24 identified -- the language that we have in our regulation, so
25 that we acknowledge existing practices.....

26
27 MR. AHMAKAK: I'm not questioning customary trade. I'm
28 on the subject of customary use of our mammals, of our land
29 mammals and our sea animals.

30
31 MS. MEEHAN: Our intent is not to interfere with
32 customary use.

33
34 CHAIRMAN REXFORD: Thank you. Mr. Koonuk.

35
36 MR. KOONUK: You state on your key provisions "identify
37 the waters affected by new regulations". Which waters are you
38 talking about?

39
40 MS. MEEHAN: On the North Slope, actually the waters on
41 the National Petroleum Reserve, which is in gold on that map
42 back there, and the waters on the Arctic National Wildlife
43 Refuge, which is pink. And then there's a little piece of
44 Gates of the Arctic that's in purple in the middle up there.
45 Those waters actually are currently included in our program.
46 And so the only extension for this region in this program would
47 be the addition of the Coville River. Because the Coville
48 River is -- it's just outside -- it provides the boundary for
49 the National Petroleum Reserve and with the regulations the way
50 we've written them, it's any rivers that are adjacent to

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1 Federal lands would be included in the program. So that's the
2 addition for this region.

3
4 MR. AHMAKAK: Mr. Chairman.

5
6 CHAIRMAN REXFORD: Yes, Mr. Ahmakak.

7
8 MR. AHMAKAK: You're talking about our Coville River
9 which is the main stream of the village of Nuiqsut.

10
11 MS. MEEHAN: Yes.

12
13 MR. AHMAKAK: We do our fishing, we do our fish netting
14 and jigging and we do our caribou hunting and moose hunting.
15 According to the pamphlet, you state that the only suggestion
16 that our village would not want to see is another designation.
17 Classified as a designation, as another preserve. That is
18 where we live, that is where we hunt.

19
20 MS. MEEHAN: Um-hum. All these regulations are the
21 take of harvest of fish for subsistence and the specific
22 regulation is it's basically wide open, if you will. These
23 regulations do not speak to designations done by other agencies
24 for that, we're neutral on it, it's not part of this program.
25 And so I hear your concern and I understand it, what I'm saying
26 is we just don't have anything to do with it. And we will not
27 do it through this program. Perhaps that's a better way to
28 address your concern.

29
30 MR. E. HOPSON: Mr. Chairman.

31
32 CHAIRMAN REXFORD: Yes, Mr. Hopson.

33
34 MR. E. HOPSON: I have -- maybe you've already answered
35 some that I have. I think I have maybe three questions. Did
36 you say that navigable water would be included if it's on the
37 Federal reserve in your regulations?

38
39 MS. MEEHAN: Yes.

40
41 MR. E. HOPSON: State agree to that? State of Alaska
42 agree to that?

43
44 MS. MEEHAN: Well, they had to, that was the court
45 directive. I mean, that was the issue that was before the
46 court and the court decided in the -- that Federal jurisdiction
47 does extend to that for the management of fish.

48
49 MR. E. HOPSON: All right, thank you. The other
50 concern or question I have is you know these regulations,

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1 whoever drafted or is going to get the regulations in place
2 should be aware of location. I think when you talk about the
3 North Slope there is no commercial, hardly any commercial, if
4 any.

5
6 MS. MEEHAN: Right.

7
8 MR. E. HOPSON: And then do not -- they will not -- and
9 when where there's commercial hunting, fishing, for the Yukon
10 River, Kuskokwim River, these regulations have to be absolutely
11 separate.

12
13 MS. MEEHAN: Yes, I agree, and they are written that
14 way. That if you look on the -- it's on that same page, 239,
15 there's a fishery management area. And these management areas
16 follow the State management areas, and so we have the Northern
17 area -- in the middle column it has the Yukon area and it's
18 absolutely separate and, frankly, the Yukon River -- management
19 along the Yukon River is going to be one of the more difficult
20 aspects.

21
22 MR. E. HOPSON: I didn't really catch the answer. It
23 was mentioned. How about any chance of -- North Slope Borough
24 is going to be around for a while, we all know that.

25
26 MS. MEEHAN: Um-hum.

27
28 MR. E. HOPSON: Any development on oil and gas are
29 locked up now, but they're going to be opened up. We all know
30 that. It's going to be around for a while. Set up with a Fish
31 and Game Board Management, they're here. And I believe that it
32 is possible for North Slope Borough -- you've seen the present
33 existing Boards to have a cooperative agreement with the State,
34 with Federal to manage their own game for subsistence. It is
35 possible to create a commission, just like the Eskimo Whaling
36 Commission. You have a cooperative agreement that can manage
37 and I think that's what we'd like to be looking forward to is
38 we manage our own subsistence way of life.

39
40 Those are the things that I was concerned about and
41 make sure that -- where there is commercial fishing and nothing
42 but subsistence, no commercial fishing, don't ever put those
43 two -- combine those two places together. Treat the
44 subsistence area for subsistence. The open and closed season,
45 if it's applied, should be broad for taking subsistence fishing
46 and fall fishing, say that happens about the 1st of September
47 to maybe 1st of October, during that month. It can vary from
48 maybe up to 30 days, earlier fishing or late fishing. So you
49 got to consider those for subsistence.

50

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1 We're not trying to beat somebody out of anything. If
2 we ask for time limit, if that's applied, we just like to see
3 that every subsistence -- our subsistence way of life is not
4 disturbed. I don't -- I believe in management. Somebody take
5 of, I appreciate that. I've always said that at the meetings,
6 because we need to know somebody taking a census, the
7 population count of every different specie, but I think fish is
8 probably something that can be -- there's more fish on the
9 North Slope than there is of subsistence will take. And
10 there's all kinds of fish.

11
12 On the way, about 700 miles, my heading south, I know
13 every other lake that have different kind of fish in it. If
14 I'm going to go to that lake over there I have a set of nets
15 that'll fit over there. Where in this other lake that I use,
16 don't work over there. So time is important and I would
17 emphasize that regulations will be made for subsistence and
18 nothing but subsistence, so that nobody suffers. I don't want
19 to have to hear anybody say, I like to get over there now, but
20 I'm afraid it going to be late because of open and close
21 season.

22
23 As far as I'm concerned I'm going to go take the kind
24 of fish I want at the right time. I know when to go. Thank
25 you.

26
27 CHAIRMAN REXFORD: Thank you, Mr. Hopson.

28
29 MR. H. BROWER: Mr. Chairman.

30
31 CHAIRMAN REXFORD: Mr. Brower.

32
33 MR. H. BROWER: Rosa, I was just looking over these
34 restrictions. If and when this Proposed Rule takes into
35 effect, what type of restrictions are we going to be faced with
36 and what are the differences from the State regulations that we
37 already know that exist? When this comes into effect.

38
39 MS. MEEHAN: What we tried to do to start the program
40 is basically adopt the State regulations, so this should be the
41 same as what you're familiar with with the State. There's a
42 couple of important differences. One is the customary trade,
43 which we've already talked about. And the second one is that
44 within the Federal program the use of rod and reel is an
45 accepted subsistence means, and that's a difference from the
46 State, but those are the only ones.

47
48 MR. H. BROWER: Okay, thank you.

49
50 CHAIRMAN REXFORD: Mr. Miller.

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1 MR. MILLER: Thank you. My question is once you've
2 identified or the identification of customary and traditional
3 use and the customary trade, the window or there's a process to
4 go back and argue for further modifications of that, if
5 everything isn't gathered up the first time and identified.

6
7 MS. MEEHAN: Um-hum.

8
9 MR. MILLER: There's a process to go back and amend
10 that?

11
12 MS. MEEHAN: Yes, and the process will be the same as
13 what we do for the terrestrial program, but the timing on it
14 will be different. What we will look to do is take proposals
15 for change in the late winter/spring time frame, so about this
16 time, so about this time of the year. And then we would look
17 at reviewing the analyses of those changes in the fall. And
18 the intent on setting up the regulatory timing that way is to
19 avoid the fishing season and the big subsistence season.

20
21 So for you members of the Federal Board the timing
22 would be just about opposite of what we do right now with the
23 terrestrial program with the mammals. And as far as
24 implementing this program, again, if the State Legislature
25 doesn't act and if Congress doesn't put a moratorium on it, we
26 would look to be starting this process about this time next
27 year. That we would have this published and people could
28 submit proposals.

29
30 MR. MILLER: Thank you.

31
32 CHAIRMAN REXFORD: Mr. Ahmakak.

33
34 MR. AHMAKAK: Mr. Chairman. Ma'am, in the language, as
35 I read a couple of days ago, I was going through the whole
36 booklet, but I didn't have a chance to finish it. The only
37 question I have is, your department, the Federal government, is
38 going on with this program without consideration to the
39 selection of each village corporation's land selection
40 entitlement rights they have.

41
42 MS. MEEHAN: What we're proposing with this, is that
43 for lands that have been selected but not yet conveyed, in
44 other words, not yet certificated, okay? That those lands
45 would be included in this program. But if -- particularly
46 Native allotments have been certificated then those would not
47 be part of the program.

48
49 MR. AHMAKAK: In other words, what you're saying to me,
50 if my village corporation had made their land selection, their

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1 entitlement and they proceeded with the paperwork and
2 everything, but you just absolutely say, no, we'll take over
3 this, you leave it alone. Is that what you're saying to me?
4

5 MS. MEEHAN: Again, that's not the intent to do that.
6 What we're really trying to do with this program is look for a
7 way to work with local interest and cooperatively address
8 issues. As regards to specific tribal authorities on tribal
9 lands, if they're in state as such that they're similar to
10 private lands, then they would be treated as private lands.
11 And in that regard, even on private lands, State Fish and Game
12 regulations apply as would the Federal regulations if those
13 lands are located within sort of the outer perimeter of a
14 conservation unit. And the intent is to take the really --
15 back up and take a big picture look at the wildlife populations
16 and to manage them with the local input and involvement in a
17 way that's best for everyone.
18

19 MR. AHMAKAK: Mr. Chairman, I'll bring it up again
20 tomorrow. I'm going to find the designated page. You're
21 trying hard to answer my question, I know that.
22

23 CHAIRMAN REXFORD: Thank you, Mr. Ahmakak. Mr. Hopson.
24

25 MR. E. HOPSON: I think she's right. I don't like to
26 fight you, man, you're talking about game, caribou or fish, you
27 can just because you have boundaries within your corporation
28 that doesn't mean you do anything you please with the game
29 under this management. That's the way I'm understanding it.
30

31 I said in my remarks that I have nothing against
32 management, that's good for us. But that's what I meant. All
33 right, we're still friends.
34

35 MR. AHMAKAK: Mr. Hopson, the only other language, I
36 didn't really like was the regional corporations or the village
37 corporations they're entitled to more land selections. See,
38 they haven't been approved yet, they're unconveyed. They can
39 still make their selections, but according to your language I
40 can -- maybe I -- I'll bring it up again tomorrow.
41

42 MS. MEEHAN: I'll look forward to it.
43

44 MR. YOKEL: Mr. Chairman.
45

46 CHAIRMAN REXFORD: Mr. Yokel.
47

48 MR. YOKEL: Thank you. Mark, I'm interpreting
49 your.....
50

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1 CHAIRMAN REXFORD: Dave Yokel.

2
3 MS. MEEHAN: Get a mike.

4
5 MR. YOKEL: Dave Yokel.

6
7 REPORTER: I know who you are.

8
9 MR. YOKEL: How do you know me, Joe? I interpret your
10 question a little bit differently, Mark, so let me see if I it
11 correct. These regulations will have nothing to do with the
12 village corporation's ability to continue the land selection
13 and conveyance process. Was that your concern?

14
15 MR. AHMAKAK: Yes.

16
17 MR. YOKEL: These regulations will have no effect
18 whatsoever on that process, that will continue.

19
20 MR. AHMAKAK: How many hats do you have? The last time
21 I seen you, you were in a public hearing, now you're wearing a
22 different hat.

23
24 MR. YOKEL: I'm trying to get some sun on my bald head,
25 so I left all the hats at home.

26
27 CHAIRMAN REXFORD: Thank you, Mr. Yokel. Any other
28 questions from.....

29
30 MR. PEETOOK: I got a question for you.

31
32 CHAIRMAN REXFORD: Helen and then Rossman.

33
34 MS. H. ARMSTRONG: I just thought maybe especially.....

35
36 CHAIRMAN REXFORD: State your name for the record.

37
38 MS. H. ARMSTRONG: Helen Armstrong, Fish and Wildlife
39 Service. For the Fish and Game Committee, if they understood,
40 too, how our process works, because this -- managing fish won't
41 be any different -- it'll be more work, but it won't be any
42 different than managing the game in that what happens is the
43 Council here gets proposals, either they make proposals or
44 members of the public make proposals, and the recommendation
45 goes from the Council to the Federal Subsistence Board and it
46 is -- it really has become where the Federal Subsistence Board
47 in probably 95 percent of the cases supports what the Regional
48 Council recommends, so that there's a lot of local input from
49 the people up in the North Slope as to what happens with
50 management.

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1 And the only time when the Board doesn't support what
2 the Councils have recommended is when there is evidence that
3 it's going to be harmful to the population -- the resource
4 population. And in may not even be 95 percent, but it's not
5 very common that there's a disagreement between the Council and
6 the Board. And I think as the years have gone by and this
7 program has become more established we seen that more and more
8 that the Board really listens to what this Council says. And
9 if the Council wants something then generally it happens. So
10 that it really isn't that the Federal government is coming in
11 here and going to say how things should be managed, there is a
12 lot of input that comes in from the local people. And we've
13 tried real hard to make sure that that happens and we work very
14 closely with this Council and Fenton attends all of our Board
15 meetings.

16
17 Would you agree with that statement?

18
19 CHAIRMAN REXFORD: Yes, I agree with you.

20
21 MS. H. ARMSTRONG: Yeah.

22
23 CHAIRMAN REXFORD: Thank you, Helen. There was a hand.
24 Mr. Peetook and then Gordon and then Mr. Solomon.

25
26 MR. PEETOOK: Yeah, I got a question, too.

27
28 MS. MEEHAN: Who do you want back on the hot seat?

29
30 MR. PEETOOK: I got a question about -- have you
31 considered the comments from the Regional Council or from the
32 public when you make a Proposed Rule?

33
34 MS. MEEHAN: We have and one of the -- a couple of the
35 things that have shown up as a result of the public comments,
36 one was the customary trade, for sure. And the other was the
37 use of rod and reel as a legitimate subsistence gear. So those
38 are to examples, but yes, we did consider -- but I do want to
39 be clear that basically for the seasons and harvest
40 restrictions we did adopt the State regulations. I mean that's
41 what's here.

42
43 CHAIRMAN REXFORD: Mr. Upicksoun and then Mr. Solomon.

44
45 MR. UPICKSOUN: Yes, Mr. Chairman. Rosa, proposed
46 activities in the NPR-A have been concentrated on the
47 northeastern end of NPR-A, however, any activity in NPR-A,
48 Point Lay, although they are off NPR-A, the head waters of
49 Utukok River and Kokolik River, those two rivers where we do
50 subsistence fishing, the head waters go through the

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1 southwestern end of NPR-A and any activity within NPR-A would
2 affect our subsistence fishing rivers. Any regulations in that
3 regard we'd like our subsistence fishing be protected,
4 especially on the Kokolik River and the Utukok River, the head
5 waters of which are in the southwestern portion of the NPR-A.

6
7 MS. MEEHAN: Okay.

8
9 MR. UPICKSOUN: Thank you, Mr. Chairman.

10
11 CHAIRMAN REXFORD: Thank you, Mr. Upicksoun.
12 Mr. Solomon.

13
14 MR. SOLOMON: Good morning. For the record my name is
15 Morgan Solomon, I'm the Wildlife Director for the Native
16 Village of Barrow. And I'm talking on behalf of our tribal
17 villages and our tribal governments. We have been working
18 earnestly with both the State and Federal government since the
19 NPR-A got into our picture here. And as I was listening to
20 Edward Hopson, who is an elder and has lived in this country
21 for many years. And I think his -- it's time that we start to
22 consider the co-management agreement between the State or the
23 Federal government to manage our own wildlife resources here on
24 the North Slope.

25
26 The real reason why I have so much concern over this,
27 as you know, since the state became statehood, all of the
28 wildlife resources down in the Central part of Alaska,
29 Southeastern part of Alaska and in the Interior has been
30 managed by State and Federal government. And they put those
31 people whether they were Natives or non-Natives on seasonal
32 hunting basis, that means you can hunt caribou from the 20th of
33 August until the latter part of September and that's it. You
34 can take fish from this village accordingly as long as you
35 follow the sportsmen regulations for Alaska. You can do
36 certain things, you can take certain ducks and you can take
37 migratory birds, but you have to live with allocated amount.

38
39 This North Slope up here and also in NANA Region is a
40 different type of a country altogether. Our Native people rely
41 on subsistence way of life and there's no way that you can
42 separate an Inupiat from subsistence, that's his life. That's
43 his livelihood. And what I'm afraid here on a later time if
44 the State doesn't comply with our wish for a sound mutual
45 agreement on our subsistence, the laymer (sic) that we have
46 with the State and the Federal is going to take over our land
47 anyway, we have to live under those Federal regulation.

48
49 I would like very much for you people, the State and
50 the Federal government, both, to listen to our people for they

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1 have understood the very unique way of life that we live with
2 our sea mammals and our land animals and our birds. Because
3 you have put in so much regulations into -- unnecessary, I
4 would say, unnecessary regulations to umbrella yourself as the
5 State and Federal government whereby you don't give the Native
6 people a chance to breathe. And try to prosper from what they
7 have known in the past.

8
9 So, you know, I'm just afraid about a couple years down
10 the line that piece of property up there, Teshekpuk area, is
11 going to be just like Prudhoe Bay, there going to have a lots
12 of rules and regulations where you can't even go across unless
13 you have a paper -- a pass to cross over to another area. And
14 I'm very concerned over that as an individual that has lived in
15 dilemma for the last 25 years since North Slope Borough merged
16 and also since the Prudhoe Bay had came in place.

17
18 So as a Native person we have to begin undertake -- you
19 have to begin to take responsibility to listen to our people
20 because yesterday as I was looking at some of those regulations
21 they're boilerplated, they've already been said, time and time,
22 you know, there's certain regulations you have to live with.

23
24 Co-management is a way that we should deal with our
25 subsistence way of life up here because we already have in
26 place International Whaling Commission dialogue. And our
27 Native leaders wants it to work, we want to work with you. We
28 want to be able to undertake some responsibilities the best way
29 that we know because we know and we live with the animals that
30 have been in existence up here since time when we got here.

31
32 And it -- I don't know how -- what other way to explain
33 it. It's -- these people are here, we have the management
34 mangers here from different various villages, we have tribal
35 government that can work with you in each village and you don't
36 have to spend a lot of money on Fish and Game Boards to
37 regulate our subsistence way up here. It's unnecessary, it's
38 uncalled for, we don't need them, we got our own people that
39 are experts in these fields.

40
41 Thank you very much.

42
43 MS. MEEHAN: Thank you.

44
45 CHAIRMAN REXFORD: Thank you, Mr. Solomon. Any other
46 comments from the table?

47
48 (No audible response)

49
50 CHAIRMAN REXFORD: There's an opportunity for public

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1 comment at this time. The summary of the public comments that
2 were made yesterday will be mailed to us, they weren't typed up
3 in time for this morning. So if there's no other.....

4
5 MR. PATKATOK: Mr. Chairman.

6
7 CHAIRMAN REXFORD: Yes.

8
9 MR. PATKATOK: I have a question Rosa.

10
11 CHAIRMAN REXFORD: Yes, Mr. Patkatok, if you can get up
12 to the mike.

13
14 MR. PATKATOK: Did I hear you say that amongst the --
15 where subsistence activities can take place these allotments
16 were excluded?

17
18 MS. MEEHAN: That is what I meant to say, if it is.
19 Subsistence is absolutely permitted across all lands. And what
20 I was trying to be clear about is that these regulations will
21 apply on Federal lands and it's going to include allotments
22 that are within the outer boundaries of those Federal lands.

23
24 MR. PATKATOK: Okay. Well, I'm sorry, then I
25 misunderstood you.

26
27 MS. MEEHAN: No, that's all right, it's always better
28 to be clear.

29
30 CHAIRMAN REXFORD: Okay. Before we proceed any
31 further, were you done with your presentation or the next steps
32 where we picked up some key provisions or.....

33
34 MS. MEEHAN: I could close with just reminding
35 everybody with what the next steps are, so you know what to
36 expect.

37
38 CHAIRMAN REXFORD: Okay. Do you want to wait until
39 after number C or the opportunity for public comment?

40
41 MS. MEEHAN: Your choice.

42
43 CHAIRMAN REXFORD: Ms. Hepa.

44
45 MS. HEPA: Hi, I'm Taqulik Hepa with the North Slope
46 Borough Department of Wildlife Management. I'd just like to
47 make a comment. If the Federal Subsistence Board is going to
48 be the Board in acting on the regulations, I would recommend
49 that if they were to have Board meetings and talk about
50 proposal pertaining to the North Slope that they come to the

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1 North Slope to have the meetings because the way that the
2 meetings been held is meetings for people to give testimony are
3 held in Anchorage, Fairbanks and other places of Alaska, which
4 is unfortunate because the people of the North Slope -- it
5 makes it difficult for them to go there to give their
6 testimony.

7
8 MS. MEEHAN: One clarification, maybe, is that if we
9 expanded the fisheries we will work the North Slope Council the
10 same way we do with the game management, so we will continue to
11 work with this group.

12
13 MS. HEPA: Yeah, but I would really urge them to hold
14 the meetings on the North Slope because, for example, like the
15 next State Board of Game meeting is going to be held in
16 Fairbanks, yeah. And there's a couple of proposals that are
17 real important to the people of the North Slope and it's
18 difficult for us to get good representation from the North
19 Slope to go to Fairbanks to give testimony. And it would make
20 a big difference if they did have a meeting on the North Slope.

21
22 Thank you.

23
24 MR. UPICKSOUN: Mr. Chairman.

25
26 CHAIRMAN REXFORD: Yes, Mr. Upicksoun.

27
28 MR. UPICKSOUN: Taqulik's comments, Rose, were in
29 regard to the Board of Game. They're starting the concept of
30 regional meetings. They had one this fall in Nome, that's the
31 first time that they got away from the urban centers and
32 started having regional meetings. Like I said, they had their
33 first one in Nome. I think her idea of the Subsistence Board
34 doing the same thing that the Board of Game, the State Board of
35 Game is doing, that is a good concept. We finally got the
36 Board of Game to decide having meetings away from the urban
37 centers, they started off with Nome, why not the Federal
38 Subsistence Board on fisheries issues or whatever?

39
40 MS. MEEHAN: I really appreciate the comments and it's
41 a concept that we have discussed some and appreciate the input
42 on it. One thing that may happen, and this is just -- we don't
43 know, but depending on how much work the fisheries adds to our
44 program, there's only so many of us that, you know, can work on
45 it at any one time, and so one concept that we're considering
46 would be to do -- essentially do game regulations one year and
47 then do fish the next year. Or somehow do just part of the
48 state one year, the same way the State does, they'll do regions
49 different years. And so those are types of approaches we're
50 considering.

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1 If we regionalize it by year, then doing a Board
2 meeting out in a regional center is something that would fit
3 very well. So appreciate the comment.

4
5 MR. UPICKSOUN: Mr. Chairman, when they started that
6 concept in Nome to see the people from that region, those that
7 attended, how they appreciated the regional concept of the
8 State Board of Game meeting, so I think if that concept could
9 be initiated within the Subsistence Board meetings, Federal
10 Subsistence Board meeting, I think that same appreciation would
11 be there too, like the people showed for Nome area when they
12 had the regional concept type of Board of Game meeting.

13
14 Thank you.

15
16 CHAIRMAN REXFORD: Okay, thank you, Mr. Upicksoun.
17 Again, the summary of the public comments that were made
18 yesterday will be mailed to us. At this time I'll open the
19 floor for public comments. Any public comments.

20
21 MR. PEETOOK: Mr. Chairman.

22
23 CHAIRMAN REXFORD: Yeah, Mr. Peetook.

24
25 MR. PEETOOK: (Inupiaq)

26
27 CHAIRMAN REXFORD: Okay. Thank you, Mr. Peetook. What
28 he was just saying that we have our rules, the Inupiat, and
29 golden rules are that things we've passed down from generation
30 to generation is no wanton waste. And if you can't eat it,
31 don't get it. If you're not going to use it or if you just
32 catch what are going to be able to use. Those kinds of rules.
33 Maybe we can make our own rules, use our rules that we've been
34 using from millennium. And if that you're going to throw away
35 fish, that you shouldn't throw away game after catching it, you
36 shouldn't be out there hunting and fishing, so when we get to
37 that point we'll need to take up and use our rules that we've
38 been using for a long time.

39
40 MR. PEETOOK: Mr. Chairman.

41
42 CHAIRMAN REXFORD: Mr. Peetook.

43
44 MR. PEETOOK: I still want to talk yet. Okay, I want
45 to give you an example. Like when the polar bear came to the
46 village, they don't shoot it right there, they warn him first.
47 Okay, if you don't want to go, that's the end of the line. You
48 can't go beyond that line, see? We don't just shoot the animal
49 unless we warn them. Before we warn them, she's coming in,
50 still coming in. Okay, that's the end of the line. Somebody

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1 has to warn the polar bear.

2

3 CHAIRMAN REXFORD: Thank you, Mr. Peetook.
4 Mr. Attugana.

5

6 MR. ATTUGANA: (Inupiaq)

7

8 CHAIRMAN REXFORD: Okay. Thank you, Mr. Attugana.

9

10 MR. AHMAKAK: Mr. Chairman, I move for a lunch break.

11

12 CHAIRMAN REXFORD: Let me just translate this and we'll
13 go on a lunch break. Thank you, Mr. Ahmakak.

14

15 Examples that were passed on or rules that were passed
16 on from our forefathers around Point Hope is -- by listening
17 and hearing what our forefathers have said about hunting and
18 fishing, whether they're terrestrial or marine animals, the
19 outsiders, the Western civilization need to hear us and believe
20 that we've been abiding by these rules for a millennium and
21 that we keep passing on after hearing them from our
22 forefathers.

23

24 We continue to use these rules after listening and
25 hearing them. Even though there's opportunities out there
26 right now, for an example, on whales that we probably could
27 have surpassed our quota if we didn't listen to what our
28 forefathers say about waiting for the other crew members that
29 need to get ready. If we did not listen to what our
30 forefathers said on past rules, we could have surpassed our
31 quota of whale hunting right now.

32

33 Again, they do not go out until all of the crews are
34 ready. They wait for their fellow hunters and whalers, waiting
35 for them that still need to get ready. He wanted to make sure
36 that if the Western civilization can't understand we do have
37 rules that we passed on from generation to generation and we
38 need to pass that on, make them understand that we abide by our
39 land and terrestrial rules and it's been passed on about wanton
40 waste and catching what we'd be able to use.

41

42 So that was a summary of what Elijah has just
43 mentioned.

44

45 Okay, it's lunchtime. Maybe we can proceed again with
46 this fisheries matter, we're not quite done with that yet. Our
47 Regional Council and Fish and Game Committee members need to
48 deliberate and make recommendations on the fisheries management
49 after lunch. Again, there'll be a window for public comments
50 on this matter before we move on to another subject on the

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1 agenda.

2

3 MR. AHMAKAK: Mr. Chairman, don't forget the
4 teleconference is open for any village to call in.

5

6 CHAIRMAN REXFORD: Oh, yes, the teleconference is open.
7 We haven't heard Marita break in. Are you still there Marita?

8

9 (No audible response)

10

11 CHAIRMAN REXFORD: Oh, well, anyway we'll continue.
12 We'll summarize, we'll hear what our next steps will be, we'll
13 open the floor for public comments and then our Council and
14 Fish and Game Committee will deliberate and make some
15 recommendations on the fisheries management after hearing from
16 the public and Council members.

17

18 MR. UPICKSOUN: Reconvene at 1:30.

19

20 CHAIRMAN REXFORD: At 1:30. Reconvene at 1:30
21 promptly. Okay, thank you.

22

23 (Off record)

24

25 (On record)

26

27 CHAIRMAN REXFORD: Good afternoon, ladies and
28 gentlemen, find our way back to the seats. Just want to remind
29 everybody my birthday was in February 7th, so -- this thing
30 don't make too much noise, but it does the trick.

31

32 MS. B. ARMSTRONG: How old?

33

34 CHAIRMAN REXFORD: Forty something. Okay, I want to
35 thank everybody for coming back here around 1:30, appreciate
36 that. We need to finish off on agenda Item Number 7, Proposed
37 Rule on the Federal subsistence fisheries management.

38

39 We're going to hook somebody back up here. Are they on
40 line? Just a second, we're going to get the folks back on line
41 here, the teleconference.

42

43 Before we do that I just want to take care of a couple
44 of housekeeping items that we need to take care of while we're
45 together. Again, just as a reminder, we do have one or two
46 more seats from the Fish and Game. Two more?

47

48 MR. H. BROWER: Two more tomorrow.

49

50 CHAIRMAN REXFORD: Yeah, we have two more North Slope

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1 Fish and Game Committee members to install. They're going to
2 be confirmed by the North Slope Borough Assembly meeting
3 tonight. The Assembly is going to be confirming the membership
4 into the Fish and Game Committee.

5
6 We also have a matter we need to take up, probably
7 tomorrow, toward the end of new business, under 11C, either
8 one, two or three, is the matter of the vacant Vice Chair for
9 the North Slope Subsistence Regional Advisory Council. So I'm
10 going to ask the Council to get together and appoint or
11 nominate from the Regional Council members a replacement for
12 Vice Chair on our Council.

13
14 MR. UPICKSOUN: As 11 what?

15
16 CHAIRMAN REXFORD: 11C.

17
18 MR. UPICKSOUN: 11C.

19
20 CHAIRMAN REXFORD: Yeah. Just a minor change in 10B
21 under agency reports. For your information, Number 6, the
22 Alaska Department of Fish and Game, Geoff Carroll will be
23 making presentation or a report on the State Board action,
24 Board of Game action. And immediately after him will be John
25 Trent, also from the Alaska State Department of Fish and Game.
26 So maybe you can mark those down. Agency reports, Number 6, we
27 have Geoff Carroll and John Trent that will be making reports
28 under new business or agency reports.

29
30 So, Mr. Upicksoun.

31
32 MR. UPICKSOUN: Susan Bucknell is not here, right?

33
34 CHAIRMAN REXFORD: Susan Bucknell is not here, that's
35 right. Let me see if there's any other changes. If there's no
36 objection to that, that's just a minor change on the names of
37 those that will be reporting. Again, if there's no objection
38 we'll have Geoff Carroll and John Trent under agency reports,
39 6A and B.

40
41 MR. H. BROWER: Okay.

42
43 MR. UPICKSOUN: No objection.

44
45 CHAIRMAN REXFORD: No objection, okay.

46
47 MR. UPICKSOUN: We got a flexible agenda.

48
49 CHAIRMAN REXFORD: Okay. What's the word on the
50 conference?

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1 MR. H. BROWER: He's going to dial in.

2

3 CHAIRMAN REXFORD: Okay. As soon as Tommy help us with
4 the conference, Rosa, you can commence.

5

6 (Hooking up teleconference)

7

8 TOMMY: Anyone calling yet from the villages, no?

9

10 MARITA: No, no one's called in yet.

11

12 TOMMY: Okay. Well, standby up there.

13

14 CHAIRMAN REXFORD: Okay, thank you, Tommy. All right,
15 we'll turn the floor back over to Rosa Meehan. She was just
16 about to finish the Proposed Rule for fisheries management.
17 She did go over the key provisions or the major changes that
18 were bulleted in the middle of the page.

19

20 Rosa.

21

22 MS. MEEHAN: Thank you, Mr. Chairman. I'd like to
23 close my part of the presentation with just reviewing the next
24 steps. And this is what you can expect to see within the next
25 several months.

26

27 As we've been saying, the Proposed Rule is out for
28 public review and comment now. That period closes April 20th,
29 so we will be looking for additional comments at this meeting,
30 if anybody has them. And then we do have forms, if any of you
31 would like to take them back to your villages to share with
32 people. We've got a form that people can write their comments
33 on it, it already has the postage on it, so people can, you
34 know, fill in their comments, fold it, staple it and put it in
35 the mail. We do need these back by April 20th.

36

37 After we receive the comments, in other words, over the
38 summer, we will work to polish up the rule, make changes that
39 people have requested, if we can accommodate them and then be
40 ready on December 1st to implement the program. And then this
41 is where it get sort of tricky. If the State Legislature has
42 not acted and if we do not have a moratorium. And so in that
43 case, then on December 1st we'll be ready to publish a Final
44 Rule and that will start the expanded jurisdiction into
45 fisheries.

46

47 If we do that, what you can expect to see is that we
48 will be having a Council meeting about this time next year to
49 talk about the rule and review any -- take any proposed changes
50 at that time. Those would be reviewed over the summer, that

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1 would be summer of 1998, and then any changes would then be
2 reviewed and adopted for the fishing season of the year 2000.
3 So that's sort of the next -- that's the time frame that we're
4 looking at. Again, it depends on what the State does and what
5 Congress does. But, you know, with those uncertainties, that's
6 how we're prepared to proceed.

7

8 CHAIRMAN REXFORD: Any questions for Ms. Meehan?

9 Harry.

10

11 MR. H. BROWER: Rosa, in reading the agenda it says,
12 summary of public comments, opportunity for public comments,
13 Regional Council deliberations and recommendations. Do we have
14 to make an action item of this today or are we going to have
15 another chance during our fall meeting to probably go out to
16 our communities and discuss this issue with the community
17 members to get their feelings on what actions or alternatives
18 should we select.

19

20 You know, I don't think I'm in the right position right
21 now just to go and make a selection without really getting any
22 input from other community members. And I don't know how the
23 rest of the Committee and Regional Council members feel on
24 taking any action today. That's what this agenda item is.

25

26 MS. MEEHAN: What we would like is if there are any
27 actions that you do feel comfortable taking now, we certainly
28 would like to hear those. For us to keep the process going,
29 any comments on what's in this Proposed Rule that we need to
30 change before a Final Rule, we really need that input before
31 April 20th. And so, if you have the opportunity to go back to
32 your communities and ask people to send us written comments,
33 that's what we're looking for.

34

35 By the time of your fall meeting we're going to have to
36 have this -- all this paperwork in Washington, D.C. to try and
37 meet a publication, you know, Federal Register publication. So
38 what we could be talking about in the fall, and this depends on
39 what the State does. I mean it's -- you know, we just don't
40 know. But what we could be talking about is what kind of
41 proposals people are thinking about, and start looking at it
42 that way. But any changes to this Proposed Rule to go into the
43 Final Rule we do need by April 20th.

44

45 MR. UPICKSOUN: Mr. Chairman.

46

47 CHAIRMAN REXFORD: Mr. Upicksoun then Mr. Brower.

48

49 MR. UPICKSOUN: Rose, Point Lay is in a State owned
50 area, as you can see on the map.

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1 MS. MEEHAN: Yes.

2

3 MR. UPICKSOUN: Now Barrow would be affected,
4 Wainwright, Atqasuk they're within NPR-A and you look at ANWR
5 and how maybe Anaktuvuk may be affected, How will those where
6 you have control over a lot of the subsistence issues within
7 those three, how will three be more affected, like say, than
8 Port Lay who surrounded all by State lands? How might those
9 communities be more affected? My question is more in line with
10 what the concern that Mr. Brower has because he can't make an
11 arbitrary decision without discussing this further.

12

13 MS. MEEHAN: I appreciate the need to go back and meet
14 with your village or communities. Frankly, the villages on the
15 North Slope and the ones that you just read off have been --
16 the fisheries on NPR-A and on ANWR have actually been
17 incorporated in our existing program. And because most of them
18 are in non-navigable waters, and so I really don't see any
19 major changes on the North Slope. And I don't see that there's
20 going to be any major differences that will develop between the
21 communities, such as Atqasuk and Wainwright, that are within
22 Federal lands, as compared to Point Hope which is on State
23 lands. I do not see any difference that are going to develop.
24 Another way to say that is I expect that our program will stay
25 very similar to the State program.

26

27 MR. E. HOPSON: Mr. Chairman.

28

29 CHAIRMAN REXFORD: Yeah, just a minute, Mr. Hopson.
30 Mr. Brower.

31

32 MR. H. BROWER: Rose, or maybe Fenton, I just -- I
33 don't know if I'm jumping the gun from reading the.....

34

35 MR. E. HOPSON: Mr. Chairman, and the rest of you
36 people, do we really need subsistence regulations? We have
37 been living subsistence ever since my grandparents' parents,
38 thousands of years ago. I just continued their livelihood when
39 I grew up. I start getting active with -- helping out with the
40 subsistence way of live, I learned to go back to 1927. We just
41 continue what was going on for subsistence. Is there something
42 very wrong that we did hunting the game that we were presented
43 by our Creator? Do we need to change our way of subsistence
44 taking game that is available? We have to take it differently
45 now that the regulations are going to be imposing us?

46

47 There is going to be -- you know when you have
48 regulations there's always another side. Anybody breaking
49 regulations, breaking laws, the other side is there's always a
50 penalty and fine. Have we done -- how we do our subsistence

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1 way of life very bad so that we going to need regulations to
2 tell us how to handle them? I don't believe so.

3
4 I can see regulations when you have a combination of
5 commercial hunting and subsistence in one area. I can see
6 regulations imposed in that area, particularly to the
7 commercial hunters, sport hunters. You know what banned the
8 polar bear hunting? Even for people, for sports hunters and
9 all of that? Who's responsible for banning polar bear? We
10 just heard it just this morning, polar bear hunters, sports
11 hunters. They come in and slaughter polar bear. I know, it
12 happened here in Barrow. I think Upicksoun over here saw it in
13 Kotzebue about that same time.

14
15 I would hate to see some of my people see in your
16 proposed regulations as they come to in the present form.
17 There's a proposed regulation about sheep, there's no record or
18 any reports of sheep taken by subsistence communities from
19 Point Hope to Barrow, so they're going to close that off in the
20 proposed regulations.

21
22 The only problem was that they take Point Hope, all the
23 way from Point Hope to Barrow, they have taken sheep. Except,
24 you know, it was never anything to say -- nothing to tell them
25 say, oh, you have to report when you take that sheep. Now, if
26 that regulation passes and it's going to be imposed on us, I go
27 get a sheep, season is closed, there's no open season, I have
28 to suffer maybe fine, I don't know how much and maybe some jail
29 time.

30
31 So I'm not against regulation where you have commercial
32 hunting and subsistence combination in the same area. The
33 reason, only time that I would favor regulations and whatever
34 you have to do on game in that area is to protect subsistence
35 from sports hunters. As soon as it's open for sports hunters
36 for any animal, any game, you can expect to see that's going to
37 be the end of that resource. They're going to lock it up,
38 close it up. That's what happened, that goes on and on. I saw
39 it. You're going to see it.

40
41 And it happens all the time in a lot of the United
42 States when they first come in, there were lot of game. Lots
43 of turkey were available, lots of musk-ox and whatever in the
44 United States. I don't believe -- I wish I knew somebody would
45 tell me that you got all the turkey for subsistence down in the
46 Lower 48 where you have turkey.

47
48 So I really -- I thought maybe what is happening, but
49 I'm not going to be around for another 78 more years, you all
50 know that and I'd like for you to consider to take care of

00053

1 subsistence. There are a lot of people on the North Slope that
2 live by subsistence, there's no commercial fishing, there a lot
3 of fish, all kinds of fish -- you don't have to go far. I can
4 go this afternoon and come back with dinner grayling by
5 snowmachine. Just dig a hole in five foot of ice, get my hook
6 down in there and come, I'll show you. I guarantee you that I
7 can come back with grayling for dinner, fresh.

8
9 So wherever there's -- I'm not against, most of you
10 have heard this before, the first responsibility that man gave
11 from our Creator is you manage the game, the resource. And you
12 going to find that in the first chapter in the Bible. Don't
13 have to turn no pages. Take a look when you get home, Genesis
14 1, Chapter. I think it's on the 28th verse. For a man human
15 is given the first responsibility by our Creator, you subdue
16 the resource. I've been told that the word subdue means you
17 manage.

18
19 So management is all right, I'm not against that.
20 That's fine people counting the resource, how many caribou
21 there are and then they say they need to cut the -- what you
22 have to harvest because people are watching, you got to slow
23 down on this for one or two years. Any resource, I just can't
24 mention caribou. Fish and everything. So regulations are fine
25 but I would hope that all of you, State and Federal and local,
26 people are responsible for these regulations, I would you'd
27 bear in mind that -- and protect subsistence way of life.
28 Because you're not going to get away. I think we have to put
29 up with it.

30
31 But let's try to get along, we can have good
32 regulations to satisfy me and you people if we work together
33 instead of fighting over one item, saying, hey, you can't do
34 that, we'll do that, we'll do this and this and soon the people
35 responsible for making these regulation say, no more. And then
36 what do we do, we just have to put up with it. And we're going
37 to be violators, we start breaking laws because we need to take
38 this game for livelihood.

39
40 So you got to think about all of this. Whenever
41 there's commercial operations going on as far as game, there
42 should be regulations and those regulations should be to
43 preserve and protect subsistence for those people that have
44 lived there all their life. What we're doing now it look like
45 we people on the North Slope had just arrived a few years ago.
46 We're in negotiation Federal and State trying to get a piece of
47 land and trying to get some game. I think if we turn 180
48 degrees and say, let the State and Federal come in an negotiate
49 for game, so they can provide sports hunters. Let them come
50 here and negotiate with the subsistence people that depend on

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1 subsistence, caribou, moose, lake trout, polar bear, you name
2 it, it's all here and it always have been here.

3
4 So I don't want to be mean, I don't want to offend
5 anybody, but this is my concern for my people. So I'm still
6 your friend, I welcome all you people, biologists and all of
7 that, keep us informed of how we are doing on the resource,
8 it's their job. And I respect them for it. They tell us when
9 to slow down, hey, you got to cut down on this until it's
10 stable again, that's their job. And we should appreciate that,
11 so one more time, make regulations, satisfy yourself, and
12 protect subsistence livelihood.

13
14 Thank you.

15
16 CHAIRMAN REXFORD: Thank you, Mr. Hopson. Anyone want
17 to follow up on that.

18
19 MS. MEEHAN: Mr. Chairman, I'd like to point out a few
20 thing, and I very much appreciate your comments, Mr. Hopson,
21 and I just want to reiterate that the intent of the Federal
22 program is to provide, first and foremost, for the subsistence
23 way of life. And it's something we take very seriously, we
24 work very hard with the Council to work with the local
25 interests. And I would hope that the regulations, as we have
26 them written, are appropriate for the concerns that you bring
27 to the table. And for the northern area, all the drainages
28 that drain into the Arctic and into the Chukchi Sea, so that
29 all of the drainages up here, the way these regulations read,
30 is subsistence is permitted without permits. It is -- there
31 are no regulations that prohibit anything, so it is open and I
32 hope it always stays that way.

33
34 MR. UPICKSOUN: Mr. Chairman.

35
36 CHAIRMAN REXFORD: Mr. Upicksoun.

37
38 MR. UPICKSOUN: Mr. Chairman, you know, I don't think
39 there'll be another moratorium. I think this is the State's
40 last chance to solve the subsistence issue. And they way
41 they're going about it now in the Legislature, I don't think
42 they'll come up with a solution to the subsistence issue. If
43 they do come up with a solution it'll be contrary to what the
44 Native community wants, even if they do pass legislation so
45 that Federal doesn't take over. It'll be contrary to what the
46 Native community wants. I think we'll be filing an injunction
47 against that legislation and I'm pretty sure that the Federal
48 government will take over fisheries management for subsistence.

49
50 MR. E. HOPSON: Mr. Chairman, I'd like to mention that

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1 happened two or three years ago.

2

3 CHAIRMAN REXFORD: Okay, Mr. Hopson.

4

5 MR. E. HOPSON: A friend of mine had lived here and
6 then moved to Anchorage. They are permitted to fish king
7 salmon, I think it was, in a certain river, but limited. He
8 put a net out in a stream and got one over the limit in the
9 net. He wasn't cussing but he wasn't very happy because Fish
10 and Game got ahold of him, found him, maybe when they take the
11 net, found one extra over the limit. You know that he was a
12 Native from not here but down around Shishmaref area. You know
13 he was fined \$1,200 cash for one over the limit fish. So this
14 is the type of thing. I've seen (indiscernible) other places,
15 so I just like to mention that. It's not -- I would not be
16 happen, but you know, it was either pay \$1,200 or got to jail.
17 That's the circumstances for one fish.

18

19 CHAIRMAN REXFORD: Very good. Thank you, Mr. Hopson.
20 Any other comments or questions?

21

22 (No audible responses)

23

24 CHAIRMAN REXFORD: Could you just briefly, Ms. Meehan,
25 explain Alternative 1, 2 and 3, in a sentence or two, if you
26 can for the Committee and Regional Council's benefit.

27

28 MS. MEEHAN: Very briefly, as part of doing any type of
29 rulemaking, we had to follow the National Environmental Policy
30 Act and look at the -- do an environmental review of the effect
31 of the decision. And to do that we had to set up different
32 alternatives for ways to implement the court directive. The
33 court said you will expand subsistence management into
34 fisheries on navigable waters, and so -- okay, that's the
35 decision is to expand.

36

37 We had to do an environmental review of how we would
38 expand, and then compare those -- we did it by doing
39 alternatives and then we compared them in an Environmental
40 Assessment. There is a summary of the Environmental Assessment
41 on the table behind me. But for the purposes of evaluating how
42 we could implement this rule we took three alternatives. And
43 Alternative 1 would be if we took no action. In other words,
44 did not do any expansion. And we did that for comparison, it
45 was not a true alternative in the sense that it was something
46 we'd really try and do.

47

48 The second alternative was what we call a limited -- if
49 we took a very narrow view of expanding into fisheries and on
50 the North Slope it's not a good example, but -- because of the

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1 land ownership patterns. But what Alternative 2 meant down on
2 the Yukon-Kuskokwim Delta, most of the Delta is within the
3 outer boundary of the Yukon-Kuskokwim National Wildlife Refuge.
4 Within that outer boundary there are large tracts that are of
5 Native corporation lands that are land allotments. And so for
6 Alternative 2 what we said was that the land that is actually
7 managed in this case by the Fish and Wildlife Service would be
8 part of the Federal program, but the land that was on Native
9 allotments or Native corporation lands would not be part of the
10 program, the waters that cross those. So that was Alternative
11 2.

12
13 And then Alternative 3, which is what's describe here
14 in this Proposed Rule is that all the waters that cross Federal
15 land or within that outside boundary would be considered within
16 the program.

17
18 And that, really briefly, is the difference between the
19 three alternatives.

20
21 CHAIRMAN REXFORD: Thank you, Rosa. Mr. Upicksoun and
22 then Mr. Hopson.

23
24 MR. UPICKSOUN: Mr. Chairman, on those three
25 alternatives, could you explain the percentages? I can't find
26 the literature in front of me. I remember the percentage of 98
27 percent on Alternative 1, 42 percent on 1 (sic). Alternative 3
28 was 50 some percent. Can you explain those percentages on --
29 in your -- you say there's hardly any difference, but you look
30 those percentages, maybe if you explain, we'll understand
31 better.

32
33 MS. MEEHAN: I'm looking for my cheat sheet here just -
34 so I keep the numbers correct. All right. If you take -- this
35 is simply a numbers game, if you will. It's to give somebody
36 an idea of the extent of potential expansion jurisdiction. And
37 what we did is -- we have a computer program that has all the
38 rivers, all the drainages in it and the computer program can
39 tell you how long all the rivers are. And what we did is
40 simply treat it -- if we took no action and did not expand the
41 program, all the waters that are currently considered Federal
42 waters would be in the program and that's about two percent of
43 the waters in the State, because they're wild and scenic rivers
44 or something like that, or currently in the program.

45
46 Under Alternative 2, which is this limited jurisdiction
47 that just as the land that's actually managed by a Federal
48 agency would be within the program. So if you take all the
49 rivers that go across that land and add up all their lengths
50 and then compared it to the total length of rivers in the

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1 state, that gives you that 41 percent of all the waters.

2

3 MR. UPICKSOUN: That's Alternative 2?

4

5 MS. MEEHAN: That's Alternative 2.

6

7 MR. UPICKSOUN: I wish I had the literature here, I
8 can't locate my literature with regards to those percentages.

9

10 MS. MEEHAN: Yeah, that's Alternative 2. And then in
11 Alternative 3 -- okay, so it's 41 percent under Alternative 2,
12 under Alternative 3 it's approximately 52 percent of the waters
13 in the state would be in the program. And again, it's the
14 waters that cross, you know, if you got your refuge boundary
15 like this, it's the length of the waters that go across the
16 land.

17

18 MR. UPICKSOUN: Okay. So you're saying you're going
19 from two percent, that's in Alternative 1?

20

21 MS. MEEHAN: Two percent is what we have today.

22

23 MR. UPICKSOUN: Forty-one percent and 52 percent,
24 that's about -- anybody looking at those percentages would,
25 whoa, there's a big difference there between 1, 2 and 3.

26

27 MS. MEEHAN: Yes.

28

29 MR. UPICKSOUN: Okay.

30

31 CHAIRMAN REXFORD: Mr. Hopson and then Mr. Brower.

32

33 MR. E. HOPSON: I'd just like to clarify myself first.
34 My understanding of an allotment on a stream or river, all
35 right, here's a river over here and then I have an allotment
36 here in this part, I built a house. My understanding of that
37 allotment is you own the property but there has been some
38 problem with these allotment owners. I hope somebody would
39 further on -- even most to people here on the North Slope and
40 maybe other places, too (sic). People that have an allotment
41 right here for fishing, because there a good river, good deep
42 water, that's what we're looking for (indiscernible).

43

44 People tell some of their neighbors, you cannot fish
45 here because this is my allotment. But my understanding of
46 that is they don't own the water in the river. That's what I
47 want to clear myself on, that was my understanding of
48 allotment. If I have an allotment here, I don't own the water,
49 that means he can come and put his fish nets out on my --
50 that's what I'm trying to claim here. There has been some

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1 problems with that because the allotment -- the holder of this
2 allotment would keep all these other people away from putting
3 their nets in the river.

4
5 MS. MEEHAN: What the -- in this case what the
6 allotment owner can do is say, you can't come on my land and
7 put you net -- you know, stand on the river bank and work from
8 there. But you're correct, they do not have the water, so if
9 somebody wanted to fish from the other side of the river.....

10
11 MR. E. HOPSON: That's right. That's a problem. I
12 wish you people would kind of educate those people that do
13 that. They do the in the Rue (sic) and other places. On
14 (Inupiaq) you know the drainage from Teshekpuk, people try to
15 keep their neighbors from fishing in that spot where they've
16 always fished before.

17
18 (Inupiaq)

19
20 CHAIRMAN REXFORD: Thank you, Mr. Hopson. Mr. Brower.

21
22 MR. H. BROWER: Yeah, I was going to ask Rosa if she's
23 heard any comments from any of the Regional Councils from other
24 areas regarding these three alternatives or from the State,
25 whether which -- if they made an indicator of what they like to
26 see or the action they've taken on any of the alternatives.

27
28 MS. MEEHAN: For the alternatives, you don't need to
29 take action them and nobody else has either. That was
30 something we used to analyze how we would do this and to set up
31 -- I mean, just set up a couple of different ways to do it and
32 kind of go which one looks the closest to what people want.
33 And so that was just a technique we used and we're giving you
34 the information so you can understand what was thought about
35 and incorporated.

36
37 But Alternative 3 is the way the program has gone and
38 that's what's written down in this Proposed Rule. So the whole
39 discussion about those alternatives is just for your
40 information.

41
42 With regards to what other Councils have done. I've
43 been to both the Eastern Interior Council and the Western
44 Interior Council meeting and at those two Council meetings
45 people on the Council discussed some very specific fishing
46 issues within their areas and had some very specific
47 recommendations that had to do, in Western Interior, with some
48 use of weirs in a couple of rivers. So very site specific
49 issues.

50

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1 The other issue that both those Councils had was how
2 they would work with the Yukon River Drainage Fishermen's
3 Association, so they were looking at some broader issues of how
4 you manage along the Yukon. That's the type of issues that
5 have been brought forward.

6
7 MR. H. BROWER: Okay. Another, Mr. Chairman.

8
9 CHAIRMAN REXFORD: Mr. Brower.

10
11 MR. H. BROWER: In regards to these alternatives,
12 Alternative 3 is the preferred alternative by the agencies.
13 Why is it that -- you know, there's the differences from no
14 action to the preferred alternative, why is it that you've
15 selected Alternative 3 even though it's been a court decision
16 to have the Federal government to go ahead and take over the
17 management?

18
19 MS. MEEHAN: What the court said was that -- the court
20 agreed with the plaintiff, Katie John, that the Federal
21 government should get into fisheries. And so the court said,
22 you will do fish and you will identify which waters you'll be
23 doing fish in. So they didn't say -- they didn't draw the
24 lines on the map as to where we would do it, so what we had to
25 do was take that directive back and figure that out and that's
26 what the court told us to do. And so using those alternatives
27 was a way of helping us decide that.

28
29 And one of the underlying things between looking at the
30 different alternatives is which of those alternatives would be
31 most effective at addressing the issue that Katie John brought
32 before the court, you know, which had to do with her
33 establishing her fishing site at Batzulnetas. And so that's
34 why we chose the more expansive of the three alternatives.

35
36 MR. H. BROWER: Mr. Chairman, if I could, I'd like to
37 follow up with another question.

38
39 CHAIRMAN REXFORD: Okay, you may, Mr. Brower.

40
41 MR. H. BROWER: If we took no action on this issue, and
42 I'd just probably like to get clarification, what would be the
43 ending results in the future if we took no action on this or
44 selected no alternative and took no action on it?

45
46 MS. MEEHAN: It will not matter. Any action you take
47 will give us information that we can use as we keep going
48 forward in this process but there's nothing that you have to
49 take action on.

50

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1 MR. H. BROWER: Thank you.

2

3 CHAIRMAN REXFORD: Mr. Upicksoun.

4

5 MR. UPICKSOUN: Mr. Chairman, we're treading on new
6 waters here, our Regional Advisory Council. All the other
7 Regional Advisory Councils are addressing the same problem.
8 Maybe we could request from our coordinator that we get minutes
9 of this particular meeting from all the other Regional Councils
10 so we have a better concept of what's happening statewide
11 regarding this issue.

12

13 CHAIRMAN REXFORD: Okay. Did you hear that, Barbara?

14

15 MS. B. ARMSTRONG: Um-hum.

16

17 CHAIRMAN REXFORD: Good point. I think this is a
18 statewide issue and it's more concentrated or the regulations
19 are really -- what Edward pointed out that he would rather not
20 see any new restriction on our way of life. And I hate to be
21 in the Federal Subsistence Board or the Regional Council making
22 regulation on our way of life or restricting, cutting off and
23 imposing fines on our way of living. I'd hate to be in the
24 Chair of the Federal Subsistence Board for sheep.

25

26 Like Mr. Hopson was saying, that although it's not
27 recorded in the books, oral history, our subsistence way of
28 life from Point Hope all the way to Kaktovik we've caught
29 sheep. And to satisfy the State regulations on the eight
30 factors, something's missing that they want to impose or stop
31 our way of living that we've done for years and years and
32 years. And if the State Board of Game or the ADF&G staff
33 people are going to stop our way of life, boy, that's bad
34 business. You're restricting our way of life. You're stopping
35 it. Even though it's not written in black and white, I'd had
36 to be in your seat to restrict or make comments that you should
37 cease our way of life. So I just wanted to bring that out.

38

39 Any other comments from the Council? Mr. Peetook.

40

41 MR. PEETOOK: (Inupiaq)

42

43 CHAIRMAN REXFORD: Thank you, Mr. Peetook. What he was
44 saying, that if there are alternatives that presented for
45 action, that he would like to see an alternative, like
46 Mr. Attugana was state earlier, that we need to make sure, and
47 also Mr. Hopson, make sure that we do not cease or stop our way
48 of life or our way of living that we've been having. We have
49 our -- we abide by our rules that have been passed on from
50 generation to generation. And Rossman was suggesting that

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1 maybe we should look at an alternative where there would be no
2 rules or regulations for subsistence way of life because we've
3 been doing that and managed to have that through today and we
4 still have our resources.

5

6 Any other comments from the Council members? If not,
7 the floor is open for public comments or from teleconference.
8 This is an opportunity for public comments from the audience or
9 from the teleconference participation.

10

11 (Pause)

12

13 CHAIRMAN REXFORD: Okay, we did have some public
14 comment period, too, from a couple of the villages yesterday.
15 There were some very good comments, maybe I'll just summarize
16 what I remember. As far as including -- just a second here.
17 On page 66225, Roman Number XV, suggestion to add federally
18 recognized tribes. And we've also heard from Mr. Morgan
19 Solomon from the Native Village of Barrow to enter into
20 co-management or cooperative agreements with existing, and also
21 reiterated by Mr. Hopson, that there are existing local
22 government agencies that deal with polar bear, beluga,
23 International Porcupine Caribou Herd, are examples that this
24 program should look into working with the local folks.

25

26 So I just wanted to summarize that real quickly.
27 Again, this is an opportunity for public comment on the Federal
28 subsistence fisheries management. If there are none, I'd like
29 to proceed on with our agenda for Regional Council and Fish and
30 Game Management deliberations and recommendations at this time.

31

32 Thank you, Rosa.

33

34 MS. MEEHAN: Thank you, Mr. Chairman.

35

36 CHAIRMAN REXFORD: For the sake of summarizing what
37 I've heard this morning, fellow Committee members and Council
38 members, do we really need subsistence regulations at this
39 time? Is there a real need to have management regulations for
40 fishing? We can understand that there may be a need for sports
41 and/or commercial fishing in our areas but at this time do we
42 really need subsistence regulations to manage our way of life?

43

44 We also heard from Mr. Elijah Attugana that we need to
45 make understand the Outside or the Western society that we've
46 been living up here forever practically. That handed down from
47 our forefathers and that if we did not obey their rules that
48 they passed on to us that we wouldn't have the resources. So
49 we need to remind the Western society that we abide by rules
50 that were passed on from our generation and we need to have you

00062

1 understand that we abide by the common sense rule in the
2 Arctic. It would be good that you understand that we've been
3 doing this for -- since we were created.

4
5 The other one that we just heard from, Mr. Peetook --
6 just a second, I'm trying to find it here. As an alternative
7 maybe we should suggest that there be no rules on our
8 subsistence way of life.

9
10 So the floor is open now, we need to make any other
11 deliberations or recommendations on this matter from the table
12 here. Any comments or suggestions or recommendations from the
13 table?

14
15 MR. E. HOPSON: Mr. Chairman, are you asking for
16 recommendations on the.....

17
18 CHAIRMAN REXFORD: Yeah, we're just taking deliberation
19 or comments.

20
21 MR. E. HOPSON: On the proposed regulations?

22
23 CHAIRMAN REXFORD: Yeah, on the Proposed Rule for
24 subsistence fisheries.

25
26 MR. E. HOPSON: Mr. Chairman, I like to either treat
27 (sic) for sheep from Point Hope to Barrow, just like all the
28 people from Nuiqsut to Kaktovik or just leave it alone the way
29 it is without closing it from Barrow to Point Hope.

30
31 CHAIRMAN REXFORD: We'll be taking up the matter,
32 Mr. Hopson, on the sheep particularly, right now we're trying
33 to close out the agenda on fisheries, Federal subsistence
34 fisheries.

35
36 MR. E. HOPSON: Oh, all right.

37
38 MR. UPICKSOUN: Mr. Chairman.

39
40 CHAIRMAN REXFORD: Mr. Upicksoun.

41
42 MR. UPICKSOUN: Can we have the time table clarified
43 where she mentioned that we're -- these proposed regulations
44 will be in effect in the year 2000, what's the time frame in
45 regards to this Regional Advisory Council making a decision on
46 it regarding these regulations? She mentioned we have a year.
47 What -- how do we stand on this?

48
49 MS. MEEHAN: What you have in front of you is a
50 proposed regulation, and I want to emphasize that for the North

00063

1 Slope, the specific language that talks about subsistence
2 fisheries on the North Slope says you don't need a permit,
3 there are no restrictions. You can comment on that right now,
4 and that's something we'd consider to go into the Final Rule.
5 If we have to implement then we will start the regular process,
6 just like we do with game animals, we'll start it about this
7 time next year. So we would take proposals but there would be
8 no change to the regulations until the year 2000. Does that
9 make sense?

10
11 MR. UPICKSOUN: Yes, it does.

12
13 MR. KOONUK: Mr. Chairman.

14
15 CHAIRMAN REXFORD: Okay, Mr. Koonuk.

16
17 MR. KOONUK: Yes, just make comment here. You just
18 mentioned something about there would be no permits for
19 subsistence use, then why do we need regulations, you know?
20 You're not going to give us any permits, you know, for
21 subsistence and, you know, we don't need regulations out here.
22 And I respect what Mr. Hopson and Elijah talked about and
23 they're right, you know, that was brought on to -- you know,
24 their fathers and brought on to use, you know, it's from
25 generation to generation. We never did have regulations, we're
26 always out there. You know, I think of learning of respecting
27 the animals and you catch what you can catch. You know, we're
28 not abusing, you know. They're making it sound like we're
29 abusing animals out there and just throwing them out left and
30 right.

31
32 CHAIRMAN REXFORD: Okay, thank you, Mr. Koonuk. Any
33 other comment? Barbara.

34
35 MS. B. ARMSTRONG: (Inupiaq)

36
37 CHAIRMAN REXFORD: Okay, thank you, Barbara. Just to
38 summarize real quickly for the benefit of the others, that we
39 like to hear from the Committee members and Council members
40 that the present way of fishing or subsistence way of fishing
41 if there's any restrictions that are injuring us now, we need
42 to make that known. The State system that they're adopting or
43 blueprinting or copying, if there's any hinderance to us and
44 our subsistence way of life we need to make that known at this
45 time. So if we do not like the present system we should like
46 the program know.

47
48 MR. E. HOPSON: Are those proposals on fishing in our
49 packet? If you would maybe -- if in here, let us know if you
50 have a copy of those. I have a Proposed Rule for Federal

00064

1 subsistence fishery management, purpose, key provision and the
2 next step, that's it. But do you have proposed regulations
3 written out?
4

5 CHAIRMAN REXFORD: Yeah, there's a Federal Register on
6 the Proposed Rulemaking that maybe -- we were short of copies
7 this morning, I don't know if you have a.....
8

9 MR. UPICKSOUN: I got an extra copy here.
10

11 (Multiple voices - getting Mr. Hopson the Federal
12 Register and to the correct section)
13

14 CHAIRMAN REXFORD: Okay, at this time I just want to
15 summarize for the benefit of moving here. I know this is a
16 very important issue, but is there any Committee or Council
17 members at this time that want to let us know that in the
18 present way that we are fishing whether there's restriction on
19 our subsistence way of life? Is there any hinderance that you
20 see on the customary trade, gillnetting, dipping netting,
21 jigging, rod and reel? Any restriction that you see that is a
22 hinderance to us as of today we need to let the management
23 know.
24

25 MS. MEEHAN: Mr. Chairman, if it will help you, the
26 specific pages in this that have the regulations that speak to
27 this area is on the customary and traditional use
28 determinations is on page 66235, that's 235, the page looks
29 like this with columns on it.
30

31 So the area, which is the Kotzebue northern area, which
32 is the Northern District, so it's equivalent to Fish and Game's
33 Northern District, the customary and traditional use
34 determination is all fish. Okay? So that's the first part of
35 it. You know, no restrictions whatsoever. The second part --
36 huh?
37

38 MR. E. HOPSON: Is that 66235?
39

40 MS. MEEHAN: Yes, 235. If somebody could help people
41 find that. It's up on the very top left corner.
42

43 (Multiple voices - helping Committee find page)
44

45 CHAIRMAN REXFORD: Okay, thank you, Rosa. They are --
46 at least in Kaktovik area we go into the western side of
47 Canning River into Unit 26(B) that we would like to identify as
48 areas that we fish in. Flaxman Island, along the coast there
49 are some lakes that we may reach for ice fishing. I think it's
50 worthwhile to get back to the community to identify the use

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1 inventory because I know on the west side of Canning River is
2 where 26(B) starts. And I would make reservations that there --
3 when the determination says except for those domicile in the
4 state of Alaska, Unit 26(B), is that where they reside or the
5 residents living in Kaktovik go over there, how would that be
6 explained on 66235? And I'm sure that the residents of
7 Nuiqsut, although they live on the western bank in 26(A) go
8 over to 26(B) and fish on the creeks or fish on the lakes in
9 Unit 26(B).

10
11 MS. MEEHAN: Mr. Chairman, I believe that restriction
12 is aimed at Prudhoe Bay, so that subsistence is available to
13 all residents of the North Slope except for people who live in
14 Prudhoe Bay. I think that's the intent of the regulation. But
15 if there is a better way to say that or if you don't think
16 that's an appropriate restriction, that's the kind of comment
17 that would be very helpful.

18
19 CHAIRMAN REXFORD: What is the corridor regulation say,
20 Geoff, on the hunting? Is Geoff here?

21
22 MR. UPICKSOUN: Wake up, Geoff.

23
24 CHAIRMAN REXFORD: Yeah, there's some restrictions on
25 hunting along the pipeline corridor, would similar wording
26 suffice or place too much of a restriction on keeping it open
27 for residents of Nuiqsut and Kaktovik in 26(B) for fisheries?
28 Because it's a very vague definition in 66235 for those --
29 except for those domicile in 26(B) it's open, otherwise it's
30 closed, is that how I would interpret that?

31
32 MS. H. ARMSTRONG: I'm assuming our map is correct, but
33 Nuiqsut is in 26(A), actually it's on the boarder, so there are
34 no communities in 26(B), that's why -- I mean they could just
35 make it more clear and say, you know, except for people living
36 in Prudhoe Bay.

37
38 CHAIRMAN REXFORD: Okay, would it be sufficient then in
39 '99 to work on a regulation specifically keeping it open for
40 those residents of Kaktovik and Nuiqsut that go into 26(B)?

41
42 MS. H. ARMSTRONG: You can still go into 26(B), it's
43 just saying that people who live in 26(B).

44
45 CHAIRMAN REXFORD: Okay, thank you. Okay, any other
46 comments?

47
48 (No audible responses)

49
50 CHAIRMAN REXFORD: Again, just as a summary, is the

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1 present system any hinderance to subsistence way of life that
2 we're living in now? Ms. Hepa.

3
4 MS. HEPA: I'd like to make a comment. This is Taqulik
5 Hepa for the record. There's just a couple of points that I'd
6 like to point out. I see that, you know, there's some
7 confusion or a little bit of misunderstanding on what the
8 purpose here is and I'd like to point out a couple of things to
9 address some of those concerns or why, you know, there is a
10 problem.

11
12 The first one is that people of the North Slope who
13 subsistence hunt are not aware of any hunting regulations on
14 fisheries, so when they harvest they're usually going out to
15 harvest what they need and catching what they need seasonally
16 to last throughout the year. So, you know, they're not aware
17 of any hunting regulations for fisheries.

18
19 MS. H. ARMSTRONG: There aren't any.

20
21 MS. HEPA: Yeah.

22
23 MS. H. ARMSTRONG: That probably why they aren't aware
24 of them because there aren't any.

25
26 MS. HEPA: Yeah. And, you know, like I also remember
27 what Edward Hopson said, if there's -- you know, if there's no
28 problem then it shouldn't be brought up, so maybe, you know,
29 that may be one way to solve this problem is not even to bring
30 up the issue of having subsistence regulations on fishing on
31 the North Slope.

32
33 And I know that the people of the North Slope have been
34 real fortunate that we haven't really felt the impacts like the
35 other regions around the state of Alaska where they have
36 commercial fishing and sport hunting, so we've been real
37 fortunate in that matter too.

38
39 And going back to co-management, co-management is, I
40 think, something that we can work with in the Native
41 organization across the Arctic Slope -- need to get together
42 and, you know, try to see how we can do that and make a
43 proposal to either the State or Federal agencies, you know, to
44 let them know that we are capable of doing co-management and we
45 need to do that as a Native organization on the North Slope to
46 make a proposal to them.

47
48 Thank you.

49
50 CHAIRMAN REXFORD: Okay, thank you, Taqulik, very good.

00067

1 In fact, that was going to my summary. I think you said it in
2 four sentences.

3

4 Mr. Hopson.

5

6 MR. E. HOPSON: You'll probably call it out of order,
7 but when the regulations take effect, what role with the North
8 Slope Borough and this Committee play a role in that, at that
9 time, when the regulations become effective? What part do we
10 play?

11

12 CHAIRMAN REXFORD: We'll play a big part, Mr. Hopson.
13 I think in the spring of '99 that they'll open this up to start
14 making rules and regulations for fishing. The Federal
15 Subsistence Advisory Council will play a big role, like we do
16 for musk-ox or making recommendations to the Federal
17 Subsistence Board.

18

19 MR. E. HOPSON: Oh, all right.

20

21 CHAIRMAN REXFORD: And you heard that this morning, 95
22 percent of the time they follow up on our recommendations on
23 proposed rules and regulations for terrestrial, so it'll work
24 the same way for fisheries.

25

26 MR. E. HOPSON: All right, thank you.

27

28 CHAIRMAN REXFORD: Any other comments? I'd like to
29 sort of move along here, I think. I would like to reiterate
30 what were -- almost make a form of a motion on what Taqulik was
31 just saying was summarized. I think that's the general feeling
32 I get from around the table here.

33

34 So the Chair will back up what Ms. Hepa said about --
35 she just summarized exactly what we were talking about
36 yesterday and this afternoon. Would there be any objection to
37 that support?

38

39 MR. UPICKSOUN: No objection.

40

41 CHAIRMAN REXFORD: Okay, the Chair, again, would back
42 up what Taqulik Hepa just said for the record and that'll be
43 the joint Committees recommendation or comments.

44

45 Okay, we may be a little bit a head of schedule, I was
46 trying to time the next agenda item, which is the agency
47 reports. I'd like to give an hour and a half to the agency
48 reports, there's nine agency reports. I don't know how to
49 divide nine by an hour an a half.

50

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1 MR. UPICKSOUN: Ten minutes a piece.

2

3 CHAIRMAN REXFORD: Ten minutes a piece, okay. I think
4 in order to get done by 5:00 o'clock, I'd like to let the
5 agencies that will be making reports limit their reports to 10
6 minutes or less. And at this time the Chair will entertain a
7 motion for a 10 minute recess.

8

9 MR. PEETOOK: (Inupiaq)

10

11 CHAIRMAN REXFORD: Ten minutes, all right. 3:00
12 o'clock.

13

14 (Off record)

15

16 (On record)

17

18 CHAIRMAN REXFORD: Find our back to our seats so we get
19 started. While Rosa still has her seat warmed up there, I see
20 that we can go ahead and start on that. But before we start on
21 our agency reports under new business, I note that there's some
22 new faces that walked in this morning, I just want to have them
23 introduce themselves and who they're from. But first of all I
24 want to introduce my sister, Mary Ann Warden, Reverend Mary Ann
25 Warden, just moved up from Juneau, she's going to be the
26 Associate Paster here at Presbyterian Church, so I just wanted
27 -- I saw her in the building here, so -- I'm very proud that
28 she's.....

29

30 (Applause)

31

32 CHAIRMAN REXFORD: Thank you, Mary Ann. I know there's
33 some other -- the ones that didn't introduce themselves this
34 morning, if you can do that real -- I know Jim wasn't here this
35 morning to introduce himself.

36

37 MR. KURTH: Jim Kurth, I'm the Manager of the Arctic
38 National Wildlife Refuge.

39

40 MS. REYNOLDS: I'm Pat Reynolds, anthropologist at the
41 Arctic National Wildlife Refuge.

42

43 CHAIRMAN REXFORD: Any other on that side of the wall?

44

45 MR. McCLELLAN: I'm Greg McClellan, I'm also with the
46 National Wildlife Refuge.

47

48 MR. BERLINGTON: Dan Berlington, North Slope Borough
49 Funding.

50

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1 CHAIRMAN REXFORD: Dan Berlington.

2

3 MR. BERLINGTON: With the Planning Department.

4

5 MR. GEORGE: Craig George from the Wildlife Department.

6

7 MR. H. BROWER: Who?

8

9 (Laughter)

10

11 MR. H. BROWER: Just kidding you, Craig.

12

13 CHAIRMAN REXFORD: Thank you. I think there's a sign-
14 in sheet if you haven't signed in, the pad should be around
15 here somewhere around the front there. If you haven't signed
16 in, please do so.

17

18 Okay, thank you for a quick break here. We'll move on
19 to agency reports. We have nine agency's reports that we need
20 to get done before the end of the day, so we'll limit the
21 presenters or the reporters to 10 minute each. We'll start off
22 with a report from Rosa.

23

24 MS. MEEHAN: I have just a brief report from the Office
25 of Subsistence Management. And the first thing I'd like to --
26 I just want to share condolences for Bill Bahr's family, he was
27 a former Council member from Shishmaref, he passed away
28 recently.

29

30 And then just a few comments about -- just information
31 about people new to the program, new to our office. As you'd
32 had mentioned earlier, Fred Armstrong has taken a position with
33 the Fish and Wildlife Service and he will be your Native
34 liaison, and his office is just down the hall from Dave
35 Allen's, the Regional Director, so he's right up there with the
36 folks up on the third floor.

37

38 Within the Subsistence office, some of you may have --
39 I'm sure Fenton has met Rod Kuhn who works for the Forest
40 Service. Rod Kuhn has taken another job, he will be moving to
41 Washington, D.C., so he will be leaving. Ken Thompson is the
42 Staff Committee representative from the Forest Service and he
43 will move from Juneau up to Anchorage. So a new face, not new
44 to the program, but he'll be new in our office there.

45

46 And Terry Edwards who had been doing a lot of our
47 publications and helping us put together our books has moved on
48 to another job as well. And Michelle Shivers has pretty much
49 taken over that particular function.

50

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1 And finally the team that has worked so hard to put the
2 information together for you and help you out with all your
3 many issues, Barb and Helen and Donna are still with the
4 program and I imagine they'll still be here for the next
5 meetings for you.

6
7 That's it.

8
9 CHAIRMAN REXFORD: Thank you, Rosa. That leaves seven
10 minutes for the next speaker here.

11
12 (Whispered conversation)

13
14 CHAIRMAN REXFORD: All right, we were just asking each
15 other here whether there was any proposals from the Fish and
16 Wildlife Service. I just discussed with him that under
17 proposals if there's any under the Federal government
18 proposals, we'll take them up at that time.

19
20 So with that I have Mr. Jim Kurth of Fish and Wildlife
21 Service for the Arctic Refuge, Manager.

22
23 MR. KURTH: Hello, Fenton, good to see you. I see
24 Rosa's back on after me, I wonder is she's going to use her
25 other seven minutes here, I don't know.

26
27 I'm going to be very brief, I think. One issue, of
28 course, that we spent a lot of time talking about is musk-ox
29 and I think we're going to spend time during the proposal phase
30 talking about the progress and you'll report on the progress of
31 the working group. I know Geoff will speak to that, so I think
32 maybe we'll talk about that at the appropriate time.

33
34 I would mention that we did, since your last meeting.
35 have a good meeting. Fenton invited us to Kaktovik and we met
36 with several of the people in Kaktovik and I appreciated that
37 invite and opportunity to visit with people there and hear
38 their thoughts about musk-ox.

39
40 Just a couple of other things that we've done since
41 we've met last. I think Patricia reported we had just finished
42 the snow goose survey on the Coastal Plain and we counted
43 102,000 snow geese staging in September on the Coastal Plain of
44 the Refuge.

45
46 We did a moose survey in a unit that we looked at for
47 many years, from Canning River over to about Atigun Pass in the
48 northwest corner of the refuge. You know, the moose numbers
49 have been down in the North Slope, basically, we saw very
50 similar numbers to the year before. Moose still are way down

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1 in that part of the North Slope. And I don't know if Geoff has
2 other information when he reports about other places on the
3 North Slope.

4
5 Also it was reported that last time that we didn't do
6 the caribou census, this is the one that we do every three year
7 where we try with Fish and Game to take photographs of the
8 entire herd to get a count. You know, the caribou didn't
9 cooperate and airplanes broke, so this summer, again, we will
10 try and work to get a new population update on Porcupine
11 caribou. It was 152,000 in 1994 and we'll try and update that
12 number to you this summer.

13
14 The only other thing I'll mention, and it's not
15 projects that we're doing, it's projects where we're just
16 helpers, and I mention it because I heard a couple of comments
17 from village concerns about climate changes and stuff. And
18 we're going to continue to work with the University of Alaska
19 on studies that they're doing on glaciers in the Arctic Refuge
20 where they've been monitoring them for a number of years
21 looking at how those glaciers have retreated and melted and
22 we're going to work as sort of helpers with them.

23
24 And another study that we're going to help out on is
25 another University of Alaska project where they looked at
26 temperatures of the permafrost on the Coastal Plain back in the
27 early 1980s and they're going to go out with us, we're going to
28 give them a ride with some helicopters this summer to go back
29 and check those temperatures again and see whether or not
30 they're seeing any warming of the permafrost there.

31
32 So those are projects that researchers at the
33 university are doing that, but we can help make it easier for
34 them to do it and share costs because of other work that we can
35 do at the same time.

36
37 So that's kind of a brief report on what's new and
38 what's coming up at the Arctic Refuge if anybody has any
39 questions. Harry.

40
41 MR. H. BROWER: What time of the year was this
42 permafrost measurement happening?

43
44 MR. KURTH: It'll probably happen in late July or early
45 August. They tell me they try and do that at the height of
46 melting in the summer, that's the best time, I guess, to, you
47 know, do that kind of work.

48
49 MR. H. BROWER: Thank you.

50

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1 MR. GEORGE: Mr. Chairman.

2

3 CHAIRMAN REXFORD: George, could you get up to near a
4 microphone so the recorder's -- state your name.

5

6 MR. GEORGE: Craig George with North Slope Borough. I
7 was just curious about recreational use, what the annual trend
8 is, whether it's increasing, decreasing, who's is using it?
9 River use?

10

11 MR. KURTH: Last year our use was actually down a
12 noticeable amount from the last few years. I think the most
13 common figure we use is the use days by people that come out
14 with river guides or backpacking guides and it was between
15 25-2,600 use days. Now that doesn't mean how many people. If
16 one person went on a 10-day trip that's 10 use days. In
17 1990-91, sort of our peak years, that was up more towards
18 4,000, so we don't know whether this is a trend or if it was
19 just one year was a little bit less than another, but in the
20 early 1990s we were concerned that use was going up pretty
21 dramatically and were concerned it would continue to go up at
22 that rate and that just has not happened and the numbers seem
23 to be, you know, not increasing.

24

25 MR. GEORGE: Thanks.

26

27 MS. H. ARMSTRONG: Jim, what is (indiscernible - away
28 from microphone)

29

30 MR. KURTH: Between 25 and 2,600 use days,
31 commercial/recreation.

32

33 CHAIRMAN REXFORD: Thank you, Mr. George. Any
34 questions for Mr. Kurth?

35

36 MR. KURTH: Thank you, Mr. Chairman.

37

38 CHAIRMAN REXFORD: Mr. Kurth, I have a question on the
39 departmental, not regulations, but conservation plans or
40 administrative orders that the refuges uses. Does that come up
41 for comment or changes on the conservation plan for the animal
42 use or the recreation use?

43

44 MR. KURTH: Each National Wildlife Refuge in Alaska has
45 what we call a Comprehensive Conservation Plan. ANILCA
46 required everyone of those to be done. And those things were
47 meant to last for 10 to 15 years. Right now the Fish and
48 Wildlife Service has just begun the second round of
49 comprehensive conservation planning, updating, you know, those
50 plans. The first ones that are going to be done over are going

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1 to be the ones that were done first, because they're the most
2 out of date, and those are the ones in Bristol Bay.

3
4 Now the Arctic Refuge Plan actually was the last one
5 completed and so it would not be reschedule to be redone
6 probably for another two or three years. I recommended, you
7 know, that we think about updating it quicker, but like
8 everybody else, you know, when plans get old people want to
9 update them. So right now we're not scheduled to revisit that
10 Comprehensive Plan for at least, you know, probably two to
11 three years.

12
13 CHAIRMAN REXFORD: Is there a public process on that or
14 is that an agency.....

15
16 MR. KURTH: No, that process is basically like an
17 environmental impact statement, where it start with a series of
18 scoping meetings and, you know, finding out what people's
19 concerns are and then a draft plan would go out. Another round
20 of meetings and hearings would be had and then a final plan
21 would be released, so very much a public process. They figured
22 -- you know, generally that takes two to two and a half years
23 to redo one of those plans.

24
25 CHAIRMAN REXFORD: The other question I have, is the
26 River Management Plan, is that coming up?

27
28 MR. KURTH: Basically what we decided was the Draft
29 River Plan that we had was not -- we did not think it was an
30 adequate document to finalize the way it was. One big reason
31 was that that visitor used projections that a lot of things
32 were premised on, simply weren't coming out to be true. And
33 the need to put on restriction just simply wasn't there. We're
34 doing some of the things that were in the plan, some of the
35 monitoring. We began a series of studies of camp site impacts,
36 where we go down the river and monitor whether there's been any
37 damage to vegetation at camp sites. We continue to monitor the
38 numbers, so we're doing a lot of things that were in the plan
39 but, you know, the projections of what was going to happen
40 simply haven't worked out, so I don't think that we will
41 finalize that plan and likely won't write another plan until we
42 do the Comprehensive Plan over again.

43
44 CHAIRMAN REXFORD: So that'll be coinciding with
45 Conference Plan then?

46
47 MR. KURTH: Right.

48
49 CHAIRMAN REXFORD: So that'll come up in two years
50

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1 MR. KURTH: A couple of years, you know, depending --
2 other than that the Bristol Bay plans that they've actually
3 already started, the schedule of when we do other ones could
4 change. Right now though we're not scheduled to start until
5 the last group of them and I think it's about three years away
6 yet.

7
8 CHAIRMAN REXFORD: One last item. Could you get this
9 Committee and also provide copies of the Comprehensive
10 Conservation Plan, the River Plans, Cabin Use Plans, any other
11 rules and regulations provide to us, so that we know what we're
12 coming -- what we're against. I mean as far as abiding by the
13 rules in the wilderness and Coastal Plain and the others
14 pertaining to subsistence or other uses.

15
16 MR. KURTH: Sure. You basically want to have any
17 document that would have policies or any rules.

18
19 CHAIRMAN REXFORD: Yes.

20
21 MR. KURTH: Sure.

22
23 CHAIRMAN REXFORD: I think that would be helpful for
24 our Wildlife office and for the Village of Kaktovik to keep in
25 hand in case there's any future change we can review those or
26 this, any new plans that'll take place, we want to be involved
27 in making recommendations to the changes.

28
29 MR. KURTH: I'll certainly do that.

30
31 CHAIRMAN REXFORD: Harry.

32
33 MR. H. BROWER: Jim, you mentioned about for the plant
34 life in the refuge, is that research work pertaining to use by
35 the animals is what's available to them or is that -- I wasn't
36 really clear as to what you mentioned there regarding plants i
37 the refuge.

38
39 MR. KURTH: Well, we're not -- I don't think I
40 mentioned any particular plant study. We do have some studies
41 where we look at the vegetation plots where we look, you know,
42 at change over time. We have a study that we've done on the
43 impact and seismic trails on our refuge where we look every
44 three or four years at the recovery from the seismic
45 exploration. We'll be looking this summer as well. Other than
46 that there are just some permanent vegetation plots, when we're
47 looking at changes to, you know, tundra or, you know, forest
48 communities on the south side.

49
50 MR. H. BROWER: Well, does that include the forage for

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1 animal use in that plot of just.....

2

3 MR. KURTH: We have not done anything, you know,
4 recently. I think -- Patricia, there's been some studies of
5 forage on the refuge in the past but we don't have any
6 permanent continuing along those lines.

7

8 MR. H. BROWER: (Indiscernible - fans blowing)
9 mentioned about the (indiscernible) so I thought it might have
10 something to do with that.

11

12 MR. KURTH: We have not looked at the willow forage of
13 moose as part of the study of the population decline there.

14

15 MR. H. BROWER: Thank you.

16

17 CHAIRMAN REXFORD: Any other questions for Mr. Kurth?
18 Just one last request, Jim. The meeting that we had in
19 Kaktovik, could you provide us a copy of the summarized notes
20 or something?

21

22 MR. KURTH: Yeah. Did we not do that?

23

24 CHAIRMAN REXFORD: Maybe for the benefit -- if you have
25 copies with you today or something, maybe we can pass those
26 around.

27

28 MR. KURTH: Didn't I give you.....

29

30 CHAIRMAN REXFORD: Yeah, you did, but we haven't
31 disbursed it to the other members here. If they're available,
32 maybe tomorrow we can.....

33

34 MR. KURTH: Okay. I don't know whether we have them
35 with us or not.

36

37 CHAIRMAN REXFORD: Okay, thank you. Mr. Patkatok.

38

39 MR. PATKATOK: Out of curiosity, I wonder what an
40 earthquake -- what's it got to do with Prudhoe? What kind of
41 seismic activity can you.....

42

43 REPORTER: I can't hear you, Michael, I'm sorry.

44

45 MR. PATKATOK: I know there was an earthquake reported
46 in the news at Prudhoe, out of curiosity, what appreciable
47 seismic activity is there on the Arctic Slope?

48

49 MR. KURTH: I think maybe you're talking about
50 different seismic than what I was. The seismic I was talking

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1 about was the fact that in the mid-1980s there was seismic
2 exploration of the Coastal Plain for oil where it was capturing
3 in seismic. The seismic in terms of earthquakes and stuff, you
4 probably know as much or more about it than me. I don't know
5 too much about earthquakes at Prudhoe. I don't if anybody else
6 here might.

7
8 CHAIRMAN REXFORD: Thank you, Mike. Any other
9 questions for Mr. Kurth.

10
11 MR. UPICKSOUN: One last comment.

12
13 CHAIRMAN REXFORD: Mr. Upicksoun.

14
15 MR. UPICKSOUN: I hope you remember that recreational
16 use days are a trend, you know, anything that will -- the less
17 impact on our subsistence the better. I hope it is a trend and
18 it goes further down.

19
20 Thank you.

21
22 CHAIRMAN REXFORD: Thank you, Mr. Upicksoun. There's
23 no other questions for Mr. Kurth. Thank you, Jim.

24
25 MR. KURTH: Thank you, Fenton.

26
27 CHAIRMAN REXFORD: Migratory birds, implementation of
28 amendment status report. Rosa.

29
30 MS. MEEHAN: Thank you, Fenton. I'm coming as a
31 messenger on this, just to share information with you from our
32 Migratory Bird Program and it's just to catch you up on what's
33 going on. And Charlie Brower is truly the expert on this topic
34 within this area. He's been involved in the issue for a long
35 time.

36
37 The issue has to do with spring hunting of migratory
38 birds and, as you know, this has been a controversial issue for
39 years and years. And there's been an ongoing effort to settle
40 some outstanding treaty issues which recently were settled in
41 negotiations, both with Canada and with Mexico, there were
42 treaty amendments put together and have been adopted by the
43 U.S. Senate to allow for legalization of spring harvest of
44 waterfowl. And the people that were -- Charlie Brower was very
45 much involved in those treaty negotiations.

46
47 The protocol that implemented the amendments was signed
48 in December of '95 and in the last year the protocols have been
49 adopted by the Senate. And so now that we have these Senate
50 ratified protocols the Fish and Wildlife Service is in a

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1 position to be able to develop and implement regulations for
2 spring waterfowl harvest.

3
4 It is going to be a process and it's just starting and
5 it's very much a process that's open and looking for input from
6 people. The specific times that they will be looking for input
7 is there's going to be a mailing put out to all Bush addresses,
8 and so that's something that you can expect to see within the
9 next couple of months. And it's going to be something that
10 will explain what happened with the treaties, what the process
11 is and ask for specific input on how the program should be
12 designed.

13
14 Part of what needs to be designed will be a management
15 body or a management group of some sort to work within that
16 whole process. And the one thing that I wanted to be real
17 clear with our Federal Council is that the management group put
18 together for migratory birds will not be the same as our
19 Federal Subsistence Council. And the reason is that the
20 management group put together for migratory birds has to have a
21 Fish and Game representative on it and it has to have a
22 representative from the Fly Way Council on it. And that's as
23 per the treaty protocols. So I just want to make it clear that
24 this group will not be doing migratory birds.

25
26 Defining what those management groups will be is
27 essentially the first step of setting up that process. It will
28 be followed by trying to outline what regulations there should
29 be and that's something that will be happening in the future.
30 The -- let's see. The thing about migratory birds is that they
31 are different somewhat to manage than game in that migratory
32 waterfowl travel thousands of miles and there's people all
33 along their travel routes that are very interested in the
34 birds, care very much about them and have a stake in what
35 happens with those birds. And so there's just a broader
36 audience that needs to be worked with in the management. So it
37 differs in that regard and that's a lot of what will drive how
38 this is put together.

39
40 The important thing is that to finally have the treaty
41 amendments in place so that this process can move forward. And
42 I will try to answer questions on this, but again, I would
43 state, Charlie Brower is the person that's been involved in
44 this absolutely directly for years. And he's the -- will have
45 the best information to give you.

46
47 I just wanted to share this with you so that you're
48 aware that you'll be receiving this mailing and that the reason
49 for it is to ask for your input and to let you know that this
50 Council will not be the management group for migratory birds.

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1 And that Charlie Brower is the person that is the best source
2 of information on it.

3
4 CHAIRMAN REXFORD: Mr. Hopson.

5
6 MR. E. HOPSON: I have a couple of questions. What is
7 the problem of opening up -- of taking waterfowl here for us on
8 the North Slope and maybe all along from St. Lawrence Island to
9 here? Is it because that they come here and nest, is that the
10 biggest problem or is there something else?

11
12 MS. MEEHAN: The concern -- a lot of this process has
13 been driven by -- when the waterfowl regulations were set up,
14 and I think you've alluded to this before, people just did not
15 think about what was going on in Alaska and did not take into
16 account the importance of waterfowl, spring waterfowl harvest.
17 It just wasn't even part of the picture. And so the whole
18 process to try and pursue the treaty amendments to try and get
19 other people, and these are people that live in California,
20 people that live in Mexico, people that live in Canada to
21 recognize we need to provide for this, that it's important.
22 That's what all of that treaty effort was about.

23
24 So the first thing was to recognize the importance and
25 then the second thing was to incorporate what was happening up
26 here in terms of the overall management along the whole fly
27 way. And so it's not because there's a problem, it's driven
28 more to recognize what is going on and to incorporate it into
29 the big picture.

30
31 MR. E. HOPSON: Are we permitted to take waterfowl in
32 the spring? Legally?

33
34 MS. MEEHAN: It's -- the way it is right now, but this
35 is something that I do want you to talk to Charlie Brower
36 about, because he's closer to it than I am. My understanding
37 is that until there's actually the regulations written or
38 whatever, that it's status quo. That the way things are now
39 stays that way until it's changed on paper. But please talk to
40 Charlie Brower about that because that's something that is
41 still being discussed.

42
43 MR. E. HOPSON: All right. What kind of important
44 information does Mexico and Canada need? We've been talking
45 about this since maybe in the '50s or '60s. I was one of the
46 138 people that turned ourselves in at to taking an eider duck
47 out of season, in April. I was one of a 138. Now, we told
48 them and told them that it's a necessity and I think it was a
49 couple of years ago at one of our meetings I asked how much of
50 waterfowl does a subsistence user take versus the sports

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1 hunters out in the Mexico wetland where the sports hunters
2 target practice on ducks. We watch them on TV.

3
4 And one of the questions I raised several years ago at
5 one of these meetings, maybe some of you will remember, how
6 much does a subsistence user take to the waterfowl? The report
7 was from the people that -- responsive people, I think that
8 actually was correct, if not, it was close enough, subsistence
9 users take two percent of what is knocked down by sports
10 hunters. Two percent.

11
12 And we taught them over and over that duck season is
13 closed now, since March 3, and then it's going to open.
14 There's going to be -- all kinds of ducks come here in the
15 summertime and all this time it's closed and it's going to open
16 about the time the last flock eider duck flew by here. And
17 then all of the wintertime, you know, is open and close about
18 the time when -- it's open now, but March 3 -- no, wait a
19 minute, it closed today, right? About March 3 there's no more
20 duck hunting, man. But from now on, you've enjoyed it this
21 winter taking all the water -- eider ducks this winter in a
22 snow storm.

23
24 So what kind of important information do they need?
25 What we tell them, is that important enough? We need those and
26 we were taking them. So I don't know. But, you know, if you
27 want to put me in prison now in advance for my taking eider
28 duck, I'll be taking them. You want to punish me in advance,
29 so I'll be free to take a eider duck when they arrive here in
30 about -- oh, sometime after April, first week in April. Soon
31 as the wind permits them to come.

32
33 So I don't know, I don't think we have any other --
34 anything to tell them that is more important than what we've
35 been telling them all these years since we got organized. The
36 three-way treaty between United States, Canada and Mexico.
37 That's a hard one.

38
39 MS. MEEHAN: It's been very difficult and.....

40
41 MR. E. HOPSON: Now, they claim that these ducks come
42 here and nest. Those are the same ducks that the sport
43 hunters, 98 percent of what we take, knock down, down there in
44 the wetlands of Mexico, sport hunters knock them down. The
45 knock down 98 percent of what we take. We only -- subsistence
46 users estimate, at it's full range when we take what we need,
47 it only adds to about two percent of what sports hunters take.

48
49 I don't think I have anything more important to report
50 unless I report the same thing. Those are the same ducks that

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1 are going to come up and next, are they? Or 98 percent of them
2 they knock down, down there. Same ducks. And by the time they
3 get here they going to be laying eggs in -- say in about three
4 months, three and a half months after they arrive here, they'll
5 be nesting. Same ducks that they were shooting sports and they
6 knock down there. Unless somebody have any more important than
7 the message that they get from here, where do we find that
8 important enough that people will -- that hunters will pay
9 attention somehow. And I don't know how to do it.

10
11 Thank you.

12
13 CHAIRMAN REXFORD: Thank you, Mr. Hopson. Any other
14 questions or comments? Mr. Koonuk then Mr. Brower.

15
16 MR. KOONUK: Last summer we had some murrelets die off
17 around the coast of Point Hope, Kivalina. How far back -- or
18 what kind of birds that die off along the east coast, down
19 South? You know, besides Point Hope, Kivalina? I don't know
20 anything about further north here.

21
22 MS. MEEHAN: I had sent you a report from migratory
23 birds last fall after our meeting, and as I recall, the die off
24 that occurred last summer was something that was fairly
25 widespread along the west coast of Alaska down into the Gulf of
26 Alaska -- no, I'm sorry, it did not go in the Gulf of Alaska,
27 it was up in -- north of the Alaska Peninsula, up in Bristol
28 Bay, and there were murrelets and other seabirds that fed on
29 somewhat near the surface.

30
31 And what we think was going on was that because of the
32 -- there was a different weather pattern last year, it was the
33 same weather pattern that affected the fish in Bristol Bay.
34 And what it was, was there was a warm water layer that was
35 sitting on top in the ocean. And so the usual forage fish that
36 the birds, the murrelets and the kittiwakes and some of the
37 puffins were going for were actually deeper in the water
38 because they were below the warm water layer and so the birds
39 were simply starving. And that same effect had worked itself
40 pretty far north. We think that's what's going on.

41
42 MR. KOONUK: So is there different temperatures along
43 the coast? As you go further north are you -- do you have
44 different temperatures within the ocean itself?

45
46 MS. MEEHAN: Yes, there are different temperatures, but
47 I'm rapidly getting out of my depth, if you'll pardon the pun,
48 because I'm not an oceanographer, but the northern seas are
49 colder. But the important phenomenon that happened last year
50 is that there was this unusual layer of warm water that was

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1 sitting -- just moved in and was sitting there. And that kept
2 the salmon from moving upstream, it kept all the smelt and
3 things down low. And that did result in some birds dying off.

4
5 CHAIRMAN REXFORD: Mr. Brower.

6
7 MR. H. BROWER: Rosa, I just need a point of
8 clarification. Wondering if you're able to discuss this
9 enforcement issue on the waterfowl, migratory bird? In this
10 handout here, using non-toxic shells?

11
12 MS. MEEHAN: Jerry Cegelske is here that could address
13 the steel shot issue. And just to close out the migratory
14 bird, I want to emphasize that Charlie Brower has been involved
15 in this for a long time and he's been a very able
16 representative. And he will continue to be involved in the
17 Committee as it works on it, so I really encourage you to talk
18 with him about that the specifics and specific concerns.

19
20 CHAIRMAN REXFORD: Thank you, Ms. Meehan.

21
22 Steve Ulvi, or are you following up on that issue.

23
24 MR. CEGELSKE: I thought there was a question on steel
25 shot or enforcement.

26
27 MR. H. BROWER: I was just getting some clarification
28 whether she was able to discuss the issue, but we're going to
29 talk about this at another -- under another topic.

30
31 CHAIRMAN REXFORD: Yeah, we have room for you, sir,
32 under 9.....

33
34 MR. CEGELSKE: Okay, all right.

35
36 CHAIRMAN REXFORD:we'll discuss that or bring
37 that question up.

38
39 MR. CEGELSKE: Great, thank you.

40
41 CHAIRMAN REXFORD: Thank you. That bring us to the
42 National Park Service, Mr. Steve Ulvi.

43
44 MR. ULVI: Good afternoon, Mr. Chairman and Councils.
45 My name is Steve Ulvi, I'm ANILCA Subsistence Coordinator for
46 Gates of the Arctic National Park and I have a few brief
47 comments that may be of interest to you.

48
49 One, about our Subsistence Resource Commission, some of
50 you are aware and some maybe not, but ANILCA set up Subsistence

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1 Resource Commissions, primarily made up of local people to
2 advise the Park Service about subsistence management. We have
3 a very active Commission. From here Charlie Brower on that
4 Commission, Delbert Rexford and he's now the Chair and Ben
5 Hopson is your appointment to our Subsistence Resource
6 Commission. And unfortunately Ben's not here today, because
7 I'm sure he could expand on a couple of things I'm going to
8 mention. And Ben is your appointment, as I say, and I think
9 his term comes up in late 1999, so you have a while to think
10 about that.

11
12 I wanted to just quickly tell you that last year one of
13 the proposal in front of you was for a community Dall sheep
14 harvest quota and system for Anaktuvuk Pass. And we set that
15 up using a village coordinator for a reporting system and
16 although the coordinator and myself aren't entirely happy with
17 the harvest reporting there was a -- the new season went well
18 and people that wanted to go out and harvest Dall sheep did so.
19 As far as we can tell about seven animals were taken out of the
20 60 quota that's set up for Anaktuvuk and we just feel that
21 we'll just continue with that into the future, we think it's a
22 good system and work out a couple of minor quirks and think
23 it's working well.

24
25 I wanted to let you know about a couple of planning
26 issues, and I won't get into any of the details because
27 planning tends to be pretty boring and bureaucratic, but the
28 first is that we have a Subsistence Management Plan, and again
29 our Subsistence Resource Commission, and Ben is your direct
30 connection with that group. We're working closely with them to
31 develop a Subsistence Management Plan and we expect to have
32 something on your fall agenda for you to take a quick look at.
33 Have kind of an early draft plan.

34
35 We had planned to have our next SRC meeting in Nuiqsut
36 in early April, and I just found out a couple of days ago that
37 with all the construction activities over there, there's no
38 hotel rooms to be had at all, so I think we're not going to be
39 able to meet in Nuiqsut and probably end up in Bettles this
40 April.

41
42 Another longstanding issue that's requiring kind of a
43 planning approach is what's called traditional use areas within
44 the national park. Basically what it boils down to is when
45 Congress allowed for customary and traditional subsistence
46 activities to continue within the national parks for a place
47 like Gates of the Arctic, Congress said, where those activities
48 are traditional. And that's been a controversial issue for the
49 last 18 years. Our Subsistence Resource Commission has taken a
50 very clear stand on that and said that subsistence activities

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1 had basically occurred throughout the environment, that it's
2 now in Gates of the Arctic National Park for a very long time.
3 And that is, more or less, what they've continued to say for
4 the last 12 or 13 years.

5
6 There's a variety of reasons why that determination
7 hasn't been made but we're in the process of analyzing the
8 information that's available from elders, from testimony, from
9 previous SRC meetings and going ahead and trying to work
10 closely with the SRC and come up with some criteria and go
11 ahead and work together and try to make that determination.
12 That's another thing that probably will be on your fall agenda
13 here to take a look at. And, again, I'm sorry that Ben's not
14 here because he could certainly speak to this and answer some
15 of your questions, if you have any. But it's an important
16 issue for Gates of the Arctic, it's important for the local
17 people and it's important for the National Park Service and we
18 hope to resolve that.

19
20 A couple of quick mention of some of the Fish and
21 Wildlife research and work that we have going on up there in
22 Gates of the Arctic. We're making slow, but steady, progress,
23 I think, in organizing a co-management group that's the result
24 of the Anaktuvuk Pass Land Exchange Legislation that some of
25 you are aware of that occurred in November of '96 when the
26 President signed it. But there are three Nunamiut elders and
27 three Park Service people that were slowly organizing and
28 working together to try to co-manage subsistence use of ATVs on
29 about 126,000 acres of park land there. And I have -- I'm
30 optimistic that we'll be able to do some good work together
31 there.

32
33 And essentially what we're trying to do is watch that
34 use and together try to decide when there might be a time to
35 take a look at hardening a particular creek crossing or
36 something. It's generally in the Kalitaliak (ph) drainage and
37 in those areas. And what we want to do is avoid court
38 challenges or court injunctions brought by other folks because
39 they feel we're not adequately managing that use. And we feel
40 that co-managing that use and attempting to anticipate issues
41 will make for a situation that will cause the least adverse
42 impact to park management and to those local uses of those park
43 lands.

44
45 We continue to work with the Department of Fish and
46 Game on cooperative caribou tracking in the Anaktuvuk Pass
47 area, it's a longstanding research program and, of course, Sver
48 Pederson is working on the harvest end of things and we try to
49 cooperate whenever we can with him on that. There was a
50 cooperative study of late trout in the Itillik Lake last summer

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1 with Department of Fish and Game, primarily driven by the
2 Department of Fish and Game. We involved some local people
3 from Anaktuvuk Pass. And I can't report to you about the
4 details of what that study found, but certainly anybody that
5 would like a copy of that or I can send a copy of it when it is
6 finalized by the Department of Fish and Game. I can send a
7 copy of that to the Council, whatever you would like.

8
9 And the Dall sheep study around Anaktuvuk Pass, which
10 has been put off for a year or so, we hope to conduct this
11 spring or this fall, depending on how the weather goes and what
12 local folks there in Anaktuvuk think we can accomplish with
13 that. Again, I can't speak to all the details of that Dall
14 sheep study that's proposed.

15
16 And the last planning issue is that Gates of the
17 Arctic, as you may or may not know, is primarily a 7.1 million
18 acres of the park is designated wilderness. And since ANILCA
19 there has not been management planning for that wilderness
20 area. That is required by law and we're beginning a 24 month
21 to 30 month process, full public review, there will have to be
22 an Environmental Impact Statement to go along with it, which
23 requires full public meetings, public review.

24
25 We're entering into that now, as I say, it'll probably
26 be at least the next two to two and a half, three years that
27 we'll be working on that. And at each occasion for this
28 Regional Council, for Northwest Arctic and for Western Interior
29 which have jurisdiction there in Gates of the Arctic, we'll be
30 making a report and putting that in front of you as those
31 stages progress. And our Subsistence Resource Commission will
32 be directly involved with that as we go. And, again, Ben
33 Hopson would be your contact.

34
35 And, Mr. Chairman, that's all I have.

36
37 CHAIRMAN REXFORD: Okay, thank you, Steve. Does anyone
38 have any questions from the table for Mr. Ulvi? Mr. Hopson.

39
40 MR. E. HOPSON: You stated that -- you mentioned a
41 co-management. A couple of questions, Mr. Chairman.

42
43 CHAIRMAN REXFORD: Yes.

44
45 MR. E. HOPSON: Whom with the Park Service and be
46 written a co-management?

47
48 MR. ULVI: It would be with the Nunamiut Corporation or
49 the -- well, basically the Nunamiut people in Anaktuvuk Pass,
50 but the three members are from the Nunamiut Corporation Board.

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1 MR. E. HOPSON: My other question, Mr. Chairman, is
2 there a management plans by individual departments in the
3 Federal -- in the Gates of the Arctic? Is every department
4 making a subsistence management plan separately?

5
6 MR. ULVI: Mr. Chairman. Mr. Hopson, I think I
7 understand your question, but, yes, for Gates of the Arctic
8 National Park each park unit in the state where subsistence is
9 allowed, and certainly in Gates of the Arctic it is, there is a
10 subsistence management plan that's slowly evolving.

11
12 MR. E. HOPSON: Is it so different from this Management
13 Plan that we talked about here for the North Slope? That it is
14 so far apart that it doesn't apply to Anaktuvuk Pass for Gates
15 of the Arctic?

16
17 CHAIRMAN REXFORD: There's something in the works,
18 Mr. Hopson, I recall the Harvest Plan for Musk-Ox, and they
19 were in.....

20
21 MR. E. HOPSON: I mean, I'm not worrying about musk-ox.
22 You haven't given me any musk-ox from Kaktovik yet, but.....

23
24 CHAIRMAN REXFORD: We're working on it, Mr. Hopson.

25
26 MR. E. HOPSON: My concern is here we've been talking
27 about a management plan for subsistence. I guess this is the
28 North Slope we're talking about and there has to be another
29 different management at the Gates of the Arctic, and my
30 question was, is every department on the Gates of the Arctic,
31 the Federal department, making up their own subsistence plan?

32
33 MR. ULVI: Mr. Hopson, I'll take a stab at that. I
34 appreciate what you're saying, but this Federal program that
35 this Regional Council response to and works so hard within,
36 only deals with three sections in Title VIII of ANILCA, 803,
37 804 and 805, and it's absolutely important and we rely on that.
38 But nevertheless, it's still a national park and we have a lot
39 of other mandates having to do with subsistence as well as
40 recreation and protecting the environment, doing research and
41 all those kinds of things that go well beyond this program. So
42 we do have separate management planning activities for each
43 park and in this instance for Gates of the Arctic that really
44 are not dealt with directly by this Federal subsistence
45 management process.

46
47 And we hope that they compliment each other. We hope
48 that the kind of work we're doing and the attempts we're making
49 there will help the work of this Council.

50

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1 MR. E. HOPSON: Have you had any meetings with those
2 communities that are affected by your plan?

3
4 MR. ULVI: Yes.

5
6 MR. E. HOPSON: Anaktuvuk Pass and others, if any, in
7 that.....

8
9 MR. ULVI: Yes, we have. As I say, the Subsistence
10 Resource Commission, which is primarily made up of local
11 residents from a variety of communities, nine members, we meet
12 two to three to four times a year sometimes, similar to the way
13 you do to advise the superintendent about subsistence
14 management activities. And so there's kind of a direct
15 relationship, fairly regular meetings, and they're involved
16 with all of these things that I mentioned.

17
18 MR. E. HOPSON: All right, thank you.

19
20 CHAIRMAN REXFORD: Anyone else have a question or a
21 comment for Mr. Ulvi? Mr. Brower.

22
23 MR. H. BROWER: Steve, I wasn't clear as to what you
24 were talking about determinations. What determinations were
25 you making? And how can you come to a subsistence management
26 plan?

27
28 CHAIRMAN REXFORD: Traditional use area.

29
30 MR. ULVI: No, it's not, Harry, it's separate from
31 that. There are five park units that were created in ANILCA
32 that have specific language in the enabling legislation that
33 stated why these park units were being established in ANILCA.
34 And if you look at those five units they have exactly the same
35 language when it comes to subsistence uses, and that is that
36 subsistence uses will be allowed to continue where such uses
37 are traditional. And that where such uses are traditional has
38 been a very controversial sentence for a long, long time, as yo
39 might imagine, between the various interest groups in seeing
40 how subsistence is managed in national parks for the long term.

41
42 So it's a determination that's required of the Park
43 Service and the Subsistence Resource Commission that we very
44 slowly made progress on and now we collectively have decided is
45 a good time to try to do that background analysis and conduct
46 that determination. So we will be -- with the Subsistence
47 Resource Commission we will be recommending a determination as
48 to what extent, and it'll be a very large extent, if not
49 totally, of Gates of the Arctic that has been traditionally
50 used for subsistence. It's a requirement that's kind of

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1 embedded in ANILCA by Congress.

2

3 MR. H. BROWER: So it's the determinations for National
4 Park Service to decide whether the people from AKP have been
5 using the area for a certain amount of time or is it for
6 another -- I'm not sure if I'm getting this right. Is this
7 determination the Resource Commission and National Park Service
8 is making, is that to determine the folks have been in the area
9 for a certain amount of time?

10

11 MR. ULVI: Yeah, Harry, I appreciate -- it's a very
12 complicated issue. Essentially what it is, the sentence that I
13 just recited to you, there's very little -- there is more that
14 Congress said in the legislative history, but very little,
15 about what did you mean by customary and traditional uses; what
16 did you mean by time depth? Are you talking about the last few
17 generations; are you talking about the last few hundred years?
18 Those are things that were never explicitly stated by Congress
19 and those are things that between the SRC, local residents,
20 other interest groups and the Park Service, we're trying to
21 develop those criteria so that we can kind of finally make that
22 determination.

23

24 So we are inventing part of it as we go because there
25 was not clear direction by Congress. So those are -- you know,
26 your questions are right on point. I've been, more or less,
27 put in charge from the park to work with the SRC and try to
28 develop those criteria. We're in the process of doing it and
29 we will involve this Council to the degree you want to be
30 involved and, again, Ben is your direct connection. So
31 anything we can do to help you, I can get you a copy of some of
32 the draft work when we get to it, if you'd like.

33

34 MR. H. BROWER: Sure.

35

36 CHAIRMAN REXFORD: Mr. Upicksoun.

37

38 MR. UPICKSOUN: Yes, thank you, Mr. Chairman. Can you
39 touch on a little more on where the Land Exchange Agreement
40 comes into play with this discussion?

41

42 MR. ULVI: Mr. Upicksoun, basically, as you remember,
43 the President signed that in November of '96, after many years.
44 We think it's a win/win situation for the local Anaktuvuk Pass,
45 as well as the Park Service. Some lands were exchanged. Those
46 conveyances are occurring now. As you can imagine a conveyance
47 for hundreds of thousands of acres and a number of tracts, I
48 think 30 some tracts of land, takes a while for the realty
49 people from ASRC and Nunamiut Corporation and the Park Service
50 to get together and finalize those legal conveyances. That's

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1 occurring right now. And so those lands that were trade out of
2 the park and out of wilderness to Nunamiut Corporation
3 ownership will become completely private lands. And those that
4 were traded into the Park Service here in the wilderness have
5 become wilderness or park.

6
7 But one of the key issues of it was, is there's some
8 critical lands near Anaktuvuk Pass, particularly for fall
9 caribou hunting, and Mr. Rulland can certainly speak to this
10 far better than I can, but those lands were overlooked
11 originally when the boundaries were drawn for the park and that
12 created part of this problem. So on those lands, which is
13 about 126,000 acres, Congress said, ATV use by residents of
14 Anaktuvuk Pass, for subsistence purposes, can continue on these
15 park lands. And they put an amendment in that agreement that
16 there was to be a working group formed and this is the
17 co-management group that I mentioned to Mr. Hopson. A work
18 group formed that would try to assess that continued use over
19 time on that 126,000 acres of park land.

20
21 MR. UPICKSOUN: That last aspect of it was the one I
22 questioned regarding the land exchange, and you answered in the
23 last part of your statement. Thank you.

24
25 CHAIRMAN REXFORD: Mr. Ulvi, I have a question for you.
26 This is in regards to a recent harvest plan for musk-oxen.
27 Although this is an implanted or really new introduced species
28 that are encroaching into the Gates of the Arctic or the
29 residents of Anaktuvuk Pass are -- have testified and said that
30 they do not want to see this animal grow or repopulate and
31 interfere with migration of caribou. Without the input of the
32 community I understand that maybe there's a Comprehensive
33 Conservation Plan that will allow such a grow or to enjoy this
34 pest, as I would call it, that's been reintroduced in ANWR area
35 and migrating into Anaktuvuk Pass now and interfering with
36 caribou migration. What is the stance of the Park Service on
37 the reintroduction without the consultation of the Anaktuvuk
38 Pass residents of this animal repopulating and so on and so
39 forth? Because that'll play a major part in our future
40 proposals for the residents of Anaktuvuk Pass to get musk-oxen
41 that are around the migration path or other areas, that'll
42 interfere with their livelihood of caribou.

43
44 MR. ULVI: Well, that's a heck of a question. I'll try
45 to respond and I'm certainly prepared to respond during the
46 proposal discussions, as well as continue to take part in the
47 work group, because we take musk-ox population seriously. And
48 we also take the views of local residents, a community such as
49 Anaktuvuk Pass, seriously.

50

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1 And, I guess, to just not get into the whole discussion
2 right now, but to try to answer your question, I think that I
3 can summarize the Park Service's position that we certainly
4 weren't around when the State and Federal government decided to
5 reestablish those musk-ox up near your village and out in
6 northwest Alaska, but we do, by policy, treat those animals as
7 native components of the ecosystem that were restored through
8 this process. And so we would like to see musk-ox, to whatever
9 degree they belong in the mountain environment, we all know,
10 and you certainly better than I do, that it's probable that
11 breeding populations do not occur to any great extent in the
12 mountains.

13
14 But we would like to see those musk-ox return to their
15 natural role in that ecosystem and we would, in the short term,
16 we very much want to work with the working group and with the
17 local communities to try to provide for an increased harvest,
18 and as the Work Plan calls for, some sense of stabilization of
19 that population for the short term and allow communities to try
20 to get used to them and where are musk-ox in critical areas, as
21 you well know as one of the authors of that Draft Harvest Plan,
22 where you have a situation, like Anaktuvuk, where the caribou
23 movements are critical and there's a sense that there is some
24 displacement or some competition between musk-ox and caribou,
25 that we allow for an increased harvest on those lands in the
26 vicinity of those communities in the near term, and at the same
27 time try to provide for some research and monitoring to
28 continue to understand those kinds of things.

29
30 So we want to see musk-ox restored to the ecosystems in
31 Gates of the Arctic, but we also are very much aware of the
32 sensitivity of the issue and with communities, like Anaktuvuk
33 Pass, their critical location there.

34
35 CHAIRMAN REXFORD: Thank you. Any other questions for
36 Mr. Ulvi?

37
38 (No audible response)

39
40 CHAIRMAN REXFORD: Thank you, Steve. Okay, we'll move
41 on to Dave Yokel, BLM agency report.

42
43 MR. YOKEL: Thank you, Mr. Chairman, Committee and
44 Council members. I'm Dave Yokel with the Bureau of Land
45 Management, Northern District Office in Fairbanks. And a
46 couple of different things I'd like to touch on today. First,
47 in response to Harry's question of Jim Kurth earlier about
48 forage and moose population declines, I can say that we did a
49 small study along the Coville River last spring where we
50 sampled some willows along about a 25 mile stretch of the

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1 Colville around Umiak and have a draft report on that. And the
2 suggestion from that report is that winter forage did not play
3 a role in the recent decline of moose.

4
5 Other than that, I'd like to talk to you briefly today
6 about the Bureau of Land Management's planning process for the
7 northeastern part of NPR-A. I've presented this to the
8 Regional Advisory Council at you meeting last September and if
9 you got to Tab O, loose in there should be a copy of the
10 minutes of that meeting. And on the second page of those
11 minute is the summary of that report that I gave to the Council
12 last September.

13
14 I also gave a similar briefing to the Fish and Game
15 Management Committee at your last meeting last December. At
16 that time I told you that ANILCA in Section 810 requires us to
17 do an analysis of the impacts of this planning effort on
18 subsistence uses. And I asked that you might want to comment
19 on that analysis at your next meeting, which is occurring
20 today. Our comment period on the Draft EIS has been extended
21 to March 12th, so that if your joint Councils do choose to make
22 a comment you are still within the time limit to do so.

23
24 This morning I handed out this handout here that has
25 the BLM logo in the upper right corner and silhouette of a
26 couple of wolves on it. This handout, very briefly, goes over
27 what the ANILCA 810 process is and what the finding was for
28 this -- for BLM's planning effort. And what this says is that
29 Alternatives D and E in that plan were found to have a
30 significant -- found that there could be a significant
31 restriction on subsistence uses under these two alternatives.

32
33 That's the BLM's determination. If these Councils
34 would choose to comment on that, then we would welcome that
35 comment. For instance, one thing I heard at our fisheries
36 hearing last night, and again today, was a concern about
37 designations under the Wild and Scenic River Act. I heard that
38 enough times in the last time two days for me to suspect that
39 there is real concern about that.

40
41 Now, correct me if I'm wrong, Curt, but I think the
42 designation of wide river in our plan would come under
43 Alternative B?

44
45 MR. WILSON: Right.

46
47 MR. YOKEL: And designation of a scenic river would
48 come under Alternative C. So if this Council thinks that
49 either of those two designations would place a significant
50 restriction on subsistence use then that would differ with the

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1 Bureau's determination that I just presented here that
2 suggested Alternatives D and E would cause a restriction. So
3 we would appreciate that kind of comment if that's a concern of
4 yours. Or any other comment that you have about this 810
5 evaluation.

6
7 And so I think it would be best to stop at that and see
8 what your questions are on this issue.

9
10 MR. H. BROWER: Do you have questions for Mr. Yokel
11 from the Committee or Council members on the 810 evaluation?

12
13 (No audible responses)

14
15 MR. YOKEL: I would say that, of course, the North
16 Slope Borough is preparing a comprehensive response to BLM on
17 this plan and they will have very comprehensive comments on it,
18 but I just wanted to make sure that this Council had the
19 opportunity to comment on this as well, if you choose to do so.

20
21 MR. H. BROWER: Dave, I think I'll just question -- the
22 one we don't want to get confused with what's happening in the
23 EIS and what we discussed under this fisheries management plan
24 is that we just want to make sure that we don't get confused on
25 what was stated there, that we didn't want to see any specific
26 designation of those scenic rivers and stuff like that under
27 this fisheries discussion. I know it's mentioned in the EIS
28 for the northeast plan area, but I think we should keep those
29 different fisheries separated.

30
31 MR. YOKEL: Well, as I mentioned last night, the
32 subsistence fisheries process is not the place to comment about
33 wild and scenic river designations. The BLM's planning effort
34 for NPR-A is the proper place to provide those comments.

35
36 MR. H. BROWER: Um-hum. Gordon.

37
38 MR. UPICKSOUN: Harry, thank you. Dave, every
39 opportunity I get I mention anytime they talk about NPR-A I
40 come up and mention the fact that Point Lay, although is off
41 where NPR-A is, it's just to the west. However, two rivers,
42 the Kokolik and Utukok, the head waters are in NPR-A, so one of
43 the underlying reasons I keep mentioned this is that we're not
44 -- that our village being outside is not an impacted words as
45 far as NPR-A people are concerned. But we will be impacted if
46 there's any oil activities on the western end of --
47 southwestern end of NPR-A where the head waters are. I mention
48 it every time we have a meeting because we will be impacted if
49 you were to do oil exploration in that area, that may affect
50 our subsistence lifestyle. I mention that every opportunity I

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1 have because we're not -- there's, I believe, five communities
2 that are slated to get impact funds and impact my village too,
3 we got funds.

4

5 Thank you.

6

7 CHAIRMAN REXFORD: Thank you, Mr. Upicksoun. Any
8 questions or comments for Mr. Yokel? Taqulik.

9

10 MS. HEPA: Taqulik Hepa, for the record, when the North
11 Slope Borough gives their agency report we'll be talking about
12 what the Borough has been doing in regards to NPR-A and what --
13 a brief summary is of what the position is with the North Slope
14 Borough. And we'll be doing that later.

15

16 CHAIRMAN REXFORD: Okay, thank you, Taqulik. I have a
17 question for you, Mr. Yokel. On the subsistence, is there
18 going to be sort of a similar Subsistence Resource Commission
19 or a panel within NPR-A and how will that be made or how will
20 that process be used?

21

22 MR. YOKEL: Well, the term Subsistence Resource
23 Commission is a term out of ANILCA that applies strictly to the
24 National Park Service, National Parks. What -- for the NPR-A
25 one of the proposals that we have is to develop an Advisory
26 Council for subsistence uses to help us minimize the impact on
27 subsistence users if oil development does come to NPR-A. That
28 is one of the proposals in the plan. Like any other proposal
29 it could be chosen to carry through into the Final Plan or it
30 could not be chosen.

31

32 This was a recommendation of the working group at a
33 workshop we had last August in Nuiqsut. I'm an advocate of
34 that type of a council but it would certainly not hurt for you
35 to provide your comments on whether or not you thought that
36 type of council should be set up as a result of this planning
37 process.

38

39 CHAIRMAN REXFORD: Where within the works of all of
40 this is going on, so is that going to be done or made after
41 final.....

42

43 MR. YOKEL: Well, that Subsistence Advisory Council is
44 one of the components of this plan, so when the Final Plan
45 comes out with a proposed action it will say whether or not the
46 BLM proposes to create this Subsistence Advisory Council.

47

48 CHAIRMAN REXFORD: Okay.

49

50 MR. UPICKSOUN: Mr. Chairman.

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1 CHAIRMAN REXFORD: Mr. Upicksoun.

2

3 MR. UPICKSOUN: In line with our Chairman's question,
4 ARCO and the people of Nuiqsut were able to come up with a
5 Subsistence Oversight Panel. Now in the event that you do
6 start exploring further in NPR-A, why can't you come up with
7 something like that. I think that's more or less the question.
8 Are you saying that you'll decide -- see from the word, go,
9 they have developed this Subsistence Oversight Panel for what's
10 happening in Alpine, before they start. It would be nice if
11 the Federal end can do that before the start of activities in
12 the NPR-A, the same way that ARCO has come up with an agreement
13 with Kuukpik Corporation and the Village of Nuiqsut in regards
14 to the Subsistence Oversight Panel. Can't the Federal
15 government be just as accommodating?

16

17 MR. YOKEL: I agree with you that it would be nice to
18 have an Advisory Council and that's why I said I'm an advocate
19 of that in the plan. The Federal government can create an
20 Advisory Council in as much as the Federal Advisory Committee
21 Act provides. It may not have the exact same type of charter
22 as something that private industry can do, we have laws that
23 regulate how we can behave in the Federal government. And so
24 if we create an Advisory Council it will have to comply with
25 the Federal Advisory Committee Act. So it may look somewhat
26 different in structure and behavior than the Alpine Oversight
27 Panel. I don't know very much about that panel so I can't make
28 a direct comparison between that panel and the concept on BLM
29 side.

30

31 CHAIRMAN REXFORD: Any other questions for Dave?

32 Mr. Patkatok.

33

34 MR. PATKATOK: Being a Kuukpik shareholder I'd like to
35 get more information, if possible, from you. I'll be glad to
36 give you my address and phone number and you provide me
37 information on what criteria on this Federal Committee Advisory
38 Act contains versus the BLM. And how it would affect
39 development in my village corporation land.

40

41 MR. YOKEL: I would -- the BLM is not going to affect
42 development in your corporation lands, those are private lands
43 and the plan that I'm talking about are.....

44

45 MR. PATKATOK: I think you missed the point. I think
46 what was in line with Mr. Upicksoun's and Mr. Rexford's
47 question.

48

49 MR. YOKEL: I'll certainly get the information you want
50 if I can understand what information that is. If you want a

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1 copy of the Federal Advisory Committee Act, then I can find a
2 copy.

3

4 CHAIRMAN REXFORD: Thank you. Any other questions for
5 Mr. Yokel? The audience, any questions?

6

7 (No audible responses)

8

9 CHAIRMAN REXFORD: Thank you, Dave.

10

11 MR. YOKEL: Thank you, Mr. Chairman.

12

13 CHAIRMAN REXFORD: We'll move on with the Department of
14 Fish and Game. Geoff and John Trent will follow up on the
15 Board of Game issue and old timer John will.....

16

17 MR. CARROLL: I'm Geoff Carroll with the Alaska
18 Department of Fish and Game. I think our discussion primarily
19 today will be John Trent talking about the Western Arctic
20 Caribou Herd co-management planning process, something that's
21 been in the works for a couple of years and he's going to give
22 an update on that. And I think he'll probably use most of our
23 10 minutes, so most of my discussion will be tomorrow during
24 proposals and that business.

25

26 CHAIRMAN REXFORD: Okay.

27

28 MR. TRENT: Thank you, Mr. Chairman. My name is John
29 Trent, I'm with Alaska Department of Fish and Game presently in
30 Anchorage and it's a great pleasure to be back in Barrow
31 visiting with you. And thank you, Geoff, for being so gracious
32 to give me nine minutes to talk about this and then musk-oxen
33 will be on the main menu for tomorrow when you discuss
34 regulations.

35

36 The reason I am here is to tell you about a project
37 that the Alaska Department of Fish and Game began in 1995. We
38 have loosely been referring to this as Caribou Co-management.
39 And we have recently begun to pick up speed on this project and
40 I wanted to tell you what we are doing and invite you to
41 participate if you care to do so, we'll certainly be very glad
42 to keep you informed.

43

44 The caribou herd that I am going to talk about is the
45 Western Arctic Caribou Herd. We have a new map here that looks
46 like a gigantic fried egg and the yellow spot here is the
47 calving grounds up around Carbon Creek and Utukok River. This
48 caribou herd is very large now, last counted at 463,000 animals
49 that are presently, most of them, wintering in the south down
50 towards the Unalakleet River drainage or Old Woman Creek and in

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1 this area. There are about 40-50,000 animals around Bettles
2 and these are the caribou that you're hunting, I think, south
3 from Anaktuvuk Pass.

4
5 It's a very large caribou herd and the main point I
6 want to make with this map is that there are 50 communities
7 that depend on this herd. A large number of people depend on
8 this herd for subsistence. And for a long time those of us who
9 are biologists in the State of Alaska Department of Fish and
10 Game have not been satisfied with the way we have been managing
11 this herd. We have especially not been satisfied with the
12 amount of public participation and support in managing this
13 herd, we know we can do better.

14
15 Last year in July or actually in April we formed a
16 working group called the Caribou Herd Working Group and you
17 should have a piece of paper that briefly explains what
18 happened at our most recent meeting, which was last Friday and
19 Saturday in Nome. We've worked hard to get together a group of
20 people, it's an informal group, but we've worked hard to get
21 together different kinds of people who have interest in this
22 caribou herd. And there's a lot of interest coming from
23 Kotzebue and Nome, especially from tribal interests actually.
24 But there are many other people who are interested as well.
25 And at our last meeting we had representatives from the
26 Fairbanks Advisory Committee and the Anchorage Advisory
27 Committee.

28
29 The purpose of the working group, you'll see it's
30 written on the bottom of page two. It says is to develop an
31 integrated grass roots process for sharing representation,
32 responsibility and decision-making among stakeholders of the
33 Western Arctic Caribou Herd. We've been calling it
34 co-management, I'm not sure if we can actually use that term.
35 That term means different things to different people. But the
36 basic idea that, at least, I have in my head is a group of
37 people who meet together on a regular basis, once or twice a
38 year, and they think about only caribou and people who hunt
39 caribou and depend on them. And this group of people, if there
40 needed to be regulations, would make regulation recommendations
41 to the Regional Advisory Council and the Federal Subsistence
42 Board on the one hand and the Board of Game on the other.

43
44 The model for this kind of work comes from Canada, and
45 there will be an excellent chance to see one of these
46 co-management boards in action next month at the North American
47 Caribou Workshop in Whitehorse where the Porcupine Caribou
48 Management Board will be meeting. The Canadians have done this
49 with the Porcupine Herd and with a herd west of Hudson Bay
50 called the Beverly Common Area Herd. Those Caribou

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1 Co-management Boards have been working a little more than 10
2 years and they seem to be working. And some of us think it
3 might work here. But it's going to take a lot of talking and a
4 lot of work and a lot of trust building to try something like
5 this.

6
7 We actually got started on some language at this last
8 meeting that we could all agree on, and that language starts at
9 the beginning of the first page. The purpose of an agreement,
10 if we can sign one, the purpose is written here and I think
11 it's just a pretty good statement. I'll read it quickly. This
12 agreement is meant to ensure conservation of the Western Arctic
13 Caribou Herd, safeguard the spiritual and cultural well-being
14 of Alaska Natives and the interests of all users of the herd.
15 And integrate indigenous knowledge and Western science. And
16 then we've actually come up, on page two, with a series of
17 goals and objective. I'll leave you to read those yourselves
18 and perhaps you have questions.

19
20 At this time where we are is we have a draft agreement
21 with this new language in it. We are sending it to all of the
22 possible participants who might sign this agreement, especially
23 the resource agencies. We are asking for comment by June 30th
24 and we are going to have our next meeting in Anchorage on
25 August 12th and 13th. We will take these comments from the
26 various agencies and from the other possible co-signers, like
27 Maniilaq and Kawerek, and then keep writing a draft agreement
28 until we have one we can all agree on. Once we have a draft
29 agreement that we think makes sense to our working group we
30 will submit it for extensive public review around the state, so
31 there'll be lots of chance for public comment. We know that
32 this will not work unless the public supports it, at least most
33 of the public.

34
35 So that's what we're doing. I thought you'd like to
36 know. I'm sure that when the time comes people on the North
37 Slope will want to participate in some way with this, but in
38 the meantime we are going to keep plugging away and I'll be
39 glad to answer questions at this time.

40
41 CHAIRMAN REXFORD: Thank you, John. Any questions for
42 Mr. Trent? Mr. Hopson.

43
44 MR. E. HOPSON: What is the difference between the
45 management that you have and the Canadian management?

46
47 MR. TRENT: Well, the Canadians have these -- a number
48 of co-management agreements that are often associated with
49 their lands claim negotiations. We do have some things that we
50 call co-management here in Alaska, but they're mostly informal.

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1 Canadians have a different structure of law and tradition in
2 that country, of course, but even the Canadian Caribou
3 Co-management Boards are Boards where there is shared decision
4 making but the ultimate authority for making decisions rests --
5 continues to rest with the Crown. So, in other words, the
6 government retains the right to make a decision to override the
7 Co-management Board, but to my knowledge in Canada this has
8 never happened.

9
10 So there are some differences in Canada, to answer your
11 question, Mr. Hopson, but the basic process, the basic idea of
12 getting together to talk to together and share ideas would work
13 in both places. We have some small examples of its working
14 here, there's the Nushagak Peninsula Caribou Herd down by
15 Togiak that was introduced and is now working under
16 co-management principles. And there is the Kilbuk Caribou Herd
17 near Kwethluk and Bethel that is basically a co-management plan
18 that seems to be working. But those are small caribou herds in
19 small areas. This is, as you can see, is huge. And this is
20 much larger than either of the Canadian situations where the
21 Porcupine Caribou Management Board has, I think, eight
22 communities.

23
24 MR. E. HOPSON: Where's this now? I can't see.

25
26 MR. TRENT: Oh, Porcupine -- this is our area here,
27 here's Barrow, this goes south down to Norton Sound.

28
29 MR. E. HOPSON: Oh, okay. Now, I think during all this
30 discussion -- I heard some of that discussion last night on the
31 radio, but several times co-management had been mentioned. And
32 that's what I think we are looking for, to get a co-management
33 program going. See, as far as I'm concerned as an individual
34 listening to most of the people here, they don't seem to be
35 interested in a co-management, they want to manage my
36 subsistence resource. I may be wrong, but I reading from the
37 people that are presenting here that are working to get the
38 management going, they seem to -- I have a feeling that they
39 feel that they want to manage my subsistence resource. They're
40 not responding too much to the co-management that we've been
41 suggesting several times. I think that's what is needed to
42 satisfy our people that are affected by these regulations. We
43 want to participate in the management.

44
45 MR. TRENT: This is an attempt to increase the
46 participation of people from the land.

47
48 MR. H. BROWER: Mr. Chairman.

49
50 CHAIRMAN REXFORD: Mr. Brower.

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1 MR. H. BROWER: John, you know, it encompasses a very
2 large area today, you know in the past there's been population
3 decline and in the late '70s, around 1977, and if the happens
4 again and the caribou don't traverse as far down south like
5 they do today, and the caribou hangs around up further north
6 right along the Brooks Range, what's going to happen to the
7 management plan when the caribou don't reach those areas and
8 decisions are to made, is it still going to include these
9 communities which have been affected where their resources are
10 not being reached any more due to the population declining?
11 You know, I don't know if you folks addressed those concerns
12 and how do you see that to be a problem in the future?
13

14 MR. TRENT: I'm glad you raised that point, that's
15 really one of the main reasons biologists like me are
16 interested in doing this now because we have a lot of caribou
17 now. And we know from past experience they'll be a time when
18 they're aren't many. And that last time that happened there
19 was a lot of suffering for people who were counting on caribou
20 and they were there. So what we're trying to do is get a
21 mechanism in place now so we can discuss those issues and get
22 ready for them.
23

24 The question you're specifically asking is what about
25 someone that lives down here at, say, Grayling and who now can
26 run up river into the Anvik drainage and get caribou. What's
27 going to happen when the caribou herd gets smaller and doesn't
28 come down this way anymore? That whole issue of allocation is
29 really critical and that's one reason why I've supported your
30 efforts in the North Slope Borough to develop a harvest
31 assessment program so you know how many caribou are needed at
32 Anaktuvuk Pass every year.
33

34 But this Co-management Council, which is what I'm
35 calling it informally, would be a good thing to have because
36 people could talk to each other and figure out a policy for
37 dealing with this. Other Co-management Councils have education
38 programs, they review and work with biologists on research,
39 they will -- if they make recommendations on allocation to the
40 Board of Game and the Federal Subsistence Board then normally
41 will, I think, carry great weight. So what you have is a
42 communication platform here from people from all over who can
43 discuss this and work together before there's a crisis. Once
44 you get into a crisis situation, usually there's some
45 fingerpointing and people get upset and that's often not a good
46 time to be thinking carefully.
47

48 So the short answer is that's one of the reasons for
49 such a Council to work out solutions like that. And these
50 Councils are especially good at working out complex --

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1 solutions to complex problems where you have to meet many
2 times. Regulatory boards have to make decisions on a whole
3 bunch of different things and they have to move pretty fast.

4
5 CHAIRMAN REXFORD: Yes, Mr. Hopson.

6
7 MR. E. HOPSON: I'd like some clarification here.
8 John, I don't want to offend you or hurt you, you're doing
9 fine. My question is you're a State biologist and we've been
10 talking about the Federal take over management and all of that.
11 Are you trying to gain management to the State or are you in
12 some sort of a partnership with the Federal people? You're a
13 State representative. Are you working together to get this
14 management State and the Federal departments? I'd like to get
15 that straight, so.....

16
17 MR. TRENT: I appreciate the frankness of your
18 question. There's, to the best of my knowledge, no plot to
19 work against you and the subsistence hunters on the North Slope
20 between the agencies. In fact, the State and Federal agencies
21 aren't famous right now for working closely together, but.....

22
23 MR. E. HOPSON: I know, that's why I asked the
24 question. And the State -- and even our delegation talking
25 that they'd like take over your management from the Federal.
26 And I think we can discuss things better knowing that you
27 represent the State and the other agency represent the Federal.

28
29 MR. TRENT: It is my firm conviction, Mr. Hopson, and
30 members of the Committees here that -- on the Council, that the
31 only way we can solve these really complicated problems, like
32 subsistence, is to increase trust. And trust has to happen
33 when you work together and learn to know each other. And
34 that's the reason for this Council idea is to bring people
35 together on a regular basis. Everyone will bring something.
36 The Federal agencies have land management authority, the State
37 of Alaska Wildlife Conservation Division has a lot of
38 experience with what caribou do and most important the people
39 who live on the land know the land and will also bring their
40 traditions. We bring things together, we have to do it
41 together, there has to be more trust. And that's my primary
42 interest in trying to make this work.

43
44 MR. E. HOPSON: Yeah. One last statement on the
45 subject, Mr. Chairman. I think actually I haven't talked to
46 any of my fellow Committee members here, whom do we favor for
47 the managing of our resources, the State or Federal, who is
48 going to do a better job? State of Alaska? Federal? In some
49 of these areas I personally -- I'm not trying to talk you
50 people into coming along, in some areas I favor the Federal

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1 management over the State.

2

3 And I'll tell you the reason why. I know for a fact
4 that the State will promote sports hunters into our subsistence
5 resource, even caribou, they're coming down now. Moose. So I
6 just want to mention that, so I'm glad you're answering my
7 question here, John. Thank you.

8

9 CHAIRMAN REXFORD: Thank you, Mr. Hopson.
10 Mr. Upicksoun.

11

12 MR. UPICKSOUN: Yes, Mr. Chairman.

13

14 CHAIRMAN REXFORD: And then Ms. Hepa.

15

16 MR. UPICKSOUN: It was during the meeting a year or a
17 year and a half ago that the subject of the Western Arctic Herd
18 Co-management Plan come up whether we wanted to participate in
19 that effort. Now a year or a year and a half ago at a joint
20 meeting, I can't recall exactly, but could you update us on why
21 we chose not to be part of this working group? At that time we
22 chose not to become part of it.

23

24 CHAIRMAN REXFORD: Yeah, thank you, Mr. Upicksoun, I
25 may be corrected but my recollection was that the numbers of
26 the Western Arctic Caribou Herd were quite numerous, it was a
27 half a million strong and why are we rushing into managing such
28 a large herd. I could see it for a reason for small numbers
29 but I think at that time we were talking about it, it's such a
30 large herd.

31

32 MR. UPICKSOUN: And we had just up the take from five
33 to 15 and the management of our herd was the last thing in our
34 minds at that time. Has anything changed in your mind in that
35 regards?

36

37 CHAIRMAN REXFORD: We haven't brought that up since
38 then, Mr. Upicksoun. We could probably dig up where we
39 discussed that and bring that matter up again.

40

41 Ms. Hepa.

42

43 MS. HEPA: I have a concern. You know, the use of that
44 -- there's 50 some villages use the Western Arctic Caribou
45 Herd, right?

46

47 MR. TRENT: There are about 50 communities within the
48 range of the herd, yes.

49

50 MS. HEPA: Um-hum. And, you know, that's a lot of

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1 communities and I was wondering where was the funding or has
2 the working group looked at where the funding was going to come
3 from to support this large co-management -- it's a great idea,
4 but, you know, there's some things that I think we need to know
5 about, you know, have you guys applied for any kind of funding,
6 like how AWC, does to organize this co-management?

7
8 MR. TRENT: The answer is no.

9
10 MS. HEPA: Yeah.

11
12 MR. TRENT: We have not started shaking the money tree
13 yet. Those of us in the State of Alaska are assuming that
14 first of all the State of Alaska will bear, at least, some of
15 the cost for this. That we have been the lead agency in
16 management of caribou and we have a responsibility to come up
17 with some of the money. We're also assuming that other
18 agencies, at least, will have an interest and an ability, to
19 some degree, to provide some money. The real question is is
20 how much money will it take? The Canadian boards operate on
21 very little money, perhaps \$100,000 a year, which is very
22 little money by our standards here in Alaska.

23
24 I think -- we think in the working group that the most
25 important thing right now is to come up with a good draft
26 agreement for people to look at. The lawyers say, get
27 together, come up with something that you can support and then
28 we will review it and then that would be the time we would
29 start to look for funding. So it depends on how the thing is
30 organized. If there's a Caribou Council of, say, 12 people,
31 that's a lot different than a Caribou Council of 25 people in
32 terms of costs.

33
34 MS. HEPA: Okay. And then my recommendation to you
35 would be to look closely at the AWC and the other co-management
36 organizations throughout Alaska, you know, to see where they
37 get their funding from and their support to keep those
38 co-management agreements working and effective.

39
40 MR. TRENT: Thank you, I will.

41
42 CHAIRMAN REXFORD: Thank you, Ms. Hepa. You reminded
43 me, there was also another point that was of concern to the
44 group was that there were quite a few communities, how were we
45 going to fit in with 50 involved in lots of other organizations
46 were quite involved in there also.

47
48 Any other questions for Mr. Trent?

49
50 MR. E. HOPSON: Mr. Chairman. What is the known

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1 population of the Western Herd?

2

3 MR. TRENT: When we did a photo census in 1996, we took
4 picture, we counted -- I think it was 463,000, almost half a
5 million. The growth of the caribou herd has slowed down, it
6 was growing very fast in the 1980s, now it's not getting bigger
7 very fast. But 463,000 was the count.

8

9 MR. E. HOPSON: Mr. Chairman, you remember here several
10 years ago that they stopped us from taking caribou because it
11 went down to 50,000 from about 200,000? That year we couldn't
12 take caribou. And in one of our meetings like this we had the
13 Federal and State people together, those people that take
14 census, and reported -- after they say no more caribou, the
15 Eskimo kill them off. That was their reason. In one of our
16 meetings we get these people together that took photo of the
17 population of caribou, all the way from the Wildlife Refuge all
18 they way down to Selewick. They reported with grin here at our
19 meeting. They say yeah, they took photo from way up there, you
20 know, they -- all they do is snapping pictures, all the way
21 from the Wildlife Refuge to Selewick, they was snapping
22 pictures all the way.

23

24 And then when they get over Selewick area on the Kobuk
25 there happened to be a clearing, opening from upstairs above
26 the clouds around the Selewick area, all this time they came
27 across the North Slope snapping pictures above the clouds and
28 with a grin on their faces, in that little opening above
29 Selewick when they were up there, there was 50,000 caribou in
30 that little hole over Selewick. What happened to the other
31 200,000? They didn't show in the photos because they was
32 snapping pictures above the clouds. And they stopped the
33 caribou hunting for those people. And I don't remember what I
34 said to that guy that reported over Selewick there was a
35 clearing, that's where the 50,000 caribou were, just around
36 Selewick. If I even remember what I said to that man, I don't
37 think I'd repeat now anyway, but I had something to say to that
38 man that give us a report.

39

40 So some of those I sure like to anytime, I don't care
41 who, take photos of especially caribou would sure like to have
42 an observer from some of our residents from the North Slope and
43 some of the Board members. So since after that, you know, I
44 never trust the report from the people that takes them. I
45 can't trust them unless we have a representative.

46

47 CHAIRMAN REXFORD: Thank you, Mr. Hopson. We need to
48 move along here. If there's any other questions or comments
49 for Mr. Trent? I'd like to thank you. If you do have a
50 question for John, maybe you can get together with him,

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1 hopefully he'll be here tomorrow as well.

2

3 MR. TRENT: I'm afraid that I'll be leaving tonight,
4 but I'd be very glad to visit with anyone for the rest of the
5 time I'm here. And I'll come back if you want me to come back,
6 too.

7

8 CHAIRMAN REXFORD: Okay, thank you, John. In the
9 interest of time, we have 10 minutes left. We do have the
10 North Slope Borough Wildlife Department. We did have a handout
11 for your information only on the sick caribou. Mr. Koonuk
12 raised this morning, the sick caribou around Unit 23 and Point
13 Hope. Geoff Carroll, again, will be talking about the musk-ox
14 plan and proposals, we'll be discussing during that and I would
15 urge that the other Federal and State agencies help us through
16 the proceedings tomorrow, I'd appreciate helping us out and
17 staying overnight. I know that you guys are very busy and we
18 do need your information and resource available on important
19 projects and issues that are before us. We don't meet quite
20 often and we miss seeing you on the next day, and I would just
21 urge that all the Federal and State agencies stick with us, we
22 need to take care problems and situations with the Committee at
23 this joint meeting.

24

25 So with that, Taqulik, can you help us with the
26 Wildlife Management Report? And I believe we do not have the
27 Inupiat Committee of the Arctic Slope, Dave Yokel will also
28 make a report on the musk-ox, a working group report, when we
29 reach that point for musk-ox proposals. So Taqulik and group
30 will be giving us a report on the activities of the Wildlife
31 Department and that'll be the end of the agency reports for
32 today.

33

34 Mr. Upicksoun.

35

36 MR. UPICKSOUN: Mr. Chairman, we amended our agenda
37 this morning, putting 10B-8 ahead, so that may be why there's
38 no representative from ICAS here at this time.

39

40 CHAIRMAN REXFORD: Okay. Yeah, we'll -- if they do
41 come in tomorrow, we'll take them up under 9C or any other
42 reports at the end of the day.

43

44 MR. UPICKSOUN: Okay, thank you.

45

46 CHAIRMAN REXFORD: Taqulik.

47

48 MS. HEPA: Today we have here Dr. Todd O'Hara, who is
49 our research biologist for the North Slope Borough Department
50 of Wildlife Management and Craig George who is our wildlife

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1 biologist, myself and Harry Brower is our Subsistence Research
2 Coordinator. And we're going to give you guys a brief overview
3 on some of the projects we've been working on and projects that
4 are coming up that we will be working on.

5
6 And then -- well, I'll start with the subsistence, some
7 of the projects that we've been working on. Since December
8 we've been busy working with the North Slope Musk-Ox Harvest
9 Management Plan, that we put in some proposals with the North
10 Slope Borough Fish and Game Management Committee. There was
11 two different proposals, the first one was to increase the
12 harvest of musk-ox near Unit 26(B), which is for Nuiqsut and
13 then another was an area around Anaktuvuk Pass which will allow
14 for people near Anaktuvuk Pass to be able to harvest,
15 disbursing musk-ox that come into the pass. And we'll be
16 talking more about those proposals tomorrow during the musk-ox
17 section.

18
19 Just to let you know that we did travel to Nuiqsut and
20 we had a community meeting to talk about how they wanted to
21 manage musk-ox in their area, because we didn't want to make
22 decisions without their input, so we did travel to Nuiqsut in
23 February and had a community meeting to get their input and
24 we'll be talking about that more tomorrow.

25
26 MR. GEORGE: Craig George with the Department of
27 Wildlife Management. I'm going to mention three items. We're
28 preparing for the next International Whaling Commission meeting
29 which will include a bowhead whale assessment. Each year they
30 single out a couple of species and they do a very thorough job
31 of reviewing everything that's know about them. And this
32 coming year in April/May they're going to be discussing
33 bowheads, so we're going to update what we know about
34 population reproduction, there'll be some new work on genetics,
35 which could be very interesting. Toxicology from Todd. Aging
36 methods, ways to estimate how old they are. We're going to
37 talk about rate of interest in the population, we'll be giving
38 a paper on male maturity in the male bowhead.

39
40 Next year we're planning a whale census again. 1993
41 was the last census we conducted when we had that very
42 successful count here at Barrow. The '99 census will again be
43 conducted off the ice at Barrow and will be a full census with
44 the visual and acoustic counting methods combined.

45
46 And another item that our department's been working at
47 considerable length on commenting on the NPR-A EIS, this is the
48 Petroleum Reserve Draft Environmental Impact Statement that's
49 been written and among -- we're doing two things. We're
50 technically reviewing the document to try to find omissions and

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1 errors and we're also trying to put together our own
2 alternative, kind of the North Slope Borough Alternative, so
3 we've talked the people in various villages to get their ideas
4 and hopefully come up with a plan that they'll accept that will
5 be sort of tailored made to the people on the North Slope and
6 meet our needs

7
8 DR. O'HARA: My name is Todd O'Hara, I work for the
9 Department of Wildlife Management and give you a quick update
10 on a few things. With regards to moose along the Coville
11 River, we did a large project with the Department of Fish and
12 Game on assessing that population by doing an examination of
13 found dead and hunted killed animals as well as a collaring
14 effort where we could sample moose and also follow them
15 throughout the year as far as calving success. We got two
16 draft reports and all the participants in that projects are
17 reviewing it now and we hope to get that out in the next month
18 or two.

19
20 Dave Yokel told you about the vegetation of that that
21 they did. We did a more intensive look at the moose
22 themselves. And we hope to get that out real soon and we'll
23 share that with you when it's available, after everyone's had a
24 chance to comment on it.

25
26 With regards to caribou, we did a nearly Slope-wide
27 caribou assessment as well in response to the Cape Thompson
28 mortality event in 1995. Two separate reports have been
29 prepared for that, too, they're out for review by the
30 participants in the study. And I'm pushing them to get their
31 comments back to me as quickly as possible. I know people,
32 especially in Kivalina and Point Hope are anxious to hear the
33 results. And we'll probably go to those communities to share
34 the results once we have everyone's comments.

35
36 It was a large effort for both of those projects,
37 multiple participants so it took a while to get everybody's
38 ideas together and get it on paper.

39
40 Two new projects I wanted to comment on that we were
41 very fortunate to funding, about two weeks ago on two projects,
42 from an organization called CIFAR, it stands for the Center --
43 wait a second, now I've forgotten. I forgot who gave us all
44 the money. Here it is, Cooperative Institute for Arctic
45 Research and it's an organization at the University of Alaska-
46 Fairbanks that's funded by NOAA, the National Oceanic and
47 Atmospheric Association.

48
49 And the first project is a very interesting one that we
50 put together with people from UAF and NOAA, and the title is

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1 the Bowhead Whale as a Potential Indicator Species for
2 Monitoring the Health of the Western Arctic Bering Sea Using
3 Blubber, Histology, Metal and Mineral Indices. We've got
4 funding for two years to use the bowhead whale as an indicator
5 of how well the Bering and Western Arctic are doing. And with
6 recent events, like the El Nino, and people worried about
7 global warming and pollutants it's a good timing to have that
8 funding available. They're going to give us \$80,000 a year to
9 our department to do that and we're going to do that in
10 cooperation with the university.

11
12 And we're pretty excited about that, that brings a lot
13 of really good scientist in and we've mentioned this to the
14 Bering whaling captains, where we get most of our samples from
15 and they indicated they'd be very cooperative and we appreciate
16 that. So we're looking forward to that project.

17
18 The second project is called, and it's the same group
19 that's funding it, we were very lucky to get two proposals
20 funded. It's called the Human and Chemical Ecology of Arctic
21 Pathways by Marine Pollutants. This will be for \$200,000 and
22 we'll be working with some Canadian colleagues to better
23 understand how pollutants are moving through the Alaska Arctic.

24
25 Some of you have seen the report on the bowhead whale,
26 it was very encouraging, it was about the bowhead whale, very
27 low in pollutant levels. We're very glad about that. The
28 story, unfortunately, is not the same for other marine mammals,
29 there are pollutants of concern in some of them and so Dr. Dave
30 Norton was the principal investigator on that and with his
31 assistance and these Canadian investigators were going to take
32 a closer look at how pollutants enter the Arctic and how
33 they're moving through the food chain.

34
35 And the human ecology component of that will involve a
36 Russian village, a Canadian village and one or two Slope
37 villages. So now that we've got this funding we'll be getting
38 in touch with people as to what we plan on doing and getting
39 advice from people, like this body, to see what's the best
40 approach to getting this information about how contaminants
41 effect people in their decisions as to the kind of wildlife
42 they eat.

43
44 We're very excited about these projects and we were
45 lucky to get the money. So I just wanted to give you a heads
46 up on that because you'll be hearing about those real soon.
47 The funding will be here in about four weeks.

48
49 Thank you.

50

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1 CHAIRMAN REXFORD: Thank you. Any questions from the
2 table?

3
4 MR. KOONUK: Mr. Chair.

5
6 CHAIRMAN REXFORD: Mr. Koonuk.

7
8 MR. KOONUK: Can we get a copy of this?

9
10 DR. O'HARA: A copy of which one?

11
12 MR. CARROLL: His notes?

13
14 DR. O'HARA: My notes:

15
16 MR. KOONUK: Yeah and the proposal.

17
18 DR. O'HARA: Oh, I can give you a copy of the
19 acceptance letter and if you're interested in the proposal, do
20 you e-mail?

21
22 MR. KOONUK: No.

23
24 DR. O'HARA: No. I can run off a couple of copies of
25 the five page proposal. Would you like a copy of the
26 proposals?

27
28 MR. KOONUK: Yeah, I mean that's -- and some for the
29 rest of the Board.

30
31 DR. O'HARA: The only problem is the budget hasn't been
32 finalized yet by the UAF folks so I'd hate to put out a
33 proposal that ultimately they might scratch something from, but
34 I could put it out pending the final acceptance or something
35 like that. Would that be okay, Fenton, if I said something
36 like that or should I wait for the final.

37
38 CHAIRMAN REXFORD: Check with Charlie on that one.
39 Yeah, that would be good.

40
41 DR. O'HARA: To say it's pending final approval by the
42 UAF, that's the only thing.

43
44 MR. C. BROWER: Yeah.

45
46 DR. O'HARA: Okay. I can do that.

47
48 CHAIRMAN REXFORD: Any other questions for the three?

49
50 (No audible responses)

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1 CHAIRMAN REXFORD: All right. Thank you, ladies and
2 gentlemen. This concludes our first day of the joint meeting
3 of the North Slope Regional Advisory and the North Slope Fish
4 and Game Management Committee. We'll stand on recess till 9:00
5 a.m. tomorrow and continue on with the proposals which will be
6 Number 9. We'll be taking up several proposals tomorrow, so
7 we'll see you in the morning. The Committee stands on recess.

8
9 (Off record - 5:11 p.m.)

10
11 (MEETING RECESSED)

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C E R T I F I C A T E

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6

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

7 I, Joseph P. Kolasinski, Notary Public in and for the
8 State of Alaska and Reporter and Owner of Computer Matrix, do
9 hereby certify:

10
11 THAT the foregoing pages numbered 02 through 108
12 contain a full, true and correct Transcript of the North Slope
13 Federal Subsistence Regional Advisory Council,
14 Volume I, meeting taken electronically by myself on the 3rd day
15 of March, 1998, beginning at the hour of 9:00 o'clock a.m. at
16 the ASRC Building, Third Floor, Barrow, Alaska;

17
18 THAT the transcript is a true and correct transcript
19 requested to be transcribed and thereafter transcribed by me to
20 the best of my knowledge and ability;

21
22 THAT I am not an employee, attorney, or party
23 interested in any way in this action.

24
25 DATED at Anchorage, Alaska, this 13th day of March,
26 1998.

27
28
29
30
31 _____
32 JOSEPH P. KOLASINSKI
33 Notary Public in and for Alaska
My Commission Expires: 04/17/00