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NORTH SLOPE FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL MEETING

12
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14

VOLUME II

15
16 Inupiat Heritage Center
17 Barrow, Alaska
18 March 14, 2001
19 9:00 o'clock a.m.

20

21 COUNCIL MEMBERS PRESENT:

22

23 Fenton Rexford, Chairman

24 Harry Brower

25 Ray Koonuk, Sr.

26 Mike Patkotak

27 Terry Tagarook

28 Leonard Tukle

29 Amos Agnassagga

30 Earl Williams

31

32 Coordinator; Michelle Chivers

P R O C E E D I N G S

1
2

3 CHAIRMAN REXFORD: Earl Williams from
4 Anaktuvuk Pass on my left over here and Terry Tagarook are
5 going to be here with us just for the morning session for the
6 reorganization of the officers for the Council, Chair,
7 Secretary and Vice Chairman. They need to get over to
8 another meeting, so just for this purpose we welcome Terry
9 and Earl for joining us in our election of officers. What we
10 did yesterday was table it, table the voting. We had a tie
11 between Ray Koonuk and Harry Brower.

12
13 With that, for your information, too, we
14 drafted, with the help of Ida from BIA, we have a two-page
15 letter to Mr. Bill Williams [sic], Chairman of the
16 Subsistence Regional Advisory Council Chairs, please review
17 this and maybe we can act on it under 12A or 12B. I'm under
18 direction of the Council to get a resolution or a motion or
19 something in writing from this Council to back up this
20 letter. It doesn't have to be that long but I think the
21 concept of the letter describes what we're pursuing and
22 whereas and therefore be it resolved, so we'll work something
23 out here this morning.

24
25 What is the wish of the Council at this time?

26
27 MR. KOONUK: Mr. Chair.

28
29 CHAIRMAN REXFORD: Ray.

30
31 MR. KOONUK: Mr. Chair, yeah, we understand
32 this letter, it's a good letter.

33
34 CHAIRMAN REXFORD: Okay.

35
36 MR. KOONUK: But I think by form of
37 resolution and coming from the body itself and approving this
38 resolution, I think it would be a little stronger for the
39 Interior Secretary to look at.

40
41 MR. PATKOTAK: Mr. Chair, could I have a copy
42 of that letter please?

43
44 MR. KOONUK: Right here.

45
46 CHAIRMAN REXFORD: Okay. Once, again, this
47 is a statewide issue and our Chairman requested that we give
48 directive to raise this issue. We've dealt with it before as
49 all 10 regions, it's just more efficient or more power to
50 submit that to the Secretary of Interior, and our resolution,

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1 we can state that we want -- a similar letter sent to.....

2

3 MR. KOONUK: Yes, sent.....

4

5 CHAIRMAN REXFORD:the Secretary.

6

7 MR. KOONUK: And then you can just take some
8 words off this letter and put it in the form of a resolution.

9

10 CHAIRMAN REXFORD: Yeah.

11

12 MR. KOONUK: Because this letter is real
13 good, real strong.

14

15 CHAIRMAN REXFORD: Yeah, the content or the
16 body states that, so we'll just probably fit in the whereases
17 in each paragraph.

18

19 MR. KOONUK: There you go, that's better.

20

21 CHAIRMAN REXFORD: With that, should we take
22 that up then under 12B and we could fit in the whereases and
23 the title of the resolution. Okay, with that, I'll quickly
24 review for the gentlemen that just came in, I know they're in
25 a hurry but we had some important matters that we took up.
26 On the Chair's report on the yellow agenda, the yellow sheet
27 agenda, I gave a report of the meetings this winter that were
28 held December 3 and December 4, the Council Chairmans and the
29 Federal Board meeting. Mike gave a brief schedule of his
30 customary trade and protocol development and that occurs in
31 April, the latter part of April.

32

33 MR. PATKOTAK: They're still undecided as to
34 what date it is going to be. They contacted me and the
35 majority is going to decide whether it's going to be April 24
36 and 25 or May 1 and 2.

37

38 CHAIRMAN REXFORD: Okay.

39

40 MR. PATKOTAK: And they were going to get
41 back to me within a week and I haven't heard from them yet.

42

43 CHAIRMAN REXFORD: Okay.

44

45 MR. PATKOTAK: And the person to get a hold
46 of on that would be Pete Probasco of if should call and let
47 me know the dates, I'll let you know immediately.

48

49 CHAIRMAN REXFORD: Okay. And then within
50 your packet we also discussed the Board of Fisheries meeting,

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1 December 5 through the 7. And we identified our 2000 annual
2 reports, our concerns from our September meeting minutes and
3 we added a two page letter prioritizing the studies or the
4 research that should be done for our region by, again, a form
5 of a motion and approving a letter that I signed addressed to
6 Joint Regional Council meeting and also the topics for
7 biological and subsistence fish related research and there
8 were seven items there. And we went through agency reports.
9 We got all done with the agency reports. Fish monitoring
10 plan updates and we'll have another one in September to
11 review the 2002 and 2003 monitoring plan this fall. Brief
12 reports on the rural determination, in-season delegation and
13 Park Service and BLM report and Alaska Department of Fish and
14 Game and they handed out a parasite -- go ahead and get a
15 copy of this and take it home.

16
17 MR. WILLIAMS: Yeah, I got one of those.

18
19 MR. TAGAROOK: This was mailed out to us.

20
21 MR. KOONUK: Do you have extra copies?

22
23 CHAIRMAN REXFORD: Yes, there should be some
24 extra ones to take home if you guys want.

25
26 MR. KOONUK: I dropped mine.

27
28 CHAIRMAN REXFORD: With that, we reached Item
29 11, we were going to be at proposals but again we tabled
30 election of officers so at this time -- but, again, number 9
31 was the call for Federal fisheries proposals that related to
32 fishing regulations, harvest of fish and shellfish on public
33 lands. So we have until March 31 to submit any fisheries
34 proposal. We reviewed it real quick to see whether anything
35 affected our region and any new regulations but we're pretty
36 -- pretty little is written as far as regulations for our
37 region, mostly customarily -- or C&T determinations, we can
38 get all fish.

39
40 With that.....

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

43
44 CHAIRMAN REXFORD: Harry.

45
46 MR. H. BROWER: Maybe for Terry and Earl,
47 maybe we could have Geoff give the reasoning for why the
48 State employees were asked to pull back from working with the
49 Federal regional program?

50

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1 CHAIRMAN REXFORD: Okay.

2
3 MR. H. BROWER: It would be important for
4 them to know.

5
6 CHAIRMAN REXFORD: Real briefly, there's been
7 within the State, directors and Commissioner and Regional
8 Directors have been given verbal orders or something and
9 Geoff will be better to.....

10
11 MR. WILLIAMS: 180 words or less.

12
13 (Laughter)

14
15 MR. CARROLL: Oh, there's been kind of a
16 controversy for some time that it's really increased the work
17 load of the area biologists and other people within the State
18 system to accommodate some of the requirements that, you
19 know, the Federal management has brought on. There's been
20 discussions between directors about getting some compensation
21 from the Federal program to the State program to kind of
22 cover the costs of this additional burden. And it's the sort
23 of thing that's, you know, it started to cut into our ability
24 to do our own work. And so anyway, at our -- our director
25 has instructed us not to put so much time into the Federal
26 program and, in fact, at one point we were supposed to stop
27 attending these meetings and reviewing proposals and that
28 sort of thing until there's some sort of agreement that's
29 reached to compensate the State for the amount of time
30 they're putting into the Federal program. So at this point,
31 they're not covering travel to come to Federal meetings and
32 things like that. Since I'm here anyway, I attend the
33 meeting and, you know, I'm here to answer questions or give
34 advice or whatever. But we're going to cut back our
35 involvement in the Federal program until there's some
36 accommodation reached there.

37
38 So that's all.

39
40 MR. WILLIAMS: Are you going to still report
41 to us?

42
43 MR. CARROLL: What's that?

44
45 MR. WILLIAMS: Are you going to still report
46 to us at this meeting?

47
48 MR. CARROLL: Well, I gave a brief report
49 yesterday, you know, just a brief one.

50

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1 CHAIRMAN REXFORD: Thank you, Geoff.

2
3 MR. CARROLL: Okay.

4
5 CHAIRMAN REXFORD: All right. Let's go ahead
6 and move onto the tabled motion, we need a motion to bring
7 that back up on the table and -- we tabled it, or I don't
8 know what the procedure is in this matter, but we tabled the
9 election until today -- the action to elect officers. So
10 whatever the procedures are to bring it back up to.....

11
12 MR. KOONUK: Did we put it in a motion last
13 night or, no, we just tabled it, right?

14
15 MR. H. BROWER: Yeah, we just tabled it.

16
17 CHAIRMAN REXFORD: Yeah, we just tabled it
18 and all voted. We were in a tie for the election of
19 Chairman.

20
21 MR. JENNINGS: Mr. Chair.

22
23 CHAIRMAN REXFORD: Tim.

24
25 MR. JENNINGS: You could entertain a motion
26 to bring the tabled elections back for the Council at this
27 time.

28
29 CHAIRMAN REXFORD: Okay, thank you, Tim.

30
31 MR. KOONUK: Mr. Chair, so moved.

32
33 CHAIRMAN REXFORD: Okay, motion to put back
34 on the table the election of officers by Ray.

35
36 MR. TAGAROOK: Second.

37
38 CHAIRMAN REXFORD: Seconded by Terry. All in
39 -- discussion or just go ahead and vote -- all in favor of
40 bringing back the action of election of officers, say aye.

41
42 IN UNISON: Aye.

43
44 CHAIRMAN REXFORD: All opposed.

45
46 (No opposing votes)

47
48 CHAIRMAN REXFORD: Okay. Michelle, again,
49 just briefly we were in a tie and we had two nominations, the
50 nominations were closed, I don't know if we have to

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1 renominate or.....

2

3 MR. JENNINGS: Mr. Chair, I'll handle that
4 for Michelle. We did have nominations of Ray Koonuk and
5 Harry Brower. Nominations were closed. So first, I believe
6 we'll entertain, if anyone wants to reopen nominations.

7

8 MR. KOONUK: Wasn't that closed already?

9

10 MR. JENNINGS: It was closed. But I thought
11 we ought to offer the opportunity. If there's no one that
12 wants to reopen nominations, then we'll move forward to the
13 voting.

14

15 MR. KOONUK: Well, wouldn't that have to come
16 by a motion to reopen?

17

18 MR. JENNINGS: Yes, that's why.....

19

20 MR. KOONUK: Yeah, that's what -- we need a
21 motion, right?

22

23 MR. JENNINGS: I'm just asking if.....

24

25 MR. KOONUK: I mean you can't ask.....

26

27 MR. JENNINGS:if there's anybody.....

28

29 MR. KOONUK:me to reopen it by a
30 motion.

31

32 MR. JENNINGS: I'm asking if anybody wants to
33 make a motion to reopen the nominations. So hearing none,
34 the candidates for Chair are Ray Koonuk, Sr., and Harry
35 Brower, Jr.

36

37 MR. TAGAROOK: Mr. Chairman, just before we
38 vote, I'd like to thank you for being with us ever since we
39 first started and we appreciate all the work you've done for
40 our region.

41

42 CHAIRMAN REXFORD: Thank you, Terry.

43

44 MR. TAGAROOK: And I hope you have a
45 replacement from Kaktovik.

46

47 CHAIRMAN REXFORD: We'll work on that one but
48 it probably won't happen until next year.

49

50 MR. KOONUK: Mr. Chair, may I ask why until

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1 next year?

2

3 CHAIRMAN REXFORD: January is the.....

4

5 MR. KOONUK: Because.....

6

7 CHAIRMAN REXFORD:application process.

8

9 MR. KOONUK:this is a position that's
10 real important for your area and you have brought a lot of
11 issues up for your area and I think this position should be
12 filled right away.

13

14 CHAIRMAN REXFORD: Yeah, okay. Gordon
15 Brower, by seniority -- Edward just got on as alternate, so
16 Gordon will sit in my seat -- I mean fill the vacant seat
17 until the next application process, and probably the decision
18 won't be made until August of next year, within the time
19 frame of this -- of how the process goes.

20

21 MR. PATKOTAK: Mr. Chairman, who was this
22 decision made by, if I may ask for the record?

23

24 MR. KOONUK: Yeah.

25

26 CHAIRMAN REXFORD: What decision?

27

28 MR. PATKOTAK: The decision to put Gordon
29 Brower, Sr., into this seat?

30

31 CHAIRMAN REXFORD: Well, I just -- I did, by
32 seniority, I don't know if there's a procedure to either pick
33 Edward or Gordon but I thought seniority would play in the
34 picture. He's been on.....

35

36 MR. PATKOTAK: With all due respect for your
37 seniority and your opinion, I think because this is such an
38 important -- with all the important issues coming up, I think
39 maybe we should place it on the table to whether we should
40 vote from somebody here within the Regional Advisory
41 committee instead of having a person singularly appointing.

42

43 CHAIRMAN REXFORD: No, I wasn't appointing.
44 I just assumed that he'd be the one to fill in the seat.

45

46 MR. JENNINGS: Mr. Chair.

47

48 CHAIRMAN REXFORD: I didn't make that formal
49 decision or announcement that he'd be the one. Tim.

50

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1 MR. JENNINGS: Mr. Chair, maybe I can help
2 out on this matter. The procedure for filling a vacant seat
3 is governed by the charter. There are two alternate members,
4 Gordon Brower and Edward Itta, and the charter says that when
5 a resignation occurs that one of the alternates fills the
6 seat until the next nomination cycle which begins, as Fenton
7 mentioned, next January.

8
9 MR. KOONUK: Mr. Chair, would you get a copy
10 of that charter right now so we can look at it?

11
12 MR. JENNINGS: I don't have a copy of the
13 charter. Do you have a copy of it Harry?

14
15 MR. H. BROWER: I have an operations manual
16 here.

17
18 CHAIRMAN REXFORD: It should be in there.

19
20 MR. JENNINGS: Does anybody have a copy?

21
22 MR. KOONUK: Did you read that in the
23 charter?

24
25 MR. PATKOTAK: Mr. Chairman.

26
27 CHAIRMAN REXFORD: Go ahead, Mike.

28
29 MR. PATKOTAK: Now, is this just to fill in
30 as a recognized -- instead of announcing it just as a
31 recognized Regional Council member but does that include the
32 Chairmanship or can we -- that doesn't include the
33 Chairmanship?

34
35 MR. JENNINGS: No, we're.....

36
37 MR. PATKOTAK: So then we can -- so then the
38 Chairmanship here can be amongst somebody here that the
39 Council can vote in, okay.

40
41 MR. JENNINGS: Correct.

42
43 MR. KOONUK: Mr. Chairman.

44
45 CHAIRMAN REXFORD: Ray.

46
47 MR. KOONUK: I would feel comfortable if
48 there was someone from Kaktovik.

49
50 MR. PATKOTAK: Yeah.

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1 MR. KOONUK: Because he's the person that's
2 going to be bringing the issues up to the Council.

3
4 CHAIRMAN REXFORD: Yes, I agree.

5
6 MR. KOONUK: And Gordon and Edward, they
7 don't live in Kaktovik.

8
9 MR. PATKOTAK: Yeah.

10
11 MR. KOONUK: They don't know what the issues
12 are over there.

13
14 CHAIRMAN REXFORD: Yeah, I agree.

15
16 MR. AGNASSAGGA: I agree with that.

17
18 MR. KOONUK: And I strongly recommend that we
19 get someone from Kaktovik because I would be more comfortable
20 because you, as Chairman, and been with the Council, you have
21 brought a lot of good issues up for Kaktovik and I'd like to
22 see this person from Kaktovik follow-up.

23
24 CHAIRMAN REXFORD: I totally agree with you,
25 Ray, although it doesn't state it in the charter, we've been
26 very fortunate for each of the villages to be represented and
27 we urge the Staff or the powers to be to keep that going.
28 It's an unwritten policy within our group. We're very
29 fortunate and hopefully the Staff and the powers to be will
30 continue that. I'll be active in trying to get an
31 application sent in, several of them from Kaktovik for them
32 to consider then.

33
34 MR. H. BROWER: Make a clone.

35
36 (Laughter)

37
38 MR. PATKOTAK: Mr. Chairman.

39
40 CHAIRMAN REXFORD: Mike.

41
42 MR. PATKOTAK: Mr. Chairman, I just want to
43 clarify what my concerns were were just on the Chairman's
44 position, it was my understanding that I -- I automatically
45 assumed that if somebody from a village resigns then he's
46 replaced from that particular village. I didn't know that
47 the charter indicated that it should be one of the
48 alternates. I think, for the record, that this charter
49 should be changed to where if somebody resigns from a
50 particular village, that that seat be filled from that

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1 village.

2

3 CHAIRMAN REXFORD: All right.

4

5 MR. JENNINGS: Well, Mr. Chair, if I could
6 maybe address that a little bit.

7

8 CHAIRMAN REXFORD: Tim, and then Harry.

9

10 MR. JENNINGS: The charters are written for
11 all 10 regions fairly similarly. And as Fenton mentioned,
12 there has been a desire to have geographic diversity in this
13 region as well as other regions so that we've tried to have
14 a representative from each village. However, each of you
15 that sit on the Council represents all subsistence users
16 throughout the region, you just don't represent your
17 particular village. That's the way the system is set up.

18

19 So with the alternate, Gordon, voting and
20 Fenton's resignation until the next election, what we'll try
21 to do with Fenton's help is to encourage people from Kaktovik
22 to apply during the next nomination cycle.

23

24 CHAIRMAN REXFORD: It's a generic charter and
25 it's no specific villages are identified.

26

27 MR. AGNASSAGGA: Mr. Chairman.

28

29 CHAIRMAN REXFORD: No districts or no
30 statement that a representative has to come from Point Hope,
31 particularly, or one from Wainwright, so on and so forth,
32 it's regionwide. And again, we've been fortunate by the
33 Staff and powers to be that we have this set up here and it's
34 an unwritten policy that hopefully will continue. But you're
35 right, we need to put it in the charter, we tried that, to
36 put it in the charter but we follow ANILCA and the charter
37 prevents us from specifically specifying because it has to be
38 open to everybody. We're fortunate we have Inpuits here,
39 but in Southcentral they got.....

40

41 MR. KOONUK: And we'd like to keep it like
42 that.

43

44

45 MR. AGNASSAGGA: Mr. Chair.

46

47 CHAIRMAN REXFORD: Amos.

48

49 MR. AGNASSAGGA: Yeah, but with this ANWR
50 going on, it would be good to get somebody from Kaktovik

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1 because they know more about what's happening.

2

3 CHAIRMAN REXFORD: Exactly. Harry, you had
4 something.

5

6 MR. H. BROWER: Yes, Tim covered some of the
7 information I was going to talk about when Mike was talking
8 about the charter and we visit the charter every even year,
9 every two years, so we'll have that opportunity again if you
10 think there needs to be changes to the charter at the time
11 that it's set for the review of the charter, we'll be able to
12 make those changes or recommendations to the charter.

13

14 MR. KOONUK: Yeah, we need to do that.
15 Because it's real important, because when we have vacant
16 seats.

17

18 CHAIRMAN REXFORD: You know, I didn't mean to
19 say that it's got to be Gordon.....

20

21 MR. KOONUK: Uh-huh.

22

23 CHAIRMAN REXFORD:but I thought maybe
24 seniority -- but it might work out that one meeting it will
25 be Gordon and maybe another meeting it will be Edward. So I
26 don't know how that -- again, the charter states that an
27 alternate be chosen permanently or semi-permanently until a
28 replacement is found.

29

30 MR. JENNINGS: Mr. Chair, do you want the
31 results of the election?

32

33 CHAIRMAN REXFORD: Okay, please.

34

35 MR. JENNINGS: It's a tie, four to four.

36

37 (Laughter)

38

39 MR. JENNINGS: So we'll need to revote.

40

41 MR. TAGAROOK: So any last words before we
42 vote from the candidates?

43

44 CHAIRMAN REXFORD: Maybe we could hear from
45 the candidates, the Council, how would you -- hear from both
46 candidates, what do you think Ray or Harry, or the rest of
47 the Council? Terry just made a suggestion.

48

49 MR. PATKOTAK: Oh, to hear from each
50 candidate, albeit a little speech or.....

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1 (Laughter)

2

3 MR. TAGAROOK: A simple campaign speech.

4

5 MR. PATKOTAK: This will be interesting, will
6 there be a time limit?

7

8 (Laughter)

9

10 MR. PATKOTAK: Or can a particular
11 candidate.....

12

13 (Laughter)

14

15 MR. KOONUK: Well, the Council know who they
16 want to vote for, I mean that's the issue there, what more
17 can I say.

18

19 MR. H. BROWER: Those were my very words,
20 too, Ray. It's up to the Council to decide who will be the
21 Chair and the vice Chair and the Secretary. So it's up to
22 you folks.

23

24 MR. PATKOTAK: Well, let's give it another
25 shot and vote, I guess. I don't know what the other Council
26 members feel.

27

28 MR. H. BROWER: Maybe we better call on the
29 Mayor.

30

31 (Laughter)

32

33 MR. KOONUK: Well, maybe we better call the
34 Secretary of Interior.....

35

36 (Laughter)

37

38 MR. JENNINGS: So has everyone revoted?

39

40 MR. KOONUK:to cast the deciding vote.

41

42 CHAIRMAN REXFORD: Yeah, I voted.

43

44 MR. WILLIAMS: What if it's a tie again,
45 should we draw straws?

46

47 (Laughter)

48

49 MR. PATKOTAK: While everybody's counting
50 here, I have a bayling basket if anybody's interested, my

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1 nephew sold it to me because he needed money. I just need my
2 money back. I bought it from him for 175 bucks, it's two and
3 a half inch bayling basket and I paid him 175 and I -- if it
4 wasn't for my wife I wouldn't have bought it. But if you
5 want to take a look at it, it's over here. It was made by my
6 nephew, Howard Nowkitik and I bought it from him because he
7 needed money. I just want my money back.

8
9 MR. JENNINGS: Okay, Mr. Chair, we do have a
10 winner.

11
12 CHAIRMAN REXFORD: Okay.

13
14 MR. JENNINGS: The new Chair is Harry Brower,
15 Jr.

16
17 (Applause)

18
19 MR. JENNINGS: And the vote was five to
20 three. And we'll turn control of the meeting over to the new
21 Chair, Harry Brower, to conduct elections for the vice Chair
22 and for secretary.

23
24 CHAIRMAN H. BROWER: Thank you, Tim. I'd
25 like to thank all the members for voting for the Chair. But
26 now I'll open the elections for vice Chair, nominations.

27
28 MR. TAGAROOK: Mr. Chair.

29
30 CHAIRMAN H. BROWER: Terry.

31
32 MR. TAGAROOK: I nominate Ray Koonuk.

33
34 CHAIRMAN H. BROWER: Ray, you're nominated.

35
36 MR. AGNASSAGGA: Mr. Chair.

37
38 CHAIRMAN H. BROWER: Amos.

39
40 MR. AGNASSAGGA: I ask for unanimous consent.

41
42 MR. PATKOTAK: Second.

43
44 CHAIRMAN H. BROWER: Okay, there's been a
45 motion for unanimous consent for Ray to be the vice Chair, no
46 opposition -- no objections so Ray has been selected as the
47 vice Chairman.

48
49 (Applause)

50

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1 CHAIRMAN H. BROWER: Congratulations Ray.
2 Nominations for the secretary.

3
4 MR. KOONUK: Mr. Chair, I nominate Terry
5 Tagarook.....

6
7 MR. TAGAROOK: I do not.....

8
9 MR. KOONUK:by unanimous consent.

10
11 MR. TAGAROOK: I decline because I'm involved
12 with other organizations and there's too many organizations
13 that I'm involved with.

14
15 MR. PATKOTAK: I second the nomination and
16 move the nomination be closed and reject his resignation.

17
18 MR. AGNASSAGGA: Mr. Chair.....

19
20 MR. KOONUK: I second that objection.

21
22 (Laughter)

23
24 MR. AGNASSAGGA: Mr. Chair, I nominate Mike
25 Patkotak.

26
27 CHAIRMAN H. BROWER: Thank you, Amos. Mike
28 has been selected as.....

29
30 MR. KOONUK: I close the nominations.

31
32
33 CHAIRMAN H. BROWER:a nomination for
34 secretary.

35
36 MR. KOONUK: I close the nomination.

37
38 CHAIRMAN H. BROWER: Close the nominations.

39
40 MR. WILLIAMS: Second.

41
42 CHAIRMAN H. BROWER: No objections, Mike, I
43 guess you're selected as the secretary.

44
45 MR. PATKOTAK: Well, I'd like to -- I'd like
46 to decline, but if there's no one else -- I'd like to ask if
47 Leonard would like to serve in that position because with all
48 due respect, if I may turnaround and nominate Leonard Tukle,
49 I decline the appointment or the nominations.

50

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1 MR. KOONUK: With Mike's deal, I'll second
2 that, if that's what Mike wants, I'll second that and second
3 his nomination.

4
5 CHAIRMAN H. BROWER: Leonard, do you want to
6 take the.....

7
8 MR. KOONUK: Nominations closed.

9
10 MR. TUKLE: Yes.

11
12 MR. REXFORD: Can I just say something, that
13 the minutes are usually drafted by the Staff and that all we
14 need is a signature, I don't know Harry could probably --
15 he's been taking good notes and Helen makes good notes and
16 when Barbara's here she takes good notes and between them
17 they pass it back and forth and low and behold the minutes
18 are there, and a signature is all that is needed for
19 secretary, mostly just for the minutes and the coordinator
20 and the Staff work.....

21
22 MR. KOONUK: Mr. Chair, I close the
23 nominations and ask for unanimous consent for Leonard Tukle
24 with no objections.

25
26 CHAIRMAN H. BROWER: With no objections,
27 Leonard, you're the secretary now.

28
29 (Applause)

30
31 MR. KOONUK: Secretary of Interior.

32
33 (Laughter)

34
35 CHAIRMAN H. BROWER: Again, I just want to
36 thank everybody for going through the election process and
37 elections and appointing me as Chair. And I'd like to thank
38 Fenton for many of years of service, Fenton.

39
40 MR. REXFORD: All right, thank you.

41
42 CHAIRMAN H. BROWER: You're going to be
43 missed here.

44
45 MR. PATKOTAK: Congratulations Harry.

46
47 MR. AGNASSAGGA: Congratulations Harry.

48
49 CHAIRMAN H. BROWER: Thank you.

50

00107

1 (Council thanking each other on appointments)

2

3 MR. TAGAROOK: Mr. Chair, are we all done
4 with the elections and everything?

5

6 CHAIRMAN H. BROWER: Yes, Terry.

7

8 MR. KOONUK: Mr. Chair.

9

10 CHAIRMAN H. BROWER: Call for a five minute
11 break.

12

13 MR. KOONUK: I want to say something before
14 you break.

15

16 CHAIRMAN H. BROWER: Okay.

17

18 MR. KOONUK: I want to thank you for the vote
19 of confidence from the Board and I'll stand right behind the
20 Chair and I give you my full support and, once again,
21 congratulations.

22

23 CHAIRMAN H. BROWER: Thank you, Ray. There's
24 been a request for a five minute recess.

25

26 (Off record)

27

28 (On record)

29

30 CHAIRMAN H. BROWER: Let's get started, I'll
31 call the meeting back to order, the Regional Advisory
32 Council. We're on Item 11 now with wildlife proposal review
33 and Regional Advisory Council recommendations for the Federal
34 subsistence regulations for each proposal, we have the
35 procedure that will be, introduction of proposal by the
36 Staff, biological and socio-cultural analysis, Alaska
37 Department of Fish and Game and agency comments and data,
38 summary of written public comments, open the floor for public
39 comments on the proposal and then we'll have the Regional
40 Advisory Council deliberations and recommendations and
41 justification for the proposal that we're addressing.

42

43 So the first proposal we're going to be
44 discussing is 11A, Proposal 1 and 2, statewide, includes
45 definitions of airborne, bait, drainage and salvage and
46 clarifies definition of aircraft.

47

48 MS. DEWHURST: Mr. Chair.

49

50 CHAIRMAN H. BROWER: Donna.

00108

1 MS. DEWHURST: I'd like to request we change
2 the order and just go in the order in the book, which would
3 be to start with Proposal 45, that way we'll cover the North
4 Slope proposals first and do the crossover proposals last,
5 Tab E.

6
7 CHAIRMAN H. BROWER: Tab E.

8
9 MS. DEWHURST: That way we can just also do
10 them in the order they're in the book so we're not jumping
11 around. So we would start with Proposal 45.

12
13 CHAIRMAN H. BROWER: So we're starting on the
14 next proposal?

15
16 MS. DEWHURST: Yeah, that would be Proposal
17 45.

18
19 CHAIRMAN H. BROWER: It would be Proposal 45.

20
21 MS. DEWHURST: The order is different on the
22 agenda.

23
24 CHAIRMAN H. BROWER: Did you all understand
25 and hear that?

26
27 MR. KOONUK: Yeah.

28
29 CHAIRMAN H. BROWER: We're going to start
30 with Proposal 45 instead of having to jump around in the
31 book, we'll just go from one proposal to the next as they're
32 placed in the packet. Okay, Donna, I think Fenton was trying
33 to find a dictionary just for the definition parts of this
34 airborne and bait so we'll wait a minute for Fenton to get
35 back.

36
37 MS. DEWHURST: Okay.

38
39 CHAIRMAN H. BROWER: And then we'll get
40 started on Proposal 45.

41
42 (Pause)

43
44 CHAIRMAN H. BROWER: Okay, Fenton, I asked to
45 wait until you got back with the dictionary.

46
47 MR. REXFORD: Okay.

48
49 CHAIRMAN H. BROWER: Okay, Donna, we'll give
50 the floor to you.

00109

1 MS. DEWHURST: Okay. The first three
2 proposals, Proposal 45, 46(a) and 46(b) were all by the same
3 proponent, Mr. David Neel. If you look on Page 2, so when
4 you open up to Tab E and it's not numbered as Page 2, but
5 it's Page 2, it's the map of Region 10, it should look like
6 this, this map, just to kind of give you a reference for the
7 next few proposals.

8
9 Mr. David Neel is a hunting guide and air
10 taxi operator that operates out of Happy Valley. You can see
11 where that is along the Dalton Highway. He spends -- he
12 claims to live in 26(B) year-round and he spends part of his
13 time in Happy Valley and part of the time in Deadhorse
14 working at Prudhoe. Helen will go into more detail on this
15 in 46(a), but I just want to kind of give a frame of
16 reference. So Mr. David Neel submitted the proposals, 45 and
17 46, both parts of 46, just to let you know where they came
18 from.

19
20 Proposal 45 is a proposal for moose for 26(B)
21 only, Unit 26(B). He's proposing to open a season. Right
22 now the season's closed, both on the Federal and the State
23 side, so he's proposing to open a Federal season for one bull
24 by Federal registration permit but to only issue six permits
25 and to only issue those permits to rural residents of Unit
26 26(B), not including residents of Prudhoe, the Prudhoe
27 Deadhorse complex. So he wants a season open for bulls only
28 but he only wants six permits issued and those permits could
29 only go to residents in 26(B), that's what he's proposing.

30
31 Now, keep in mind, the current customary and
32 traditional determination says everybody in Unit 26,
33 basically the whole North Slope should be eligible for this
34 hunt with the current customary and traditional determination
35 where he is requesting, if this hunt's open it would only be
36 eligible for residents of 26(B). Helen will go into more
37 detail on this on the next proposal, but as far as we can
38 determine, Mr. David Neel is the only eligible resident of
39 Unit 26(B) so it gets kind of interesting. So he is.....

40
41 MR. KOONUK: Mr. Chair.

42
43 MS. DEWHURST: That's basically this first
44 proposal, it's to open.....

45
46 CHAIRMAN H. BROWER: Donna, just a minute.

47
48 MR. KOONUK:moose hunt. Oh, I'm sorry.

49
50 MR. KOONUK: You said he lives in Prudhoe off

00110

1 and on?

2

3 MS. DEWHURST: He works in Prudhoe when he
4 isn't.....

5

6 MR. KOONUK: Prudhoe.

7

8 MS. DEWHURST:he claims his residence
9 is at Happy Valley and part of the time he works up in
10 Prudhoe Bay.

11

12 MS. H. ARMSTRONG: If you look at that map
13 you can see Happy Valley on it.

14

15 MR. KOONUK: Yeah, I can see Happy Valley
16 here but.....

17

18 MS. DEWHURST: Well, Helen will go into a lot
19 more detail.

20

21 MR. KOONUK:but if he just lives part-
22 time, I wouldn't qualify him as a full-time resident.

23

24 MR. PATKOTAK: Where is he from, this guy?

25

26 MS. DEWHURST: Originally Wasilla. Helen
27 will go into a lot more detail on this in the next proposal
28 because the next proposal is a C&T determination, so she'll
29 go into lots of detail. I'd hold your questions for the next
30 proposal as far as that goes.

31

32 MS. H. ARMSTRONG: I think maybe I can help
33 a little bit.

34

35 MS. DEWHURST: All right.

36

37 MS. H. ARMSTRONG: If you just focus this one
38 on the biology and not worry about him, per se, I mean it may
39 enter into part of your decision but what Donna has tried to
40 do is focus on the biology, is it even possible to open a
41 hunt and then.....

42

43 MR. PATKOTAK: Mr. Chairman.

44

45 CHAIRMAN H. BROWER: Mike.

46

47 MR. PATKOTAK: Thank you for bringing that
48 up, Helen. If I may direct a question to Geoff.....

49

50 CHAIRMAN H. BROWER: Mike, if we could hold

00111

1 off on the questions, we'll go through this procedure,
2 following the information that will be presented for the
3 Regional Council to make decisions on, they'll provide us
4 with information and then we'll hear what needs to be said on
5 each of these proposals and then if we have questions to each
6 of the agencies, either Federal or State, we could direct
7 them then and that might help.....

8

9 MR. KOONUK: Geoff comes in when ADF&G.

10

11 CHAIRMAN H. BROWER: Yes, we'll give him the
12 opportunity to give us information and ask questions at that
13 time.

14

15 MS. DEWHURST: So keep in mind he's asking
16 for a moose hunt. If you wanted a moose hunt you could
17 always change the details of the harvest.....

18

19 MR. KOONUK: Well, we really don't know what
20 the question is until we hear it, you know, as far as.....

21

22 CHAIRMAN H. BROWER: Well, Mike and Ray, if
23 you want to proceed and ask the question pertaining to what
24 we're discussing right now then go ahead and I'll give you
25 the opportunity to ask it now if you want?

26

27 MR. PATKOTAK: Well, I guess you guys can go
28 ahead and.....

29

30 MR. KOONUK: Yeah.

31

32 MR. PATKOTAK:proceed as you like.

33

34 CHAIRMAN H. BROWER: You know it will --
35 thank you, Mike. Donna, proceed please.

36

37 MS. DEWHURST: Okay. As I started to say,
38 he's requesting a moose harvest. Keep in mind if you wanted
39 the moose harvest you wouldn't necessarily have to stick with
40 his design for a harvest. You could still go with a harvest
41 but change the harvest design. That's just what he is
42 proposing. It would only be on Federal lands, so if you look
43 again on that map at 26(B), we're talking primarily the
44 southern part of 26(B), which is primarily a little section
45 of Arctic National Wildlife Refuge and a little strip of BLM
46 land along the corridor along the road corridor on the very
47 south end.

48

49 The bulk of the moose population in 26(B) is
50 north of Federal lands. It's more north of where Arctic

00112

1 Refuge is, between like the Canning River and the Dalton
2 Highway and north of Arctic Refuge.

3
4 If you go to Page 8 in that section you'll
5 see a graph like this, this is kind of a key point in any
6 discussion of a moose proposal right now, in that, the moose
7 population in the North Slope, they really didn't make it to
8 the North Slope as far as we know in any great numbers until
9 the 1950s. And then in the 1950s population started
10 expanding fairly quickly. Part of it was presumed to be --
11 that was the era when there was real heavy wolf control.
12 There were bounties by the Feds to kill wolves, there was all
13 sorts of wolf control and it was thought that that might have
14 benefited moose in a lot of parts of the state and moose
15 expanded the range. And that's one of the same theories on
16 the North Slope. They peaked in the late 1980s. As you see
17 on that graph on Page 8, late 1980s, early 1990s they peaked
18 -- they actually had in this subunit, there were over 600
19 moose. Unfortunately the habitat isn't real great for moose
20 on the North Slope and the moose that were there were very
21 concentrated along the drainages. And what was thought
22 happened was -- and it also concentrated the hunters, there
23 were a lot of non-local hunters coming up and hunting along
24 the drainage. So the moose got -- they were very easy to
25 hunt because they were along the drainages. They got hunted
26 very quickly, and also the fact that there were so many of
27 them and they were so concentrated, it was thought they
28 actually did some habitat damage along the drainages and
29 actually did some browse damage. So the combination of the
30 hunting and probably over browsed concentration along the
31 drainages, basically, caused the numbers to crash in the
32 1990s and they just plummeted. And at that point, both the
33 Federal and the State system closed all moose hunts in Unit
34 26(B) because the numbers just plummeted and they wanted to
35 try to let them recover.

36
37 That's the situation we've been in up until
38 today, is there have been no hunts authorized either on the
39 Federal or the State side to try to let the populations
40 recover. You see current numbers are roughly around 150.
41 That is just a fraction of what they were in the late 1980s,
42 you know, we were talking 600 moose then and now we're
43 talking around 150. They think they're starting to show some
44 signs of recovery. We're starting to see some calf survival.
45 We're starting to see some signs. The numbers could start
46 going back up, but it's just the beginning.

47
48 So based on that, the overall recommendation
49 is let's hold off, not authorize any hunts right now and let
50 the population keep growing some.

00113

1 Now, in talking to Fran Mawer, he's basically
2 the moose biologist for Arctic National Wildlife Refuge, Fran
3 says he's very open to potentially having a Federal
4 subsistence harvest for moose possibly in 26(B) and possibly
5 the western portion of 26(C) even but he wants to see the
6 numbers come up a little bit. He's doing a moose -- his next
7 aerial survey is going to be -- I think it's either this
8 month -- let's see, I think it's in April, that's what he was
9 telling me, but he's shooting to do it here real soon, once
10 he gets those numbers back and sees what those are and
11 possibly next years number, he said, depending on if he keeps
12 seeing some signs of increase, he would be open at that time
13 to start talking about harvest, a limited subsistence
14 harvest. But right now, everybody's still really concerned
15 about the moose population and everybody's still on hold,
16 basically, and recommends, let's be conservative, let's let
17 these guys keep reproducing, let's let the calves keep
18 surviving and start building the numbers back up.

19
20 It's been a slow recovery. You know, you
21 look from 1995 to 2000 and there's virtually no growth in the
22 numbers and it takes awhile to build moose numbers back up in
23 limited habitat. So the Staff overall recommendation at this
24 point is let's hold, not open any new hunts, at least for
25 this year, not open any new hunts, let them go for another
26 couple of years and then let's talk about it again. But for
27 right now, the recommendation is to oppose this proposal.

28
29 That's all I have for the analysis.

30
31 CHAIRMAN H. BROWER: Any questions to Donna
32 from the committee?

33
34 MR. PATKOTAK: Well, basically the question
35 I had she answered.

36
37 CHAIRMAN H. BROWER: Thank you, Mike. Any
38 other comments to Donna.

39
40 MR. PATKOTAK: I have one question, maybe to
41 Geoff, what kind of numbers do you have on the whole area,
42 26, 23 (A), (B), (C) in terms of the moose population and how
43 much percentage of mortality rate is there?

44
45 MR. CARROLL: Well, you know, I do surveys in
46 26(A) and get over into 26(B) a little bit, but, you know,
47 the moose across the Slope follow basically this pattern that
48 you can see in the graph. In 26(A), for instance, we were up
49 to about 1,600 moose in the early '90s and there was a very
50 rapid decline, about a 75 percent decline to about one

00114

1 quarter of that population, now, they're gradually building
2 back up and we're probably back up to about half of what we
3 had in the early '90s. So -- and I think they're following
4 a similar pattern in 26(B), it's starting a slow gradual
5 build up but we're recommending, you know, to give it another
6 year or two to get the numbers back up to a reasonable level
7 before we try and initiate any State moose hunting season.

8
9 As I said, most of the moose habitat in 26(B)
10 is on State land, you know, it doesn't seem to make a lot of
11 sense to open a Federal hunt in 26(B) at this point until
12 there's a State hunt in the area where most of the moose are.

13
14 CHAIRMAN H. BROWER: Does that answer your
15 question, Mike?

16
17 MR. PATKOTAK: What kind of mortality rate
18 are you seeing?

19
20 MR. CARROLL: It's hard to measure the
21 mortality rate with moose. With caribou I can come up with
22 a mortality rate each year because we have collars kind of
23 randomly scattered in the herd and I can see how many
24 collared caribou die each year and figure that that's about
25 the mortality rate for the whole herd. But the moose
26 population we have some radio collars but we put them all on
27 like in one year and all those moose -- we had almost no
28 mortality for say three years but now all those moose are
29 getting older and older and we're going to hit a point, you
30 know, we're going to have a bunch of old-aged moose with
31 radio collars and all of them are going to die suddenly but
32 that won't really reflect what's happening in the entire
33 herd. But the mortality rate is much, much lower than it was
34 in the early '90s. We've had low mortality and good calf
35 survival for the last three or four years, you know, and as
36 a result the population has about doubled over what we had
37 three or four years ago.

38
39 MR. PATKOTAK: So you would say that the
40 population growth on this is pretty slow?

41
42 MR. CARROLL: Yeah, it is at this point and
43 that's kind of what we say in 26(A), is the numbers got so
44 low that there were -- you know, there just weren't very many
45 cows to produce calves and so the rate of increase, even
46 though the calf survival is pretty good, started out very
47 slowly and now we're starting to pick up momentum. We have
48 larger numbers and so we're having a lot more cows to produce
49 calves and our rate of growth is increasing.

50

00115

1 CHAIRMAN H. BROWER: Thank you, Geoff. If
2 there's no other comments, we'll proceed with the cultural
3 analysis. Helen.

4
5 MS. H. ARMSTRONG: I don't have anything to
6 add to Donna's report.

7
8 CHAIRMAN H. BROWER: Fenton.

9
10 MR. REXFORD: Yeah, just our Kaktovik area
11 has been commenting and stated that we've been abiding with
12 the closure for, I don't know how many years now they closed
13 our area for moose and we've been waiting for it to climb up.
14 And at our minutes, you can see that we're getting interested
15 in starting another moose hunt but we're waiting again for
16 the population count for our area 26 west -- the west section
17 of 26(C). They're slowly picking up so I think the
18 justification by the Staff to oppose the proposal is my
19 thinking, too, to abide by the Staff recommendation to oppose
20 the proposal. The justification is it's too early. It will
21 create conflict concerns due to low populations on both sides
22 of the highway and we need to get an area wide count to
23 really start a hunt and think this over very good.

24
25 So I believe my vote would be to support the
26 Staff proposal -- or the Staff conclusion to oppose the
27 proposal.

28
29 CHAIRMAN H. BROWER: Thank you, Fenton. We
30 have ADF&G to hear from and public comments. Geoff, did you
31 present all the information in regards to this proposal that
32 you wanted to or did you have more? We'll give ADF&G the
33 opportunity to give their comments and data on this proposal.

34
35 MR. CARROLL: Yeah, I just -- under ADF&G
36 comments, we feel that the total population, you know and the
37 percentage of calves being produced is below our management
38 objectives. You know, we would just like to see more moose
39 in that area before we begin a hunt and that's kind of the
40 gist of it. We'd like to see a higher population before
41 reopening a hunt in 26(B).

42
43 It's one of those things, if you just wait a
44 little while and let the population build up, you know, for
45 another year or two then there'll be a lot more moose for
46 everybody to harvest and we won't have to deal with such a
47 limited number of moose and such a restrictive hunt. We'll
48 have a better hunt if you wait a couple more years before
49 opening the season there.

50

00116

1 CHAIRMAN H. BROWER: Any questions or
2 comments to Geoff from the Council?

3
4 MR. REXFORD: Well, you can state to your
5 director that we really rely on your comments as far as our
6 region. And hopefully we'll see future comments by ADF&G for
7 justification and that the Department will still continue to
8 work with us. So I appreciate your comments, again, on the
9 proposals that will be coming forth.

10
11 MR. CARROLL: Okay, thank you.

12
13 MR. REXFORD: All right.

14
15 CHAIRMAN H. BROWER: Thank you, Fenton.
16 Thank you, Geoff. Summary of written public comments, I see
17 there's none written in the booklet. Has there been any new
18 information provided by Staff? No public comments on the
19 proposals or written comments. Written public comments,
20 none. I'll open up the floor to the public for comments on
21 the proposal. If there is any public comments to be heard,
22 please.

23
24 Hearing none, I guess we'll go down to number
25 6, Regional Advisory Council deliberations, recommendations
26 and justifications on the proposal. Fenton.

27
28 MR. REXFORD: Yes, Mr. Chairman, again, I
29 want to thank the Staff and ADF&G for submitting their
30 comments and I would fully support the recommendation by
31 Staff that the justification is that the population is still
32 low, wait a couple of years. That would be my deliberation
33 and they have good justification. I would suggest we pass or
34 oppose by form of a motion and Mr. Chairman, at this time I
35 move that we oppose Proposal 45 -- Mr. Chairman, move that we
36 oppose Proposal 45.

37
38 CHAIRMAN H. BROWER: There's a motion on the
39 floor to support the Staff recommendation.

40
41 MR. AGNASSAGGA: Mr. Chair, I so move.

42
43 CHAIRMAN H. BROWER: We need a second.

44
45 MR. PATKOTAK: Second.

46
47 CHAIRMAN H. BROWER: Thank you, Mike. Any
48 discussions on the proposal from the committee in regards to
49 the Staff recommendations to oppose Proposal 45?

50

00117

1 I'll just speak my comments. I have read
2 through the proposal packets and I noted to support the Staff
3 recommendations also so I just will let that be known for the
4 record. I reviewed the proposals after receiving the packet,
5 that was my comment that I wrote down in the booklet. So
6 just to make you folks that that's what I had recommended.
7 There's a motion on the floor.

8
9 MR. PATKOTAK: Question.

10
11 CHAIRMAN H. BROWER: Question's been called
12 for. All in favor of Staff recommendation signify by saying
13 aye.

14
15 IN UNISON: Aye.

16
17 CHAIRMAN H. BROWER: Opposed.

18
19 (No opposing votes)

20
21 CHAIRMAN H. BROWER: Hearing none, Staff
22 recommendations are supported by the Council to oppose this
23 Proposal 45.

24
25 We'll continue with Proposal 46(a), C&T,
26 revise C&T use determination use for muskox. Helen.

27
28 MS. H. ARMSTRONG: Thank you, Mr. Chair. 46
29 has been divided into two parts, 46(a) and 46(b). 46(a)
30 deals with C&T and 46(b) deals with seasons and harvest
31 limits.

32
33 As Donna said, this proposal was made by Mr.
34 David Neel and he's requesting that the current C&T
35 determination for muskox be changed. Currently, it is for
36 residents -- in Unit 26(B), it's for residents of Anaktuvuk
37 Pass, Nuiqsut and Kaktovik. There was no designation of
38 people living outside of those communities because at the
39 time we did that I don't think anybody believed there were
40 people living outside of the communities. Mr. Neel would
41 like it to be changed to residents of Unit 26(B) and then
42 Anaktuvuk Pass, Nuiqsut and Kaktovik. As Donna talked about,
43 there's not a great deal of Federal public land in 26(B), and
44 you can see that on the map.

45
46 Mr. Neel lives pretty close to -- well, he's
47 at Happy Valley, I'll say that. Happy Valley is fairly close
48 to the Refuge, he told me it's about 10 miles from there.
49 And while he could hunt muskox on State land if he got a Tier
50 II permit, he can't hunt muskox on Federal land unless he

00118

1 gets a Tier I permit.

2

3

4 C&T determinations were first made back in
5 1995 and at that time, that was the first one we ever did.
6 I know Fenton and Harry probably would remember that. It was
7 also one of the first C&T determinations we made in this
8 program in the whole state. We excluded Prudhoe Bay and
9 Deadhorse, which is one of the reasons why we didn't talk
10 about residents of 26(B) because Prudhoe Bay and Deadhorse
11 are in 26(B). There are no other communities in 26(B) other
12 than Prudhoe Bay and Deadhorse. And they were excluded
13 because we don't have any reason to believe at this time --
14 no one's come forward and said that any people that live
15 there permanently and there are a few residents in Prudhoe
16 Bay and Deadhorse, not very many but a few people who live
17 there year-round, but there have never been any people coming
18 forward saying they're subsistence users and they've always
19 been excluded from our C&T determinations for all of our
20 resources.

20

21

22 The State of Alaska manages the muskox
23 hunting in 26(B). There's a -- in 1995, ADF&G subdivided the
24 harvest area using the Dalton Highway as an east west
25 divider. And prior to 1998, there were only -- there was
26 only the Tier II hunt, with subsistence permits. After 1998,
27 they began a registration permit with a harvest quota of four
28 that was an annually announced season and it ended no later
29 than March 30th, that's the hunt that Geoff was referring to
30 yesterday, that he said they actually had six muskox taken,
31 two over their quota. And that up until this year they
32 haven't ever reached the quota so this is a little bit of an
33 unusual year maybe because it's not been as cold but I don't
34 know why.

34

35

36 In terms of west of the Dalton Highway
37 Corridor, the Federal public lands are limited to the BLM
38 Corridor and a small portion of the Gates of the Arctic
39 National Park and Preserve. At this time there's no viable
40 muskox population on these Federal lands and Donna will talk
41 more about that in the next proposal, but there are muskox on
42 state lands. So there really isn't even a reason to have a
43 Federal hunt on Federal lands because the muskox aren't
44 there.

44

45

46 Mr. Neel argued greatly with me on that one
47 point, he says there are muskox there but I told him to take
48 it up with Pat and the Refuge.

48

49

50 This is a little bit different, this
proposal, because it's not a community of people. We don't

00119

1 normally do individual C&T determinations on individual
2 people. There have been some within the Park Service, but we
3 don't do them as a -- we haven't done them. And I was a
4 little perplexed as to how to handle this but I decided to
5 just look at it as if Mr. Neel is a community and to look at
6 his community characteristics. It was a little bit weird but
7 that's how I dealt with it.

8
9 In terms of the characteristics of his
10 community, he's a commercial guide based at Happy Valley. He
11 told me he lives there from May through October and he spends
12 one month of that time period flying for -- doing survey work
13 for ADF&G, the rest of the time he does guiding. During the
14 winter months he works at Prudhoe Bay. I asked him where do
15 you live when you're not at Prudhoe Bay and he said, oh, he
16 said, Happy Valley, he traps, he travels, it was a little bit
17 vague, you know, as to where he really is. He does not have
18 a permit to reside year-round at Happy Valley, he leases it
19 from DNR. His permit is only for -- to operate a lodge
20 seasonally so he's not even permitted to live there year-
21 round. I know you'll probably ask me questions, if I don't
22 go into it here, but he does have a P.O. Box at Prudhoe Bay
23 and he and his wife both have P.O. Boxes there. He also has
24 a phone listing in the Wasilla phonebook with his wife and
25 his name in there, when you call that it gives you an
26 answering service -- an answering machine for the Arctic
27 Wilderness Lodge. When you call the Arctic Wilderness Lodge,
28 it's the same message. He says he doesn't have a residence
29 there, that it's an airplane hanger and an office. So short
30 of going up there and checking it out ourselves, which we
31 didn't do, but that's sort of the situation in terms of where
32 the residency is. I did check the permanent fund records and
33 he has his residence as being P.O. Box at Prudhoe Bay. He
34 can't get mail delivered at Happy Valley. So that's as far
35 as we went with that because we decided it was a law
36 enforcement issue as to where he really decides. I can't get
37 access to a lot of records because they're confidential. So
38 you know, I couldn't personally go farther than that.

39
40 There were some questions that came up from
41 people about the Helmricks, whether or not the Helmricks
42 reside in 26(B) and actually this came up from Mr. Neel. He
43 thought that they lived in 26(B) but they don't, they're
44 actually in 26(A) because they're -- the boundary of 26(B)
45 and (A) is the east bank of the Colville River and Helmricks
46 are on an island; is that right, Leonard?

47
48 MR. TUKLE: Yeah.

49
50 MS. H. ARMSTRONG: In the Delta, so they're

00120

1 actually in 26(A). I'm looking for nods from you because I
2 want to make sure that's correct, that's what I was told. So
3 Helmricks were not included in this because of their living
4 in 26(A).

5
6 And I don't know if they -- they actually
7 would qualify for a Tier II hunt under -- with the -- they
8 could qualify for that and I don't know if they actually do
9 get muskox under that anyway. When we do the C&T analysis,
10 we go through the eight factors so I did this applying it to
11 Mr. Neel. The first one is a long-term consistent pattern of
12 use excluding interruptions beyond the control of the
13 community or area. Mr. Neel told me that he has lived year-
14 round in 26(B) since 1994 and that he's been in the area
15 seasonally since 1978. He's been guiding for a long time up
16 there. He says that he took one muskox in 1995, in the
17 harvest data base there is a record of him taking one then.
18 That was under a Tier II permit when he said his residency
19 was Nuiqsut. That same year he had put in for a permit for
20 moose and said his residency was Wasilla. And he did get
21 taken to court on that one and he did win the lawsuit.

22
23 He also says he took a muskox in 1996
24 although in the harvest data base they said he turned in his
25 permit and that he didn't take one that year. He told me
26 that both of those muskox were record trophies. He said
27 people made a big deal about it because he was subsistence
28 hunting and he had taken trophy animals.

29
30 He told me that he hasn't applied for a Tier
31 II permit since 1996 because he doesn't want to take muskox
32 on the west side of the Dalton Highway. And he'd prefer to
33 be able to take them closer to Happy Valley. He also told me
34 that he doesn't take -- he doesn't go after muskox under the
35 Tier I permit system because he is not allowed to use a
36 snowmachine and living in Happy Valley he's within the five
37 mile corridor and so he won't get one then. I'm not actually
38 sure he's there but I don't know that for a fact. That's
39 kind of off the record, I suppose.

40
41 But, Geoff, do you know, did he get any of
42 those six muskox; did you happen to notice who got them this
43 year?

44
45 MR. CARROLL: This year?

46
47 MS. H. ARMSTRONG: Yeah.

48
49 MR. CARROLL: He didn't, okay, I was
50 wondering about that. A couple of his buddies did.

00121

1 MS. H. ARMSTRONG: Pardon? A couple of his
2 buddies, those Palmer buddies? Under a pattern of recurring
3 use -- of use recurring in specific seasons for many years,
4 Mr. Neel says that he -- he told me that he has hunted muskox
5 in September, October and March but the muskox he took in
6 1995 was in October and then he told me in 1996 he -- it was
7 also -- he said he hunted in September, October and March.
8 So there's not a recurring pattern of use in terms of
9 specific seasons.

10
11 In terms of the methods and means he uses.
12 He prefers to use an aircraft as his access for hunting
13 muskox because he's forbidden to use a snowmachine within the
14 five mile corridor. In the winter, aircraft are difficult to
15 use because of the extreme temperatures. In the Tier I hunt,
16 you're not allowed to use an aircraft so that's probably the
17 other reason why he -- plus it's cold, doesn't do it then.

18
19 MS. DEWHURST: Helen.

20
21 MS. H. ARMSTRONG: Sure.

22
23 MS. DEWHURST: Something he told me recently,
24 too, because a lot of the questions we have is why doesn't
25 the State hunt meet your needs, why do you want this separate
26 Federal hunt.

27
28 CHAIRMAN H. BROWER: Uh-huh.

29
30 MS. DEWHURST: And the thing he told me
31 recently on the phone was because of the new State regulation
32 you can't originate on the highway to go off-highway or to
33 use a snowmachine, he said, well, then he can't -- because he
34 lives in Happy Valley and he lives on the highway, then he
35 can't use a snowmachine under the Federal registration -- or
36 under the State Tier I hunt. So he said he feels like he's
37 restricted, he can't participate in a Tier I hunt. And that
38 is what he had told me recently on the phone.

39
40 MS. H. ARMSTRONG: He said it's the Dave Neel
41 that they've written just to exclude him.

42
43 MS. DEWHURST: Yeah, he did mention that to
44 me on the phone.

45
46 MS. H. ARMSTRONG: Yeah.

47
48 MR. CARROLL: You know, that law has always
49 been in place.

50

00122

1 MS. H. ARMSTRONG: I know.

2
3 MR. CARROLL: That's not a recent.....

4
5 MS. H. ARMSTRONG: I know, but it's what he
6 thinks.

7
8 CHAIRMAN H. BROWER: Geoff, could you please
9 come up to the mike and restate what you just said.

10
11 MR. CARROLL: That's not a recent law. It
12 has always been against the law to access North Slope from
13 the Haul Road Corridor. What has changed is, you know, a
14 statute was put in place two years ago that allowed people
15 that live on the North Slope to cross the Corridor, before
16 that it was technically illegal for somebody from Nuiqsut to
17 drive across the Corridor into their own traditional hunting
18 grounds to the east of the Corridor. So there was a change
19 made in that statute which -- but, you know, he is kind of
20 caught in a situation there where he does live on the
21 Corridor so, yeah, he can't drive a snowmachine off the
22 Corridor, so you know, I can understand his frustration with
23 that.

24
25 We were just discussing there might be ways
26 around that. Since he does live in the Corridor I believe
27 that he can use a snowmachine to access Federal lands. I
28 mean, I don't know, maybe he could go up and go off on
29 Federal lands and hunt or something like that.

30
31 MS. H. ARMSTRONG: He told me he talked to
32 somebody at BLM and they told him they wouldn't -- they would
33 be okay with him using a snowmachine, you know, since he
34 lives on the Corridor, they would kind of look the other way.
35 But he needs to get C&T first.

36
37 MR. CARROLL: The other thing that has
38 changed, too, is before this year, the regulation read that
39 you hunted for that Tier I hunt, that the area was the area
40 to the east of the Haul Road and we were afraid of a
41 situation where lots of people could come up, get permits and
42 then be ready to go when the season opened with their bows
43 and arrows and hunt muskoxen right in the Corridor using bows
44 and arrows and it was changed so now it's to the east of the
45 Corridor. So that was probably -- it probably set him back
46 some, too.

47
48 MS. H. ARMSTRONG: Okay, thank you, Geoff.

49
50 The C&T number 4, the consistent harvest and

00123

1 use of fish and wildlife as related to past methods and means
2 of taking near or reasonably accessible from the community or
3 area, Mr. Neel told me that the two muskoxen that he's taken
4 in 1995 and 1996 were on the Toolik River in Unit 26(B),
5 about 20 miles west of the Dalton Highway. So he
6 consistently took them there.

7

8 Number 5 is the one regarding the means of
9 handling, preparing and preserving and storing fish and
10 wildlife. Mr. Neel has frozen the two muskoxen he took. He
11 said he grills or boils it. He uses the muskox wool in
12 comforters and he said he and his wife, over the years, pick
13 muskoxen wool off the ground and cleaned it and made it into
14 yarn for clothing items.

15

16 Number 6 is handing down of knowledge of
17 fishing and hunting skills, values and lore from generation
18 to generation. Mr. Neel has shared his hunting knowledge
19 with his two sons. His oldest son just took a muskox in 2000
20 with a State drawing permit about three miles from their
21 lodge at Happy Valley.

22

23 Number 7 patten of use in which the harvest
24 is shared. Mr. Neel shares his harvest with his immediate
25 family, seasonal visitors or workers at Happy Valley and
26 other temporary residents along the Dalton Highway.

27

28 Number 8 pattern of use which relates to
29 reliance upon a wide diversity of resources. This, I think,
30 is probably a very big distinguishing factor for Mr. Neel
31 compared to subsistence communities. Because on the North
32 Slope, you find people who -- I mean communities that are
33 harvesting large numbers of resources. And Mr. Neel says he
34 takes five to seven caribou every year. Caribou tickets were
35 not recorded until 1998 and he's never had any recorded. But
36 apparently there's some problems with that database so he
37 may, in fact, really take them. He says he's taken the two
38 muskoxen. He also reported that he hunts water fowl, he
39 traps fox, wolverine and wolf. There are no sealing reports
40 of him ever having trapped any furbearers but he could be
41 using them for personal use and then it wouldn't have needed
42 to be recorded. He wouldn't have had to seal them.

43

44 I looked at the North Slope communities and
45 the research we have, some of it that Harry's worked on from
46 the North Slope and those communities will be taking between
47 30 and 50 different resources. So when you look at what Mr.
48 Neel does it really doesn't demonstrate that he's got a
49 really strong subsistence use. He's just taking a few
50 resources and not a significant number.

00124

1 I do have a table there that showed where he
2 has -- what permits he's gotten over the years and what he's
3 taken according to the database and where he had his
4 residency. And you can see that -- well, caribou, he didn't
5 ever turn any tickets in. He says he turned them in, they
6 didn't record them until '98 so it's hard to know what was
7 happening there. In '94 and '95, he got permits, he did get
8 one moose in '94 in 26(B). At that time he says his mailing
9 address was Wasilla. And you'll remember that he told me he
10 lived permanently at Happy Valley since '94 and in '94 he was
11 recording -- he was saying he lived in Wasilla. In '95 he
12 does have himself listed as living in Prudhoe Bay. He did
13 get a sheep permit in '94 but he didn't take any -- he said
14 sheep are just too far away for him. And then for muskox for
15 '94 he was living in Wasilla and I mean he said he was living
16 in Nuiqsut, mailing address in Wasilla and then in '96 he
17 started listing his address as Prudhoe Bay.

18
19 So after a lot of discussion about this, we
20 decided to oppose the proposal. We felt that his pattern of
21 use does not fit a long-term, consistent pattern of use. He
22 has theoretically lived there six years. It's hard to say
23 how much of that is permanent and how much isn't. But I
24 chose to assume that he really is living there year-round,
25 but that regardless, he hasn't demonstrated a subsistence
26 pattern of use and therefore shouldn't be granted a customary
27 and traditional use determination for muskox. And the
28 Prudhoe Bay, Deadhorse complex was also excluded because we
29 don't know of anybody there who are subsistence users at this
30 time.

31
32 That concludes my analysis, Mr. Chair.

33
34 CHAIRMAN H. BROWER: Thank you, Helen. Any
35 questions to Helen from the Panel in regards to the proposal?
36 Geoff, did you want to give the ADF&G comments or data on
37 this proposal?

38
39 MR. CARROLL: I think we're in.....

40
41 CHAIRMAN H. BROWER: Would you please step up
42 to the mike.

43
44 MR. CARROLL: I don't think we have a comment
45 on this designation, you know, that's kind of a work through
46 your own rules and decide whether he is or not according to
47 that.

48
49 MS. H. ARMSTRONG: They put the comments
50 after (a) and (b).

00125

1 MR. CARROLL: Okay.

2
3 MS. DEWHURST: Page 26.

4
5 MR. CARROLL: As far as C&T, I don't think we
6 really comment on that. I mean the guy does live up there
7 for part of the year and probably does about as much hunting
8 as anybody but you know there's lots of issues there so --
9 and Helen covered that quite well.

10
11 CHAIRMAN H. BROWER: There's no written
12 public comments on the proposal. Has Staff received any new
13 information in regard to the written comments? None. I'll
14 open the floor for public comments, if there's any public
15 comments to be heard.

16
17 Hearing none, we'll go right into Regional
18 Advisory Council deliberations, recommendations and
19 justification on the proposal. What is the wish of the
20 Council? Mike.

21
22 MR. PATKOTAK: For the record, I'd like to
23 say that any type of hunt that originates within the Haul
24 Road be given a flat denial, whether it be for sport and/or
25 subsistence, that it originate from any -- originate only
26 from the villages. I don't know how the rest of my
27 colleagues would comment on it but I feel really strongly
28 that any type of hunt that originates from the Haul Road be
29 strictly enforced in terms of -- and for that matter, closely
30 watched.

31
32 CHAIRMAN H. BROWER: Thank you, Mike. Amos
33 or Leonard or anybody, do you have any comments on the
34 proposal?

35
36 MR. AGNASSAGGA: I don't think so.

37
38 CHAIRMAN H. BROWER: Fenton, did you want to
39 make some comments on the proposal?

40
41 MR. REXFORD: Yes, I'll again, just show my
42 support for the Staff recommendation, that under the C&T, the
43 eight factors, were not quite all met. The eight factors in
44 determining the C&T determination were not all met as far as
45 Proposal 46(a). They were summarized very good.

46
47 Yeah, again, I would move to oppose the
48 proposal and follow the Staff recommendation and
49 justification as far as the C&T determination. That's my
50 motion, Mr. Chairman.

00126

1 CHAIRMAN H. BROWER: There's a motion on the
2 floor.

3
4 MR. AGNASSAGGA: Second.

5
6 CHAIRMAN H. BROWER: Seconded by Amos.
7 Further discussion on the proposal from the Council.

8
9 MR. REXFORD: Mr. Chairman.

10
11 CHAIRMAN H. BROWER: Fenton.

12
13 MR. REXFORD: Maybe we could, under Staff
14 analysis, further for the Board meeting is to maybe show them
15 a copy of the recent State law or State issue on access and
16 I support Mike as far as originating from the Haul Road. But
17 anyway, I fully support the Staff's recommendation on this.

18
19 CHAIRMAN H. BROWER: Further discussion. We
20 have a motion on the floor.

21
22 MR. AGNASSAGGA: Question.

23
24 CHAIRMAN H. BROWER: The question has been
25 called in favor of supporting the Staff recommendation
26 opposing Proposal 46(a) signify by saying aye.

27
28 IN UNISON: Aye.

29
30 CHAIRMAN H. BROWER: Opposed, same sign.

31
32 (No opposing votes)

33
34 CHAIRMAN H. BROWER: Hearing none, the motion
35 carries to support the Staff recommendation opposing the
36 proposal. We'll move forward and review Proposal 46(b)
37 establish season and harvest limit for muskox. Donna.

38
39 MS. DEWHURST: So this is the second half of
40 this. Mr. Neel is requesting a C&T determination, which is
41 what Helen covered and then he's also requesting to open a
42 Federal season, which there is none, as of right now. Now,
43 the Federal season he was proposing was for five permits for
44 bulls and one permit for cows to be issues to residents of
45 26(B) only, which if he was granted C&T by the Federal Board,
46 it would be him, if he's not granted C&T by the Federal Board
47 and his hunt was passed, nobody would be eligible to get the
48 permits. It would be interesting.

49
50 Now, keep in mind if you really wanted a

00127

1 muskox hunt we can change the parameters of the harvest. But
2 anyway, that's what he is proposing. So potentially the hunt
3 could be either for one person or for nobody.

4

5 (Laughter)

6

7 MS. DEWHURST: He didn't propose a season.
8 We're assuming it would be roughly the same season as the
9 existing muskox hunt in 26(B).

10

11 The other issues, though, taking all that
12 aside, we look at the biology, if you go to Page 22, muskox
13 -- the muskox in 26(B) came from the introduction in 26(C),
14 up around where Fenton is and they've expanded in 26(B). The
15 numbers in 26(B) have been steadily growing but have kind of
16 plateaued. If you look on that graph they're starting to
17 stabilize, so we're probably seeing -- you know, they'll
18 probably continue to grow a little bit but not nearly to the
19 rates they did earlier. If you look at the distribution, and
20 I apologize this was not in your book but I just got this
21 from Patricia Reynolds, it's the map that was just handed out
22 and Pat gives her sincere apologies she wasn't here. She has
23 been very ill and she couldn't make it, but she really wanted
24 to.

25

26 If you look at this distribution map Pat did
27 you'll notice where Federal lands are basically there's two
28 dots that -- two muskox locations that occurred on Federal
29 lands in the years she's been doing these surveys, which was
30 from 1985 through 2000. So that's a fair number of years.
31 There's only been two times she has found muskox on Federal
32 lands, once was in Arctic National Wildlife Refuge and the
33 other one was down on the BLM Corridor. And the rest of the
34 time, the vast majority of the muskox are on State lands.
35 That plays a big part of our recommendation. The State has
36 a wide variety of hunt options available right now as we've
37 already discussed. They have the Tier II harvest that goes
38 mainly for the west side of the corridor and the east side of
39 the -- excuse me, the other way around. Tier II harvest is
40 on the Nuiqsut side of the Corridor, on the Kaktovik side of
41 the Corridor, they have the registration hunt and they have
42 drawing permits and Mr. Neel has demonstrated he's used the
43 system in the past so he has gotten muskox through the State
44 system.

45

46 At this time we feel there's no justification
47 to open up a new Federal hunt. Mainly because the State hunt
48 appears to be meeting the needs of most of the local people
49 and we feel like opening up a Federal hunt would add a lot of
50 complication to the system that really isn't necessary. The

00128

1 Nuiqsut folks have been using that Tier II hunt harvest for
2 quite a few years and it pretty much meets most of their
3 needs to hunt in 26(B) and we feel like there's just no real
4 reason to do a separate Federal hunt at this time because the
5 State hunt seems to be meeting subsistence needs of the local
6 users.

7
8 So at this time the Staff is recommending to
9 oppose this half of the proposal.

10
11 CHAIRMAN H. BROWER: Thank you, Donna. Any
12 questions for Donna from the Council? Hearing none, we'll go
13 into the biological, socio-cultural analysis.

14
15 MS. DEWHURST: That was it.

16
17 CHAIRMAN H. BROWER: That's it, uh. ADF&G
18 comments and data on the proposal.

19
20 MR. REXFORD: You might as well sit there
21 Geoff.

22
23 MR. CARROLL: Well, a lot of people here
24 participated in our muskox planning group the last several
25 year and, in fact, we worked real hard and came up with a
26 pretty good plan for the entire North Slope, and as was
27 stated, you know, there were already three hunts, you know,
28 three different options for hunts provided, Tier I hunt, the
29 Tier II hunt and a drawing permit hunt and our agreement was
30 we wanted to maintain a State muskox population and that
31 really accounts for the last three or four years of -- stayed
32 just about the same. I mean we are achieving that goal of
33 maintaining a stable population. We're trying to harvest the
34 population at about five percent, which is what the hunts we
35 already have in place provides so we -- I certainly don't
36 think that we need another hunt on top of that, in addition
37 to that, you know, from the map that was handed out there are
38 very few muskoxen on Federal land anyway from the surveys.
39 We do see some, you know, just across the line in Federal
40 lands sometimes but the great majority of them are on State
41 land anyway, which -- and through the State hunts, you can
42 hunt either on Federal land or on -- either State land or
43 Federal land anyway. So it seems that we provide the
44 opportunity there.

45
46 You know, I guess as we look at this more and
47 more, I sympathize with Mr. Neel a little bit because living
48 on the Corridor he can't drive his snowmachine off the
49 Corridor so that makes it difficult for him to access some of
50 these State hunts but I don't know if there's another

00129

1 solution to that but I don't think creating another hunt for
2 muskoxen on Federal lands makes any sense and I don't think
3 that's the solution for this problem.

4
5 CHAIRMAN H. BROWER: So in other words, he's
6 got opportunity to apply for these Tier I permits?

7
8 MR. CARROLL: Yes, apparently his son has
9 gotten one of the drawing permit hunts, he harvested a muskox
10 through that system. I know in the past he's gotten Tier II
11 permits and has harvested at least one muskox. So, you know,
12 it depends on how much work he wants to go to to participate
13 in the hunts, so I suppose that he could drive to Nuiqsut and
14 get a permit and make the same journey that Nuiqsut people
15 have to make to participate in the hunt.

16
17 And he does have a few options, but I -- I
18 mean the biology does not support another hunt. We're
19 already harvesting at a rate that is maintaining a stable
20 population and, you know, we're -- it just doesn't make any
21 sense to add another hunt on on top of that.

22
23 CHAIRMAN H. BROWER: Thank you, Geoff. Any
24 comments from the Council members to Geoff or Donna?

25
26 MR. PATKOTAK: Mr. Chairman.

27
28 CHAIRMAN H. BROWER: Mike.

29
30 MR. PATKOTAK: I don't think I want to be
31 part of an organization to try to create a private safari.

32
33 (Laughter)

34
35 MR. PATKOTAK: And you may tell Mr. Neel as
36 such.

37
38 CHAIRMAN H. BROWER: Is that your comment,
39 Mike?

40
41 MR. PATKOTAK: Yes.

42
43 CHAIRMAN H. BROWER: Thank you. Any other
44 comments from the Council members? As I noted in the booklet
45 there was no written comments received and I would just like
46 to ask Staff if there is any new information provided in
47 written comments? None noted. Next, it's open for public
48 comments. Hearing none, we'll go into the Regional Advisory
49 Council deliberations. What is the recommendation from this
50 Council?

00130

1 MR. REXFORD: Mr. Chairman.

2
3 CHAIRMAN H. BROWER: Fenton.

4
5 MR. REXFORD: I know that we have a North
6 Slope working group and they have been working in order to
7 allow the other -- or the 26(B) hunt in State, Tier I and
8 Tier II, I think we have a total limit of 45 which covers all
9 of Unit 26. And I would also say that due to biological
10 reasons we want to maintain a stable population and
11 additional further hunting would hurt that.

12
13 I would support ADF&G comments and also
14 support the Staff recommendation to oppose the proposal, I so
15 move to oppose Proposal 46(b) -- is it 46(b)?

16
17 CHAIRMAN H. BROWER: Yes, it's 46(b).

18
19 MR. REXFORD: Okay.

20
21 CHAIRMAN H. BROWER: There's a motion on the
22 floor to oppose and support the Staff and State
23 recommendation on the proposal.

24
25 MR. AGNASSAGGA: Second.

26
27 CHAIRMAN H. BROWER: Second by Amos. Further
28 discussion.

29
30 MR. AGNASSAGGA: Call for question.

31
32 CHAIRMAN H. BROWER: Question has been called
33 for. All in favor of the motion signify by saying aye.

34
35 IN UNISON: Aye.

36
37 CHAIRMAN H. BROWER: Any opposed, same sign.

38
39 (No opposing votes)

40
41 CHAIRMAN H. BROWER: Hearing none, the
42 recommendation from the Council is to support the Staff and
43 State recommendations on the proposal.

44
45 The next proposal is Proposal 47 revise
46 muskox season. Donna.

47
48 MS. DEWHURST: This one now is for 26(C),
49 which is the Kaktovik Federal hunt. The request was to be
50 able to open the season July 15th versus September 15th, so

00131

1 to open it earlier. At first blush I didn't see any problems
2 but then I started talking to Pat and that's where she -- I
3 wish she was here to present this herself but I'll try to
4 present it for her, Pat expressed a real concern that the
5 main way she's been able to monitor muskox in Arctic National
6 Wildlife Refuge is by radio collaring a certain number of
7 cows every year and being able to put those radio collars on
8 cows enables her to -- when she's flying surveys to find the
9 animals quicker and also monitor a certain sample of the
10 population to know how calf survival is doing, how the cows
11 are doing, how many calves they produce, a whole wealth of
12 information she gets from radio collars.

13
14 The problem she runs into is there's a
15 Federal law that says if you use capture drugs, you have to
16 have at least a 60 day window from the time you use the drugs
17 to when you open a public harvest of those animals because
18 there's concern that the capture drugs could taint the meat.
19 And because of that, if we move the whole window up to July
20 15th, it would make it virtually impossible for her to put
21 any radio collars on cows because she generally does that in
22 June. She can't do it much earlier because the cows are
23 having calves and she doesn't want to interrupt that and she
24 can't do it later because of the hunt, so basically it wipes
25 out her window to do this.

26
27 We were trying to think of a compromise or
28 some way to work this whole situation out and in discussion
29 we said, well, perhaps the compromise that could make
30 everything work here would be to keep the cow season the way
31 it is, which would be starting on September 15th but open the
32 bull season earlier as requested. Now, the reason -- in the
33 Staff recommendation I put August 1st and the request was for
34 July 15th. Now, the only reason I did that was because that
35 would be consistent with all the State hunts that are now in
36 existence on the North Slope, they open August 1st. But if
37 I'm given strong information at this meeting that it's really
38 important it becomes July 15th, I'm willing to change that
39 aspect of the recommendation. I'm not in concrete there.
40 Like I said, the only reason I went with August 1st was just
41 to be consistent with all the other State hunts that are gong
42 on so that it would be a consistent opening.

43
44 The reason it was originally expressed for
45 the earlier opening was so that people, when they're out in
46 boats, harvesting caribou and harvesting other things could
47 take a muskox and that's a very legitimate reason for it.

48
49 One thing to keep in mind, too, if you look
50 on Page 34, it gives the history of the harvest. There was

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1 a big debate a couple of years ago about adding cows to the
2 harvest, legally, and so we did that. People, for whatever
3 reason, haven't taken advantage of that aspect and in the
4 past two years no cows have been harvested. So I guess the
5 only reason I bring that up is if we do keep the cow harvest
6 of September 15th, I'm really wondering if it's going to
7 impact anybody or be much of an impact. Because it doesn't
8 seem like there's really that much interest in taking cows up
9 there anyway. So basically our compromise is to keep the cow
10 season as is, which would start on September 15th but to move
11 the bull season up to August 1st and that kind of concludes
12 our recommendation.

13
14 CHAIRMAN H. BROWER: Thank you, Donna. Any
15 comments to Donna from the Council? I'd like to comment on
16 Proposal 47, from what I read and remember from working with
17 Fenton and other community members from Kaktovik, you know,
18 the caribou are unpredictable and they were not always
19 available to the residents of Kaktovik for a number of years.
20 It's just been very recent. I think this year was the first
21 year that Kaktovik residents were able to harvest caribou
22 after not seeing -- or having caribou available to them for
23 so many years for unknown reasons. And I just wanted to ask,
24 maybe Fenton, if he would comment a little bit about that
25 issue in regards to the availability of other resources
26 besides muskox?

27
28 MR. REXFORD: Yeah, at least as far as
29 Porcupine, living and watching with them ever since I grew up
30 and they're going in and out of Unit 26(C). By the time our
31 -- there's very few around -- very few calves were around and
32 when it warms up they do go into the shore for insect relief
33 and that's our only means that we catch caribou is by boat
34 along the shore and when it warms up, we take the opportunity
35 -- we take advantage of the caribou coming to the coast. But
36 the last couple of summers there have been very few caribou
37 but we see during the early break up we do sight muskoxen,
38 whether it's cow without a calf and without a collar, I think
39 I'll make my comments and recommendation on that at number 6
40 where we deliberate and make recommendations. But the
41 caribou has been scarce as far as boating. In the winter we
42 access them by snowmachine around the mountains and on the
43 foothills and we've been lucky that way but in summer they
44 usually are further up inland and -- the opportunity is by
45 boat for insect relief when they do come on shore. They are
46 few and far between.

47
48 CHAIRMAN H. BROWER: Thank you, Fenton. That
49 was my concern, it's just the availability of the resource at
50 this time of the year is very limited. And if the caribou

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1 are not there throughout the whole summer, they're there just
2 for the calving period and start moving -- migrating back
3 across the border. So that was basically what I wanted to
4 bring out as a concern. Helen.

5
6 MS. H. ARMSTRONG: I have a question for
7 Fenton I was curious about. When Donna was talking about--
8 when we changed the -- we made an allowance to allow cows to
9 be taken a couple of years ago and now there haven't been any
10 cows taken, do people mostly target -- I mean they're
11 obviously not targeting cows, am I remembering right that
12 when we changed that what we were really looking for was
13 occasionally people took cows by mistake and we wanted to
14 make it legal; is that.....

15
16 MR. REXFORD: Yes, once in a great blue moon
17 we can see, one, two, three, four, five years and one's been
18 taken here and there by mistake or something.

19
20 MS. H. ARMSTRONG: So really people mostly
21 aren't trying to take cows. My other question was when you
22 were just talking about people taking -- wouldn't take a
23 muskox with a collar or a calf, can you -- is it possible to
24 not see the collars or are they hidden because of them having
25 so much fur?

26
27 MR. REXFORD: I don't know how many of these
28 cows that were shot had collars in them, is there a record of
29 that?

30
31 MS. DEWHURST: I know.....

32
33 MR. REXFORD: I know we would deliberately --
34 we could.....

35
36 MS. DEWHURST: I know one that had a collar.

37
38 MR. REXFORD:put that in the regulation
39 maybe, and I wanted to deliberate that when we reached number
40 6.

41
42 MS. DEWHURST: Yeah, we discussed that about
43 the possibility of just saying, avoid animals with collars
44 but we were concerned. When I talked to pat, she said that
45 if the animals had recently been collared, you could usually
46 see it pretty easily on the ground but if it's an old collar
47 it can be very difficult to see, especially from a distance.
48 So she said it's variable but she was concerned that the
49 collars can be difficult to see by hunters so she felt that
50 that might put a big burden on hunters to say don't shoot

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1 animals with collars and then if they accidentally got one
2 they would have taken one illegally or something.

3
4 So we were discussing that possibility and
5 kicking that around.

6
7 MR. REXFORD: I'll wait for further
8 deliberation and recommendation and justification on number
9 6.

10
11 CHAIRMAN H. BROWER: Thank you, Fenton. If
12 we don't have any further comments, we'll go down to next
13 issue, biological, socio analysis? None. And Geoff, you
14 have the opportunity to make comments on the proposal for the
15 State.

16
17 MR. CARROLL: Well, I'd just like to point
18 out that -- I mean there is a real -- you know, Pat's concern
19 about the legal window for being able to capture animals.
20 You know, you cannot capture animals 60 days before a hunting
21 season, and I know from my work that it really is beneficial
22 to be able to have some collared animals out there when
23 you're doing composition counts or doing a census, you can do
24 a much better job if you have a few collars in some of the
25 herds so you can find the animals. And, you know, if the cow
26 season is moved up to July 15th, that's basically going to
27 make it impossible to capture animals and put collars on
28 them. And even just not shooting animals that have collars,
29 I mean that's not really going to solve the problem because
30 there's always the potential of trying to tranquilize an
31 animal and not getting enough drug in it, you know, getting
32 the animals mixed up. You know, I mean accidentally drugging
33 one but not getting the collar on it. And it's also just a
34 legal requirement, we just can't work within that 60 days and
35 that's designed for the protection of the people that might
36 be harvesting the animal.

37
38 So it really would be a great benefit to the
39 research effort like what was suggested, you go ahead and
40 move the bull season up which is most of the animals that are
41 being harvested anyway but keep the cow season back and
42 starting September 15th. So that still gives people a good
43 opportunity to harvest cows if they wanted, it just won't
44 foul up the research effort.

45
46 So I guess I would recommend give Pat a break
47 in supporting that.

48
49 CHAIRMAN H. BROWER: Thank you, Geoff. Any
50 comments to Geoff from the Council? Hearing none, there are

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1 no written comments -- public comments received. Again, I'd
2 just ask Staff if there's any new information provided?
3 None. Open the floor for public comments on the proposal.
4 We haven't heard of any public comments.

5
6 Regional Council deliberations,
7 recommendations and justification on the proposal.

8
9 MR. REXFORD: Mr. Chairman.

10
11 CHAIRMAN H. BROWER: Fenton.

12
13 MR. REXFORD: Yeah, I would recommend anyway
14 the City's request, city of Kaktovik, we've discussed this
15 over the last couple of years and finally able to submit a
16 proposal for Federal Board and Regional Advisory Council to
17 review and deliberate on. I think it's just been an ongoing
18 issue for people of Kaktovik, caribou are sighted and it's
19 not that often we do see -- I mean they're not hanging around
20 the coast all the time and we, again, we do go by boats, we
21 don't go very far. We -- some of them have even said that,
22 man, you're trying to pack a muskox five or six miles up the
23 coast -- I mean off from the beach would be pretty difficult.
24 And rarely we see them along the coast.

25
26 This will create an opportunity for residents
27 who have the permits in three zones, (A), (B), and (C) we
28 call them. They're divided into three zones and to further
29 restrict -- we want our customary and traditional way of
30 getting animals when an opportunity is there, we want to be
31 able to catch any resource, for instance, for polar bears we
32 do not hunt the polar bears that has cubs and we would abide
33 by that for muskox. If we see a calf next to a cow, we would
34 be careful -- even with caribou. To some extent we do catch
35 fawn with caribou -- or we do catch the calf -- caribou calf.

36
37 And we've been abiding not to catch calves
38 but we want to be able to do that sometime, customary and
39 traditionally we do take calves other than polar bear. So if
40 an opportunity arises for residents of Kaktovik, there's no
41 caribou around, I would abide by if there's a radio collar --
42 because we can get right up to a muskox when we're going to
43 shoot them. We're not very far. I'd say just a few yards
44 away and you're able to identify a cow with a collar and
45 maybe restrict the hunt to those. If it's a cow without a
46 collar then take it, but if it's with a calf, you know, leave
47 it alone. And the ones that we've been sighting are alone or
48 just two or three animals or three oxens or three muskox, and
49 it's not a whole herd, so the city and the population of
50 Kaktovik at their city council meeting finally decided why

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1 not open it up even July 1, we thought about July 1, as soon
2 as boating season started, but we decided on July 15th.

3
4 I know biological concerns from Patricia
5 Reynolds. I really honor her watching the population there.
6 But I think we can restrict it, not to shoot cows with collar
7 and if there's a calf with it, to not hunt them as well.

8
9 So maybe the question I would have is are
10 there going to be any cows that are going to be collared this
11 year or this spring?

12
13 MS. DEWHURST: Pardon?

14
15 MR. REXFORD: If they're going to collar them
16 put a tag on it or something to notify, somewhere either on
17 the horns or the hair, a red tag or something to help further
18 identify if it's got a collar on it or not. I think that
19 would help us identify, even if they lose it, or they
20 probably tranquilize it but I don't know whether they would
21 lose a tranquilize cow and then not collar it. I don't know
22 how that would occur. But I think further identification, a
23 cow that's tranquilized, would give us some notice on that --
24 the collared -- the collared ones.

25
26 So we'd stay away from a collared cow and
27 with calf, but if it's a lone cow there we want to take that
28 opportunity, our only resource. It's pretty tough not having
29 -- just watching it there and you can't hunt it, whether it's
30 a cow or a bull. So that's our wish and my wish is to
31 support the city for July 15th for both, whether it's a cow
32 or a bull.

33
34 CHAIRMAN H. BROWER: Donna, did you want to
35 make a comment?

36
37 MS. DEWHURST: Yeah, just one clarification.
38 I fully respect Fenton saying that they could get close
39 enough to tell the collared animals, the problem Pat's going
40 to have is legally, as Geoff said, it won't make any
41 difference to her if the harvest opens up on July 15th, she
42 cannot collar animals prior to 60 days. You know, she is
43 legally obligated, it doesn't matter, the law is pretty cut
44 and dry on that.

45
46 CHAIRMAN H. BROWER: Uh-huh.

47
48 MS. DEWHURST: And even saying that, that
49 would mean that she couldn't collar animals because that's
50 just the way the law says, you cannot open up a harvest for

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1 those animals 60 days -- until 60 days after they've been
2 captured.

3
4 CHAIRMAN H. BROWER: When does the collaring
5 occur anyway?

6
7 MR. PATKOTAK: When does the collaring occur?

8
9 MS. DEWHURST: In June. She tries to avoid
10 harassing the animals when they're actually dropping calves
11 so that's where she tries to do it in mid- to late June, I
12 believe.

13
14 CHAIRMAN H. BROWER: So is there like an
15 identified time frame as to when they're supposed to be
16 calving and having the calves?

17
18 MS. DEWHURST: She was saying most of the
19 calves are dropped in May so that's why she tries to leave
20 the cows alone in May so that they're not being harassed when
21 they're dropping calves. So she usually targets mid- to late
22 June for when she does her collaring so that most of the cows
23 have already dropped their calves and she has never been able
24 to go any later -- she'd prefer to go later but she can't
25 because of the 60 day window from September 15th. So that
26 restricts her basically from mid-June to mid-July right now.
27 She has about a one month window that she likes to use.

28
29 As I said, I wish Pat was here to explain it
30 herself, I'm just trying to do it secondhand but that's the
31 way she's explained it to me. So we're kind of caught there
32 because I fully believe Fenton, him saying that they'd be
33 able to avoid the collars but it won't alleviate Pat's
34 problem with that Federal law on the captured ones.

35
36 CHAIRMAN H. BROWER: The other side I
37 mentioned earlier was, you know, the availability of
38 resources for the community just at certain times of the
39 years, unpredictable. Just for caribou, it's just been very
40 recent that they sighted caribou near the communities after
41 many years of not harvesting caribou. So that -- you know,
42 that would be my concern in supporting Fenton's comments.

43
44 MS. DEWHURST: Well, we have no problem with
45 moving the bull data up to July 15th. Like I said earlier,
46 that date wasn't -- that August 1st date wasn't firm at all.
47 So I have no problem supporting changing the recommendation
48 to moving the bull date up to July 15th. That's not an
49 issue.

50

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1 CHAIRMAN H. BROWER: Fenton.

2
3 MR. REXFORD: Okay, we have a biological
4 concern, we also have a socio-cultural concern, we can weigh
5 the difference between the two. We've heard the biological
6 concerns brought forth and recommended by our biologists but
7 we also will need to consider socio-cultural concern or
8 analysis for our traditional way of, again, trying to take
9 advantage of those resources and which one has more -- which
10 one would you lean towards as far as biological concern or
11 feeding of the people. I think if we wanted fresh meat that
12 -- anyway, you just need to weigh the difference between
13 biology concern and the customary and traditional way of the
14 people of Kaktovik. We're just trying to make it easier to
15 put more restrictions on our customary and traditional ways.
16 I know I want to abide by a biological or sustainable yield,
17 we'll still be within that realm. We're not getting anymore
18 or less. We just want to have another source or means --
19 methods and means and take advantage of them by boat.

20
21 Just please consider the socio-cultural
22 concern as well and weigh the difference between biology and
23 again socio-cultural concerns. Thank you, Mr. Chairman.

24
25 CHAIRMAN H. BROWER: Thank you, Fenton. Any
26 further comments from the Council? Helen.

27
28 MS. H. ARMSTRONG: Fenton, do you think it --
29 would it be possible, I'm just curious, would it be possible
30 to balance that if you had a bulls only opening July 15th and
31 not having the cow season until September 15th, would that
32 meet it or would that.....

33
34 CHAIRMAN H. BROWER: How about opening the
35 season in August for cows?

36
37 MS. DEWHURST: Well, I just had another idea
38 as I was listening to you, I was thinking, if most of the
39 cows are -- your main concern is that cows are taken
40 accidentally or if they only come across a cow, they want the
41 opportunity to be able to take it. Another possibility, just
42 because I have 10 years in law enforcement with Refuges, I
43 can say this with a fair amount of confidence, that it's
44 possible, we couldn't put this on the books, but it's
45 possible that Pat could work with the Refuge law enforcement
46 officers and say, look, even though this is a regulation and
47 that you can't take cows, as of September 15th, we're not
48 going to enforce it because -- as a compromise. It's
49 possible to do that and we've done it in other areas but we
50 can't legally put that on the regulations or we can't legally

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1 put that in the books, but you could talk to the officers and
2 say, look, this is just something, you know, if somebody gets
3 a cow we're not going to pursue it if it's before September
4 15th.

5
6 So I just mention that as another
7 possibility, but like I say, we can't legally put that in the
8 regulations and put that in the book.

9
10 MR. REXFORD: Well, what about having the
11 bull opening July 15th and the cow on August 1?

12
13 MS. DEWHURST: Well, that would still put it
14 back to 60 days, July 1, June 1, and so that would mean that
15 she would have to collar during May which is when they're
16 dropping calves, it's a two month window.

17
18 MR. REXFORD: Well, I know I'm not going to
19 negotiate or compromise for the city of Kaktovik wishes.

20
21 MS. DEWHURST: The frustrating thing is it's
22 on all.....

23
24 MR. REXFORD: If the resource is there, we
25 would like to tell the folks that if it's got a collar not to
26 shoot it, if it's got a calf not to shoot it but if the
27 resource is there then to take advantage of our customary and
28 traditionally, if the resource is there, take it. That's our
29 -- how our way of life is and this is what this animal is
30 for.

31
32 MR. KOONUK: Mr. Chair.....

33
34 CHAIRMAN H. BROWER: Ida, you had your hand
35 up there?

36
37 MS. HILDEBRAND: Thank you, Mr. Chairman.
38 Ida Hildebrand, BIA Staff Committee member. I have two
39 concerns, one -- there are options for the Council. One, you
40 could choose not to radio collar anymore cows until you've
41 tried a year of this hunt, that would avoid the 60 day
42 waiting period for cows. Or you could -- if you're going to
43 radio collar, you have to have that 60 day period. And I
44 would really caution the Council, again, saying we could have
45 the law and not enforce it. The protection, the safety issue
46 is that someone doesn't harvest a cow that's been
47 tranquilized and then have some kind of a reaction and
48 possibly die from that, that's the main concern, is the
49 safety concern.

50

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1 So it's either go with the staggered early
2 season for bulls and regular season for cows and radio collar
3 or don't radio collar and have the earlier season. But I
4 would really recommend if you radio collar that you observe
5 the 60 day requirement because of safety precautions.

6
7 CHAIRMAN H. BROWER: Thank you, Ida. Ray.

8
9 MR. KOONUK: I have to go along with Fenton
10 and their council recommendation.

11
12 CHAIRMAN H. BROWER: Uh-huh.

13
14 MR. KOONUK: So I would like to put a motion
15 to approve Proposal 47.

16
17 MR. AGNASSAGGA: Second.

18
19 CHAIRMAN H. BROWER: There's a motion on the
20 floor and second to support the Kaktovik proposal, the city
21 of Kaktovik's proposal.

22
23 MR. KOONUK: Are we under discussion?

24
25 CHAIRMAN H. BROWER: It's been seconded.

26 Ray, discussion.

27
28 MR. KOONUK: You can't let the people go
29 without meat. You know, if they're having a hard time
30 catching caribou. I know how it is to go without meat and
31 it's pretty tough especially when you depend on caribou and
32 you can't get it out there, you know, it's real hard and the
33 other resource you have is the muskox and that's meat right
34 there that the people need. So that's why I'm supporting
35 that and I don't want to see our Native people go with out
36 meat, so that's why I'm supporting this for the city of
37 Kaktovik.

38
39 The people that live out here in the city,
40 they can go to the store and buy their meat, it's right
41 there. But you know, it's a livelihood for the Native people
42 that go out and hunt. And it's something that they need.

43
44 Thanks, Mr. Chair.

45
46 CHAIRMAN H. BROWER: Thank you, Ray. I'd
47 like to.....

48
49 MR. KOONUK: Which I'm not discriminating,
50 okay.

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1 CHAIRMAN H. BROWER: I'd like to comment on
2 this also. You know, there's these regulations in regards to
3 the time frame of the collaring to take place and the
4 restrictions that apply on that and from the Staff, I think
5 I would ask if there's going to be any research into doing
6 the collaring work in the next couple of years or what are
7 the plans of Arctic National Wildlife Refuge in the
8 collaring? Are they planning to do more collaring or don't
9 they have enough collars on the animals that already exist?

10
11 MS. DEWHURST: Geoff might be able to answer
12 this but I know the collars have a limited life, I think it's
13 three to four years. And so she has to continually replace
14 -- capture more and replace some of the ones that are either
15 going dead or fall off or whatever the case -- but I think
16 Geoff would be better to answer that.

17
18 MR. CARROLL: Yeah, well, it's always kind of
19 an ongoing effort, you know, you just naturally have some of
20 your animals die over time and there is a limited lifetime on
21 the collars so I don't know exactly what Patricia's collaring
22 plans are but it's something you usually do every two or
23 three years, is put more collars on just to kind of maintain
24 a certain number of collars out there.

25
26 MR. KOONUK: Question called for, Mr. Chair.

27
28 CHAIRMAN H. BROWER: The question's been
29 called on the motion to support the Kaktovik proposal as
30 presented. All those in favor signify by saying aye.

31
32 IN UNISON: Aye.

33
34 CHAIRMAN H. BROWER: Any opposition.

35
36 (No opposing votes)

37
38 CHAIRMAN H. BROWER: Hearing none, we'll stay
39 with what Kaktovik has recommended on Proposal 47.

40
41 MR. REXFORD: There will be opportunities for
42 the Staff before they go to the Federal Subsistence Board for
43 their further justification and maybe at that time we'll try
44 and have somebody from Kaktovik. And, you know, the Board
45 can reject our recommendation or they can go with their
46 justification but again, that's another avenue, when is it,
47 this spring?

48
49 MS. DEWHURST: The Staff Committee will be
50 meeting in April -- the second week of April and the Federal

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1 Board will be like the second week of May.

2

3 MR. REXFORD: So they'll deliberate this the
4 second week of May, right?

5

6 MS. DEWHURST: Yeah, May 8th through the
7 10th.

8

9 MR. REXFORD: Okay. So we'll go before the
10 Board with our -- they'll see a summary of it. The Staff and
11 ADF&G comments, North Slope Council recommendation and
12 between the two, you know, they'll either go with these
13 changes from our report of the city of Kaktovik for the
14 residents or the justification by the Staff, biological Staff
15 and ADF&G Staff and our wishes and we've heard what their
16 concerns were.

17

18 Thank you for your support, everybody, on
19 this proposal.

20

21 CHAIRMAN H. BROWER: Okay, Fenton. Were you
22 wanting to get into the two crossover proposals at this time,
23 Donna?

24

25 MS. DEWHURST: Unless you'd like a short
26 break?

27

28 CHAIRMAN H. BROWER: Did you want to go back
29 up to the top 11A proposals, 01 and 02, statewide?

30

31 MS. DEWHURST: Well, that's where we would go
32 next in the book. It's up to you whether or not the Council
33 wants to do a lunch break first or.....

34

35 CHAIRMAN H. BROWER: Break.

36

37 MR. REXFORD: A 10 minute break, five minute.

38

39 CHAIRMAN H. BROWER: So ordered, we'll take
40 a 10 minute break.

41

42 (Off record)

43

44 (On record)

45

46 CHAIRMAN H. BROWER: Where we left off is
47 with Proposal 01 and 02, statewide, include definitions of
48 airborne, bait, drainage and salvage, definition of aircraft.
49 Donna.

50

1 MS. DEWHURST: Yeah, this one basically --
2 there was concern that in some cases our definitions were
3 different than the State and some cases we didn't have any
4 definitions in Federal regulations. So basically the Staff
5 recommendation was to line up with the State definitions for
6 the most part. This has gone to several Councils. It's gone
7 to Kodiak/Aleutians, Northwest Arctic, Eastern and Western
8 Interior, Bristol Bay and I think that's it. Everybody has
9 just supported the proposal as is, except for one Council
10 which was Northwest Arctic. Northwest Arctic had concern --
11 if you look at the definition of salvage, the recommended
12 definition of salvage, I should say, on page -- the executive
13 summary on Page 37, that's kind of the easiest place to find
14 it. And they give under the summary, they give the
15 definitions that are recommended and proposed.

16
17 And under salvage, it says, to transport the
18 edible meat, skull or hide. The concern Northwest Arctic
19 Council expressed was to possibly remove the word, edible,
20 because they were afraid that if for some reason the meat got
21 non-edible because it was left out a little bit or spoiled or
22 whatever, they felt it would be better just to say you have
23 to transport all the meat and not edible. So their
24 recommendation was basically to support the proposal but to
25 remove that word edible there.

26
27 On the other side of the coin, having an
28 enforcement background, the other thing to look at there on
29 whether or not you decide about that word edible, is if you
30 remove the word edible and say you have to transport the
31 meat, that would mean you have to transport all the meat. So
32 let's say you bone the carcass out and you left some meat on
33 the bones or there are certain parts of the meat that
34 basically aren't edible or most people don't consider it
35 edible and if you took the word out, you would have to
36 legally transport all the meat and you could get cited,
37 technically for, let's say, we -- let's say you boned out
38 your carcass and you left some meat on the bones, if you
39 leave that out in the field it would be considered you didn't
40 transport all the meat. So there's pros and cons with
41 leaving that word edible in there or taking it out. Just to
42 kind of present both sides of that argument.

43
44 Like I say, the other Councils didn't have a
45 problem with that issue. That was brought up at Northwest
46 Arctic Council. And their concern was if the meat got
47 inedible, you know, whether or not they would have to
48 transport it to be legal. And otherwise, pretty much all the
49 other Councils that have reviewed this have supported it with
50 the justification that it would line us up with the State and

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1 that concludes our analysis.

2

3 CHAIRMAN H. BROWER: Would that also include
4 the biological, socio-cultural analysis?

5

6 MS. DEWHURST: Yes.

7

8 CHAIRMAN H. BROWER: ADF&G.

9

10 MR. CARROLL: Yeah, the State supports it. It
11 just reduces confusion in the definition and it's the same in
12 both systems.z

13

14 CHAIRMAN H. BROWER: Are there any written
15 comments. Public comments on the proposal. Hearing none,
16 we'll go down to Regional Advisory Council deliberations,
17 recommendation and justification. What's the wish of the
18 Council?

19

20 MR. KOONUK: Mr. Chair.

21

22 CHAIRMAN H. BROWER: Ray.

23

24 MR. KOONUK: I make a motion to approve
25 Proposal 01 and 02.

26

27 CHAIRMAN H. BROWER: As is?

28

29 MR. KOONUK: Well, under discussion we'll
30 make that.

31

32 CHAIRMAN H. BROWER: Okay, a motion on the
33 floor to approve Proposal 1 and 2, we need a second for
34 discussion.

35

36 MR. AGNASSAGGA: Mr. Chairman.

37

38 CHAIRMAN H. BROWER: We need a second first.

39

40 MR. REXFORD: Okay, second.

41

42 CHAIRMAN H. BROWER: Go ahead, Fenton.

43

44 MR. REXFORD: Proposal 1, that's the one
45 we're dealing with right now?

46

47 CHAIRMAN H. BROWER: Proposal 1 and 2.

48

49 MS. DEWHURST: One and two.

50

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1 MR. REXFORD: And most of these are
2 definitions and I talked with the Southeast Chairman
3 yesterday and they're going to be taking up these two
4 statewide proposals and we have airborne, bait, drainage and
5 salvage under Proposal 1 and we have definitions for bait,
6 drainage and salvage in Proposal 2. I would support Eastern
7 Interior Regional Advisory Council's proposal and use our
8 common dictionary to help define airborne and that is in the
9 dictionary stated, American Heritage Dictionary, is carried
10 by or through the air, transported in aircraft or in flight
11 or flying. To help the Board establishing a regulatory
12 definition for airborne. And that would be my suggestion to
13 modify that proposal.

14
15 MR. KOONUK: Is that an amendment to the
16 motion?

17
18 MR. REXFORD: Yeah. I'm going to try and go
19 through one, two, three, four, five -- five of these
20 definitions if I may. Again, Mr. Thomas, from Southeast,
21 bait, it's food or other lure placed on a hook or in a trap
22 and used in the taking of fish, birds or other animals. It's
23 also an enticement or temptation or -- to place bait in a
24 trap in or on a fishing hook. Drainage, the action or given
25 method of draining a natural or artificial of drains.
26 Salvage, using it as an adverb, this act of saving property
27 from loss or the property so saved. And as far as aircraft,
28 I'm not sure where this one's at in these two proposals,
29 where this came up from, is there a notice in our agenda?

30
31 MS. DEWHURST: It's in Proposal 1, airborne,
32 but not in Proposal 2.

33
34 MR. REXFORD: I don't know, let's see on the
35 agenda for aircraft was to be defined as well?

36
37 MS. DEWHURST: Yeah, it's under Page 42, it
38 kind of goes into an explanation, but it originally was only
39 in Proposal 1.

40
41 MR. REXFORD: State's hunting and regulation
42 defining airborne or aircraft, what -- they do define it in
43 the Staff analysis and a machine would include airplanes,
44 helicopters, gliders capable of atmospheric flight. So I
45 think these are fairly simple definitions and we should try
46 and use our dictionary to -- rather than make new definitions
47 use a common dictionary in defining these terms is my way of
48 trying to help out in the definitions.

49
50 I'm not sure, they probably could keep some

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1 of those words that are in there but also use either the
2 Websters or American Dictionary to help define these five or
3 six words for both Proposals 1 and 2. That's all I say, it's
4 a suggestion from the Southeast Chairman Bill Thomas.

5
6 So I don't know how that would be, in the
7 form of a motion or an amendment, maybe toward the end of
8 each -- like for instance, airborne, carried by or through
9 the air, transported in aircraft, in-flight or flying; just
10 a simple definition of airborne. Bait, again, maybe put a
11 semicolon after the -- bold it, both in Proposal 1 and 2 to
12 insert may include food or other lure placed on a hook or in
13 a trap and used in the taking of fish, birds or other
14 animals, and enticement or temptation to place bait in a trap
15 or in a -- or on a fishing hook and then semicolon after
16 drainage in both Proposal 1 and 2, the action or given method
17 of draining a natural or artificial system of drain. Under
18 salvage, again, a semicolon as an adverb, this act of saving
19 property from loss, the property so saved. And finally under
20 aircraft, to define it's a machine or device including
21 airplanes, helicopters, gliders capable of atmospheric
22 flight. These are pretty simple definitions from the
23 dictionary that I would entertain as an amendment to the
24 motion.

25
26 MR. KOONUK: I second that amendment.

27
28 CHAIRMAN H. BROWER: Further discussion on
29 the amendment.

30
31 MR. REXFORD: Here's a copy if the Staff
32 needs it.

33
34 MR. KOONUK: Question called for on the
35 amendment.

36
37 CHAIRMAN H. BROWER: All in favor of
38 supporting the amendment amending the motion signify by
39 saying aye.

40
41 IN UNISON: Aye.

42
43 CHAIRMAN H. BROWER: We have the main motion
44 before us.

45
46 MR. KOONUK: Back to the main motion.

47
48 CHAIRMAN H. BROWER: Back to the main motion.

49
50 MR. KOONUK: The question is called for on

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1 the main motion.

2

3 CHAIRMAN H. BROWER: Question has been called
4 on the main motion. All in favor of supporting the main
5 motion signify by saying aye.

6

7 IN UNISON: Aye.

8

9 CHAIRMAN H. BROWER: Anyone in opposition?

10

11 (No opposed votes)

12

13 CHAIRMAN H. BROWER: No sign of opposition,
14 the proposal passes, the amended proposal.

15

16 MS. HILDEBRAND: Mr. Chairman.

17

18 CHAIRMAN H. BROWER: Ida.

19

20 MS. HILDEBRAND: Thank you, Mr. Chairman.
21 Ida Hildebrand, BIA Staff Committee member. Because the
22 Councils have requested that they keep informed of possible
23 changes when these proposals leave the Council and go to
24 Staff Committee and go back to the Board, I just want to
25 caution the Council that you have amended the proposal by
26 this suggested language and part of the purpose of the
27 original proposal was to align Federal and State regulatory
28 language and this takes them a bit further apart. So the
29 Board will look at that and either decide to agree with you
30 or go back to the original proposal to align Federal and
31 State regulations.

32

33 I just wanted to raise that as a caution.

34

35 CHAIRMAN H. BROWER: Fenton.

36

37 MR. REXFORD: Anyway, we're getting back on
38 the discussion of that, you know, I wanted to leave the bold
39 or the -- just make an addition further that we understand
40 the definition in the dictionary, we're not trying to change
41 the main gist of their proposal. I don't know how that gets
42 State and Federal further apart, I don't know where that will
43 be but we'll probably hear it at the Federal Subsistence
44 Board and usually what happens, statewide, we have the other
45 regions who can make changes to that and go over it at the
46 Federal Subsistence Board level. I'm just trying to further
47 clarify as what we understand the dictionary and they can add
48 the dictionary meaning to these definitions, my motion to
49 amend it was not to upset the two regulations but try and get
50 them as close as possible maybe. That can be worked out

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1 between now and the Federal Subsistence Board meeting. And
2 when Harry gets there to deliberate it, there will be the
3 other 10 regions to work with or make further amendments to
4 this statewide proposal. That's our understanding from this
5 region, we just want to add on or further clarify what we
6 understand on their mission or their objective.

7
8 I would urge the Chair and the other nine
9 regions are working on this to follow suit on their
10 recommendation and they'll have time to deliberate that.

11
12 Thank you, Ida.

13
14 CHAIRMAN H. BROWER: Thank you, Fenton. If
15 there's no further comments we'll move on to the next two
16 items or crossover proposals for the North Slope. Donna,
17 could you please, Proposal 26.

18
19 MS. DEWHURST: Well Proposal 26 will sound
20 awfully familiar. We've been talking about this issue now
21 for two years, three years.

22
23 (Laughter)

24
25 MS. DEWHURST: And somehow, I keep getting
26 stuck with presenting this to you guys and it's not my
27 favorite proposal.

28
29 (Laughter)

30
31 MS. DEWHURST: This is the one that says in
32 single sex moose hunts.....

33
34 CHAIRMAN H. BROWER: What page is this now?

35
36 MS. DEWHURST: We're on 53 where the
37 executive summary starts, the analysis starts about four
38 pages later, the analysis starts on Page 57. This is the one
39 that removes the evidence of sex requirement. So they're
40 requesting, basically to follow on the heels of what
41 Southcentral requested a couple of years ago and that the --
42 like in the case of bull only hunts you do not have to keep
43 parts -- the male parts attached to the carcass and so
44 they're requesting that aspect be removed but they want to
45 expand it to Units 19, 21 and 24. And the reason it's a
46 crossover proposal is Unit 24, Anaktuvuk Pass has C&T to hunt
47 moose in Unit 24, so that's why it's a crossover for your
48 region.

49
50 Basically, like I said, this is just

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1 following on the heels of what Southcentral requested a
2 couple of years ago. The Staff recommendation was to do
3 exactly what Southcentral recommended, the Southcentral
4 Regional Advisory Council which was to amend the request to
5 say that it's neither -- in single sex hunts of moose, either
6 keep the external sex parts attached or take out the entire
7 head. And in the Southcentral region, they said that the
8 head, that that was a common practice for them because they
9 liked head cheese and head soup and they took the head out
10 anyway. So for them taking the head out was a very viable
11 option to keeping the male sex parts attached to the carcass
12 which they felt tainted the meat. So based on that, that's
13 the way we went in Southcentral. The only change was we
14 added a Federal permit requirement if you were going to take
15 the head out.

16
17 The Staff recommendation for this, for these
18 new regions or new units is basically the same, to offer the
19 same option and that they could either or, take the sex part
20 -- leave the sex parts attached or take the entire head out.

21
22 Now, the Interior regions met on this last
23 week and they supported that. That's what the -- this was
24 originally a Western Interior -- Western Interior said they
25 liked that idea and that to make the language the same as it
26 is in Southcentral saying, basically they support the Staff
27 recommendation. So you could either keep the sex parts
28 attached or take the head out. So Western Interior voted to
29 support the Staff recommendation.

30
31 MR. REXFORD: So they met already?

32
33 MS. DEWHURST: Last week.

34
35 MR. REXFORD: What about Eastern?

36
37 MS. DEWHURST: Eastern -- I'm not sure if
38 this was a crossover or not.

39
40 MR. REXFORD: On Page 54, it's Eastern and
41 Western.

42
43 MS. DEWHURST: Okay, I'm sorry, they both met
44 -- this was part of their joint meeting on March 8th, they
45 both met, that was the decision from both Councils, it was a
46 joint decision. So Eastern and Western voted to support the
47 Staff recommendation.

48
49 MR. REXFORD: Okay.

50

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1 CHAIRMAN H. BROWER: Any more biological,
2 socio-cultural.....

3
4 MS. DEWHURST: That's pretty much it.

5
6 CHAIRMAN H. BROWER: Alaska Department of
7 Fish and Game, agency comments and data. Geoff.

8
9 MR. CARROLL: I'm just going to read what the
10 ADF&G comments are in this one, it's do not support. In
11 areas where moose harvest is limited to bulls only as part of
12 a biological management strategy, the ability to enforce this
13 regulation depends, in part, on having the same evidence of
14 sex requirements in State and Federal regulations.
15 Maintaining the current evidence of sex requirements helps to
16 ensure that large trophy bulls are not harvested for the
17 antlers without the meat also being salvaged. The proposed
18 regulation also could encourage additional harvest of cow
19 moose in areas where moose numbers already are low and such
20 harvest cannot be sustained.

21
22 So ADF&G opposes it.

23
24 One of the most critical concerns expressed
25 by residents of 21(D) and 24 during the Koyukuk Moose
26 Management Planning process was that of wasted meat.
27 Modifying the evidence of sex requirement in the Federal
28 regulations could create considerable confusion among hunters
29 and reduce the effectiveness of an important enforcement tool
30 because this regulation would apply only to moose taken on
31 Federal public lands and not to those harvested on State and
32 private lands. The Federal Board modified the evidence of
33 sex reporting requirements last year in Units 11 and 13. In
34 both of these units the harvest limit is one antlered moose
35 and each unit has the same unitwide fall season. Contrasting
36 is 19, 21 and 24 are divided into several smaller hunting
37 areas, each has several small winter hunting seasons and some
38 areas either bull or cow moose can be taken, thus modifying
39 the evidence of sex requirements in these three units may
40 greatly complicate the regulations. In order for the public
41 to fully understand the effects, this proposal, would
42 recommend that the Staff analysis indicate how the current
43 regulations would change and in what areas the proposal would
44 apply, adopted as written.

45
46 CHAIRMAN H. BROWER: Thank you, Geoff.

47
48 MR. CARROLL: Okay.

49
50 CHAIRMAN H. BROWER: It's noted that there's

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1 no written comments. So I'll ask Staff has there been any
2 new information provided to you guys in written public
3 comments? None. Open the floor for public comments on the
4 proposal.

5
6 MR. REXFORD: Mr. Chairman, I move to adopt
7 Proposal 26 without modification as submitted by -- or in
8 support along with the Western Interior and Eastern Interior
9 Regional Advisory Council recommendations for support.

10
11 CHAIRMAN H. BROWER: There's a motion on the
12 floor to support the Western and Eastern Interior Regional
13 Advisory Council recommendation.

14
15 MR. AGNASSAGGA: Second.

16
17 CHAIRMAN H. BROWER: Second by Amos.
18 Discussion.

19
20 MR. PATKOTAK: Question.

21
22 CHAIRMAN H. BROWER: Question has been
23 called. All in favor of supporting Western and Eastern
24 Interior Council recommendation signify by saying aye.

25
26 IN UNISON: Aye.

27
28 CHAIRMAN H. BROWER: Any opposed.

29
30 (No opposing votes)

31
32 CHAIRMAN H. BROWER: None noted. Our next
33 proposal is Proposal 32, close moose hunting on Federal land
34 to non-Federally qualified users in Unit 24.

35
36 MS. DEWHURST: You might want to go back to
37 the map at the very beginning of Tab E, second page -- well,
38 it's actually the third page in. There's maps, it says
39 Region 6, Western Interior and just be looking at this as we
40 talk about what the proposal is.

41
42 The reason there again of the crossover is
43 because it involves Unit 24, which Anaktuvuk Pass has C&T to
44 hunt moose there. So what they're saying on this request is
45 you see the Koyukuk controlled use area, it's kind of midway
46 on the map, it says Koyukuk controlled use area under the
47 numbers 21(B), what they're saying is they want to close
48 Federal lands in Unit 24 outside of the Koyukuk controlled
49 use area. So everything outside of that in Unit 24, they
50 want to close to non-Federally qualified users, which would

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1 be basically all our sport users and other -- other hunters.
2 That's the proposal.

3
4 The proposal was made by the Koyukuk River
5 Basin Moose Co-Management Team, actually made by their
6 attorney, who submitted it. It's only moose, it's only
7 involving the moose hunt. So it's closing the moose hunt in
8 all of Unit 24 except for the Koyukuk controlled use area,
9 closing it to non-Federally qualified users, so basically
10 everybody but Federal subsistence users.

11
12 The moose population has declined in that
13 area but there's a really involved Koyukuk River Moose
14 Management Plan, similar to what you folks have done up here
15 with muskox on the North Slope, they have a management team
16 that has been working very closely on trying to manage moose
17 on the Koyukuk River, involving a lot of different villages,
18 agencies, everything, very similar to what we're doing with
19 muskox up here. And basically, this proposal goes against
20 what that group is recommending. There's two different -- it
21 gets a little confusing, there's two different moose groups
22 and I don't know all the history on this but I believe there
23 might have been a political split somewhere along the line.

24
25 CHAIRMAN H. BROWER: Donna, before you go any
26 farther, when you're talking about moose groups, are you
27 talking about populations of moose or people groups?

28
29 MS. DEWHURST: I'm sorry, two people groups
30 that are recommending management recommendations.

31
32 CHAIRMAN H. BROWER: Uh-huh.

33
34 MS. DEWHURST: There's the one very
35 broadbased longly established, the Koyukuk River Moose
36 Management Group and then there's this Koyukuk River Basin
37 Moose Co-Management Team. They're two separate groups making
38 management recommendations. The more broadly accepted group
39 is the second group, that's the one that has gotten support
40 from the State, has gotten support from the Federal
41 Subsistence Board in the past, they've basically gotten the
42 blessing last year for their moose management plan. Now,
43 this proposal would go against the recommendations in that
44 management plan.

45
46 The moose population, like I said, is
47 declining but they're dealing with it in other ways inside
48 the -- using the moose management plan.

49
50 Looking at the harvest, there's a concern

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1 there again because of limited Federal lands, if we close
2 these other areas, it may offset hunters closer to the
3 villages because the villages are often off Federal lands and
4 the concern is if you close the Federal lands down then these
5 sport hunters will offset and hunt closer to the villages and
6 that was a big concern expressed and it required discussions
7 on this proposal and that might cause even more user
8 conflicts by supporting this proposal.

9
10 And based on that thought, when Western
11 Interior met last week, Western Interior, the Regional
12 Advisory Council decided to oppose the proposal, which was
13 supporting the Staff recommendation. The Staff recommended
14 to oppose the proposal, supporting the Koyukuk River Moose
15 Management Plan, which, like I said, has been the bigger
16 broadbased management group and the Western Interior voted
17 along the same lines, to oppose the proposal and support
18 working with that Koyukuk River Moose Management Plan.

19
20 And the concerns, like what was mentioned at
21 the Western Interior was the possibility of displaced hunting
22 pressures in areas like Bettles. If they close Federal lands
23 and the hunters are actually going to go closer to the
24 communities.

25
26 That concludes the Staff analysis.

27
28 CHAIRMAN H. BROWER: Thank you, Donna. Any
29 questions to Donna from the Council? Hearing none, we'll go
30 to -- the biological, socio-cultural analysis.

31
32 MS. DEWHURST: That.....

33
34 CHAIRMAN H. BROWER: That was it, Donna?

35
36 MS. DEWHURST: Yes.

37
38 CHAIRMAN H. BROWER: Alaska Department of
39 Fish and Game, agency comments and data. Geoff.

40
41 MR. CARROLL: Okay. ADF&G comments do not
42 support. Adoption of this proposal would unnecessarily
43 prohibit moose hunting on Federal public lands in Unit 24 by
44 non-Federally qualified subsistence users. Unit 24 moose
45 population at the end of '99/2000 regulatory year was
46 estimated at 9,000 plus or minus 1,500. The animals are in
47 an area of 26,000 square miles. These parameters are
48 indicative of a harvestable surplus of bulls, good calf
49 production and yearly recruitment in excess of current human
50 harvest levels. The Koyukuk River Moose Hunters Working

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1 Group agreed to conservation to a conservative five percent
2 harvest rate for Unit 24 which allows for a harvest of 450
3 moose at the current population estimate. Annual human
4 harvest levels for all of Unit 24 have remained well below
5 this number and below the rate of yearling recruitment. The
6 reported human harvest in regulatory year '99/2000 was 322
7 moose. New regulations that are expected to further reduce
8 harvest levels were implemented on the lower Koyukuk River
9 drainage within the Koyukuk Controlled use area for the
10 2000/2001 regulatory year.

11
12 50 to 60 percent of the unit 24 moose harvest
13 currently occurs south of Hughes in the controlled use area.
14 Closure of public lands in Unit 24 outside the controlled use
15 area to non-Federally qualified subsistence users will have
16 little effect on moose population dynamics, as only one to
17 two percent of the annual harvest takes place there.

18
19 Closing large tracts of Federal public lands
20 to non-Federally qualified subsistence users, as is requested
21 in this proposal and Proposals 28 and 31, will simply
22 displace non-local hunters and intensify moose hunting
23 efforts in other areas.

24
25 CHAIRMAN H. BROWER: Thank you, Geoff. Any
26 comments to Geoff in regards to the ADF&G comments. Hearing
27 none we'll go write into written public comments.

28
29 MS. CHIVERS: Thank you, Mr. Chair, we have
30 received one written comment, it's from Henry D. Tiffany, IV,
31 who is a professional guide of Ester. He writes in
32 opposition to Proposal 32 because it would restrict hunting
33 on public land to one user group.

34
35 CHAIRMAN H. BROWER: He's in opposition.

36
37 MS. CHIVERS: He's in opposition.

38
39 CHAIRMAN H. BROWER: Thank you.

40
41 MS. CHIVERS: Thank you.

42
43 CHAIRMAN H. BROWER: Open the floor for
44 public comment on the proposal. Hearing none, we're down to
45 the Regional Advisory Council deliberations. What is the
46 wish of the Council? Fenton.

47
48 MR. REXFORD: Again, did the Eastern Interior
49 Regional Advisory Council meet and what was their
50 recommendation?

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1
2 Interior.

MS. DEWHURST: It's just the Western

3
4 MR. REXFORD: Western Interior, I mean.

5
6 MS. DEWHURST: They opposed it.

7
8 MR. REXFORD: They opposed the proposal.

9
10 CHAIRMAN H. BROWER: Opposed it.

11
12 MR. REXFORD: Well, in that case, Mr.

13 Chairman.

14
15 CHAIRMAN H. BROWER: Fenton.

16
17 MR. REXFORD: I move to oppose Proposal 32
18 and follow the recommendation of the Staff and the Western
19 Interior to oppose the proposal as well as with ADF&G's
20 justification to oppose the proposal.

21
22 MR. KOONUK: Second the motion.

23
24 CHAIRMAN H. BROWER: It's been moved and
25 seconded. Discussion.

26
27 MR. AGNASSAGGA: Question.

28
29 CHAIRMAN H. BROWER: Question on the motion
30 to oppose and support the Western Interior recommendation on
31 the proposal. All in favor of proposing.....

32
33 (Laughter)

34
35 IN UNISON: Aye.

36
37 (Laughter)

38
39 CHAIRMAN H. BROWER: I lost my wording here,
40 just a second.

41
42 MR. PATKOTAK: Mental block, uh?

43
44 CHAIRMAN H. BROWER: Yes, yes. All in
45 supporting of opposing the proposal signify by saying aye.

46
47 IN UNISON: Aye.

48
49 CHAIRMAN H. BROWER: Thank you. Any
50 opposition to the opposition?

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1 (Laughter)

2

3 CHAIRMAN H. BROWER: Hearing none, we'll
4 proceed with our next issue, do we have any other proposals
5 that we need to hear from the Staff? The next on our agenda,
6 Item -- before I get into that I better ask the Council what
7 is the wish of the Council, it's way past the lunch hour, 20
8 after.

9

10 MR. PATKOTAK: Let's get it done.

11

12 MR. AGNASSAGGA: We're almost done.

13

14 MR. PATKOTAK: We're almost there.

15

16 CHAIRMAN H. BROWER: Yeah, we just have two
17 or three more issues here.

18

19 MR. PATKOTAK: Yeah.

20

21 MR. AGNASSAGGA: Yeah.

22

23 MR. KOONUK: We've got two more proposals?

24

25 CHAIRMAN H. BROWER: No, these are
26 information -- or any other reports under -- Item 12, we have
27 an issue from Gates of the Arctic in regards to our
28 representation from our Regional Advisory Council.

29

30 MR. KOONUK: Then the resolution.

31

32 MR. AGNASSAGGA: And the resolution.

33

34 MR. REXFORD: And the stipend resolution.

35

36 CHAIRMAN H. BROWER: The stipend resolution,
37 is that what you're referring to?

38

39 MR. REXFORD: Yeah.

40

41 MR. AGNASSAGGA: Yeah.

42

43 MR. KOONUK: Yeah.

44

45 CHAIRMAN H. BROWER: Okay, we have two issues
46 yet to address so Paul, could you please pronounce your last
47 name?

48

49 MR. HUNTER: Hunter.

50

00157

1 CHAIRMAN H. BROWER: Paul Hunter, please.
2 He's going to give us the information as to what we need to
3 get through here so the Gates of the Arctic Subsistence
4 Resource Commission.

5
6 MR. HUNTER: Mr. Chairman, again, my name is
7 Paul Hunter and I'm from the Anchorage office of the National
8 Park Service. On this issue I'm representing Dave Mills,
9 superintendent, Gates of the Arctic National Park.

10
11 The Park has a Subsistence Advisory Group
12 called the Subsistence Resource Commission and it was
13 established under Title VIII of ANILCA. And the membership
14 for that commission which advises the Park Service on
15 subsistence uses for the Park is nine members, three are
16 appointed by the Secretary of Interior, three are appointed
17 by the Governor and three are appointed by the Regional
18 Advisory Council. And because the Park overlaps three
19 regions, the Regional Advisory Council are divided up between
20 one each between the Northwest Arctic region, the Western
21 Interior region and the North Slope region. The North Slope
22 region member position is currently vacant and so you have
23 the opportunity now to appoint a member to the Subsistence
24 Resource Commission.

25
26 As pointed out by Dave Mills yesterday, the
27 next meeting of the Commission will probably be in November,
28 so if you choose to take more time and decide who you would
29 like to appoint you could appoint at your fall meeting,
30 depending on what your schedule is, but it probably is going
31 to be before the Park Resource Commission meeting. So you
32 have time if you choose to wait.

33
34 The membership requirements are that
35 Commission members be members of another -- either this
36 group, the Council, or another local advisory group and that
37 they also be subsistence users in the Park. The subsistence
38 users who live in Nuiqsut and Anaktuvuk Pass are
39 automatically considered subsistence users for the Park,
40 other North Slope residents would be -- to be considered
41 subsistence users would be to have a subsistence permit for
42 the Park. The reason Nuiqsut and Anaktuvuk Pass were
43 established as automatic subsistence users is at the time
44 ANILCA was passed it was suggested that subsistence use not
45 become a permitted activity and that there were known
46 communities where they had substantial concentrations of
47 subsistence users of the Park would just be automatically --
48 everybody who lived there would be automatically considered,
49 so Nuiqsut and Anaktuvuk Pass are considered subsistence
50 resident zone communities and everybody who lives in those

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1 communities is automatically eligible for subsistence use in
2 the Park without having to get a permit.

3
4 But that's not to say that anyone else who is
5 a traditional user of the Park could not also be eligible for
6 appointment by the Council, they'd just get a subsistence
7 permit from Dave Mills.

8
9 So that's all I have on that. If you choose
10 -- if you want to appoint somebody immediately, I can --
11 right now, on your Council Leonard, Nuiqsut is automatically
12 considered a subsistence user of the Park and Earl Williams
13 from Anaktuvuk Pass, of course is also. Traditionally you
14 appointed someone from either Anaktuvuk Pass or Nuiqsut.

15
16 Right now you have Rachel Bliley (ph) from
17 Anaktuvuk Pass who's been appointed by the Secretary. Now,
18 her appointment expired last month but it is automatically
19 carried over until the Secretary takes action. In fact all
20 three of the seats appointed by the Secretary are subject to
21 be reappointed and who knows what the new administration will
22 do.

23
24 CHAIRMAN H. BROWER: Thank you, Mr. Hunter.
25 Fenton, did you have a comment?

26
27 MR. REXFORD: Yes, maybe we can wait until
28 the September meeting. I'm not sure what local advisory
29 committees will meet, but we have a local Fish and Game
30 committee, the North Slope -- Thomas Roland is from the North
31 Slope Fish and Game Committee, or we can ask Earl Williams,
32 from our -- within our Regional Council or our local advisory
33 committee. So I'm not sure how long Earl's term is up, does
34 anybody know when Earl -- our Council member is?

35
36 MR. YOKEL: Earl is currently filling in the
37 remainder of a term for someone else and he is up for
38 renomination during this current process. He did apply.

39
40 MR. KOONUK: Is there other ones from
41 Anaktuvuk Pass, too?

42
43 MR. YOKEL: He is the only applicant from
44 Anaktuvuk Pass.

45
46 MR. REXFORD: So maybe we can wait.

47
48 MR. KOONUK: And when is the deadline for it?

49
50 MR. YOKEL: Well, the deadline for applying

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1 has already passed.

2

3 MR. REXFORD: And they'll make the
4 appointment in August and by that time we'll know if he's
5 permanent and again, we can ask Thomas, too, I don't know,
6 that's just my thoughts on that.

7

8 CHAIRMAN H. BROWER: Thank you, Fenton. Any
9 other comments?

10

11 MR. PATKOTAK: Mr. Chairman.

12

13 CHAIRMAN H. BROWER: Mike.

14

15 MR. PATKOTAK: My reasoning on this would be
16 to ask Leonard himself what he thought on this matter. I
17 know he's involved in some other meetings there that involve
18 Nuiqsut, other than those that are sanctioned by the North
19 Slope Borough.

20

21 CHAIRMAN H. BROWER: Leonard, would you like
22 to make any comments in regard to whether you want to be
23 representing our Regional Advisory Council since you're part
24 of the subsistence users in the National Park, Gates of the
25 Arctic?

26

27 MR. TUKLE: Maybe I'll decline.

28

29 MR. KOONUK: Reason? Well, Mr. Chairman, in
30 all fairness, you know, I think Anaktuvuk has a
31 representative already and since Nuiqsut is right next door
32 it would be good to have one from Nuiqsut, too, you know, in
33 all fairness.

34

35 CHAIRMAN H. BROWER: And then it's up to the
36 member, I don't think we can twist his arm to be on the
37 committee, so we'll take no action at this time -- or taking
38 action in placing Earl.

39

40 MR. KOONUK: Well, maybe that will give him
41 time to think about it.

42

43 CHAIRMAN H. BROWER: Yeah, you know, that's
44 another thought. You know, he needs to look at his work
45 calendar and what have you, so we'll take the advice of the
46 Council on how we're going to proceed on this.

47

48 MR. REXFORD: Earl will be reappointed and
49 we'll know by August from the Secretary of Interior on his
50 reappointment and so that would be a good time to wait until

00160

1 and give Leonard a little time to think about, Mr. Chairman,
2 being on the SRC.

3
4 I would recommend to take it up at the fall
5 meeting.

6
7 CHAIRMAN H. BROWER: So we'll take no action
8 at this time.

9
10 MR. REXFORD: So moved.

11
12 MR. KOONUK: Second.

13
14 CHAIRMAN H. BROWER: Okay, we'll take no
15 action at this time. Discussion.

16
17 MR. AGNASSAGGA: Question.

18
19 CHAIRMAN H. BROWER: Question's been called
20 for. All in favor of taking no action signify by saying aye.

21
22 IN UNISON: Aye.

23
24 MR. HUNTER: Thank you, Mr. Chair.

25
26 CHAIRMAN H. BROWER: Thank you, Mr. Hunter.
27 And we have another issue, 12B, in regards to stipends.

28
29 MR. REXFORD: Maybe I'll follow-up, Mr.
30 Chairman, I want to thank again, Ida, in Resolution 0101.

31
32 CHAIRMAN H. BROWER: Go ahead, Fenton.

33
34 MR. REXFORD: Primarily we took most of the
35 wording from the letter that will be sent to Council Chairman
36 Bill Thomas. But I think the resolution outlines what our
37 concerns are on stipends. Should I read it?

38
39 MR. AGNASSAGGA: Mr. Chair, I read both the
40 letter, it looked good and the resolution and I moved that we
41 approve Resolution 101.

42
43 MR. REXFORD: 0101, I second that.

44
45 CHAIRMAN H. BROWER: Motion has been made to
46 approve the Resolution 0101.

47
48 MR. REXFORD: Resolution in support of
49 stipends for Regional Advisory Council members -- maybe for
50 the record I'll read this so we all.....

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1 CHAIRMAN H. BROWER: So second to the motion,
2 we're into discussions now, Fenton, you're welcome to read
3 it.

4
5 MR. REXFORD: We, the North Slope Advisory
6 Council, duly appointed by Secretary of Interior pursuant to
7 Section .805, Title VIII of Alaska National Interest Land
8 Conservation Act, ANILCA, find that, whereas our Region
9 Council has again raised the issue of stipends for the
10 subsistence Council at their annual winter meeting on March
11 13 and 14 in Barrow, Alaska; and

12
13 Whereas, Section .805 ANILCA mandates the
14 creation of subsistence Regional Advisory Council and
15 .805(a)(3) mandates that these Councils be composed of
16 residents of the region who are knowledgeable about
17 subsistence and also mandates that the Council shall review
18 and evaluate proposals for regulation, policies and
19 management plans and other matters related to the subsistence
20 use of fish and wildlife within the region. Section
21 subsection D further mandates that Councils prepare annual
22 reports, identify current and anticipated subsistence uses
23 and evaluate anticipated subsistence needs, recommend
24 strategies for management and make recommendation on policy,
25 standards and guidelines and regulations to implement the
26 management strategies; and

27
28 Whereas, Section .805(b) mandates that the
29 Secretary assign adequate and qualified staff to the Councils
30 and make available relevant technical and scientific support
31 data and Section .805(c) mandates that the Secretary may not
32 follow the recommendation of the Council only if it lacks
33 substantial evidence, violates conservation principles or is
34 detrimental to subsistence needs; and

35
36 Whereas, Section .812 mandates that the
37 Secretary and Federal agencies shall undertake research on
38 fish and wildlife and subsistence uses; seek data from,
39 consult with and make use of the special knowledge of local
40 residents engaged in subsistence uses and make the results of
41 such research available to the Regional Advisory Councils;
42 and

43
44 Whereas, Section .801 mandates that we the
45 subsistence users, knowledgeable in subsistence uses, and
46 needs, and who are residents of our respective regions serve
47 as the subsistence Regional Advisory Council; and

48
49 Whereas, Congress has not mandated any other
50 group of citizens to serve in this capacity, and no other

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1 group or users are required to surrender their livelihood or
2 income to serve on any Commission, Panel or Council as are we
3 the subsistence users of our respective regions; and

4
5 Whereas, we surrender time, the few job
6 opportunities that arise from time to time and hunting and
7 fishing opportunities for the greater good; and

8
9 Whereas, All other Commissions, Panels or
10 Councils have the luxury of service in retirement from other
11 jobs or incomes or are provided with outside income and we
12 have subsistence; and

13
14 Whereas, We are subsistence users and are the
15 ones knowledgeable about the uses, needs and subsistence
16 issues in our regions; and

17
18 Whereas, We are given no other choice, we
19 must either surrender subsistence or have it taken from us by
20 those who do not know or understand the importance of
21 subsistence issues, resources and the habitats of our
22 respective regions and our cultural diversity among Alaska
23 Natives and all subsistence users.

24
25 Now, therefore be it resolved, That we, the
26 members of the North Slope Regional Advisory Council
27 respectfully request that you, Chairman William C. Thomas,
28 again make the plea for stipends for all 10 Regional Advisory
29 Councils to the Secretary of the Interior, Federal
30 Subsistence Board and to all other Regional Advisory Councils
31 and their respective Chairs.

32
33 CHAIRMAN H. BROWER: Thank you, Fenton.

34
35 MR. REXFORD: That looks pretty well. I
36 think we've stated, again, in a letter -- I will send the
37 letter to Bill Thomas and a copy of this resolution and I
38 think those will send our message from this Council, our
39 concern on stipends. I think Ray was instrumental in getting
40 the resolution and the letter. I think it clearly states
41 what our concerns are.

42
43 MR. PATKOTAK: I think the only thing that
44 needs to be changed is the name of the Chairman and vice
45 Chair.

46
47 MR. REXFORD: Yes.

48
49 MR. PATKOTAK: The Chairman is Harry Brower
50 and vice Chair, Mr. Koonuk.

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1 MR. REXFORD: Okay.

2

3 MR. KOONUK: Question called for, Mr.

4 Chairman.

5

6 CHAIRMAN H. BROWER: All in favor of
7 supporting Resolution No. 0101, signify by saying aye.

8

9 IN UNISON: Aye.

10

11 CHAIRMAN H. BROWER: Same sign for

12 opposition.

13

14 (No opposing votes)

15

16 CHAIRMAN H. BROWER: Hearing none, the
17 resolution passes. Do we have any other reports that we need
18 to hear from Staff or Council members? Tim.

19

20 MR. JENNINGS: Thank you, Mr. Chair. This is
21 a very brief comment. As a senior member of the Office of
22 Subsistence Management here, I just wanted to express again
23 our appreciation and gratitude and recognition for Fenton
24 Rexford's service on this Council the past 10 years, he's the
25 original Chair, long and dedicated service. And in talking
26 with Fenton we know that it was a difficult decision for him
27 to resign and to be committed more fully to community
28 efforts, but we support him in that and we're going to miss
29 him on this Council and his leadership. And as he mentioned
30 yesterday, he believes that the Council is very active and
31 has good leadership remaining on the Council to carry the
32 work forward and we'll look forward to Fenton's advice and
33 guidance from his position in Kaktovik in the future.

34

35 Thank you, Fenton, for your service.

36

37 MR. REXFORD: Thank you very much, Tim.

38 Thank you.

39

40 (Applause)

41

42 MR. PATKOTAK: Also for the record, Mr.

43 Chairman.

44

45 CHAIRMAN H. BROWER: Mike.

46

47 MR. PATKOTAK: I know I recently joined the
48 -- it's going on the third year now, just having briefly
49 worked with Fenton has been a learning experience and I
50 appreciate his patience at times and also I want to make sure

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1 that formal recognition be forwarded in terms of a letter of
2 appreciation and also a plaque and that not only be presented
3 here but at the next Anchorage meeting if there is one, that
4 this recommendation for statewide recognition be forwarded to
5 the Federal Subsistence Board and that his work, though,
6 he'll not be sitting on this Board, we know that nonetheless
7 that his work will be a continuing effort. And I really
8 thank him and that I know he'll be available on an advisory
9 basis and that the Staff put this forward to make it an
10 official recognition.

11

12 Thank you, Fenton.

13

14 MR. KOONUK: I just want to comment, the
15 recognition from the Secretary of the Interior.

16

17 CHAIRMAN H. BROWER: So noted. Ida.

18

19 MS. HILDEBRAND: Thank you, Mr. Chairman.
20 Ida Hildebrand, BIA Staff Committee member. On behalf of the
21 BIA and Staff Committee, I, too, would like to say thank you
22 to Fenton. He has done remarkable work for you and for the
23 people of this region. He's been dedicated. He's diligent.
24 He's persistent in fighting for you. And he was always ready
25 to stand alone when others disagreed with him if he believed
26 it was the true wishes of the subsistence users in this
27 region. And since I've been placed in that spot many times,
28 I know how difficult that is and I admire and respect you for
29 it, Fenton, you're a great man. Thank you.

30

31 MR. REXFORD: Thank you, Ida.

32

33 CHAIRMAN H. BROWER: Any other comments.

34

35 MR. REXFORD: I'll just make a closing
36 comment here as my final act, while I still have voting
37 power.

38

39 (Laughter)

40

41 MR. REXFORD: But again, I had drafted up
42 this beautiful letter and wanted to thank all of the Staff,
43 Barbara, Helen and then Donna's been here with us a long
44 time, and the other biologists, I know we've been in rooms
45 where it got smokey and lots of hot air were passed back and
46 forth, especially in the working group. We have our
47 disagreements, but all in all, I really enjoyed working for
48 not only the Kaktovik area but for everybody on the North
49 Slope and to keep reminding of our elders, that the less the
50 regulations, the better. We were at that stage with

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1 regulations for harvest of wildlife and also fisheries are
2 pretty well established and you have your work lined out as
3 far as fisheries is concerned. It's been wonderful working
4 with the group and I've learned a lot on how to deal with
5 Federal bureaucracy but I'll be available and I'll be in
6 Kaktovik. I want to be involved in the working group, muskox
7 working group, it's important, we have a new mission with our
8 (In Native) relatives and they really need our help and I
9 want to be involved in that endeavor as well.

10
11 But I'll be around. Thank you very much for
12 your kind comments. Good luck.

13
14 CHAIRMAN H. BROWER: Thank you, Fenton. I
15 also want to add on a little thank you for your many years of
16 service here, Fenton. And even though you're leaving the
17 Regional Advisory Council, I'll still be working with you
18 under the North Slope Fish and Game Committee, so just for
19 the record I would also like to share my appreciation for
20 your efforts and for your many years of service here. Thank
21 you.

22
23 MR. REXFORD: All right, thank you, Harry.

24
25 CHAIRMAN H. BROWER: Our next item we have
26 here is time and place of our next public meeting. What is
27 the wish of the Council?

28
29 MR. KOONUK: Honolulu. Federal holiday.

30
31 (Laughter)

32
33 CHAIRMAN H. BROWER: Excuse me, we have a
34 calendar under Tab F and it has some dates, the window.

35
36 MR. KOONUK: Pick a date and get it over
37 with.

38
39 CHAIRMAN H. BROWER: It's from September 10
40 to October 19, 2000, and it's current as of 2001, February.
41 The window is about a month, September 10 to October 19.

42
43 MR. KOONUK: September 10 is a Monday.

44
45 CHAIRMAN H. BROWER: Yes.

46
47 MR. KOONUK: When do you go out whaling,
48 October?

49
50 CHAIRMAN H. BROWER: They seem to just jump

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1 whenever they want to go so -- or when the whales are here.

2

3 MR. AGNASSAGGA: It's always better to have
4 early September.

5

6 CHAIRMAN H. BROWER: You know, we need to
7 look at Nuiqsut's hunting season, and we also have Barrow's
8 hunting season, so.....

9

10 MR. REXFORD: He's been missing the last few
11 fall meetings because he's out whaling and we should consider
12 his whaling window, too, as far as the fall whaling.

13

14 CHAIRMAN H. BROWER: You're usually done
15 during the first week of October, before that time?

16

17 MR. TUKLE: We got done September 14 last
18 year.

19

20 MR. PATKOTAK: Have the meeting the 11th and
21 12.

22

23 CHAIRMAN H. BROWER: Of what?

24

25 MR. PATKOTAK: It wouldn't interfere with
26 much.

27

28 CHAIRMAN H. BROWER: 11 and 12 of what,
29 September?

30

31 MR. PATKOTAK: Yeah.

32

33 MR. KOONUK: Yeah.

34

35 CHAIRMAN H. BROWER: September 10 and 11, is
36 that too early for you, Leonard, or is that too close?

37

38 MR. KOONUK: What's the dates, a Monday and
39 Tuesday?

40

41 MR. TUKLE: Maybe the 24th.

42

43 CHAIRMAN H. BROWER: September 10 and 11 is
44 Monday, Tuesday.

45

46 MR. KOONUK: Okay. As long as I get a flight
47 back.

48

49 MR. TUKLE: Yeah, that would probably be

50 good.

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1 CHAIRMAN H. BROWER: It would be okay for
2 you?

3
4 MR. TUKLE: Yeah.

5
6 MR. REXFORD: More middle part of September
7 so he could get done with his activity, he might be putting
8 away a whale, who knows?

9
10 CHAIRMAN H. BROWER: Yeah, I was a little
11 concerned about that, too, you know, the time is always.....

12
13 MR. REXFORD: And they go ice fishing in the
14 first week of October probably.

15
16 MS. H. ARMSTRONG: Mr. Chair.

17
18 MR. KOONUK: So moved, Mr. Chair.

19
20 MS. H. ARMSTRONG: Mr. Chair.

21
22 CHAIRMAN H. BROWER: Excuse me.

23
24 MS. H. ARMSTRONG: It certainly is the wish
25 of the Council but in looking at what's probably on the
26 agenda for the next meeting, we won't have any fisheries
27 proposals so you may only need a one day meeting. I mean
28 it's certainly up to all of you but, you know, whatever your
29 wish is.

30
31 CHAIRMAN H. BROWER: So a one day meeting
32 during September 10 and September 11.

33
34 (Laughter)

35
36 MS. H. ARMSTRONG: Some Councils.....

37
38 MR. KOONUK: I make a motion for September
39 meeting on the 11th.

40
41 CHAIRMAN H. BROWER: There's a motion on the
42 floor to hold a meeting in Barrow.....

43
44 MR. KOONUK: Anaktuvuk.

45
46 CHAIRMAN H. BROWER:Anaktuvuk?

47
48 MR. TUKLE: Yeah, that would be okay with me,
49 the last meeting was.....

50

00168

1 CHAIRMAN H. BROWER: Okay, we'll hold the
2 meeting on.....

3
4 MR. AGNASSAGGA: Second.

5
6 CHAIRMAN H. BROWER:September 11 and
7 seconded.

8
9 MR. AGNASSAGGA: Question called for.

10
11 CHAIRMAN H. BROWER: Question has been called
12 for the meeting on September 11, 2001, all in favor of the
13 motion signify by saying aye.

14
15 IN UNISON: Aye.

16
17 CHAIRMAN H. BROWER: Opposed.

18
19 (No opposing votes)

20
21 CHAIRMAN H. BROWER: No opposition. So the
22 meeting date has been set for September 11th.

23
24 MR. REXFORD: Move to adjourn, Mr. Chairman.

25
26 MR. KOONUK: Second.

27
28 MR. AGNASSAGGA: Is it going to be in Barrow
29 or were you serious about Anaktuvuk there Ray?

30
31 (In Native - Laughter)

32
33 CHAIRMAN H. BROWER: Okay, in Barrow. We're
34 adjourned.

35
36 (END OF PROCEEDINGS)

37 * * * * *

C E R T I F I C A T E

1
2
3 UNITED STATES OF AMERICA)
4) ss.
5 STATE OF ALASKA)
6

7 I, Joseph P. Kolasinski, Notary Public in and for the
8 state of Alaska and reporter of Computer Matrix Court
9 Reporters, LLC, do hereby certify:
10

11 THAT the foregoing pages numbered 92 through 168
12 contain a full, true and correct Transcript of the NORTH
13 SLOPE BOROUGH FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL
14 MEETING, VOLUME II, taken electronically by Salena Hile on
15 the 14th day of March 2001, beginning at the hour of 9:00
16 o'clock a.m. at the Inupiat Heritage Center, Barrow, Alaska;
17

18 THAT the transcript is a true and correct transcript
19 requested to be transcribed and thereafter transcribed by
20 under my direction and reduced to print to the best of our
21 knowledge and ability;
22

23 THAT I am not an employee, attorney, or party
24 interested in any way in this action.
25

26 DATED at Anchorage, Alaska, this 27th day of March
27 2001.
28
29
30
31

32 _____
33 Joseph P. Kolasinski
34 Notary Public in and for Alaska
My Commission Expires: 04/17/04