

NORTH SLOPE SUBSISTENCE REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING  
September 21, 1993  
North Slope Borough Building  
Barrow, Alaska

COUNCIL MEMBERS PRESENT:

FENTON O. REXFORD, CHAIRMAN  
EDWARD ITTA, VICE CHAIRMAN  
HARRY K. BROWER, JR., SECRETARY  
JIM A. AVEOGANNA, SR. MEMBER  
GORDON C. UPICKSON, MEMBER  
TERRY L. TAGAROOK, MEMBER  
Barbara Armstrong, Coordinator

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(Malfunction at the beginning of the tape during the elections -- synopsis follows:

Fenton Rexford was nominated for Chairman by Gordon Upickson with a request for acclamation by the Board. After some discussion by the Board, mostly in Inupiaq, a vote was taken and Fenton Rexford was elected as Chairman. The discussion started by Jim Allen Aveoganna was for a vote and not an acclamation to the position.

Edward Itta was nominated by Jim Aveoganna for Vice Chairman and was elected unanimously.

Harry Bower was nominated by Gordon Upickson for Secretary and was elected unanimously.

**(END OF SYNOPSIS)**

MR. ITTA: Mr. Chairman, I wonder for official on the record purposes if it might be in order to go ahead and read our charter as it's stated for the record.

MR. AVEOGANNA: Mr. Chairman.

MR. REXFORD: Jim.

MR. AVEOGANNA: (Speaking Inupiaq) You're saying, I think it would be in order if our Chairman was to officially read into the record our charter at this point.

MR. UPICKSON: Do you all have copies of the charter that were passed out yesterday.

MR. REXFORD: Okay. Thank you, Edward.

United States Department of Interior Charter for North Slope Subsistence Regional Advisory Council.

1. Official Designation: The Council shall be designated as the North Slope Subsistence Regional Advisory Council.

2. Objectives and Scope of Activity: The objective of

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the Council is to provide an administrative structure that 3  
enables rural residents who have personal knowledge of local  
conditions and requirements to have a meaningful role in the  
management of fish and wildlife and of subsistence uses of  
those resources on public lands in the region.

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3. Period of Tim Necessary for the Council's  
Activities and Termination Date: The Council is expected to  
exist into the foreseeable future. Its continuation is,  
however, subject to the rechartering every biennial anniversary  
of the Alaska National Interest Lands Conservation Act of  
December 2, 1980. The Council shall take no action unless the  
requirements of the Federal Advisory Committee Act have been  
complied with.

4. Official to Whom the Council Reports: The Council  
reports to the Federal Subsistence Board, Chair who is  
appointed by the Secretary of the Interior with the concurrence  
of the Secretary of Agriculture.

5. Support Services: Administrative support for the  
activities of the Council will be provided by the U.S. Fish and  
Wildlife Service, Department of the Interior.

6. Duties of the Council: The Council possesses the  
authority to perform the following duties:

(1) review, evaluate, and make recommendations  
on proposals for regulations, policies, management plans, and  
other matters relating to subsistence uses of fish and wildlife  
on public lands within the region;

(2) provide a forum for the expression of  
opinions and recommendations by persons interested in any  
matter related to the subsistence uses of fish and wildlife on  
public lands within the region;

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1 (3) encourage local and regional participation  
2 in the decision making process affecting the taking of fish and  
3 wildlife on the public lands within the region for subsistence  
4 uses; and

5 (4) prepare and submit to the Federal  
6 Subsistence Board an annual report containing the following:

7 A. An identification of current and  
8 anticipated subsistence uses of fish and wildlife populations  
9 within the region;

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11 B. An evaluation of current and  
12 anticipated subsistence needs for fish and wildlife populations  
13 within the region;

14  
15 C. A recommended strategy for the  
16 management of fish and wildlife populations within the region  
17 to accommodate such subsistence uses and needs;

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19 D. Recommendations concerning  
20 policies, standards, guidelines and regulations to implement  
21 the strategy; and

22  
23 (5) make recommendations on determinations of  
24 customary and traditional use of subsistence resources.  
25 The Council shall perform its duties in conformity with  
26 the Operating Manual for Federal Subsistence Regional Advisory  
27 Councils.

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29 7. Estimated Operating Costs: Annual operating costs  
30 of the Council are estimated at \$100,000, which includes one  
31 person-year staff support.

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33 8. Meetings: The Council shall meet at least twice  
34 each year at the call of the Council, Council Chair, Federal  
35 Subsistence Board Chair, or designated Federal official, with  
36 the advance approval of the Federal Subsistence Board Chair or  
37 the designated Federal officer, who shall also approve the  
38 agenda.

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40 9. Membership: The Council's membership shall be as  
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follows:

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2 Nine members who shall be knowledgeable and  
3 experienced in matters relating to subsistence  
4 uses of fish and wildlife and are residents of  
5 the region represented by the Council.  
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8 Members shall be appointed by the Secretary of the Interior and  
9 the Secretary of Agriculture, based upon the recommendations of  
10 the Federal Subsistence Board.  
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14 Vacancy: Whenever a vacancy occurs among Council  
15 members appointed under Paragraph 9, the Secretary shall  
16 appoint an individual in accordance with Paragraph 9 to fill  
17 that vacancy for the remainder of the applicable term.  
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30 Terms of Office: Except as provided herein, each  
31 member of the Council shall serve a three-year term unless a  
32 member of the Council resigns prior to the expiration of the  
33 three-year term or he/she is removed for cause by the Secretary  
34 upon recommendation of the Federal Subsistence Board. Of the  
35 Council members first appointed under Paragraph 9, three shall  
36 serve for a term of one year from the date of their  
37 appointment, three shall serve for a term of two years from the  
38 date of their appointment, and three shall serve for a term of  
39 three years from the date of their appointment. Members shall  
40 be notified of their appointment in writing. If resigning  
41 prior to the expiration of a term, members shall provide a  
42 written resignation.  
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45 Chair: Council members shall elect the Chair for a one  
46 year term; the first elected Chair may serve a term of less  
47 than one year.  
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1 Removal of Members: If a Council member appointed 6  
2 under Paragraph 9 misses three consecutive regularly scheduled  
3 meetings, the Chair of the Federal Subsistence Board may  
4 recommend that the Secretary of the Interior with the  
5 concurrence of the Secretary of Agriculture remove that  
6 individual.

7  
8 Compensation: Members of the Council shall receive no  
9 compensation as members. Members shall, however, be allowed  
10 travel expenses, including per diem, in the same manner as  
11 persons employed intermittently in Government service are  
12 allowed such expenses under 5 U.S.C. 5703.

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16 10. Designated Federal Officer: The designated  
17 Federal officer, pursuant to Section 10 (e) of the Federal  
18 Advisory Committee Act, shall be the Federal Regional  
19 Coordinator, or his/her designee.

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22 11. Authority: The Council is established by virtue  
23 of the authority set out the Alaska National Interest Lands  
24 Conservation Act, (16 U.S.C. 3115 (1988)).

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26 Dated by Manual Luyan Jr., January 19, 1993 and filed February  
27 9th, 1993.

28 MR. ITTA: Mr. Chairman.  
29 MR. REXFORD: Edward.

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32 MR. ITTA: Yeah, I had a couple of questions on  
33 this charter. The first one I know we discussed briefly  
34 yesterday. This charter can't be amended until, when?

35  
36 MR. KNAUER: This charter is in effect for two  
37 years.

38 MR. ITTA: Two years.

39 MR. KNAUER: And it expires December 1994.

40 MR. ITTA: December 2nd, 1994.

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42 MR. KNAUER: Which is, in fact, a little less  
43 than two years.

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46 MR. ITTA: And that's the only time that the  
47 Board would be able to make any suggested changes in the  
48 charter, is that correct?

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7 MR. KNAUER: This Council could recommend to 7  
8 the Board that the Board file an amended charter.

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17 MR. ITTA: Mr. Chair, I just have a couple more  
18 questions. One was on Page 3 on the removal of officers. I  
19 didn't know that this meant -- you know, there's nothing that  
20 states in here about excused absences or unexcused absences and  
21 I assume this to mean when they say three consecutive meetings,  
22 that's meetings missed without being excuse or -- is that -- I  
23 just wanted some clarification on that.

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30 MR. KNAUER: In fact, it doesn't say, but I  
31 would assume that there would be some reasonableness included  
32 in there because we know Mr. Hugo was unable to make the  
33 meeting because of weather, through no fault of his own.

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MR. ITTA: Right.

COURT REPORTER: Mr. Chair. May I go off  
record for a moment, please?

MR. REXFORD: Yes.

(Off record)

(On record)

MR. REXFORD: For the record, persons that are  
going to speak, speak clearly or get up to the mic and state  
your name, who you're with as a matter of record. Edward.

MR. ITTA: Mr. Chair, I have one more question  
here. Under Section 4 on preparing an annual report, both in  
identification and evaluation. And I guess it's tied in with  
my last question, which was meeting shall be meet at least  
twice a year. I suppose this is a task that needs to get  
ongoing now or is it ongoing now or can somebody answer me  
that? Or what is the plan on this annual report to the Board?

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1 I mean, we're expected to help produce that report and I know  
2 -- I assume everybody would be helping us put that together and  
3 where is that right now? I assume there has been some work  
4 started on it, you had some data relative some of the animals  
5 we have up here, huh?

6 MR. KNAUER: Mr. Chair, we're currently  
7 developing procedures to implement this preparation. We'll be  
8 working through your regional coordinator to provide the  
9 information necessary for the preparation of that report.

10  
11 MS. ARMSTRONG: And when is this first report  
12 due?

13 MR. KNAUER: I believe it's due in November.

14 MS. ARMSTRONG: This coming November?

15 MR. KNAUER: (Nods his head affirmatively).  
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23 MR. UPICKSON: Mr. Chairman, Section 5,  
24 regarding support service, administrative support for our  
25 activities being provided by the U.S. Fish and Wildlife  
26 Service. Which gentlemen here fall into that category,  
27 Department of U.S. Fish and Wildlife Service, Department of  
28 Interior administrative support for our Council? Which one of  
29 you gentlemen would be providing the administrative support for  
30 our Council? The U.S. Fish and Wildlife Service?  
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33 MR. KNAUER: Mr. Chair, the administrative  
34 support for this Council will be provided primarily either  
35 through or by your Regional Coordinator, Barbara Armstrong.  
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39 MR. UPICKSON: Our charter says administrative  
40 support for the activity of the Council will be provided by the  
41 U.S. Fish and Wildlife Services, so you're working with the  
42 Fish and Wildlife Service?

43 MS. ARMSTRONG: Uh-huh (affirmative).  
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47 MR. UPICKSON: Okay. That was my question.  
48 And, Mr. Chair, regarding Edward's question about our meetings.  
49 Our annual operating costs are set a 100,000 a year for our  
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3 MR. KNAUER: Mr. Chair, that figure is an  
4 estimate that was derived from an approximate estimate of  
5 travel costs of members, number of meetings and salary and  
6 other administrative costs. It is an estimate for accounting  
7 purposes only.

8 MR. ITTA: Mr. Chairman.

9 MR. REXFORD: Edward.  
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17 MR. ITTA: If I could add on to Gordon's  
18 question there. I know the Chair can call the meetings, and  
19 also the Council, itself, if they feel there's a need to and  
20 also the Federal Subsistence Board, themselves, can call a  
21 meeting. Now, our first meeting here in Barrow for our region  
22 up here, is there anything that excludes us from having a  
23 meeting, say, in Wainwright or Barter Island or anything like  
24 that? Do we work that through .....  
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27 MS. ARMSTRONG: No, there isn't. It's your  
28 call to have a meeting anywhere you wish in the North Slope  
29 Borough.

30 MR. ITTA: Hawaii?

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32 MS. ARMSTRONG: No, you can meet there. I said  
33 North Slope.  
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36 MR. UPICKSON: This first meeting, does it come  
37 out of our 100,000 for operating costs for first year or does  
38 this fall under .....  
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40 MS. ARMSTRONG: That's where I assume it would  
41 come out of, but that's an estimated cost.  
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43 MR. UPICKSON: Okay, so would that mean  
44 \$100,000 for this meeting?  
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MR. KNAUER: Mr. Chair, in actuality you do not have a \$100,000 budget. The Fish and Wildlife Service will provide the budget necessary to accomplish the task as envisioned by the Federal Subsistence Board. That may be 50,000, it may be 150,000, but you do not have a set budget. And it could vary based on the budget of the Fish and Wildlife Service as provided by Congress. But that figure was put in there as an estimate of what we thought it would probably cost on an annual basis.

MS. ARMSTRONG: I think the Council members are confused here. Where they're used to seeing the figure to see how much they can operate on. Can that be provided to the Council members?

MR. UPICKSON: He said that they will support our annual meeting, if it costs 150,000 per year then they will underwrite it. We'll just leave it at that, we'll quote him whenever we have to.

MS. ARMSTRONG: Oh, okay.

MR. ITTA: Mr. Chair, if I may add. I think Gordon is right. My question was asked this identification and evaluation and I thought maybe we'd have to meet more than one time or two times or something like that in order to get the adequate input. That's my questioning kind of started from, I'd just like to say.

MR. UPICKSON: We did not call this meeting and with X amount of dollars allocated to our operation, we thought maybe this doesn't come under that. Maybe down the road if we wanted to have a meeting or a meeting is called for then we'd still have operating money.

MS. ARMSTRONG: Oh, your question is, since you guys did not call this first meeting on your own, that doesn't go on to your operating costs. Is that possible, Bill, could you relate that or fill us in here, please?

MR. KNAUER: Yeah, Mr. Chair.

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MR. KNAUER: Although this Council, the Chair of this Council and a number of other persons can request a meeting, the meetings are approved -- a meeting cannot just be called by the Council, it also has to be approved by either your Regional Coordinator or the Chair of the Federal Subsistence Board. And the funding for that -- we can provide an estimate of what it costs, but it is not discretionary for the Council, expenditures are at the discretion of the supporting agency. So we will be providing appropriate funds to operate.

MR. UPICKSON: Another question, Mr. Chairman.

MR. REXFORD: Gordon.

MR. UPICKSON: Regarding compensation. A lot of us are providing our meals out of our pocket, we're hundreds of miles away from home, we've got to get this compensation issue straighten out. Our hotels are paid for, but we're taking care of our meals out of our pockets. Yes, we are, when you said no. The package, we are paying for our meals out of our pockets until we can turn in our reports, so if there's a way of getting compensation under 5 U.S.C. 5703, I don't know what that is, what expenses are allowed. That gets expensive for those of us that are from out of town to, on short notice like this, to come in and provide for our transportation and our meals out of our pocket until we get reimbursed.

MR. REXFORD: Could we get a copy of that?

MR. UPICKSON: That does get a little expensive other individuals, persona traveling, there's no doubt about

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1 that. Can we get that compensation end of it clarified, like  
2 Fenton said, get a copy of that so we know where we're coming  
3 from as far as compensation goes.

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MR. REXFORD: Five, United States Code, I  
assume that is, 5703.

MR. KNAUER: We will be able to provide you a  
copy of that. You will be reimbursed on a standard government  
per diem rate, which will cover those meals. That's what those  
forms that were passed out yesterday were for, is so that the  
paperwork on that can be prepared for you.

MR. REXFORD: Edward.

MR. ITTA: I know there always been some  
difficulties sometimes on trying to deal with travel expenses,  
per diem and lodging, et cetera, for some of our members in  
other meetings, especially when they're out in village. I had  
a couple of questions in regard to that. I assume every time  
we have to meet that travel will be provided automatically by  
the Fish and Wildlife Service. How about on like what Gordon's  
talking about, on lodging and food? You're talking that's  
going to get reimbursed, but very often we have difficult time  
or possibly some other members might have a difficult time  
meeting that cash requirement up front and do you have a  
process where you have a set rate on a per diem thing and those  
can be issued?

MR. KNAUER: We do have a process where an  
advance is possible and your coordinator will work with you on  
future meetings in that regard.

MR. ITTA: Okay.

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MS. ARMSTRONG: So in that, if you are going to set up a meeting, you have to set it, like, about a month and half ahead of time, so we'll have time to try to get an advance. Federal government, as you know, most of you have worked with them, is very, very, very slow. And in even getting compensated you wait for four or five weeks to get your money back. That's what I found out when I started working for the Federal Government, is the per diem is very, very slow. So even for setting up for a meeting before and if we want to get an advance for the Council members that are traveling, we have to start way ahead of time to get that money to us or to the Council members that are traveling.

MR. AVEOGANNA: Mr. Chair.

MR. REXFORD: Jim. Go head.

MR. AVEOGANNA: You know, when you come in like this, you got to travel away from your village and down in Anchorage, they got some forms, you really need to take care of those forms. When you don't, you don't get nothing back. Now, I question for maybe -- we got some people here that live, let's say, Barrow, some are not traveling, we can tell from wages (ph), I'm trying to see how that works out for compensation for, like, Barrow people.

MR. REXFORD: Under compensation we're only allowed travel expenses, those guys that are here are not traveling, so I guess they won't have transportation, may be they can charge, go to the meeting by taxi.

MR. AVEOGANNA: There is a loss. Some of these people that are working miss work in order to come to this meeting like this here in Barrow, that goes for from the village also.

MS. ARMSTRONG: How would you answer that, Bill? They are asking to see -- see, there are some Council members that are here presently in Barrow that required to be at work, but they've taken some time off from work to attend this meeting. Is there a way that they can be compensated, is

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MR. KNAUER: No, although, if there is a way to provide something to your employer regarding your status here, the Fish and Wildlife Service or the Federal Subsistence Board can prepare a document to your employer indicating that you are serving on the North Slope Regional Council for the benefit of the rural residents of this region. If any of you are in that situation, if you would notify Barbara, we'll see about preparing a letter to your employer.

MR. TAGAROOK: Mr. Chairman.

MR. REXFORD: Terry.

MR. TAGAROOK: While we're on compensation, let's like we say, we set up a meeting out of Slope, does that compensation provide a certain amount out of the Slope? Is the set amount same for within the Slope and out of the Slope?

MR. KNAUER: Mr. Chair, the Federal Government has established a set rate for different locations in Alaska and it's a standard rate at those places. And, in fact, even in Barrow, the rate can vary at different seasons, summer season, there may be one rate, winter season a different rate, but it's a matter of record and it does change from time to time and we can provide each of you a copy of that rate schedule.

MS. ARMSTRONG: Yeah, and it's very unlikely that the Council will be meeting outside the North Slope, but if your Chair is to attend a meeting at Anchorage to appear in from of the Federal Subsistence Board then he'll be given per diem at that rate that they have in Anchorage, just like any other travel that you guys have done before.

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MR. AVEOGANNA: Like, in connection with the 15  
Fish and Wildlife, like North Slope Region, which I've  
represented also besides now. What the North Slope Borough  
1 Fish and Wildlife when we had to come in to some meeting, like  
2 (indiscernible) Lower 48, and that's something that they have  
3 is a per diem, but some forms like to come out also for to make  
4 a report also, like, room and board. So you got a per diem.

5  
6 MS. ARMSTRONG: That's with North Slope  
7 Borough, huh?

8 MR. AVEOGANNA: Right.

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10 MS. ARMSTRONG: See, that's where it's very  
11 different here. You're under the Federal Government.

12 MR. AVEOGANNA: I know.  
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18 MS. ARMSTRONG: And it's a lot different  
19 organization, completely different from what you are used to  
20 dealing with. It takes a while just to learn to work under  
21 Federal Government. And even if you want to change something  
22 right away and do it right now, it's hard to do that. (Speaking  
23 Inupiaq).

24  
25 MR. BROWER: It's just like being in the  
26 military.

27 MR. AVEOGANNA: (Speaking Inupiaq)

28  
29 MS. ARMSTRONG: That's okay. (Speaking  
30 Inupiaq)

31  
32 MR. AVEOGANNA: (Speaking Inupiaq) because you  
33 get nothing out of it. (Speaking Inupiaq)

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35  
36 MS. ARMSTRONG: Yeah, it's better you ask and  
37 find out while we can answer or people here that know about  
38 this stuff that can answer.

39 MR. ITTA: Mr. Chairman.

40 MR. REXFORD: Edward.  
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45 MR. ITTA: This is just a technicality here, I  
46 don't know if we need to go ahead and just accept this by  
47 motion or whether we -- you know, I don't know that we don't  
48 have any choice about it, you know, just accept it like it is.  
49 Maybe Gordon has got a comment on that.  
50

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1 MR. UPICKSON: Yes, I have some more question\$6  
2 on the charter. On Section 6, (2) and (3), duties of the  
3 Council. When it says there: "provide a forum for the  
4 expression of opinions and recommendations by persons  
5 interested in any matter related to the subsistence uses of  
6 fish and wildlife on public lands within thr region;". If  
7 there an issue like in Kaktovick or Pt. Hope, what do we do, do  
8 we have an option of having a meeting in those villages, is  
9 that this section, is it open to such a meeting? Or how do you  
10 interpret Section (2) of Section 6? Also (3): "encourage  
11 local and regional participation in the decision making". How  
12 open are we to having meeting within our region?

13 MR. BROWER: That's the call of the Chair.

14 MR. UPICKSON: Issues do come up. As a matter  
15 of fact, like, in certain parts of our region.

16 MS. ARMSTRONG: Okay. Bill, can you answer to  
17 that or -- he's asking to see whether -- like if there's an  
18 issue that is being voiced, like from the Nuiqsuit people or  
19 Atqasak or Pt. Hope and they're not represented on this  
20 Council. Can the Council, if they call for a meeting, have a  
21 meeting in on of those villages at their call, is what he's  
22 asking. And my answer is that they could because it's in the  
23 North Slope and then (Speaking Inupiaq) Do you have anything  
24 else to add on that, Bill?

25 MR. KNAUER: (No audible answer)

26 MR. REXFORD: Providing a forum. Could someone  
27 help me define that?

28 MS. ARMSTRONG: (Speaking Inupiaq)

29 MR. REXFORD: Providing a forum.

30 MS. ARMSTRONG: Which one is that.

31 MR. REXFORD: 6 (2)

32 MR. UPICKSON: Remind me of a question I had on  
33 Section 6 (2) and (3).

34 MR. REXFORD: Can anyone answer that? How do  
35 we provide a forum for hearing the others?

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17  
MR. UPICKSON: Okay, Fenton, I think she  
answered that, in part, like she said there's an issue at Pt.  
Hope or Kaktovick, it's a local issue within our region.  
1 There's no reason why we can't have a meeting at, like say, Pt.  
2 Hope, you know. That would be providing forum to local people.  
3 Especially so on that particular issue.

4 MS. ARMSTRONG: (Speaking Inupiaq) Yeah, okay.

5 MR. REXFORD: Edward.  
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18 MR. ITTA: This meeting here is open to the  
19 public right now and it's been advertised and this is supposed  
20 to be, in my opinion, a place where the public is invited to  
21 address any issue that they want. Unfortunately, like, Gordon  
22 was saying, people at Pt. Hope can't be here and I know in some  
23 of our meeting here, because of the vast distances involved we  
24 use the teleconference facilities as an opportunity for input  
25 from the villages and I'd like to just kind of discuss that a  
26 minute with the Council here and see. I mean, we're real  
27 fortunate in our region that we have those teleconference  
28 facilities in each village and I kind of want to discuss that a  
29 little bit to give everybody a equal chance or access at this,  
30 for these things. Fenton.  
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41 MR. REXFORD: Yeah, that's good point there,  
42 Edward. I think that is one of the forum that we can provide  
43 our residents of the North Slope to be heard, via  
44 teleconference, if they cannot make it, so in our future  
45 agendas that are developed for our Advisory Council a section  
46 or line item should be added in each and every meeting that we  
47 have to hear public from the outlying villages. Have a  
48 specific line, a set time, towards the end of the meetings to  
49 have teleconference or hear the residents from the outlying  
50

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villages. Good point, Edward, I think Barbara will write that down.

MS. ARMSTRONG: If I were to set up a teleconference for each village, or who you request to be heard by, who do I see here in Barrow for cost and .....

MR. ITTA: The coordinator is under the Planning Department for Teleconference Services and I believe her name is Marietta, huh. Marietta Akin. Marietta, M-a-r-i-e-t-t-a, Marietta.

MR. UPICKSON: Also, they're not the only ones with teleconference capabilities. ASRC has in their conference room, they've got teleconference capabilities over there, also, in the event that this facility is not available.

MS. ARMSTRONG: Oh, okay.

MR. UPICKSON: ASRC has teleconference capabilities over there in their conference room, also.

MS. ARMSTRONG: And so does this building. Just this building and ASRC have teleconferencing equipment?

MR. UPICKSON: No, not really. Teleconferencing is .....

MS. ARMSTRONG: It can be set up anywhere, they have equipment.

MR. ITTA: Yeah, they've got a system set up in here. People hear them through here and I think the same thing is in the building, itself, over there, if you have a meeting.

MS. ARMSTRONG: Okay.

MR. UPICKSON: Barbara, any facility in town you can set up teleconference.

MS. ARMSTRONG: Yeah, they have a package that we can rent and bring over? Like if they should have it over at the City Chambers and these two places are full, they have a package where we can just pick up and set it up ourselves?

MR. UPICKSON: They will have phone services.

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MR. ITTA: Marietta will connect you to all the other facilities.

MS. ARMSTRONG: Yeah, I've worked with teleconferencing before, so I just wanted to know. Okay.

MR. REXFORD: Okay. Helen, do you have a point?

MS. HELEN ARMSTRONG: The other things we always have done when we've had meeting in boroughs, we've always had our meeting broadcast on KBRW and we do get people calling in that way too. And I think that's been real helpful, people seem to have listened. I don't know if this is an appropriate time to say this or not, but Evelyn Donovan just came in and talked to me and this room is going to be used at 4:00 o'clock and we also do not have it for tonight as we have on our schedule, so I don't know what you want to do about that, but she said it's almost useless to have a meeting tonight because of the Pot Luck and dances nobody will probably come.

MR. AVEOGANNA: Mr. Chairman.

MR. REXFORD: Well, I'm not -- we'll just be considered flexible. We'll be very flexible on that matter this evening. Better warm up, do some dancing tonight. Jim Aveoganna.

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1 MR. AVEOGANNA: Yes, all this information for20  
2 being appointed or whatever I suppose we are the ones that are  
3 appointed by the City Council and all these compliments will be  
4 received. Description of what happens, like, at these  
5 Councils, they're all in here, but Barbara has a handout of all  
6 the telephones calls in here, you know, that we have. That  
7 will be up to our -- I guess it's going to be up to  
8 (indiscernible) or the American Indian Representative (ph) or  
9 whatever as much the Council in our villages. That means once  
10 I've gone through these, should I have (indiscernible) and then  
11 I was going to go -- on to that. If our people, you know, in  
12 our villages can go by what the federal law says for housing  
13 and all that stuff. Then it's time we don't hesitate to let  
14 them know. Because we're going to have our people, there's lot  
15 of things -- when we do something that we should never do if  
16 they knew what the federal law says on land and all that stuff.  
17 So that might be -- my suggestion would be that we end up  
18 going to Wainwright some times. According to the whatever,  
19 (Speaking Inupiaq) and contact our Regional Advisor, that's  
20 you, I guess, huh?

21 MS. ARMSTRONG: Uh-huh (affirmative)  
22  
23

24 MR. AVEOGANNA: And then plan after that.  
25 Because we're at something right now, we didn't have all this  
26 with the State of Alaska and also for the Federal. So what I'm  
27 saying is I want to make sure and know what all these items are  
28 for before I decide to -- before we pass this charter.  
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39 MR. REXFORD: Edward had a good point there,  
40 too. We don't have a say or anything to concur about our  
41 charter. We did have a point brought up yesterday,  
42 representation of membership from each of the outlying  
43 communities. That was discussed at short length yesterday to  
44 include all the villages in the future and probably work out  
45 staggered terms. I think we're all aware that we'd like to see  
46 all our villages being represented and there is room for  
47 representation on the Council, so probably could work that out  
48 within our membership to work that in in the near future to  
49 include all the villages on the Council. What is the wish of  
50

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the Council on the Council Charter?

21

MR. UPICKSON: Mr. Chairman.

MR. REXFORD: Gordon.

MR. UPICKSON: I think, as it was explained earlier, we're stuck with this for two years. I make a motion that we accept the charter as is.

MR. TAGAROOK: I'll second the motion.

MR. REXFORD: Moved and seconded to accept the charter as presented.

MR. ITTA: I call for the question.

MR. REXFORD: Question is called. All in favor for approval of the North Slope Subsistence Regional Advisory Council Charter, do so by saying aye.

(Ayes responded)

MR. REXFORD: All those opposed, same sign.

(No responses).

MR. ITTA: Mr. Chair.

MR. REXFORD: Yeah.

MR. ITTA: May I request a 10 minute break here, please?

(Off record)

(On record)

MR. REXFORD: Call the meeting back to order. We have before us the agenda and a long day ahead of us. I'd like to have the Council discuss the rest of the agenda as far as the plans of activities for hearing the public, giving them the opportunity to present issues. And open the public commentary during the day and the important one is the evening session. What is the Council's wish on that matter, as far as the evening portion? My suggestion would be after lunch to see what kind of crowd we have or number of people we have that want to make public comments. I think that's the most important one.

MR. UPICKSON: Question on that, Fenton.

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Barbara, on the public comment period, has that been advertised  
on the radio or .....

MS. ARMSTRONG: It should have been from  
Anchorage. See, I don't handle that, they handle that from  
Anchorage.

MS. HELEN ARMSTRONG: Notices were sent out,  
whether or not .....

MR. UPICKSON: Were they sent out to, like, the  
radio station, was that announced locally that .....

MS. ARMSTRONG: KBRW (Speaking Inupiaq) -- you  
guys never listen on the radio, KBRW?

MR. TAGAROOK: I think I heard that once.

MS. ARMSTRONG: Oh, okay. Terry probably heard  
it at Wainwright, so it was published and I think it was on the  
TV. I know I watch TV.

MR. REXFORD: The reason we want to discuss  
this bottom paragraph is very important, with the asterisk.  
Depending on the amount of public comments received and the  
length of discussion on issues, proposals amongst ourselves,  
but we also need to consider those people that cannot attend  
during the day. Like come back for maybe a half an hour or so  
at 7:00, give them an opportunity. Or a little bit earlier, or  
this afternoon? I'm just bringing this up for discussion now.

MR. UPICKSON: Fenton.

MR. REXFORD: Gordon.

MR. UPICKSON: The question is, didn't somebody  
say we had to be out of here by 4:00?

MR. REXFORD: That's right.

MR. UPICKSON: So we'll be losing these  
chambers. In the event that we reconvene at 7:00, where would  
that be held at?

MR. REXFORD: Right, good question. Any other  
facilities?

MS. HELEN ARMSTRONG: I don't know.

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1 MR. TAGAROOK: Another suggestion. What we 23  
2 could do is try to get some of these -- the evening session up  
3 here before and then determine time and place of the next  
4 meeting before 4:00 o'clock. That way if we don't find a  
5 meeting place, we'll take care of the next meeting date.

6 MS. HELEN ARMSTRONG: Mr. Chair.

7 MR. REXFORD: Helen.

8 MS. HELEN ARMSTRONG: Evelyn also suggested  
9 that if we aren't going to meet tonight or even if we meet  
10 somewhere else, that we would want KBRW to put that on air.

11 MR. REXFORD: Yeah.

12 MR. TAGAROOK: Mr. Chairman.

13 MR. REXFORD: Terry.

14 MR. TAGAROOK: On this 1:00 o'clock public  
15 comment period, will that be aired on KBRW?

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18 MR. REXFORD: I think it's wise to call them  
19 right after we dispense the deliberation here -- or as to what  
20 our agenda is going to be.

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32 MR. AVEOGANNA: Mr. Chairman, there's something  
33 that on the last, we're hoping to have some people come here  
34 for any comments and all of that. We always had them, since we  
35 got so dancing going on tonight and one time I was in from my  
36 village to go on public hearing on passing legislation on  
37 salmon, that's a new Federal, and of all these people living in  
38 Barrow, there was nothing going on, only one person shows up.  
39 One, only from Kaktovick, one from (indiscernible), so even  
40 though we carried on, so tonight we have to get something aired  
41 out or something like that (indiscernible) because Eskimo dance  
42 tonight. I got a hunch they're going to go up that way, so it  
43 best to get it on the radio too.

44 MR. UPICKSON: Mr. Chair.

45 MR. REXFORD: Gordon.

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1 MR. UPICKSON: Since we're losing this place at  
2 4:00, are we adjourning at 4:00? And if we reconvene, in the  
3 event that we do reconvene, where do we -- is there other space  
4 within this building, maybe, we can meet? The Mayor's  
5 conference room, upstairs, for example?

6  
7 MR. REXFORD: Yeah, that might be a  
8 possibility.

9 MR. UPICKSON: When they said we were kicked  
10 out at 4:00, did they suggest maybe we could meet upstairs?

11 MR. REXFORD: Yeah, that's a possibility.

12 MR. UPICKSON: Maybe ask our coordinator to  
13 check into this on behalf of the Council.

14 MS. ARMSTRONG: I can check for you guys if you  
15 want. Or do you want other options?

16  
17  
18  
19 MR. REXFORD: Due to activities, I would  
20 suggest some sort of change here for the evening session. I'd  
21 like to see what kind of people we get to show up at 7:00 or  
22 6:00, 6:30, 6:00 o'clock. Bill.

23  
24 MR. KNAUER: It's set for 7:00, Mr. Chair, on  
25 the agenda.

26  
27 MR. UPICKSON: We got to find out where at  
28 7:00, where are we going to be at at 7:00?

29  
30  
31 MS. ARMSTRONG: While you're discussing this,  
32 let me go talk to Evelyn and check to see if they could give us  
33 another space here and then I'll report back to you.

34  
35 MR. BROWER: Are they going to be using it all  
36 evening?

37 MR. REXFORD: Huh?

38  
39 MR. BROWER: Are they going to be using this  
40 all evening?

41 MR. REXFORD: That's right.

42  
43 MR. BROWER: Maybe we can move back to the City  
44 Chambers?

45 MR. REXFORD: Yeah. Were you talking to the  
46 City Chambers, too, when you set up the meeting?

47  
48 MS. HELEN ARMSTRONG: No, I didn't talk to  
49 them. I'll go tell her to call City Chambers.

50

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MR. REXFORD: Yeah.

25

1 Evelyn.  
2  
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4 MR. REXFORD: While they're doing that, do we  
5 have copies of the Operations Manual? Can we pass those out?  
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14 MR. KNAUER: Mr. Chair, those are not ready.  
15 They're still under development. We had a copy, an early draft  
16 copy that we thought was going to be ready and we discovered  
17 that there were some necessary changes. We've received some  
18 comments that the language in it is too bureaucratic and needs  
19 to be simplified and there's some organizational changes we  
20 wish to make before we provide the draft. But your Council  
21 will be provided a draft and given the opportunity to provide  
22 comments on it. We hope that will be coming in the next couple  
23 of months.  
24

25 MR. REXFORD: Okay.  
26 MR. TAGAROOK: Mr. Chairman.  
27 MR. REXFORD: Terry.  
28  
29

30 MR. TAGAROOK: On this draft manual, if we get  
31 it and make comments on it then what do we do with the  
32 comments? Do we sent them into you or Fenton? Or do we wait  
33 till the next meeting?  
34  
35

36 MR. KNAUER: We will have a process. The  
37 comments will probably go through your Chairman, and then to  
38 your Regional Coordinator.  
39

40 MR. AVEOGANNA: Right, we can't get around her  
41 anyway.  
42

43 MR. UPICKSON: Mr. Chairman.  
44 MR. REXFORD: Gordon.  
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1 MR. UPICKSON: Since the draft copy of the 26  
2 Operations Manual is not here then that takes care of the  
3 agenda for the morning, that part, could we skip the afternoon  
4 session, go into the 7:00 p.m. agenda and take -- we don't know  
5 what's going to be happening. Could we, at this time,  
6 determine the time and place of the next meeting and move that  
7 up from the evening -- from the 7:00 p.m. agenda to the morning  
8 agenda?

9 MR. REXFORD: That's possible, yeah.

10 MR. UPICKSON: At this time determine the time  
11 and place of the next meeting.

12 MR. REXFORD: Okay. I think we have some sort  
13 of schedule.

14 MR. UPICKSON: Somewhere along the line here, I  
15 saw something about February.

16 MR. KNAUER: That's correct. Next meeting  
17 should be sometime in February.

18 MR. UPICKSON: I saw a date somewhere in  
19 this .....

20  
21  
22  
23  
24 MR. KNAUER: And the major item of concern at  
25 that time will be the review of the proposals to change the  
26 seasons and bag limits regulations. You will be reviewing each  
27 of those proposals and providing your recommendation on them.

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33 MR. REXFORD: That's under Section 3, first  
34 page shows the calendar of events, so -- public commentary on  
35 proposed changes to regulations for regional RAC's meetings  
36 with local subsistence users and expressly review proposals and  
37 make recommendations. Meeting locations will be announced in  
38 January of '94. So sometime in February, 1994.

39  
40 MR. UPICKSON: Now, will our next meeting in  
41 February be announced by the Board through our Coordinator?

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1 MR. KNAUER: There will be news releases. On 27  
2 of the things that has to be done, according to the Federal  
3 Advisory Committee Act, is we must publish this in the Federal  
4 Register, even though, probably only maybe a handful of people  
5 here on the Slope read it, and those are the lawyers. We will  
6 publish it in the newspapers, such as the Anchorage Daily News,  
7 any regional or local newspapers, it will be published in and  
8 we will put out public service announcements on the radio for  
9 it.

10 MR. REXFORD: Okay. What is the wish of the  
11 Board on moving that item that was to be discussed this evening  
12 to determine the time and place of our next meeting?

13  
14  
15  
16 MR. UPICKSON: That exact date hasn't been  
17 determined yet, so we couldn't remove that from the meeting  
18 agenda. Through Barbara we'll have an exact date from her  
19 regarding our February meeting after they go through the  
20 announcement process.

21 MS. ARMSTRONG: Okay, Chair, I have a space  
22  
23  
24  
25 reserved for you at the City Chambers at 7:00 tonight. It'll  
26 be another 150 bucks for the evening meeting, if you have your  
27 public meeting. We just need to call KBRW and have them change  
28 from NSB building to City Chambers, so we need to call that in.

29  
30  
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34 MR. REXFORD: Okay. There are -- it's  
35 important to at least give some time to those that cannot come  
36 during the day to come to the meeting with us during the  
37 evening session. I think we cannot get away from that.  
38 Looking at that, we will be close enough to \*\*\* Elementary.  
39 We'll see how the turnout is and if .....

40 MS. HELEN ARMSTRONG: Mr. Chair.

41 MR. REXFORD: Helen.

42  
43  
44 MS. HELEN ARMSTRONG: The Pot Luck and the  
45 dance are going to be at the rec center so it'll be right next  
46 door.

47  
48 MR. BROWER: So maybe we'll have raucous  
49 people?

50

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(Indiscernible - simultaneous speech discussing place  
of Pot Luck)

MS. HELEN ARMSTRONG: Bill says it's under construction, so maybe they did move it to the elementary school, but Evelyn showed me the agenda for all the meeting and it was supposed to be there.

MR. UPICKSON: And, Helen, what time is the Pot Luck?

MS. HELEN ARMSTRONG: 5:30.

MR. UPICKSON: 5:30.

MS. HELEN ARMSTRONG: I think. 5:30 or 6:30, I'm not sure.

MR. REXFORD: Okay. Barbara, we talked about the time for determining the time and place for our next meeting and the Operations Manual, which will be provided to us in a couple of months and Terry brought up the point of the comments. That the comments we'll make will be sent to myself and/or to you on the Operations Manual for the Council. So while you were out we were just starting to discuss February .....

MS. ARMSTRONG: February meeting?

MR. REXFORD: ..... '94, yeah. To determine the time and place for the February '94 meeting.

MS. ARMSTRONG: Okay.

MR. REXFORD: I don't have a calendar that far ahead.

MR. UPICKSON: Mr. Chairman.

MR. REXFORD: Gordon.

MR. UPICKSON: Since we moved that issue to the morning session, determining the time and place of the next meeting, we won't have the exact date in February until January, right, Barbara?

MS. ARMSTRONG: That's up to you. If you guys want to .....

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MR. UPICKSON: I mean, the date, the exact date. 29

1 MS. ARMSTRONG: Yeah, the exact date. You can  
2 put up tentative dates right now, but .....

3 MR. UPICKSON: Mr. Chairman.

4 MR. REXFORD: Gordon.  
5  
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9 MR. UPICKSON: Since we can't determine the  
10 exact time yet, but I'd like to move that our next -- the place  
11 for our next Council meeting, Regional Council meeting, be held  
12 in Kaktovick, the place and the exact time will be determined  
13 later in January.  
14

15 MR. REXFORD: Okay. Is that in a form of a  
16 motion, Gordon?  
17

18 MR. UPICKSON: That's in a form of a motion,  
19 yes.  
20

21 MR. TAGAROOK: I second the motion.  
22  
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28 MR. REXFORD: Open for discussion. As far as  
29 scheduling this meeting that we're in today I know that those  
30 that are further away will have to be traveling -- what I'm  
31 trying to say is let's try to have the meetings sometimes in  
32 the middle of the week or towards the end of the week, like,  
33 Thursday and Friday or Tuesday or Wednesday, so we could have  
34 Monday travel rather than trying to travel during the weekend.  
35 Travel on Friday or Saturday to be here.  
36

37 MR. UPICKSON: You're familiar with the airline  
38 scheduling in Kaktovick.  
39  
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42

43 MR. REXFORD: So I had to travel Friday for a  
44 Monday and Tuesday meeting so it takes, you know, takes your  
45 time away from the family. So I would suggest during the  
46 middle of the week or early in the week for travel and not try  
47 to schedule meeting right on Monday.  
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1 MS. ARMSTRONG: See that was my error, not 30  
2 knowing how the planes traveled up here and then they asked me  
3 for the days to travel and I didn't know who to contact at the  
4 time and I set the dates and I know now where it doesn't travel  
5 to some villages on weekends and I'm sorry for that and it is  
6 better it is set during the middle of the week.  
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14 MR. REXFORD: Edward, we've moved up our -- in  
15 our agenda we're determining the time and place for our next  
16 meeting. For your information we were just getting done with  
17 the Council charter. The draft Federal Subsistence RAC  
18 Operations Manual is not ready yet, so it'll be done in a  
19 couple of months. Those will be commented by the Council  
20 members and we can send the comments to Barbara or to myself  
21 after we receive those manuals, Operations Manual. So in place  
22 of that we're trying to determine the place. There's a motion  
23 that's been seconded to have the next meeting at Kaktovick in  
24 February.  
25

26 MR. ITTA: I'm sorry I'm late, I got stuck  
27 again. Yeah, that sounds good to me. When?  
28  
29  
30

31 MR. REXFORD: In February, but -- and as far as  
32 transportation we're just discussing when you walked in, try  
33 not to have right on Monday and not travel during the weekend.  
34 However, it's still open as far as the time.

35 MR. UPICKSON: Mr. Chair.

36 MR. REXFORD: Gordon.  
37  
38  
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40 MR. UPICKSON: There's holidays involved in  
41 February, there's several, so we got to watch and see -- check  
42 out the -- there's several holidays that the Borough has in  
43 February, so we got to check that out.  
44

45 MR. TAGAROOK: When would be a good time, the  
46 first week; second week; third week?  
47

48 MR. UPICKSON: Edward, do you remember the  
49 holidays, the Borough holidays?  
50

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MR. ITTA: I'm trying to remember.

31

MR. REXFORD: President's Day.

MR. ITTA: The 18th?

MR. UPICKSON: There's holidays, some  
president's birthdays.

MR. ITTA: I just kind of suggest the second  
week of February 'cause that's right before those holidays and  
usually the middle of February on we'll go wolverine or wolf  
hunting around here right about that time, soon as it starts  
lightening up.

MR. BROWER: And by then the weather should be  
favorable in Kaktovick.

MR. ITTA: He knows, he spent some time out  
there. It's a little chilly.

MR. BROWER: Yeah, second week sounds good to  
me.

MR. REXFORD: During the middle of the week,  
the second Tuesday. We need to consider, too, there's  
activities in the village on Wednesdays, Monday and Fridays.

MR. BROWER: Our meeting should take precedent  
over playing basketball.

MR. REXFORD: So Tuesdays sounds.

MR. ITTA: Hell, let's make that tentative,  
that sounds like a good date, second Tuesday of February, huh?

MS. ARMSTRONG: Okay. What day is that Fen?

MR. REXFORD: Fifteenth.

MS. ARMSTRONG: Okay.

MR. ITTA: Maybe we'll time it just right come  
back for a three day weekend, huh?

MR. AVEOGANNA: Mr. Chairman.

MR. REXFORD: Jim.

MR. AVEOGANNA: On 13th (indiscernible -  
simultaneous speech) I got no problems with second Tuesday.

MR. REXFORD: Okay. Harry, did you say  
something?

MR. BROWER: No, just asking him a question.

MR. ITTA: So moved.

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MR. REXFORD: There's been a motion to have the  
meeting in Kaktovick and we were defining the date.

MR. AVEOGANNA: Call for question.

MR. REXFORD: Question on my motion to have the  
meeting at Kaktovick has been called. All those in favor  
having the next meeting in Kaktovick do so by saying aye.

(Ayes respond)

MR. REXFORD: Those opposed, same sign.

(No responses)

MR. REXFORD: Now, as far as the time and date.  
Tentatively scheduled for February 15th.

MR. UPICKSON: Mr. Chairman, it was suggested  
the second week, February 15th would be the third week.

MS. ARMSTRONG: That's '93.

MR. UPICKSON: You're talking about '94.

MR. REXFORD: Okay, that would be February '94.

MR. ITTA: Second Tuesday would be the eighth.

MR. UPICKSON: Yeah, you're one week late.

MS. ARMSTRONG: Yeah, you're one week off.

MR. REXFORD: February 1994.

MS. ARMSTRONG: Second Tuesday would be the  
eighth.

MR. REXFORD: Oh, yeah, I'm sorry.

MS. ARMSTRONG: The eighth, February 8th.

MR. REXFORD: And as far as the time, we'll  
make that announcement in January. Okay?

MS. ARMSTRONG: Okay.

MR. REXFORD: All right.

MR. AVEOGANNA: Now it's up to your village.

MR. REXFORD: Yeah, thank you. We are down to  
getting close to adjourning for lunch, what is the wish of the  
Council. We have some other items on the agenda.

MR. UPICKSON: Mr. Chairman.

MR. REXFORD: Gordon.

MR. UPICKSON: Helen, on the open public  
comment period for this afternoon, had KBRW been -- was this  
advertised to the point where the public knows that there's an  
open public comment period this afternoon at this meeting?

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1 MS. HELEN ARMSTRONG: I believe so. I know our  
2 Public Information Office sent out ads to KBRW, the paper, as  
3 well as, I think, the TV. I don't know for sure, but I've  
4 heard.

5 MR. UPICKSON: And have you changed the  
6 location from the City Chambers to here, they know about it?

7 MS. ARMSTRONG: Well, we will advertise that,  
8 you know, there are some people coming in just for that. And  
9 they said that they would be here at 1:00 o'clock.

10 MR. UPICKSON: And we'll totally confuse them  
11 because we're moving back to the City Chambers tonight.

12 MS. ARMSTRONG: Uh-huh (affirmative) because we  
13 have KBRW switch there.

14 MR. UPICKSON: They'll be really confused,  
15 they'll never find us today.

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28 MS. ARMSTRONG: See, that's the thing. I don't  
29 get to handle all your advertisements for your meetings and  
30 this stuff, but I realize now that I'm going to have to get on  
31 top of this and check them out myself to see if they are really  
32 being broadcast in your areas before the meetings start and not  
33 depend on other people to do this. I want to know for myself,  
34 too, whether these have been advertised or these have been in  
35 the paper or have been to KBRW or through TV. I'm going to  
36 have to start to check for myself so I'll know and give you  
37 that information myself.

38 MR. REXFORD: Yeah.

39 MS. ARMSTRONG: Yeah, okay.

40 MR. REXFORD: Good idea.

41  
42 MR. UPICKSON: And we'll have teleconference  
43 capabilities in Kaktovick?

44 MR. REXFORD: Yes.

45  
46 MR. UPICKSON: Okay. And reservations at the  
47 Cook, the Captain Cook?

48 MR. TAGAROOK: Do you have hotels up there?

49  
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MR. REXFORD: Yeah, there'll be facilities 34  
there. We will open our community to all of you folks.

1 MR. UPICKSON: And the dew line has been known  
2 to do some accommodating too.

3 MR. REXFORD: Yes, yes.  
4

5 MR. BROWER: Since we're with the federal, I  
6 think they would accommodate us.  
7

8  
9 MR. UPICKSON: There's a lot of federal people  
10 being involve here, I think that they would be amendable to  
11 opening up the dew line.  
12

13  
14 MR. REXFORD: Elmendorf, I think we could find  
15 out who can work on the lodging for third party accommodations.  
16 So get the name and .....  
17

18 MS. ARMSTRONG: You want an idea of how many  
19 people well be there at your meetings that aren't allowed .....  
20

21 MR. UPICKSON: There's a large dew line station  
22 there and they've got facilities to accommodate us.  
23

24 MR. REXFORD: Our Federal Government can help  
25 us through there, so.

26 MS. ARMSTRONG: Oh, okay.  
27

28  
29  
30 MR. REXFORD: Gordon, does the station there  
31 use Fish and Wildlife as a camp too? And have the meeting  
32 there or accommodate people at the camp, at the station there.  
33 I don't know that it'll be open.  
34

35 MR. UPICKSON: Plus you've got three camps down  
36 in town also.

37 MR. REXFORD: Yeah.  
38

39 MR. UPICKSON: Sims and Audie (ph) and another  
40 one, so there'll be no problem.  
41

42 MR. REXFORD: There'll be no problem for  
43 lodging, right?

44 MR. TAGAROOK: I'll stay with my cousins.

45 MR. REXFORD: Transportation, no sweat.

46 MS. ARMSTRONG: Okay.  
47

48 MR. AVEOGANNA: Just set your sails. We have  
49 sanitary problem I'll give them some of my seal oil.  
50

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1 MR. REXFORD: One o'clock we'll reconvene here<sup>35</sup>  
2 in the Assembly room and possibly make -- or make a call that  
3 there will be opportunity for the public to make comments at  
4 the City Chambers at 7:00.

5 MR. BROWER: Okay.

6 MR. REXFORD: 852-6811, 6300 to make that  
7 amendment of notice for the evening.

8 MR. ITTA: Fenton.

9 MR. REXFORD: Edward.

10 MR. ITTA: Mr. Chairman, I wasn't here, maybe  
11 you've discussed this already, but you're aware there's a Pot  
12 Luck this evening at 5:30 to 7:30 and a dance and all of that?

13 MR. UPICKSON: Yes.

14 MR. ITTA: Okay.

15 MR. UPICKSON: Edward, we're moving our evening  
16 session over to the City Chambers.

17 MR. ITTA: Oh, okay.

18 MR. UPICKSON: And the Pot Luck will be at  
19 the .....

20 MR. ITTA: Right next door.

21 MR. UPICKSON: Yeah, so it'll work out real  
22 good.

23 MR. ITTA: Okay.

24 MR. UPICKSON: Maybe they'll fill up their  
25 plates and come over and make comments at the open meeting  
26 tonight.

27 MR. REXFORD: Plus 4:00 o'clock this .....

28 MR. ITTA: We're out of here at 4:00 o'clock,  
29 huh?

30 MR. REXFORD: We need to vacate this place at  
31 4:00.

32 MR. UPICKSON: Mr. Chair.

33 MR. REXFORD: Gordon.

34 MR. UPICKSON: We got to make some  
35 announcements regarding the open meeting, I move that we  
36 adjourn for lunch.

37 MR. REXFORD: Okay. Take a recess. Is there a  
38 second?

39 MR. ITTA: I second the motion.

40 MR. REXFORD: All right. We'll have a short  
41

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recess until 1:00 o'clock.  
(Off record)  
(On record)

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MR. REXFORD: Call the meeting back to order of the North Slope Subsistence Regional Advisory Council. We had adjourned for lunch. We're down to the public comment period and identifying regional issues or development of regional regulation proposals. What is the wish of the Council? To proceed on with the agenda; open it up for public comment? Hearing no objection, is there anyone in the public that wants to make some comments at this time? At the Federal Subsistence Board we usually have numbers given out to us or sheets of paper. This time we'll just ask if there's anyone in the public. Okay, none.

We, in our informal meeting yesterday, identified some regional issues, area issues, maybe, specific issues. What does the Board want to do at this time; to bring those matters up for public record? I have some written down that we discussed yesterday that were issues that may need to be discussed or find out some answers for.

One of those questions asked yesterday was if the Federal Subsistence Board is going to limit the harvest based on low numbers of animals or species, should the regulations close or limit sports hunting? That is an issue at Kaktovick.

We talked about community harvest and we were given a bag limit of three per designated hunter and another additional three from another person. Now that is limited so

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that is one of the issues that we want to bring up for 37  
Kaktovick's point of view on that matter. To limit bag limit  
and still allow sports hunting of sheep.

I know this is a complicated issue.

MR. UPICKSON: Mr. Chair.

MR. REXFORD: Gordon.

MR. UPICKSON: Yes, are you saying that they  
propose or that they are limiting -- they're putting bag limits  
for subsistence hunting and still leave sports hunting open, is  
that what you're saying?

MR. REXFORD: Yeah, that is the present  
situation in Unit 26C.

MS. ARMSTRONG: Sheep or caribou?

MR. REXFORD: Sheep. Dall sheep.

MR. UPICKSON: Bill, what's the position on the  
Fish and Wildlife Service on issues like that where the limit  
is -- they establish a bag limit for subsistence hunting and  
keep sports hunting open, is there a fine line there somewhere  
from the federal point of view?

MR. KNAUER: Mr. Chair, the establishment of a  
season or a bag limit per se does not necessarily mean that  
sport hunting would be eliminated. However, if there is a  
significant restriction due to the population that is available  
for harvest then the Federal Subsistence Board does eliminate  
the access on Federal lands to non-subsistence hunters. And I  
was just looking in the regulations trying to find a situation  
on 26 Sheep.

UNIDENTIFIED VOICE: It's open to sports  
hunting.

MR. UPICKSON: Mr. Chairman.

MR. REXFORD: Gordon.

MR. UPICKSON: Were those bag limits on Federal  
lands for the sheep?

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MR. REXFORD: Yes. This present issue that I<sup>30</sup>  
bringing up can -- we'll be trying the new limit this winter,  
so we'll be looking at that. I just wanted to bring that up  
and -- because we're in the borderline of limiting harvest,  
which may be lower than the community usually catches, but  
that's .....

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As a matter of record, Kaktovick will try the  
sheep bag limit and open seasons for the first time under this  
new regulation, under Federal Subsistence Management Regulation  
hunting the public lands area, so that issue may be discussed  
in the community and brought forth to our Council at a later  
date as far if we are changing proposal. But we wanted to get  
into record that we may have a problem at this time, but we'll  
consider and abide by the present regulation as it stands.

MR. UPICKSON: Mr. Chairman, you're the only  
one with a copy of that. That's a rough draft?

MS. ARMSTRONG: No, that is.

MR. REXFORD: I think we have that version in  
the -- the bureaucratic version here somewhere.

MR. MARSHALL: Mr. Chairman, one thing I'd  
like to point out. There is a very small difference between  
sports hunting besides the bag limit, the designated hunter bag  
limit. The State went to a full curl for rams this year. The  
Federal Board did not make that change, so that's another small  
difference that the people from Kaktovick during the ram only  
season can take three quarter inch curl, sport hunters have  
to select .....

UNIDENTIFIED VOICE: Seven eighths.

MR. MARSHALL: ..... seven eighths curl, a full  
curl, slight difference there.

UNIDENTIFIED VOICE: Did they (indiscernible)  
that change, Dick?

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1 MR. MARSHALL: No. The Federal Board took a 39  
2 position this year that they were not just going to make a  
3 change that the State made unless there was a shown reason for  
4 that stand.

5 MR. REXFORD: Terry.

6 MR. TAGAROOK: Question, who issues the permits  
7 for the sports hunter?

8 MR. MARSHALL: The State.

9 MR. TAGAROOK: And another one. If there are  
10 no sports hunter for that season, could the bag limit be upped  
11 for the subsistence users?

12 MR. MARSHALL: The bag limit won't change  
13 unless there is a request for change. And then the staff would  
14 have to look at the resources that are available and the number  
15 of sheep that are traditionally taken in Kaktovick and evaluate  
16 it in that manner.

17 MR. TAGAROOK: Do you know any sports hunters  
18 that are lined up for that open season or going out sports  
19 hunting or do they have a side lottery for it?

20 MR. MARSHALL: I'm not sure, let me check here.

21 MR. KNAUER: It's a registration.

22 MR. MARSHALL: It's a registration hunt which  
23 just simply means that people have to check with the local  
24 ADF&G office to see if the quota for that area has been  
25 reached. If the quota has not been reached then they can hunt.

26 MR. TAGAROOK: So then sports hunting could be  
27 open to anybody?

28 MR. KNAUER: Sports hunting is open to both  
29 residents and non-residents, but the non-residents can only hunt  
30 during the fall season.

31 MR. TAGAROOK: Non-residents, how?

32 MR. KNAUER: Of Alaska.

33 MR. TAGAROOK: Of Alaska.

34 MR. TAGAROOK: Do you know the population of  
35 the sheep that are in that unit?

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MR. MARSHALL: We have some information. Most of the hunting in that area comes from the Hulahula drainage and we do have some information on those populations.

MR. ITTA: Is that the only .....

MR. MARSHALL: But then there's been a general decline in that part of the Brooks Range over the last three years, weather related, it hasn't been a great decline and it hasn't been everywhere. Most of those populations are small sub-populations which the rate of intermixing between the two we're not sure about, so we prefer to be conservative and assume that they're discreet populations and they'll be managed that way.

MR. ITTA: All within Hulahula?

MR. MARSHALL: Well, that's just one of the sub-populations, they're are several populations that are popular there. Most of the hunting from Kaktovick carries on to Hulahula.

MR. TAGAROOK: And is that where most of the sports hunters go?

MR. MARSHALL: I'm not sure about that. They would go where the most sheep are.

MR. REXFORD: Another issue I'd like to bring up is the definition of resident under the musk ox and I'm sure that may occur in other species. Under the musk ox the definition or rule or regulation states that 10 permits may be issued to rural Alaska residents of the village of Kaktovick.

Now, looking under the definitions under Section D it could be anybody within Kaktovick. But we have a

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1 problem going -- we've been monitoring or been closely related  
2 trying to get musk ox for the residents of Kaktovick under oral  
3 promise by the Federal Government that if they are in large  
4 numbers you residents will -- the long time residents who have  
5 customarily and traditionally used musk oxen will be given  
6 permits.  
7  
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10 Now, under the present regulation the  
11 definition of Alaska residents is posing a problem for the long  
12 time residents of Kaktovick. I had asked yesterday whether  
13 subsistence users, residents or customary and traditional user  
14 of species could be further defined to eliminate or take care  
15 that problem of just giving it to any resident whether they be  
16 there 364 days or 65 days and qualify for musk oxen.  
17  
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21 We have long term residents of Kaktovick who  
22 customarily and traditionally use -- maybe use that as an  
23 example for musk oxen, but other species as well. Can someone  
24 enlighten me on what difference may be in defining subsistence  
25 user, resident, customary and traditional users of the species.  
26

27 MR. TAGAROOK: How about using the term  
28 permanent residents?  
29  
30

31 MR. REXFORD: I think the word residents is the  
32 problem, definition of resident. Can someone enlighten us on  
33 the determining bag limits or opening seasons for those three?

34 MR. KNAUER: Yeah.

35 MR. REXFORD: Bill.  
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41 MR. KNAUER: Mr. Chairman, when the amount of  
42 resource that is desired to be harvested is inadequate to  
43 satisfy the customary and traditional uses, the you can -- the  
44 Council or the residents can request that the distribution of  
45 those permits or the harvest can be allocated among the  
46 subsistence users, which is, I think, you're getting at.  
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1 And in Section .17 of the permit regulations, 42  
2 it's on Page 22956, that's on the official, the newspaper  
3 looking document, in the middle of the lower column there,  
4 22956, Section .17, it talks about determining priorities for  
5 subsistence uses among Alaska residents. And there are three  
6 criteria there that can be used to make the allocation.  
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11 The first is customary and direct dependence  
12 upon populations as the main stay of livelihood, the second is  
13 local residency, and the third is the availability of  
14 alternative resources. The people of Kaktovick, a resident of  
15 Kaktovick or this Council could recommend to the Board that  
16 those 10 permits or however many permits are going to be issued  
17 be distributed in a manner based upon these criteria and you  
18 could, in fact, propose exactly how it could be done.  
19

20 MR. REXFORD: Okay. The regional Council or  
21 the leaders of Kaktovick.  
22

23 MR. KNAUER: Or an individual. It could come  
24 in as a proposal essentially from anyone.  
25

26 MR. REXFORD: Okay.

27 MS. ARMSTRONG: Fenton.

28 MR. REXFORD: Barbara.  
29  
30  
31  
32

33 MS. ARMSTRONG: Are you asking the question of  
34 -- like for resident, are you asking where people that have  
35 just moved into your village, see how long the person had been  
36 a resident or a resident of Alaska, period? The people that  
37 just moved in, like, a month before and then just given a  
38 permit to go hunting, is that what you're asking?  
39

40 MR. REXFORD: Yeah, that's what I'm asking,  
41 yeah.  
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47 MS. ARMSTRONG: And it doesn't say here on this  
48 thing, this is a statewide thing and what they're asking is if  
49 there's a specific thing on resident where the people just move  
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9 into Kaktovick and given the permit to hunt if they can 43  
probably stay away from that and doing that and that's what, I  
think, the kind of back up they need is what he's saying.

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MR. KNAUER: Yeah, what I'm saying is under  
this, one of those criteria is local residency, but again it  
would have to be a proposal to the Board saying that with only  
10 permits the customary and traditional use has been  
significant, there are more individuals that are desirous or  
have customarily and traditionally used those resources so we  
need to distribute those permits in accordance with this  
section and here is what we would propose as far as the  
definition of each of these.

MR. REXFORD: Okay.

MR. KNAUER: But, again, that would be  
something that would be initiated either from this Council or  
from someone else.

MR. MARSHALL: The wouldn't apply, Mr.  
Chairman, only to Kaktovick or only to sheep. Wherever there  
was a limited number of quotas that were available. I think  
you can understand why we have been hesitant, lacking councils,  
to go into a village and make a determination like that, it  
would be almost impossible for us to do it without the help of  
a group like this.

MR. REXFORD: Okay. I understand that now, so  
thank you. Edward.

MR. ITTA: I don't know which one to direct  
this question to, but everywhere I read and I know our Search  
and Rescue pilots and some charter helicopter folks have kind  
of been at odds about what is the definition of transporting  
meat via helicopter when you're on an emergency.

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1 Take, for example, last fall or earlier this 44  
2 summer, my mother had an attack of her high blood pressure  
3 system and they had to bring her in. And couldn't get any  
4 plane in, got a chopper in there and I think it was my younger  
5 brother was going to stick a load of fish in there to bring  
6 back and was told that absolutely, positively no. Can somebody  
7 enlighten me on that; on what the rule is on that? I know the  
8 State has a rule. Maybe Geoff can help on that, I don't know  
9 what the Federal -- if the same rule applies under the Federal  
10 folks, so maybe one of them can help me answer it.

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MR. LOCKHART: Mr. Chair, it's in your proposed rule -- actually it's in the proposed rule, I think it's been reworded this time, slightly. It's on Page 16, at the top of the page. It's prohibited to use a helicopter in any manner, including transportation of individuals, equipment or wildlife.

MR. ITTA: Which section you at?

MR. LOCKHART: This is in the proposed rule, sorry.

MR. ITTA: Okay.

MR. LOCKHART: Actually, I probably should look that up in this year's regulations for a final rule. Page 16, right at the top on this one. But it says, this prohibition does not apply to the transportation of an individual's gear or wildlife during an emergency rescue operation in a life threatening situation.

And, I think, that interpretation of what constitutes a life threatening situation is -- you know, I don't know who makes that determination. I think it would be made by people on the scene at the time. I don't know, good question. Something that law enforcement would probably (indiscernible-simultaneous speech).

MS. HELEN ARMSTRONG: In other words, if you rescued a hunter, you would be able to transport their .....

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MR. ITTA: Right. I use a case in point about three or four years ago a lot of people were goose hunting and just had us a heat wave that just melted everything and the river started flowing. They were able to go an pick up the people's snow machines and gear and stuff, but they had to let all the geese, things they had caught go to waste out there because they quoted this rule, saying you can't do it, no way. So that's a problem.

I know our rescue service and folks love to help out and all of that, but they're also sticklers because they were told you violate this or make any exception you're not going to fly here any more, we're going to take your chopper away, et cetera, so I thought that was pretty unreasonable in a situation where they really had no choice but to utilize those services, so I just kind of wanted to bring that issue out and maybe get some clarification at some point. Geoff.

MR. CARROLL: I think you got caught in a situation where a well intentioned law (indiscernible)

COURT REPORTER: Excuse me, I can't hear you. And your name, please.

MR. CARROLL: Geoff Carroll with the Alaska Department of Fish and Game. You know there's a good reason for that law, you know, we don't want people coming in with helicopters and harvesting our game up there and flying away with it. It would just be too much of an advantage to a sports hunter or whatever coming in like that. But there are -- it's a situation where I agree with you. It's silly when you've got the means to bring the game out like that, and there isn't any other way to get the game out, to leave it there.

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Well, you know, a situation like that it's up46  
to the discretion of the pilot, you know, and you could argue  
that in a situation like that it was a life threatening  
1 situation because if you just left those people out there, you  
2 know, eventually they would run out of food and it is life  
3 threatening, it's one of those things, you know, a helicopter  
4 pilot is up against some pretty tremendous penalties and it's  
5 one of those where the aircraft could be confiscated and  
6 everything else.

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12 I'm afraid in a situation like that, it's up  
13 the decision of the helicopter pilot, but you might to Search  
14 and Rescue. In a situation like that, I'd say, that is a life  
15 threatening situation. It isn't a life threatening situation  
16 if they go out and pick somebody up because he might be late  
17 for work, you know.

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20 MR. ITTA: Well, let's remember their argument  
21 about life threatening. They said they had all these geese to  
22 eat so they could have stayed out there.

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25 MR. CARROLL: Yeah, well, you know, they're  
26 between the rock and the hard place.

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31 MR. ITTA: Yeah. And that's one, I guess,  
32 where like you said, it's the law that's on the books and maybe  
33 some wording or language or something needs to be given where  
34 those guys will have a little bit of latitude to not feel their  
35 equipment going to be taken away or their license. That one  
36 guy was really worried about his license.

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48 MR. CARROLL: Yeah. Well, I'd suggest, you  
49 know, contacting both the State and the Federal enforcement  
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1 people, you know, talking to them, explain the situation, kind47  
2 of get straight in your mind what's allowed and what isn't  
3 allowed and, you know, maybe get a dialogue going between them  
4 and Search and Rescue so the next time something like that  
5 comes up they'll be a precedent, you know, they'll know how to  
6 deal with it. And if you talk to the enforcement people, you  
7 can say, yeah, well, this is what you told us before and this  
8 is what's allowed, so anyway it would be good just to talk to  
9 them and find out exactly. Because they're the ones that got  
10 to enforce it, they're the ones that have the final say in it.

11 MR. UPICKSON: Mr. Chairman.

12 MR. REXFORD: Gordon.

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16 MR. UPICKSON: In the line of Edward's  
17 question. There's nothing wrong with the way it's worded when  
18 they say, include in the transportation the individual  
19 equipment or wildlife, however, this prohibition does not apply  
20 to an individual's gear or wildlife during emergency rescue  
21 operation in a life threatening situation.

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26 What it boils down to while you've  
27 miscalculated and there was about six camps out there that got  
28 them an early thaw, they're stuck out there, it's not really a  
29 life threatening -- the helicopters would be in the  
30 transportation business for miscalculating the season, there  
31 was no actual life threatening situation.

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40 In a case of an individual where they had to  
41 leave their camp and their wildlife was there and to leave it  
42 there would be wasting, so they just go ahead and throw all the  
43 game that they caught along with the individual so there  
44 wouldn't be any wastes, but there is a fine line there in the  
45 wording. But I don't know, it would be hard to cover  
46 miscalculating the season and getting stranded out there  
47 because conditions are early or break up or something like  
48 that.

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1 MR. ITTA: Yeah, it was just one of those fre48  
2 ones, like, at that time, but it was also really went counter  
3 to, like, Jim Allen was saying yesterday about what we've been  
4 taught about wasting meat and doing everything you could do to  
5 bring them in all right.  
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10 And let's get back to your statement. I wasn't  
11 real clear on how this language was to be interpreted, the  
12 second portion: however, this prohibition does not apply to  
13 transportation of an individual's gear and wildlife during an  
14 emergency rescue operation in life threatening situation. Kind  
15 of had like a double negative sentence in there where you're  
16 trying to say and again you can't do it. But what I understand  
17 you to say is that there is that exception, okay.  
18

19 MR. CARROLL: Yeah, they're both in State and  
20 Federal regulations.  
21

22 MR. ITTA: Okay, thank you. One other thing,  
23 if I may, Mr. Chairman.  
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25 MR. REXFORD: Yeah.  
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30 MR. ITTA: I wanted clarification on swimming  
31 caribou in 26A and, again, this is one where traditional ways,  
32 like my father was taught, and using traditional clothes where  
33 you pick June, July, when there's a certain group of fawns that  
34 they would take to make clothes with and they usually catch  
35 them while they were swimming.  
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40 And two or three years ago I was going to go  
41 ahead and follow him to doing that and we missed them, but then  
42 lucky thing for us, I guess, we came back and we were told no  
43 way you're going to catch any young fawn, either swimming or  
44 otherwise.  
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And I know a lot of people still use  
traditional clothing here, especially the fawn is prized,  
because it's light weight and the fur is just right. And I  
just wanted some clarification, again, from somebody on both  
rules, of taking a fawn and also the swimming aspect of it. If  
somebody could, Mr. Chair.

MR. MARSHALL: That's in 26?

MR. ITTA: I think you've got to get up to the  
mic.

MR. LOCKHART: Mr. Chairman, maybe I'm  
incorrect, but I only find an exception for taking swimming  
caribou in Unit 23.

MR. ITTA: It's not in 26, huh?

MR. KNAUER: You can take fawns in 26.

MR. ITTA: Okay.

MR. LOCKHART: But that would be the sort of  
thing that if there's a customary and traditional use to  
participate in that kind of activity that you could certainly  
forward a proposal to the Federal Subsistence Board to  
entertain that as a consideration to extent that exception to  
Unit 26, as well.

MR. ITTA: So you're saying there's no rules  
against that; no regulations against that right now, correct?

MR. LOCKHART: No, there is a regulation that  
prohibits .....

MR. ITTA: In 26A?

MR. LOCKHART: You're prohibited from taking  
swimming caribou in 26A.

MR. ITTA: Prohibited from taking.

MR. LOCKHART: Prohibited. The only place that  
there's an exception to allow for it is Unit 23.

MR. ITTA: Okay. How about the taking of fawns  
then?

MR. KNAUER: Fawns or taking of fawns is  
permitted, but again not swimming.

MR. ITTA: Okay.

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MS. HELEN ARMSTRONG: If you look on the last50  
-- second to the last page of your proposed rule making,  
that'll show you. I think it's the second to the last page,  
somewhere in there, under caribou.

MR. KNAUER: Yeah, Page 106 there, at the top,  
it says, caribou.

MR. ITTA: So, I guess my question, then, would  
be, when the time gets right on submitting proposals that's the  
time to do it, is submit a proposal to make that allowable.

MR. KNAUER: Right. And the time is right from  
now until November 1st.

MR. ITTA: Okay, good enough, Mr. Chairman.

MR. REXFORD: So any proposals that any village  
has or people are wanting to do, the deadline is November 1st  
for submitting a written proposal to?

MR. KNAUER: The Board.

MR. REXFORD: To the Federal Subsistence Board?

MR. KNAUER: Federal Subsistence Board, yes,  
sir.

MR. ITTA: Mr. Chair.

MR. REXFORD: So you should get a copy --  
Barbara should get a copy of these.

MR. ITTA: I'm still kind of questioning how  
the process works here. If anyone of us here or as Board as a  
whole can request a proposal be submitted to allow that, is  
that correct?

MR. KNAUER: Uh-huh (affirmative), anybody, any  
individual.

MR. ITTA: Does it take formal action on my  
part to make a motion to go ahead and submit a proposal to that  
or what are the rules on it.

MR. REXFORD: No, I think you just .....

MS. ARMSTRONG: You can as an individual .....

MR. REXFORD: ..... submit it as an individual.

MS. ARMSTRONG: Yeah.

MR. AVEOGANNA: Mr. Chairman.

MR. REXFORD: Jim Allen.

MR. AVEOGANNA: (Speaking Inupiaq).

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MR. ITTA: I'm going to take a few minutes and  
translate into Inupiaq. (Speaking Inupiaq)

MR. AVEOGANNA: (Speaking Inupiaq)

MR. ITTA: (Speaking Inupiaq) I think it was  
John Trent before you Geoff, or somebody that had given us a  
rule on taking a fawn. (Speaking Inupiaq)

MR. AVEOGANNA: (Speaking Inupiaq)

MR. BROWER: Fenton. (Speaking Inupiaq) come  
from the Council or submitted as an individual?

MS. ARMSTRONG: You guys can make a proposal  
together or individually. (Speaking Inupiaq)

MR. ITTA: Maybe just one more question, if I  
could on that. On those bag limits, does a fawn count as a  
whole caribou?

MR. MARSHALL: (Nods affirmatively)

MR. ITTA: It does, huh.

MR. HISCOCK: Mr. Chairman, I'm John Hiscock  
from the National Park Service and I'm not sure whether you may  
have discussed this just now, but I think I'd like to clarify  
my role as a staff committee member to the Federal Subsistence  
Board that, as has been expressed, anyone can make proposals to  
the Federal Subsistence Board, however, your proposals, as a  
Council, carry a greater weight from a legal standpoint with  
the Federal Subsistence Board.

The Federal Subsistence Board as authorized by  
the Secretary of the Interior must consider your proposals and  
is obligated to implement those proposal unless there are  
certain reasons that the Board can express for not implementing  
those proposals. So if you make a proposal, as a Council, it  
carries greater weight than a proposal that may be made by an  
individual.

MR. REXFORD: Thank you.

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1 MR. HISCOCK: As long as there is significant52  
2 justification for that proposal. Mr. Chairman, by the same  
3 token, when you have the opportunity to review other people's  
4 proposals you can choose to modify those as Council  
5 recommendation as well. That, again, carries more weight.

6 MR. REXFORD: So, looking at -- I think Charlie  
7 is going to bring that matter up, so it sounds like we'll take  
8 a look at that one in Unit 23 and transfer that to our area.

9 MR. UPICKSON: Mr. Chairman.

10 MR. REXFORD: Gordon.

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15 MR. UPICKSON: Mr. Chairman, is my  
16 understanding that the proposals submitted by the Council and  
17 the Board justifies why they turned the proposal down, they  
18 justify to the Council why their proposals were denied, okay.  
19 That's not necessarily true of individuals that submit  
20 proposals.

21 MR. KNAUER: That's correct.

22 MR. UPICKSON: Okay.

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25 MR. MARSHALL: You can add that same kind of  
26 weight, though, if you choose to recommend to the Board that a  
27 certain proposal be adopted.

28 MS. ARMSTRONG: And also if the Council really  
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31 feels strong about certain proposal, they can support it by  
32 sending their Chairman or a designee down to testify in front  
33 of the Federal Subsistence Board.

34 MR. KNAUER: Sure.

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36 MS. ARMSTRONG: To support that certain  
37 proposal that they want passed.

38 MR. KNAUER: Or oppose a proposal.

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40 MS. ARMSTRONG: Or oppose, okay. (Speaking  
41 Inupiaq).

42 MR. TAGAROOK: Mr. Chairman.

43 MR. REXFORD: Terry.

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46 MR. TAGAROOK: I'm not sure about this proposal  
47 made by individuals from the other villages. Where will these  
48 proposals be sent to?

49 MS. ARMSTRONG: They'll be sent to you.

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MR. TAGAROOK: The Advisory Council?  
MS. ARMSTRONG: Uh-huh (affirmative).  
MR. REXFORD: Bill.

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MR. KNAUER: When the proposals are sent in, in fact, I gave you this little packet, there's instructions for completing a proposal, there is a proposal form where it asks for some information and then there's a sample. You'll notice that on the bottom these proposals are sent to the Federal Subsistence Board in care of the U.S. Fish and Wildlife Service.

Now, what happens after these proposals come in is they Social Sciences Branch and the Biological Branch takes a look and assembles the information on them. Then they're put in a book and come back to you, as well as the other Councils across the state, for review. But when the proposals are started, they go to the Federal Board in care of the Fish and Wildlife Service.

MR. REXFORD: Maybe while we're on that. For additional information and assistance, we should, maybe, get Barbara's address and our .....

MS. ARMSTRONG: Didn't I give you guys cards?

MR. REXFORD: Helen Armstrong.

MS. ARMSTRONG: Oh, Helen.

MR. REXFORD: She's Helen -- Barbara, yeah.

(Off record comments -- joking about two Armstrongs)

MS. HELEN ARMSTRONG: I'm the same address as Fish and Wildlife Services.

MS. ARMSTRONG: In Anchorage?

MS. HELEN ARMSTRONG: In Anchorage, yeah.

MS. ARMSTRONG: Put it under Anthropology or?

MS. HELEN ARMSTRONG: No, you just send it to me, it'll get to me.

MS. ARMSTRONG: Okay.

MS. HELEN ARMSTRONG: Subsistence.

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MS. ARMSTRONG: Subsistence Management 54  
(Speaking Inupiaq). And when you make a proposal you have to  
have a good reason why you're making a proposal. (Speaking  
Inupiaq) And if you're going to do that on the swimming thing  
and you have to find out who has hunted that way in the past  
from the back, bring elders in to support you with that  
proposal.

MR. REXFORD: Bill.

MR. KNAUER: Mr. Chair, to emphasize what  
Barbara is saying, not only on any proposal that's initiated  
from here, but on any recommendation, either in favor of or  
opposing a proposal, it's incumbent on the Council, because you  
got more weight before the Board, you also have higher  
standards to insure you're providing significant justification  
for your recommendation. That, in fact, your recommendation is  
not detrimental to the subsistence user, subsistence resources,  
nor is it detrimental to the conservation of healthy fish and  
wildlife populations.

And our Biologists and our Social Sciences  
Branch will help to provide you that kind of information upon  
which to base your recommendations.

MR. UPICKSON: Mr. Chairman.

MR. REXFORD: Gordon.

MR. UPICKSON: And wouldn't we to give our  
position more weight can we solicit backing from the Elder  
Regional Councils to have more impact on a specific issue?

MS. ARMSTRONG: Like the Advisory Committees,  
stateside?

MR. UPICKSON: The other Advisory Councils.  
Will there be occasions where they'll all get together on one  
issue and have more impact on the Board.

MR. KNAUER: There may be proposals relative to  
something statewide where the Board will weight the  
recommendations of all of the Councils.

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MR. UPICKSON: Fenton.

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MR. REXFORD: Yes.

MR. UPICKSON: Can you see an issue where the

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3 other -- an issue that relates to one Regional Council, but the  
4 other nine Regional Councils support that one Regional  
5 Council's position? Do you see a case where that could happen?

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7 Where it doesn't affect the other nine, but the other nine  
8 support the position of one Regional Council?  
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MR. KNAUER: The mere support for a position in  
another region would probably not be heavily weighed unless  
that other region was somehow affected. In other words, just  
saying they agree with you without them being impacted would  
probably not carry a lot of weight unless that other region was  
impacted also or affected.

MR. REXFORD: Or a statewide issue.

MR. KNAUER: Now a statewide issue, that's  
different because it would apply to everybody around the State.  
But if it was an issue that only related to the North Slope  
Region, support by, we'll say, the Southeast Region would not  
have a lot of weight to it.

MR. AVEOGANNA: Yes, you're right about that  
'cause all these regions, you know, what the regions are, what  
area. So if we follow up and what you hand out here, you told  
us to complete a proposal form and that will come by you (ph).  
The people that found in different area in different regions  
whatever they're going take up, they're going to be right about  
it and then there won't be any changes on these forms (ph)  
sometimes. So what I do -- all this time what I'm coming onto  
is like, I go back to my dad, I lost my dad in '69, I just use  
to him for advisor, anything I had to hand out to the people

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that been asking for. He work things like that (ph).

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3 So let's (Speaking Inupiaq) -- we can follow up  
4 on these instructions and come up into that we'll protect or  
5 whatever any animals that we have here. Going to help our  
6 animals at that same time and we're going to help what we are  
7 as a subsistence user.  
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14 These animals when you hunt, there's certain  
15 ways to protect them where in the case, like, what we grow up  
16 with, when you harass or anything like that. Once you get them  
17 out tracking and harass them (ph) there's a lot of difference  
18 between the two. That's why I don't like to hunt caribou by  
19 feeding them or get them on to (indiscernible) or anything like  
20 that.

21 MR. REXFORD: Barbara.

22 MS. ARMSTRONG: By the way, you have to know,  
23  
24

25 too, this stamp is worthless. You got to start using real  
26 stamps instead of this anymore, so you can't just mail this  
27 this way, you go to put regular 29 cent stamp.

28 MR. AVEOGANNA: Mr. Chairman.

29 MR. REXFORD: Jim.  
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35 MR. AVEOGANNA: When I start thinking (ph) I  
36 know better hunting than Eskimos, then I make every shot count,  
37 the way I've been taught by the elders in years back the  
38 subsistence hunters (ph) it works better. Like we say, any bad  
39 (indiscernible) you use for hunting the walrus, take good care  
40 of them, they're yours in a lifetime.  
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45 MR. REXFORD: I have one more issue.  
46 Wilderness in the Arctic National Wildlife Refuge, wilderness  
47 designations beyond the 1002 area, what rules are we prohibited  
48 or are we prohibited stepping into the wilderness under the  
49 subsistence regulations? Is there anything that .....  
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MR. MARSHALL: You're talking about means of 57  
access?

1 MR. REXFORD: Yeah, access or hunting in the  
2 wilderness.  
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6 MR. MARSHALL: The access issues is generally  
7 not apart of these regulations, they're apart of -- in the case  
8 of the 1002 area and nearby the Arctic National Wildlife Refuge  
9 has their own regulations governing that.  
10

11 MR. REXFORD: So there's no regulation that --  
12 in our regulations that prevent this?  
13

14 MR. MARSHALL: There are a few special  
15 management areas that are addressed in these regulations.  
16

17 MR. REXFORD: Say that again.  
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21 MR. MARSHALL: There are a few special --  
22 they're called special management areas that have special  
23 access associated with them that are referred to in these  
24 regulations, but the kind of access that you're talking about  
25 is under the authority of the Refuge not these regulations.  
26

27 MR. REXFORD: Could we put them in the  
28 regulations?  
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37 MR. MARSHALL: The Board in the past has  
38 elected not to do that. That doesn't mean that you couldn't  
39 come to the Board with that. The Board has been in existence  
40 now for three years and every year they've had access issues  
41 brought to them. And in every case that I can think of they  
42 have referred that to the individual agencies. They've elected  
43 not to make that part of the subsistence regulations. That  
44 doesn't mean though, Mr. Chairman, that you couldn't submit a  
45 proposal that addressed an access issue.  
46

47 MR. UPICKSON: Mr. Chairman.  
48

49 MR. REXFORD: Gordon.  
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MR. UPICKSON: What specific problem area are

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you referring to when you're -- ANWR, right?

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MR. REXFORD: Yeah.

MS. ARMSTRONG: ANWR.

MR. UPICKSON: And related to ANWR, what specific problem do you guys have in your area.

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MR. REXFORD: Accessibility is given to those only people that have in-holdings or Native allotments are allowed access in the wilderness of National Wildlife Refuge. So the other subsistence users are denied access to customary and traditional games at this present time.

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MR. UPICKSON: That's a lot of area that you guys are denied access to for our subsistence use -- traditional and customary.

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MR. REXFORD: So we need to watch that very carefully and we'll be talking to our community on possibly submitting a proposal to the Federal Subsistence Board on that matter. At this present time only Native allotment owners or land in-holdings are given permits to access their in-holdings and the other subsistence users are not allowed in there.

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MR. REXFORD: Bill, in regards to what he was saying, ANWR is closed to subsistence hunting? Other than to people that have Native allotments in there?

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MR. KNAUER: No, Mr. Chair, it is not closed to subsistence hunting. The way I understand the situation is only in-holders may use ATV's, the four-wheelers for access to their in-holdings, but it is -- but the subsistence hunters can hunt through traditional means, either by foot, by boat, by dog sled, by snow machine, by plain, but the -- it's the ATV access that is restricted, I believe. I may be incorrect on that.

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MR. UPICKSON: (Speaking Inupiaq).

MR. REXFORD: That's the traditional, ATV in

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that area.

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MR. KNAUER: If there's a situation regarding.

MR. BROWER: (Speaking Inupiaq)

MR. REXFORD: It's hard.

MS. ARMSTRONG: (Speaking Inupiaq)

MR. REXFORD: Bill.

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MR. KNAUER: If there is a concern over this from the Council, the appropriate mechanism would be to submit comments or recommendations, not a proposal per se, comments or recommendations to the Board which would then forward them to the head of the agency who, in fact, does sit on the Board.

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MR. REXFORD: What is the situation in the National Park Service, that AKP area as far as ATV usage, is it more restricted than wilderness or is the Park Service more restrictive?

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MR. HISCOCK: I can answer that for you, Mr. Chairman, I'm John Hiscock, again on the record here. The access that's allowed for subsistence in National Park areas is, of course, by foot, by dog team, by snow machine and by boat. Those things are provided for in the law itself. In addition to that, other means of surface transportation that have been shown to have been traditionally utilized for subsistence may be allowable.

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Now, back at the time when the National Park Service developed its general management plans for the park areas in Alaska, there was only one park area in Alaska where there was an affirmative finding that ORV's or ATV's were a traditional means of subsistence access. And that was in limited instances in Wrangell and St. Elias National Parks.

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So in the other parks and monuments and preserves in Alaska, the general management plans clearly provide that ORV's are not allowed for subsistence access. In Gates of the Arctic National Park there are some agreements with the community of Anaktuvak Pass to attempt to arrive at some land exchanges that will ultimately allow for ORV on those lands that are exchanged in that area.

UNIDENTIFIED VOICE: Can legislation allow them the use of that (indiscernible)

MR. HISCOCK: Right, that's a proposal that will actually go before the Congress and the community of Anaktuvak Pass is very much involved in working with Gates of the Arctic National Park on that proposal in that area.

The one other thing that is probably worthwhile expressing in regard to National Parks and Monuments is that aircraft are not allowed for subsistence use in those areas and that's different than the other Federal agencies, I believe.

MR. REXFORD: Edward.

MR. ITTA: Fenton asked the question which is generally more restrictive, the Wildlife Refuge System or the Park System?

MR. HISCOCK: I would say that the National Park System has a few more restrictions than the National Wildlife Refuge System. We do have a set of subsistence regulations that our park service, specific subsistence regulations that are based on special provisions of the Alaska National Interest Lands Conservation Act which Congress provided for specifically in regard to parks and monuments and in some cases preserves as well. The area is managed by the National Park Service.

MR. UPICKSON: Mr. Chairman.

MR. REXFORD: Gordon.

MR. UPICKSON: You got land so you can have access, huh?

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1                   MR. ITTA: One more question I had here on --6I  
2 don't know if this is definitions or what, but it has to do  
3 with fishing and the way people utilize the fish sometimes that  
4 they would barter some of them. There's also been times when  
5 people have asked the questions, well, can't we sell some of  
6 this stuff and get cash so we can buy ammo or gas or whatever.  
7 What's the rules on that, on white fish?

8                   MR. MARSHALL: The rules are subjects of  
9 litigation right now.

10                  MR. ITTA: It's in litigation now?

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15                  MR. MARSHALL: The courts have made some  
16 rulings as to when customary trade becomes a commercial  
17 enterprise and therein lies the problem. Our concerns are that  
18 when the incentive for taking fish, or wildlife for that  
19 matter, becomes cash, then the need changes and that's where  
20 we've got to be careful. The regulations and the law do provide  
21 for customary trade and barter.

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27                  An example where things could get quickly out  
28 of hand is, say, salmon roe on the Yukon. There's hundreds and  
29 hundreds of fishermen there. If each one took a small amount  
30 of salmon roe, in addition to his or her normal catch, to get  
31 the money to buy, we could quickly be in an over harvest  
32 situation, so we're really careful on this.

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37                  I'm kind of skirting your question because at  
38 this point we really don't know where customary trade becomes a  
39 commercial enterprise. And it's one of those fine lines that  
40 when you cross it we are going to end up with a resource  
41 problem.

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43                  MR. ITTA: Thank you. You say it's in  
44 litigation, is that with the Feds or the State or where is it?

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MR. MARSHALL: It's mostly with the State and  
it involves -- right now it involves the sale of herring spawn  
on kelp in Southeast Alaska. I think the Council -- when we  
get all the Councils on line and talking to one another, I  
think this is something we're going to need your help on  
because I think you can see where the abuse can occur.

MR. ITTA: Oh, yeah.

MR. MARSHALL: But you can also see where it's  
reasonable and I think you're in a better position to help us  
decide where that line should be. We're going to have to face  
that sooner or later.

MR. ITTA: I agree, I mean, there's -- nobody  
seems to know where the commercial part starts and, you know,  
what is reasonable for subsistence and .....

MR. MARSHALL: My own feeling is when the  
incentive changes. Because like anybody else, wherever you  
live you got a certain amount of fish and game you can eat, but  
if you can sell it, your needs for the cash is quite different  
because we all like to have some things we don't have now.

MR. ITTA: Another example would be with  
families the way the economics now, driven by cash economies  
and needed to stay here and work when that particular season  
comes around, like, for smoked fish or for dried fish.

You know, I don't have a problem going to one  
guy over and saying, hey, let me buy some of this because I  
want some. I mean, here's a little bit of money to offset your  
costs and what not. And I know people have a different sense  
of opinion that say, hey, that's going overboard, that's going  
too far. And I guess someday we'll get to that point, huh?

MR. MARSHALL: Well, I think we've got the  
people here and in the other nine councils that can help us  
resolve real sticky issues like this.

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MR. ITTA: Okay, I was just real curious about  
that.

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MR. AVEOGANNA: On this National Park Service.  
In the Anaktuvak area, we had to help Martin Nurin (ph) into  
get them into -- see what they could do because the National  
Park Service some times will -- after the land selection and  
all of that. They're allowed to go on that -- during the land  
selection on account of National Park Service. (Speaking  
Inupiaq) so they can get that area for community. You can do  
better if only set guys come in. He knows all about it. Yes.

MR. MARTIN: Mr. Chair, Steve Martin with Gates  
of the Arctic Park. The situation right now with Anaktuvak is  
that an agreement has been reached between the North Slope  
Borough and the Arctic Slope Regional Corporation and the city  
of Anaktuvak Pass and the Park Service on -- an agreement to  
allow that use and what it is going to requires is legislation  
to change the Park Service -- the law that authorized that  
wilderness to allow some exceptions and some transfer of  
wilderness. So it's not just an exchange of land for the right  
to go in there, it's an actual consolidation of Native lands,  
you know, so there's not blocks of wilderness that they have to  
travel through and it's kind of a complicated set up, but I  
think it's one that's -- we've signed an agreement so that  
everyone agrees that this is what needs to be done.

But now it's up to Congress to pass a law that  
modifies the enabling legislation and the park to allow that  
use. And in the interim what we've said is that as long as all  
parties are in agreement that we're going to allow the

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So it is a long, complicated -- there's like about 38 pages, I think, of agreement. We're giving some Park Service land to Anaktuvak, they're giving some Native land to us that consolidates those uses and sets boundaries around the area. But it is something that, you know, at some point, if there's an interest we could give a presentation on to show, you know, exactly what that is and, of course, we're looking for -- in order for that to happen we're going to need the support of a lot of people, I think, to get that going in and get the agreement passed.

MR. AVEOGANNA: What I'm saying was that what I said was true (ph) (indiscernible) not to have Anaktuvak use that (ph) -- not have an opportunity to use the land at that time, is that true?

MR. MARTIN: I did not understand the question.

MR. AVEOGANNA: Yeah, we try to have Anaktuvak (indiscernible) comes around and they tell them not to travel in that area.

MR. MARTIN: Right.

MR. AVEOGANNA: That had to do with that too, right? That was after the payment with the village people there?

MR. MARTIN: Yeah, that's the way it started, but that is allowed now.

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MR. AVEOGANNA: Right, that's what I'm saying65  
about that. Sometime ago that was -- any other village might  
add on to that same situation, but the village, that's up to  
1 the community. (ph) Okay. Protecting our land. We know  
2 exactly what's coming up for our land before we get -- I was  
3 talking about the Federal land. We live around that area  
4 (indiscernible) to own the land, individually or as a Native  
5 owner, Native allotment. There's something that we got to know  
6 exactly where we're going to go to there and since we don't  
7 have a special certified land customs (ph) around our area --  
8 they say they have, but they don't even know how that would be  
9 done, recognize an individual corporation. (ph) So, I had to  
10 make out my (indiscernible) at the court system in order to  
11 have not worry about getting the Native allotments. And they  
12 got my background and I have to tell them everything (ph).  
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20 (Speaking Inupiaq) We went and got courts, that why  
21 (indiscernible) Native land. Now, we got to know again, but we  
22 got some -- I know where we're going to get some help for the  
23 Native allotments. If you want to sell them (indiscernible) so  
24 I know exactly what I'm going to go on to that I guess, so we  
25 need to know as to Native allotments, owners. We got to figure  
26 out how many acres in that area, different areas an all that  
27 before (indiscernible).  
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41 We go to protect those so if somebody tripped  
42 (ph) on to it. I helped some of the villages also, by the  
43 State, even by out their Native allotment. To myself, in long  
44 term, even the land, I wouldn't sell my land, but I can lease  
45 it, either way, the best way. And us, Eskimos, have the State  
46 allotment and Native allotment for hunting. A person that tamed  
47 (ph) that land. For myself I got a house on my Native  
48 allotment and any Eskimo hunter are welcome to hunt, but I do  
49 know they can't build a house on my Native allotment. They  
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1 have to apply for that -- something that -- something like that  
2 for themselves. The Native allotment, I can protect that.  
3 That's why I mentioned this yesterday, the place where you have  
4 your hunting area, got to be clean (ph), that's what I said  
5 yesterday.

6 MR. REXFORD: That's good.

7 MR. ITTA: Mr. Chair.

8 MR. REXFORD: Edward.

9  
10 MR. ITTA: On this section in here on our roles  
11 and responsibilities of the Advisory Council, one of the duties  
12 designated on here is appointing members to the National Park  
13 Subsistence Resource Commissions. Are those commissions in  
14 place or what is the status on that now? Somebody?

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23 MR. HISCOCK: The Subsistence Resource  
24 Commissions have been in place since the mid 1980's and each of  
25 those Subsistence Resource Commissions, there is one for each  
26 national park or monument. They're comprised of nine members  
27 on each commission, three of whom are appointed by the Governor  
28 of the State of Alaska, three of whom are appointed by the  
29 Secretary of the Interior and three of whom are appointed by  
30 the Regional Councils in that area that have -- that overlap  
31 the park areas.

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38 In the case of this particular Regional  
39 Council, the North Slope Regional Council does not make any  
40 appointments to Subsistence Resource Commissions. Gates of the  
41 Arctic has a Subsistence Resource Commission, the Regional  
42 Council appointees to that Commission by the current charters  
43 come from the Northwest Arctic Regional Council and the Western  
44 Interior Regional Council.

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47 But I should add that there has definitely been  
48 representation from Anaktuvak Pass on that Commission as  
49 appointed by the Governor and Secretary.

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MR. ITTA: Okay. How about on the -- is there  
a similar thing on the different, like, the Wildlife Refuge  
System, do they have that, just in the Parks Service?

MR. HISCOCK: If it was within the law itself,  
the Alaska National Interest Conservation Act, called for the  
creation of these advisory bodies for parks and monuments  
specifically.

MR. ITTA: Okay. Thank you. Well, another  
thing I learned today.

MR. AVEOGANNA: (Speaking Inupiaq)

MR. ITTA: (Speaking Inupiaq)

MR. AVEOGANNA: (Speaking Inupiaq) like my age,  
I got a permit (ph), I don't need no license according to the  
law. I got a (Speaking Inupiaq)

MR. ITTA: Jim Allen's got a question, I don't  
know who to direct it to here. He's got a card from the State  
which allows him to hunt virtually anything. And he's asking  
how does that apply to the Federal portion?

MR. MARSHALL: He needs the license required.

MR. ITTA: There's no license requirements so  
he'll still just .....

MR. MARSHALL: The way our regulations read,  
whatever license is required by the State, those license must  
be in possession to hunt under our regulations too. If the  
State allows -- has an age limit on licenses then that meets  
our requirement.

MR. AVEOGANNA: (Speaking Inupiaq)

MR. ITTA: Yeah, okay. (Speaking Inupiaq)

MR. AVEOGANNA: (Speaking Inupiaq)

MR. ITTA: While our Chairman's on break, I'm  
going to ask for a five minute break here.

(Off record)

(On record)

MR. REXFORD: I call the Advisory Council back  
to order. Thank you Eddie for putting us into recess. I don't

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know where we were at at the break, was there any other issue~~58~~

1 MR. ITTA: Done with the subject, no, we were  
2 done with the one we were talking about that was on bartering  
3 and selling.

4 MR. REXFORD: Yeah.

5 MR. ITTA: I'm done with mine.  
6  
7  
8  
9

10  
11 MR. REXFORD: We still have it open for public  
12 comment. Development of regulation proposals I think we need  
13 to try and begin on that. Any other regional issues that we  
14 need to identify at this time? We'll move on to the  
15 development of regulation proposals. I think -- is this what  
16 we're going to try and go through.

17 MR. REXFORD: Okay. I don't where Barbara is.  
18

19 MR. ITTA: Bill, Barbara went out for a little  
20 bit, huh?  
21  
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30 MR. KNAUER: Yes, Mr. Chair, she'll be right  
31 back. But if I might I'd like to read something out of ANILCA,  
32 both for the record and to re-emphasis as you discuss any  
33 proposals you may wish to propose or recommendations. And it's  
34 found in ANILCA, Section 805, C, and it really emphasizes why  
35 there needs to be adequate justification because it says: the  
36 Secretary may choose not to follow any recommendation which he  
37 determines is not supported by substantial evidence. Violates  
38 recognized principles of fish and wildlife conservation or  
39 would be detrimental to the satisfaction of subsistence needs.  
40  
41  
42  
43  
44

45 Now, like I said before, our Biological and  
46 Social Sciences Groups will try and assist in providing some of  
47 this information, but there may be cases where the substantial  
48 evidence does not exist, so the Board may, in fact, choose to  
49 delay until this information is obtained or until other parties  
50

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are queried.

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1                   You know, the Board will have a number of  
2 options under that. That pretty much emphasizes how important  
3 substantial information is.  
4  
5  
6  
7

8                   MR. REXFORD: Barbara, we're just starting to  
9 discuss the development of regulation proposals and we just  
10 quoted the ANILCA 805, C, regarding adequate justification. I  
11 think Edward had a good proposal which we might just transfer  
12 and adopt from Unit 23.

13                   MR. ITTA: Fenton.

14                   MR. REXFORD: Edward.  
15  
16  
17  
18

19                   MR. ITTA: I don't want to take any proposal  
20 lightly or frivolously here and let me understand this. If we  
21 submitted a proposal here, and I know we're looking at  
22 deadlines on this section here. What is the deadline again,  
23 November?

24                   MR. KNAUER: November 1st.  
25  
26  
27

28                   MR. ITTA: Okay. And my point was on the  
29 taking of fawn and we discussed it just kind of a little bit  
30 between ourselves and for those that still depend and utilize  
31 natural fur clothes that this is one that would be helpful.  
32  
33

34                   And I had a question. I tried to find Unit 23  
35 and where it allows for them to go ahead and take some caribou  
36 from within the river.  
37

38                   MR. MARSHALL: It's an exception to the general  
39 provisions, I can show you where that is.  
40  
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70  
MR. ITTA: Okay. But what I was going to  
propose was that our unit here, 26, be allowed the same  
latitude because it is, I know, was a traditional way of  
1 hunting fawns for getting clothes was -- you know, they're  
2 always scattered here and there and it takes a long time, but  
3 people would wait for them to cross the river and then take  
4 what they needed at that time. And I think efficiency wise and  
5 what not, I think, it has some merit and I'd like to go ahead  
6 and propose that what's acceptable in Unit 23 be the same for  
7 our Unit 26. And beyond that I don't really have anything more  
8 that I can say to that, but I, you know .....

9 MR. MARSHALL: Just 26C?

10

11 MR. ITTA: That's what I don't know. I mean,  
12 I'm talking about my unit here, 26A.

13

MR. MARSHALL: Okay.

14

15

16

17

MR. ITTA: And I think that covers (Speaking  
18 Inupiaq) but do the entire 26 section, A, B and C, right? Now,  
19 having said that, what do you need from me or do I -- either to  
20 Mike or Dick or?

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I would go through the literature and I would  
try to find documented source where we knew that this had  
occurred so we could document that. In the event I couldn't  
find that, and I think I can, but -- I would probably call up

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1 people on the Council and ask can you tell me if you know how71  
2 long this has been done, where it's been done, that sort of  
3 thing. And we might want evidence provided by the Council for  
4 that, but that's how we would go about doing it.

5 And if you could actually provide it in the  
6 proposal that helps, then I wouldn't have to, you know, but I  
7 would probably come back to you if I need further information.

8 MR. ITTA: You're talking like anthropological  
9 data?

10 MS. HELEN ARMSTRONG: Yeah.

11  
12 MR. ITTA: The first thing that came to my mind  
13 was Mala (ph), remember that movie?

14 MS. HELEN ARMSTRONG: I haven't seen that one.

15 MR. ITTA: You haven't seen that one?

16 MS. HELEN ARMSTRONG: No.

17 MR. ITTA: What's the title of that movie?

18 MR. BROWER: The Eskimo.

19 MR. ITTA: The Eskimo, huh.

20 MS. ARMSTRONG: I think so, I haven't seen it.

21  
22  
23 MR. ITTA: But anyway, yeah, and I can also  
24 provide individual names of some older elders here in town that  
25 are aware of that practice.

26 MS. HELEN ARMSTRONG: Okay.

27  
28  
29  
30  
31  
32 MR. UPICKSON: And what about from my area.  
33 Case in point, I was telling fellow members of the Council, my  
34 last parka I had was made out of fawn was just a couple of  
35 years ago. How and where my parents got it I can get you guys  
36 information. And how often they used to do in the past too.  
37 That was an ideal parka.

38  
39  
40  
41  
42 MR. ITTA: I mean, I don't want to go at this  
43 alone, but I'd ask for the support of fellow Council members on  
44 this proposal and I would so move. My motion would be to  
45 submit a proposal that would allow us to -- basically allow  
46 rules of Unit 23 in the way of taking caribou in the rivers.

47  
48  
49 MR. MARSHALL: Well, I can read that for you  
50

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because it also includes an exception to the use of a rim fire cartridge also.

MR. ITTA: Okay.

MR. MARSHALL: And it says under Unit 23 that a swimming caribou may be taken with a firearm using rim fire cartridges. That's the language we find for 23. And what you're saying is use similar language for 26A?

MR. ITTA: Right.

MR. MARSHALL: Or all of 26?

MR. ITTA: Unit 26, all of 26.

MR. MARSHALL: Is your practice rim fire cartridges, also?

MR. ITTA: Right.

MR. AVEOGANNA: (Speaking Inupiaq)

MR. ITTA: (Speaking Inupiaq)

MR. AVEOGANNA: (Speaking Inupiaq)

MR. ITTA: (Speaking Inupiaq) If that's in order, Mr. Chairman, I would so move.

MR. REXFORD: Any discussion at this time? Any further discussion on the matter?

MR. TAGAROOK: I call for question.

MR. REXFORD: All those in favor of the motion to allow the subsistence use of fawns that are swimming -- or transferring the regulation from 26 to all of Unit 26.

MR. MARSHALL: You need not address fawns, specifically, because they can already be taken under the regulations.

MR. REXFORD: So, anyway, we understand the motion. All those in favor of the motion signify by saying aye.

(Ayes respond)

MR. REXFORD: Those opposed, same sign.

(No responses)

MR. UPICKSON: Is -- you know .....

MR. ITTA: Yeah, they'll help me put it together.

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MR. UPICKSON: All right. We are the Advisory Council, more so than the general public, we should follow the outline. And we go through this outline on your proposal and then any other proposals submitted by the public will be a lot easier, we'll be able to address them a lot easier. I'm glad the first proposal came from you, a member of our Council.

MR. ITTA: Thank you.

MR. REXFORD: Well, we're going to go through that proposal or under development of regulation proposals, I need some help in directing the rest of the meeting here till 24:00 o'clock here, so does that mean we'll go through developing a proposal? Or what does that mean?

MR. KNAUER: That's essentially what you just did with this form (ph).

MR. ITTA: Just the kind of action we just took.

MR. KNAUER: You know, if you have additional ones you wish to go through now, that's fine. If you feel your business is concluded until this evening that is fine also.

MR. TAGAROOK: Mr. Chairman.

MR. REXFORD: Terry.

MR. TAGAROOK: I would suggest we review the harvest limits in our units, like hunting black bear and so on until we're -- at the end of the harvest limit of all the species that are on the sheet.

MS. ARMSTRONG: Then if there's no public people tonight (Speaking Inupiaq).

MR. TAGAROOK: See if there's any more proposals that we could make just after reviewing these. Like we might have a change here in the bag limits of caribou or moose or musk ox. I think we could look at most of them before 4:00 o'clock (ph).

MR. AVEOGANNA: Mr. Chairman.

MR. REXFORD: Jim.

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MR. AVEOGANNA: Yeah. Another thing that 74  
people should know about what you're put out for  
(indiscernible) is moose for bait. You know you get wolves an  
1 wolverine. It may be done by a local village, but there's also  
2 that by the people upon (ph) -- by the Brooks Range.  
3  
4  
5

6 Like I say, last winter, no moose, no traps,  
7 nothing. That was the report. When you're out hunting, us  
8 Eskimos, in the old days we don't use no bait for in order to  
9 take wolves or anything like that.  
10  
11  
12  
13  
14

15 A lot of time when we're on the table (ph)  
16 before we got a fish and wildlife, we got a white man that kill  
17 all -- come her for our village. One time I know, on trapping,  
18 he informed all these trappers that we can't -- would trap  
19 right in the hole, in fox hole. We got to be away from it in  
20 order to -- not to where that hole begins. (indiscernible)  
21  
22

23 And now we can't get around whatever comes up  
24 (indiscernible) chains and that and all of that, we had to go  
25 buy them, all hunters, even myself, anybody.  
26  
27  
28  
29

30 And another part I'm afraid of is we got a  
31 sport hunter around the area, we can't shoot anything  
32 (indiscernible) where you going to shoot at. It happens on the  
33 areas that they shoot their (indiscernible) you know, so far  
34 nothing had happened in our area.  
35  
36

37 MR. ITTA: Well, you're going to have to tell  
38 that sport hunter, they ain't invited, make sure the know what  
39 they're going to shoot at.  
40

41 MR. AVEOGANNA: That's one of the rules in  
42 Eskimo, people are being told that to hunters.  
43  
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49 MR. REXFORD: As far as the proposed  
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1 regulations, I think Terry's got a point in looking over the 75  
2 section where it affects our Unit 26 in the proposed rule of  
3 the -- submitted by Forest Service, Agriculture and Fish and  
4 Wildlife Service, Interior, Subpart d, Unit 26, maybe we can go  
5 over that real quick, starting on Page 104 and then maybe what  
6 comes to my mind -- I'm using musk oxen as an example.

7  
8 Unit 26 is broken further down into three areas  
9 and it's not so noted in this musk oxen, 26C.

10  
11 MR. TAGAROOK: There's only 26C, there's no 26A  
12 or B.

13  
14 MR. REXFORD: 104, C there are three other  
15 areas within that subunit.

16 MS. HELEN ARMSTRONG: Mr. Chair.

17 MR. REXFORD: Helen.

18  
19  
20 MS. HELEN ARMSTRONG: I think the reason is is  
21 that -- and I'm not sure why that is this way, but they don't  
22 list the customary and traditional use determinations in this  
23 document. In the Federal Regis- -- it's because it not part of  
24 Subpart d, so they're not listed in here, they're part of  
25 Subpart c. But in this book, this one -- do you have this one?

26 MR. REXFORD: No.

27  
28 MS. HELEN ARMSTRONG: No, they don't, they  
29 weren't given to them.

30 MR. HISCOCK: They do have Subpart c.

31  
32  
33  
34  
35  
36  
37 MS. HELEN ARMSTRONG: Yeah, they do, they do,  
38 but in here Unit 26A and 26B they have a determination of no  
39 subsistence, so when the State of Alaska made the  
40 determinations for musk ox, which we then adopted, and we  
41 haven't examined them to see if we want to change them. They  
42 gave a determination of no subsistence so people aren't allowed  
43 to hunt.

44  
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48  
49 The only people allowed to hunt musk ox are the  
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1 residents of Kaktovick, but the people in Units 26A and B and 76  
2 C, although that's only Kaktovick, nobody else is allowed to  
3 hunt musk ox, except for Kaktovick. That's why in Subpart d,  
4 they why they only put the regulation for 26C because there's  
5 no subsistence hunting of musk ox in 26A and B.

6 MR. REXFORD: But what I'm saying is in 26C,  
7 itself, that is further broken down into area, subareas.

8 MR. MARSHALL: Those subareas are just to  
9 spread the harvest out among the population in -- are you  
10 asking then, Fenton, that we include reference to these areas,  
11 these subareas of C?

12 MR. REXFORD: Under the permit permitting.  
13 Once a guy gets a permit they -- you are designated to hunt in  
14 east of Jago or west of Jago.

15 MR. MARSHALL: Yeah, we're trying to keep all  
16 the animals from taking out of one particular area, that's why  
17 we do that.

18 MR. REXFORD: Okay. There is also a tier (ph)  
19 two hunting for musk oxen and federal subsistence hunting. In  
20 the tier two system, is that broken down into the three areas  
21 as well in 26C?

22 UNIDENTIFIED VOICE: The tier two is just in --  
23 up in 26B.

24 MS. HELEN ARMSTRONG: 26B not C?

25 UNIDENTIFIED VOICE: Right, it's on the west  
26 side of -- east side of the (indiscernible).

27 MR. AVEOGANNA: Mr. Chairman.

28 MR. REXFORD: Jim.

29 MR. AVEOGANNA: Is somebody going to explain  
30 why you put down A, B and C in that area (ph)? Since we got  
31 area (ph) open, there's a lot of people that comes around  
32 hunting around that area, (indiscernible) So there's got to be  
33 something there -- a good explanation to -- for us to  
34 understand.

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MR. REXFORD: 26A -- they're just talking about trying to permit musk oxen because the numbers are getting (Speaking Inupiaq).

MR. AVEOGANNA: (Speaking Inupiaq)

MR. REXFORD: (Speaking Inupiaq) I was just explaining to him why there's no hunts allowed in A. There could be made if (indiscernible) Point Hope and Point Lay were opening musk oxen in that area. Geoff.

MR. CARROLL: Well, the reason there isn't musk oxen hunting in 26A at this point is the population just isn't -- there's not enough animals here yet. The animals that are in 26A are ones that have dispersed either from the herd in ANWR or they're moving across, gradually dispersing across the west or from the heard down by Cape Thompson. That herd is not growing nearly as rapidly as the one in ANWR, but we do see a few musk oxen come into 26A from there.

The idea is to not have a hunt here until some of these animals that are dispersing can establish themselves in 26A and the populations begins to grow here if we -- you know, if there was a hunting season, we'd be probably killing most of the musk oxen that are in the area and population wouldn't get any larger. The idea is to let the population get large enough so that more people can hunt them when the season is open.

MR. MARSHALL: It's going to be an interesting situation here on customary and traditional use determinations too. We'll have to find for a positive customary and traditional use eligibility for that and it's an unusual one because this is a new species to that part of 26A, at least, the western portion.

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1 I don't know, Harold (ph), you might want to 78  
2 speak to when we'll be wrestling with that one, I don't know.  
3

4 MR. REXFORD: Yeah, under 104C I was just  
5 saying that Unit 26C is broken down into three other areas. If  
6 that could be mentioned in this new Subpart d that there is  
7 some regulation or their could be, what they call, control use  
8 area or restrictive prohibited area.  
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MR. MARSHALL: You know, we don't even call it  
that in this case. All we're doing there, again, is it's based  
on drainages, so many from this drainage, so many from that  
drainage. And that may change as the population changes.

MR. REXFORD: I see that as a bother, I don't  
know why (indiscernible) bother that.

MS. HELEN ARMSTRONG: I think what he's asking  
is for some wording that you would -- you know, you would say  
that hunting areas would be designated on the permit or  
something like that.

MR. REXFORD: Yeah, that's all I was saying.  
Thank you, Helen. Any other questions on Page 104. I'm trying  
to go through the ones that we have to look or doctor.

MR. TAGAROOK: Mr. Chairman.

MR. REXFORD: Terry.

MR. TAGAROOK: What Jim Allen was saying  
earlier about the moose, they shot and left as bait for  
trapping or getting a wolverine or wolf. It doesn't say  
anything about using moose as bait in this.

MR. MARSHALL: It's under the general  
provisions that it can't be used for bait. It would also fall

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under the wanton waste general provision, where certain parts79  
of the animal must be used for human consumption. I think we  
have it there, Terry, I think it's more a problem of  
enforcement, there's difficulty enforcing this and we've  
already made note of that from yesterday, that that's a need to  
bring that to the attention of refuge and law enforcement  
people that this is occurring.

MR. REXFORD: (Speaking Inupiaq)

MR. AVEOGANNA: (Speaking Inupiaq)

MR. UPICKSON: So it concerns that part,  
shooting animals for the use of bait, that's prohibited,  
period?

MR. MARSHALL: No, we can .....

MR. UPICKSON: Leaving the carcasses, just  
shoot them and leave them, using them for bait, that's  
prohibited.

MR. REXFORD: Right.

MR. UPICKSON: That was a concern brought up  
yesterday and, again, today.

MR. MARSHALL: Yeah, that's on Page 17, the  
third item down. You have to refer to the next page to see  
that these methods are prohibited. It says taking of  
ungulates, bear, wolf or wolverine -- I'm sorry. Using bait  
for taking -- I'm sorry that's not it.

MR. LOCKHART: Yeah, it's on Page 23,  
Mr. Chair. You can use bait to take wolves and wolverine, but  
bait is further identified and when you're talking about use of  
wildlife you can't take an ungulate without salvaging the  
edible meat, so the bones and the skin and gut pile you could  
use as bait, but you can't waste the meat. You could shoot a  
moose, cut up parts or leave the moose there and attract wolves  
and wolverines and take them that way.

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MR. AVEOGANNA: What I'm saying is, I do know80  
how about how the caribou and these moose are killed, by wolf  
or by shot? I want to know that. There's lot (ph) about  
1 hunting and all of that and then on the south side of it one  
2 time I went to there was a lot of dead wolves around there too.  
3 Somewhere in line that the Eskimos or anybody would be happy to  
4 got them that I know of (ph).  
5

6 MR. REXFORD: We should report those kinds of  
7 activities to Geoff.  
8  
9

10 MR. AVEOGANNA: Yes, we do under Fish and  
11 Wildlife (indiscernible) and I seen them myself too, when I --  
12 I travel that far in the areas (ph) (Speaking Inupiaq)  
13 (Off record comments -- simultaneous whispering)

14 MR. AVEOGANNA: Mr. Chairman.

15 MR. REXFORD: Jim.  
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26 MR. AVEOGANNA: Like I say, I got a house in my  
27 fish camp and (indiscernible) a mile off or whatever it is --  
28 one mile off from my house there. If I do that's something  
29 that, you know, if I had (indiscernible) I got a place, too,  
30 where the animals can't get them. That's what I do, (ph), but  
31 some places in the camps I seen the dead -- a quarter mile on  
32 17D and E. Is that something you arrange like that? (ph) The  
33 people, the Eskimos that had to harvest (ph) for subsistence,  
34 they leave them there for a while until they're ready to haul  
35 them home. So just in case some Eskimo (indiscernible) get  
36 them away from the camp.  
37  
38  
39

40 MR. MARSHALL: That particular provision you're  
41 looking at applies to baiting of black bears, but I think --  
42 are you getting at, Jim, the problem of attracting the bears  
43 inadvertently to .....  
44  
45  
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49 MR. AVEOGANNA: That's something because we got  
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1 certain ways of taking care of what we harvest (ph). We got 81  
2 camp also, a place to store them or up on the a (indiscernible)  
3 so like they says, they think that we eat them (ph), I say, no  
4 way, not me until I'm ready to take them back to my house, to  
5 my home, right by where no animals or anybody can get  
6 them (ph).

7 MR. MARSHALL: I don't think that would be  
8 construed of using for bait. You're storing those for your own  
9 consumption.

10  
11 MR. AVEOGANNA: I got this now, (ph) so does  
12 that mean that I'm not allowed moose bait (ph) within one  
13 quarter mile of (indiscernible).

14 MR. MARSHALL: That's just for black bear.

15  
16 MR. AVEOGANNA: I wouldn't know that (ph) black  
17 bear .....

18  
19 MR. MARSHALL: That's just for black -- that  
20 only applies to people that are using .....

21 MR. BROWER: (Speaking Inupiaq)

22  
23  
24 MR. AVEOGANNA: Now we are limited on the brown  
25 bears. The residents of the subsistence (ph) area, I mean,  
26 where have our Native allotment. Up here we've got no

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32  
33 trees (ph), nothing. Once they come in the area they wander  
34 around. They come up to the house and (indiscernible) so much  
35 of the people's hunting area, house and all of that, but we're  
36 not allowed to have three all at the same time. One a year,  
37 that's something else. If I have to protect my house for  
38 subsistence use (ph), I (indiscernible) through all three of  
39 them if I have to. To save what I have.

40  
41  
42  
43  
44 MR. REXFORD: Due to time before leaving at  
45 4:00 o'clock, is there anything under Page 104 that other  
46 Council members see that we could see and if not we'll move on  
47 to Page 105. Any Council members see any problem with those  
48 wordings?

49  
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Under 105 C, that Northwest Alaska Boundary 82  
Management Area, is that -- why is that -- are we part of that?

MR. MARSHALL: No, that's south of -- that's a  
small part of 23. The only part of 23 within Region 10 is just  
south of Port Lay in that area.

MR. UPICKSON: Point Hope.

MS. ARMSTRONG: Point Hope.

UNIDENTIFIED VOICE: 26A is part of the  
Northwest (indiscernible - simultaneous speech)

MS. HELEN ARMSTRONG: No -- no 26A .....

MR. MARSHALL: We're talking about 23.

UNIDENTIFIED VOICE: Oh, okay.

MR. REXFORD: Part of the Northwest Management  
Area.

UNIDENTIFIED VOICE: Yeah, it's 26A not  
26B (ph).

MS. HELEN ARMSTRONG: 26A is in on Page 105.  
Look at that.

MR. MARSHALL: Okay, I'm sorry, my fault.

MR. AVEOGANNA: We are on the western side of  
the area (ph).

MR. REXFORD: Northwest Boundary Management  
Area includes 26A. So any other Councilmen see any problem  
with the wording as it so states under 105 C? If not we can,  
maybe, continue on with the bags and season limits -- season  
and bag limit. Any problem with anything in 106.

MR. UPICKSON: Question on 106 regarding  
caribou.

MR. REXFORD: Gordon.

MR. UPICKSON: Yesterday it was brought up at  
the -- there's 400 and some thousand now in the caribou herd  
and upping the bag limits to 15 a day is not going to address  
the over population problem. In our case, what options do we  
have of stabilizing that herd so that they're not over grazing  
26A or whatever section they're over populating, how do we

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3 MR. MARSHALL: The very liberal bag limits are  
4 about all we can do. And I guess we acknowledge that that's  
5 not making much of an impact on the herd. There have been some  
6 herds where we tried to, at least, delay those kinds of  
7 declines and I don't think we've been very successful.

8 MR. UPICKSON: Can't fight Mother Nature's way.  
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16 MR. MARSHALL: That's about as good a way as I  
17 think you could put it. That seems to be characteristic of  
18 caribou population wherever they are, that they build up and  
19 build up and then they decline rapidly and then they'll build  
20 up again. There have been herds where harvest is indeed  
21 significant and there we do try to stay that event with  
22 increased harvest, but with the amount of hunting that goes on  
23 in this herd it would hurt (ph) the whole thing to try to do.  
24

25 MR. UPICKSON: No question on 106,  
26 Mr. Chairman.  
27  
28

29 MR. REXFORD: Thank you, Gordon. Any other  
30 members on 106? 107, I have a question on wolverine hunting,  
31 one wolverine, is that per year, per person to shoot?  
32

33 MR. LOCKHART: Per regulatory year, per hunter,  
34 per licensed hunter.

35 MR. UPICKSON: What was that again?

36 MS. ARMSTRONG: Wolverine.

37 MR. UPICKSON: One per year?  
38  
39  
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42

43 MR. LOCKHART: That's under the hunting  
44 regulations. Under trapping regulations you'll see it's more  
45 liberal. But that's the way it has been. In other words, a  
46 person with a valid hunting license can only take one  
47 wolverine, a person with a trapping license can bag -- there is  
48 no limit.  
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MR. AVEOGANNA: You got lots of wolverines, 184  
of wolves in our area.

1 MR. UPICKSON: And the enforcement then, how do  
2 you differentiate between hunting from the subsistence end?  
3  
4  
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7

8 MR. LOCKHART: It's whether or not the person  
9 is in possession of a trapping license or a hunting license.  
10 If he was only out there and had a hunting license and he had  
11 three wolverines, he would be in violation of the hunting  
12 regulations. It's just a matter of whether or not he has the  
13 proper license.  
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19 MR. MARSHALL: You'll also note that the season  
20 length for hunting is more liberal than for trapping. That  
21 allows somebody to take a wolverine while hunting other animals  
22 if that person wants to take one just to have to hang in their  
23 home, even though the pelt is not prime. But we only limit it  
24 to one under those circumstances.  
25  
26  
27

28 MR. BROWER: Why is it that there is only one  
29 for hunting. We have -- I know for a fact that hunting  
30 wolverine and wolf there's, you know, not just trapping that's  
31 done here.  
32  
33

34 MR. LOCKHART: Well, let me make a distinction.  
35 I'm sorry, as a part of the provisions for trapping you are  
36 allowed to use a firearm, so it's just .....

37 MR. ITTA: But you have to have those licenses.  
38  
39

40 MR. LOCKHART: ..... you have to have the  
41 trapping license, but you can take them with a firearm under a  
42 trapping license.  
43

44 MR. ITTA: Trapping and hunting. By the way,  
45 Geoff, you issuing licenses today?

46 MR. CARROLL: No, (indiscernible)  
47

48 MR. ITTA: I think mine's expired here. I have  
49 one question.  
50

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MR. CARROLL: I mentioned yesterday about the difference of the State moose regulation and the Federal moose regulation, something you guys in Barrow might want to address. Here the moose season ends December 31st, by this regulation, by the State's regulation it ends March 31st. I would think that you would want to change that being the same as the State regulation.

MR. BROWER: I concur with you, Geoff, on changing that. Mr. Chairman.

MR. REXFORD: Harry.

MR. BROWER: I think to have the concur with the State and Federal regs, it would make a lot of sense in have the hunting seasons complying.

(Indiscernible - simultaneous speech)

MR. REXFORD: Edward.

MR. ITTA: Just out of -- the same thing almost says wolverine, but it's to do with white fox. It says you can -- if I had a license I can shoot one the first of this month, September 1st, right? But I can't trap until November 1st, okay? And then you say two foxes are the limit on the hunting thing and then no limit on the trapping. So legally, if I had a hunting license, saw a good looking white fox I could get one on September 1st, right?

MR. LOCKHART: Right.

MR. ITTA: I never knew that either.

MR. MARSHALL: The small number is to, more or less, discourage that and wait for the pelt to be prime before many animals are taken.

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MR. ITTA: Right I'm just thinking of a hunting camp in here where we said, no, you can't kill it, you've got to wait until November 1st, but I didn't know you could legally, if you had the license kill one off. That's kind of raiding your neighborhood up there, you know.

MR. REXFORD: We'll take that into consideration to get the moose season in line with the State regulations. I also have a question on wolverine season, ending March 31st. We, in our area, east and north Arctic, we are accessible in our area through April 30.

MR. LOCKHART: If you see on the trapping regulation, it goes through April 15th.

MR. REXFORD: Why April 15th? Could we put it to April 30?

MR. LOCKHART: That's certainly within your realm of providing a proposal to do that.

MR. AVEOGANNA: In the -- why not April, the wolverines start having young ones. Just about having young ones in our area. (Speaking Inupiaq)

MR. REXFORD: Well, which one would be better maybe? Which one to limit that season to -- extend it to April 30.

MR. UPICKSON: In hunting?

MR. REXFORD: Yeah.

MR. BROWER: (Speaking Inupiaq).

MR. TAGAROOK: Maybe you could put that under 26C to extend it to April.

MR. REXFORD: We'll bring that up. I think there was somebody that wants to get that into a proposal at home, so I'll check with them.

MR. TAGAROOK: Okay, 26C. Like you say (indiscernible).

MR. REXFORD: Okay any -- Gordon.

MR. UPICKSON: Let's take a good look at the (indiscernible)

MR. REXFORD: Okay. Yes.

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MR. KNAUER: Yes, Mr. Chair, you were talking about this change in moose. Was there a desire to have a proposal -- a motion for a proposal on that? I heard.

MR. REXFORD: Yeah, we'll take that into very serious consideration. Any others under 107?

MR. AVEOGANNA: What's happen to all the coyotes? Where are they located now?

MR. ITTA: Where are the coyotes around here?

MS. ARMSTRONG: That's why they have not limit on coyotes.

(Indiscernible -- simultaneous whispering)

MR. REXFORD: Okay. I got one, where can we insert marmots in this?

MR. LOCKHART: It's already taken care of in the proposed rule it's -- if you look at the heading of this before the units it's in there.

MR. REXFORD: Okay, 108? Any problems or any considerations?

MR. AVEOGANNA: (Speaking Inupiaq)

MR. REXFORD: Jim.

MR. AVEOGANNA: What's the migration on these lynx, do you know anything about that?

MR. CARROLL: Well, most of them -- we have very few lynx on the North Slope, they do come across the (indiscernible) in Unit 22 and once in a while (indiscernible).

MR. AVEOGANNA: Would you believe that the amount of lynx is on the increase in our area (ph), in Alaska. They say they come in every year -- every 10 years. Since I started hunting my dad even tell me they come up around the world in 10 years. That might be true (ph), but that's when I started hunting. For right now they are located on -- down at Noatak area some place right now, there's lot of them. But they don't migrate like they used to on account of -- could be the people that are hunting them.

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1 MR. REXFORD: Okay. I think we've gone over 88  
2 the Page 104 through -- for our unit. We have one suggestion  
3 or an agreement between us to under 26B and C for moose season  
4 to put in line with Alaska regulations on that matter.

5 I think if we could get help from the staff on  
6 getting that proposal in line with the State or maybe the form  
7 of a motion would help us get that underway.

8 MR. BROWER: So moved.

9 MR. ITTA: Second that motion.

10 MR. TAGAROOK: Call for question.

11 MR. REXFORD: Question is called, all in favor  
12 of the -- Bill.

13 MR. KNAUER: Mr. Chairman, I think that  
14 variation is in .....

15 MR. MARSHALL: 26A.

16 MR. KNAUER: .....26A, yeah.

17  
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21 MR. MARSHALL: That portion in Colville River,  
22 upstream from, including the Chandelar River drainage, is how  
23 that's worded. What that's going to do is have an August 1st  
24 through March 31st season instead of ending December 31st.

25 MR. BROWER: Geoff, is that how it's written?

26 MR. ITTA: He wants to comply with the State.

27 (Indiscernible - simultaneous speech)

28  
29 MR. MARSHALL: That's what that regulation  
30 would be, so in effect we're extending that for three months.

31 MR. ITTA: So we don't need to do anything?

32 MR. MARSHALL: Oh, yes.

33 MR. ITTA: We do? We do?

34 MR. MARSHALL: Yes.

35  
36 MR. ITTA: Okay, so the motion's been made  
37 again.

38  
39 MR. KNAUER: But we wanted to clarify what you  
40 wanted to do.

41  
42  
43  
44 MR. REXFORD: 26A, okay, I said B instead.  
45 Okay, the question is called, all in favor of realigning the  
46 moose season in 26A in line with the Alaska State regulations  
47 do so by saying aye.

48 (Ayes respond)

49 MR. REXFORD: Those opposed, same sign.

50

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MR. MARSHALL: What I'm going to need, Mr. Chairman, to help fill this form out is the reason why you want to do that, beyond just conforming with the regulation. I mean, what it's doing is providing three extra months and what I need to do is record the fact that this is a -- is going to provide additional opportunity that you'll take advantage of. I need some justification kind of in your words as to why you want that extra three months.

MR. ITTA: Fenton, can I answer that?

MR. REXFORD: Go ahead.

MR. ITTA: One of the reasons would be because of the darkness and the severity of the seasons up here from December through -- end of November through February when it's bitter cold and dark. I think that was one of the underlying reasons. You said you were going to add on that it would increase opportunities.

MR. MARSHALL: And you've got accessibility to that river system -- is increased at that time?

MR. ITTA: Right, better accessibility during those times and it'll be less cold and more daylight.

MR. BROWER: Transportation is a lot cheaper at that time, too.

MR. ITTA: Safety is another issue in that one.

MR. MARSHALL: Okay. That's the kind of thing that we need. That's the kind of thing that will make all the difference when we get good justification in your words.

MR. ITTA: Mr. Chair, I move we recess until 4:00 p.m tonight.

MR. REXFORD: At the City Chambers.

MR. ITTA: Due to our time frame. I hear all the people that need to use this place are waiting outside. I

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move to recess until 7:00 p.m., City Hall, tonight.

90

1 MR. REXFORD: Okay. We'll recess until 7:00  
2 p.m. Seconded, all in favor signify by saying aye.  
3 (Ayes respond)  
4 (Off record)  
5 (On record)  
6  
7

8 MR. REXFORD: Let's reconvene this meeting.  
9 Sitting through supper here, I noticed that under the summary  
10-- brief summary of the proposed regulation changes there are  
11 several items in there that I'll point out.  
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17 The deletion of definition and classification  
18 of fur animals, these are the proposed changes that will take  
19 effect July 1, 1994. New definition of designated hunter,  
20 harvest limit hunting, marmot, ram and trapping. And there's  
21 also deletion of fish and shellfish taking regulations. This  
22 is Page 3, of the Supplementary Information, the white part.  
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30 Modified methods and means, restriction  
31 associated with taking of wildlife by hunting and trapping.  
32 Modified unit tables to distinguish between hunting and  
33 trapping seasons and harvest tables. Restriction on the use of  
34 hooks to take wildlife. Deletion of same day airborne  
35 regulations for taking of certain fur bearers. And change in  
36 harvest limit restrictions of bull moose to antler bull moose  
37 in certain units.  
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44 On Page 3 of the white section there on 5, also  
45 discuss these items for proposed changes as far the  
46 modification or any changes thereof taking effect next year.  
47 What is the wish of the Board? To discuss each line items or I  
48 can start from the top, deletion of definition or  
49 classification of fur animal. Could we just summarize that  
50

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real quick what that may mean? And we'll go down the list. 91

Yes. Could you come up to the mic, please.

1 Thank you.  
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7 MR. LOCKHART: Yes, Mr. Chairman, that deletion  
8 of the definition of the classification of fur animal was done  
9 because when the Federal Government adopted the State  
10 regulations, the way that it was done and the way that they  
11 were crafted it was a little confusing the definitions of fur  
12 animal and fur bearer.  
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18 Fur animal is essentially put in the  
19 regulations to allow for hunting of certain fur bearers during  
20 the hunting seasons. And when we went through the regulations  
21 a little earlier and you saw that distinction between hunting  
22 -- for example, wolverines you can take one and under trapping  
23 it was unlimited.  
24  
25  
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29 We separated it out so that fur bearers -- the  
30 seasons, the opportunity for hunting and trapping remain the  
31 same, but the confusing definitions of fur animal and fur  
32 bearer and their application has been modified, so the fur  
33 animal is no longer in the proposed rule. I don't know if that  
34 answers that.  
35  
36  
37  
38

39 MR. REXFORD: Okay. Thank you. Any questions  
40 on that, on the deletion of defining fur animal. Okay, if not,  
41 we'll go ahead and on the new definition of designated hunter,  
42 harvest limit, hunting marmot, ram and trapping. What was the  
43 old definition of that?  
44

45 MR. LOCKHART: Would you like me to respond to  
46 that Mr. ....  
47

48 MR. REXFORD: In all of those -- these are new  
49 definitions for all of those?  
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MR. LOCKHART: Yes, sir, the definition of designated hunter was added because there was parts of the regulations -- for example, the sheep in 26, where there was identification of designated hunters that could take more than one bag or take animals for people in certain circumstances and it just simply was not defined, so we added the definition of designated hunter to the regulations.

MR. REXFORD: Okay.

MR. LOCKHART: And you can see that in their proposed rule. You can see how it's worded. If you have any question about that. Designated hunter means a licensed hunter who may take all of a portion of another licensed hunter or hunters harvest limits only under seasons established to provide for such taking. So it's something that has to be approved before by the Federal Subsistence Board.

MR. REXFORD: (Speaking Inupiaq)

MR. UPICKSON: You know, the wording for that, you're proposing to change it?

MR. LOCKHART: No, it was not originally in our regulations last year, we just added the definition. The use of the term designated hunter was in the regulations.

MR. UPICKSON: They could be harvesting the same -- like, I'd be out there hunting -- harvesting mine and somebody else would be trying to harvest for somebody as designated hunter, they wouldn't be able to that the way it's worded, under special seasons established to provide for such taking. You'd have to specify seasons, special seasons, for designated hunter?

MR. LOCKHART: Yes. And the example, again, of sheep in the Kaktovick example. The Board specifically made a provision to allow for designated hunter taking. And only in

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1 the places where the Board has allowed it is it -- I think it<sup>93</sup>  
2 25D West, moose, Lime village, there's specific examples of  
3 where they've allowed designated hunters to take animals for  
4 other people, otherwise it's not permitted.

5 MR. UPICKSON: I'm still not clear on what they  
6 mean. Under special seasons established.

7  
8  
9 MR. REXFORD: Okay 26C (Speaking Inupiaq) on  
10 the special season established, October 1 through April 30.  
11 (Speaking Inupiaq) so with that I think we -- special season  
12 established would be instance under 26C, October 1 through  
13 April 30.

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20 MR. LOCKHART: Maybe that part that's confusing  
21 is the word season because it's just -- it's a special  
22 provision that the Board allows for -- during a season allows  
23 designated hunters to take game in addition to their individual  
24 bag limits. The season really didn't change, the season dates.  
25 It's just that the Board allowed designated hunters to take  
26 other game.

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32 MR. REXFORD: Okay. For Edward's -- we're  
33 looking at the proposed changes. We just went through deleting  
34 definition of fur animals. Now, we're looking under the other  
35 section, new definitions of the proposed rule changes are  
36 designated hunter, harvest limit, hunting marmot and we're in  
37 that section right now, so. Barbara.

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42 MS. ARMSTRONG: Chair, I think what -- Mike,  
43 if you can explain what Gordon is asking is -- if you would  
44 further talk more about that special season, what do you mean?  
45 Just talk about special season, that's what he's having --  
46 what a special season is?

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1 MR. LOCKHART: Again, I think it's just the u94  
2 of the word season may be throwing us off or special season  
3 because the sheep season would have been the same and would  
4 allow one hunter to take the three sheep for himself or  
5 herself.  
6  
7

8 In this particular case, there's an allowance  
9 for designated hunters to go out and take three additional  
10 sheep for somebody else who had a permit. So the season --  
11 that may be throwing us off a little bit. It is a sheep  
12 season, but under that sheep season designated hunters can take  
13 other animals for other people.  
14

15 But it should be -- may be if it was just .....  
16  
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19 MR. UPICKSON: And may be our concept of the  
20 word is season is, you know, we can't use both definitions.  
21 When we think of season, like say, for the sheep and then turn  
22 around and use the word season in another context, that's  
23 what's confusing.  
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29 MR. LOCKHART: You know, that wording can be  
30 modified to make it more clear what the Board's intent -- what  
31 the regulatory intent is. You know, we could say something  
32 like, only under situations approved by the Federal Subsistence  
33 Board and just leave out the special season established to  
34 provide for such taking, something like that.  
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38 Because it's not that period of time that the  
39 sheep are allowed to be harvested really changed, it's just the  
40 fact that during that same time people are allowed to take game  
41 for somebody else. Sheep for somebody else in that situation.  
42

43 MS. ARMSTRONG: And it doesn't change any time  
44 of the special season at all?  
45

46 MR. LOCKHART: I don't believe it did that  
47 period of time, no.  
48

49 MS. ARMSTRONG: Oh, okay. Designated hunter  
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1 MR. TAGAROOK: But only for the residents of  
2 Kaktovick, right?

3 MS. ARMSTRONG: Uh-huh (affirmative).

4 MR. REXFORD: So you got that wording?

5 MR. LOCKHART: Yes, I mean .....

6 MR. UPICKSON: I can understand her translation  
7 in Eskimo a lot clearer than the way this is worded.

8 (Laughter)

9 MS. ARMSTRONG: Thanks.

10

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12

13

14 MR. LOCKHART: Well, this is very helpful. I  
15 mean, that kind of things we don't really -- to us what seems  
16 very clear may not be clear to all of the people who are the  
17 users, so this kind of thing, tightening up the regulations, is  
18 very good.

19

20

21 MR. REXFORD: So you have the proposed language  
22 down so we can make that into a motion if the Council so  
23 wishes?

24

25

26 MR. UPICKSON: And support us in changing the  
27 wording on this.

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30 MR. AVEOGANNA: (Speaking Inupiaq) new  
31 definition, designated hunter (Speaking Inupiaq)

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42 MR. TAGAROOK: Mr. Chairman, does that mean  
43 we're going to have designated hunters in each unit for  
44 different animals, game? Not referring only to the sheep.  
45 Could that be listed under the other game, species? Like Jim  
46 Allen said there some people that are in the villages that  
47 cannot go hunt and maybe we could put in designated hunter for  
48 those that are not able go out and get their bag limit.

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MS. ARMSTRONG: Okay. Mike, when is the designated hunter used? What does the village have to -- community have to do and work as -- to get that designated hunter in each village? Could you guys explain that to the Council, please?

MR. LOCKHART: I think Dick talked about that yesterday a little bit, the difference between community harvest limits and designated hunter and how it's being applied, but -- go ahead, Dick.

MR. MARSHALL: This concept is not going to work everywhere and the problem is that we can, in essence, call any rural resident a subsistence user. There are situations, I think, where the designated hunter concept could be abused and I'll give you an example.

A community like Bethel or Tok where there are people in that community essentially don't live a subsistence life style. They may own a gas station or whatever. We see a scenario where a person could say, oh, I can now designate -- what I will do is I will buy a license for my wife and get a free license for my three kids and I can go out and kill six moose.

Well, you know, from the way we look at it, that is not what we're trying to do with this. What we're trying to do is answer the -- the thing that we hear from so many of our public meetings is that the individual bag hunter does not fit well in the true subsistence lifestyle, so I think we're going to have to look at each community and get help from you that that community doesn't have people within it that are going to abuse it and if so get your help in how we can prevent this from happening.

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1 I think you can see where in the wrong place 97  
2 this could be abused and it's just not something we want to  
3 just do without a lot of thought.

4 MR. REXFORD: Gordon.  
5  
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8 MR. UPICKSON: Mr. Chairman, and by the same  
9 token you can see where the advantages are and why you have  
10 designated hunters, even only if this applied to the sheep in  
11 Kaktovick. The same reasoning why you permitted that would  
12 work for same elders or disabled persons in other villages,  
13 like say, for caribou. That same principle would work and  
14 that's where Terry's question came up.  
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21 Yes, we can see it being abused, sure, but that  
22 -- but the same reasons why a lot of that for sheep are the  
23 same reason why that would elders in another section of Unit 26  
24 for elders or disabled people. But, yes, you're right it could  
25 be abused, but those same principles that make it allowed for  
26 sheep and come up with a designated hunter definition for other  
27 game within our unit. I think that's part of Terry's question.  
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31 MR. REXFORD: Also under that definition of  
32 using a designated hunter also or those that have to get permit  
33 will have to be in cooperation with the community as far as  
34 reporting or issuing .....  
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43 MR. MARSHALL: Not the designated hunter. The  
44 community bag limit, yes, there would have to be somebody in  
45 the community that was responsible for collecting the harvest  
46 data and transferring that to us. Our concept of the  
47 designated hunter -- please keep in mind this is a brand new  
48 concept and it's got a lot of rough edges to it, but our  
49 concept of the designated hunter is that the person that gets  
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the permit initially would retain the responsibility for reporting it.

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3 MR. REXFORD: Issuance and reporting would be  
4 the community's responsibility -- or help the -- that manager  
5 to build up that program. Issuing the permits and harvest  
6 reporting.

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12 MR. MARSHALL: The reporting though, we would  
13 still consider it -- not that any assistance we could get from  
14 the community won't be welcome, but the responsibility to  
15 report that animal that was killed, that was harvested, would  
16 remain with the person who originally got the permit, not  
17 necessarily the person that killed it.

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23 In other words, if a person could or did not  
24 want to hunt and gave you their permit or their harvest ticket  
25 and said here, Fenton, could you, please, in your next hunt  
26 harvest an animal for me too, that person would still have the  
27 responsibility reporting that harvest. That's our concept of  
28 it right now.

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34 MR. UPICKSON: Mr. Chairman, you knew the  
35 federal ways where their in the federal community harvest  
36 strategy that develop a sheep at Kaktovick more or less opening  
37 a (indiscernible) you can develop a community harvest strategy  
38 for caribou, like say, in his home town for elders and the  
39 disabled.

40 MR. AVEOGANNA: (Speaking Inupiaq)

41 MR. REXFORD: Go ahead, Jim.

42  
43 MR. AVEOGANNA: I'm going to have to talk in my  
44 language. (Speaking Inupiaq)

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MR. MARSHALL: It's been brought to my 99  
attention there are some units where the bag limit is already  
quite liberal and in those places where it's a daily take of  
1 five caribou, I guess we would have to look at how many caribou  
2 could one person expect to effectively transport, take and  
3 transport, but, you know certainly not all .....

MR. UPICKSON: That's true, but then take it  
10 one step further. That guy, the designated hunter may have  
11 already got his bag, he's trying to get another bag for an  
12 elder or a disabled person in town, so that -- your answer  
13 doesn't quite -- you can see where it can be -- where I can  
14 twist around what you just said.

MR. MARSHALL: In some places, though, the  
18 person can go out and take -- you know, another date, some of  
19 them are very liberal.

MR. UPICKSON: Yeah, just because the bags are  
26 liberal does not mean that the designated hunter hasn't gotten  
27 his already. He may have gotten his already and now he has a  
28 chance to get -- like, squeezing (ph) caribou out of his uncle,  
29 get five more an elder or a disabled person regardless of the  
30 bag limits.

MR. AVEOGANNA: You're talking about the  
33 (Speaking Inupiaq)

MR. UPICKSON: (Speaking Inupiaq)

(Inupiaq conversation between Mr. Aveoganna and  
37 Mr. Upickson)

MR. REXFORD: Terry, does that answer your  
40 question about applying that to other species?

MR. TAGAROOK: Yeah, but on this definition of  
46 designated hunter only under special season, but which seasons  
47 are we talking about? Are we talking about the summertime, the  
48 fall time? It would have to be modified so that it's clear  
49 when that special season is.

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1 MR. UPICKSON: Mike, maybe -- what months are you -- they going to develop a federal community harvest  
2 strategy for other species for, like say, in his home town for  
3 caribou? Is there that possibility? As it was applied to  
4 Kaktovick for sheep?  
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9 MR. LOCKHART: Yes, sir. The Kaktovick  
10 situation resulted from a proposal, I believe, to the Federal  
11 Subsistence Board to do that. And the Federal Subsistence  
12 Board has been requested, in many cases, to look at community  
13 harvests and they have agreed with that concept. They're  
14 trying to go a little slow because of the concern for  
15 resources.  
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21 MR. UPICKSON: Where the question, our  
22 questions on this issue come up, you can see the positive sides  
23 of what's happening over at Kaktovick. If it takes federal  
24 community harvest strategy to develop a program, like say, in  
25 his home town, I keep using that, for caribou, you can see  
26 where that would be positive.  
27  
28

29 But then the monitoring end of it would be  
30 taken care of by the communities, so the abuse part of it might  
31 be answered right there.  
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37 MR. LOCKHART: Yeah, certainly this -- your  
38 Council, if you see a need to have that kind of a situation for  
39 another community, it's certainly within your realm to offer  
40 that as a proposal to the Federal Subsistence Board for their  
41 consideration. I believe that's -- wasn't it a proposal, too,  
42 that generated the Kaktovick sheep?  
43

44 MS. HELEN ARMSTRONG: Yes, it was obtain as a  
45 request for community harvest and that's sort of a compromise.  
46

47 MR. REXFORD: Edward.

48 MR. ITTA: Huh?

49 MR. REXFORD: Did you have something?

50 MR. ITTA: No.

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1 MR. ITTA: (Speaking Inupiaq) on the -- under  
2 special seasons (Speaking Inupiaq) with another person's okay.  
3

4 MR. TAGAROOK: And that would be called a  
5 special season for that person, but it may be different for  
6 another person -- a special season.  
7

8  
9 MR. ITTA: (Speaking Inupiaq) make some extra  
10 money that way -- I mean, we're talking somebody confined at  
11 home (Speaking Inupiaq) that's the way I look at it.  
12

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17 MR. LOCKHART: Mr. Chair, I apologize I may be  
18 missing something in what you're talking about in the  
19 translation, but if you look at all these tables it has on one  
20 side the harvest limits, how many you can take. And on the  
21 next side it has open season. Season simply refers to the  
22 dates at which the animals can be harvested.  
23

24 MR. ITTA: And there's no limit -- doesn't  
25 really limit you, right?  
26

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32 MR. LOCKHART: Well, that season does. The  
33 season is the time frame in which you can take those animals  
34 and only within those time frames that you can take those  
35 animals. So when it says open season for November 1st to April  
36 15th, that means the only time that you can take those animals  
37 or whatever, how many ever it is that's identified is between  
38 those dates.  
39

40 MR. REXFORD: So we had suggested different  
41 wording, I don't know if we got that in when were .....

42 MS. ARMSTRONG: (Speaking Inupiaq)

43 MR. ITTA: (Speaking Inupiaq)

44 MR. REXFORD: Bill, could you repeat what had?  
45  
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48 MR. KNAUER: What you had said is, the  
49 designated hunter means a licensed hunter who may take all the  
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portion (ph) only under special situations established by the Board.

1 MR. BROWER: That's how it's going to be  
2 approved by the Board?

3  
4 MR. UPICKSON: Now, what happened in Kaktovick  
5 with that wording about sheep, then we can understand it.

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7 MR. KNAUER: That would be a special situation  
8 established by the board.

9 MR. UPICKSON: Okay.

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MR. KNAUER: And wording changes that simplify things like this do not have to be submitted as proposal. They're not changing the meaning, they're not changing the technical aspect, they are simplifying or clarifying. They are considered administrative changes and the staff, normally, has the approval to make wording changes that do not change the meaning, but can simplify this.

MR. REXFORD: Okay. Any other discussion on designated hunter or do we all understand that, then?

MR. TAGAROOK: Just change season to special .....

MR. REXFORD: Provision granted by the Board.

MS. ARMSTRONG: Only under special situations established by the Board.

MR. REXFORD: Okay, understood? Harvest limit.

MR. LOCKHART: Yes, Mr. Chair, that resulted from a proposal to the Federal Subsistence Board last spring, last year which some of the rural communities, I believe, in Western Alaska were concerned about the use of bag limit, the word bag limit. They didn't understand it and it had some negative connotations in their interpretation of that, so it was simply changed -- bag limit is simply changed to harvest limit.

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MR. REXFORD: Means the number of any one species permitted to be taken by any one person in the unit -- a portion (ph) in who unit taking occurs. Okay (Speaking Inupiaq). Any question on that? Continue, please. 103

MR. LOCKHART: Yes, sir. Hunting and trapping, I'll take both of those together. There was portions of our regulations which where there was controlled use areas that were identified in the specific units and they referred to hunting and trapping. And it was simply not defined in our regulations, so we simply put them in and tried to describe what the -- what's required as part of hunting and what's required as part of trapping.

And you can read the definitions there. Hunting means taking of wildlife within established hunting seasons with archery equipment or firearms as authorized by required hunting license.

And then trapping means the taking of fur bearers within established trapping seasons and with a required trapping license.

MR. REXFORD: Any questions. Please continue.

MR. LOCKHART: Marmot is defined .....

MR. REXFORD: Do you have something?

MR. AVEOGANNA: (Speaking Inupiaq)

(Inupiaq discussion between Mr. Aveoganna and Ms. Armstrong)

MR. REXFORD: Barbara, did you want to translate that part on the trapping?

MS. ARMSTRONG: (Speaking Inupiaq)

MR. AVEOGANNA: Yeah.

MS. ARMSTRONG: Okay. What Jim is talking about is about some sports hunters have been using some of their Native people over at Wainwright that have trapper's

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license to go out and set up traps for them. Then those people  
set traps and get all these furs and take them in and then make  
some money in that way. In which he is seeing is wrong. And  
that's what he was talking about.

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MR. AVEOGANNA: The doesn't happen at all time,  
but it comes up once in a while. Okay. If you're a trapper,  
wolf, anything, to my experience those wolves when you shoot  
them with a rifle and they kept coming back to where they --  
for their family, the wolves. When you trap them they know  
what's happened to that -- (Inupiaq) you know, the families and  
the wolves.

When you caught them in a trap, they don't need  
to come back, they know exactly -- the wolf knows exactly  
what's happening to their family, I would say.

MR. REXFORD: Okay. All right, any other  
questions on hunting and trapping? Continue, please.

MR. LOCKHART: Marmot and ram both were --  
well, all the species are really described or the species for  
individual classification, such as fur bearer, includes all the  
species of squirrel, for example, and it mentions marmot.  
Marmot simply just is a definition to identify what that  
entails and that's all species of marmots and woodchuck that  
exist in Alaska.

The reason that's put in there this year in  
this proposed rule is because it was -- marmot was  
inadvertently left out of the regulations when the Federal  
regulations were crafted to adopt the State regulations. And  
so we included them in that section we talked about earlier and  
we included the definition to just specify what species could  
be harvested under the term of marmot.

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3 Ram, again, was used in the regulations and 105  
4 just simply was not defined where as we had all the other  
5 species defined.

6  
7 (Discussion in Inupiaq between Mr. Aveoganna and  
8 Ms. Armstrong -- concerning woodchuck, I believe)

9 MS. ARMSTRONG: Okay.

10  
11 MR. REXFORD: Okay, I think that we'll go ahead  
12 and continue with the deletion of fish and shellfish unless  
13 there's any questions. Please continue.

14 MR. AVEOGANNA: (Speaking Inupiaq)

15  
16 MR. REXFORD: (Speaking Inupiaq) deletion of  
17 fish (Speaking Inupiaq)

18 MR. AVEOGANNA: Yeah, I got it now.

19  
20  
21 MR. LOCKHART: Mr. Chair, the reason that the  
22 fish and shellfish taking regulations were left out of the  
23 proposed rule at this time is that, again, when the Federal  
24 regulations were developed that kind of -- developed from the  
25 State regulations there was a lot of regulations that did not  
26 apply. There was some descriptions of areas, which the Federal  
27 program has no jurisdiction over, and things like that.

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33 So there's an attempt now to try to clarify the  
34 regulations even further and they will be handled separately.  
35 And as a part of that the Board last spring approved a  
36 recommendation that'll go before the Secretary to change the  
37 regulatory year end fishing -- of fishing from January 1st to  
38 December 31st.

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43 Consequently, we will put out a proposed rule  
44 at some point in the near future which will identify our  
45 proposed regulations for fishing and shellfish taking. I don't  
46 know if that answers it, maybe Dick can elaborate on it more if  
47 you need further information.

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One of the other things that we are going to  
have to do as a part of this modifying our regulations to make  
them more clear and more specific to our authorities is that  
1 we're going to have to extend the current fish and shellfish  
2 taking regulations, which are in effect under '92/'93 for a  
3 half year until January 1st of 1995?

4 MR. KNAUER: Right.  
5  
6  
7

8 MR. LOCKHART: So that the current regulations  
9 will be in effect for a year and a half and at that time,  
10 hopefully, we'll have the approval to have a new regulatory  
11 year, which will be from January till December.  
12  
13

14 MR. REXFORD: So if I understand it, then, the  
15 subsistence management will only be for taking of wildlife and  
16 not fish?  
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24 MR. LOCKHART: No, I'm sorry. What we have  
25 right now under our current regulations, you'll see in the back  
26 there is provisions for taking fish and shellfish under Federal  
27 Subsistence Program. The authority is not going away, it just  
28 in this proposed rule that you're addressing right now we're  
29 only looking at wildlife because the problems with fish are  
30 going to be addressed in a more comprehensive and independent  
31 way.  
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33 MR. REXFORD: All right. Thank you. Continue  
34 into modified means and methods.  
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40 MR. LOCKHART: Okay, this section really deals  
41 with the initial stages of the regulation in the earlier pages,  
42 before you get into the tables. When we deleted fur animal --  
43 well, there was just a lot of confusion between the regulations  
44 for fur animals, fur bearers and for taking wildlife under  
45 hunting regulations.  
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1 So what we tried to do is make them a lot more  
2 straightforward and clear and this is section -- a section of  
3 your regulations which is 25 B 1 through 3, I believe, and  
4 that's Pages 15, 16, 17 and let's see where that ends. And 18,  
5 up toward the top of 18.

6  
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9 It's no opportunities, no methods or means have  
10 really been changed, they've just been reworded to make them  
11 much more clear for the user, much more specific, so that  
12 regulations -- prohibitions for use of firearms were all put  
13 together. In our previous regulations they were kind of split  
14 out between the different sections and it was kind of  
15 confusing.

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18 And if you look at the final rule for '92 and  
19 '93 and compare these pages you'll see those changes. Really  
20 no methods or means or anything were affected by those changes.

21  
22 MR. REXFORD: Okay. Any questions on that  
23 subject? Continue, please.

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31 MR. LOCKHART: In line with this trying to  
32 define trapping and hunting and make the regulations more  
33 specific to trapping of fur bearers and hunting of other  
34 species, we modified the tables so that it reflects, and you  
35 notice there was a little bit of confusion as well, where you  
36 have in any table you'll find hunting and then it talks about  
37 the species that you can -- that you would take as part of a  
38 hunting license.

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45 And then there's part that says trapping and it  
46 talks about the species that you can take under a trapping  
47 license. By all the available means, rifles, traps, snares,  
48 what have you. The harvest limits and the season dates between  
49 hunting and trapping for the same species are frequently  
50

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different. But it just distinguishes between those two types of taking. Just makes it a little clearer.

1 MR. REXFORD: Okay. Any questions on that  
2 matter. Thank you.

3  
4 MR. ITTA: That's pretty self explanatory, I  
5 guess.

6 MR. REXFORD: Restrictions on use of hooks.

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17 MR. LOCKHART: This is something we included in  
18 our proposed rule to make us consistent with the State of  
19 Alaska. Last year the Board of Game passed a prohibition on  
20 the use of hooks for taking wildlife. And, I guess,  
21 specifically there was some practices that had been identified  
22 of hanging baited hooks from trees and things like that, where  
23 fur bearers would jump up to get the piece of meat and would  
24 hook themselves in the mouth and dangle until they died, which  
25 the Board of Game portrayed as particularly cruel and outlawed  
26 it and we're just trying to be compatible with their  
27 regulations.

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29 (Inupiaq discussion between Mr. Rexford, Mr. Aveoganna,  
30 Mr. Tagarook, and Ms. Armstrong)

31  
32 MR. REXFORD: (Speaking Inupiaq) for  
33 restriction on use of hooks.

34 MR. AVEOGANNA: (Speaking Inupiaq)

35 MS. ARMSTRONG: (Speaking Inupiaq)

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44 MR. TAGAROOK: Before we get off that subject.  
45 I know a long time Aleuts, their elders before they had traps  
46 they used to use baleen and just put it inside a piece of  
47 blubber, set it out, and then whenever a wolf or a wolverine  
48 swallowed it, it would melt in the stomach and then when thaws  
49 out in the stomach, it's just like a spring. That's one way of

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1 catching wolves or wolverine when they used to trap like that 09  
2 before they had traps. And I don't see anything -- that's a  
3 traditional use for trapping. (Speaking Inupiaq)

4 MR. AVEOGANNA: (Speaking Inupiaq)

5 (Inupiaq discussion between Mr. Aveoganna and  
6 Mr. Tagarook)

7 MR. UPICKSON: Mr. Chairman.

8 MR. REXFORD: Gordon.

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MR. UPICKSON: The wording under the section on  
the use of hooks to take wildlife that brings up a lot of  
questions also. That is evident by our discussion with Jim  
Allen just on -- many questions and just -- by the way it's  
worded. If they were more specific on the use of hooks to take  
wildlife.

MR. AVEOGANNA: (Speaking Inupiaq)

MR. REXFORD: The definition of hooks, would  
that be -- well, is there -- can you define what hooks is?

MR. LOCKHART: Well .....

MR. UPICKSON: If you said associated with  
bait, you know, and taking of wildlife, that would explain or  
rather take some confusion out of how we're restricted on  
baiting a hook. There's no mention of baiting a hook which is  
what you're trying to address, the restriction on the use of  
hooks to take wildlife.

I've used (ph) -- restriction on use of hooks  
or baited hooks maybe that would explain the intent of those  
restrictions.

MR. LOCKHART: Well, I don't know if I can  
really speak to a lot the background justification and  
rationale in there. When the State when through this, of  
course, they looked at it from the standpoint of subsistence  
users and whether that would impact customary and traditional

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practices. I'm not sure I'm really qualified to address what it is, but hooks, baited or unbaited, are .....

MR. UPICKSON: There's the expert behind you.

MR. MARSHALL: I was wondering maybe your concern -- I used to trap, but I'm wondering is your concern

that people might use a form of a hook as a drag, for instance, to a trap and they might make that prohibition -- you mean, they can't use a grapple hook or something as a drag?

MR. UPICKSON: No, I can't understand the intent, you know, like baiting a hook to get a wolf or something like that. Like you said, that's cruel, okay, but then that's where we object to using hooks. If you mention baited hooks.

MR. LOCKHART: So you're saying it just unclear to what -- if we said something like use of hooks, baited or otherwise, would that cause a problem?

MR. UPICKSON: Uh-huh (affirmative). Like for fur bearing animals, for instance, that .....

MR. TAGAROOK: I have a question on the hook, too. Is that hook attached to anything on the ground or is it just that's baited and any animal can come up and get it and, you know, later on they start bleeding and they can track it down and get that animal.

MR. LOCKHART: Again, I'll apologize, I don't know a lot of the background on the absolute rationale -- the only example that I really heard was use of a treble hook, baited and suspended from a tree. But I think there is a general concern about using hook in any kind of situation to take a fur bearer, in any possible scenario.

MR. REXFORD: Jim.

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MR. AVEOGANNA: On this wording, restriction on the use of hooks to take wildlife. Okay, we got a lot of these people, the hunters of the wildlife, they talk to the Eskimos and try to get information see how they do it long years ago. None of our people in our village -- I mean, like us and anybody in our village, they don't use that. I would say that.

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But there somewhere you have to get that wording from where you may have some place. That was the old people in those days when they don't have a trap (ph) or anything like that. They're smart enough to make something like that with baleen, sharpen both ends, and when they load it up and put a bait onto it. And the animals can always take that and they don't last long, once they swallow it, it swells up down here, it just spring open, those two sharp points on the ends. That's the one that don't let the -- like, Terry (ph) said, and they don't last long. They just die right off.

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That was the information from the old people long years ago. What I got hunch (ph) these white people, anybody that travels they come and ask the old people and some they start telling them like that, but none in our area right now, we don't use that.

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MR. LOCKHART: Mr. Chair, two other points that I'd like to make in this discussion is that this is a proposed rule and part of the intent of proposed rule is to bring these things out and let people look at them and if there is somewhere out there a customary and traditional use of hooks that's legitimate, and people can respond to that and tell the Federal Subsistence Board that, no, you know, for example, we need to use hooks in our trapping of a certain species, then the Board would consider that. So I think that's real important.

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1 The other part of the regulations is that these  
2 are prohibitions that are listed. In term of customary and  
3 traditional practices, as you're talking about that's not  
4 listed here as a prohibition, it's not illegal.

5 MR. REXFORD: Jim.

6 MR. AVEOGANNA: (Speaking Inupiaq)

7 MS. ARMSTRONG: (Speaking Inupiaq)

8 MR. AVEOGANNA: (Speaking Inupiaq)

9 MR. REXFORD: Yeah, I think that definition  
10 defining hooks might be better defined, I think, here as treble  
11 hook, baited or otherwise.

12 MR. TAGAROOK: Specify what kind of hook or  
13 what size of hook it is. Might be a fish hook or something  
14 else, a bit larger than a fish hook.

15 MR. LOCKHART: I think that is the concern. I  
16 mean, if you just said treble hook then somebody could use  
17 single hooks legally and the intent, of course -- I know the  
18 intent clearly was to not allow hooks at all for taking of  
19 wildlife.

20 MR. TAGAROOK: Since we don't have any trees up  
21 here, I don't think anybody is using any hooks.

22 (Laughter)

23 MR. AVEOGANNA: I may be out of order, but I'm  
24 going to say something about using the hook like the old people  
25 does. Hunt seals, (Speaking Inupiaq)

26 MR. REXFORD: Okay. I think you heard our  
27 concerns regarding the use of the hooks and maybe further  
28 defining type of hooks to take wildlife would be better --  
29 would be -- needs to be clarified.

30 MR. UPICKSON: Mr. Chairman.

31 MR. REXFORD: Yes.

32 MR. UPICKSON: Jim Allen used an example. Sure  
33 they used to use hooks to get seals, he hasn't seen it done  
34 recently, but then -- see, what are you trying to stop? Are  
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you trying to stop an old way that our -- that they used to see, it not clear.

MR. LOCKHART: One of the things that's probably confusing here is we talk about wildlife. Wildlife as defined under our regulation does not include the sea mammals, the marine mammals. That is not included as a part of the regulations, so it wouldn't have any application to taking of seals whatsoever.

MR. UPICKSON: Seals are not wildlife?

MR. MARSHALL: Well, they are, but in terms of the definition of our regulation, wildlife is defined as any hair, ptarmigan, grouse, ungulate, which is caribou, deer, moose. Bear, fur bearer or unclassified species. And unclassified species are bats and .....

MR. REXFORD: Jim.

MR. AVEOGANNA: (Speaking Inupiaq)

(Inupiaq discussion between Mr. Aveoganna and Mr. Bower)

MR. UPICKSON: Mr. Chairman, case in point regarding wildlife. A question in Example 8 about using hooks previously to get seals. You said that's not wildlife, back here it says fur bearer, is that a seal, a fur bearer?

MR. LOCKHART: It is, yes, sir, but under the terms of our regulations, and if you look it says -- this -- these whole set of regulations do not apply to the migratory birds, under the Migratory Bird Treaty Act or the Marine Mammal Protection Act. So it deals with the other wildlife. It's a fur bearer all right.

MR. UPICKSON: So restriction on hooks to take wildlife as applied to these regulations?

MR. LOCKHART: That's correct.

MR. UPICKSON: For land mammals?

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MR. LOCKHART: Only the scope of these 114  
regulations, the species that are covered by these regulations.

MR. UPICKSON: Okay. We can do that, reword it  
to that effect, as applied to these regulations pertaining to  
land mammals. Your definition of wildlife is a quite broad  
definition.

MR. LOCKHART: Quite.

MR. AVEOGANNA: (Speaking Inupiaq) I may not  
be around some time, so (Speaking Inupiaq)

MR. LOCKHART: I think as you go through this  
and digest it you'll see how it applies. It does, when you  
just pick up portions like that, there's all kinds of  
connotations and things that, you know, you think that may  
apply, but -- you'll probably be a little more comfortable with  
it, I think, when you really start breaking the regulations  
down or read the whole thing. It should make more sense.

MR. REXFORD: So we're restricting the hooks,  
not restricting the use of customary method 'cause baleen was a  
hook too.

MR. LOCKHART: Yeah, this is in the proposed  
rule and, I think, if there's anything particular that you, as  
a Council, recognize or may cause a problem to a legitimate  
subsistence use then we need that kind of guidance from the  
Council and it can be formulated in a proposal to the Federal  
Subsistence Board.

MR. REXFORD: Okay.

MR. UPICKSON: And by the same token you can  
reword it administratively by saying restriction of the hooks

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1 to take land mammals. That would administratively we wouldn't  
2 have to go through the little process of -- administratively  
3 you did -- it may be redundant to -- instead of going through a  
4 proposal process, Bill made a suggestion earlier that it was  
5 possible to clarify it -- if the purpose of the change was to  
6 clarify, it can be done administratively.  
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10 MR. LOCKHART: Yes, sir. I don't want to  
11 mislead the Council, here, but I think in this particular case  
12 -- I mean, if we're talking about the example of using hooks,  
13 baited or otherwise, that is more of an administrative change  
14 that would maybe picture how they're used in people's mind a  
15 little better.  
16

17 If you're talking about making a change, like,  
18 treble hooks or size of hooks or something like that .....  
19 MR. UPICKSON: That's not the case.  
20

21 MR. LOCKHART: Okay. We can certainly -- I  
22 think that's justifiable to change the wording to where it's  
23 says use of hooks, baited or otherwise.  
24

25 MR. UPICKSON: So it'll be -- go ahead and have  
26 your restrictions without affecting traditional ways of -- as  
27 we asked question about (ph).  
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30 MR. LOCKHART: The specific example, again,  
31 since it's not specifically prohibited in here, it would be  
32 authorized.  
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39 MR. AVEOGANNA: On all this information that  
40 down there, like, we don't use that -- we don't use that  
41 nowadays. Old people does, but we never use them, even myself.  
42 So many years I do lot of hunting, we don't use them. Once  
43 you learn to -- other region, that's going to come up some  
44 place else.  
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49 Another part that's in our area. When the guys  
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1 come and interview the people, how we hunt and all that stuff16  
2 it's got to be true all the way. Because, you know, I'm around  
3 for something like that, it's pretty hard for somebody that  
4 somebody try to challenge how we do it.

5 I got a hunch this trash (ph) come from the  
6 people that want to be something -- feel great or something  
7 like that even though they haven't done -- we got lot of people  
8 that -- that we learned (ph) that have to tell what we  
9 learn (ph). That's the way it goes.

10 MS. ARMSTRONG: Yeah, (Speaking Inupiaq)

11 MR. AVEOGANNA: Right.

12 MS. ARMSTRONG: (Speaking Inupiaq)

13 MR. AVEOGANNA: (Speaking Inupiaq)

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18 MR. UPICKSON: We can't digest everything in a  
19 few minutes, so concert (ph) on our side -- Indian concert (ph)  
20 on our side. Apologize for not -- I mean, we can digest  
21 everything, we can't see what on the next book, but we want to  
22 know what is meant here.

23  
24 MR. LOCKHART: Again, I think it's very  
25 helpful.

26 MR. REXFORD: Okay, we'll try to continue on.

27 MR. AVEOGANNA: (Speaking Inupiaq)

28 MR. REXFORD: On the use of hooks on wildlife?

29 MR. AVEOGANNA: (Speaking Inupiaq)

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31 MR. REXFORD: There's two more items on the  
32 proposed changes summary. Continue, please.

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38 MR. LOCKHART: Mr. Chair, the deletion of same  
39 day airborne regulation for certain fur bearers, that relates  
40 to a provision that we had in the '92, have in the current  
41 regulations, the '92/'93, which allows for a person who is  
42 flying to land and shoot and take arctic fox, red fox, lynx and  
43 coyotes as long as they're 100 feet from the aircraft.

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48 The concern we had is that the way that  
49 regulation is worded that could invite abuses to other parts of  
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our regulations, the Federal Subsistence Taking Regulations,<sup>117</sup> and other Federal regulations which prohibit harassment of wildlife from aircraft.

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It is perfectly legal if, for example, a man landed an aircraft and called an animal into it, with a varmint caller, something like that, and took it, that would be something that we wouldn't be concerned about. We're just worried about the fact that all they had to be is 100 feet from the aircraft they could harass the animal first, jump out and as long as they're 100 feet away it would be legal.

MR. TAGAROOK: This refers to only pilots?

MR. LOCKHART: It refers to use of aircraft for taking those fur bearers, so not just the pilots, but anybody would be in that.

MR. AVEOGANNA: Mr. Chairman, (Speaking Inupiaq)

(Inupiaq discussion between Mr. Aveoganna, Mr. Rexford, and Mr. Itta)

MR. REXFORD: Any other questions?

MR. ITTA: Mr. Chair, just one more question. What were the fur bearing animals you mentioned?

MR. LOCKHART: Arctic fox, red fox, coyote and lynx were the only four species that were allowed.

MR. ITTA: Okay. I think that's a good rule.

MR. LOCKHART: Well, I mis-spoke a little bit. I said as long as you were 100 feet it was legal, that's certainly not true if you harass the animal before you land and then jump out within 100 feet, but it invites that kind of -- we're afraid that it would increase the abuse of aircraft harassment on wildlife.

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MR. AVEOGANNA: Yeah, that's something you have  
give information -- with the airplanes, they start coming in  
our area. You got to know exactly where you're going to go and  
what they're going to harvest. They're doing it, we always  
know. Many times when I'm out hunting that I have to tell (ph)  
Geoff know about it. Once the airplane landed no matter how  
far away I am, I have to go back and meet the people that land  
there to see what's going on. So I know the game wardens (ph).  
I help them out a little bit.

MR. TAGAROOK: No other questions.

MR. REXFORD: Okay, no other questions on that  
same day airborne regulation then we'll continue on that last,  
bull moose.

MR. LOCKHART: Mr. Chair, the change to antler  
bull is to try to remain consistent throughout our regulations  
where there's a concern where we're trying to target the male  
component of the moose population and try to minimize  
accidental take of cows. Where we have a season that ends  
before most of the antlers are shed then we have included this  
to be antler bulls to be more definitive, to try to insure that  
bulls only are taken.

Of course in the seasons where they go beyond  
the period where the bulls would have shed their antlers  
they're still labeled as bulls.

MR. BROWER: Self explanatory.

MR. AVEOGANNA: (Speaking Inupiaq)  
(Inupiaq discussion between Mr. Aveoganna and  
Mr. Upickson)

MR. REXFORD: So in a sense these under the  
summary page are the proposed changes and the others remain the  
same?

MR. LOCKHART: That's correct.

MR. REXFORD: Any Council members see anything  
in the -- where's that book?

MR. UPICKSON: Mr. Chairman.

MR. REXFORD: Gordon.

MR. UPICKSON: Can we have a five minute smoke

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break?

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MR. REXFORD: Yeah, sounds like a good idea.  
(Inupiaq discussion by various members)

MR. UPICKSON: Okay, a five minute break.  
(Off record)  
(On record)

MR. REXFORD: Five minutes is up so it's been  
moved and seconded to adjourn.

MR. BROWER: Question.

MR. REXFORD: All those in favor of adjourning  
do so by saying aye.  
(Ayes respond)

MR. REXFORD: Thank you all very much. See you  
at the next meeting.  
(Off record)

**(END OF PROCEEDINGS)**

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I, Joseph P. Kolasinski, Notary Public in and for the State of Alaska and Reporter for R&R Court Reporters, Inc., do hereby certify:

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14Subsistence Advisory Council meeting taken electronically by me  
15on the 21st day of September, 1993, beginning at the hour of  
169:00 o'clock a.m. at the North Slope Borough Building, Barrow,  
17Alaska;

20 THAT the transcript is a true and correct transcript  
21 requested to be transcribed and thereafter transcribed by me to  
22 the best of my knowledge and ability;

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

27 DATED at Anchorage, Alaska, this 29th day of September,  
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Notary Public in and for Alaska  
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