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VOLUME II

NORTH SLOPE FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL MEETING

February 24, 1999

Inupiat Heritage Center
Barrow/Browerville, Alaska

Board Members Present:

- Fenton O. Rexford, Chairman
- Ben A. Hopson, Vice-Chairman
- Harry K. Brower, Jr., Secretary
- Gordon C. Upicksoun
- Paul Bodfish, Sr.
- Terry L. Tagarook
- Leonard A. Tukle
- Michael Patkotak
- Charles Hopson, Alternate
- Gordon Brower, Sr., Alternate
- Barbara Armstrong, Coordinator

P R O C E E D I N G S

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CHAIRMAN REXFORD: I'll call the Federal Advisory Council meeting back to order after an overnight recess. We were done, all of number 7 on our agenda, agency reports and we were going to move on to the proposals, where we have two, Proposal 63 and I think they're in Tab -- let's see where are they?

10 MR. H. BROWER: W.

11
12 CHAIRMAN REXFORD: Proposal 63 and the sheep,
13 I don't know what the number on that one. Proposal 48. So
14 they'll be brought up. We have several steps before the
15 Regional Council deliberates and makes its recommendation
16 after hearing some introduction on the proposal, some
17 background on that. That'll be Donna Dewhurst and also the
18 biological and the anthropological/social culture analysis
19 will be heard. And we will hear from the Alaska Department
20 of Fish and Game, which is Geoff Carroll. So I think I may
21 have to wait a little bit before we proceed or we can
22 continue until he gets here. Then we'll open the floor to
23 public comments on the proposal and then the Council can
24 bring each proposal on the table for deliberation and
25 recommendation.

26
27 So without wasting any more time, maybe we can start
28 with Proposal 63. Donna, can you.....

29
30 MS. DEWHURST: Since Geoff isn't here, we can
31 start with 48 because that proposal isn't in his area, 48 is
32 the overlap proposal from Northwest Arctic. It's just a
33 suggestion, because I doubt if he'll have as much comment on
34 that one, since that one is not under his jurisdiction, his
35 area jurisdiction.

36
37 CHAIRMAN REXFORD: What's the wish of the
38 Council? Page 11 on the -- in our book.

39
40 (No audible responses)

41
42 CHAIRMAN REXFORD: No objection, Donna, so
43 proceed.

44
45 MS. DEWHURST: Okay. So we're going to start
46 with 48, which is the second proposal. Well, it's page 12
47 under Tab W. I see some of you still have you fold out maps.
48 This area and it's covered, it's just barely on those maps.
49 The DeLong Mountains is the area that overlaps and why this
50 proposal is even coming to this Council, which is basically

00108

1 right along this boundary. So the DeLong Mountains do slop
2 into 26(A) in part of NPR-A, so there's part of the DeLong
3 Mountains right along in here, which is right along the
4 boundary. And that's where the area overlap is between this
5 Council and the Northwest Arctic Council.

6
7 Because that proposal covers, primarily the Baird
8 Mountains, it also covers the DeLongs. The Bairds are around
9 Noatak and then the DeLong Mountains are right in this area.
10 So part of the DeLongs are in 26(A), that's why this Council
11 is asked to comment on it.

12
13 This is a carry over. Both proposals today are carry
14 overs from last year. So those of you that were on the
15 Council last year it's going to be old news. This proposal
16 started out as a Special Action last August and it was to
17 establish a sheep hunt in that Northwest Arctic area. There
18 hasn't been a sheep hunt in quite a few years because the
19 sheep numbers have been down and everybody uniformly agreed
20 to not hunt sheep up there for several years.

21
22 Recent surveys have shown they're starting to go back
23 up, but not very much. And it was felt the only thing that
24 it was safe to harvest at this time were the old rams. The
25 surveys indicated there was a surplus of older rams, full-
26 curl rams and they could be harvested, at least for a couple
27 of years. And then the thought was to see how the population
28 was doing after that and decide at that point. So at this
29 point it was just full-curl rams.

30
31 The decision was 20 out of the Bairds, 20 out of the
32 DeLongs. And the special was there was a little bit of
33 discussion between the State and the Feds at the time, it
34 went to the Federal Board and the Federal Board decided to,
35 basically, allocate all of the sheep to the Federal side.
36 But the State still had some land in some mountains up around
37 Kivalina and that little piece of land, then, they still had
38 a State hunt. And that State hunt, then, goes towards the
39 DeLongs' allocation.

40
41 So the 20 animals out of the DeLongs includes any
42 that's taken with the State hunt, too. It's kind of -- it
43 isn't a formal agreement, but it's been an informal agreement
44 between the State and Feds at this point.

45
46 Now, what's going on now is the proposal -- that was
47 a Special Action. A Special Action is when you get a request
48 that's out of the normal cycle for these proposals and we get
49 the request and we need to know right now, it becomes a
50 Special Action. So that was done in August.

00109

1 Now what they've done is that that Council has
2 proposed to make it a permanent regulation, a Special Action
3 is only good for one season. The Council has proposed to
4 make it permanent so that's why we're considering it now. So
5 it's the same sheep hunt that was proposed, that was made as
6 a Special Action, but what they want to do is just make it
7 permanent on the books. So they want to extend this sheep
8 hunt so it goes on and on and one, it's not just a one time
9 deal.

10
11 And the other slight adjustment that occurred
12 recently, but it's not part of this proposal is they had a
13 Special Action, I guess it's been about a month ago, I was
14 trying to remember when the designated hunter. They did a
15 Special Action just recently to allow designated hunters and
16 that is good for 26(A) also. So somebody can designate a
17 hunter. If you have an elder in the community or just
18 anybody that can't hunt, but they want a sheep, they can get
19 a designated hunter permit and allow somebody else to hunt
20 for them. But that's only for this season.

21
22 Willie Goodwin, the Chair of the Northwest Arctic RAC
23 did not include that as part of this permanent proposal, but
24 I did want to make you gentlemen aware of that because it is
25 in effect this season. The designated hunter authority is
26 allowed.

27
28 So this proposal is just to extend the sheep season
29 from what was a one year deal to a permanent thing that would
30 be on the Federal books as a permanent regulation. And
31 that's kind of it in a nutshell.

32
33 Any questions?

34
35 MR. H. BROWER: Mr. Chairman.

36
37 CHAIRMAN REXFORD: Harry.

38
39 MR. H. BROWER: Donna, will this -- when this
40 becomes a permanent regulation, will there be a limited
41 harvest of 20 for the years that it's going to be on the
42 books?

43
44 MS. DEWHURST: The way it's written under
45 this permanent regulation it's up to 20. So there's some
46 flexibility written into the regulation. And it says that it
47 will be decided by the superintendent of the -- I used to say
48 Northwest Area, but the name has changed.

49
50 MR. RABINOWITCH: Western Arctic Park.

00110

1 MS. DEWHURST: Western Arctic Park lands.
2 That superintendent, based on the surveys that are done
3 between them and the State, they'll use those survey numbers
4 that summer and decide what the quota will be for the next
5 year. And it can be up to 20 in each mountain range. So
6 that -- the flexibility language was written into the
7 permanent regulation.

8
9 MR. H. BROWER: Thank you.

10
11 CHAIRMAN REXFORD: Any other questions from
12 the Council for Donna?

13
14 (No audible responses)

15
16 CHAIRMAN REXFORD: Okay. Thank you, Donna.
17 The biological/sociological analysis.

18
19 MS. DEWHURST: That's it, you just heard it.

20
21 CHAIRMAN REXFORD: So you went through that.
22 Alaska Department of Fish and Game comments on Proposal 48.
23 Geoff, do you have any?

24
25 MR. CARROLL: This is Geoff Carroll, Alaska
26 Department of Fish and Game. I'm just going to run through
27 what the Department has to say on it. I suppose these were
28 crafted, basically, by Jim Dau in Kotzebue.

29
30 And the Department just opposes a portion pertaining
31 to the DeLong Mountains. I think it's premature to make
32 permanent current temporary regulations for this hunt. We
33 don't really know for sure how many subsistence hunters are
34 going to hunt in that area. In the past the evidence has
35 been that they probably wouldn't take the full 20 quota and
36 there might be some room for other people to hunt in their
37 area.

38
39 See where it says, this action is not supported by
40 substantial evidence and the Department recommends that the
41 Federal Board reevaluate this hunt in one to two years to
42 determine if the subsistence harvest justifies keeping the
43 DeLong Mountains closed to all non-Federally qualified sheep
44 hunters.

45
46 I guess we'd like to have the hunt go as it is for a
47 couple of years and see how many sheep are really harvested
48 in there and see if it's -- you know, just see how it
49 breakdown, how many subsistence hunters are actually using
50 that area.

00111

1 Because the Federal subsistence hunts are still open,
2 it remains uncertain whether Federally qualified subsistence
3 hunters will take the 20 sheep quota from each mountain
4 range. If they do not take 20 sheep from the DeLong
5 Mountains, it should be unnecessary to close this area to all
6 non-Federally qualified subsistence hunters.

7
8 Consideration should be given to either reducing the
9 quota on Federal lands to allow a sheep harvest on State
10 managed lands in the Wulik Peaks or adjusting the Federal
11 quota in conjunction with sheep taken under State
12 regulations.

13
14 Now, since the Baird Mountains are virtually all
15 Federal land this area is not an issue. This proposal does
16 not offer a justification for moving the opening date to
17 August 1st. The current August 10th opening seems to provide
18 adequate opportunity especially considering that aircraft are
19 used to access most sheep hunting areas at this time of year.

20
21 Now, for clarification, that portion of Unit 23 south
22 of Rabbit Creek, Kiyak Creek, and Noatak River west of the
23 Cutler and Redstone rivers is commonly known as the "Baird
24 Mountain." The proposal erroneously lists this area as the
25 DeLong Mountains, which are actually north of Rabbit Creek,
26 Kiyak Creek and Noatak River.

27
28 So that's the Department's opinion on that.

29
30 CHAIRMAN REXFORD: As the book is written.
31 Sandy.

32
33 MR. PATKOTAK: Mr. Chairman.

34
35 CHAIRMAN REXFORD: Yes. Did you have a
36 question for Geoff?

37
38 MR. PATKOTAK: No, it actually can wait, it's
39 actually for Donna, but it's.....

40
41 CHAIRMAN REXFORD: Sandy.

42
43 MR. RABINOWITCH: I've been much involved
44 with this proposal and Special Action, if I can just offer a
45 few other comments that I hope that are along the lines of
46 factual information.

47
48 I think the intent of making the proposal a permanent
49 regulation understands the need for flexibility that the
50 State argues for. And that's structure into the language

00112

1 that they Northwest Arctic Council put forward about having
2 the hunt each year based on the summer census that's done
3 jointly by Fish and Game and the Park Service. And, I
4 believe, that if the animals aren't there that then the hunt
5 would not be opened. If the animals are there, the hunt will
6 be opened.

7
8 So, I think, the issue about flexibility and making
9 it permanent is well understood and the mechanism is there to
10 deal appropriately with really what's going on with the
11 animals. And I think everyone who's heard much of the
12 discussion, and I realize most of that has been in the
13 Northwest Arctic Council.

14
15 I think they all understand that this is probably not
16 a permanent long-term thing, that there's kind of bubble in
17 the population, there's a number of older rams that will die
18 off in not too many years through old age or if they're taken
19 by hunters. And that after that, then, that probably there
20 won't be enough animals for some more years again. There was
21 a lot of information presented to the Northwest Council on
22 that, and I think they understand that.

23
24 And then I think the only other point I have, on the
25 issue of the proposal opening date, the Special Action
26 currently in force, I believe is August 10th, and this
27 proposal asks to go back to August 1st. I think that's
28 consistent. I look to Donna here to see if her memory is the
29 same.

30
31 MS. DEWHURST: The Special Action originally
32 was August 1st.....

33
34
35 MR. RABINOWITCH: Yeah.

36
37 MS. DEWHURST:but we made an adjustment
38 to August 10th because the Park Service -- the local Park
39 Service office in Kotzebue said they couldn't have the permit
40 system in place by August 1st, they needed 10 days to get the
41 permit system going to be able to figure out how to issue the
42 permits and go out to the villages and actually talk to
43 people, so we made an adjustment on their original one to the
44 10th to give them, basically, two weeks to go out to the
45 villages and talk to folks.

46
47 MR. RABINOWITCH: So this takes us back to
48 the original request of the Northwest Arctic Council, and if
49 my memory serves me right, to the village of Noatak which
50 wanted August 1st and what they wanted to do was have more

00113

1 time to hunt from, essentially by using boats, because
2 they'll go up river, you know, before water starts to freeze
3 up. So I think August 1st provides what the village of
4 Noatak was seeking, which was more time to hunt with boats.

5 And this year there is not a problem about timing and
6 getting the administrative stuff in place as there was last
7 year, because last year we were talking about this just a few
8 days before August 1st and we really felt like we did have an
9 administrative problem, we don't have that problem this year.
10 So August 1st is consistent with what the village originally
11 wanted. And should not, administratively, be a problem at
12 all this year.

13

14 I'll leave it at that.

15

16 CHAIRMAN REXFORD: Okay. Thank you. Yeah,
17 Mike and then Gordon.

18

19 MR. PATKOTAK: Mr. Chairman, my question was
20 I know there's been some turnover in terms of representative
21 from Northwest Subsistence Advisory Council and I know what
22 their stand was last year. If there's been any change in
23 their position, it would be a good time to bring it out and
24 let us know, so that we can give them our full support.

25

26 CHAIRMAN REXFORD: Yes, Mike, thank you.
27 Gordon and then Ida.

28

29 MR. UPICKSOUN: Mr. Chairman, staff gave a
30 good example of where we need more flexibility. It would be
31 good if we had a representative from Noatak here, Mr. Ashby
32 the Chair of the Northwest Council, Willie Goodwin, here when
33 we're discussing this proposal. We need flexibility in this
34 area. This would be a perfect time to have Mr. Ashby from
35 Noatak or the Chair, Willie Goodwin, when we're discussing
36 this proposal.

37

38 Thank you, Mr. Chairman.

39

40 CHAIRMAN REXFORD: Thank you, Gordon. Ida.

41

42 MS. HILDEBRAND: Ida Hildebrand, BIA Staff
43 Committee member. I just wanted to comment on the August 1
44 date. Part of the reason they requested August 1 last year
45 when the Northwest Council first requested this proposal,
46 they said that their people were already in the area with
47 other subsistence activities and they wanted to be able to
48 hunt the sheep legally.

49

50 CHAIRMAN REXFORD: Thank you, Ida.

00114

1 MS. HILDEBRAND: Thank you.

2

3 CHAIRMAN REXFORD: Other agency comments on
4 Proposal 48?

5

6 (No audible responses)

7

8 MR. UPICKSOUN: I wish Ben was here too,
9 Mr. Chairman.

10

11 CHAIRMAN REXFORD: Barbara, no written
12 comments, I take it, there's written none.

13

14 I'll open the floor to public comments if anyone from
15 the public wants to make comments on Proposal 48. That
16 includes the Borough or Wildlife Department or anyone, other
17 departments.

18

19 (No audible responses)

20

21 CHAIRMAN REXFORD: None. Okay, move on to
22 the Council deliberation and recommendation on Proposal 48.
23 Any questions or -- now is the time to consider -- Mike, we
24 heard your comment. Northwest apparently will meet, I think,
25 in March, so we don't know what their recommendation is at
26 this time. Also Western Interior, we have not -- anyone got
27 information from the Western Interior's recommendation?

28

29 (No audible response)

30

31 CHAIRMAN REXFORD: With that the floor is
32 open for Council deliberation and recommendation at this
33 time.

34

35 Staff recommendation, who is going to cover that or
36 the interagency staff, take care of that.

37

38 MS. DEWHURST: The staff recommended to
39 support the proposal.

40

41 CHAIRMAN REXFORD: With modification?

42

43 MS. DEWHURST: Yeah, there's -- it was just
44 some language mainly. The "up to" language was inadvertently
45 left out of when the proposal was transcribed. I went back
46 to the transcripts, it was in the transcripts from the
47 meeting.

48

49 CHAIRMAN REXFORD: Where's that?

50

00115

1 MS. DEWHURST: This is page 27, under the --
2 so we put the "up to" language back in, it was inadvertently
3 left out on a transcription. Other than that, as far as
4 there was some concern -- there's been some concern about, as
5 Geoff mentioned, the State wanted to -- they're concerned
6 that there won't be very many sheep taken from the DeLongs.
7 It's too early at this point to know, most of the sheep
8 hunting occurs in March and so since we're right at the very
9 beginning of March or just before it, we don't know what the
10 harvest is going to be yet. And so at this point it's too
11 preliminary to talk about whether or not enough sheep are
12 going to be taken by subsistence hunters or not.

13
14 So, basically, we're holding on that. By the time
15 that the Federal Board meets, the Board will meet in May, so
16 by the time the Board meets we'll know that information, but
17 right now we don't have any information on harvest.

18
19 So the only modification is that change in the
20 language.

21
22 CHAIRMAN REXFORD: Okay. Thank you, Donna.

23
24 MR. PATKOTAK: Mr. Chairman.

25
26 CHAIRMAN REXFORD: Mike.

27
28 MR. PATKOTAK: For Donna. I noticed that the
29 area where -- these Noatak and Kotzebue area people, Unit 23,
30 hunt mostly, it says, up to 20 permits. So and then the
31 season will be closed.....

32
33 MS. DEWHURST: That should be sheep.

34
35 MR. PATKOTAK:when half the quota has
36 been harvested. Do you know what the response was from that
37 particular area by the local harvesters?

38
39 MS. DEWHURST: We didn't have to close it
40 down this year. That provision was written because there was
41 concern the Kotzebue hunters would use airplanes and go get
42 all the sheep. So the reason that that was written -- and
43 that's mainly for the Baird Mountains. There was a concern
44 -- it was felt that Kotzebue hunters that had airplanes would
45 go out there and get all the sheep and the quota would be
46 gone.

47
48 So we put that provision in there when half of the
49 sheep are taken the season will be closed until October 1st.
50 And after October 1st it's harder for folks to get in there

00116

1 with airplanes. You'd basically have to have skis or
2 something and it's a little tougher to get in there with
3 airplanes. And that would let the snowmachiners get a chance
4 to get some sheep.

5
6 The bottom line was we didn't have to close it this
7 year. Ten sheep weren't taken at that point. So we've
8 written that provision in just in case there was a rush on
9 taking sheep with airplanes, but it didn't happen this year.
10 Probably because the weather was really bad, there wasn't
11 much good flying weather in September up in that country.

12
13 MR. RABINOWITCH: Mr. Chairman.

14
15 CHAIRMAN REXFORD: Sandy.

16
17 MR. RABINOWITCH: If I might just add a small
18 bit. The last I checked on the harvest, pertinent to your
19 question here, is about a month ago before the cold weather
20 and, if my memory is correct, I think about seven sheep had
21 been taken under this Federal hunt so far. I think seven in
22 the Baird Mountains and zero in the DeLongs. Now, that may
23 have changed.

24
25 MS. DEWHURST: That's not right.

26
27 MR. RABINOWITCH: Okay. Well, correct me
28 then.

29
30 MS. DEWHURST: It's one or two in the DeLongs
31 and then, like, five or six in the Bairds.

32
33 MR. RABINOWITCH: Well, maybe a total of
34 seven.

35
36 MS. DEWHURST: Yeah, somewhere like that, and
37 I think it's gone up a couple of animals since then.

38
39 MR. RABINOWITCH: So the numbers are still
40 relatively low, but that's about what we know about the
41 actual take.

42
43 And, I might add, in terms of the splitting the
44 quota, there was a lot of discussion by the Northwest Council
45 about a number of factors, aircraft use, where people were
46 likely to be hunting from, what villages hunted at which time
47 of year and what kinds of access they use, boats,
48 snowmachines, airplanes, and so on. There were a lot of
49 factors. And I think it was the consensus of the Council
50 that they wanted to split the quota the way that it was done

00117

1 last year and is proposed for this year again. And they felt
2 that what they were trying to do is sort of even out the
3 opportunity to the respective villages.

4
5 So that's my sense of how they worked that out.

6
7 MR. UPICKSOUN: Mr. Chairman.

8
9 CHAIRMAN REXFORD: Yes, Gordon.

10
11 MR. UPICKSOUN: I support that portion
12 regarding 26(A), but I don't know Barbara's country, it's
13 like -- I wish Ben was here, I wish Ben was here or someone
14 from Northwest Arctic, they'd still be talking. If Ashby was
15 here he'd give us good insight. There was some controversy
16 regarding this when we discussed this with Willie a little
17 bit in Kotzebue. He made some comments relevant to this
18 proposal. I wish we had him telephonically or by
19 teleconference.

20
21 CHAIRMAN REXFORD: Thank you, Gordon. The
22 Chair would suggest maybe having a quick break and seeing if
23 we can find Ben. So the Chair will entertain a motion for at
24 least 10, maybe 15 minute break.

25
26 MR. UPICKSOUN: So move. Five minute break,
27 locate Ben.

28
29 CHAIRMAN REXFORD: Okay.

30
31 MR. UPICKSOUN: Mr. Chairman, he's probably
32 at work.

33
34 CHAIRMAN REXFORD: Okay.

35
36 (Off record)

37
38 (On record)

39
40 CHAIRMAN REXFORD: All right, thank you for
41 bearing with us, we had to get a little bit more information.
42 I call the Council meeting back to order. And I want to
43 thank those that have made some comments this morning. Let
44 me get my bearing here.

45
46 We were still in Regional Council deliberation and
47 recommendation when we broke for recess, Ben. We are on
48 Proposal 48 on the sheep.

49
50 MR. B. HOPSON: Uh-huh.

00118

1 CHAIRMAN REXFORD: It was submitted by
2 Northwest Arctic Regional Council. We had an introduction by
3 Donna, found some background on Proposal 48, why it's before
4 us. We heard the Alaska Department of Fish and Game, their
5 recommendation. And we also heard staff's recommendation on
6 Proposal 48.

7
8 I did place a phone call to Chairman Willie Goodwin,
9 just moments ago, and he's satisfied with the proposal that's
10 before us, with the minor modifications noted on page 27.
11 The staff has worked with the Council to make this Special
12 Action that happened sometime in the summer of '98. This
13 proposal will make it permanent. According to Willie's
14 Council that he supports with the modifications as noted on
15 page 27.

16
17 So with that, is there any further Regional Council
18 discussion?

19
20 (No audible responses)

21
22 CHAIRMAN REXFORD: If not, the Chair would
23 then entertain a motion to work on Proposal 48.

24
25 MR. H. BROWER: So moved, Mr. Chairman.

26
27 CHAIRMAN REXFORD: Moved by Harry to.....

28
29 MR. TAGAROOK: Second.

30
31 CHAIRMAN REXFORD:discuss Proposal 48,
32 seconded by Terry Tagarook.

33
34 MR. UPICKSOUN: Call for question.

35
36 CHAIRMAN REXFORD: I maybe can make a point
37 of clarification on the motion. I think we said work on it,
38 but also make a recommendation either for or against or
39 support with modification or something, I think a matter
40 of.....

41
42 MR. H. BROWER: Let's support.

43
44 CHAIRMAN REXFORD: Support?

45
46 MR. H. BROWER: Support the proposal with the
47 modifications.

48
49 CHAIRMAN REXFORD: Support with modifications
50 as noted on page 27 of the proposal that is before us. So

00119

1 that's.....

2

3

Ben.

4

5

6

MR. B. HOPSON: Yeah. Will North Slope residents benefit from this hunt? Will they be eligible?

7

8

MR. H. BROWER: Yes.

9

10

MR. B. HOPSON: The North Slope?

11

12

MR. H. BROWER: Yes.

13

14

MR. B. HOPSON: Like.....

15

16

MR. H. BROWER: Within the DeLong Mountains.

17

18

MR. B. HOPSON: How would you say it?

19

Permits would be available to residents of Northwest and then.....

20

21

22

MR. H. BROWER: 26(A). I believe that's.....

23

24

25

MS. DEWHURST: All residents of the North Slope are eligible to hunt in the DeLong Mountain's portion of 26(A).

26

27

28

29

MS. H. ARMSTRONG: Because we passed that C&T determination that all residents of the North Slope are C&T.

30

31

MR. B. HOPSON: Yeah.

32

33

34

MS. H. ARMSTRONG: And, Ben, you missed it earlier, but there was a change about a month ago where they added the designated hunter permit as well.....

35

36

37

MR. B. HOPSON: Uh-huh.

38

39

40

41

42

43

44

45

MS. H. ARMSTRONG:and so if there was -- say you wanted to go hunting and you wanted to get a permit for someone -- I mean, someone else had a permit, you could take their permit and go hunting for them. But they have to have a hunting license and they have to have a permit, you have to have it with you. You get those from the Park Service office in Kotzebue.

46

47

MR. B. HOPSON: Okay.

48

49

CHAIRMAN REXFORD: Further discussion on

50

Proposal 48?

00120

1 (No audible responses)

2

3 MR. UPICKSOUN: I call for the question,

4 Mr. Chairman.

5

6 CHAIRMAN REXFORD: Thank you, Gordon. All in
7 favor of supporting Proposal 48 with modification, signify by
8 saying aye.

9

10 IN UNISON: Aye.

11

12 CHAIRMAN REXFORD: Those opposed, same sign.

13

14 (No opposing responses)

15

16 CHAIRMAN REXFORD: Okay, thank you.

17

18 We'll now move on to our proposal, which is Proposal
19 63. We'll go with the analysis. Donna and whoever else will
20 be presenting Proposal 63. Donna.

21

22 MS. DEWHURST: Well, there again, this is a
23 proposal, so I'm not going to probably go into as much detail
24 as we've gone into in the past and save more time for
25 discussion of what was discussed last night at the working
26 group.

27

28 I'll give a brief history of it. Musk-ox were
29 reintroduced on the North Slope around Kaktovik and then down
30 around Cape Thompson, which is a little -- actually it's a
31 little bit off the map, right here. And about 20 years ago,
32 roughly. Since then, those two populations, the North Slope
33 Population is doing much better than the Cape Thompson group,
34 but they're both expanding and kind of moving this way. Of
35 course, this group is moving both directions. They're moving
36 into Canada also, but they're also moving over this way. And
37 the Cape Thompson group is slowly growing and moving up.

38

39 So because of that, last year there was a proposal
40 made to have an incidental musk-ox hunt for 26(A). At the
41 time, and Geoff can correct me if my memory is bad on the
42 timing of this, but I think we already had the Point Lay --
43 the State had done -- was that afterwards or before? I can't
44 remember when the original Point Lay was done.

45

46 Can we get the microphone down to Geoff?

47

48 But a lot of this was going on at the same time the
49 State was trying to develop a hunt for 26(A) and it started
50 around Point Lay, that was the initial -- I can't remember if

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1 that was actually before the proposal was made, the original
2 proposal, or after, but the timing was pretty close, I think.

3
4 MR. CARROLL: Yeah, initially, that's when
5 Gordon and I went to the Board of Game meeting in Nome and
6 they passed a regulation to provide a hunt in the Point Lay
7 area and then a Federal proposal was written, kind of to
8 cover everything else. But then following that, at the next
9 State Board of Game meeting, they expanded the state
10 regulation so that it covered all of 26(A), so I think that
11 this one was deferred at that time to see how the State
12 regulation worked out, so.....

13
14 MS. DEWHURST: That's exactly it, it was
15 deferred by the Board last year because at the time the State
16 was trying to get the hunt going. Well, actually the State
17 had already passed the hunt, it was originally written for
18 Anaktuvuk Pass, but then extended to include all of 26(A), so
19 now the State's hunt, which is basically by emergency order,
20 you have to request a permit, and then you can get a musk-ox
21 if you request it through Geoff. And that is good for 26(A)
22 at the time. And the reason this proposal was extended into
23 this year. The catch was it did not -- the State hunt does
24 not apply to Gates of the Arctic National Park and Preserve.
25 The main issue is the park, not so much the preserve.

26
27 So there was concern that this hunt was established
28 and the State hunt seems to be working really well and it
29 accommodates most of the area. There was concern about the
30 folks of Anaktuvuk Pass and that was my understanding on why
31 this proposal was brought up again this year and resubmitted,
32 was mainly a concern for Anaktuvuk Pass folks because the
33 State hunt didn't include the park.

34
35 And so that's kind of where we're at. It was -- the
36 State hunt does a real nice job of providing opportunity for
37 the rest of 26(A). And the concern with this proposal, as
38 written, and the reason why the staff recommendation was to
39 reject it, the reason that that is because this proposal, as
40 written, doesn't have a lot of parameters to it. It
41 established a hunt that is basically year round, said you
42 could have two permits per hunter, but it didn't have any
43 upper ceiling. It didn't say how many musk-ox can actually
44 be taken.

45
46 And the comments I received as I was working on the
47 analysis this fall from BLM, from Park Service, from Fish and
48 Wildlife Service, Pat Reynolds, pretty much were universal in
49 that there was strong concern that there was a ceiling put on
50 this analysis and that -- there was concern that, basically,

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1 if this thing passed, every musk-ox that went through 26(A)
2 could get killed, and the concern was they didn't want that
3 to happen. They certainly felt like if musk-ox were
4 interfering with caribou, or if they could provide a
5 subsistence opportunity it was okay, but they didn't
6 necessarily want to write a regulation that gave open season
7 to kill every single musk-ox that anybody saw anyplace.

8
9 And that's the main concern that was expressed by the
10 agency. And they felt that under the State hunt there is
11 control. Under the existing State hunt you have to call up
12 Geoff and you have to say, you know, we saw these musk-ox on
13 the Chipp River or wherever and these are the ones we're
14 interested in taking. And then Geoff makes a judgment call
15 and says yes or no and then issues the permits or not. So
16 there's some control in the hunt. Where the way this hunt is
17 written -- this proposal is written, it's wide open season
18 and there's no controls at all.

19
20 So that's why the staff recommendation was to reject
21 the proposal as written, was because it's a wide open hunt.
22 And there was concern that there were no limits put on it.
23 And we don't -- and, you know, somebody said, well, why don't
24 you just write limits. Well, we don't even know how many
25 musk-ox are there, so it's kind of hard to say how many you
26 can take if we don't have a good number on how many were
27 there.

28
29 My, you know -- I think at this point it would be
30 better to go into -- after we go through the formal
31 procedure, but to go into -- there was a long meeting last
32 night of the working group. I think it would be good to hear
33 what they came up with and my overall recommendation, as an
34 aside, would be to concentrate on what you really want. It
35 the park is the issue, then don't worry about broad-basing a
36 proposal, concentrate on what you need and what you want.

37
38 And I think that's basically what the working group
39 talked about last night. But at this point I'll yield the
40 floor to discussion from the working group because I think
41 that that's the most pertinent information right now.

42
43 CHAIRMAN REXFORD: Thank you, Donna. Okay.
44 You've heard the introduction. Again, the proposal starts --
45 you can actually see the proposal on page four under Tab.....

46
47 MS. DEWHURST: W.

48
49 CHAIRMAN REXFORD:W. For those that
50 are not familiar with this, maybe it'll be -- okay, just to

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1 run it by real quick, on page four you can see that there's
2 no Federal open season in 26(A). A proposal that we're
3 presenting or putting back on the table last fall was to open
4 it all excluding Maritime Northwest or whatever -- MWR lands
5 for two musk-oxen by Federal permit July 1 to June 30. To
6 authorize the taking of incidental musk-ox which disperse
7 into 26(A). To limit, again, the effect of change on fish
8 and wildlife population, to limit musk-ox population
9 dispersement and expansion in 26(A) and reduce musk-
10 ox/caribou interaction especially in traditional hunting
11 areas.

12
13 The management plan was stabilize the growth
14 throughout the North Slope. Some additional comment on that.
15 Again, this will provide an new subsistence opportunity to
16 take musk-ox in 26(A). Those communities which have used it
17 is Point Lay, they've harvest one, I think, or two recently.
18 One?

19
20 MR. UPICKSOUN: One.

21
22 CHAIRMAN REXFORD: So this was borough before
23 us for discussion last fall and now it's before us. And
24 we're going to go before the Federal Subsistence Board for
25 action either way. So at this time are we going to go over
26 any other analysis that's before us, Donna?

27
28 MS. DEWHURST: No, that's -- like I say, I
29 yield the floor to discussion from the working group from
30 last night.

31
32 MR. UPICKSOUN: Mr. Chairman.

33
34 CHAIRMAN REXFORD: Gordon.

35
36 MR. UPICKSOUN: I have a question for anyone
37 representing National Park Service. What their position on
38 incidental take in the Anaktuvuk area?

39
40 MR. ULVI: Mr. Chairman, Steve Ulvi, Gates of
41 the Arctic National Park.

42
43 CHAIRMAN REXFORD: Steve.

44
45 MR. ULVI: The position is as stated in the
46 analysis, is that for the national park area it is against
47 our policies to allow taking of one animal population to
48 benefit another animal population or to reduce nuisance
49 animals, you know, aside from defense of life and property
50 situation, which we use State regs for that. So it's against

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1 our policy to allow the State's incidental permit harvest for
2 musk-ox to occur on private lands and that includes, as I
3 mentioned earlier in the meeting, that includes both preserve
4 and park lands. So our policy does not allow us to allow
5 that incidental take permit to apply to park lands.

6
7 MR. UPICKSOUN: I thought you were supposed
8 to walk hand and hand with the State. Your policy and the
9 State's differ. I thought you were supposed to learn how to
10 walk together as regulations go, Steve, between the State and
11 the Federal. Something wrong with your policy there when
12 it's okay with the State and then National Park Service won't
13 change their position regarding incidental take of musk-ox in
14 Anaktuvuk area. It's okay on private land, on State lands
15 because of the factors they may affect the migratory pattern
16 of the caribou and when the musk-ox are on Federal land, when
17 they are, in fact, affecting the migratory pattern of the
18 musk-ox you can't -- you're not allow for any incidental
19 take. You know, you're supposed to walk hand and hand with
20 the State as far as simplifying your regulations.

21
22 CHAIRMAN REXFORD: Thank you, Gordon.

23
24 MR. ULVI: Mr. Chairman, if I might respond.

25
26 CHAIRMAN REXFORD: Steve.

27
28 MR. ULVI: I think you've made a fair
29 statement, but there are significant differences between
30 State authorities and Federal authorities when it comes to
31 managing lands and resources upon those lands and it's a --
32 it has to do with the United States Constitution, it has to
33 do with the Supreme Court decisions for the last 100 years.
34 It has to do with a lot of things that are well outside my
35 purview, our purview and those kind of things. I don't want
36 to go into those, but just suffice it to say that sometimes
37 there are situations where Federal policies are, in fact,
38 different from State policies and where that line is on the
39 map, where the park starts and State land or even other
40 Federal lands end, those policies apply.

41
42 Now, I would hope that would not be taken as an anti-
43 subsistence kind of a policy, but it is, in fact, a policy
44 that applies to Park Service units nationwide and in Alaska,
45 that we generally do not allow the reduction of one species
46 to favor another species. And that's not to say that we
47 don't recognize there is an issue with the presence of musk-
48 ox and caribou in critical migration areas.

49
50 I feel that the current State permit system, which

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1 does, as you point out, correctly apply to ASRC and Nunamiut
2 Corporation lands around Anaktuvuk Pass within the park
3 there, in the valley bottom of the Anaktuvuk and John Rivers,
4 but that is, in fact, the most critical caribou migration
5 corridor for that community. And that the current State
6 permit system applies to those lands. And we have said that
7 we are not opposed to that system on those lands because we
8 feel it's an appropriate way to respond to those concerns.

9
10 CHAIRMAN REXFORD: Thank you, Steve. For
11 your information, too, I had a cup of coffee with Raymond
12 Punaag (ph), who is from Anaktuvuk Pass and got some
13 information from him that the musk-ox at AC are near town or
14 north of Anaktuvuk Pass along the -- that private and State
15 land corridor. I asked him would there be some outside of
16 those lands and he didn't say whether they were, but most of
17 the sightings have been within the hard area, but beyond the
18 boundary there are some areas in 24 or Unit 24. I wonder how
19 we would -- or how the State would take care of the rest of
20 that area because the present hunt is only in 26(A).

21
22 But again, Raymond Punaag (ph) has stated that in
23 26(A) most of the sightings are in the private lands and we
24 may be sufficient with this State proposal that we're using
25 and further refine or something. But I'm, you know, giving
26 you the survey that I've taken or -- it's not my opinion to
27 either table it or go forward with modification and what not,
28 so I'm just passing on information.

29
30 MR. PATKOTAK: Mr. Chairman.

31
32 CHAIRMAN REXFORD: Mike.

33
34 MR. PATKOTAK: Mr. Chairman, I have a
35 question. It says two musk-ox by Federal registration
36 permit, is that the hunter or is that just per area?

37
38 MS. DEWHURST: Per hunter.

39
40 CHAIRMAN REXFORD: Per hunter.

41
42 MR. PATKOTAK: Per hunter.

43
44 CHAIRMAN REXFORD: Ben.

45
46 MR. B. HOPSON: Yeah. You know, the general
47 feeling around Anaktuvuk regarding musk-ox have been -- you
48 know, it's normal to see loners coming in and out of the
49 area, both in and out of 26(A) into the white and
50 occasionally they'll dip into the purple area, which is the

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1 park, you know, a few miles south of town. But I've -- but a
2 lot of times it's right there on State lands or private
3 property.

4
5 And then the feeling has been that people wanted to
6 harvest these musk-ox that are coming in for subsistence
7 purposes. Because we had several that were in and around the
8 village last summer through the fall and it was -- you know,
9 people were talking about them on the CB constantly because
10 we're out hunting caribou in August and we'd spot them here
11 and then we'd hear a radio report that they're here now, and
12 stuff like that.

13
14 CHAIRMAN REXFORD: Okay. Thank you, Ben,
15 very good information.

16
17 MR. B. HOPSON: On that part.....

18
19 CHAIRMAN REXFORD: I want to just go over the
20 analysis and go over some points here, I think, it would be
21 for the record mainly for the staff and Federal and State
22 agencies that helped present -- or worked on Proposal 63. So
23 I'll turn the floor over to Ben -- or the Chair over to Ben
24 for a couple of minutes and perhaps start with page five
25 where the Draft Staff Analysis, under the Discussion.

26
27 The differences that we have between Federal and the
28 present that's with the State, we know that the State
29 proposal that Geoff is using for Proposal [sic] 26A is not
30 sufficient or it's inadequate to meet the requests from
31 Anaktuvuk Pass, like Ben stated, that some occasions they'll
32 spot a musk-ox on the purple area, rather than in the State.

33
34 We also in our discussion know that in 26B there is a
35 path or migration of musk-ox from 26(B) or 26(C), we want to
36 consider in the future a whole population rather than a
37 subpopulation. We used 26(B) at 10 percent but were down at
38 five percent hunting 9(E) west of the pipeline and 4 east of
39 the pipeline. So that's under five percent even though the
40 State regulations says they can do it up to 10 percent.

41
42 So we're still within the 10 percent if we took one
43 or two musk-oxen within 26. If we use the terminology from
44 26 (C, B and A) all combined a population 1,000 -- I'll say
45 1,500 musk-ox all together. I'm just pulling that out of the
46 air. And out of that there's a subpopulation or a population
47 known in Kaktovik, 26(C) there, they set the line there but
48 the words using -- on page seven. Let's see, was that on
49 page seven or -- the first I think we need to -- it's not on
50 page seven, it's on page eight.

1 Number 2 under Justification, the third sentence
2 where -- have a long-term effect of exterminating or getting
3 rid of. I think that it should be made know that they won't
4 be exterminated. The whole population will not be
5 exterminated whether it's in park's land or in all of Unit
6 26(A) or Unit 26.

7
8 Number 3, the third to the last sentence.
9 Unacceptable decline in musk-ox using area. If there's
10 additional harvest on NPS it could cause an unacceptable
11 decline in musk-oxen using the area. Well, bear in mind this
12 is a biological concern, we also have a sociological concern
13 that's unacceptable to the folks in Anaktuvuk Pass or those
14 on the North Slope. So we have two differences, we can say,
15 that should be noted.

16
17 Again, the additional harvest on NPS land could cause
18 an unacceptable decline in musk-oxen. That's a biological
19 concern. So our sociological concern is -- without input
20 from Anaktuvuk Pass it our decision that musk-oxen should be
21 there. The impact not only for biological should be
22 considered, sociological concerns should also be looked at.

23
24 Today we know -- again on number 2, there's not known
25 population now, so if we have no known population now, why
26 worry about a subpopulation forming, we're worried about
27 creating a long-term effect. We created a season hunt.
28 Since there's nothing now, we would urge to keep it
29 stabilized, the population stabilized, keep it that way
30 before it really changes the -- how you call it, the micro-
31 ecosystem or ecosystem dealing with people, the users, the
32 end result the musk-ox, caribou, before the musk-ox upset
33 that current -- I don't know what the biological term is, but
34 the chain, the food chain. Since they haven't been there for
35 100 years, so with them coming in now, it's upsetting that.
36 The balance is upsetting.

37
38 Anyway, on the Musk-ox Population Surveys on page
39 seven, there are now breeding groups of musk-oxens in Unit
40 26(A). You can hear from testimonies from people in Atqasuk,
41 they see five to eight not to far from their around Atqasuk.
42 Chipp River, there was five or six. I'm sure there was other
43 breeding groups in our subgroup of families. So that could
44 be changed or added, that new observation is that there are
45 breeding groups of musk-oxen in 26(A)

46
47 It's stated in here in the third paragraph of Musk-ox
48 Population Survey, I'll just go over this real quickly.
49 Musk-oxen -- about the fourth sentence. Musk-oxen are
50 considered a reestablished native wildlife species in the

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1 process of recolonizing their historic range. This is a
2 statement that we need to work with or have local input, the
3 impact of it. There's currently little information available
4 as to the extent of suitable habitat in the park for eventual
5 reestablishment of breeding population.

6
7 The habitat, right now, if they were reestablish
8 would alter routes of the caribou. The impacts then would be
9 -- they're upset, as stated in the local concerns in the last
10 paragraph. Caribou movements are altered making caribou
11 subsistence hunting more difficult. So, again, there needs
12 to be local input before a decision or final say so of
13 reestablishment a native wildlife species in the park. So
14 there can be limited hunts to prevent that. If they want to
15 grow some more then the -- or the population needs to be
16 expanded then the Park Service needs to talk with the
17 residents of Anaktuvuk Pass to reestablish that in a control
18 manner.

19
20 So with that I'll, again, the unacceptable decline of
21 additional harvest was mentioned on page eight, the last
22 paragraph, number 3. Additional harvest on NPS land could
23 cause an unacceptable decline in musk-ox using the area. I
24 made a footnote, versus -- versus what, social and survival
25 or use of caribou by folks in Anaktuvuk would decline.

26
27 Also have a mandate that parks is trying to adhere to
28 for sightings or sightseeing. So we need to balance that and
29 make it a subsistence hunt in the future, one or two, in and
30 around Anaktuvuk Pass, north and south, whether it's on State
31 or Federal lands, that's still inadequate with State of
32 Alaska.

33
34 So with that I just wanted to bring before the record
35 for who's the authority stating these, that musk-oxen would
36 be bothered rather than -- statement should be that also
37 social impact as well.

38
39 Personally after 100 years or plus, again there's
40 been a system or biosystem without musk-ox. Right now with
41 them coming in the ecosystem would be upset, it would be
42 unacceptable due to offset or upset of the caribou migration.

43
44 So that'll be my statement or -- for the record,
45 working on the justification by the staff, we'll make it know
46 that we're trying to correct the inadequacy or it doesn't
47 cover enough in the State current regulation, so we'll hear
48 from the State. I know we'd like hear from the residents of
49 Anaktuvuk Pass, they say that the State system is sufficient
50 for now, but we'll need to work in the future for a hunt to

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1 cover south on Park Service lands for either one or two. And
2 I don't think that would exterminate or get rid of all the
3 musk-oxen on the Slope. So if that would be allowed that
4 would be good.

5
6 My feeling around is to table Proposal 63 and move
7 forth with the State. We have one more year, we went and
8 said, let's give the State regulation two years, it's on its
9 second year now, a year went by, so they're working on the
10 second year and haven't reached Anaktuvuk Pass, but I think
11 with more public relations they can probably go out today or
12 tomorrow, if they were -- they knew that the system is set
13 there already.

14
15 Thank you.

16
17 MR. B. HOPSON: Thank you, Fenton. I'll turn
18 the Chair back over to you.

19
20 CHAIRMAN REXFORD: Any other comment on
21 Proposal 63 or.....

22
23 MR. PATKOTAK: Mr. Chairman.

24
25 CHAIRMAN REXFORD: Michael.

26
27 MR. PATKOTAK: Yeah, I'd like just to comment
28 on the -- I don't know how the rest of the representative
29 here on the RAC Committee feel, but there's two extremes that
30 I see here. One for our proposal and the staff
31 recommendation, which is completely opposing. And that of
32 our proposal is from one extreme to the other and my
33 suggestion would be to working committee or the State and on
34 the Federal portion and on the Park Service is that it seems
35 like there's been inadequate studies in terms of how fast
36 this population increased.

37
38 Well, I can tell you the population is definitely
39 increasing with additional sightings even in the Peard Bay
40 area. And instead of completely opposing this, my suggestion
41 would be that this be seriously considered and studied by all
42 in terms of setting up even a quota system before it becomes
43 a major problem.

44
45 And having listened to some of the elders in terms of
46 population of caribou, their comments in terms of long range.
47 And one of the things that I questioned some of the elders
48 about this caribou population is that -- the feed, the lichen
49 that they have has decade type of fluctuations and,
50 therefore, you see fluctuations in the caribou populations,

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1 based on their available feed.

2

3 And just like rabbits, you know, they'll have their
4 population swing, although the rabbits, their population
5 swing will be more close range in terms of one or two years.
6 Caribou populations will fluctuate in terms of decades if not
7 10-15 year swings. And my suggestion would be that you folks
8 study this and look back at existing population data and the
9 migratory pattern and you can pretty well tell that sooner or
10 later this caribou population is going to go down.

11

12 And with these two extremes here that it'll be too
13 late by the time the biological patterns of caribou swing
14 down and no existing regulations or even dialogue of one
15 extreme to the other exists between. So that's my concern
16 there that you'll -- the scientific community is going to
17 quickly find out that the Native community was right and the
18 population swings down so fast that our subsistence villages
19 that really heavily rely on these will be severely affected.
20 And that we seriously consider even a quota system and
21 seriously consider future studies on this in terms of the
22 scientific community.

23

24 I don't know how anybody else feels about that,
25 but.....

26

27 CHAIRMAN REXFORD: Okay, thank you, Mike.

28 Ben.

29

30 MR. B. HOPSON: Yeah, I'd like to comment,
31 too, on the Gates of the Arctic National Park. It's -- you
32 know, we have a lot of hikers, rafters, visitors that come in
33 and out of the park, both in the summer, and to some limited
34 extent, during the winter. We have skiers now and then. And
35 then that park is not -- you know, it's not -- it's pretty
36 bountiful in game, wherever you go you're most likely to see
37 some kind of game. And, you know, the Musk-ox Management
38 Plan says we're going to have an established musk-ox
39 population that's in check somewhere on the Slope and that's
40 another area. You know, if people want to see musk-ox
41 specifically there's areas to see them. Just to the east of
42 us there's established populations near the Haul Road and
43 onward toward 26(C) too. Plus going way over to Cape
44 Thompson or Lisburne.

45

46 But Gates of the Arctic is not lacking in wildlife
47 for hikers to, you know, see something. They'll either see
48 maybe marmots somewhere or sheep or maybe they'll see
49 grizzly, all kinds of birds, whatever.

50

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1 CHAIRMAN REXFORD: Further comments from the
2 Council?

3
4 (No audible responses)

5
6 CHAIRMAN REXFORD: Additional agency
7 comments? Anyone from the agencies or the working group want
8 to -- Geoff.

9
10 MR. CARROLL: Well, it sounds to me like
11 we've kind of come to an agreement that, you know, that this
12 proposal, as written, is really too broad and too limitless.
13 And, you know, kind of what we're basically talking about now
14 is trying to cover that area around Anaktuvuk Pass. And, I
15 don't know, Ben knows what musk-oxen are up there a lot
16 better than I do, but, you know, every time I've gotten a
17 report for -- you know, it seems like for the last three or
18 four years I've gotten -- had people call in from Anaktuvuk
19 saying that there were musk-ox around and what they reported,
20 you know, are always -- you know, they've always been down in
21 the valley bottom, either north of the village or, you know,
22 a little south there.

23
24 And it seems like, you know, whenever I've had
25 reports they've always been within that area where we can
26 issue permits now, and I think we probably have at least 95
27 percent of the area that, you know, musk-oxen might show up
28 in, covered by the State permit. I don't know, I know one
29 suggestion last night was to, you know, kind of table this
30 proposal again and, you know, give the State regulation its
31 second year to see how it works out and see if it does work
32 out all right up in Anaktuvuk for the coming year. So, you
33 know, that's one suggestion is we can table it and see how
34 things work out for the next year. And if there are musk-
35 oxen that are, you know, kind of off in the purple zone
36 there, come up with a regulation that allows them kind of a
37 subsistence hunt within that area.

38
39 That's one suggestion.

40
41 CHAIRMAN REXFORD: Okay. Thank you, Geoff.
42 Mr. Yokel.

43
44 MR. YOKEL: Thank you, Mr. Chairman. I just
45 wanted to try to provide some assurance to Michael inasmuch
46 as you'll believe me or trust me, that we do take very
47 seriously the idea of studying these numbers of musk-oxen on
48 the North Slope, and the entire working group does, not just
49 the Federal agencies, but the State agencies and the local
50 members of the working group.

00132

1 And under Tab V, as in Victor, is a copy of the plan
2 and on page four of that plan under Goal Number 1 it says
3 that efforts will be made by the cooperators to conduct
4 population surveys yearly in all areas of the North Slope
5 where populations of musk-oxen exists. And these kind of
6 surveys have been going on regularly in the eastern part of
7 the North Slope for many years. They are becoming better
8 developed in the central part of the North Slope where musk-
9 oxen have increased in numbers in the last several years.
10 And there have been no regular surveys in the 26(A) portion
11 of the North Slope because there have been no, up till now at
12 least, no regular occurrences of musk-oxen.

13
14 However, we do want to get a better handle on musk-
15 oxen in 26(A). We've heard over the last year, at least,
16 that musk-oxen do exist somewhere between Atkasuk and the
17 Ikpikpuk River. And we're going to try to see if we can get
18 a handle on them and we want the same thing that you want in
19 that sense, I guess, is what I'm trying to tell you.

20
21 And then, finally, I'd just like to say, briefly, to
22 the Council, as a whole, that, you know, under the staff
23 analysis here it said that the staff opposes this proposal
24 because it fears that all the musk-oxen would be killed off
25 or unacceptable declines. I would like to state for the
26 Bureau of Land Management that we oppose this proposal simply
27 because we do not see it as being consistent with the Musk-ox
28 Harvest Plan that the working group, the entire working
29 group, has just recently put together. We've come to an
30 agreement, not everybody is completely satisfied with it, but
31 we all worked together for a number of years and we came to
32 an agreement and I think that, in and of itself, is a
33 substantial success on all over our part. And the BLM
34 opposes this proposal because it is not consistent with that
35 agreement.

36
37 Thank you, Mr. Chairman.

38
39 CHAIRMAN REXFORD: Okay. Thank you, Dave.

40
41 MR. UPICKSOUN: Mr. Chairman.

42
43 CHAIRMAN REXFORD: Gordon.

44
45 MR. UPICKSOUN: Dave, I didn't hear, you said
46 it's not consistent with what? Your last statement?

47
48 MR. YOKEL: It is not, in my opinion,
49 consistent with the musk-ox harvest plan that you have before
50 you in your booklet here under Tab V. Would you like for me

00133

1 to say why I think it's not consistent, is that the problem?

2
3 MR. UPICKSOUN: Yes.

4
5 MR. CARROLL: Dave, he said yes.

6
7 MR. YOKEL: I'm sorry, I didn't hear that.
8 Okay, the plan, in terms of Unit 26(A), and that's all we're
9 talking about under this proposal, calls to establish permit
10 and hunt procedures to allow residents of villages in GMU
11 26(A) and Anaktuvuk Pass to harvest a limited number of musk-
12 oxen that disperse into their affected hunting areas. So
13 this does not say to harvest any musk-ox anywhere in 26(A) at
14 any time, but that's what Proposal 63 would allow. That's
15 why I think they're not consistent.

16
17 CHAIRMAN REXFORD: Any Federal or State
18 agency comments? Taqulik.

19
20 MS. HEPA: Taqulik Hepa, for the record.
21 I'll just talk a little bit about the way that the proposal
22 is written right now, as Dave just mentioned, it's probably
23 -- it's not exactly what, you know, this RAC Committee
24 probably wants to go forward with it to the Federal Board at
25 the May meeting.

26
27 There was two things, one is it talks about the
28 incidental take, and like Ben Hopson had just said, it's not
29 an interest of incidently taking musk-ox, but for the
30 subsistence use of musk-ox, so that's one big difference.

31 And with the State's new proposal for all of 26(A), I
32 believe that it goes into 24, too, so that would cover all
33 State lands south of Anaktuvuk Pass that go into 24. Unit
34 24, is that right, Geoff?

35
36 MR. CARROLL: What the regulation says is
37 that, you know, the private lands south of Anaktuvuk within
38 two miles of the John River. So it's basically, you know,
39 covering the bottom of the valley there that's likely to be
40 the migration corridor for caribou. You know, that's all
41 that we could cover through the State system, you know,
42 because the rest is park land there. I mean, it's not all
43 State land in 24, but it's that strip that you can see on
44 this good map here that goes into 24, kind of that white
45 area, south and west of Anaktuvuk.

46
47 MS. HEPA: So it would cover that white area?

48
49 MR. CARROLL: Yeah, uh-huh.

50

00134

1 MS. HEPA: Okay. And then I just wanted to
2 make one comment about the surveys that are conducted. You
3 know, over the last several years we've heard people from the
4 different communities call and say that they have seen musk-
5 oxen in certain areas, like Mike pointed out, the Kugaruk
6 area, Peard Bay. We've had calls from people from Wainwright
7 sighting polar -- not polar bears, but musk-ox. Point Lay
8 area, we've heard, you know, five to six musk-ox in a certain
9 area south of Point Lay. Fish Creek area, Pingo (ph) Island,
10 Anaktuvuk Pass, Point Lay, Atqasuk, you know, so that's
11 basically all across the North Slope. Until a full survey is
12 down across the North Slope you won't really know how many
13 musk-ox are actually in Unit 26(A).
14

15 And I think it's important, you know, all these
16 little bits of information of musk-ox here and there that
17 there needs to -- that the survey needs to be expanded very
18 much. And that will probably answer a lot of the questions
19 that we have about how many can people actually harvest in
20 26(A).
21

22 And then another question I had was how do we
23 determine a breeding population? When you see five to seven
24 or nine musk-ox in an area, is that considered a breeding
25 population? I don't know that answer, but that seems like
26 much different than a single bull moving into an area when
27 they talk about a single musk-ox dispersing, but when you get
28 small groups like that, that might be an indication that
29 there might be, you know, a possibility of breeding.
30

31 And, I guess, just the last thing, that again, just
32 to state that the way that that Proposal 63 is written here,
33 if you were to recommend that this go forward to the Board,
34 you might want to really consider making some amendments to
35 change it for it to be a subsistence hunt for the people of
36 Anaktuvuk Pass and to consider the areas, you know, in which
37 the people of Anaktuvuk Pass might be interested in hunt,
38 whether it's on State or the Park Service land.
39

40 Thank you.
41

42 CHAIRMAN REXFORD: Thank you, Taqulik.
43 Donna.
44

45 MS. DEWHURST: After listening to the
46 discussions, another thought came to me, and this is just a
47 suggestion and this is another option you could do. But it
48 seems like what you're saying is -- talking about deferring
49 this proposal. Another option that I thought about would be
50 to withdraw this proposal at this time.

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1 And you say, well, we don't want to do that. Well,
2 we're going to meet in the fall anyway, you know, it's our
3 normal fall meeting, that's when we make proposals. If at
4 that time, we'll know more about how the State hunt went and
5 if you want to resubmit a proposal then you could craft a new
6 proposal to exactly what you want. If the issue is Gates of
7 the Arctic, you know, and you want -- and a subsistence hunt
8 and changing the language, it would be better to go in with a
9 new proposal that's written specifically for what you want at
10 that time, instead of dragging along this old proposal and
11 modifying it.

12
13 That would be -- I'm just saying, that's another
14 option, would be just to withdraw this one, get it off the
15 books right now if you don't want it to go forward to the
16 Board and then next fall write a new proposal, write it
17 exactly the way you want it instead of trying to change this
18 one.

19
20 MR. UPICKSOUN: Mr. Chairman.

21
22 CHAIRMAN REXFORD: Gordon.

23
24 MR. UPICKSOUN: I move that we table Proposal
25 Number 63.

26
27 CHAIRMAN REXFORD: Gordon has moved to table
28 63.

29
30 MR. B. HOPSON: Second it.

31
32 CHAIRMAN REXFORD: Seconded by Ben.

33 Discussion?

34
35 MR. C. HOPSON: Well, I have a comment.

36
37 CHAIRMAN REXFORD: Mr. Hopson.

38
39 MR. C. HOPSON: I recommend that we pass this
40 Proposal 63 and take six to 10 percent of the known
41 population of the musk-ox. And if there's no known
42 population, you know, we just live with the incidental take
43 when musk-ox are bothering the caribou, we leave that in
44 there, you know. Leave it open instead of tabling it. We
45 take six to 10 percent of the known population. If there's
46 no known population someone needs to go out there and count
47 them or something, you know, leave this thing open instead of
48 tabling it. But I would leave the, you know, incidental take
49 open, you know, if we have problems with this and that, you
50 know. If there's no population here, you know, we aren't

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1 going to go out and get them. And that would just be my
2 suggestion, you know.

3
4 CHAIRMAN REXFORD: Okay. Thank you, Charlie.
5 Michael.

6
7 MR. PATKOTAK: Yeah, I've been reading
8 through some of this -- the justification and studies put out
9 and the different options in management and study concerns
10 put out by the working group, but I don't see anything in
11 terms of movement patterns that are substantiated in terms of
12 how fast a certain area is -- there's an assumption here that
13 I think is not substantiated and that no real studies have
14 been done in terms of how individual animals move from the
15 North Slope to the Anaktuvuk Pass area and 26(C) or ANWR and
16 how they interchange, these animals. And I would assume that
17 this study has been done with your disapproval or your head
18 nod there, Mr. Yokel, but I don't see anything in terms of
19 any real established movement patterns in here that would
20 help make a reliable decision.

21
22 MR. UPICKSOUN: Mr. Chairman.

23
24 CHAIRMAN REXFORD: Yeah, Mr. Brower and then
25 Gordon.

26
27 MR. H. BROWER: I agree with Mr. Upicksoun's
28 motion to defer this -- to take any action on this proposal
29 and we have a couple of comments that we heard earlier that
30 probably also need to be considered to more research on how
31 the communities affected or how the hunters are affected
32 within Anaktuvuk area.

33
34 And then you stated the social analysis that should
35 also be considered here. Probably need to be researched
36 within this one year that we still have to follow through on
37 the proposal that was submitted to the State.

38
39 So that would be my justification to agree with
40 Mr. Upicksoun's recommendation and to defer the proposal.

41
42 CHAIRMAN REXFORD: Okay. Thank you, Harry.
43 Need more work on the socio-cultural analysis on the next
44 time we will be revisiting this proposal or a new one. The
45 impacts not only to biological concerns for that, we also
46 need to weigh the socio or the human side of it too.

47
48 Further discussion? Gordon.

49
50 MR. UPICKSOUN: Yeah, Mr. Hopson's comments

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1 are correct, an established group of musk-ox, a breeding
2 group, when he's talking about 10 percent, but 10 percent of
3 one musk-ox that we're allow in incidental taking, 10 percent
4 of one musk-ox is nothing or maybe one or two musk-ox that
5 the village of Anaktuvuk want to get rid of out of the
6 migration path of the caribou, you know. And you said you
7 even 10 percent across the Slope that'll wipe out the intent
8 of incidental take.

9

10 CHAIRMAN REXFORD: Thank you, Gordon.

11

12 MR. H. BROWER: Mr. Chairman.

13

14 CHAIRMAN REXFORD: Harry.

15

16 MR. H. BROWER: Call for the question.

17

18 MR. C. HOPSON: Not (indiscernible - away
19 from microphone) incidental take, you know, it's 10 percent
20 of the known population, you know, in the area. If there's
21 known populations for 26, you know, that wouldn't hurt the
22 herd as six to 10 percent, you know. Not the incidental
23 take. If there's on bull in Anaktuvuk area, that, you know,
24 that's -- you know, take it off in incidental take, you know.
25 That population is only five, you know, or whatever, you
26 know. But for subsistence use six to 10 percent of the known
27 population in the different areas, you know.

28

29 MR. UPICKSOUN: Mr. Chairman, this process
30 was simple when it only addressed that problem in Point Lay,
31 they were willing to give us the musk-ox and we when we tried
32 to include the rest of the Slope, especially Anaktuvuk where
33 there are different land issues involved, it got complicated.
34 Used to be real simple when it was just Point Lay.

35

36 CHAIRMAN REXFORD: Okay. Thank you.

37

38 MR. H. BROWER: Call for the question,
39 Mr. Chairman.

40

41 CHAIRMAN REXFORD: Question is called. Let
42 me get the motion here and the definition, I think we need
43 better define the motion or get an understanding on the
44 motion to defer, whether that would be either table or
45 withdraw or.....

46

47 MR. UPICKSOUN: Mr. Chairman.

48

49 CHAIRMAN REXFORD: Gordon.

50

00138

1 MR. UPICKSOUN: Mr. Chairman, I didn't --
2 okay, when you say let's clarify that language, I agree with
3 you. When I said table I didn't mean -- you're right we can
4 defer it. I was wrong when I said table. You're right when
5 you said we need to clarify the language on this motion.

6
7 CHAIRMAN REXFORD: Yeah, that's what I mean,
8 clarification whether your motion was to defer or.....

9
10 MR. UPICKSOUN: I mean for us to defer
11 Proposal 63, not table it, Mr. Chairman.

12
13 MS. H. ARMSTRONG: Maybe we can offer some
14 explanation.....

15
16 CHAIRMAN REXFORD: Just a minute here.....

17
18 MS. H. ARMSTRONG: Okay.

19
20 CHAIRMAN REXFORD:I'm trying to follow
21 the Robert's Rules of Order here before we discuss this thing
22 further. I wanted to get an understanding.

23
24 MS. H. ARMSTRONG: I want to explain the
25 difference between deferring and withdrawing.

26
27 CHAIRMAN REXFORD: Okay. Gordon, what was --
28 your motion was to table?

29
30 MR. UPICKSOUN: My was to table. I meant to
31 defer it, not to withdraw it. To defer it until -- so it can
32 be brought up any time again. That was my intent, Mr.
33 Chairman.

34
35 CHAIRMAN REXFORD: So it's to table.

36
37 MR. UPICKSOUN: No, defer.

38
39 CHAIRMAN REXFORD: Defer it, okay.

40
41 MR. UPICKSOUN: Uh-huh.

42
43 MS. DEWHURST: Do you understand that still
44 means the Board will still discuss this spring. When you
45 defer it, it would still be under the Board consideration
46 this spring as it's written.

47
48 CHAIRMAN REXFORD: Okay.

49
50 MR. UPICKSOUN: Mr. Rabinowitch is.....

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1 CHAIRMAN REXFORD: Mr. Rabinowitch.

2

3 MR. RABINOWITCH: Thank you. Just continuing
4 on with the process, you know, discussing how things would
5 work, depending on what you'd say. I would suggest that if
6 you choose to defer this that the next stop along the way is
7 the Federal Board Staff Committee that Ida Hildebrand and I
8 sit on. If the Staff Committee also recommended deferral it
9 is very possible that the Federal Board could agree to put
10 this on their consent agenda, which would mean that they
11 would, en masse, with other proposals agree, basically, to
12 just defer it. And it really means just what Gordon's
13 saying, that you then have the procedural vehicle in place to
14 bring this up at a later date. You know, whenever you meet
15 you can bring this up, bring more information onto the table
16 and so on and so forth. And then at any point at your
17 choosing, you can forward a recommendation to the Federal
18 Board.

19

20 So, I guess, I'm disagreeing just a little bit with
21 Donna in that I don't think it means the Federal Board has to
22 talk about it, because they may just agree to defer it and
23 wait until you all bring it up again. I mean, that's a
24 subtly and -- but that consent agenda is something that was
25 started last year and the Board used, in instances like this,
26 when there was, you know, general agreement -- and the only
27 exception would be to the comments that, you know, Geoff
28 offered. I don't know if the State, I'm sure he probably
29 doesn't right now either, I don't know if the State would,
30 you know, hearing all of this if they would concur with a
31 deferral or not, but it's probably possible. I certainly
32 can't talk for the State.

33

34 Anyway, I think a deferral keeps your options open.

35

36 MR. UPICKSOUN: So my change has been noted
37 in the motion, Mr. Chairman?

38

39 CHAIRMAN REXFORD: Seconder, wish that it's
40 the motion to defer.

41

42 MR. PATKOTAK: Mr. Chairman.

43

44 CHAIRMAN REXFORD: Mike.

45

46 MR. PATKOTAK: Everywhere you go there's --
47 on the justification of the work group here is to -- there's
48 consistent, even the U.S. Fish and Wildlife and the National
49 Park Service and all these guys are saying that the proposal
50 is too broad and it's unacceptable at all levels. And my

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1 suggestion would be is to completely kill the proposal and
2 develop a new one that would be acceptable, but to keep the
3 incidental take in that process. And develop a workable take
4 in terms of the working group in the State and Federal lands.

5
6 CHAIRMAN REXFORD: Thank you, Mike. Further
7 discussion?

8
9 MR. H. BROWER: Mr. Chairman, I call for the
10 question on the motion.

11
12 CHAIRMAN REXFORD: Question, okay. Question
13 is called on the motion to defer Proposal 63, all in favor of
14 deferring Proposal 63 say aye.

15
16 ALL BUT MR. PATKOTAK: Aye.

17
18 CHAIRMAN REXFORD: Opposed same sign.

19
20 MR. PATKOTAK: Aye.

21
22 CHAIRMAN REXFORD: Motion to defer has been
23 approved with one opposition.

24
25 Okay. We have a lot of work cut out for us, I think
26 the working group has a better understanding of what we'd
27 like to see in Anaktuvuk, it's still insufficient with the
28 State's current regulation, so we'll need to work with the
29 harvest plan and maybe submit another proposal or work with
30 the group. Anything else on Proposal 63?

31
32 (No audible responses)

33
34 CHAIRMAN REXFORD: If not.....

35
36 MR. UPICKSOUN: Now we know how the reindeer
37 herders feel, lots of caribou, but where's my herd?

38
39 CHAIRMAN REXFORD: Time and place of next
40 meeting before us. The window starts -- there's a calendar
41 that was submitted, there's a window from September 27th
42 through November 5 is our fall Advisory Council meeting
43 windows.

44
45 MR. UPICKSOUN: Mr. Chairman.

46
47 CHAIRMAN REXFORD: Gordon.

48
49 MR. UPICKSOUN: This calendar falls within

50 AFN.

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1 CHAIRMAN REXFORD: October 21, 22, 23.

2

3 MR. UPICKSOUN: And the staff can work it
4 out, we're going to have a joint meeting with the Northwest
5 Arctic Regional Advisory Council in Anchorage two days prior
6 to the start of AFN. If the staff could work it out it would
7 be good to have a joint meeting with them.

8

9 CHAIRMAN REXFORD: Suggestion by Gordon to
10 meet in Anchorage. I know that we've discussed that early
11 September has been off due to whaling and also getting into
12 fall whaling in Barrow, starting about the last week in
13 September through mid-October.

14

15 MR. UPICKSOUN: Our last meeting in Anchorage
16 nobody was talking to each other, the staff and us, we were
17 arguing about, I forgot about what issue, didn't even talk to
18 each other during break.

19

20 MR. H. BROWER: Why, is that going to happen
21 again, Gordon?

22

23 MR. UPICKSOUN: I forgot what we were
24 discussing, it was a hot issue that time.

25

26 MS. H. ARMSTRONG: It was a long time ago,
27 Gordon.

28

29 (Laughter)

30

31 MR. UPICKSOUN: Unless someone has other
32 suggestions, I recommend two days meeting be on October 19
33 and 20, two day prior to the start of AFN. We'll get out two
34 cents in now, there will be other people scheduling their
35 meetings also for AFN, prior to AFN.

36

37 MR. B. HOPSON: I go along with it.

38

39 MR. H. BROWER: We need to identify a meeting
40 place.

41

42 MR. UPICKSOUN: My suggestion that we have it
43 with our cohorts from Northwest Arctic. They're probably
44 planning on going to AFN anyway, so that would be a good time
45 to do it. And come up with an interesting agenda for that
46 joint meeting, if it becomes a reality.

47

48 CHAIRMAN REXFORD: We certainly can pass that
49 wish on to the Northwest Arctic Council.

50

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1 MS. B. ARMSTRONG: They're having their
2 meeting on the 2nd of March.

3
4 MR. UPICKSOUN: On the 2nd of March?

5
6 MS. B. ARMSTRONG: Uh-huh.

7
8 MR. UPICKSOUN: Okay.

9
10 CHAIRMAN REXFORD: We have two options. One
11 is wait to see if Northwest wants to have a joint meeting, if
12 not, then what do we do?

13
14 MS. B. ARMSTRONG: Keep (indiscernible - away
15 from microphone) and I'll let you know.

16
17 MR. B. HOPSON: Still meet there?

18
19 MR. UPICKSOUN: We'll go ahead and have it in
20 Anchorage if we don't -- if we can't have with Northwest
21 Arctic, just Region 10, go ahead and have their meeting down
22 there. That'll minimize our travel within this calendar
23 because most of us are going down there anyway. That'll --
24 so we won't be traveling too much during this window.

25
26 CHAIRMAN REXFORD: Subsistence office
27 personnel?

28
29 MS. H. ARMSTRONG: I think it's a great idea.
30 There have been joint meetings of other Councils, so I think
31 it's a really good idea. You'll probably all learn from each
32 other and you'll have a chance to meet.

33
34 MR. UPICKSOUN: We can come up with an
35 interesting agenda.

36
37 MS. H. ARMSTRONG: Uh-huh.

38
39 MS. B. ARMSTRONG: And a lot of the Council
40 from both will be there already anyway.

41
42 MS. H. ARMSTRONG: Uh-huh.

43
44 MS. B. ARMSTRONG: We'll just pay for the
45 ones that weren't coming down.

46
47 MR. UPICKSOUN: And also give an invitation
48 to the rest of the RACs.

49
50 CHAIRMAN REXFORD: Will you be able to cover

00143

1 Paul Bodfish's snowmachine down?

2

3 (Laughter)

4

5 MR. BODFISH: Not enough snow.

6

7 CHAIRMAN REXFORD: Okay. What's the wish of
8 the Council then? Any objections to a two day meeting.....

9

10 MR. BODFISH: AFN, do we have fun in
11 Anchorage?

12

13 MR. UPICKSOUN: Paul is all for it he said.

14

15 MR. BODFISH: No objection.

16

17 CHAIRMAN REXFORD: Time and place?

18

19 MS. H. ARMSTRONG: We can set it up, TBA, the
20 time and place will be set up though the Chair, with is
21 officers being here and we'll notify you then after. And
22 I'll let you know as soon as next week, see what Northwest
23 says.

24

25 MR. UPICKSOUN: October 20th and 21st, on
26 Tuesday and Wednesday. The time is 9:00 o'clock, the place
27 to be announced.

28

29 MS. B. ARMSTRONG: Yes.

30

31 CHAIRMAN REXFORD: It'll be 19 and 20.

32

33 MS. B. ARMSTRONG: 19 and 20, okay.

34

35 CHAIRMAN REXFORD: Taqulik.

36

37 MS. HEPA: I just thought I'd mention that
38 the Alaska Board of Game will be meeting in Barrow some time
39 in October, I'm not sure of the exact dates, just to let you
40 guys know.

41

42 CHAIRMAN REXFORD: Geoff, any word on that?

43

44 MR. CARROLL: I know, but I forgotten, I
45 think it's mid-October sometime.

46

47 MS. HEPA: Yeah. It's usually the same week
48 as AFN, in the past it has been.

49

50 CHAIRMAN REXFORD: Okay. Any objection to 19

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1 and 20 to be announced? Time will be approximately 9:00 in
2 the morning.

3
4 (No audible responses)

5
6 CHAIRMAN REXFORD: No objection.
7 Adjournment.

8
9 MR. H. BROWER: So moved, Mr. Chairman.

10
11 CHAIRMAN REXFORD: Moved by Harry.

12
13 MR. TAGAROOK: Second.

14
15 CHAIRMAN REXFORD: Seconded by Terry.

16
17 MR. UPICKSOUN: Call for question.

18
19 CHAIRMAN REXFORD: Question is called. All
20 in favor of adjournment say aye.

21
22 IN UNISON: Aye.

23
24 CHAIRMAN REXFORD: Opposed same sign.

25
26 (No opposing responses)

27
28 CHAIRMAN REXFORD: Thank you, everybody.

29
30 (Off record)

31
32 (END OF PROCEEDINGS)

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C E R T I F I C A T E

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

7 I, Joseph P. Kolasinski, Notary Public in and for the
8 State of Alaska and Owner of Computer Matrix, do hereby
9 certify:
10

11 THAT the foregoing pages numbered 106 through 144
12 contain a full, true and correct Transcript of VOLUME II,
13 NORTH SLOPE FEDERAL SUBSISTENCE REGIONAL COUNCIL PUBLIC
14 MEETING, taken electronically by David Haynes on the 24th day
15 of February, 1999, beginning at the hour of 9:00 o'clock a.m.
16 at the Inupiat Heritage Center in Barrow, Alaska;
17

18 THAT the transcript is a true and correct transcript
19 requested to be transcribed and thereafter transcribed by me
20 to the best of my knowledge and ability;
21

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

25 DATED at Anchorage, Alaska, this 28th day of
26 February, 1999.
27
28
29
30

31 _____
32 Joseph P. Kolasinski
33 Notary Public in and for Alaska
My Commission Expires: 4/17/00