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NORTH SLOPE FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL

PUBLIC MEETING

Barrow Alaska
August 28, 2007
9:07 o'clock a.m.

COUNCIL MEMBERS PRESENT:

- Gordon Brower, Acting Chairman
- Paul S. Bodfish, Sr. (By Telephone)
- David A. Gunderson
- Lee Kayotuk (By Telephone)
- Regional Council Coordinator, Barbara Armstrong

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P R O C E E D I N G S

(Barrow, Alaska - 8/28/2007)

(On record)

CHAIRMAN G. BROWER: Good morning, I'd like to call the meeting to order.

REPORTER: Gordon.

CHAIRMAN G. BROWER: Good morning, this is Gordon Brower. Sorry I was a little bit late. Just having too much coffee, I guess, too much fun, so maybe we'll wait a few more minutes. I guess it's about.....

DR. YOKEL: That clock's slow though.

CHAIRMAN G. BROWER: Is it slow?

DR. YOKEL: Yeah, it's 9:08.

CHAIRMAN G. BROWER: Oh, okay, that's what I thought. Okay, I'll call the meeting to order. And if we could do roll call this morning.

MS. B. ARMSTRONG: Go ahead.

MR. GUNDERSON: David Gunderson, Wainwright.

MS. B. ARMSTRONG: We have Lee Kayotuk from Kaktovik.

MR. KAYOTUK: Okay.

MS. B. ARMSTRONG: Okay, and Paul Bodfish from Atqasuk.

MR. BODFISH: Yeah, Paul Bodfish here.

MS. B. ARMSTRONG: Okay, thank you. We have Gordon Brower from Barrow.

CHAIRMAN G. BROWER: I'm here.

MS. B. ARMSTRONG: And, Mr. Chair, you have a quorum.

CHAIRMAN G. BROWER: All right, thank

1 you, Barbara. It looks like I keep forgetting to press
2 my button.

3

4 DR. YOKEL: Maybe it wasn't enough
5 coffee.

6

7 (Laughter)

8

9 CHAIRMAN G. BROWER: Thank you, Barb.
10 I guess right now I'd like to observe a moment of
11 silence. It's our usual practice here to just observe
12 a moment of silence.

13

14 (Moment of Silence)

15

16 CHAIRMAN G. BROWER: All right, thank
17 you everybody for being here. And, you know, sometimes
18 we think about a lot of things, and during that moment
19 of silence I was really praying for my niece, she's
20 been medivac'd out to Anchorage so -- and we always,
21 you know, observe something like these things and just
22 say a little prayer in your minds.

23

24 Anyway, welcome to the North Slope
25 Subsistence Regional Advisory Meeting here at the ASRC
26 conference room. I'd like to have everybody introduce
27 themselves at this time, who's all here, and maybe we
28 could go from this side and go around.

29

30 DR. YOKEL: Good morning, Mr. Chair.
31 This is Dave Yokel with the Bureau of Land Management's
32 Arctic Field office in Fairbanks.

33

34 MR. RABINOWITCH: I'm Sandy Rabinowitch
35 with the National Park Service from Anchorage.

36

37 MR. CANNON: My name is Richard Cannon
38 and I work as a fisheries biologist with the Office of
39 Subsistence Management in Anchorage.

40

41 MR. LAPLANT: Good morning. My name is
42 Dan LaPlant. I'm with the Office of Subsistence
43 Management in Anchorage, I'm a wildlife biologist.

44

45 MS. B. ARMSTRONG: For those of you,
46 Paul and Lee, we have Helen Armstrong. Tina, our court
47 reporter. We have George Oviatt and Chuck Ardizzone
48 from BLM. And there's myself, Barb Armstrong, your
49 coordinator.

50

1 MR. GUNDERSON: David Gunderson from
2 Wainwright.

3
4 CHAIRMAN G. BROWER: And of course
5 myself, Gordon Brower. And I guess I'm acting Chair
6 today, Harry had requested and called me up and said I
7 needed to be here because he had to be in Wainwright, I
8 think.

9
10 (Laughter)

11
12 CHAIRMAN G. BROWER: Going along in our
13 agenda let's go to Item 5, review and adoption of
14 agenda.

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

17
18 CHAIRMAN G. BROWER: Barb.

19
20 MS. B. ARMSTRONG: I request to make --
21 after discussing this, your agenda, to change it around
22 with the people here that are going to be presenting,
23 to present the issues that need comment and
24 recommendations from the Council. And right after your
25 Chair's report we'd like to move -- go to 8, that's
26 call for proposals to change 2008/09 Federal
27 subsistence wildlife regulations. We have a proposed
28 regulation that this Council needs to discuss and
29 recommend to submit the proposal. And No. 9, we also
30 have some issues there that the fisheries biologist,
31 Richard Cannon, will be discussing with you. And then
32 from there we would like to have No. 11 moved up to No.
33 10, and that would be the draft of customary and
34 traditional use policy for Council recommendations and
35 that would be presented by Helen Armstrong to you. And
36 then we can move back to 10 and go back -- go from
37 there, if that is okay with you. And there won't be
38 anyone here from Arctic National Wildlife Refuge under
39 12C so that can be crossed out.

40
41 And that is all I have for the changes,
42 thank you, sir.

43
44 CHAIRMAN G. BROWER: Yeah, Barb, I just
45 got a question, when you want to move No. 8 and No. 9,
46 in what order do you want to put those under because
47 we're on Item No. 5, do you want those after the
48 Chair's report.....

49
50 MS. B. ARMSTRONG: Yes.

1 CHAIRMAN G. BROWER: or where do
2 you want to put those?
3
4 MS. B. ARMSTRONG: Yeah. Those don't
5 need moving but then I think I was just trying to point
6 out that these two are the ones that need the quorum
7 for discussion and recommendation, those are okay.
8
9 CHAIRMAN G. BROWER: Okay.
10
11 MS. B. ARMSTRONG: But the ones that
12 you need to move up is the No. 11 to become No. 10.
13 And then 10 becomes 11. Just switch those two.
14
15 CHAIRMAN G. BROWER: Okay.
16
17 MS. B. ARMSTRONG: So they would follow
18 suit.
19
20 CHAIRMAN G. BROWER: Okay. I need
21 a.....
22
23 MS. B. ARMSTRONG: And No. 12C needs to
24 be crossed out because there's no one here from the
25 Arctic Refuge.
26
27 CHAIRMAN G. BROWER: Uh-huh.
28
29 MS. B. ARMSTRONG: And that is all I
30 have. Thank you.
31
32 CHAIRMAN G. BROWER: All right, I need
33 a motion from the floor.
34
35 MR. GUNDERSON: Motion.
36
37 CHAIRMAN G. BROWER: We have a motion
38 to review and adopt the agenda, David Gunderson.
39
40 MR. GUNDERSON: I so move.
41
42 CHAIRMAN G. BROWER: Do we have a
43 second.
44
45 MR. KAYOTUK: Second.
46
47 MS. B. ARMSTRONG: Is that Lee?
48
49 MR. GUNDERSON: Yes.
50

1 MS. B. ARMSTRONG: Okay.
2
3 CHAIRMAN G. BROWER: Yeah, under
4 discussion the changes outlined by Barb, if we could
5 include those to modify the agenda.
6
7 (Pause)
8
9 MR. GUNDERSON: Question.
10
11 CHAIRMAN G. BROWER: Question's been
12 called for, for review and adoption of the agenda with
13 the modifications outlined by Barb, indicate by saying
14 aye.
15
16 IN UNISON: Aye.
17
18 CHAIRMAN G. BROWER: We have an agenda.
19 Item 6, review and adoption of the minutes.
20
21 MS. B. ARMSTRONG: Lee, do you have
22 your meeting book with you?
23
24 MR. KAYOTUK: Yes, I do.
25
26 MS. B. ARMSTRONG: Okay, I think since
27 you're over there and if you don't mind me doing it for
28 you from here, it would be -- I can do it for you from
29 here.
30
31 MR. KAYOTUK: That will be fine, too,
32 because this is bad reception or noisy teleconferencing
33 right now so if you want to go ahead, thank you, very
34 much.
35
36
37 MS. B. ARMSTRONG: Okay, you came in
38 clear that time but then if you don't have any changes
39 that you see on your current minutes for March 21, 2007
40 that we had back then by teleconference, then your
41 minutes can be approved as written.
42
43 MR. KAYOTUK: Approve to move the
44 minutes, Kaktovik.
45
46 CHAIRMAN G. BROWER: We have a motion
47 to approve the minutes from Kaktovik.
48
49 MR. GUNDERSON: Second.
50

1 CHAIRMAN G. BROWER: Seconded by David
2 Gunderson of Wainwright.

3

4 MR. GUNDERSON: Question.

5

6 CHAIRMAN G. BROWER: Question's been
7 called for, all those approving the March 21, 2007
8 minutes signify by saying aye.

9

10 IN UNISON: Aye.

11

12 CHAIRMAN G. BROWER: (In Inupiat) Item
13 No. 7. We have Chair's report and, maybe, Barb, you
14 can help me on that a little bit. I think Harry had
15 prepared a letter, right?

16

17 MS. B. ARMSTRONG: No. It's the .805
18 letter which is on Page 10 of your booklet. And this
19 is the letter that is written to the Chair from the
20 Federal Board Chair, and then this just gives the
21 explanation of what went on with the statewide
22 proposals and other proposals during the Federal Board
23 meeting in March -- April 30 through May 2nd of 2007.
24 And so if you have read your statewide proposals, this
25 is just the time where the information is given back to
26 the Chair on what happened during that meeting. And
27 then either of the Chairs for North Slope or the Vice
28 Chair could not attend at the time because of whaling.

29

30 CHAIRMAN G. BROWER: Uh-huh.

31

32 MS. B. ARMSTRONG: And your annual
33 report replies on Page 22 of your booklets. And this
34 is the reply that was sent to you earlier on to give
35 you information back on what you have requested to hear
36 from the Federal Board on giving you updates and
37 information of what's gone on with your questions on
38 moose, your questions on the muskox, the recreational
39 users and caribou, and Council representation, Unit 26
40 moose -- I mean Unit 26 sheep, and lake studies,
41 baseline studies and Council compensation. And all
42 your answers are there and later on today we're going
43 to be asking you for other issues that we can put on
44 your annual report.

45

46 Thank you, sir.

47

48 CHAIRMAN G. BROWER: Thank you, Barb.
49 Do we have any questions from any of the Council
50 members on the Chair's report?

1 (No comments)

2

3 CHAIRMAN G. BROWER: I read through a
4 little bit of it in some areas where I thought -- I was
5 pleased to read on some parts of it, some of the
6 concerns that we had over in Unit 26C and areas that
7 were being proposed to increase the hunting pressure
8 from non-Federally-qualified subsistence users in those
9 areas, and to me that was understanding that there was
10 going to be additional areas open for sporthunters.
11 And we did have quite a bit of concern on recruitment
12 in Unit 26C and B, I think, in the ANWR section from
13 Kaktovik and some of the questions that were raised,
14 whether they're transient animals or suggest a resident
15 population, those kinds of things that I read seems to
16 me there was some compromise kind of determination on
17 those, and maybe we can get a little bit more answer
18 from somebody concerning those concerns.

19

20 MS. B. ARMSTRONG: Who are you asking
21 to?

22

23 CHAIRMAN G. BROWER: Yeah, I'm not
24 exactly sure who it would be referred to but we have a
25 couple of biologists here, and I don't know if it's
26 something that you guys -- and maybe you could state
27 where you guys were from again, which branch, Fish and
28 Wildlife Service?

29

30 MS. B. ARMSTRONG: Uh-huh.

31

32 MR. LAPLANT: Mr. Chairman. My name is
33 Dan LaPlant, I'm with OSM. I'm the wildlife biologist
34 on the OSM Staff. I'm not quite sure what your
35 question is relative to moose populations in Unit 26C,
36 as I understand it, yeah, the Board did, on that
37 proposal, last year, remove the closure on part of that
38 area that was closed to non-Federally-qualified users
39 in the area west of the Canning River, much of the area
40 in west of the Canning River, that area was opened up
41 to non-Federally-qualified subsistence users. The
42 season begins this summer, or now this fall so I don't
43 know the effects of that yet. The State has a season
44 there. The population of the moose has significantly
45 increased in the last few years, that was the
46 justification for the Board, removing that closure,
47 because there was adequate population to support that
48 additional use.

49

50 The discussion and concerns expressed

1 in the past by the Council about a population of moose
2 that is migratory or moving back and forth within a
3 couple units, there was a lot of discussion about that
4 a few years ago when we had a proposal to provide a
5 customary and traditional use determination from users
6 in Unit 25. And the Refuge Staff at that time pointed
7 out that the moose population, there is a population of
8 moose that moved between Unit 25 to the south and then
9 over the top in, mostly the eastern part of Unit 26C,
10 that's that population of moose that is considered to
11 be transitional or transient, moving back and forth.
12 The population of moose on the North Slope in Unit 26C
13 around the Canning River, the marsh-fork of the Canning
14 River area, I don't believe that the biologist, the
15 local biologists are recognizing that as being much of
16 a migratory population, that population has done some
17 recovering in recent years. And, again, the Board saw
18 that that population has recovered and they opened the
19 season for non-Federally-qualified users on those
20 Federal lands and will be assessing the impact of that
21 as the season closes this year and in the future.

22

23 So I don't have any additional
24 information for you, Mr. Chairman.

25

26 CHAIRMAN G. BROWER: Just to follow up
27 on this matter, our concerns dealt with the need for
28 Kaktovik at the time. Why was it being opened up for
29 non-Federally-qualified users in an area where there is
30 a very high tension between subsistence users that need
31 the resource, in an area where the population dynamics
32 have been discussed where there is so few in an area
33 where they're accessible by Kaktovik that we have
34 limited that resource to an extent of maybe only three
35 animals to the whole village, and then opening it up to
36 non-Federally-qualified users from the same pool, to my
37 understanding, from the same pool of animals.

38

39 I want to know how it affected the
40 village? Did this move also affect the number of
41 animals that can be harvested by Kaktovik?

42

43 MR. LAPLANT: Mr. Chairman, again, this
44 is Dan LaPlant. In a sense it does because the change
45 that the Board made, it removed the closure in Unit 26B
46 west of the Canning River. So the Canning River
47 drainage in Unit 26B and all of Unit 26C, that closure
48 remains in effect, and that's the area that the
49 Kaktovik residents primarily hunt in as far as from my
50 understanding. Moving further to the west, I think,

1 they hunt in that area less often.

2

3 Now, removing the closure not only
4 removes the closure for non-Federally-qualified users
5 but it also removes that limit for Kaktovik residents.
6 Kaktovik residents previously were only permitted to
7 hunt, I think, it was three permits they were
8 authorized, now that limit of three permits only
9 applies in 26C and part of 26B in the Canning River
10 drainage. You get west of the Canning River drainage
11 and they're no longer restricted by that limited
12 permit. They can get one animal per year per hunter in
13 the remainder of Unit 26B. So it provides more
14 opportunity for residents of Kaktovik. Again, it's
15 farther away from the community and it also opens it up
16 to other users, but in a sense it does provide more
17 opportunity there.

18

19 And, again, we'll be monitoring that.
20 That might be a subject of a proposal that this Council
21 may want to offer or the residents of Kaktovik may want
22 to offer, is to increase that current permit system for
23 Kaktovik. Again, it's three permits right now, a
24 proposal to increase that might be something you might
25 want to consider submitting to the Board this next
26 cycle.

27

28 Thank you.

29

30 CHAIRMAN G. BROWER: Yes, thank you
31 very much. It's very enlightening and I hope Kaktovik
32 was listening. And these are things that we've talked
33 about and tossed around for quite -- you know, at
34 length, a very big issue concerning being able to
35 provide food on the table, alternate resources for
36 people that are local residents in these areas.

37

38 Do we have any questions from any of
39 the villages concerning the Chair's report?

40

41 MR. KAYOTUK: Yes, Mr. Chair, this is
42 Lee from Kaktovik. Understand what he was saying
43 anyway, was he trying to say that to open more permits
44 to the village of Kaktovik, did I understand that?

45

46 CHAIRMAN G. BROWER: That's what I
47 understood that you can -- on this cycle you can make a
48 new proposal to alter those limited number of permits.
49 It's a good opportune time because areas are being
50 opened up and they're seeing an increased level in

1 moose so I don't see why the residents of Kaktovik
2 should be limited. They should increase their harvest
3 levels as well. Because I don't see that very
4 minuscule amount of moose being able to support as
5 alternate food sources for Kaktovik. That's my
6 understanding. There should be a corresponding
7 proposal from Kaktovik to increase that harvest level
8 for Kaktovik.

9

10 MR. KAYOTUK: I understand that. Food
11 is important so to try and get more permits into the
12 village since for years -- there's other people that
13 would like to try to get more moose but unable to.

14

15 Thank you.

16

17 CHAIRMAN G. BROWER: All right, Lee,
18 there was a big whistle and a little bit quiet. But I
19 think we got your message that you are very much
20 interested in increasing that level for Kaktovik, there
21 are people interested in harvesting these moose.

22

23 Is there any further questions on the
24 Chair's report?

25

26 (No comments)

27

28 CHAIRMAN G. BROWER: I got a question
29 for Barb. Barb, do we need a motion to accept the
30 Chair's report?

31

32 MS. B. ARMSTRONG: No, you don't, sir.

33

34 CHAIRMAN G. BROWER: Okay. We don't
35 need a motion to accept the Chair's report. So we are
36 now moving down the line and we had changed these in
37 order.

38

39 MS. B. ARMSTRONG: Uh-huh.

40

41 CHAIRMAN G. BROWER: And I guess we'll
42 go to Item 8.

43

44 MS. B. ARMSTRONG: Mr. Chair. Sandy
45 Rabinowitch will be giving you some information
46 regarding the bears. This will be talking about the
47 bears for Anaktuvuk Pass and also he will be presenting
48 the draft proposal that you might want to accept to
49 submit.

50

1 Thank you.

2

3 CHAIRMAN G. BROWER: For those of you
4 who are on line in the villages, do you have the draft
5 proposal for discussion only?

6

7 MS. B. ARMSTRONG: They don't have it.
8 So Sandy will be talking about it.

9

10 CHAIRMAN G. BROWER: Okay. It sounds
11 like you guys don't have it, we'll go through it and
12 are you going to go through it verbatim or.....

13

14 MR. RABINOWITCH: I don't think I'll
15 read everything but I'll try to go through it slowly so
16 people can follow. And for anybody -- I'm sorry, this
17 is Sandy Rabinowitch with the Park Service. And for
18 anybody who has the Federal Wildlife Book 2007/2008, if
19 you have that, if you turn to Page 20 that would be
20 helpful, and it would be easier to follow along.

21

22 So let me back up and explain just a
23 little bit. In July I started to get some phone calls
24 and email messages from Park Service people in
25 Anaktuvuk Pass, and so we've kind of had a
26 correspondence through July and August and that's why I
27 put a proposal together that I'll explain here in a
28 minute.

29

30 So the concern that we heard was that
31 some of the people that make masks in Anaktuvuk have
32 been using bear for -- perhaps have long used bear, I
33 don't know the history very well, on those masks and
34 they were concerned that it might not be legal under
35 the regulations to do that, so that was kind of the
36 question that came up. So we looked into that and
37 offered some answers back on emails that were then
38 delivered to people -- the primary person in Anaktuvuk
39 that we were speaking with is Rachel Riley, and then
40 there was some more email correspondence to Geoff
41 Carroll here in Barrow to try to understand what the
42 State regulations were and that was shared back with
43 people, and so on and so forth. And kind of, you know,
44 once a week or once every 10 days an email would move
45 one direction or the other, kind of moved slowly, kind
46 of a slow discussion.

47

48 So that gets us to where we are today,
49 that about a week ago or so it was suggested that we
50 might put together a proposal to focus the discussion

1 about this, so that's what I've done.

2

3 So the proposal -- well, for those of
4 you here in the room, I've handed out three pieces of
5 paper, one's the draft proposal, the second piece of
6 paper has the yellow text on it, that's Page 20 out of
7 the wildlife book, it's just a Xerox copy out of the
8 wildlife book, and the third piece of paper with kind
9 of the pink up on the top is a Xerox of the State
10 regulations that we believe apply. I wish there were
11 somebody from the State here, I don't claim to be an
12 expert in their regulations but both Dan LaPlant and I
13 have read them and I think we have the same
14 understanding of them. Dan, would you agree that it
15 seems like you and I have a shared understanding of
16 what they say?

17

18 MR. LAPLANT: Yes, I believe so, yeah.
19 It looks like -- go ahead.

20

21 MR. RABINOWITCH: Okay. So we'll
22 explain what we think is the case but we won't claim to
23 be the expert on the State's reg.

24

25 So to get to the proposal what this
26 says is it's just labeled Draft Proposal For Discussion
27 Purposes. It was suggested that the Council may want
28 to take this proposal on or own it, but that's up to
29 you, that's your decision here today.

30

31 The first part No. 1, this is a series
32 of questions that are in the proposal form in the
33 Federal Board Wildlife Book, so the first question is:
34 What regulation do you wish to change? And what I've
35 done there is simply copied the text from Page 20 of
36 the wildlife book, there's two bullets, they have
37 several sentences each. One is about black bear, one
38 is about brown bear. And each of the paragraphs
39 explains where you can take a bear from and then turn
40 into handicrafts.

41

42 So for black bear, what it says, the
43 very first sentence is the key one, it says, you may
44 sell handicraft articles made from the skin, hide, pelt
45 or fur of a black bear. It doesn't include any units.
46 And so what that means is it's allowed in all units,
47 all 26 in the state, so it's already okay for people of
48 Anaktuvuk or anywhere else to use black bear fur in
49 handicraft articles made from skin, hide, pelt or fur.

50

1 The second paragraph talks about brown
2 bear. And in that paragraph you see there's a list of
3 units and I'll read them off so people on the phone can
4 hear, so it's okay to do that in Units 9A, 9B, 9C, 9E,
5 those are all down near Bristol Bay; Unit 12, which is
6 near Tok; Unit 17, and I'm struggling to think of a
7 community near -- 17 Bristol Bay -- kind of, well,
8 northern Bristol Bay; Unit 20 which is south of
9 Fairbanks and Unit 25, which is over towards Fort Yukon
10 and the Canadian border. But what you don't see in
11 that list is Unit 24 or Unit 26, and so that's the
12 point I'm going to get to in a minute.

13
14 So those two paragraphs are the
15 existing regulations. And those have been developed
16 over the last four or five years with Councils, just
17 like this one, putting forward proposals about what
18 they would like to have authorized. And these are the
19 areas where people have come forward and have made
20 requests and the Board has passed them.

21
22 The second question then is how should
23 the regulation read. So what I've done is I've
24 repeated the text from above and I've added in -- well,
25 on the first paragraph about black bear I haven't
26 changed anything because it already gives the
27 opportunity that people would want. In the second
28 paragraph about brown bear what I've done is I've added
29 into the list 24B and 26. Now, you may want to discuss
30 that, that's just kind of my best guess at what you
31 might be interested in but I might not have it right.
32 So it's important for you to talk about that.

33
34 I did look at the customary and
35 traditional use determinations in the wildlife book
36 here in Unit 26 that the Federal Board's passed and
37 what it would tell you is that for Unit 26 everybody on
38 the North Slope has C&T for brown bear and people in
39 Anaktuvuk have C&T for brown bear. It's also true
40 about, I believe, all of Unit 24. Now, I've written
41 this only for 24B and I did that mostly by looking at
42 the map. So I looked at the map of Unit 24 and just,
43 maybe two years ago, they went to an A, B, C, and D in
44 Unit 24 so that's a little new to people but it just
45 breaks the area up into pieces.

46
47 So anyway look at the area and see if
48 it's accurate or not accurate and if it's not accurate
49 then you need to fix that.

50

1 The third question here, why should the
2 regulation change be made. That's a place where I
3 think it's really important that people speak to why
4 you think the regulation should be changed. I didn't
5 feel that I completely knew the answer to that so I
6 left that one blank but would point out that that's a
7 good place for you to put on the record your thoughts
8 about it.

9
10 Some of these other questions, there's
11 a couple more I'll read, I did feel like I could put
12 some answers, tentative answers down.

13
14 So the fourth question is: What impact
15 will the regulation change have on wildlife? What I
16 wrote was that it would have none because the harvest
17 limits and the seasons would not change so you would
18 essentially just be making more complete utilization of
19 bears that were already harvested.

20
21 The fifth question: How will the
22 change affect subsistence users? I wrote, it would
23 allow subsistence users to more completely use wildlife
24 already harvested and gain a small economic benefit.

25
26 No. 6: How would the change affect
27 other users, for example, sport or recreation or
28 commercial users. And actually I didn't put an answer
29 down there but I don't -- personally I don't think that
30 there would be any change, it would really be the same
31 as subsistence users, that you would still take however
32 many bears people wanted to take for various reasons
33 and then you would just utilize them more completely.

34
35 The remaining questions on this page
36 seven, eight and nine don't need to be answered because
37 they have to do with a different kind of proposal,
38 customary and traditional use proposals, so I didn't
39 answer those and we don't need to go through that.

40
41 And then, let's see, let me see, the
42 other thing, I guess I would add is the third piece of
43 paper that I handed out, the one with the pink on top,
44 the State regulation says, and I'll read a little bit
45 of it, it's labeled: Purchase and sale of game, for
46 the record I'll mention it's 5 AAC 92.200 and what it
47 says is:

48
49 That the purchase, sale or barter of
50 game or any part of game is permitted

1 except as provided in this section.

2

3 And then when you read down to small letter
4 b(1), it says:

5

6 Any part of bear, except an article of
7 handicraft made from the fur of bear.

8

9 And Dan LaPlant did some research,
10 who's here with us, and could help answer questions, he
11 both did some research and was at meetings when the
12 State dealt with their regulation and he helped point
13 out that it says the fur of bear, and here they mean
14 either brown or black. And that change was just a
15 couple years ago, right, Dan?

16

17 MR. LAPLANT: Right. In 2004 is when
18 they had the discussion and added brown bear. In fact
19 the regulation used to say just black bear but in 2004
20 they changed it to say just bear which therefore
21 includes brown bear.

22

23 MR. RABINOWITCH: Okay. And so then
24 the net effect, as Dan and I understand it, is the
25 State regulation makes it okay to use either brown or
26 black bear, I'm looking for the right word here, fur,
27 that's made into a handicraft, that's the net effect.

28

29 So I've talked for awhile, I think I
30 should stop and let you ask questions.

31

32 CHAIRMAN G. BROWER: Yeah, I've been
33 tossing a few things around already. But when it just
34 says bear, is it kind of safe to say that this can
35 sometimes possibly get mixed up with polar bear, if
36 you're just going to say bear?

37

38 MR. RABINOWITCH: Well, in the Federal
39 Board book I would say, no, in the State book I'm not
40 so sure. Dan might be able to jump in and help. But
41 the reason that I would say that for the Federal book
42 is that I think it's correct to say we, the Federal
43 Program, doesn't regulate polar bear so there wouldn't
44 be confusion in the Federal book. But, Dan, jump in.

45

46 MR. LAPLANT: Yeah, Mr. Chairman, both
47 the Federal Subsistence Program regulations and the
48 State regulations don't regulate polar bear. Polar
49 bear are regulated through the National Marine
50 Fisheries Service regulations. So, both, when we're

1 looking at Fish and Game regulations or the Federal
2 Subsistence Program regulations, the word, bear, it
3 does not include polar bear.

4
5 CHAIRMAN G. BROWER: Yeah, that's just
6 my point here, is that, you know, somebody could
7 construe or something like that to think, that you can
8 use this for any bear, if you're just going to say
9 bear. I mean I would just to minimize ny risk of any
10 kind of -- something to that effect, you know, to
11 exclude polar bear, even though it's regulated as a
12 marine mammal.

13
14 MR. LAPLANT: Yeah, Mr. Chairman, I
15 would have preferred that the State say brown bear and
16 black bear, or brown bear or black bear, but they
17 chose, when they wrote their regulation just to say
18 bear, so I'm sure they were looking at it from the
19 standpoint that those were the only two species of bear
20 that they regulate so, but, yeah, that does lead to
21 confusion or potential for confusion. But on the other
22 hand, sale of handicrafts made from polar bear are
23 already legal under the Marine Mammals Act, so it
24 probably isn't going to be that much of a problem.

25
26 CHAIRMAN G. BROWER: Yeah, I was just
27 thinking to their own authorities here. Anyway, were
28 you wanting to go on there, Randy -- I mean -- no, let
29 me see if there are any questions from out in the
30 villages.

31
32 Do we have any questions for Randy --
33 Sandy, excuse me.

34
35 MR. GUNDERSON: Gunderson here,
36 Wainwright. What about this new hybrid polar
37 bear/brown bear we heard that somebody shot, I heard.
38 I don't know if it was in Alaska but it might have been
39 close by Alaska. They said it was a cross between a
40 polar bear and brown bear or something like that, you
41 didn't hear about that one?

42
43 MR. LAPLANT: I did hear about that a
44 year or so. To be honest, I don't know how that would
45 fit in the regulations. I'm sure it's an anomaly and,
46 yeah, I wouldn't have an answer for that, it hasn't
47 been addressed by any of the Boards so I don't know.

48
49 CHAIRMAN G. BROWER: Randy, did you
50 want to cont -- or Sandy, did you want to -- I don't

1 know why I want to keep calling you Randy, you have to
2 forgive me here.

3

4 MR. RABINOWITCH: You're not the first
5 one that would want to do that.

6

7 CHAIRMAN G. BROWER: Did you want to
8 continue or were you at the tail end here or.....

9

10 MR. RABINOWITCH: I was at the tail
11 end. You know for those on the phone it's hard to
12 follow this when I keep referring to three different
13 pieces of paper and so on. I think the summary is
14 we've written this up because we think we believe
15 there's an interest to discuss this. If you want to
16 have a proposal you need to take action and take
17 ownership of this. And if you don't then it will just
18 sort of fade away for the time being. If that's the
19 case what I would do is tell people that if they're
20 going to use brown or black bear fur in handicrafts
21 that it would be good if those animals were harvested
22 on State land or private land, corporation land is also
23 private land, that if they came off of Federal land,
24 that they could, you know, run into a problem with
25 regulations and law enforcement. So if they take them
26 from State land I believe they would be okay and
27 completely within the laws as it's currently written.

28

29 But if you want to make it legal to
30 this with bears from Federal land, then I'd encourage
31 you to look at this proposal and kind of put your own
32 stamp on it and submit it into the process, and that
33 choice is up to you all.

34

35 So I'm happy to answer questions and
36 Dan can help do stuff as he's already been doing, too.

37

38 MR. LAPLANT: Yeah, Mr. Chairman, just
39 to clarify one point. The issue here is selling of the
40 handicrafts made from these bear products, not the
41 making the handicrafts. Sometimes when we refer to it
42 -- I mean it's just the regulations that refer to
43 handicrafts, but what we're really talking about is
44 whether the law allows the sale or those handicrafts.
45 Anybody can make handicrafts from the bear that they
46 harvested under both Federal and State regulations but
47 these regulations refer to whether or not you can
48 actually sell those handicrafts.

49

50 CHAIRMAN G. BROWER: Yeah, thank you

1 for clarification. It's real good to understand what's
2 going on and, you know, I hope the villages are
3 capturing this and it would be very, very beneficial if
4 we could hear from some of the more affected villages
5 like maybe perhaps Anaktuvuk Pass. It seems to me it's
6 clarifying, making more transparent the need for some
7 of this kind of stuff to make sure it's written down in
8 regulation and that anywhere where there may be a
9 conflict between regulation and subsistence traditional
10 harvest and use patterns we should seek to remedy those
11 and make sure that that conflict doesn't arise.

12

13 So do we have any concerns concerning
14 this and maybe a little bit of -- if you need to
15 understand a little bit more maybe we could clarify it
16 a little bit more, from the villages.

17

18 MR. KAYOTUK: This is Lee. I
19 understand what he was saying about the bears and stuff
20 like that. Right now there's a couple of bears in the
21 village that keep coming back and forth but we did talk
22 about that issue with our own village and try to get an
23 bear patrol out here for the problem that we have right
24 now.

25

26 CHAIRMAN G. BROWER: I'm sorry,
27 Kaktovik, Lee, there was a lot of whistling and humming
28 from your mic, or I don't know if it's the set up here
29 in Barrow, but I couldn't make out what you said.

30

31 MS. B. ARMSTRONG: Is he at the
32 conference room, at the teleconference office -- Lee,
33 are you at the teleconference office at Kaktovik?

34

35 MR. KAYOTUK: Yes, I am, yes. I am
36 here at the conference, yes.

37

38 REPORTER: Have him turn his microphone
39 down.

40

41 MS. B. ARMSTRONG: Could you turn your
42 mic down a little bit, maybe that's what the problem
43 is, if you turn down your mic a little bit and then you
44 -- you come in clear at times.

45

46 MR. KAYOTUK: Okay, how about this now,
47 is that a lot better?

48

49 MS. B. ARMSTRONG: Yeah, that's better,
50 now we can hear you good, Ki.

1 CHAIRMAN G. BROWER: Yeah, go ahead,
2 Kaktovik, if you could restate your concern.

3
4 MR. KAYOTUK: Yeah, I understand what
5 he was saying with the different times he's broken up,
6 but right now as I said, the couple bears, brown bears
7 that are entering into our village now and we talked
8 about this, about what to do about it but hopefully
9 they can understand and someone can get an bear patrol
10 going over here, it would be nice. But we talked
11 about, you know, how to take the action with brown
12 bears coming into our village, and we did talk to
13 several people with Fish and Wildlife on how to take it
14 in order to -- the village to take it, defense of life
15 and property or permit, so that's what I have to say
16 anyway.

17
18 CHAIRMAN G. BROWER: Yeah, thank you,
19 Lee. I think that's a little bit different subject but
20 we do have some guys that are right here, some
21 biologists that may know what to do. Seems to me those
22 are on private land if it's on corporate land, within
23 the village, and maybe -- I think there was a
24 suggestion by Sandy earlier, that if you're going to
25 take some of these bears, it might be good if you take
26 them on private land, so -- to take care of the
27 problem.

28
29 MR. KAYOTUK: Thank you.

30
31 CHAIRMAN G. BROWER: But certainly I
32 think North Slope Borough is providing some relief
33 through polar bear patrol and I don't have a wildlife
34 representative here but we can take that, certainly, as
35 well, to the Wildlife Department of the Borough.

36
37 MR. KAYOTUK: Thank you, very much. I
38 think we could carry on with our issue.

39
40 CHAIRMAN G. BROWER: All right, thank
41 you. I would ask a question to Sandy, is there -- just
42 by looking at how this -- the sale of handicrafts and
43 stuff like that to include 24B, 26, just to make sure
44 it's identified like this, is there any conflict with
45 the State regulation currently or is this something
46 that we would have to propose to them as well?

47
48 MR. RABINOWITCH: I think there is one
49 bit of conflict and give me a moment to look at the
50 words on the paper here so I can say it correctly. And

1 I'll look at Dan here as I keep doing because Dan's
2 done a lot of work on this, but I believe that the
3 conflict is that the Federal definition of fur includes
4 claws, where the State does not include claws. And
5 there's been quite a bit of friction for four or five
6 years over that exact point.

7

8 So under the way this is written on
9 this piece of paper and the way the existing Federal
10 regulations are written, the claws could be used in the
11 making and selling of handicrafts, where under the
12 State regulation you can't use the claws.

13

14 CHAIRMAN G. BROWER: Okay. It's good
15 to hear some of these things. I know we went through a
16 realigning process some years ago, too, just so that,
17 you know, things can be a little bit more manageable so
18 that conflicts wouldn't arise. But I think this is
19 kind of minimal, but it might be wise to think about
20 making that change or proposal to the State, you know,
21 if our definition is different. I just don't want to
22 see where -- because I do see a lot of State game
23 management guys -- Fish and Game guys, you know, roam
24 around quite a bit.

25

(Laughter)

26

27
28 CHAIRMAN G. BROWER: But, anyway, it's
29 just something, I'd like to make aware of, if there's
30 any existing conflicts that may arise or that already
31 are in conflict.

32

33 Atqasuk, do you have any concerns to
34 some of these proposals and I really think we need to
35 hear from potentially affected areas. It seems to me
36 this is a good thing, the way it's been expressed, I
37 think it's something I think we should consider.

38

39 MR. BODFISH: Paul. (In Inupiat) I
40 understand what they're saying, it is beneficial to our
41 village.

42

43 CHAIRMAN G. BROWER: All right, thank
44 you. Dan, did you have something?

45

46 MR. LAPLANT: Yeah, Mr. Chairman, just
47 a couple of other points. As Sandy said, the
48 difference between the regulations in reference to
49 claws. When the Federal Board passed the Federal
50 regulation in 2004, the State was very opposed to the

1 Federal regulation that included claws. So submitting
2 a proposal to the State asking them to include claws in
3 their regulation probably wouldn't have very long legs,
4 they've been very opposed to that for quite some time
5 but, you know, that's something for you to consider.

6
7 But another conflicting issue to
8 consider is that, as Sandy's got this proposed to allow
9 the regulations to apply to both Unit 26 and Unit 24B,
10 24B is in the Western Interior region and so if the
11 proposal goes forward this way, this proposal would go
12 before the Western Interior Council as well, and the
13 Western Interior Council has gone on record in the past
14 as being opposed to selling brown bear products. So
15 just keep that in mind that they have gone on record in
16 being opposed to this.

17
18 When the Board passed the regulation in
19 2004, the original proposal was to have this regulation
20 for brown bear go into effect statewide, and all the
21 Councils weighed in on it and gave their
22 recommendation, and in the end the only Councils that
23 -- or the only regions of the state that the Board
24 approved it for were those that Sandy read of, that
25 would be the Bristol Bay region, the Eastern Interior
26 region, and the Southeast region. Again, Western
27 Interior said they were opposed to it. And the North
28 Slope Council, your recommendation at that time was to
29 not pass a regulation that was statewide but to pass a
30 regulation that was region by region, and we
31 anticipated that this Council would submit a proposal
32 for the North Slope region but none was ever received.

33
34 So those are some other pieces of
35 information for you to consider as you think about this
36 issue.

37
38 Thank you.

39
40 CHAIRMAN G. BROWER: Yeah, this is
41 Gordon again. Yeah, I do recall some of that topic at
42 the time and I think 24 being divvied up was a concern
43 as well at that time. Especially for population
44 levels, to designate the amount of moose that can be
45 harvested, I think was the topic at the time, for
46 Anaktuvuk, and it was just -- I just remember it being
47 a concern. And also 24B, I think it's in the area for
48 Anaktuvuk Pass and we had -- usually at the time had
49 refrained from trying to pass something that would be
50 in an area of another jurisdiction as well, to try not

1 to create conflict like North Slope would want it
2 verses this other, the far end of it may not. And to
3 try to craft for areas that can be managed locally in
4 its area of influence.

5
6 It's something that I have concern
7 about too, what would the other Regional Advisory
8 Council, if they were in opposition to it, maybe Sandy
9 you could take a look at that concern and is there some
10 better way to craft this where it affected the North
11 Slope Regional Council.

12
13 MR. RABINOWITCH: Thank you, Mr.
14 Chairman. I did try to think about that when I typed
15 this up and had talked some with Dan, and talked some
16 with Barb on the phone. This was just kind of my best
17 shot at what I thought made sense. It's just my
18 opinion. I don't live here. I've never lived here. I
19 don't claim to be an expert. I mean I'm not unfamiliar
20 with the geography and so when I looked at the map and
21 thought about it and thought about what I know about
22 travel patterns, you know, how people move in boats and
23 snowmachines and such, I picked 24B thinking that if
24 you added 24C and D and that it might seem kind of far
25 away for people from Anaktuvuk to harvest bear, though
26 perhaps occasionally they do and I thought that it made
27 some sense but I was a little less certain to leave 24A
28 out because of the road. But I don't have a good
29 handle on use in 24A to -- I mean the road does make
30 some, you know, some difference for obvious reasons.
31 My sense is that people from Anaktuvuk don't hunt over
32 close to the road but that's just my sense and I could
33 be wrong, and if I am wrong somebody should correct me.

34
35
36 And it's important to point out that
37 Anaktuvuk Pass is in Unit 24, that the community itself
38 is in 24, so that's why I thought something with 24
39 needed to be included.

40
41 And, again, my sense of hunting
42 patterns for moose and sheep in Anaktuvuk Pass is that
43 people go both north and south, again, with the terrain
44 so all that just kept bringing me back to 24B.

45
46 For the North Slope in 26 it seems to
47 me that most of the regulations that you all have put
48 forward for all the years I've been coming here, you
49 often tend to want to have them North Slope wide and so
50 I wrote it as 26, largely because of what I've observed

1 you wanting to do with other regulations in the past.
2 And I thought that if you wanted a narrow 26B and C or
3 A and B or something like that, that you all would know
4 that and you would do that. So I started more broadly
5 in Unit 26 and more narrowly in Unit 24.

6
7 And the last thought was that it did
8 seem to me that if you went far to the south and west
9 in Unit 24, down towards Hughes and Huslia and so on
10 and so forth, that you might run into a little more
11 opposition from the Western Council because they will
12 -- if it has 24 on it they will deliberate it, as
13 you've been told, and I thought if you kept it a little
14 closer to home of Anaktuvuk Pass, that they might be a
15 little more sympathetic. I've been to their Council,
16 I've heard their discussions and that's just kind of my
17 sense of things, again, I don't claim to be an expert.

18
19 I'll stop there.

20
21 CHAIRMAN G. BROWER: Any questions for
22 Sandy from the villages.

23
24 (No comments)

25
26 CHAIRMAN G. BROWER: I got one, this is
27 Gordon. And it's not really a question but it's just
28 observation and stuff. I mean I appreciate the time
29 you took to, you know, hear the concern. I think it
30 was a concern that was well expressed. And just from
31 your take on it I think you've already tried to limit
32 it affecting other regions and I think this would be
33 beneficial, this would be taking a potential conflict
34 out of the way. Like I said it would have been very
35 beneficial for, I think, Anaktuvuk to be on line to
36 hear a little bit more. But I don't see any
37 negativeness with this one, just to make it a little
38 bit more clearer and to take some conflict away.

39
40 Is this something that we need to move
41 forward as a motion for a proposal?

42
43 If it is so, and I think it is, I'd
44 like to maybe read the proposal language that Sandy has
45 put forward and then hear from the Council as to their
46 wish as to how we should act on this proposal.

47
48 Before we do that maybe we got some
49 questions over here. I'd like to see if we got any
50 further questions.

1 (No comments)

2

3 CHAIRMAN G. BROWER: Okay, hearing no
4 questions I'm going to have Sandy go ahead and read the
5 proposed language for the proposal and have the Council
6 consider it.

7

8 Sandy.

9

10 MR. RABINOWITCH: Thank you. For those
11 with the paper, Item No. 2, the second bullet under
12 that because that's the only portion that would
13 actually change, so I'll now read it.

14

15 You may sell handicraft articles made
16 from the skin, hide, pelt or fur of a
17 brown bear including claws taken from
18 Units 9A, 9B, 9C, 9E, 12, 17, 20, you
19 would then add Unit 24B and 25 and then
20 you would add, and 26.

21

22 To continue:

23

24 In Units 1, 2, 3, 4 and 5 you may sell
25 handicraft articles from the skin,
26 hide, pelt, fur, claws, bones, teeth,
27 sinew or skull of a brown bear taken in
28 Units 1, 4 and 5.

29

30 So that's the complete text. The net
31 effect would be to add 24B and 26 into the list of
32 areas where this would be authorized.

33

34 CHAIRMAN G. BROWER: Thank you, Sandy.
35 We have read the proposed language change for this
36 proposal, what's the wish of the Council.

37

38 MR. GUNDERSON: Move to second it.

39

40 CHAIRMAN G. BROWER: There is a motion
41 to accept the proposed changes as read by Sandy, do we
42 have a second.

43

44 MR. GUNDERSON: Second it.

45

46 MR. KAYOTUK: This is Kaktovik, second.

47

48 CHAIRMAN G. BROWER: We have a second
49 from Kaktovik.

50

1 MR. GUNDERSON: Question.

2

3 CHAIRMAN G. BROWER: Question's been
4 called for. All those indicate by saying aye if you're
5 in approval of the proposed language change as read by
6 Sandy.

7

8 IN UNISON: Aye.

9

10 CHAIRMAN G. BROWER: This is Gordon, we
11 have a unanimous vote for this proposal. I would also
12 like to add just some language, not for the proposal,
13 just, you know, we are very respectful of other regions
14 and their jurisdictions and we'd just like to pass that
15 on because I know they have different customs and
16 different traditions and stuff like that than up here
17 in the Arctic. And it's an expressed need for the
18 areas that may have two different regions utilizing an
19 area. That's just my expression.

20

21 Sandy.

22

23 MR. RABINOWITCH: Thank you. Just one
24 follow up item. I think many of you know that the Park
25 Service has Subsistence Advisory Groups also that are
26 specific to Park Service areas and we call them SRCs,
27 you've probably heard that term, Subsistence Resource
28 Commissions. And the Subsistence Resource Commission
29 for Gates of the Arctic will next meet in November,
30 early November and so I will make sure that they have
31 this proposal on their agenda and that they understand
32 what's been submitted with the hope that they can
33 discuss it and make comments. And then that discussion
34 can be brought back to you at your winter meeting when
35 this will be back in front of you, and then you all can
36 benefit from that discussion and the Gates SRC meeting,
37 so I'll make sure that happens.

38

39 CHAIRMAN G. BROWER: Thank you, Sandy.

40 All right, I think we're moving on to the next agenda
41 item, and that's the -- is that the Fisheries Resource
42 Monitoring Program, and who do we have as a presenter.

43

44 MR. CANNON: Mr. Chairman and Council
45 members. First I'd like to introduce myself, my name
46 is Richard Cannon, I'm a fisheries biologist with the
47 Office of Subsistence Management, and I'm wondering if
48 -- I'm a ways from the teleconference mic, can you --
49 okay, I'm going to switch microphones.

50

1 (Pause)

2

3 MR. CANNON: Mr. Chairman and Council
4 members I will be going over the 2008 Fisheries
5 Monitoring Program. The Monitoring Program provides
6 funds to do fisheries projects throughout the state of
7 Alaska. This has been going on since the year 2000.
8 Today I'll be presenting information that appears in
9 your Council books. This material is found on Pages 30
10 through 47.

11

12 Pages 31 through 35 provide an
13 introduction and overview of the statewide 2008
14 Monitoring Program. I'll refer you to Table 1 on Page
15 34 which provides an account of the number of new
16 investigation plans that are being considered by region
17 across the state for 2008. Now, these are new projects
18 or projects that have run out of funding that had been
19 funded in the past and are asking for new funding for
20 2008. And this is the part I ask for a recommendation
21 from the Council on for your region, or for those
22 projects in your region that are asking for funds in
23 2008. You will see that of the 30 proposed
24 investigations, a Technical Review Committee which is
25 made up of scientists and biologists and
26 anthropologists from State and Federal agencies, that
27 the Federal Subsistence Board has formed, they look at
28 the technical validity of the study and then they make
29 a recommendation, and that recommendation is what is
30 before you today but it is only a recommendation.

31

32 The Technical Review Committee has
33 recommended that of the 30, that 23 be funded
34 statewide.

35

36 Figure 1 on Page 35 breaks down the
37 available funding for 2008. There's about \$2
38 statewide. You will see that 34 percent of the funds
39 would go to Native organizations, 27 percent to the
40 Alaska Department of Fish and Game and the remainder of
41 34 percent to Federal agencies.

42

43 And so now I'm going to move the
44 discussion, my presentation to the northern region,
45 which includes three Regional Councils including the
46 North Slope Council as well as the Northwest Arctic and
47 the Seward Penn Councils, they're all part of that
48 northern area.

49

50 In the past the Seward Penn and

1 Northwest Arctic Councils have identified salmon and
2 char fisheries as being the most important fisheries
3 for their regions and your Council has identified char,
4 whitefish and Arctic grayling fisheries as being most
5 important for your region.

6

7 Since the beginning of the Monitoring
8 Program in 2000 27 projects have been funded in the
9 northern region. Four of these projects are ongoing or
10 continuing for 2008 and they were funded in previous
11 years but they have multiple year funds so they're
12 continuing.

13

14 Table 1 lists past projects and this is
15 found on Page 37.

16

17 Table 2 on Page 38 lists ongoing
18 projects that will be operating in 2008. Two of these
19 ongoing projects are in the North Slope area. One
20 addresses Dolly Varden aerial monitoring, which is
21 occurring in the Arctic National Wildlife Refuge and
22 one addresses a completion of a genetic baseline for
23 Dolly Varden, and this genetic baseline will allow
24 scientists to identify what spawning stock Dolly Varden
25 are actually coming from in the various fisheries in
26 the region. So that will be an important new tool once
27 it's developed for managing the fish.

28

29 The Federal Subsistence Board
30 guidelines direct initial distribution of funds among
31 the regions and data types. For 2008, approximately
32 \$103,000 would be available for new projects in the
33 northern area region. There are three fisheries
34 projects for the northern region being considered for
35 2008. After reviewing these investigation plans that
36 were submitted by the proposers, the Technical Review
37 Committee recommended funding one of the projects and
38 prioritized them all in the following order as shown on
39 Table 5, Page 40.

40

41 The first priority was Project 08-103,
42 which was a Kobuk River sheefish spawning and run
43 timing project for \$87,000.

44

45 The second priority was Unalakleet,
46 this is 08-106 is a Unalakleet River chinook salmon
47 age, sex, length determination, that's ASL
48 determination for 62,000.

49

50 And then the third priority 08-150 was

1 a Nuiqsut baseline fish harvest fish project for
2 \$145,000.

3
4 Due to funding constraints the two
5 projects below the line 08-106 and 08-150 are not being
6 recommended for funding at this time.

7
8 Summaries of each of these projects are
9 found on Pages 42 through 47 of your Council books.
10 And if the Council would like I can give you a brief
11 summary of each project.

12
13 08-103 is the Kobuk River sheefish
14 spawning and run timing project. This project would
15 employ radiotelemetry to document spawning frequency
16 and timing and location along with post-spawning
17 migration of sheefish in the Kobuk River. Federal
18 subsistence users harvest sheefish in Hotham Inlet,
19 Selawik Lake and Kobuk River.

20
21 Project 08-106 Unalakleet River chinook
22 salmon ASL determination. This project would collect
23 age, sex, length samples from chinook salmon returning
24 to the Unalakleet River and from subsistence fish
25 harvested in Norton Sound.

26
27 And then finally 08-150 Nuiqsut
28 baseline fish harvest assessment. This would be a two
29 year project which would collect and synthesize
30 detailed information on the subsistence harvest of all
31 fish by the residents of Nuiqsut. The focus of this
32 study is on fisheries that are not well documented
33 which would include, for example, jigging for burbot in
34 the winter. And on less documented waters, for
35 example, Fish Creek, Judy Creek, and would be compared
36 with then the Colville River.

37
38 So of the three studies that were
39 proposed the Technical Committee that looked at the
40 studies recommended just one be funded and that is 08-
41 103, however, your Council is free to make its own
42 recommendations.

43
44 With that I'll end my overview and open
45 it up for questions, Mr. Chairman.

46
47 CHAIRMAN G. BROWER: Thank you. Do we
48 have any concerns, questions from the villages
49 concerning the Fisheries Resource Monitoring Plan.

50

1 (No comments)

2

3 CHAIRMAN G. BROWER: I have a question.
4 This is Cordon Brower for the record. The Nuiqsut
5 baseline fish harvest assessment, was that a proposal
6 that was submitted from Nuiqsut residents or was that
7 from the Council over here, do you know?

8

9 MR. CANNON:1 Mr. Chairman. It was
10 neither one. It was proposed by a research group, and
11 I can get that name for you, the principal investigator
12 was Michael Downs with EDAA, Inc., and Michael
13 Galginaitis, Applied Social Cultural Research. Now,
14 this group had said that they had been working in this
15 region for some time and that they had made some local
16 contacts. But when the Technical Review Committee
17 looked at the study their feeling was that evidence of
18 community support for the project and identification of
19 project personnel was incomplete and so that was one of
20 the reasons they did not move it forward for funding.

21

22 CHAIRMAN G. BROWER: Yeah, thank you.
23 I just wanted to get an idea where that one came from.
24 I just don't recall that. But there have been
25 lingering concerns over the years, especially due to
26 issues concerning extensive exploration oil field
27 development displacement of areas that there needs to
28 be a more comprehensive, maybe a study regime in the
29 North Slope concerning many multitudes of overwintering
30 habitats for different species, land-locked fish in
31 lakes which many of our villages have concern that
32 extensive water withdrawals over the years, a lot of
33 times brings up the concern is what is it doing to the
34 survivability of fish, what happens in areas where a
35 potential incident occurs, such as a large scale
36 contamination of a resource, what was in there to begin
37 with. These kind of questions have been expressed many
38 times because we subsist on these lakes, these rivers,
39 although, you know, we protect -- do our best to
40 protect overwintering habitats that are fish that are
41 spawning in these deep water pools and the rivers that
42 are covered in ice.

43

44 Case in point, we've seen many
45 operators out there that do not know what the
46 conditions are. We've seen D7s fall in these
47 overwintering habitats or you can only see the top of
48 the cab and I don't know how the person got out of it,
49 but, you know, not knowing traditional areas like this
50 because when they get covered with snow they don't

1 freeze, they're just under the snow and non-observant
2 industrial operator go right through it thinking, oh,
3 it's just a snowbank and when, in fact, you're
4 impacting thousands and thousands of fish fry that are
5 trying to grow up in these little overwintering
6 habitats. So those kinds of studies that we have
7 advocated for and if we're the ones talking about them,
8 is it up to one of you guys to put the proposal in or
9 is it up to us as we speak about it.

10

11 Just my concern.

12

13

14 MR. CANNON: Mr. Chairman. Your
15 concerns are very valid, and we certainly have heard
16 concerns about habitat degradation associated with
17 development in your areas. But there's a distinction
18 that I have to make with regard to this program, the
19 Fisheries Monitoring Program. By design, by a decision
20 made by the Federal Subsistence Board the funding for
21 this particular program has to be directed at fisheries
22 harvest and regulation of harvest and studies that
23 would be associated directly to that, not with habitat
24 development or oil development, and that responsibility
25 to do those studies remains with the Federal or State
26 land managers, with the Borough or the developers
27 themselves to do those kinds of studies as part of a
28 development plan. So that's why often for this region
29 there haven't been many proposals because we're asking
30 people not to focus on the habitat but on issues of
31 harvest and the status of the stocks themselves.

31

32

33 CHAIRMAN G. BROWER: Yeah, this is
34 Gordon Brower, again, thank you very much to clarify
35 some of these things. I have not been told for all the
36 years that I've been here to differentiate between
37 impacts to the resource from something outside of what
38 you're doing like if I am harvesting. And I'm noticing
39 that my harvest is being -- there's a harvest problem,
40 the fish is getting sick or something like that. There
41 needs to be a little bit more understanding of what
42 types of proposals, how we're supposed to submit them
43 because over the last four years we've been talking to
44 try to get the Federal government to do assessments on
45 these lakes when, in fact, I think we're just blowing
46 in the wind all the time, you know.

46

47

48 MR. CANNON: Mr. Chairman. Mr. Brower,
49 your concerns are being heard and I think they are
50 passed on, generally, to the management agencies
because we have representatives from BLM, usually the

1 State of Alaska, U.S. Fish and Wildlife Service, and I
2 think they're hearing this but our ability to fund
3 projects out of this particular program is what is
4 limiting. We have heard the Council provide concerns
5 about char being less abundant and harvests going down
6 for char fisheries and so if you look at some of the
7 proposed studies that have been funded for this region
8 they have been directed at looking at char and
9 developing better methods to evaluate the stocks of
10 char in the Arctic.

11
12 There's a project on the HulaHula that
13 is looking at a better way of monitoring the abundance
14 of the spawning migration of char. And there's funding
15 being provided to the Alaska Department of Fish and
16 Game to continue to do aerial surveys of char stocks so
17 those kind of projects do get funding when there's
18 funding available because they can be related directly
19 back to the stocks and the harvests.

20
21 But your concerns about the habitat, I
22 think that people hear those and they pass them on back
23 through their agencies because we do have just about
24 all of the agencies and usually the State of Alaska
25 coming to your Council meetings. So I don't think that
26 it isn't being heard.

27
28 CHAIRMAN G. BROWER: Thank you. I
29 mean I think we can direct, or if we know how to submit
30 a proposal I think we can come up with really good
31 meaningful ways that you're going to take some portion
32 of these monitoring funds, if we knew the criteria that
33 we needed to fulfill in submitting a proposal, and I
34 think that's how come you have seen very little from
35 us, just only that we're being impacted by oil
36 industry, please study or fish areas where we harvest
37 so that we can protect them. I think that doesn't fly
38 in terms of, you know, I've been fishing here for the
39 last 40 years, I've noticed a noticeable decline in the
40 size of the fish, the amount of the major spawners, the
41 ones that are the bracket at the -- where they spawn
42 the most, you know, that type. So if we knew the
43 criteria a little bit better I think we could come up
44 with all kinds of studies for you that would be
45 beneficial and this is the first
46 -- probably the first time that -- just from
47 understanding from the type of proposals that you need
48 to hear, that, you know, we don't need to gripe about
49 what the industry's doing. We can say it and take care
50 of it through other means, and quite frankly I think

1 the industry itself was, you know, prepared to conduct
2 studies and get third-party opinions and the whole
3 gamut of different things to study areas but for human
4 use, consumption and what we're doing with those
5 resources and the type of impacts we're creating on our
6 own to these resources is something that we can express
7 and possibly get proposals in that are meaningful.

8
9 I thank you very much for, you know,
10 enlightening us a little bit more anyway.

11
12 Do we have any questions from the
13 villages for the Fisheries Resource Monitoring Plan.

14
15 MR. KAYOTUK: Maybe we should do more
16 studies and keep this thing going on for the future
17 impacts on what's going to be going on or what's going
18 on now is very important.

19
20 Thank you.

21
22 CHAIRMAN G. BROWER: Thank you, Lee. I
23 think they took a few little notes there, to keep the
24 studies going and keep on fishing.

25
26 Atqasuk, do you have any concerns on
27 the Fisheries Resource Monitoring Plan.

28
29 MR. BODFISH: I guess we're going to be
30 seeing a lot of -- less fish this fall but that's due
31 to very dry weather up here. Our rivers are pretty low
32 and fishes are not coming up, seems to stop there about
33 five miles north of here. We've got (indiscernible -
34 phone connection bad) one season of rain. The studies,
35 of our fish, about grayling, whitefish and salmon,
36 those studies of -- so we're going to see a big change
37 due to low waters, so low up north -- north of us that
38 the fish aren't coming up river.

39
40 CHAIRMAN G. BROWER: All right,
41 Quyanaq, Atqasuk. You were just a little bit low but I
42 think we heard some on there about low water and fish
43 having a hard time coming up river.

44
45 MR. CANNON: Excuse me, Mr. Chairman.
46 Could you tell me, I did not get the name or location,
47 what village was that?

48
49 CHAIRMAN G. BROWER: Yeah, that was
50 Paul Bodfish.

1 MR. BODFISH: Paul Bodfish from
2 Atqasuk.
3
4 MR. CANNON: Thank you, Mr. Chairman.
5
6 CHAIRMAN G. BROWER: Yeah, thank you,
7 Paul. Thank you for your concerns. And I think we're
8 going to come back to you concerning the concerns
9 because we were asked to move some items up here that
10 needed some proposals. But I think we will come to
11 each village concern. And I'd also like to recognize
12 that we have one visitor here, Delbert Rexford.
13
14 MR. D. REXFORD: Thank you, Mr.
15 Chairman.
16
17 CHAIRMAN G. BROWER: Who just walked
18 in, so I'd like to make sure that we recognize
19 participants and people that come to observe.
20
21 Any other concerns with the Fisheries
22 Resource Monitoring Plan.
23
24 MR. BODFISH: Mr. Chairman. I guess I
25 would like to see 08-150 recommendation there have
26 funds. I sure would like to see that funded on behalf
27 of those people over there on the Colville.
28
29 CHAIRMAN G. BROWER: Okay. We've got
30 that noted down, Atqasuk's concern with the Resource
31 Monitoring Program and the wish that 08-150 Nuiqsut
32 baseline fish harvest assessment for \$145,057, and the
33 wish is that they seek to fund that in some fashion.
34 That's an expressed concern from Atqasuk.
35
36 MR. CANNON: Mr. Chairman. The Council
37 can turn that request into an actual motion and should
38 do that if that is the will of the Council and vote on
39 it and that will then -- your recommendation then would
40 move on to the Federal Subsistence Board as being in
41 support of funding that project and not the other
42 project that the Technical Review Committee has
43 recommended. You can disagree.
44
45 MR. BODFISH: Hearing that, Mr.
46 Chairman, Atqasuk.
47
48 CHAIRMAN G. BROWER: Yeah, go ahead,
49 Atqasuk, you were breaking up for a second.
50

1 MR. BODFISH: Hearing that, yes, I
2 would move that that be funded, 08-150, and move that
3 -- make that a motion.

4
5 CHAIRMAN G. BROWER: Thank you, Paul.
6 There's a motion on the floor to fund -- a
7 recommendation to fund the Nuiqsut baseline fish
8 harvest assessment Item No. 08-150 with \$245,057,
9 motion made by Paul Bodfish from Atgasuk.

10
11 MR. GUNDERSON: Second it.

12
13 CHAIRMAN G. BROWER: It's been seconded
14 by David Gunderson of Wainwright.

15
16 MR. GUNDERSON: Question.

17
18 CHAIRMAN G. BROWER: Question's been
19 called for. All those that approve of the motion
20 signify by saying aye.

21
22 IN UNISON: Aye.

23
24 CHAIRMAN G. BROWER: Okay. The motion
25 is carried and we have recommendation for you in the
26 form of a motion.

27
28 MR. CANNON: Mr. Chairman, thank you,
29 and thank the Council for your recommendation.

30
31 CHAIRMAN G. BROWER: All right. Where
32 are we on the agenda now?

33
34 MS. B. ARMSTRONG: Mr. Chair. This is
35 where we did the switch with 11 first before 10, the
36 draft customary and traditional use policy for Council
37 recommendation and Helen Armstrong will be presenting
38 that.

39
40 Thank you.

41
42 CHAIRMAN G. BROWER: All right, thank
43 you, Barb. And we have Helen Armstrong for Draft
44 Customary and Traditional Use Policy for Council's
45 recommendation.

46
47 Helen.

48
49 MS. H. ARMSTRONG: Mr. Chair, did both
50 of you get this draft?

1 MS. B. ARMSTRONG: Yeah.

2

3 MS. H. ARMSTRONG: Okay.

4

5 CHAIRMAN G. BROWER: I got the draft.

6

7 MS. H. ARMSTRONG: Unfortunately this
8 just came out so the people that are on line don't have
9 a copy of it, which we apologize for but I'll try to
10 make it really clear.

11

12 My name is Helen Armstrong and I am
13 with the Fish and Wildlife Service, Office of
14 Subsistence Management, I'm an anthropologist.

15

16 And what I'm talking about is the
17 policy -- the draft policy, implementation of the
18 customary and traditional use determinations. I'll
19 give you a little bit of background as to how this came
20 about.

21

22 We've been talking for years about
23 customary and traditional use determinations and how we
24 do it and a number of years ago we created a guide that
25 was just a technical writing guide. And it eventually
26 -- the Secretary of Interior requested that the Board
27 -- actually the Deputy Secretary of Interior requested
28 that the Federal Subsistence Board review and clarify
29 its approach to making C&T determinations. And so when
30 they made that request it's taken us some time to get a
31 handle on what direction we wanted to go on this and
32 while we were doing that the State of Alaska filed a
33 lawsuit in Federal court against the Federal
34 Subsistence Board challenging its decision in May of
35 2005 to expand a customary and traditional use finding
36 for moose for the community of Chistochina to include
37 all of Unit 12. Just recently the U.S. District Court
38 came out with their decision and they denied the
39 State's challenge to the Board's decision to expand C&T
40 finding for moose for the community of Chistochina and
41 they allowed it -- they recom -- the decision was to
42 allow Chistochina to have C&T in all of Unit 12.

43

44 This was a really important decision
45 that was made and has a lot of implications on how we
46 operate as a program and affected then how this policy
47 would be written.

48

49 Essentially what happened is that the
50 Chistochina decision affirmed the Board's approach and

1 provided further clarification to the Board regarding
2 C&T determinations. And it said that the role of C&T
3 determinations in the Federal Program, specifically to
4 identify uses needing protection under ANILCA, that the
5 decision really underscored that role.

6
7 It also clarified that the role of C&T
8 determinations is not to limit the pool of users to the
9 smallest possible group. We've had other outside
10 groups that have tried to get us to do that to use it
11 as a way to limit people but that it, rather is to
12 identify those uses that people have, and how they're
13 protected under ANILCA. So it was really important, I
14 think, in our program to have that.

15
16 The Federal Program's procedure for
17 addressing C&T determinations which have been utilized
18 since the inception of the program are outlined in the
19 attached policy that you have had handed out. So what
20 this really is doing, the policy, is it's just putting
21 in writing what we already do. There aren't any
22 changes to how we're doing C&T policies, it's just
23 writing it down and explaining it to people. It's just
24 intended to clarify the approach we've been taking,
25 which is what the Interior Secretary had requested.

26
27 Part of the process that we use is to
28 consider the eight factors that you've all heard us
29 talk about when we do C&T determinations, that they're
30 generally and holistic rather than in a rigid manner
31 that some people have requested. Some people have
32 wanted us to put really defined timelines, you know,
33 say maybe something like it's not long-term consistent
34 pattern of use unless it's been in existence for 50
35 years. I'm just using that as an example, or it has to
36 be used within X number of miles of the community or
37 something like that. What we've done, always done as a
38 program, is to let it be less rigid than that and
39 really applied in a regional manner, taking in regional
40 factors.

41
42 We don't use the eight factors as a
43 checklist. We address them as a holistic way so that
44 even if maybe we don't have information on one of the
45 eight factors then that doesn't mean we can't give a
46 customary and traditional use determination. What the
47 regulation says is that the community must generally
48 exhibit the eight regulatory factors which exemplify
49 customary and traditional use.

50

1 This is a draft and we're really
2 interested in hearing what the Council's thoughts are.
3 And I know I've just handed this out. But you do have
4 some time to read it and think about it and comments
5 are being asked to be submitted to us by December 1st.
6 And our goal is to have a final policy to the Secretary
7 by June of 2008. And, Barb, maybe we can make sure
8 that this gets faxed out to all the Council members,
9 too, so that they all have it as well. I don't know if
10 you want me to go through the whole policy, Mr. Chair.

11
12 What it does is it lays out a purpose
13 and introduction, which I've talked about, and then the
14 Board authorities, ANILCA and then our regulations.
15 The policy then, it only has a -- it's only a couple
16 pages long and it explains, as I said, that we use the
17 eight factors and that it talks about subsistence uses
18 being dynamic and adaptive and that they change over
19 time. That ANILCA describes subsistence uses as that,
20 which is rural and customary and traditional. And then
21 it goes through, talking, as I said about how the
22 customary and traditional uses are not intended to be a
23 hurdle but are intended as being a way of identifying
24 what those uses are.

25
26 There's a decision-making portion that
27 says the Board -- maybe for the benefit of the people
28 who don't have this in front of them I'll just read
29 through these, would you like me to do that?

30
31 CHAIRMAN G. BROWER: I think it would
32 be beneficial. What's the wish of the Council, because
33 I think this is something that we're probably going to
34 read and you've got -- what did you say was your
35 comment deadlines on this and then final decision-
36 making?

37
38 MS. H. ARMSTRONG: December 1st is the
39 comment deadline.

40
41 CHAIRMAN G. BROWER: All right. And
42 then the final action on June.....

43
44 MS. H. ARMSTRONG: We're hoping by June
45 '08.

46
47 CHAIRMAN G. BROWER: Okay. So we may
48 be able to discuss more of this in the winter meeting
49 as well?

50

1 MS. H. ARMSTRONG: I think so. I think
2 that's the intention.

3
4 CHAIRMAN G. BROWER: Okay. What's the
5 wish of the Council, she wants to go ahead and maybe
6 read a little bit more of the proposed policy, or the
7 policy that's being written up on the C&T use
8 determinations, and I think it's putting like to words
9 what we've already been doing for many years.

10
11 Paul, do you have any direction, do you
12 want her to go ahead and read it, I don't have a
13 problem with it, and it might be enlightening to hear
14 in writing what we've always been doing.

15
16 MR. BODFISH: Yeah.

17
18 MS. H. ARMSTRONG: Okay.

19
20 CHAIRMAN G. BROWER: Yeah, go ahead,
21 Helen.

22
23 MS. H. ARMSTRONG: I'll just read -- I
24 won't read the whole thing but starting on the top of
25 Page 4 the decision-making, where it says, the Board
26 shall:

27
28 The Board shall adhere to the statutory
29 standard of customary and traditional
30 use in making customary and traditional
31 use determinations, need for sustenance
32 is not the standard.

33
34 Base its determination of customary and
35 traditional use on information of a
36 reasonable and defensible nature
37 contained within the administrative
38 record.

39
40 Make customary and traditional use
41 determinations based on a holistic
42 application of eight factors as
43 outlined in 36 CFR 242.16(b) and 50 CFR
44 100.16(b) and whether a community or
45 area generally exhibits them.
46 Together, the eight factors elucidate
47 the economic, nutritional, cultural and
48 social character of a customary and
49 traditional resource harvest and use.

50

1 Consider the knowledge, reports and
2 recommendations of the appropriate
3 Regional Advisory Council regarding
4 customary and traditional use of
5 subsistence resources in making its
6 decisions.

7
8 Consider comments and recommendations
9 from the State of Alaska and the
10 public.

11
12 And then additional guiding
13 considerations.

14
15 The Board recognizes that it may
16 extrapolate based on information from
17 other similarly situated communities or
18 areas if no information exists for a
19 certain community or area.

20
21 Assessment of the eight factors can
22 vary due to regional cultural and
23 temporal variations.

24
25 It has discretion in deciding whether
26 the eight regulatory factors are
27 generally exhibited. Inherent in that
28 general discretion is the specific
29 discretion to determine the
30 geographical extent of the area
31 relevant to the use of a specific fish
32 stock or a wildlife population. There
33 is no rigid regulatory requirement that
34 a customary and traditional use
35 determination be made only for an area
36 for which actual use had been
37 demonstrated. The area encompassed by
38 a customary and traditional use
39 determinations may be broader.

40
41 ANILCA does not differentiate between
42 natural, introduced, reintroduced or
43 recently migrated species.

44
45 That particularly affects the North
46 Slope with muskox so that you can get a customary and
47 traditional use determination for an introduced species
48 like muskox.

49
50 I think that concludes my comments, Mr.

1 Chair, if you have any questions.

2

3 CHAIRMAN G. BROWER: I had a question
4 but I think I might have lost my train of thought. You
5 said something about this is -- I think it's always
6 recognized that this is not a tool to limit the pool or
7 something to that effect.

8

9 MS. H. ARMSTRONG: Uh-huh.

10

11 CHAIRMAN G. BROWER: But I think that
12 it is a tool for local areas to identify the use of
13 these areas that have been there for time and
14 immemorial, you know.

15

16 MS. H. ARMSTRONG: Yeah.

17

18 CHAIRMAN G. BROWER: And if you get to
19 reside in these areas, this is what this village has to
20 offer. It's kind of my understanding, this is our ties
21 to these animals here and we have a, you know, rural
22 determination for these things. Something to that
23 effect.

24

25 MS. H. ARMSTRONG: Yeah, customary and
26 traditional use determination, that's correct.

27

28 CHAIRMAN G. BROWER: Uh-huh. Was there
29 any questions from any other villages, deadline for
30 comment on this is December 1st and you will have this
31 probably mailed to you in a timely fashion and the
32 final decision on it will be in June 2008, and I think
33 we may have an opportunity to discuss more of this in
34 detail, probably in our winter meeting.

35

36 MS. H. ARMSTRONG: That's correct. And
37 just for the people on line, when you get the draft
38 policy, on the last page there is an email address, you
39 can email comments, you can also fax them and there's
40 also an address to mail them. So any comments that you
41 might have would be welcome.

42

43 Thank you very much, Mr. Chair.

44

45 CHAIRMAN G. BROWER: All right, thank
46 you, Helen. And I know we had changed our agenda
47 around for these three different items so -- I know
48 sometimes during the Chair's report we usually had a
49 report, as well, just to hear from the villages and
50 Paul started on making some of his small report from

1 each village. And I would like to -- since we passed
2 these three important ones already, to hear from the
3 villages.

4
5 Paul, did you want to express any of
6 your concerns from your village.

7
8 MR. BODFISH: This is Paul. Well,
9 other than what I said earlier, we've come across quite
10 a number of sick caribou in our area. I don't know if
11 these were just the stragglers that I know that the
12 weak left behind, I guess they're the ones that are
13 getting left behind here a number of caribou we caught.

14
15 CHAIRMAN G. BROWER: All right, Paul.
16 You're saying sick caribou being caught.

17
18 MR. BODFISH: Yeah.

19
20 CHAIRMAN G. BROWER: And that's around
21 the vicinity of Atqasuk.

22
23 MR. BODFISH: Yes.

24
25 CHAIRMAN G. BROWER: Do you have any
26 other concerns that you would like to make known?

27
28 MR. BODFISH: That's all I have for
29 right now.

30
31 CHAIRMAN G. BROWER: Thank you, Paul.
32 Maybe we can move right on over to Kaktovik, if you
33 have any concerns.

34
35 MR. KAYOTUK: I have no comments at
36 this time and when I get the packet I will take a look
37 over it and see what the packet has to say when we get
38 it in the mail.

39
40 Thank you.

41
42 CHAIRMAN G. BROWER: All right, thank
43 you, Lee. I'd also like to just recognize we did get
44 one more visitor in and that's Johnny Brower who just
45 walked in. So I just like to acknowledge people as
46 they walk in.

47
48 And we'll move to Wainwright.

49
50 MR. GUNDERSON: Gunderson here, David.

1 At this point there was a rabies outbreak in our
2 village. I believe 10 people had to get vaccinated, 15
3 or 20 were examined, but 10 of the people had to get
4 the shots, I believe. It all happened from a rabid fox
5 that bit a dog. The dog was tied up outside and I
6 guess the dog didn't have rabies shots or didn't -- in
7 the community I know, in the past, they used to have
8 rabies shots for the dogs and the vet would come and
9 then for like maybe a few years they stopped and that's
10 when, you know, they -- they tried to tell the people
11 in the village that it was their concern, you know,
12 their job, you know, their own risk, they're at their
13 own risk. And then an outbreak like this happens, they
14 had a good response, I'm sure you guys heard about it
15 in the Sounder, it was all in there.

16

17 But, you know, I have dogs of my own, I
18 have children and they play with the dogs, I have a few
19 puppies, they play with the puppies and, you know,
20 they're about two months old now, the puppies, and it
21 would be a welcoming sight to see the vet come into the
22 villages sooner or, you know, more often than they do,
23 once a year or however, once every six months, but
24 that's a really big concern because, you know, it
25 spreads just like that, contact to contact, you know,
26 some -- some people hug, kiss and that's supposedly how
27 it's spread, by saliva. But I guess the dog might have
28 been playing with some people and, you know, they
29 didn't know it had rabies until it showed symptoms,
30 which is kind of scary to think of.

31

32 And other than that hunting's been
33 good.

34

35 I don't know if I should bring this up
36 but people seen something big over there in the last
37 week walking around or something, supposedly huge. I
38 don't know if it's true but I believe what they're
39 saying is something, I don't know, they were trying to
40 say it might have been a Big Foot but it's hard to
41 say, but more than three people seen it, so walking and
42 it's all brown and, you know, probably following the
43 caribou, might have wandered up this way. So I don't
44 know that might have been a concern because the search
45 and rescue asked for volunteers to go and look for this
46 thing, no sightings, they didn't respond in a quick
47 enough manner, it snuck away or whatever it does.

48

49 But we had a good successful beluga
50 hunt, but most of the beluga got wasted because the

1 people didn't respond in time and then it was really
2 hot when got it, it had to get thrown away or whatever
3 they do with it.

4
5 People's been getting walruses,
6 oogruks, what else out there, caribous, they're all
7 around there now. The birds, people had a good duck
8 season.

9
10 Everything seems pretty good except
11 that rabies outbreak, but other than that Wainwright --
12 I didn't talk much to John about it, but I didn't hear
13 any concerns from him. He didn't get back to me or we
14 didn't meet up or nothing, so I wouldn't know what John
15 would have to say. But other than that that's my main
16 concern is that rabies, if they'd, you know, at least
17 have a vet, you know, in each village, just get out
18 there more often because they can't determine when a
19 dog's going to have puppies and then they got to factor
20 that in too, you know.

21
22 Other than that, that's my concerns,
23 thank you.

24
25 CHAIRMAN G. BROWER: All right.
26 Quyanaq for your guys reports.

27
28 I guess I could chime in, too, I mean
29 we got -- like Paul from Atqasuk, you know, my area
30 where I hunt, you know, it's been affected by very low
31 water situation all summer long including up to now,
32 it's been -- lakes been at a very all time lows, I
33 think, very low up there. But you could see the
34 animals though. A lot of caribou come through and the
35 time I spent up there it's just -- you know it was
36 pretty good caribou, I didn't hunt them, but I know
37 there was a whole bunch of them around, I'm just
38 waiting for them to fatten up for later on.

39
40 Fishing is kind of slow but it's
41 picking up again since it's getting dark.

42
43 Other than that we did have some
44 concerns about caribou being very far away, I mean
45 there was some local caribous here but the majority of
46 them were pretty far. We had some hunters that were up
47 around we call them ayaahatt there, they're a bunch of
48 lakes up past -- going further, a little further
49 southeast and the caribou were hanging out over there.
50 Some of the concerns that were made were possibly heavy

1 traffic from industrial operations from Barrow to
2 Prudhoe Bay may have prevented normal movements into
3 areas where they're more accessible. So a few people
4 that I know that have been hunting had to go that extra
5 mile, yeah, if you look at far the ayaahatt's are,
6 they're, you know, in excess of about 100 miles from
7 southeast of Barrow, and that's where they got some
8 good caribou other than the local ones that are here,
9 which a few people got here, too.

10

11 Other than that it's been pretty good
12 and that's the only report I can give.

13

14 I guess we could move along down the
15 agenda, it's 11:05, but I think that's a slow clock, I
16 don't know.

17

18 DR. YOKEL: We fixed it.

19

20 CHAIRMAN G. BROWER: It's been fixed,
21 okay. I guess we can go to No. 10 -- 11 was moved to
22 10 and 10 was moved to 11, right?

23

24 MS. B. ARMSTRONG: Right.

25

26 CHAIRMAN G. BROWER: And that's develop
27 FY'07 annual report, is that what it is?

28

29 MS. B. ARMSTRONG: That's what it is.

30

31 CHAIRMAN G. BROWER: Okay, Barb, it
32 looks like you have the floor.

33

34 MS. B. ARMSTRONG: Ki, good morning.
35 Quyanaq. We have recently, since our last meeting, and
36 in discussing annual reports for some time and then
37 we've -- North Slope has always submitted annual
38 reports since they began except for the very first one
39 back in 1993, and at that time Fenton was the Chair and
40 he wrote a letter to Dick Paspahalas saying that they
41 weren't submitting since they had just grouped up and
42 had their first meeting, and now we have guidance for
43 writing annual reports on Page 48 of your book.

44

45 And annual reports is a requirement,
46 it's required by FACA that each Council need to write a
47 report every year to submit their concerns into the
48 Federal Board. And whatever your concerns are --
49 whenever your concerns are submitted to your annual
50 report, we were also told that those have to be worked

1 on by the Staff and reported back to you to see what
2 the outcome is. And I've noticed that the other annual
3 reports that we've had we've given you updates. There
4 were times that we couldn't do what you had requested
5 of us because of funding, and right now our funding is
6 getting very, very low also in the Federal program. So
7 if you read Page 48 in your book you'll see how we will
8 be writing our annual reports from here on in.

9
10 And for your annual report issues so
11 far this morning I've gathered discussion on bears and
12 I think that would be a good item for your annual
13 report to submit that one and then we'll follow it and
14 get the updated one by next year. Because maybe by
15 that time if this proposal goes through it will be into
16 the new regs by then.

17
18 And Paul had some concerns on fish, I
19 have written down baseline studies on fish. And if
20 that would just be in the Atqasuk area or for the whole
21 North Slope I will need to hear from you.

22
23 And if you have any further concerns
24 that you would like to put on your annual report, you
25 have my email address or you have my phone number to
26 call me and/or this will be brought up to you again --
27 this will also come before you again during your winter
28 meeting.

29
30 Thank you, Mr. Chair.

31
32 CHAIRMAN G. BROWER: All right, do we
33 have any questions from the villages, Council members,
34 concerning Barb's report.

35
36 (No comments)

37
38 CHAIRMAN G. BROWER: I got a question.
39 You mentioned that constraints due to possibly your
40 guy's budget coming down, is there -- have you guys
41 identified reason why your budget is reducing so much?

42
43 MS. B. ARMSTRONG: I think it starts
44 from the top down, all over, and every one is having
45 some budget problems all over the place. And then
46 there are some -- if you read your annual reports
47 there, there was a request from Wainwright to do
48 resource studies or baseline studies for the Wainwright
49 area and we did not have the funding to even begin
50 that. And if you read the updated answer that was

1 given to you, we're starting on that. And our funding
2 is really going down, we are downsizing even in the
3 office as we speak.

4

5 Mr. Chair.

6

7 CHAIRMAN G. BROWER: Thank you, Barb.
8 It's just a concern. It seems to me, you know, in an
9 area where more competing uses are coming around, the
10 pressure on the land itself, and the potential for
11 other things to disrupt subsistence, it seems to me
12 would bolster the need to make sure that proper
13 oversight and increasing monitoring and stuff like that
14 would be warranted instead of reducing that. If
15 there's any ways that we can express these concerns
16 because we do have the need to continue monitoring and
17 resource management in light of different types of
18 pressures being mounted upon one another. It seems to
19 be very important to make sure that we're able to
20 express what we need to express.

21

22 Thank you.

23

24 MS. B. ARMSTRONG: Yeah, Mr. Chair, I
25 think for the record, this is probably what they would
26 probably want me to request to say is guidance for
27 writing annual reports and to read just that first
28 paragraph is:

29

30 ANILCA established annual reports as a
31 way to bring regional subsistence uses
32 and needs to the attention of the
33 Secretaries of Interior and
34 Agriculture.

35

36 The Secretaries delegated
37 responsibility for Federal Subsistence
38 Management in Alaska to the Federal
39 Subsistence Board.

40

41 The Board is obligated to reply to each
42 issue raised in every annual report.

43

44 Subsistence Regional Advisory Council
45 recommendations subject to Section
46 .805(c) deference are also due -- such
47 deference when brought forward in the
48 annual report.

49

50 And this is what we've been doing in

1 answering your -- giving you the best answer and
2 updated answer that we have on your annual report
3 reply.

4
5 And then the report content and then
6 there's also the report format, and we've been
7 following this and then we've -- since we've had some
8 questions during this last time and there are other
9 Councils that weren't doing annual reports and this
10 came up and -- but we've always submitted annual
11 reports on the North Slope because we've always had
12 concerns and wanting to know answers and we go out to
13 find the answers from the proper agencies and the
14 agencies that we request answers from have been good in
15 giving us answers and giving us updated reports.

16
17 Thank you, sir.

18
19 CHAIRMAN G. BROWER: Thank you, Barb.
20 I would just like to make some concern, too, you know,
21 in writing, some of the annual report and the
22 guidelines and stuff. I just want to make sure when,
23 you know, I think Harry's going to work with you
24 probably on one of those but I want to also express
25 some concern with what the State's been doing, with
26 what the North Slope Borough's been encountering and
27 what subsistence management is around here with the
28 Federal guidelines that we have.

29
30 I think they really need to know what's
31 going on with State and with the Borough in terms of
32 our subsistence policies.

33
34 We had submitted, I think, 35 different
35 -- or 36 different subsistence policies to be used in
36 our local ordinances in our coastal management program.
37 Out of those, I think all except four were approved but
38 the four had to be substantially modified according to
39 what the State wanted. And in terms of a review
40 against policy in projects that affect subsistence, our
41 policies were made null and void because they would not
42 accept subsistence designations in areas that we felt
43 that subsistence was an issue.

44
45 So these are some of the things that
46 we're having a very big hard time in making sure that
47 subsistence locally -- like the impacts that we
48 continue to talk about that's generated from oil
49 industry on land, pressure on fish, caribou movements
50 and stuff like that, some of those are going away if

1 there is no change in direction as to what the State is
2 deemed appropriate, I guess. So they're very reluctant
3 to look at subsistence and I think that's the State's
4 own problem for many years, where they've had a
5 subsistence impasse and it still manifests today. And
6 I'm very happy in these days that the Federal takeover,
7 what was it 1994 or something like that, of subsistence
8 management, to try and make sure that these rural
9 preference issues and stuff, subsistence management are
10 at least being dealt with in some way.

11
12 So that's just my concern and I just
13 want to make sure that, you know, the State and the
14 Borough concerns be heard as well in subsistence
15 management.

16
17 Anyway, those are my two cents, anyway,
18 and I hope they get appropriately noted in some of our
19 annual reports and stuff.

20
21 Barb, were you finished with your
22 presentation?

23
24 MS. B. ARMSTRONG: Yes, I am, Mr.
25 Chair.

26
27 CHAIRMAN G. BROWER: Was there anything
28 we needed to act by motion?

29
30 MS. B. ARMSTRONG: No. That was just
31 informational for the Council.

32
33 CHAIRMAN G. BROWER: Okay. Dave, did
34 you say that that clock is correct now?

35
36 MS. B. ARMSTRONG: Yes, it is.

37
38 CHAIRMAN G. BROWER: Okay. I just want
39 to make sure that we got some good time here and I'm
40 not going past somebody's hunger needs and stuff.

41
42 I guess our next agenda item is agency
43 reports.

44
45 MS. B. ARMSTRONG: Yes.

46
47 CHAIRMAN G. BROWER: And I guess we'll
48 do those in the order that they are presented.

49
50 MS. B. ARMSTRONG: Yes.

1 CHAIRMAN G. BROWER: And we have U.S.
2 Fish and Wildlife Service, Subsistence Management 1;
3 status of closure policy, Dan LaPlant.

4
5 MR. LAPLANT: Thank you, Mr. Chairman.
6 There's a small briefing for you on the status of the
7 closure policy on Page 49 of your book and I'll just go
8 through it quickly here.

9
10 Basically it says the Federal
11 Subsistence Board was directed by the Secretaries back
12 in October of 2005 to draft the policy addressing
13 closures to hunting, trapping and fishing on Federal
14 public lands in Alaska. And the Secretaries we're
15 referring to here are the Secretaries of Interior and
16 Agriculture who oversee the Federal Subsistence
17 Program.

18
19 All 10 Subsistence Regional Advisory
20 Councils reviewed a draft of this policy during their
21 winter meeting of 2006 so it was about a year and a
22 half ago this draft policy was before you. Revisions
23 were made to that draft policy based on the comments
24 that were heard at those public meetings, those Council
25 meetings, comments from the public, comments from the
26 individual Councils and then comments from the State
27 and also comments from the Solicitor's office.

28
29 Following that in August of 2006 on
30 August 25th, about a year ago, the Board took more
31 public comments on this issue and they tasked a
32 subcommittee of the Board to continue to work on the
33 draft policy. And this effort was completed and a
34 proposed final draft policy was sent to the Secretaries
35 earlier this year for review and final proposal.

36
37 It says here that we're presently
38 awaiting the outcome of that review process and the
39 policy will be made widely available following the
40 Secretarial approval. But we heard last week that the
41 Secretaries have approved that policy and our intent
42 was to bring a copy of that to the meeting today that
43 the Secretaries had approved, but as I left the office
44 yesterday we still hadn't received it, a signed copy of
45 that policy from the Secretaries from Washington, D.C.
46 So as soon as we get that we will mail that out to all
47 Council members and provide you with that final policy.

48
49 But the policy itself really describes
50 much like the C&T policy that Helen talked about. It

1 pretty much describes the way we've been handling
2 closures -- the way the Board has been handling
3 closures in the past following the regulations outlined
4 in Section .815 of ANILCA and Section .816. Basically
5 it says that when the resource is limited, the first
6 users to be eliminated are the non-Federally-qualified
7 subsistence users, and then if the resource is even
8 further limited then the Board will follow the criteria
9 in Section .804 that differentiates between Federally-
10 qualified subsistence users and there's three criteria
11 there that the Board considers as far as proximity to
12 the resource; availability of other alternatives and so
13 on. And then if the resource is even further limited,
14 then from that point all users are reduced from or
15 eliminated from harvesting.

16
17 So that's the process that we've always
18 been using and it just sets this out in policy.

19
20 The policy recognizes the
21 responsibility of the Councils and the policy
22 recognizes the value of public comments in this whole
23 process, the decision-making of implementing closures.

24
25 Probably the most significant element
26 in this policy is the recognition of the need for
27 reviewing these closures on a regular basis. That was
28 probably the weakest point of the way operations had
29 taken place in the past, is we've had closures on the
30 books for years and the Board hadn't looked at whether
31 there was a need to maintain those closures. Over the
32 last three years now we've looked at all of the
33 closures that are in regulations and this policy sets
34 up a schedule to continue doing that.

35
36 So we haven't seen the final version
37 from the Secretaries office and my understanding is
38 that they signed it without making any changes but we
39 haven't -- we don't know that for sure because we
40 haven't seen a copy of it and as soon as we do get a
41 copy we will provide that and mail that out to all
42 Council members.

43
44 Thank you, Mr. Chairman.

45
46 CHAIRMAN G. BROWER: All right, thanks,
47 Mr. LaPlant. Is there any questions from Council
48 membership. I think we will get that copy once you get
49 it and it sounds like it's pretty well detailed on the
50 closure. And like you said, areas where you need to

1 review those closures, if they are still warranted it,
2 is also a part of that.

3

4 Do we have any questions for Mr.
5 LaPlant from the Council.

6

7 (No comments)

8

9 CHAIRMAN G. BROWER: If not, we'll go
10 to Item 2, A2, status of Council Composition
11 recommendation, again, Dan LaPlant.

12

13 MR. LAPLANT: Thank you, Mr. Chairman.
14 Council members on Page 50 there's a briefing statement
15 there for you. It says that in December 1998 the
16 Safari Club International and others filed a lawsuit
17 against the Secretaries of Interior and Agriculture and
18 the Federal Subsistence Board. That original complaint
19 challenged specific subsistence priority determinations
20 and the process for making those determinations.

21

22 In 2000, the Safari Club International
23 amended its complaint to challenge the composition of
24 Subsistence Regional Advisory Council membership.

25

26 So in 2003, then the Board heard these
27 challenges and concerns and they made arrangements to
28 have Council charters changed to stipulate that members
29 would represent either subsistence or commercial sport
30 users and set a goal of 30 percent representation of
31 commercial sport users on each Council. And I want to
32 emphasize here, it says, it's a goal of 30 percent.

33

34 In August of 2006 the court concluded
35 that the Board had not provided a sufficient
36 administrative record showing rationale for the 70/30
37 Council composition plan. The court ordered the Board
38 to stop using the 70/30 system after the 2006 Council
39 member appointment process and to comply with beginning
40 development of a plan for a balanced membership that
41 will meet both ANILCA and FACA requirements. The court
42 stated that the 70/30 way of meeting the FACA
43 requirements, it may be a way of -- may be one way of
44 meeting FACA requirements but the Board should consider
45 other ways of achieving a balanced membership on the
46 Councils.

47

48 So to address this, the Board took the
49 following steps. It set a 30 day notice to be
50 published in the Federal Register explaining the

1 current situation and the rationale for the 70/30 Rule.
2 The notice requested public comments regarding the
3 70/30 Rule and solicited alternative plans for
4 balancing Council composition. So several Councils
5 submitted recommendations as to how to achieve that
6 balance in ways other than a 70/30 Rule. The Council
7 recommendations were sought during the winter of 2007,
8 and, so in this Council's case you heard a report on
9 this issue during your teleconference last March and
10 provided comments, and then at its May 2007 meeting the
11 Board considered all the public comments, the Council
12 recommendations and reviewed and considered other
13 alternatives that were proposed and it developed its
14 recommendation and that recommendation was for the
15 70/30 goal for Council composition. So that was the
16 Board's decision to go with the 70/30 Rule at their May
17 meeting.

18

19 So now the Federal Subsistence
20 Management Program will proceed to publish a notice in
21 the Federal Register describing this process and then
22 bring to the court the administrative record of the
23 Board's effort to respond to the order. And if it's
24 found that the record satisfies the court order, the
25 recommendation will be advanced to the Secretaries for
26 review and approval.

27

28 So that's the explanation of the 70/30
29 Council composition issue, Mr. Chairman.

30

31 CHAIRMAN G. BROWER: I got a question,
32 Dan. The 70/30 Rule, that 30 -- you're talking about
33 percentages, right, 70 percent and 30 percent?

34

35 MR. LAPLANT: Yes, Mr. Chairman, of the
36 Council members, 70 percent representing subsistence
37 users and 30 percent representing either sport or
38 commercial users.

39

40 CHAIRMAN G. BROWER: Okay. But having
41 said that, does that 30 percent have to reside in the
42 North Slope region of that 30 percent?

43

44 MR. LAPLANT: Yes, Mr. Chairman, all
45 Council members have to reside within the region of the
46 Council so that's a requirement of Council membership
47 so it would have to be, yes, representatives from
48 within the region.

49

50 CHAIRMAN G. BROWER: Okay. I have one

1 more follow up, of course, I don't know if you know the
2 answer to it, but there was a customary and rural
3 determination going on, I don't know what the final
4 rule is for rural or nonrural, and one of them was the
5 request that we had put forward was to remove Prudhoe
6 Bay from this area as a rural community because it
7 didn't show any signs of community, there's no schools,
8 there's nothing in there that -- in Prudhoe Bay that
9 characterizes it as a community but it's an industrial
10 outpost. But I do know that a lot of commercial
11 recreational activities, guides, out of that 30 percent
12 that we talk about of these activities emanate from out
13 of these areas and I'm concerned that that 30 percent
14 can be out of a pool of that area that is not a --
15 characterized as a community. Is there any way you
16 could -- if you catch what I'm saying here, if you
17 could talk about that.

18

19 MR. LAPLANT: Yes, Mr. Chairman, and
20 maybe Helen can come correct me if I make some mistakes
21 here. But the Board did take up that recommendation
22 when they made the rural and nonrural determinations
23 here in the last cycle and they did exclude the Prudhoe
24 Bay Industrial Complex as having customary and
25 traditional use -- excuse me -- they excluded them as
26 being a rural community so they are not a rural
27 community. However, that doesn't exclude them from
28 being on the Council. Council membership can be held
29 by anybody that lives within the region, rural members
30 or nonrural members, so that doesn't exclude that.

31

32 But, again, this is a goal, and the
33 Board recognizes that some Councils, there is just not
34 a pool of applicants to fill that 30 percent so it's
35 not a strict requirement but it is the goal. But, yes,
36 representatives, or citizens from Prudhoe Bay
37 Industrial Complex, even though they are not rural
38 residents, they can serve on the Council.

39

40 CHAIRMAN G. BROWER: Okay, Helen.

41

42 MS. H. ARMSTRONG: But having said that
43 as of right now, I mean the last time the census was
44 done, there were no permanent residents residing in
45 Prudhoe Bay. And that doesn't mean somebody couldn't
46 claim residency there, but as of right now there aren't
47 any. There have been in the past. There was a family
48 that ran the store and they were permanent residents,
49 but when I was doing the research on Prudhoe Bay we
50 didn't find anybody who was claiming permanent

1 residency and to be a permanent resident you have to
2 claim it and you have to reside there at least some
3 portion of the year and people aren't doing that. So,
4 you know, I'm not saying in the future there couldn't
5 be somebody who decided to start up some business there
6 and live there year-round but it's pretty difficult to
7 do, as you know, it's just not the kind of place people
8 live.

9

10 And we haven't been able to ever in the
11 North Slope find anybody who's a guide who lives here
12 year-round. Now, in other areas, like for example I
13 work with the Seward Penn Council, there are a number
14 of people who are subsistence users and also guides who
15 are on that Council and they really offer a lot of, I
16 think, good comments, and they see it from both sides
17 because they're also subsistence users and a number of
18 them are also Inupiat as well.

19

20 MR. GUNDERSON: I'd like to say
21 something.

22

23 CHAIRMAN G. BROWER: Go ahead, David.

24

25 MR. GUNDERSON: David Gunderson,
26 Wainwright. When I -- I have worked there in Prudhoe
27 Bay and one of their policies over there is you cannot
28 carry a firearm, you cannot shoot a firearm in there.
29 And over there, you know, there's like miles and miles
30 of industry where you can't, even if you go off the
31 road you can't shoot, you can't shoot anywhere in that
32 area so I don't see how it could considered even a
33 notion for a rural place unless the Nuiqsut people,
34 they have -- they can come through there with their
35 rifles and all that as long as they're escorted from
36 the security, they have their own security there and
37 everything. So that's my comment.

38

39 CHAIRMAN G. BROWER: All right. Thank
40 you. Yeah, go ahead.

41

42 MR. BODFISH: I don't know who was
43 talking, it was cutting off really bad. I didn't get
44 half of what he was saying.

45

46 CHAIRMAN G. BROWER: Okay, Paul, we
47 were talking about the Council composition and then our
48 concern about the 70/30 criteria that was being upheld
49 and our concerns were that that 30 percent, we wanted
50 -- I wanted to have a clarification of where that 30

1 percent comes from, if it was from the North Slope and
2 if they have to be residents from up here. And I think
3 that was confirmed. And currently we don't seem to
4 have any commercial guides that live up here in the
5 Arctic so far. There may be but they're just not known
6 yet, I'm not too sure.

7

8 MR. BODFISH: I got all of that but I
9 didn't get who was talking, most of the talking away
10 from the microphone, we are getting every other two
11 words, whoever was talking. So whoever's talking
12 please come up to the mic.

13

14 CHAIRMAN G. BROWER: Okay, that was
15 David, and he was talking about his experiences in
16 Prudhoe Bay and concerning pipelines and not being able
17 to shoot or carry firearms within the Prudhoe Bay
18 Industrial Complex and his experiences around those
19 areas. That's what I think he limited his conversation
20 to.

21

22 Okay.

23

24 MR. BODFISH: Yes, thank you.

25

26 CHAIRMAN G. BROWER: All right. I
27 think we had an individual with their hand raised.
28 I'll recognize Johnny if you had something to say to
29 the status of Council composition.

30

31 MR. BROWER: Yes.

32

33 REPORTER: Hold on, go ahead and turn
34 on the mic.

35

36 MR. BROWER: Johnny Brower. From what
37 I'm hearing about how things are being operated in
38 Prudhoe Bay, is that the area under the State and
39 Federal policies, that area with the national security
40 that has been very seriously upgraded and remodified.
41 There's people operating over there, the agencies in
42 the North Slope section really need to step on the U.S.
43 Fish and Wildlife and the State Fish and Game people
44 and reeducate the security people on their protocols of
45 who's a resident and who's not a resident and where
46 they can use and utilize firearms and conduct game
47 guiding system.

48

49 From what I'm hearing it didn't sound
50 very good.

1 But under the Federal policies that the
2 oil field areas was supposed to be under national
3 security, divisions -- monitor them very seriously
4 because with the kind of things that been going on and
5 coming into America, a bunch of people that have anger
6 and hatred towards Americans, even talk about Prudhoe
7 Bay as a target. And to reflect on that and to see
8 it.....

9
10 CHAIRMAN G. BROWER: Johnny, this is --
11 if we can limit our conversation at this point to
12 status of Council composition, then we could be a
13 little more focused on our agenda.

14
15 MR. BROWER: Okay. I just wanted to
16 elaborate on.....

17
18 REPORTER: Wait, wait, wait, your
19 microphone.

20
21 MR. BROWER:seriously focusing
22 on.....

23
24 CHAIRMAN G. BROWER: Turn on your mic.

25
26 MR. BROWER: Just to seriously focus on
27 what the national security protocols are for the
28 Prudhoe Bay oil field section area.

29
30 And then the other one I have is
31 whether you were going to have any local concerns to be
32 able to be voiced, that's the other thing I have.

33
34 CHAIRMAN G. BROWER: Yes, we will have
35 an opportunity and we usually try to keep the floor
36 open for proposals and things that may come as a
37 concern for Federal Subsistence Advisory Council. So
38 if you have concerns that we need to hear about that
39 are related to subsistence issues and some of the
40 things that we have on our agenda concerning status of
41 Council composition, we were talking about the 70/30 so
42 you'll have an opportunity to express your concerns for
43 those topics.

44
45 MR. BROWER: Thank you.

46
47 CHAIRMAN G. BROWER: I know we're
48 getting close to lunch and if we want to move on to
49 rural/nonrural -- are we done with the status of the
50 Council composition at this point?

1 MR. LAPLANT: (Nods affirmatively)
2
3 CHAIRMAN G. BROWER: All right. I have
4 an affirmative yes. What's the Council's decision at
5 this time, we have about 20 minutes until lunch. Maybe
6 I can get an idea from Helen if that can be
7 accomplished within 20 minutes before we can take a
8 lunch break?
9
10 MS. H. ARMSTRONG: Yes, it could, much
11 faster, actually, probably about five minutes.
12
13 CHAIRMAN G. BROWER: Okay. So we'll go
14 to Item No. 4 on agency reports, A4 -- or it's 3 -- A3
15 rural and nonrural determinations, final rule and RFRs.
16 Helen Armstrong, you have the floor.
17
18 MS. H. ARMSTRONG: This is on Page 51
19 of your book. It's just a short briefing that's one
20 page.
21
22 We were just talking about the final
23 determination that the Board made on the rural
24 determinations and these determinations were made last
25 fall but then the final rule was submitted, comes out,
26 and once the final rule on any of our regulations gets
27 submitted then the public and agencies, anyone has the
28 right to then submit a request for reconsideration of
29 that determination and those are called RFRs.
30
31 And we have received a lot of them,
32 there is six to be exact, and those are listed at the
33 bottom of the page. And what we're really doing here
34 is just informing the Councils that we have received
35 these requests for reconsiderations. None of these
36 affect the North Slope. I don't know if you received
37 -- there is a whole -- we have put them into a book and
38 it's a blue book that I think should have been mailed
39 to everybody or were they passed out today, I'm not
40 sure which -- Barb, do you know, were they brought
41 today or were they mailed, these books?
42
43 MS. B. ARMSTRONG: They were mailed
44 with their meeting book.
45
46 CHAIRMAN G. BROWER: Yeah, I got one.
47
48 MS. H. ARMSTRONG: They were mailed
49 with your meeting books, okay.
50

1 CHAIRMAN G. BROWER: I did get one at
2 home.

3
4 MS. H. ARMSTRONG: And if you had a
5 chance to read through them you'll see that none of
6 these affected anything with the North Slope. They're
7 almost entirely affecting the Kenai Peninsula. There
8 is some concern about how we made Adak -- we went from
9 making Adak nonrural to rural because it shrunk in size
10 so much but there was nothing about Prudhoe Bay, which
11 I think is the concern that you would have up here.

12
13 So there is no action to be taken by
14 any of the Councils, it's just information that this is
15 happening so the Councils are aware that we will be
16 having to reconsider these. Threshold analysis will be
17 written on each one of these to determine whether or
18 not we need to even revisit them so it's just
19 informational.

20
21 CHAIRMAN G. BROWER: All right, thank
22 you, Helen.

23
24 MS. H. ARMSTRONG: Thank you, Mr.
25 Chair.

26
27 CHAIRMAN G. BROWER: And I think that
28 concludes your rural/nonrural determinations final rule
29 and there's no action to be taken.

30
31 Thank you, Helen.

32
33 And we have Item No. 4, and I'm going
34 to ask also the same question I did Helen, was can we
35 finish this within lunchtime -- before lunch, because
36 we're just getting to that time and, you know, people
37 have significant others that they want to meet for
38 lunch and things like that.

39
40 (Laughter)

41
42 CHAIRMAN G. BROWER: But No. 4 is OSM
43 budget reorganization and two year cycle, Dan LaPlant.

44
45 MR. LAPLANT: Mr. Chairman. Yeah, this
46 is probably about a five minute presentation as well
47 depending on how many questions you might have but I
48 think we can do it quite briefly.

49
50 CHAIRMAN G. BROWER: All right, take

1 the floor.

2

3 MR. LAPLANT: There's a briefing for
4 you on Page 52 of your book. And it talks about the
5 two year cycle, the OSM budget and our OSM
6 reorganization.

7

8 It says that the Federal Subsistence
9 Management Program has had to make changes to
10 regulation development and program schedules because of
11 reductions in our budget. We've had some significant
12 reductions here in recent years.

13

14 Federal Subsistence Board Chairman Mike
15 Fleagle described the Board's decision to move to a two
16 year cycle in a letter that was sent out on June 6th of
17 '07, sent that out to all Regional Advisory Council
18 members. In that letter he explained that we are now
19 in the process of moving to a two year cycle this fall
20 during the call for wildlife proposals. So this call
21 for wildlife proposals that is ongoing right now and
22 the wildlife proposal that you just submitted, that
23 will be the beginning of this two year cycle and the
24 regulations that are developed from that will go into
25 effect next July and they will be in effect for two
26 years, as opposed to in the past, all the regulations
27 have always been in effect for one year at a time.

28

29 So the Federal -- let's see, the
30 Federal Subsistence Board will address wildlife
31 regulations and Fishery Resource Monitoring Program
32 decisions in odd number years and fishery regulations
33 in even numbered years, and you can see the chart on
34 the following page here on Page 53. It kind of lays
35 out the schedule over the next three years as to how
36 that will play out in this new two year cycle.

37

38 The Office of Subsistence Management
39 budget has declined about \$2.6 million since fiscal
40 year 2001. The fiscal year beginning October 1, 2007
41 identifies an additional reduction of \$500,000. So
42 while the budget and the number of OSM Staff members
43 have decreased the work load and complexity surrounding
44 the Federal Subsistence Management Program has
45 increased. Since fiscal year 2004 the number of Staff
46 at OSM has declined by about 19 percent and that's a
47 reflection of these reductions in budgets that we've
48 experienced.

49

50 This summer OSM initiated a staffing

1 reorganization to meet mandates more effectively and
2 efficiently while operating within the declining
3 budgets and we've consolidated several program
4 functions. An example would be my position. In the
5 past I've been working as the liaison between the
6 Federal and the State program, and working on analysis
7 of wildlife proposals that come before the Board. Now,
8 we've eliminated these division chiefs that we've had
9 in our office supervising Staff that provide services
10 to you and my position is to be the supervisor of the
11 wildlife biologists throughout the state. And Dr.
12 Polly Wheeler is the supervisor of the anthropologists.
13 And so on, so we've eliminated those division chiefs.
14 So that's just one example of how we've consolidated
15 some of the positions.

16
17 In the face of declining Federal
18 budgets and declining spending power, Regional Advisory
19 Councils remain our highest priority. It's anticipated
20 that it will be possible to reduce the length of some
21 Council meetings. Regional Councils will continue to
22 meet twice a year unless lack of other business to be
23 conducted, and a particular case warrants not holding a
24 meeting in a given region or cycle. So, again, we
25 continue to plan on having two Council meetings a year.

26
27
28 These changes will allow the Federal
29 Subsistence Management Program to continue to be
30 responsive to the needs of rural subsistence users,
31 fisheries and wildlife regulatory proposals and the
32 Fisheries Resource Management Program proposals will be
33 addressed, again, every two years. And we can use the
34 special action process to address out of cycle needs,
35 out of cycle proposals for the Fisheries Resource
36 Monitoring Program can be addressed that way as well.
37 So we hope to be able to continue providing the
38 services to the Councils as needed and be responsive to
39 the subsistence user's needs, but recognize that we
40 will be going to this two year cycle.

41
42 Thank you, Mr. Chairman.

43
44 CHAIRMAN G. BROWER: Thank you, Dan,
45 Any questions from the villages from Council
46 membership.

47
48 MR. KAYOTUK: No questions from
49 Kaktovik at this time, Mr. Chairman.

50

1 CHAIRMAN G. BROWER: Thank you,
2 Kaktovik. I do have one question. And this is not
3 more of your reorganization, but having said that
4 you're moving into -- and I read a little bit of it, a
5 two year cycle and that's -- and then alternating even
6 years and odd years for different things to do. Is
7 there a way that you can make a special effort to meet
8 with Kaktovik to try to get a proposal in before, just
9 like we did with what Sandy's doing with 24B and 26 on
10 brown bear, it seems like you need to make another --
11 maybe a visit and examine the needs for Kaktovik for
12 the moose with that changing situation, with that
13 opener that's going on, with the population increase of
14 the moose, it seems to me that there should be at least
15 at a minimum a visit from, probably yourself, to the
16 village to identify the needs and get a proposal in
17 before this two year cycle takes effect.

18

19 Barb.

20

21 MS. B. ARMSTRONG: Yeah, Mr. Chair,
22 Lee, if you can hear me and then the concerns that came
23 up earlier, on, was it moose, in your area, Fenton can
24 help you write up a proposal and work with Dan, through
25 email, and submit a proposal before October 19th of
26 this fall.

27

28 Thank you, sir.

29

30 CHAIRMAN G. BROWER: All right, you got
31 your marching orders, you got that?

32

33 MR. KAYOTUK: Yes, I got that for
34 October 19th of '07.

35

36 CHAIRMAN G. BROWER: That's correct.
37 And here's Dan making a response.

38

39 MR. LAPLANT: Yeah, I just want to tell
40 Lee he can call that 800 number at OSM, it's identified
41 in the book here and ask for me and I'll work with him
42 and help him and we'll get a proposal in if that's what
43 they choose to do, we can discuss it.

44

45 The other point about proposals, as
46 Barb said, the window for wildlife proposals is open
47 until October 19th. Right now I understand that
48 there's a Fish and Game Advisory Committee meeting
49 going on in Wainwright, and that's probably where Geoff
50 Carroll is, so I was hoping -- actually I didn't

1 realize that until I got here that Geoff wasn't going
2 to be here, but the Board of Game is meeting in
3 November in Bethel covering issues, state issue for
4 this region, and they accepted proposals for that
5 meeting up through, I think, August 17th. I haven't
6 seen that proposal book so I don't know what proposals
7 the State is going to be considering for this area,
8 what changes they're going to be considering for this
9 area, where they'll be making those decisions in
10 Bethel. So if there are some proposals that they make
11 and if it would be desirable to have Federal regulation
12 changes to compliment those State changes, we need to
13 be aware of them and I'll be in contact with Geoff. I
14 know you won't be able to hear about those at this
15 meeting, but if any changes are needed, they would have
16 to be proposals submitted by an individual then rather
17 than the Council. So any Council member or any citizen
18 on the North Slope, for that matter, could submit those
19 proposals.

20

21 So we'll make sure that you know what
22 those are, if there are any and Board members can make
23 their own decisions as to whether they want to submit a
24 proposal or not.

25

26 I just wanted to let you know that that
27 issue is out there and there might be some changes that
28 they'll be talking about at the Board of Game.

29

30 CHAIRMAN G. BROWER: Thank you, Dan.
31 And I guess we'll be notified if it's something that
32 will affect us.

33

34 I just have one quick question
35 concerning closures and openers. There was an open --
36 a determination to open this one section west of the
37 Canning, I think, for non-subsistence users. When
38 things like that happen and you open an area where it
39 was previously closed, it does -- am I assuming
40 correctly that it doesn't automatically adjust the
41 subsistence user, that the subsistence user would have
42 to put in a proposal as well to modify their harvest
43 level?

44

45 MR. LAPLANT: No, Mr. Chairman. The
46 decision that the Board made here in May to open up
47 that area actually was -- it was two decisions. They
48 created a Federal subsistence hunt that made it
49 available to Federally-qualified subsistence users, so
50 residents of Kaktovik can now hunt there and their

1 harvest limit is one moose -- I don't know if it's one
2 three brow-tine moose, I'd have to look that up, I
3 guess, but one moose of some type, so they're not
4 restricted to that limit of three permits in that area.
5 So they did open that area up. Again, we're talking
6 about west of the Canning River drainage.

7

8 So that was one decision they made.

9

10 And then the second decision they made
11 was to remove the closure for non-Federally-qualified
12 users. So it opened it up to everyone.

13

14 So they don't have to submit a proposal
15 to open the area up for Kaktovik hunters. But the
16 Kaktovik hunters may want to submit a proposal to
17 provide more opportunity within the Canning River
18 drainage or over in Unit 26C, so that's something for
19 them to consider.

20

21 CHAIRMAN G. BROWER: Yeah, I mean
22 that's what I was trying to get at. Because you --
23 because the basis for this is the increase in
24 population and -- is to my understanding anyway, and
25 we've always, even had an interpretation from some of
26 the wildlife biologists that the animals in Unit 26C
27 where Kaktovik is are basically transient. They come
28 and recruit from this area where the hunting pressure
29 is, where the openers are, and that's where the
30 recruitment occurs for the low level population where
31 there's a limit of only three to hunt this area, but
32 that's where the recruitment occurs from, is in that
33 area. That's what I was led to believe that way from
34 biologists that had a say so in where these animals
35 migrate from but they're basically transient
36 populations.

37

38 MR. LAPLANT: Yes, Mr. Chairman. And
39 that's the area that has the greatest amount of
40 protection right now, the -- you know, the limit of
41 only three permits. But that area west of the Canning
42 River that was opened up, that limit here, I've got the
43 regulations in front of me, it's one bull and the
44 season is two weeks, the first two weeks in September.
45 So a proposal is not needed to make that change.

46

47 CHAIRMAN G. BROWER: All right. Well,
48 I encourage you to work and work with Kaktovik and it
49 sounds like Lee and maybe Fenton will put something
50 together.

1 All right, at this time I think it's
2 about lunch time and maybe we could recess for lunch,
3 maybe we can do that, if that's the wish of the
4 Council.

5
6 MR. KAYOTUK: Yes, recess.

7
8 CHAIRMAN G. BROWER: All right, we want
9 to recess for lunch and what time do we want to return.

10 (No comments)

11
12 CHAIRMAN G. BROWER: How about 1:30?

13 (No comments)

14
15 CHAIRMAN G. BROWER: Does 1:30 sound
16 good?

17
18 MR. GUNDERSON: Second.

19
20 MS. B. ARMSTRONG: Paul.

21
22 MR. BODFISH: Sounds good.

23
24 MS. B. ARMSTRONG: 1:30 (In Inupiat)

25
26 MR. BODFISH: Yeah. (In Inupiat)

27
28 MS. B. ARMSTRONG: Okay. What about
29 you, Lee, you can come back at 1:30.

30
31 MR. KAYOTUK: Yes, I'll come back at
32 1:30, thank you.

33
34 MS. B. ARMSTRONG: Okay, we'll see you
35 then.

36
37 CHAIRMAN G. BROWER: Okay, we're
38 recessed until 1:30.

39 (Off record)

40 (On record)

41
42 CHAIRMAN G. BROWER: (In Inupiat)
43 Okay, I guess we can reconvene. I'd like to also
44 acknowledge we have another visitor here Roy Varner
45 from North Slope Borough Permitting and Zoning Office
46 as an observer. Welcome Roy. And I think we went down
47

1 through some of our informational stuff. And I guess
2 we'll go down through the agenda items and start off
3 where we left off. Barb, if you can assist us where we
4 left off and if there are other items we can just skip
5 right on through.

6

7 MS. B. ARMSTRONG: Okay. We have under
8 12, 5 and 6 are both informational items. That No. 5
9 is Secretary Kempthorne's letter to the Board. And No.
10 6 is Regional Advisory Council compensation. These two
11 are information items and they're on Page 54 and 55 of
12 your meeting book. Then we would go on to B, and that
13 would be your call, Mr. Chair, thank you.

14

15 CHAIRMAN G. BROWER: Yes, if there's no
16 objection from the Council the other two are
17 informational items and they're in your packets and if
18 there's no objection we'll go to Item B, National Park
19 Service. I guess it's B1, appoint new member to SRC.
20 And, okay, Sandy.

21

22 MR. RABINOWITCH: Thank you, Mr.
23 Chairman. Again, Sandy Rabinowitch with the National
24 Park Service. I don't know whether you'll want to take
25 action today or not but I'll be very brief and just
26 give you a little explanation about what this is about.

27

28 One of the duties of this Council is to
29 periodically appoint a member to the National Park
30 Service Subsistence Resource Commissions that's found
31 in Section .808 of ANILCA. And so it comes up
32 randomly, it's not an every year duty. Your current
33 appointment to that group is Raymond Paneak, I'm sure
34 many of you know him. The Western Interior Council
35 also appoints a couple of members, two members actually
36 to that same group. But I'm not aware that any names
37 have come forward. And, Barb, you're not aware of any
38 that have come forward at this time either, if I'm
39 correct.

40

41 MS. B. ARMSTRONG: Yes, no, there
42 hasn't been any and the prior appointee, Raymond
43 Paneak, had resigned so we don't have anyone.....

44

45 MR. RABINOWITCH: Okay.

46

47 MS. B. ARMSTRONG:that is
48 available to sit on the SRC at the moment.

49

50 MR. RABINOWITCH: So I think kind of

1 the only thing to do at this point is to wait until
2 your winter meeting and see if some names come forward
3 that you all could consider.

4
5 And what I would point out to you, just
6 a last quick thing to point out, is that there's two
7 qualifications that people have to meet. One, is that
8 they're either a member of this group, your North Slope
9 Regional Advisory Council or a member of a State local
10 Advisory Committee, so either one or the other. I
11 suppose somebody could actually do both. And then the
12 second qualification is that they have to engage in
13 subsistence uses within the Park area, so that's Gates
14 of the Arctic. So those are the two qualifications
15 that have to be met for an appointment from your group
16 to that Subsistence Resource Commission.

17
18 CHAIRMAN G. BROWER: Okay, I got a
19 question for you Sandy, how often does this group meet,
20 the SRC?

21
22 MR. RABINOWITCH: Right. At least once
23 a year, sometimes twice a year.

24
25 CHAIRMAN G. BROWER: And when is the
26 next timeframe that this group will get together?

27
28 MR. RABINOWITCH: Early November of
29 this year.

30
31 CHAIRMAN G. BROWER: In the interest of
32 having somebody participate from the North Slope I
33 would highly advise, if there is no name that we can
34 give, seems to me we are missing an Anaktuvuk
35 representative, which is very highly likely that they
36 would participate in the use of that Park area, and the
37 only other person or village that I know currently that
38 may have access to it periodically is from Atqasuk, but
39 I'd also like to hear from the Commission [sic] members
40 just in the best interest of North Slope Council
41 membership representative to be there. Yeah, go ahead,
42 Sandy.

43
44 MR. RABINOWITCH: You certainly make a
45 good point. Let me also add just for your background
46 knowledge that some of the other members of this group
47 are Rachel Riley from Anaktuvuk Pass. Now this group
48 is appointed from three different appointing sources,
49 your -- actually it's four. You're one of them, the
50 Western Interior is one of them, the Secretary of

1 Interior appoints members and the Governor of Alaska
2 appoints members, so they come from many different
3 appointing sources.

4
5 So just so you know Rachel Riley is
6 currently a member, she was appointed by the Secretary
7 of Interior, she's from Anaktuvuk Pass. And Taqelik
8 Hepa, here from Barrow, was appointed by the Governor,
9 so she's also a member. The other members -- and I
10 could read names if you want them, but are from
11 Shungnak, Wiseman, two from Fairbanks, and longtime
12 Chairman Pollock Simon from Allakaket.

13
14 CHAIRMAN G. BROWER: And that's good to
15 know. A lot of times, you know, things that happen in
16 different parts of the North Slope, you get really good
17 information from, you know, a group like this as well,
18 and if we can have maybe a representative from here,
19 which, I guess, we do appoint one person, without
20 appointing them permanently, just to be able to sit in
21 in the interim of one being selected, maybe an AKP
22 representative, that maybe the Chairman should be in
23 the interim. It's just my suggestion.

24
25 Atqasuk and Kaktovik, if you have any
26 concerns to this and I know you've been listening here,
27 so this is the appointment to the SRC for National Park
28 Service, what are your concerns or wishes.

29
30 MR. BODFISH: I guess we need to
31 appoint somebody from our Council, I think.

32
33 CHAIRMAN G. BROWER: Yeah, I don't
34 think we -- we don't really need to take action but it
35 is something that we try to do when we have a full --
36 when all the seats of the Regional Advisory Council
37 have been filled and it seems to me in the past we have
38 selected a person that's on this -- on the North Slope
39 Regional Advisory Council but also a member that
40 subsists or engages in subsistence activities within
41 the Park itself and that usually is an Anaktuvuk Pass
42 representative.

43
44 But my question is since they're
45 meeting in November. maybe it would be wise, just in
46 the interim, to have the Chairman of this group attend
47 that meeting until such time the Anaktuvuk Pass
48 situation is -- what is our situation with Anaktuvuk
49 Pass right now?

50

1 MS. B. ARMSTRONG: Mr. Chair. We're
2 still in the process of trying to recruit from
3 Anaktuvuk. And I think we have a prospect in some -- a
4 couple of people being interested in putting in
5 applications this coming year. So that's where we're
6 at right now. And in the meantime, if you want, since
7 the State Advisory Committee's are here too, I can try
8 to research that and to see who is on the Advisory
9 Committee's from the State that do come from Anaktuvuk
10 and then bring that up to you during your winter
11 meeting, and then discuss this with you or by email
12 with you also, you and the Chair.

13

14 Thank you.

15

16 CHAIRMAN G. BROWER: Thank you, Barb.
17 Yeah, I think it's something important and I would just
18 really think that maybe we can decide, just in the
19 interim portion, while there's no one from the North
20 Slope Regional Advisory Council to be able to select
21 somebody that either hunts in that area and also a
22 membership from here, that in the interim we have the
23 Chairman of this group represent from this Council.

24

25 MR. RABINOWITCH: Mr. Chairman. I
26 guess there's two things I would point out. One, the
27 meetings are always open and they're published in the
28 Federal register and they're open to the public, so
29 that part is not a problem, you know, for anybody. I
30 do not know off the top of my head where this meeting
31 will be held. I've probably seen it written down but I
32 just cannot remember, you know, the location of the
33 next meeting. I could certainly find that out and get
34 that information back to you promptly.

35

36 The other thing is that it could be
37 problematic for the Park Service to fund the travel of
38 someone from here who isn't appointed because I'm not
39 sure that we can spend money on someone who is not a
40 member of that group. I'm not completely certain about
41 that, but I'm guessing that we might have, you know,
42 some issues.

43

44 So could somebody come, yes,
45 absolutely, they're welcome, no problem, could we pay
46 for that, I'm not sure that we could. So the safe bet
47 is that we probably couldn't in terms of Park Service,
48 you know, paying for a plane ticket and so on and so
49 forth.

50

1 CHAIRMAN G. BROWER: Okay. Having said
2 that, what's the duration of someone's appointment, is
3 it a year, or is it a couple years?

4
5 MR. RABINOWITCH: Typically three --
6 three year terms. And then it's been quite common for
7 people to be reappointed sometimes many times. But
8 each appointing source, the Secretary of Interior, the
9 Governor, this Council and the Western Interior
10 Council, you know, make those decisions every three
11 years when appointments come around.

12
13 CHAIRMAN G. BROWER: Okay. I think at
14 this point just having that kind of information, you
15 know, it would be wise if we'd get somebody that we
16 could appoint that's from that -- that uses the Park
17 Service land from the Council and I don't -- what's the
18 wish of the Council at this time, you guys want to
19 defer this until such time that all these seats are
20 filled? I think that would be a wise choice to make
21 sure that the Regional Council representatives are in
22 full operation.

23
24 MR. KAYOTUK: (In Inupiat)

25
26 CHAIRMAN G. BROWER: Yeah, Ki. (In
27 Inupiat)

28
29 MR. BODFISH: Yeah, maybe wait until
30 we have a full Council, somebody on that.

31
32 CHAIRMAN G. BROWER: Okay. Do we need
33 to do this by motion or just table it until such time
34 that Regional Council representative is adequate.

35
36 MS. B. ARMSTRONG: Yeah.

37
38 CHAIRMAN G. BROWER: Okay, so tabled.
39 We had a hand raised over there, Johnny Brower.

40
41 MR. BROWER: Good afternoon. Johnny
42 Brower for the record. I'm interested in how National
43 Park Service is dealing with the Anaktuvuk situation,
44 how are the local people going to and from to their
45 Native allotments for their subsistence way of life
46 practice? And if it's still a problem or if there's no
47 solutions, corrected -- make any correct solutions that
48 are correctable yet, if so, maybe -- maybe it would be
49 nice to introduce the subsistence hunting coalition
50 from that village and then turn them into a committee

1 so that they could have a chair from the committee that
2 -- that they can do some corrective measures more
3 properly and more thoroughly that it can get
4 appropriately conducted properly.

5
6 I know in the past when I've traveled
7 to the villages, some of my relatives had problems just
8 going to their Native allotments because of the
9 regulations imposed upon them by the National Park
10 Service, how is that -- has there been any corrective
11 measures been input or conducted on those matters yet
12 or what?

13
14 CHAIRMAN G. BROWER: Thank you, Johnny.
15 Maybe Park Service can answer.

16
17 MR. RABINOWITCH: If I knew anything
18 about the issue I would certainly answer but I don't
19 know anything about that issue. So all I can really do
20 -- I'm sorry but I just don't know anything about it,
21 I'm not familiar with the problems that you bring up.
22 So all I can do is to take those back and try to learn
23 about it a little bit and see if we can bring a
24 response back.

25
26 So I'm sorry I don't know more than
27 that but that's just where I'm at.

28
29 CHAIRMAN G. BROWER: All right, thank
30 you. Was there any other questions to Staff on the
31 appointment of a new member to SRC, I think that our
32 decision was to wait until such time that
33 representation is full and accounted for. And if there
34 aren't any other questions I'm going to move ahead on
35 to the next agenda item.

36
37 (No comments)

38
39 CHAIRMAN G. BROWER: Arctic National
40 Wildlife Refuge, Wennona Brown.

41
42 MS. B. ARMSTRONG: Mr. Chair.

43
44 CHAIRMAN G. BROWER: Oh, right.

45
46 MS. B. ARMSTRONG: There is no
47 representative here from Arctic National Wildlife
48 Refuge but they have a summary of 2007 survey
49 activities in paper form, and that was handed out to
50 you and I don't know if Paul and Lee got their copies.

1 For, Lee, I think I sent it to a different email
2 address but I'll resend this back out once I get back
3 to the office.

4
5 Thank you.

6
7 CHAIRMAN G. BROWER: Yeah, villages did
8 you get those?

9
10 MR. KAYOTUK: Yes, I heard what Barbara
11 said. I'll just wait for more copies and go from there
12 to see where we're at.

13
14 Thank you.

15
16 CHAIRMAN G. BROWER: Okay, Lee. Yeah,
17 just for your information I did receive them at home,
18 too, if I received it, most likely it may have come in
19 the mail.

20
21 MR. GUNDERSON: I also got an email
22 from you, too.

23
24 MS. B. ARMSTRONG: Okay, thanks. Lee,
25 I think it's the one that I sent to the other email
26 address instead of the current one that you gave me
27 just yesterday so I'll resend it to you by email.

28
29 MR. KAYOTUK: Thank you.

30
31 CHAIRMAN G. BROWER: Okay. Item D,
32 Alaska Department of Fish and Game, do we have a
33 representative for ADF&G?

34
35 MS. B. ARMSTRONG: No. I think Geoff
36 is over at that wildlife meeting at Wainwright and he
37 isn't here today. There's no one here from Fish and
38 Game.

39
40 CHAIRMAN G. BROWER: Okay, we'll table
41 that one. And we'll go to Item E, Bureau of Land
42 Management, Mr. Dave Yokel.

43
44 DR. YOKEL: Thank you, Mr. Chair. I
45 was unable to attend your meeting in March. I was
46 planning to attend the meeting here in Barrow, after it
47 was canceled, I was unable to change my schedule so
48 that I could attend the teleconference that occurred on
49 March 21st, I believe it was. But I read the minutes
50 from that and I would like to respond to a couple of

1 things that were in the village reports from that
2 meeting last March.

3

4 The first one was that John Hopson,
5 Jr., of Wainwright stated during that meeting that the
6 BLM had a red helicopter flying around Wainwright
7 harassing caribou, and that was not true. And he also
8 made a statement about BLM behavior that was untrue and
9 unfair in my opinion. I would just like to set the
10 record straight. So I did find out for John who was
11 responsible for that helicopter, and I got the two of
12 them together and explained to each of them how it
13 would be better to converse with each other and settle
14 these issues rather than making statements that were
15 not correct.

16

17 I would also like to remind people that
18 if there are any concerns for the BLM, we do have an
19 office open here in Barrow now, we do have a local
20 resident employed in that office, Ben Nageak (ph) and
21 if you have any concerns for the BLM Ben would welcome
22 your telephone call at 852-2757 or if you're in Barrow
23 drop over and visit him right across the hall from
24 Geoff Carroll.

25

26 The other thing that I read in those
27 minutes that I'd like to discuss very briefly, I think
28 both, you, Mr. Chairman, and Paul Bodfish, expressed a
29 need for studies of fish-bearing lakes in NPR-A. And
30 there are at least three types of studies that are
31 currently ongoing.

32

33 One, whenever the industry proposes to
34 use water in the winter for ice road construction or
35 camp use or whatever, they do inventories of those
36 lakes to see what fish species, if any, are present and
37 then the proportion of the water in the lake that they
38 can use is based upon what is found in those
39 inventories.

40

41 There's also a joint study being
42 conducted by the BLM, the Alaska Department of Natural
43 Resources, and industry looking at the movements of
44 some species of fish in the Northeast NPR-A, they're
45 radio tagging some fish and studying their movements
46 there. They've -- some of the preliminary results I
47 thought were pretty interesting. I've seen them. I
48 don't think a final report's out yet.

49

50 And then finally the BLM and the North

1 Slope Borough are working together on a study of
2 traditional knowledge of fish in the NPR-A.

3

4 So I just wanted to bring that up in
5 response to those comments at your meeting last March.
6 There are some things going on in terms of fisheries,
7 and we are also at this time getting started to develop
8 a long-term monitoring plan of fisheries in the NPR-A,
9 the results of that plan will probably have an impact
10 on what the BLM does over the next 10 years or so in
11 terms of fish studies.

12

13 So those are two things to follow up
14 from the meeting of last March.

15

16 Before I go on to a current update I
17 guess I could stop and see if there's any questions
18 about that.

19

20 CHAIRMAN G. BROWER: Thank you, Mr.
21 Yokel. Is there any questions from Commission [sic]
22 members, on this response from BLM?

23

24 (No comments)

25

26 CHAIRMAN G. BROWER: I have one. In
27 your investigation of putting John and the helicopter
28 together, did you identify who was the helicopter, what
29 they were doing? I know the North Slope Borough, it's
30 permitted a lot of activities that required helicopter
31 use for bird surveys, for other types of surveys that
32 industry and Fish and Wildlife Service and other
33 atmospheric studies, global warming stuff that's going
34 on, so there's a lot of stuff going on.

35

36 DR. YOKEL: Yes, Mr. Chair. In fact I
37 did go to the Borough's planning department to get some
38 information. And I apologize because I know it in my
39 mind right now the name of the individual, but I keep
40 getting confused in Anchorage between the USGS
41 Biological Resources Division and the U.S. Fish and
42 Wildlife Service so right now I can't tell you which
43 agency that individual works for because I can't
44 remember which of the two. But it was a shorebird
45 study. They were staging some camps out at Wainwright
46 so they were using the Wainwright airport. I cannot
47 speak to the allegation about harassing caribou, having
48 not been there myself.

49

50 CHAIRMAN G. BROWER: Yeah, thank you.

1 It's just something we want to, you know, make sure
2 that they get addressed. But we do know, and I've been
3 involved with some of the flights on these guys when
4 we're out inspecting them and see what's going on and
5 they do periodically have to fly very low, they can't
6 go over big open water things and it looked like
7 they're manoeuvring to a point where they may be
8 harassing something. So from that standpoint I have
9 seen what looks like harassment may be a method by
10 which how they have to operate, there's just no way
11 around it.

12

13 So that's just one part of that.

14

15 DR. YOKEL: I do know from my own
16 experience with helicopters that it's extremely
17 unlikely that a pilot with a sling-load attached is
18 going to be doing much of anything except flying
19 exactly to where he needs to go because you don't do a
20 lot of manoeuvring with a sling-load attached.

21

22 I could move on.

23

24 CHAIRMAN G. BROWER: I had another
25 question but it kind of slipped my mind. What was the
26 second half you were responding to?

27

28 DR. YOKEL: The fisheries studies, the
29 request by you and Paul that some studies be done and I
30 was just bringing you back to speed on that there are
31 several studies, types of studies being done at
32 present.

33

34 CHAIRMAN G. BROWER: Okay. Paul, did
35 you have any questions to Dave about those studies? I
36 do know what we had interpreted earlier, just from a
37 little while ago, that it's more better to respond to
38 this group, biologists here, with our harvest needs --
39 harvest problem other than trying to have them study
40 them versus impacts from activities that are permitted
41 on the ground. That's how I kind of got the
42 understanding now, and those probably were because of
43 that -- because of industrial situations, we need to
44 study more of this stuff and if we rephrase a lot of
45 our concerns with concerns of harvest being limited,
46 harvest being interrupted, and stuff like that, it
47 seems to me we'd get a little bit more studies from
48 this area going, that pertains to that, something that
49 we have a legitimate say in.

50

1 MR. BODFISH: Mr. Chairman, Atqasuk
2 here.

3
4 CHAIRMAN G. BROWER: Yeah, go ahead.

5
6 MR. BODFISH: Well, I was talking about
7 -- I mean I was thinking about that and over the years
8 that we're seeing so few grayling now and numbers of
9 whitefish has declined around here, probably the -- I
10 mean wanting to have the study on the population, you
11 know, of the fish have go from here -- fish do go up
12 into that area for overwinter.

13
14 CHAIRMAN G. BROWER: Thank you, Paul.

15
16 MR. BODFISH: That's my reasons for a
17 fish study being done up here.

18
19 CHAIRMAN G. BROWER: Maybe that's a
20 question that maybe to those that are taking proposals,
21 you know, it sounds like it might be a subject of a
22 genetic study, whether or not the Atqasuk fish are --
23 if there's a situation with the central population.
24 I've heard several times concerning population decline
25 of fish and there are several areas within the NPR-A or
26 central area where majority of the whitefish are
27 spawning and then they disseminate during spring break
28 up and go out and grow up and then come back. It seems
29 to me that's partly one of the concern, is the decline
30 in the whitefish and also concerns to grayling.

31
32 We also have had had concerns to
33 grayling -- last year when we were fishing we didn't
34 catch one grayling where we usually grab tons of them
35 during the peak spawning season for whitefish because
36 they predate off of the eggs and all that, but we
37 didn't. And we had several ideas of why it didn't
38 happen and one of them was we had that big 70 mile an
39 hour blow that came in and made a lot of snow dams on
40 these rivers, and we noticed that the fish that we were
41 catching were having cuts on them, on their noses so
42 they were probably pushing through these snow dams
43 really hard to get to the deeper areas to spawn and the
44 little fish, the littler fish like grayling didn't have
45 a chance to move. And that's what our assumption was.
46 I'm not exactly sure if that -- if something like that
47 could have affected from last year.

48
49 But I did catch a little grayling this
50 summer on a fly rod, it was only like three inches

1 though, it grabbed my hook.

2

3 (Laughter)

4

5 CHAIRMAN G. BROWER: Yeah, go ahead,

6 Barb.

7

8 MS. B. ARMSTRONG: Earlier, Paul asked

9 while Richard Cannon was presenting on the Fisheries

10 Resource Monitoring Program, Paul asked for baseline

11 studies on fish in the Atqasuk area, and this would

12 include that you would get an answer through your

13 annual report, so if that is okay, Paul, then we could

14 just add grayling and I'll talk to Richard about it.

15

16 Thank you.

17

18 MR. BODFISH: Yeah, thanks Barb.

19

20 CHAIRMAN G. BROWER: All right, thank

21 you, Paul. We'll go back to Dave Yokel to continue.

22

23 DR. YOKEL: Thank you, Mr. Chair.

24

25 Going to the present I wanted to let

26 you know that just last Friday on August 24th, the BLM

27 announced the availability of its Draft Supplemental

28 Plan for the Northeast NPR-A. This would be the third

29 plan that the BLM has worked on for the Northeast NPR-A

30 in a 10 year period. The public comment period for

31 this plan will open Friday and will last until October

32 23rd. There will be public meetings held in October,

33 the exact dates haven't been set yet, but there will be

34 public meetings to take comments on the plan, and those

35 meetings should occur in Anaktuvuk Pass, Barrow,

36 Atqasuk, Nuiqsut, Wainwright, Fairbanks and Anchorage.

37 The BLM has no preferred alternative in this draft

38 plan.

39

40 And I wanted to let you know, as you

41 know, I'm sure, that the North Slope Borough is a

42 cooperating agency on the plan, the Borough has been

43 involved in the development of the draft plan, but I

44 also want to clarify that the cooperating agency

45 doesn't necessarily mean it's always an agreeing

46 agency, but we have been working together on the plan.

47

48 There's more information available

49 about this draft plan on the BLM's website if someone's

50 interested in reading it. It's available on our

1 website and the Borough here also has copies of it.

2

3 Before I move on, are there any
4 questions on the Draft Supplemental Plan for the
5 Northeast NPR-A.

6

7 CHAIRMAN G. BROWER: Villages do you
8 have any concerns, questions concerning the
9 supplemental EIS for the Northeast planning area -- is
10 that the Northeast corner planning area?

11

12 DR. YOKEL: Yes, Mr. Chair, that'd be
13 the part of the NPR-A, east of the Ikpikpuk River,
14 between Ikpikpuk and the Colville River.

15

16 CHAIRMAN G. BROWER: You can also find
17 it on the web if you have internet access so if there's
18 no further -- if there's no questions I'd encourage you
19 to move right along there Mr. Yokel.

20

21 (No comments)

22

23 DR. YOKEL: Okay. I just wanted to
24 give you a real brief summary of our exploration
25 activity this last winter.

26

27 There were two companies that drilled
28 exploratory wells in the NPR-A last winter. FEX
29 drilled three wells in the area south of Cape Simpson.
30 They plan no drilling activities for next winter.

31

32 And ConocoPhillips drilled two wells,
33 one was over south of Teshekpuk Lake and one was just
34 south of Barrow here. ConocoPhillips is in the process
35 of permitting more drilling for next winter but they
36 usually don't know until sometime in the fall just how
37 many they will try to drill. All the ones that are
38 permitting for next winter are within about 10 miles of
39 Nuiqsut, so there will be no -- at present it does not
40 look like there will be any ice road or snow trail
41 access to Barrow next winter.

42

43 CHAIRMAN G. BROWER: Are you ready for
44 questions?

45

46 DR. YOKEL: Well, I saw David raise his
47 hand so I was going to slow down for a second.

48

49 CHAIRMAN G. BROWER: Okay, David.

50

1 MR. GUNDERSON: Yeah, David Gunderson
2 from Wainwright. Were they doing some drilling right
3 in Wainwright, I heard some test drills or they were
4 doing something over there, I didn't know who it was
5 but somebody said that they might have struck some gas
6 or something?

7
8 DR. YOKEL: Yes, that's correct that
9 there was a well drilled over by Wainwright. That was
10 not the oil industry, necessarily, that was BLM
11 working, I'm not sure if they were working the
12 Department of Energy or who but they were specifically
13 targeting gas coal bed methane gas type deposits,
14 looking to see if they could find -- well, two things.

15
16 One, to see if they could prove the
17 drilling technology using smaller rigs and drilling for
18 shallower deposits and also Wainwright was chosen
19 because it was possible that there might be gas that
20 could be used locally to power the village. So that
21 was an experimental program that occurred last winter
22 at Wainwright, and I believe they did find some
23 reasonable gas deposits. But as far as there -- as far
24 as my knowledge goes, there's no plan to move into any
25 development phase. This was the government trying to
26 prove a technology. It would -- I don't believe the
27 Federal government had intent to come in and develop
28 that gas for Wainwright.

29
30 MR. GUNDERSON: So actually they did
31 find something down there and it wasn't out of
32 Wainwright, it was actually in the city itself, from my
33 knowledge, it was right on the street practically, or
34 old gas field, the gas station, old one, just right
35 there where they were -- that's what I'd like to say.

36
37 DR. YOKEL: Well, I certainly wouldn't
38 question your local knowledge as to where the drill rig
39 was set up, but, yeah, that -- I don't know what will
40 come of that though, I can't address that.

41
42 Otherwise I had one other subject I
43 wanted to touch on briefly, Mr. Chairman, and that is a
44 brief mention of the BLM's Subsistence Advisory Panel
45 for the NPR-A. We met in Wainwright a year ago and the
46 issue that we chose to work on at that meeting was the
47 one of impacts on caribou hunters from seismic
48 operations during the winter and we tried -- we
49 discussed what we could to try to reduce those impacts
50 on caribou hunters. And the resolution that we came to

1 during the meeting was that the seismic operations
2 would have to notify local search and rescue units, at
3 least, weekly, of their location, where they were
4 working and where they had been so that if local
5 hunters believed that seismic operations cause a
6 displacement of caribou then they would not -- they
7 would have the information of where the seismic
8 operation occurred so that they wouldn't unknowingly go
9 to an area where they would not expect to find caribou.
10

11 We did have one seismic operation last
12 winter, it occurred east of Atqasuk and the best I can
13 tell from the reports I've heard, this new mitigation
14 that we've practiced did have some beneficial results.
15 Local hunters thought it worked pretty well.
16

17 Our last meeting was in Anaktuvuk Pass
18 just two and a half weeks ago and we took on an even
19 more thorny issue and that is one of aircraft
20 interfering with subsistence hunting. I say more thorny
21 because we don't -- BLM is not involved in all the
22 aircraft that fly around and we don't have any
23 authority over a lot of the aircraft that are flying
24 around, even though they're flying over BLM managed
25 lands. We did discuss though during that meeting and
26 haven't reached a conclusion yet, but it is something
27 the BLM takes seriously and we do want to do whatever
28 we can to mitigate the effects on the hunters.
29

30 So that's all I had for today, Mr.
31 Chairman.

32
33 CHAIRMAN G. BROWER: Thank you, Mr.
34 Yokel. Is there any questions from the villages, from
35 Kaktovik or Atqasuk, at this point, for Mr. Yokel.
36

37 MR. KAYOTUK: I have no questions at
38 this time.
39

40 CHAIRMAN G. BROWER: Atqasuk.
41

42 (No comments)
43

44 CHAIRMAN G. BROWER: Atqasuk, do you
45 have any questions at this time?
46

47 MR. BODFISH: No, (indiscernible -
48 phone cutting out) that meeting in Anaktuvuk there, too
49 bad the industry wasn't there to -- to talk to the
50 local people over there, other than that I don't have

1 any questions.

2

3 CHAIRMAN G. BROWER: Okay. Your
4 concern was that they went to Anaktuvuk to talk to the
5 local people over there and that's a good thing, is
6 that my understanding?

7

8 DR. YOKEL: I understand what Paul was
9 saying, Mr. Chairman. Paul is (ph) on our Subsistence
10 Advisory Panel, when I said in Anaktuvuk Pass we talked
11 about the aircraft issue, that was in our work shop.
12 We also held a public meeting in Anaktuvuk Pass. It
13 was our intention to have representatives of the oil
14 industry there to discuss their activities last winter
15 and what they propose for next winter. Unfortunately
16 none of the industry representatives showed up. Their
17 flight out of Anchorage was delayed several hours due
18 to mechanical problems and so they never made it to
19 Anaktuvuk Pass and the villagers of Anaktuvuk Pass
20 chose then to end the meeting since they -- we could
21 have presented the oil industry's presentations for
22 them but since the oil industry wouldn't be there to
23 answer any questions they chose not to continue with
24 the meeting, so that was unfortunate.

25

26 CHAIRMAN G. BROWER: Thank you, Mr.
27 Yokel for clearing that up. Do you have a question
28 there, Mr. Gunderson, Wainwright.

29

30 MR. GUNDERSON: Yes. I was -- instead
31 of conducting these flights, why don't they just fly in
32 on a scheduled flight, as locals for knowledge and
33 maybe even, you know, hire them to take them out that
34 way they'll balance -- you know, they won't disturb the
35 migration of anything, they won't -- you know just
36 something to work with instead of just going and doing
37 what they want and then -- or not -- well, I didn't
38 mean it like that, but, you know, it's your land you
39 could do it, but I was just saying, instead of flying,
40 why don't they just drive or, you know, boat or
41 whatever they got to do instead of trying to disturb
42 the caribou or the migration of the caribou.

43

44 That's all I'm just trying to say.

45

46 CHAIRMAN G. BROWER: Dave.

47

48 DR. YOKEL: Thank you, Mr. Chair. I'd
49 just like to reiterate first that the BLM does not try
50 to disturb the animals and nor do we try to disturb

1 hunters. We are very sensitive about this. We are at
2 many meetings on the North Slope. We are regularly
3 criticized for interfering with hunting activities. We
4 are regularly criticized for activities that someone
5 else is responsible for other than us but since we're
6 the faces present we receive the criticism.

7
8 So I guess the shortest way to answer
9 your question, David, is that we have many
10 responsibilities on the land and we decide how to
11 address those responsibilities in what we believe is
12 the most efficient manner possible. Just for an
13 example, if we have a need to inventory an area for
14 cultural resources, then the way that we have to do
15 that is to have people out walking on the ground
16 looking for archeological sites and to get to these
17 spots where they walk to each day we have to fly them
18 from their base camp, there's just no other way to do
19 that.

20
21 I have studies ongoing where I'm
22 looking at impacts to vegetation of winter exploration.
23 Well, I have to fly out to my study plots to study
24 them. I can't go to a village and ask somebody how are
25 my study plots doing. If we could do that it would
26 save us a lot of money and we'd do it but we -- it's a
27 big land out there and to get out there and work on it
28 we have to use helicopters it's just the only way. We
29 were asked in Anaktuvuk Pass, why don't you go hire
30 Natives to take you out by boat, why don't you go out
31 by four-wheeler, well, that simply would not be the
32 most efficient way to access most sites in the NPR-A.
33 Helicopters are the only way we can efficiently access
34 most sites and so we use helicopters.

35
36 CHAIRMAN G. BROWER: Yeah, thank you,
37 Dave, for your response. I would also like to chime in
38 a little bit because I am also a land manager for the
39 North Slope Borough and some of this stuff we take to
40 heart as well. A lot of the activities are not BLM
41 activities as well, there's Fish and Wildlife Service,
42 there's a whole myriad of different types of summer
43 studies from oil industry and the kind of approach we
44 have taken to help minimize some of these things are --
45 we stipulate on the permits when these applicants come
46 in, we need to know where you're going to be, sometimes
47 we also put a ceiling level that's when there's a
48 concentrated amount of caribou, how low you can fly,
49 and if there's going to be an activity in a very high
50 subsistence use area we also stipulate that you will

1 have a subsistence representative capable of
2 communicating with somebody on the ground detailing
3 them that this is what we're doing, to be able to
4 communicate one on one and also get in contact with the
5 local search and rescue.

6
7 So those are some of the things that
8 we're doing to try to minimize because we do get the
9 criticism as well at the Borough and, you know, I hate
10 to change hats and put on another one, but it's
11 something that I'm well aware of as well, but -- and we
12 do have a representative here from the North Slope
13 Borough as well and he's probably well aware of them --
14 of that situation as well.

15
16 One other question I had lingering in
17 my mind is that maybe the BLM and the Borough might
18 need to work a little bit closer together when you look
19 at the subsistence -- the NPR-A Subsistence Panel, what
20 their recommendations are. A lot of times you're
21 looking to that subsistence panel on possible
22 mitigation that you may put on possibly your permit to
23 the industry, who knows, or how things can minimize --
24 the North Slope Borough, itself, we utilize the North
25 Slope Borough Wildlife Department, staff knowledge, the
26 policies itself to help minimize impacts as well. And
27 sometimes what the panel has discussed which -- what is
28 affecting BLM usually doesn't get conveyed to our
29 permitting sometimes. And there has been conflicting
30 reports. Case in point is, FEX, who says this is what
31 happened at the BLM Subsistence Advisory Council
32 meeting but it didn't have relevance to the Borough
33 permitting process and we had altogether different
34 mitigation measures than what that -- what was being
35 affected through that subsistence panel.

36
37 So it seems to me that we need to
38 sometimes, you know, communicate a little bit better.
39 And I think we're trying that.

40
41 I know there was a proposal for a
42 memorandum of understanding between BLM and Borough
43 last season.

44
45 So with that I need to shut up, too,
46 sometimes because I tend to ramble and talk too much.

47
48 Is there any other questions to Dave
49 Yokel concerning his report.

50

1 Wainwright.
2
3 MR. GUNDERSON: I'd just like to say
4 thanks, Dave, you're doing good job.
5
6 DR. YOKEL: Well, thank you.
7
8 CHAIRMAN G. BROWER: Hearing no other
9 further questions to BLM, is there anything else you
10 would like to add on to your report there, Mr. Yokel.
11
12 DR. YOKEL: No, thank you, Mr.
13 Chairman, that's all I had.
14
15 CHAIRMAN G. BROWER: All right. Going
16 down through our agenda, Item 13 is additions of other
17 new business, Barb, can you direct us as to what we're
18 going to do with Item 13.
19
20 MS. B. ARMSTRONG: Mr. Chair. We don't
21 have any new business for this meeting on No. 13, so
22 you can go on to 14 and if you want me to expound on
23 that I can do it.
24
25 CHAIRMAN G. BROWER: Okay. We have no
26 business for Item 13. Item 14 next meeting, Barb.
27
28 MS. B. ARMSTRONG: Thank you, Mr.
29 Chair. We have.....
30
31 REPORTER: Barb. Barb.
32
33 MS. B. ARMSTRONG: Sorry. We had
34 requested February 28th and 29th to be our meeting
35 dates, next meeting dates and we've had -- for that
36 week, when the calendar came out for the winter
37 meetings there was four Council meetings that week and
38 that would have included Southcentral, Western
39 Interior, Northwest and North Slope, and it was easier
40 for me to ask the Chair and the Vice Chair to see if
41 they would be willing to move over to March 4 and 5,
42 2008, the following week than having to deal with it,
43 so I asked the Chair and the Vice Chair to see if they
44 would be willing to move to March 4 and 5 and they have
45 agreed so that is the date that we need to confirm
46 today with you. I'd appreciate it.
47
48 Quyanaq.
49
50 CHAIRMAN G. BROWER: Thank you, Barb.

1 You hear it guys, February timeframe is too much
2 activity, we have March 4 and 5 and do we consider that
3 in Barrow. I know sometime we had requested for those
4 that haven't put up nominations for representation,
5 that maybe we should conduct one of these kind of
6 meetings in one of the villages to encourage them to
7 take nominations from the floor.

8

9 What's the Council's wish. It seems to
10 me can have it here in Barrow, that's what it says, but
11 also to be considerate that we are short some
12 representation and maybe Barb or somebody can elaborate
13 whether or not a meeting in one of the villages, like
14 Anaktuvuk Pass, for instance, would serve to that
15 purpose, to get nominations from the floor.

16

17 MS. B. ARMSTRONG: I'll defer over to
18 Helen and I'm sure money's going to come up again.
19 Thank you, Helen.

20

21 MS. H. ARMSTRONG: I think that the
22 Council could ask but you should have an alternate
23 place because of our budget constraints. We really --
24 we're being cut so much and it is cheaper to bring
25 people into Barrow. So, you know, we could then look
26 at what it would cost for plane fares and places to
27 stay and make an analysis.

28

29 CHAIRMAN G. BROWER: Thank you, Helen.
30 Okay, March 4 and 5 in Barrow and due to budget
31 constraints we can ask that it take place in Anaktuvuk
32 Pass if there is a lack of representation from that
33 village but it would just be a request.

34

35 So maybe we need to do that in the form
36 of a motion to March 4 and 5, adopt that date as our
37 next meeting date to be in Barrow and if budget so
38 allowed it, that our request for the alternate date be
39 considered at Anaktuvuk Pass.

40

41 MR. GUNDERSON: Motion.

42

43 CHAIRMAN G. BROWER: We have a motion
44 from Wainwright, David Gunderson. Is it just to that
45 effect, to that language?

46

47 MR. GUNDERSON: Yes.

48

49 CHAIRMAN G. BROWER: Okay, we have a
50 motion on the floor.

1 MR. BODFISH: Second.
2
3 CHAIRMAN G. BROWER: Seconded by -- is
4 that Atqasuk?
5
6 MR. BODFISH: Yeah, I second it.
7
8 MR. GUNDERSON: Question.
9
10 CHAIRMAN G. BROWER: Question's been
11 called for. All those requesting that the meeting be
12 changed from February to March 4 and 5 in Barrow,
13 Alaska, with an alternate date -- or alternate location
14 at Anaktuvuk Pass, if the budget so allows us to,
15 signify by saying aye.
16
17 IN UNISON: Aye.
18
19 CHAIRMAN G. BROWER: All right, it
20 passed, we have a new date in Barrow, 4 and 5, with a
21 request for, that if the budget allows it that we'll
22 have it in Anaktuvuk.
23
24 MR. BODFISH: They always move us.
25
26 CHAIRMAN G. BROWER: Okay. We have
27 Item B, establish date and place for fall 2008 meeting,
28 ah, ha, we got a long ways for that, maybe Barb can
29 assist us.
30
31 (Laughter)
32
33 CHAIRMAN G. BROWER: Barb.
34
35 MS. B. ARMSTRONG: Okay, Mr. Chair, if
36 you go to the last page of your meeting book there's a
37 window calendar open there in fall 2008 Regional
38 Advisory Council Fisheries meeting window, and it
39 starts August 24 -- and opens -- let's see fish cycle
40 meeting window opens on August 25 and ends October 17,
41 so you have -- since we're meeting here first, you have
42 the first to choose from those dates. August 25 is a
43 Monday, and that week is August 25 through August 29,
44 Friday, so you can pick from those dates.
45
46 Thank you.
47
48 CHAIRMAN G. BROWER: And the last date
49 is October 1?
50

1 MS. B. ARMSTRONG: October 17.
2
3 CHAIRMAN G. BROWER: October 17. So
4 August 24 through October 17th is our window of
5 opportunity. What's the wish of the Council.
6
7 MR. BODFISH: September 30
8
9 CHAIRMAN G. BROWER: There is -- did
10 you say September 30?
11
12 MR. BODFISH: Yes, September 30.
13
14 CHAIRMAN G. BROWER: Okay. During
15 September 30 is peak whaling activities in Barrow, I
16 would like for you to consider that. Whaling may be,
17 in fact, be in progress and we might be out on the
18 water from about September 25 to about October 14th,
19 just for consideration.
20
21 MR. BODFISH: That's why I said that,
22 maybe I don't know when whaling's going to start,
23 usually start on October 1st, that's why I tried to put
24 it on the 30th.
25
26 CHAIRMAN G. BROWER: Yeah, (In Inupiat)
27
28 MR. BODFISH: Yeah, I know, but (In
29 Inupiat).
30
31 CHAIRMAN G. BROWER: Okay. It's just a
32 consideration. If there's any alternate times that
33 maybe we could consider but if you want to go with
34 September 30 I guess we can -- maybe I'll propose
35 another date too, hold on.
36
37 MR. BODFISH: The reason I said that
38 was I want to go whaling too.
39
40 (Laughter)
41
42 CHAIRMAN G. BROWER: Yeah, okay, well,
43 maybe we can time it that way so they'll take you here
44 and have a short meeting.
45
46 (Laughter)
47
48 CHAIRMAN G. BROWER: Okay. Well, I'm
49 kind of lost for dates here, so we do have a big
50 window, August 24 to October 17, by the time it's --

1 later part of October we usually have AFN, and let me
2 see, August 30 -- or September 30 is.....

3

4 MS. B. ARMSTRONG: It's a Tuesday.

5

6 CHAIRMAN G. BROWER: That's a Tuesday,
7 okay.

8

9 MS. B. ARMSTRONG: Or you can have it
10 early, the last week of August.

11

12 CHAIRMAN G. BROWER: Uh-huh, how about
13 something like September 25, that would give you an
14 opportunity to be here and -- yeah, September 25 would
15 be on a Thursday. Do we need two days or one day?

16

17 MS. H. ARMSTRONG: Only one day.

18

19 CHAIRMAN G. BROWER: Yeah.

20

21 MR. KAYOTUK: That would coincide with
22 my September meeting with the planning commission.

23

24 CHAIRMAN G. BROWER: Oh, okay,
25 absolutely, I wasn't thinking. September 25 is
26 planning commission. Okay, well, let's go with
27 September 30. If anybody else want to propose any
28 dates it's a good time to propose them.

29

30 MR. KAYOTUK: Well, you could make it
31 the day before the 25th of September -- 23rd or 24th.

32

33 MR. GUNDERSON: What about August 26
34 and 27.

35

36 CHAIRMAN G. BROWER: Okay, we got
37 August 26, 27, what's today, the 29th -- 28th?

38

39 MS. B. ARMSTRONG: 28th.

40

41 CHAIRMAN G. BROWER: Yeah.

42

43 MS. B. ARMSTRONG: And this would be a
44 fisheries meeting, and usually North Slope does not
45 have any fish proposals like you don't right now.

46

47 CHAIRMAN G. BROWER: Uh-huh.

48

49 MS. B. ARMSTRONG: So think about that,
50 too, maybe you just need one day like we do today.

1 Thank you.
2
3 CHAIRMAN G. BROWER: Okay. We've got
4 two days August 26 or September 23, that would be a day
5 or two -- two days before planning commission.
6
7 MR. BODFISH: August 26th sounds good,
8 too, all right, with me.
9
10 CHAIRMAN G. BROWER: Okay. Let's put
11 it up for a vote. All those for August 26th maybe you
12 could make a motion out of it, let's try that. David.
13
14 MR. BODFISH: Move from Atqasuk.
15
16 CHAIRMAN G. BROWER: Okay, Atqasuk
17 moves August 26th, 2008 would be our fall 2008 Regional
18 Advisory Council date.
19
20 MR. GUNDERSON: Second.
21
22 CHAIRMAN G. BROWER: Seconded by
23 Wainwright.
24
25 MR. GUNDERSON: Question.
26
27 CHAIRMAN G. BROWER: Question has been
28 called for. All those approving August 26th as the
29 fall 2008 Regional Advisory Council fisheries meeting
30 in Barrow signify by saying aye.
31
32 IN UNISON: Aye.
33
34 CHAIRMAN G. BROWER: We have a date,
35 Barbara.
36
37 MS. B. ARMSTRONG: August 26th, 2008.
38
39 CHAIRMAN G. BROWER: August 26th.
40
41 MS. B. ARMSTRONG: Ki.
42
43 DR. YOKEL: Mr. Chair, I'd just like to
44 request that we have the same kind of weather next
45 year.
46
47 (Laughter)
48
49 CHAIRMAN G. BROWER: There's a request
50 from Dave Yokel that weather cooperate.

1 (Laughter)
2
3 CHAIRMAN G. BROWER: Item 15 guys.
4
5 MR. GUNDERSON: Adjourn.
6
7 CHAIRMAN G. BROWER: There's a motion
8 to adjourn.
9
10 MR. KAYOTUK: I second.
11
12 CHAIRMAN G. BROWER: It's been
13 seconded.
14
15 MR. GUNDERSON: Question.
16
17 CHAIRMAN G. BROWER: Question's been
18 called for, we stand in adjournment.
19
20 MS. B. ARMSTRONG: All right. Quyanaq.
21
22 (Off record)
23
24 (END OF PROCEEDINGS)

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 02 through 90 contain a full, true and correct Transcript of the NORTH SLOPE BOROUGH FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically by Computer Matrix Court Reporters on the 28th day of August 2007, beginning at the hour of 9:07 o'clock a.m. at Barrow, Alaska;

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

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

DATED at Anchorage, Alaska, this 2nd day of September 2007.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08