KODIAK ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING
February 17, 1995
City Office Building
Old Harbor, Alaska

VOLUME II

COUNCIL MEMBERS PRESENT:

Mark Olsen, Chairman
Vincent Tutiakoff, Vice Chairman
Gilda Shellikoff, Secretary
Randy Christensen, Member
Tom Everitt, Member

Moses Dirks, Coordinator

P R O C E E D I N G S

CHAIRMAN OLSEN: Good morning. At this time I'd like to call the meeting back to order. Here with a little change here with our flexibility, I feel this morning we might -- I'd like to at this time address council member absences before we carry on with the rest of our agenda here today. There seems to be a concern that we have several council members, David Eluska, from Akhiok, and Herman Squartsoff of Ouzinkie -- -- if I am correct, Mr. Eluska has missed four consecutive meetings and Herman has missed three consecutive meetings, although I am aware that Mr. Eluska said he would be attending a KANA meeting today. As in the past I know this has been his reason for being absent on at least one or two other occasions. Herman had said he was going for his license for a commercial six-pack. I am aware of that, but I also know Randy is going for the same but yet is in attendance. I guess at this time the council will -- I'd like to hear from the council. How would you like to handle this? I feel these folks are getting too carried away and we need representation if we are going to be successful.

As to our charter, it shall read: Vacancy -- or Removal of Members. If a council member appointed under paragraph 9 misses two consecutive regular scheduled meetings the Chair of the Federal Subsistence Board may recommend that the Secretary of Interior, with the concurrence of the Secretary of Agriculture, remove that individual.

At this time, I personally feel that with these many absences being missed I don't see that it's going to change, as far as I can see. At this time I'd like to ask the council for how they'd like to address this. My recommendation is that we request the Secretaries of Interior and Agriculture that these council members be removed for missing too many meetings.

MR. TUTIAKOFF: Mr. Chairman.

CHAIRMAN OLSEN: Yes, Vince.

MR. TUTIAKOFF: Under Section 6 of Duties of the Council, Subsection 7, it also states our authority to provide recommendations and the establishment and membership of the Federal local advisory committee. I think there are two sections that support our actions in removal of these two members, although I'm kind of sorry to see these two members go because they are, you know, have been -- in meetings they did attend they were very responsive and gave a lot of good information. But the communities that they represent are being

-- not being spoken for and it's been a year and a half for one member that he hasn't been to a meeting. We only hold two a year, and I'd support any motion for action at this time to have both members recommended be removed and their appointments be put out to the other communities for new appointees to the Secretary of Interior.

CHAIRMAN OLSEN: Thank you, Vincent. Is there any other comment from the council?

MS. SHELLIKOFF: Mr. Chairman.

CHAIRMAN OLSEN: Yes, Gilda.

MS. SHELLIKOFF: Yeah, I agree. You know, I know these members are good members when they're here, but the problem is they don't show up to the meetings, and with only two meetings a year, we need as many people as possible to show up at these meetings.

CHAIRMAN OLSEN: Thank you, Gilda. And I know, as I look at it, too, with only a seven-member council with these two absent, one more person absent we'll be close to losing our quorum and not being able to conduct business. So I take it very serious, and I hope the rest of you do, too. I agree that these two fellows did speak out when they were here, but unfortunately it's sad for me to say this, but I have to stay with my recommendation here.

I just got a note here saying that Herman's term is expiring at the end of this year, so I don't know if that makes it a little more gentle, but I certainly have talked to Herman in the past and he gave me every indication that he is somewhat discouraged. Anyway, so would -- I think I would like to have a vote on this or a motion.

MR. TUTIAKOFF: I'll move that the two members in question, Herman Squartsoff and David Eluska, be recommended to the Secretary of Interior as being removed and that the two positions be open for nominees to this council.

CHAIRMAN OLSEN: Moved by Vincent.

MR. EVERITT: I'll second that.

CHAIRMAN OLSEN: And seconded by Tom. Thank you. Any more .....

MR. TUTIAKOFF: Question.

CHAIRMAN OLSEN: ..... discussion? Question has been called. All those in favor, signify by aye.

IN UNISON: Aye.

CHAIRMAN OLSEN: Those opposed?

(No opposing responses)

CHAIRMAN OLSEN: None opposed. It looks like we move in that direction. Thank you. Now, ...

MR. TUTIAKOFF: Mr. Chairman, what's the process now? By this action does Moses then send out notices that there's two vacancies of original members plus two vacancies that are coming up this year?

MS. SHELLIKOFF: I will be one.

MR. DIRKS: There will be just one. I think .....

MS. SHELLIKOFF: Because Herman's term is up this year.

MR. TUTIAKOFF: Who else is up this year? Isn't there another two more?

MS. SHELLIKOFF: No, me and Herman.

MR. DIRKS: Gilda and Herman.

MR. TUTIAKOFF: Oh, okay. So there'd just be two then really.

MR. DIRKS: So what would happen is that we also have alternates for these people that will be removed, so I guess the next person in line would most likely get appointed on this council.

CHAIRMAN OLSEN: To finish out the terms.

MR. DIRKS: Yes.

CHAIRMAN OLSEN: Otherwise appointed, yes. Who else's seat is up on this year?

MR. DIRKS: Gilda and Herman.

CHAIRMAN OLSEN: Okay.

MR. TUTIAKOFF: But then we have David now, how many years left on his term?

MR. DIRKS: His term is up next year.

MR. TUTIAKOFF: So the alternative, whoever is for David, then would sit in at the next meeting?

MR. CHRISTENSEN: I am not sure on that process.

MR. DIRKS: Well, that would depend on .....

MR. TUTIAKOFF: Or do you have to go through this whole process and go again for a few more meetings with one member missing?

MR. CHRISTENSEN: Well, I was wondering, too, how soon can the seats be filled?

MR. TUTIAKOFF: That's what I'm asking.

MR. DIRKS: Well, it's a slow process. It depends on how fast the .....

MR. CHRISTENSEN: Will they be filled by our next meeting?

MR. DIRKS: Well, we would assume that it will be filled by next meeting, but that would strictly depend on the Secretary's approval and signature.

Is that right, Sue?

MS. DETWILER: Depending on -- assuming that the next meeting is going to be next fall in October, the way the process for this year's nominations is set up, at least the one seat is going to be vacant and filled by, hopefully, September, and since you have another one that you're going to recommend removing that person, I would -- I don't see any reason why that replacement couldn't be filled at the same time. So, my guess is that it's pretty likely that both of these seats will be filled by the next time a meeting is held.

CHAIRMAN OLSEN: I just would like to say I'm sure, Moses, that we can get together on this and hopefully have seats refilled here as expediently as possibly, before our next meeting. It does take a while for new members to catch up, and it's difficult, so I feel we must move on this matter as soon

as possible.

Yes, Vince.

MR. TUTIAKOFF: Mr. Chairman, this might be the time to bring up the motion or action requested to the Federal Board by this council to open up two more seats from the Aleutian area. Is there any response back from the Federal Board on that issue?

CHAIRMAN OLSEN: I have not personally had any response.

MR. DIRKS: Yeah, I was going to discuss that during the council concerns, coming up. So we'll do that when we get there.

MR. TUTIAKOFF: Okay.

CHAIRMAN OLSEN: Is there any other concerns or questions on this matter? If not then I would like to resume with our agenda.

As I recollect, our last part of the agenda was Mr. Mishler gave a briefing, and .....

MR. TUTIAKOFF: We're on Customary and Traditional Use Eligibility.

CHAIRMAN OLSEN: Right. Let me just concur here with my -- here we are. As I -- right, right. As I see it here, we are basically on number 6, Kodiak Area Native Association staff. I do not recognize -- is there anybody here that is here on behalf of KANA? Aleutian Pribilofs?

MR. PETERSON: From KANA, there are tribal members that are here.

CHAIRMAN OLSEN: Right, this is regarding as far as the staff of KANA that we normally have.

MR. PETERSON: Hopefully, tribal members are representing -- hopefully tribal members are -- hopefully KANA is representing us, that's what I understand.

CHAIRMAN OLSEN: Certainly, I agree, and I have no problems should there being any council members from the local community here that wish to comment or otherwise. That's always open, but these here were put on the agenda, and I just

wanted to make sure that we were doing right.

MR. PETERSON: I just wanted to comment then that KANA should be representing the tribal people that are here, and sometimes they get the two separated; KANA is KANA and Old Harbor Tribal is tribal, and they try and keep those two separate, but KANA is supposed to be representing the tribal councils on the island.

CHAIRMAN OLSEN: At this time I'm not sure as to the mailing list of who is all receiving this information. Is KANA or the tribal councils on the list here, is there any .....

MR. DIRKS: You guys viewed the list of mailing last meeting's go-round, and I didn't get any comments, and KANA is listed on it, also the IRAs, the municipalities, and the mailing list is quite long.

CHAIRMAN OLSEN: Thank you. I guess then to move on to Old Business, we're on the Customary and Traditional Use Eligibility Process. I believe Rachel is here to .....

MS. MASON: Yes, I'm going to address that. I'll talk loud. I'm here to give you an update on customary and traditional use eligibility determinations, and these are usually known as C & T, and what that refers to is just the process of determining who is eligible to be a qualified subsistence user. It's something that's rather confusing to me and, I think, to a lot of people, and I'll try not to add to that confusion. But I don't have too many details on exactly what's going on.

I wanted to tell you what had gone on with the recent meeting, and maybe Mark can also answer some questions that you might have about that. But just to recap what has been going on with the two C & Ts that are in progress. When the Federal Subsistence Management Program began, they provisionally adopted what C & T determination had existed from the State. And then they decided to go around the state area by area looking at all the land mammals together, rather than species by species. So they divided the state into 22 different areas and put some areas for -- because of urgent requests that have been received, they put some areas first. And probably the most controversial area in the state was what they started out with, which is Kenai Peninsula. And that might be interesting to you because there are some complicating factors on the Kenai Peninsula that share with the Kodiak Aleutian Region.

One of them is that some communities in that region are

segmented, one part having very long-term residents continuity with Native traditions and high reliance on local resources, and then another part of the community made up with newer immigrants or residents with more non-Natives, less reliance on subsistence. So it raises the question of sub-communities, how much the community has to participate in subsistence activities in order to say that the whole community is eligible.

Another problem on the Kenai Peninsula that's not quite so much a problem here is that some communities themselves are recent; the whole community is or they have a very highly transient population. Another problem on the Kenai Peninsula is that some communities are remote Federal public lands, and that's one that's shared in this region, too, because even though these communities are longstanding, they're highly reliant on local resources, they're not -- they don't do much of their harvesting or activities on Federal lands. So, that's a problem that needs to be dealt with, too. And some of the regional councils have been very concerned about the Kenai Peninsula C & T because of its precedent value. It's the first one and so it has some implications for other areas.

Meanwhile, the National Park Service has been working on another C & T review, and that's the Upper Tanana one. And they are not quite as stalled as the Kenai C & T, but there have been some delays in that one, too. And a draft summary of the Upper Tanana C & T review has been available for several months, and one of the differences between the two draft reviews is that while the Fish & Wildlife Service on the Kenai Peninsula review offered a set of alternatives, A, B and C, the National Park Service offered only one alternative. And I'll get into this a little bit more later on, but they have now added more alternatives on the initiative of the Eastern Interior Council. There's been at least an Alternative B added, and possibly an Alternative C for that Upper Tanana review.

I should also mention that the Upper Tanana review poses some challenges that are also similar to what occurs in the Kodiak Aleutians Region because the Upper Tanana communities are mainly on the road system, and, again, there's some communities that have sub-communities where there's some long-term residents and others that are not so long-term.

Okay. So what has gone on with these reports is that the Federal Subsistence Board was supposed to consider both of those eligibility review during their November 1994 meeting, and before that meeting the Staff Committee met to decide what to recommend to the Board, and for both of the C & T reviews

the decision ended up being deferred until the next board meeting. Especially with the Kenai C & T the Staff Committee could not agree on what would be -- what would be the proper recommendation, and the Board declined to rule on it. They tossed it back to the Staff Committee, and the agencies concerned have continued to formulate different positions on that.

One of the arguments in question is whether or not it was Congress's intent in ANILCA for C & T to be used as an eligibility screen, and one side says that C & T should only be used to distinguish among uses rather than users. And in that view, all rural residents would be automatically eligible to be subsistence users, but they would use a Tier II hunt of what is also known as a Section 804 process in situations where there is a shortage of a resource.

Okay. And so those present at the last January Staff Committee meeting expressed concern, too, that the regional councils weren't getting enough input in it. So, they decided to meet with the council chairs on February 13 and 14 in Anchorage, and the first day was devoted specifically to the whole C & T process, and the second day was devoted to just talking about the Kenai C & T.

Okay. Just to explain what went on with the Upper Tanana C & T, in October 1994 Alternative B was developed on the initiative of the Eastern Interior Regional Council, and they felt that the National Parks Service version was not enough. They didn't think it was enough to just compare to the standard eight criteria that are used for C & T. They -- for one species at a time the Eastern Interior Council said that when people hunt they hunt for more than one species, so in any area if there's any evidence that they traditionally use the area at all, then they thought that C & T for one species in the unit gives people eligibility for all the other species in the unit, too.

Okay. Just to mention some of the points that were brought up during that meeting on February 13 and 14, the day the objectives were simply to discuss and seek agreement on the process -- the whole overall process of C & T. And one of the themes in the meeting was trying to get the C & T process to come from the bottom up rather than the top down. The top being, I guess, the Board, and the bottom being the public, that there should be more input on the local level. And some of the council chairs felt very strongly that there should be the process should be mostly going out and asking people what they want.

There was also a concern brought up about the tribal rights of urban Natives, because at present, under ANILCA, urban Natives are shut out of the -- as eligible subsistence users. And Sheldon Katchetag, who is the Seward Peninsula chair, wanted to quit talking about subsistence as it relates to ANILCA, but he was concerned that it be addressed as a tribal right rather than something that is declared by ANILCA.

There was also a lot of discussion of the eight criteria that are used in the C & T process, and they are ambiguous. They don't -- for example, the first one is that it has to be a long-term pattern of use, but it doesn't tell what is long-term. So, some of the council chairs thought that we ought to just get rid of the whole eight criteria. And one person said they were a dinosaur, he'd like to have some other process rather than using those eight criteria.

Let's see, what else. Tom Boyd has sort of a middle of the road position. He had developed this, and he is -- represents the Bureau of Land Management on the Staff Committee. One of the points he made is that we should simplify the process of C & T eligibility review, and one way to do that would be to integrate it with the -- what's called the Subpart D process, the kinds of things that the councils do now. So, instead of having a whole separate eligibility review, that maybe the councils could deal with it just in the annual round of proposals. And that -- there was some -- a lot of enthusiasm for that idea, although it was brought up that there are currently more than 200 requests for C & T -- specific C & T determinations, and so there is a big backlog of them, and it might -- that might stall things a little more if the councils suddenly had to deal with this backlog of proposals.

Let's see, I'm just trying to -- oh, another thing that was brought up that day is the chair of the Eastern Interior Council asked: What are the customs and traditions of non-Natives? And that was -- I guess it pointed to the problem of dealing with non-Natives in the C & T process. So, that was not resolved, but it was kicked around a little bit.

And the second day there was more focus, as was planned, on the Kenai C & T. Basically, at that point the Southcentral Council said they had already gotten input from local people. So, they, in contrast to the discussion on the first day, they were saying there isn't enough input from local people, they were saying they think that the councils and the local people already have a strong role in it. So, they didn't

want any further delay in the Kenai C & T.

Another thing that was brought up was whether ANILCA would cover management of subsistence on navigable waters. And nothing can really be said conclusively about that until the Katie John case is resolved.

And another sticky issue that came up again is whether ANILCA is Indian legislation, and that was brought up, again, by Sheldon Katchetag. Even though it appears to refer only to urban versus rural residents and to protect both Natives and non-Natives, he wondered whether it could be considered as applying as Indian legislation. And the official Department of Interior position is that it's not. But, you know, that's another question that has been brought up. It's a sticky one and it has not been resolved.

So, basically, we came away from that meeting with -- some questions had been brought out on the table, they have not yet been resolved, but it was good to work on the issues, and there is still a lot of work to do. So, maybe if you have any questions, maybe I can attempt to answer them, or possibly Mark has something to add, having attended that meeting, too.

CHAIRMAN OLSEN: Certainly. Thank you, Rachel. I guess there's many things here that are not in layman terms, if you will, where the general people do understand it. As it is, following through this step by step sometimes it's confusing to myself. Under the question of Indian legislation, I might just ask in your point of view, what does that mean to the people?

MS. MASON: Yeah. Well, I think that what that would address would be whether subsistence would be regarded as a tribal right rather than one based on being rural or urban, and it would focus specifically on Natives.

CHAIRMAN OLSEN: Yes, thank you. That's my interpretation of it also. Then when we look at subsistence then if it is Indian legislation then that's who they're addressing, they're not addressing the full public. So that's my basic understanding. I'm certain if we asked around we'd get on different definitions, but I wanted to make sure that I am on the right track and that the others kind of understand it the way it's interpreted to me also. Thank you.

Certainly there is a lot -- a question there, too. Number one, when I look at all the alternatives it certainly leaves a lot of people exempt by simple domicile, and I don't believe in that one iota. Second of all, as I thought about

this, I don't know how it's going to affect, but we as regional councils have authority only within our region, although I am very aware that there could be a precedent setting even though we are supposed to be individual regions. So there is a little bit of a tug from me on both sides of that issue within itself. Number one, yes, I think they should be able to address their own region, but even though ANILCA has addressed this or ANCSA has addressed this as 10 regions, it still might have a bearing.

Here, again, when I looked at the question of our area, Kodiak Aleutians Regional, number one, we have very little bit of Federal public land on Kodiak itself and little to none on out in the Aleutians. So, without those Federal public lands it basically gives no voice to the people, primarily because fish and sea subsistence goes under State because of navigable waters. So, I feel that a lot of people are being shut out just by this simple process in itself.

So, as I look at the whole issue with the different alternatives, I can come up with nothing short of the only way that this is going to ever work is by individual eligibility, and I think that's within the realm of whoever is finally in charge of subsistence management, meaning that those -- I mean whatever the eligibility comes out, I just don't see how it can be a community eligibility or tribal -- tribal would be my, I guess, second choice, personally.

But here, if there's any feelings on this, I sure would like to get some feedback from the council or the public as to what they would see down the line as a reality or something that would work under subsistence eligibility.

MR. TUTIAKOFF: Mr. Chairman.

CHAIRMAN OLSEN: Yes, Vince.

MR. TUTIAKOFF: I see two problems in this C & T process that I haven't heard basically brought out in this meeting that -- in reading the minutes of the meeting. One of them is the relationship of a community or individual to -- in subsistence use in the C & T process of the State program and the Federal program under Federal guidelines. They seem to be conflicting issues, and they really confuse the issue when people start talking about customary and traditional uses, especially out on the chain area because of the lack of Federal properties and lands out there. Like Mark brought up, a lot of subsistence use is down in the waters -- navigable waters, streams, and not necessarily on land areas for mammal -- for

big game hunting and stuff. And the other one is the issue of sharing. It seems to me there's no avenues for showing the reason for sharing in C & T, and that -- I think that maybe what Kenai is having a problem with -- because in looking at it and their C & T that I saw the last time, where it was just in the draft stages, they addressed sharing, but it was not -- I guess it was kind of played down because as a region you have to look at it only as a region. I think those regions like Kenai, Cook Inlet, Kodiak, they do a lot of sharing because of their closeness to each other in the fishing industry that goes on and family connections and going into the different areas of Cordova and that area.

When you talk about C & T, customary and traditional uses, it kind of draws a line, a boundary here that you have to deal with. You know, you can't go outside of this boundary and say that you're dealing with it in Kodiak; that's a Kodiak Aleutian issue. So it kind of sets people off into groups, sort of like this whole process of C & T is like divide and conquer type of thing, and it's not getting to the real problem, I feel, of C & T and having to determine what is customary and traditional uses. There has to be some flexibility in this program that the Federal government and the State has to recognize, and maybe even make allocations for certain areas, like Kodiak, in relations to Cook Inlet, Kenai, and that area, in order for Kodiak to come up with -- and Kodiak Aleutian to come up with a C & T. They're going to have to show -- I feel they're going to have to show the uses that's being done by those people here and people here going up there. And I don't see that process anywhere outlined where you can do that. I mean it -- basics said you can't do it, you can't go onto another region and you're customary and traditionals are in that area. They may be and they probably went back for years.

And in the process, out in the Aleutians, I really don't know what to say about customary and traditional uses. One of the problems I have to deal with in one of the meetings with our fish and -- Unalaska Fishermen's Association that we had was how far back do we go to determine C & T? Is it from today back, is it from five years back, is it from 10 years back? Because of Unalaska's boom back in the early '70s, and maybe even to go with some cases an argument can be made all the way back to 1940 when the military moved in on Unalaska and Dutch Harbor. Did that stop customary and traditional uses? They vacated the whole community just so they could have the island to blow up, whatever, build up. And I know there's going to be an argument there. How are we on the Aleutians going to determine customary and traditional uses? We have no

guidelines here.

In reading this definition of customary and traditional uses means long-established consistent pattern of use. Well, you know, how far back can it go? When does that start? It's going to be awful hard for us out on the Aleutians to determine these things, and it's going to be a question that I think I'm going to be very vocal on when they do get the C & Ts, that, you know, even I'm going to probably start from the time that the king crab industry came in there and took over and made it an economic issue that we did subsistence type lifestyle. I mean we were kind of pushed off into the side of the hill there so that the industry can make their money. That's still going on. In the subsistence use, we have to go further and further away from the communities. In some cases, almost 15 miles away in order to get any kind of decent seafood because of the problems of pollution. You know, these are going to be issues that are going to be brought up, and they're going to take a long time to decide. You know, Kodiak probably had that problem in the early years, too, when the king crab industry started out here in the '60s. I don't know where we're going to decide that's going to start, too.

MR. PETERSON: Mr. Chair, can I add to C & Ts? It seems like Vince is talking about everything that's tied into what I see around the State and going to other meetings. The lady over there mentioned C & Ts, but what is it to Europeans? And what is it to the Natives? And if they want to put customary and traditional use on us, just like they're doing, just turn around and tell them to trade a thousand chickens and horses back when they were doing it. When the Europeans came across to the United States they wiped out the buffalo, and the cattle flourished, and some people say it's because nobody owned the buffalo but they owned the cattle. And customary and tradition used for Natives was at the time -- say a thousand years ago it was to better themselves, bring new things in from a different part of the country. And that's customary and traditional. Today it's the same thing; we're bringing in things from other places that are helping us become better, and that's customary and traditional. When I say that I -- something came up in front of us not too long ago in front of the sea otter commission where some Native guy wanted to send a bunch of sea otter pelts to Japan and make a big buck. That's customary and traditional. That's customary and traditional for him to do that. And here the Federal government brings it back to us to regulate ourselves and tell us you can't, that's not customary and traditional. That's what our own Native people have been telling this Native guy; that's not customary and traditional. And that's the United States government

having us do their job.

I feel that whatever makes us better will -- that is customary and traditional use, and we can manage our resources better than Europeans can when they came over. We've been doing it for years, but like you said, we can't -- it's not -- we can't own -- I think we own this area here, but as far as the regulations go and how we can protect it, it's not in our favor because the State, like you said, owns the -- regulates the ocean -- that part of the ocean, and the Federal people regulate the land. So, C & T, to me, is what is going to better the people in Old Harbor in the local village.

Vince can probably say C & T in his community would be to block out a chunk of their place and say this is our place that we're going to sell our -- harvest our ocean, and we're going to do it so we can do it for years instead of till it's gone, like it's happening now. Customary and traditional is what's going to help us right now in the future, not during the season when it's time to harvest and hopefully not wipe it out. Somehow it's got to change. I think what the lady said over there about going into tribal court or Indian law, I don't understand that part, but it sounds like it will work. I mean that's the only way it will work is if C & T is coming from -- addressing Natives only, not just rural people. That's how it's going to work, I believe.

CHAIRMAN OLSEN: Thank you, Jeff. Just a little more clarification. When this question was asked about Indian legislation to Mr. Goltz, which is the man that is most knowledgeable in legal, as far as the Department of Interior, when asked this question he felt, yes, he felt parts of ANILCA were in fact Indian legislation. But it is still to be -- it's controversial. Every inch of the way it seems like it's controversial. But we must keep wading through it until we come up with the answers.

Certainly we did talk, as Vince mentioned, how long, how far is it going to go back? Where do we establish? I can only say that is why I certainly believe in archaeology. Right here at the south end of Kodiak we have the petroglyphs that man has actually taken the time to carve into the rocks to tell the story to translate to share the information. Why other would they sit there and carve in the rock? We have a hard time writing on a piece of paper, we think that takes a long time to get something straight. Them stories are still there. I can't tell you what the stories mean, but I do know they are very significant to the resources and the harvest of wildlife.

So, that in itself, Vince, right. The boundaries, that was another issue we talked about. If we're eligible for subsistence in this area are we not allowed subsistence in that area? Here again, no answers, more discussion. When I look at it, I think one of the big problems we have within itself is the simple definition of subsistence within itself. I consider subsistence and C & T two different things altogether, one and the same. Subsistence is basically a lifestyle. Of who is the C & T? Here again, the definition, as far as subsistence out of the book is customary and traditional uses. It's kind of hard to break that apart, isn't it? If that's the definition of subsistence as accepted by the government, I think that's a place that we need to address, if we're going to kick any more of these issues. I strongly feel that subsistence and C & T are to be defined individually, not as one.

MR. PETERSON: Mr. Chair, I'd have to address it. C & T and subsistence to me are the same thing. When we go out and -- I'm just saying it's going on today. When you go out longlining you're taking -- you're bringing home subsistence, and then whatever you've got, you're trading from the cannery for some money. No, there's no difference. When you're going out crabbing, you bring home some crab for everybody in the town to share, and then subsistence -- we're in the mindset that subsistence isn't being -- I mean we're getting locked in. We're being mindset to think subsistence is just sharing, but subsistence is becoming better. Look at Kodiak Island flourished because they traded with everybody. We have all kinds of things from Kodiak Island from the archaeological sites, and today we're being locked in on saying customary and traditional, you can only stay in this little thing that you're going to build on -- have you build for yourself. We're over-regulating ourself on subsistence because they don't want to see us flourish. We could flourish if subsistence and the C & T were just open like it was back then. We could trade crab and we could trade land and timber and -- that's customary and traditional. But just today, and it's not yesterday before the Europeans and Russians came here. That's why the United States is regulating us and putting us in this little thing and telling us to stay in 1784, you know. So we don't flourish like they ran across the world over here. We could flourish just like we did before the Europeans came. That's subsistence and that's customary and traditional. When our ancestors went out for something to eat, if they had something extra, they saw a seal come in and they had some whiskers that some other guy up north didn't have, he kept those there, and when he went up sent somebody up north to trade, he gave him some whiskers and some subsistence seal that they ate that winter.

CHAIRMAN OLSEN: Yes, I understand the confusion, but let me just .....

MR. PETERSON: It's not confusing, Mr. Chairman.

CHAIRMAN OLSEN: ..... enlighten you as we are facing these. We have to start picking them apart because of the pressure that we are under. Subsistence, like I say, yes, I feel is a lifestyle. Yes, C & T is one of the same, but to me the C & T defines the who of the subsistence. The northern people are subsistence as well as the southern people, but it is not C & T for us to go out whaling as it might be for them for sea otter because of a difference of our resource in the area. So, you see, if we had an open C & T, that means somebody from Timbuktu would come up here and if they harvested that resource under their customary and traditional way, then they would say, well, we should be able to harvest it then. So, therefore, I look at C & T as the who.

MR. PETERSON: Mr. Chairman, I feel that if the people up north want to come down here and whale, that would be great, and if we want to go up there and harvest whatever they wanted, we could harvest it, that would be great.

CHAIRMAN OLSEN: I understand. I understand very much, but we must address who, how much, and where. Them are the main three items we have to address to get to the next step.

MR. PETERSON: The Indian legislation, I think, seems like one of the first steps to address the Native people, regardless if they're from Barrow or Atka or down in Southeast somewhere, and that customary and traditional, I just want to get the thing out of there where the Europeans are putting us in this little mindset that subsistence -- customary and traditional is 1784, you know, that's not customary and traditional for us, really. If it was customary and traditional I'd be able to go out there and get a whale right now, but that's not my customary and traditional use today. My dad didn't teach me that, his dad didn't teach him that. Customary and traditional today is surviving in Old Harbor today, and management of resource, we've been doing it, we've been managing our resources so we can -- everybody says you've got to make sure you have enough for next year. That's customary and traditional, and when we go fishing, make sure there's enough for next year, and that's how we've got to do it. I mean .....

MR. HAAKANSON: I remember in the '60s at first I became the village chief. That's when people started getting

more powerful boats and stuff and the boats from Kodiak (indiscernible - away from microphone) would start to come down and fish our (indiscernible - away from microphone) Big Creek. And they were taking them in and we were getting a dollar a piece and everybody was happy, and so our people, some of them said, gees, if they're going to take 'em, we better take our share and go into town and sell them. And this worried the old timers. We called a meeting, and the guys said, we're sorry we've got to do that, but if we don't take them the boats from Kodiak will come down and take them away. And that's the time we decided, we said, okay, nobody fishing, any other boats come in there we're going to start turning them in. Our creeks were depleted for about four years, and since then now the village protect their streams and they've grown back and flourished and everybody harvests them every year, no problem. But when people start flooding in and putting up gillnets to get bait fish out of it for crabbing and stuff, we start turning 'em in, even if it's our own friends. But that's the way we protect it, and I'm proud the way they protect it, and that's almost 35 years now they've been protecting their streams.

MR. MISHLER: Mr. Chairman.

CHAIRMAN OLSEN: It seems like it's a trend that has started from Plymouth Rock, that when the Native American protected his subsistence and his lifestyle he was considered a savage. That did always bother me. I'm sorry.

One other thing, Craig, you've been patiently waiting.

MR. MISHLER: I don't know if we've got more time for this discussion. I find it pretty stimulating, but I don't want to open up Pandora's box, but (indiscernible). I think this is all going to come home to roost here if Old Harbor decides to put in a proposal for subsistence brown bear hunting, which I think is probably going to happen, and that's where this is going to be a critical issue, because of the simple fact that when we did some research down here with -- we convened a number of elders, Rachel and I were in Old Harbor -- how many years ago was that?

MS. MASON: About three or four.

MR. MISHLER: Times fly. Anyway, and we videotaped this session, we took a lot of notes about what the elders were saying about traditional brown bear hunting, what the seasons and what methods they used, and it was a tremendous amount of good information that we gathered. And all of this was, of course, for the proposal that the council put in to the State

Board of Game. And the State Board of Game stonewalled the proposal, and the State Attorney General representative at the Board of Game came up with a technicality on one of the -- on which criteria they should be using for C & T determination, whether there were eight criteria or seven criteria, they didn't want to -- anyway, it was a red herring kind of stonewalling, and I really was disappointed because we'd put a tremendous amount of work in to establishing the customary and traditional use. And that use was disrupted after statehood because of the sport hunting regulations, and gradually subsistence got pushed out in favor of a sport hunt -- only exclusive sport hunting. And we know for a fact that there were several elders in Larsen Bay who were cited and fined and had their guns taken away for taking traditional subsistence brown bear. And this is the kind of thing where you can say, well, now today people don't hunt brown bear, it's not customary and traditional today, but it used to be for sure, up until the early '60s.

MR. HAAKANSON: Well, I think I remember the last time someone got a bear he had to skin it, take the hide and skull and send it in. It's too much trouble, he's not going to get a bear anymore. I remember .....

MR. CHRISTENSEN: That was me, just a couple weeks ago, just got fined.

MR. HAAKANSON: In 1936 or '37 I was a pretty young little boy, and I went down the beach. You know, I was really scared to go down there because they brought in about six bears because they'd go hunting in groups. And I asked them, how come they all went as one, 'cause everybody will come and work to drag the bear up, and they used to salt them in barrels. They'd take the hides and put them on the south walls of sheds and dry 'em up because the Mavis Kraft had a -- like a floating store that went around the island, and the boat was named Mavis, and they'd come here and they'd have groceries and buy furs, and they'd buy all those hides that -- you know, they collected those hides so they could give them to Krafts and turn it into cash for flour, sugar and stuff on that traveling boat. Like Jeffrey said, you know, they saved the hides so they could make some money and feed their families. I don't know how far back that went. I was just a little boy when I seen that. Everybody had their bear meat salted down. We'd do that in the spring and sometimes in the fall, but mostly in the spring before they get fishy, if I remember right.

MR. CHRISTENSEN: Mr. Chairman. I'd like to mention one thing about customary and traditional use. I hate to see

it get into a -- it's just a small definition, because like Jeff was saying, too, I kind of agree him, that as far as subsistence goes, the methods of customary and traditional have been changing for thousands of years, all the way from stone to bone to when iron first came, and now I'd hate to see the methods. I see a problem there with the methods, because if you get too small of a definition pretty soon you're going to get a law that says, well, if it's customary and traditional that your ancestors did it a thousand years ago, then pretty soon you're going to have to use a harpoon to go out and get an item, and I'd hate to see that kind of definition. And since it's been changing over the years, then you need to be able to keep up with the times and the methods of harvesting. So as far as customary and traditional, I believe that there should be -- it should be defined as also changing the methods, and it should be pretty broad. And that should be tied in as subsistence with this. So I kind of -- I see what you're saying about them being different, but I kind of have to agree with Jeff about them being quite a bit the same.

Also I had a question for Rachel. I was wondering, when this actually goes to the Board, the definition of customary and traditional, is that going to be -- is that going to be one definition statewide or is it going to be divided that each eligibility, is that going to be regional or is that up in the air yet?

MS. MASON: Well, what is currently up in the air is that it's regional and that each one will come before the Board as they get developed, but if the process continues the way it's going, it will be years down the trail before some of the regions even come up before it. So it hasn't come as a formal proposal before the Board yet, but what's being discussed is to have it -- instead of going region by region, just have it come up as just proposals, such as this bear proposal might be an example of what is, in fact, already going on. Some of the councils have entertained C & T determinations for particular species, and so that could go on the way it is now. But as far as I know, there is no proposal before the Board to change the whole process.

MR. CHRISTENSEN: Well, I guess -- well, my question was, though, when it's finalized, is it going to be finalized as a solid statewide definition or is it going to be each region going to have their own definition?

MS. MASON: The way it is now, each region would have their own definition of what is customary and traditional use.

MR. CHRISTENSEN: Okay. And another thing I see, a problem with this is how far back is what both Vincent and Mark here have mentioned, too. I also see a problem with how far back, and I believe -- well, one thing about customary and traditional is if they have it only so far back, say just take an X number of years that's so far back, and then they say, well, you haven't done that in quite a while, so that means that you're not eligible to harvest this animal since you haven't done it in X number of years. But there is one problem see with that is that there's -- for many years the Native peoples were suppressed by the outsiders coming in, and they were stopped from doing a lot of traditional uses. And now our culture is becoming really strong and there's a lot of young people that are beginning to go back to the old ways, and I'd hate to see them stop just because there's -- the term is only an X number of years back. Just because they didn't do it then, they could still resume their customary and traditional usage.

MS. MASON: That's problematic. And that's one of the things that is in the eight factors of customary and traditional use is it says a long-term consistent pattern of use, but it doesn't say how long-term it has to be.

MR. CHRISTENSEN: That's what I say, the problem I see with that is many young people are beginning to get their culture back, that's getting to be a very strong issue all around the state, all around the country, for that matter, because they've been suppressed for so long if you only go back so many years. You know, many, many people haven't done it for many years -- for a few years because they've been suppressed so do it.

MR. HAAKANSON: I was really upset when I heard that that lady from Larsen Bay that made the Cabbage Patch doll out of sea otter and they took it away from her and stuff. So, when I was in Denmark I got permission to go in to the museum, although it was closed because they had TDT in there, the professor made arrangements for me to get in and look at the stuff and I could take pictures of -- a lot of the boxes they didn't bring out because they had them all in storage, the sea otter blankets and stuff like that, so we can try and show people things they can make out of sea otter. You go back traditionally to the villages, the Aleut -- according to Pete Alexander, he went before the Russians came, their grandparents told him that they kept the sea otter in check. They killed a lot of them to get clothes and blankets out of them because if they over-populate they would eat all their clams and stuff. So he kept them really out of their area.

Then when the Russians came I guess they really took care of it for him. But they used all that stuff, and now you can't -- you can't put a zipper on it. For goodness sakes, are they going to put people back in a horse and buggy? That's what they used in the early days, they used in America. Throw the cars away. I mean if they're going to stop us from putting a zipper in a jacket.

CHAIRMAN OLSEN: Certainly here -- with just the discussion here I hope that you could also see the controversy see as far as C & T as the definition for subsistence. Maybe I'll try it another way. If we were to go to Los Angeles, New York or Hawaii, and spoke of C & T it would be foreign to them. To me C & T is sense that is common to the land and the people of the land. As we go to different parts of Alaska even we have different customary and traditional uses and harvests. I agree that it's all a part of the subsistence lifestyle, but until we get over some of these hurdles as far as defining, we're going to be stonewalled. That's just a recommendation I see that C & T is not quite what subsistence is all about and only.

Yes, Sue.

MS. DETWILER: I just wanted to make a comment which kind of reiterates what Rachel was talking about, about this meeting earlier this week between the Staff Committee and the Council members, and the kinds of things that you're talking about now with regard to C & T. One of the main recommendations that came out of this meeting was that this very issue of defining what customary and traditional uses are for each region is going to go back to that region to discuss more among themselves within each region what is C & T for their region. So ,instead of having a statewide application of C & T or statewide parameters on how long a certain use had to be in effect before it becomes a customary and traditional use, it's going to be up to each region to decide those things.

Like those eight factors for defining customary and traditional use, the recommendation that came out of the meeting earlier this week was that each region would look at those eight factors itself and figure out how they apply. So, one of the other recommendations that came out of that meeting was to hold sub-regional and then regional meetings to discuss that. So it looks like you guys are well on your way.

CHAIRMAN OLSEN: Certainly, like I say, this set out a wide discussion once again. Under the C & T we talked about the boundaries by region. There was cross-overs. The early

Aleuts were known for great distances of travel. So, here again, that brings us back to how far back? Many, many things came across us, it basically could have been a week long discussion, should it have gone that far, but we tried to go back home with some homework and try to come back with things that are less broad to try to define. But I also take into consideration we have the eight factors to determine C & T, but I also am aware, and was loudly spoken, that on our proposals there's only three things that the Board can reject them on. If those three things are not a factor in our proposals, then the Board has no alternative but to pass them.

So, we've got to take and weigh what tools do we have to work with? Again, I will say because of our logistical locations and as far as the navigable water issue, certainly when I brought that up Mr. Goltz really let it be known that, yes, the Federal government can in fact take management through the process which is known as a regulation that is negative to the supreme law or to the statute -- Congressional stats that have been addressed. So, it is -- I don't know, it seems like Pandora's box, it keeps opening and opening and opening, but at least we're starting to get a list of tools that we have to work with, which was not available to us at the genesis.

MR. PETERSON: Mr. Chair.

CHAIRMAN OLSEN: Yes, Jeff.

MR. PETERSON: Can I -- before we change to something else, can I -- when you said you've got to go by region and how far back and who. I was in Japan and they were digging clams and sharing them. We were out digging for flounders and they were sharing them. And then you go over here through Bristol Bay, I met some Yupiks from Bristol Bay that their language -- their words are the same as ours. They were catching seals and fish and halibut and sharing 'em. And then went down to a potlatch down in Southeast, they were catching crab and seals and halibut and cod and sharing 'em. And the people up north, they were catching different things, up in the interior. But they were catching 'em and sharing 'em, and what is and then adding all that together and thinking about how far back .....

The people up north were less influenced by the Europeans. I don't want to downplay it, they were influenced but they weren't as influenced as people in Kodiak were to change. But their customary and traditional use goes as far back as was passed on from generation to generation. On here there was a big gap when the Americans said you can't do what

you and the Russians have been doing for as long as you've been doing 'em; you're going to do it this way. That broke the traditional things that we used to pass on. That's where the break came on here.

Some people are doing their traditional things from way back up north because there was no -- they were strong enough and there wasn't as many White people that could make it up that far and survive. But here, it's so open to the ocean and the constant flow of Europeans -- I mean that break, it came in there to pass on the traditional. I'm sure glad Craig mentioned the bears because that's still remembered. We can remember subsistence and traditional on that, but the whaling part, that's going to be hard. We're going to have to get some people from up north to come down here and have them whale down here for a while and maybe it will catch on. But I don't know if that makes any sense, what I'm trying to say, on when and where and how.

CHAIRMAN OLSEN: Certainly, that still today plays a great impact on it, and I am myself starting to recognize these things. I'll take, for instance our tribal dancers in Kodiak, we all kind of chuckled, what do you mean that's a traditional dance? I never saw it. But we must remember, during the Russian domination they came over here with their own C & T, with their own religions to change our ways. I remember as young as I was in school, we were reprimanded for speaking our own language. These things were not allowed, as well as the American government then once again continued to change our ways. So, we do have lots of homework. We must keep the battle alive.

MR. CHRISTENSEN: Mr. Chair.

CHAIRMAN OLSEN: Yes.

MR. CHRISTENSEN: Well, first of all, I've -- just on this particular -- on this issue, I'm wondering exactly what are we going -- what is our goal at this meeting? Are we just having a discussion, are we trying to formulate a proposal, are trying to support a proposal? I'm having -- and I don't have like -- like Rachel is talking about the eight criteria, and I've been trying to find something on this. I've been trying to find it and I'm having a hard time. You know, it's hard to make some comments when -- so is this just kind of an informational discussion?

CHAIRMAN OLSEN: Well, as I see it .....

MS. MASON: Here's the .....

MR. CHRISTENSEN: Pardon?

MS. MASON: Here's the eight criteria.

CHAIRMAN OLSEN: As I see it, we have to have information to make .....

MR. CHRISTENSEN: Yeah, well, that's what I was wondering. I've been trying to find something here to .....

CHAIRMAN OLSEN: And we have it here. Can we take a break real quick, please.

COURT REPORTER: Off record.

(Off record)
(On record)

CHAIRMAN OLSEN: I recognize that we've got a lot to do here yet. We'd like to get back, and I'll call the meeting to order, please. C & T has a very much broader spectrum than each of us see. At this time, not closing doors on C & T, but is there any other comments that would like to be addressed before we move on? Hearing none, I guess we shall turn towards Mr. Dirks to give us a review of the Annual Report.

MR. DIRKS: Thank you, Mr. Chairman. In reference to the annual reports, we have to put out an annual report every year, and the Board and the chairman of the Board made a commitment to respond -- from now on respond to all of the annual reports because there was some concerns from the other councils that the Board was not responsive to the annual reports. So what they have decided to do was to respond to the annual report from 19- -- the first one that was written. So, what the acting chair of the Federal Subsistence Board did was he responded to the annual report addressed to Chairman Olsen, the report that was submitted in 1993. And then this year they decided to do that, so that was from -- the annual report that is not here right now, I didn't include it in the packet. So, this is what this letter is in reference to is the written response to the annual report of 1993.

CHAIRMAN OLSEN: I'm still trying to find a copy of that letter in our packet here. Was it .....

MR. DIRKS: It's probably in there.

MR. TUTIAKOFF: It's right there -- this one?

MR. DIRKS: Yeah.

MR. TUTIAKOFF: I've got it in mine.

MR. DIRKS: Well, this is .....

CHAIRMAN OLSEN: No, this is it.

MR. DIRKS: Yeah, this is it.

MR. TUTIAKOFF: It's from Dave Allen.

MR. DIRKS: Dave Allen, yeah.

CHAIRMAN OLSEN: Yeah, but I'm just trying to .....

MR. TUTIAKOFF: It's under section 9, towards the end.

CHAIRMAN OLSEN: I was looking at Moses'.

MR. TUTIAKOFF: Oh, it's different than ours.

MR. DIRKS: I probably had it handed out. It's going to be this one. This is the 1993 response to the annual report.

CHAIRMAN OLSEN: Does everybody find that?

MR. DIRKS: Do you know what I'm talking about, the response for the next one?

CHAIRMAN OLSEN: Is it addressed to me?

MR. DIRKS: Yeah.

CHAIRMAN OLSEN: I thought it was in the rest of the packet.

MR. DIRKS: If you can't find it there, it's probably in your handouts.

CHAIRMAN OLSEN: Everybody needs to have a copy of it, it's in the handout here.

(Pause)

MR. TUTIAKOFF: I've got it in my book.

MR. DIRKS: So, keep in mind that this is from 1993. This does not address the ones we had a draft of or commented on at the last meeting.

CHAIRMAN OLSEN: Does everybody have a copy of this report, are there any questions, or how we should address the annual report? I'll give you a few more moments for those still reviewing.

MR. TUTIAKOFF: Mr. Chairman, I don't know if we have to respond to this or not, it's just a letter from David Allen, Acting Chairman of the Board in response to our '93 annual report. And he did make a couple of comments and concerns on customary and traditional determinations and also to the alternative harvesting permit procedures. I think we took care of the harvesting permit procedures in '94 by proposal. Is that right? We did that one, but we didn't address the customary and traditional determinations because that process, we're not in line for any kind of draft to be done until later, like two or three years from now. But the process is starting within the communities, and that's where it's got to start from.

CHAIRMAN OLSEN: Right. I guess my question was the content of the annual report, is there any recommendations or anything in the context that needs to be addressed? I'm just looking for council's recommendations as to what you would like to see the annual report consist of if it is not covering your concerns.

MR. DIRKS: If there isn't any comments on the response to the annual report of 1993, I'd like to go on to the draft annual report of 1994. When we met last time at the council meeting we decided that I was going to try to compile everything, the council concerns in the annual report. So, I put together a draft of the annual report of 1994, and it's right here, and I put in basically the same information that was introductory information that was from the previous annual report, plus I was fortunate to have Rachel Mason involved with drafting out the resource tables of each of the communities that we had surveys from, so we included that in the annual report. And also at the end I also included the regional issues and concerns that the regional council had expressed. So those are at the end there, too. So I just wanted you to look at it and see if you have any comments to make or if it's good enough, then it needs to be approved and signed so I can put it in the -- of course this is awfully long, but I wanted to include everything.

And from there usually what the regional councils of the 10 regions in the state does is that they try to draft their own annual report as a council. And Sue Detwiler drafted a letter to one of the chairmen of the Yukon Kuskokwim Regional Council, some guidelines as to how you should try to draft the annual report, and it's at the end.

And if you would, Sue, if you want to comment on those guidelines as to how -- what -- how to do it, as far as, you know, the types of information that they wanted included in the report, it sounded sort of bureaucratic and kind of vague, so she tried to put it down so that it is easier to understand as to what to include in the annual report.

MS. DETWILER: Okay, this letter to Harry Wilde as the Chair of the Yukon Kuskokwim Council was written because he, like some of the other councils had asked for more specific guidance on how to write annual reports. The way that Section 805 is written in Title VIII, which deals with how to write the annual report, it's pretty vague, it's kind of bureaucratic, and so what I tried to do is to write some guidelines that might help them write their own reports. And I guess my comment to you is that there are -- you don't have to write it any certain way. You don't have to write your annual report any certain way, you don't have to follow the format that's listed in Title -- in Section 805. What I've suggested to the Yukon Kuskokwim Regional Council is that the main purpose of the annual report is just to convey whatever it is you need to convey to the Secretary of the Interior, and I suggested to them that they might want to organize it by issues instead of lay it out in the way that it -- lay it out with the guidelines the way that they are in the -- in Section 805. So, I'm not quite sure what all your issues are here, but what you might want to do is in your annual report organize it by issue.

I see one of your issues in your annual report is Adak Caribou. You might want to use -- first of all identify that as the issue, and then underneath that issue just go through the four guidelines that are listed in Section 805 and address each one of those guidelines. In other words, one of the guidelines in 805 said: What are the subsistence uses? So, under the issue: "Adak Caribou," you might say in accordance with 805 we see one -- these are the subsistence uses of Adak Caribou, and you can go to the next one, the next guideline that's listed in 805 is to identify the current anticipated subsistence needs. So under your issue "Adak Caribou" you could identify what the current anticipated subsistence needs are. Then the next one would be recommending a strategy for

the management of Adak caribou. Then the final of the four guidelines is recommendations concerning policies, standards, guidelines, regulations. So under "Adak Caribou" you could include whatever your recommendations are for that.

But I guess the bottom line is that it's up to you, you know, however you think the most effective way to relay your concerns in an annual report is. You know, it's up to you how you want to lay it out.

CHAIRMAN OLSEN: Thank you. One of the recommendations that I have to the annual report to bring before the Secretary of Interior is identifying that one of our largest resources of subsistence is fish, which, for the majority, is out of our jurisdiction, meaning that we need an avenue to be able to utilize the customary and traditional fish as subsistence pertains to fish and game. We have mainly been addressing game for the simple fact it's the only thing available in our -- made available to us in the regulatory process by simple determination of Federal public lands.

I feel that at this time the only avenue we have is to look at the navigable water issue, which is a giant within itself. Certainly I am open for any other avenues that we might target this issue on, but I see it as a regional wide concern; how do we get any regulation to our resource if we do not have the authority to do so? And I am specifically targeting fish of navigable waters.

MR. DIRKS: I know it's an issue, and it's going to be a big issue, but the Federal government, as you know, doesn't like to start dealing with, you know issues that are in litigation, as far as the Katie John litigation.

Robert, do you want to say something?

MR. WILLIS: A little bit of information to add to that, Mark, in case you're not aware of that last week the Appeals Court down in California heard the oral arguments on the Katie John decision involving navigable waters, and the decision is supposed to be forthcoming within the next few months, June or July, I think. So, at that time there may be an avenue to address subsistence use of fisheries.

CHAIRMAN OLSEN: Thank you. But on the same respect, I feel that it is too much of an important issue just to sit and wait and do nothing until we do. I think the pressure should be kept there. As a businessman I know my accounts receivable, that there is always an accounts receivable until I get on them

and the money is in the bank, so to speak. That's the only thing I am advocating is do not let this issue die.

MR. TUTIAKOFF: Are you recommending that we put in a subpart under this subsistence use of fish under Part II, that we put in a sentence or paragraph stating our use of fish and marine life as part of our traditional subsistence use?

CHAIRMAN OLSEN: Yes. That's basically my recommendation is to let them know that .....

MR. CHRISTENSEN: Which part is that?

MR. TUTIAKOFF: Under Part II, Subsistence Use of Fish and Wildlife there should be another -- maybe that's appropriate to add it in there, I don't know.

MS. MASON: Mr. Chairman.

CHAIRMAN OLSEN: Certainly this is just a recommended format, and it -- I appreciate what you're saying. I'm just only saying at this time I'm not looking for any certain format but just making sure that it is addressed, that all of the council members representing their respective communities all basically utilize fish resources as a big part of their diet subsistence. I want the secretary to be able to hear that loud and clear.

MR. CHRISTENSEN: The navigable waters, that's under the jurisdiction of the State.

CHAIRMAN OLSEN: Correct.

MR. CHRISTENSEN: Well, Mr. Chair, I'd like to say one thing about the navigable waters and the fish that are in them. That's under the jurisdiction of the State, and I know I enjoy being on this board, but as we all know, local government is usually always the best because the local people are the ones that know best. That goes all the way down the line. And although I enjoy being on this board and since we have to make decisions on the Federal level, I also would like to make -- I'd also like to make sure that decisions are kept on a local level as much as possible, and that can be -- and I believe that might be best done through the State. I wouldn't want to see commercial fishing -- I wouldn't want anything done, you know, on the Federal level on our commercial and sport fishing. I believe that should be done by the State. And also we do have a subsistence member on the KAC Board in Kodiak, so probably we should have more subsistence members, but I know I

also believe that we should be local as possible for management is also good. The more control you have from further away is actually not as good.

I can see both points here, but I'd also just like to -- I'd like to mention that, you know, we like village government for the village and we like regional government for our region, and we also like State government for our state. I can also see the problems with having the Federal government controlling the navigable waters in our state. I'd just like to make that comment.

CHAIRMAN OLSEN: I certainly appreciate that comment myself. As I look at it, it's very hard to support an issue such as this. Myself, I'm a sport fisherman, I get a sports license, I'm a commercial fisherman, I have a limited entry permit, and I am a subsistence user. I would love nothing more than the State to manage the fish and game, but in my short lifetime when I have seen so many big, commercial harvests go to the point where there is no more commercial harvests, that is affecting our table food, that is a very giant concern of mine, and I hate to say it, but it points to mismanagement. That is the point I want to get across. We need to have a sound under management to protect all users.

MR. CHRISTENSEN: Well, I can see good points on each side of the argument, you know, but I can also see bad points on each side of the argument. I just wanted to make that comment is all.

CHAIRMAN OLSEN: Certainly. I agree with you, and I'm just looking for an intermediate -- or some kind of resolution that's going to meet our needs, whether it's halfway or all the way, it's -- it has to be seen, but it makes it a good argument.

MS. SHELLIKOFF: Mr. Chairman.

CHAIRMAN OLSEN: Yes, Gilda.

MS. SHELLIKOFF: I agree with Randy. I feel that the waters should be State managed. I admit there's problems that need to be worked out, but one of the fears I have with the Federal taking over is with the conservationists having been so powerful in Washington, DC, and I think they're going to have a lot of political power once, you know, -- and they'll have a lot of say-so over what happens up here from down there, not knowing the individual areas and the different situations.

CHAIRMAN OLSEN: Certainly, once again I guess the only way I can say it is if we are once again to go from a subsistence people to the Western way of profitmaking for self-sustaining, if that resource has been abused where we can no longer depend on it as an income, how are we going to depend on it as a subsistence? It certainly is a big concern.

I agree also on that point of view with you, Gilda. I see a big problem with the Federal government taking it over. Hopefully it won't come to that.

MR. CHRISTENSEN: Well, Mr. Chair, I'm speaking on a personal basis here on my feelings because I know at home I've been told by the Fish & Game that I get a subsistence permit, and they told me they have no problem with me taking fish, and if I fill that permit out, all I've got to do is just apply for another one, and I can take almost as much subsistence fish as I want. They've specifically told me that. And I have absolutely not problem with that at all, and I'd really like not to have that changed.

CHAIRMAN OLSEN: Currently that is under finfish you are speaking of.

MR. CHRISTENSEN: That's correct.

CHAIRMAN OLSEN: We just -- as you remind yourself, we just went through an issue of subsistence on the crab.

MR. CHRISTENSEN: Yeah, well, ...

CHAIRMAN OLSEN: These are one thing -- one at a time that we don't want to set a precedence for having to argue these issues.

MR. CHRISTENSEN: But I also believe that if the -- when the crab were strong we never had a problem with taking subsistence crab either. The only problem with taking subsistence crab as being limited is because there's no commercial harvest, and the stocks are very low.

CHAIRMAN OLSEN: Why?

MR. CHRISTENSEN: Well, that's because of probably over-fishing.

CHAIRMAN OLSEN: Whose responsibility .....

MR. HAAKANSON: I remember .....

CHAIRMAN OLSEN: ..... was it to manage that?

MR. HAAKANSON: ..... the days before statehood when they fished it was from Monday morning, 6:00 o'clock till Friday evening 6:00 o'clock. There was no management. Some days we know when they started depleting the spots they fished there and stopped every fish from going up certain streams and was glad when State got management, and when they seen that they weren't getting up the creek, they'd close those areas, which really helped build this island back. But if we stayed the old Federal way before statehood, they were practically killing the island off, if some of you guys will remember. Because it was wide open.

CHAIRMAN OLSEN: On the flip side of that, I agree with you Sven. Here again I must look at the present today here, too. Our herring fisheries, man, some of the bays have just been massacred, but there has been no management out there, and from the State Department I ask why they do not fly, they do not look, they do nothing previous to the season opening. These over-harvests are going to be continued, and I'm going to be forced to be part of it as long as the management is regulated that way.

MR. HAAKANSON: Well, I don't know. I looked at their chart and I thought they were -- had a pretty good handle on it because they know how many herring are coming in certain years and how much is to be harvested. Like here, they set quotas on certain bays and set them down and it hasn't depleted them, they keep coming back. I thought they were doing a good job. I don't know about northern.

CHAIRMAN OLSEN: Right. We are just getting back into it again. If you look at their records, the harvests of the late '40s and '50s were 50 and 60,000 tons. Today I feel they're just coming back.

MR. HAAKANSON: Well, them times would be like I mentioned yesterday, the straits over here was one of the biggest herring straits on the island, but they fished it practically year-round till they killed it off.

CHAIRMAN OLSEN: You got that; they killed it off. I don't want to see it happen again. I think management should be out there assessing, making sure it is not raped and over-harvested.

MR. HAAKANSON: Well, I was glad they had their quota

system, so much tons are taken, then it's shut down.

CHAIRMAN OLSEN: Right. Like Uganik Bay, what has different quotas, maybe 50 tons, 60 tons, depending on what farm. I know last year there there was in excess of 1,000 tons taken out. There was nobody there to close it.

MR. HAAKANSON: Oh, I'm sorry. I see what you mean.

CHAIRMAN OLSEN: These are the kind of issues I am looking at.

MR. HAAKANSON: Well, the fishermen will have to because .....

CHAIRMAN OLSEN: Certainly, but are they going to be happy 10 years from now? We went through that cycle. Yes, Jeff.

MR. PETERSON: Mr. Chairman, I wasn't -- I don't under- -- I wasn't paying attention when you mentioned that got in the State and Federal part. I'm getting confused. I like the Federal government for tribal recognition and I don't like the State because there's no tribal recognition, but I understand that's changing now with the new administration, and then now add the conflict of -- I like the State because when we had a low silver salmon -- there's not many silver salmon jumping in the area here so we closed off the -- there was an opening coming up so we called up the State in Kodiak and said, hey, can you close this place because we haven't seen too many jumpers coming around, and they closed it. But if we had the Federal management of this area we'd -- you know, who are we going to call. I don't know how that's going to work.

CHAIRMAN OLSEN: I don't have the answer. I'm just saying I know -- I'm unhappy with the present game management.

MR. PETERSON: So what are you asking, are you -- you're happy with the present .....

CHAIRMAN OLSEN: I'm unhappy.

MR. PETERSON: Okay. I don't know what's the difference between the -- what's the State going to do better and what's the Federal going to do better? I don't understand, what do you need, are we going to go State, are we going to go Federal or what -- I don't understand what we're talking about.

MR. TUTIAKOFF: I think this all got started when we

wanted the Federal government to recognize the fishing as an integral part of subsistence. In other words, right now it's not. As far as going out into navigable waters it's not recognized by the Federal government as subsistence, it's recognized by the State. And what we're requesting, and maybe this has to come from a State and Federal mediator somewhere down the line, somebody has to make a decision and say, okay, a quarter mile off every beach, which is all you probably need for subsistence use, maybe not even that much, an eighth of a mile, put out your gillnet, do your beach seining or whatever, do your gathering of sea life, you know, sea urchins, sea eggs, bidarkas, whatever, kelp, that you need for subsistence use, which is not regulated right now under Federal guidelines, that are regulated under State guidelines, I understand. That's the problem we're having.

Maybe that's what has to happen is that between the State and Federal they do agree that maybe an eighth of a mile off each shore in the boundaries of the communities or wherever the community does their traditional use of subsistence lifestyle, and be recognized and be governed equally. Maybe the Federal government has to adopt the state's guidelines under clam digging, kelp gathering, whatever, you know. That's the process that we're -- I think that's where this argument is starting from. It's not going out there and having the federal government take over fishing industry. I don't agree with that either, but I do agree that this is going to work. Under subsistence we've got to have some recognition by the Federal government that certain areas around communities in the bays and creeks and streams that are navigable and termed navigable can be regulated by the Federal government also. I think that's all I'm saying.

MR. CHRISTENSEN: I disagree.

MS. SHELLIKOFF: Mr. .....

CHAIRMAN OLSEN: I guess what I am saying here, I am not in support of the Federal government taking over, but I am in support of the Federal government helping us find a resolution .....

MR. TUTIAKOFF: Well, I'm not .....

CHAIRMAN OLSEN: ..... to the issue.

MR. TUTIAKOFF: ..... saying they take over fisheries, no way. I don't think .....

CHAIRMAN OLSEN: I look at what happened .....

MR. TUTIAKOFF: ..... that's where they want to be anyways.

CHAIRMAN OLSEN: ..... in the Yukon here, just in the short couple of years, ...

MR. TUTIAKOFF: That should be stated.

CHAIRMAN OLSEN: ..... it could be in our home steps next.

MR. TUTIAKOFF: Regulated locally and with the State's guidelines, 'cause each area is individually different.

MR. PETERSON: Mr. Chair, I think we should blanket -- when we were looking for -- we're talking about management of our subsistence resource, we've got to blanket as much of the Gulf as we can because if we just limit ourselves to a quarter-mile offshore or just whatever, three miles offshore, what about the draggers who are out there wiping out the stock of pollack and grey cod, and that depletes the seal and seal lion. We've got to push as far out as we can and say we're managing our subsistence resource because this big area, because if we don't do it, NMFs down there is allowing them to drag so many tons of cod and pollack, and what about the sea lions that have got to eat that, and what about us that have been harvesting that for years? It's not a -- you've got to blanket the whole thing.

I don't know how you can do it, but National Marine Fisheries is under the Department of Commerce, the Department of Commerce is a money -- a body of commerce, money, and I don't think the National Marine Fisheries should be managing the resource management because they're not worried about resource management, they're worried about the money.

I don't know if we're getting off the subject here, but we've got to blanket everything. If we could move the National Marine Fisheries out of the Department of Commerce and form a management thing to manage the resource other than being in the Department of Commerce where we've got to make money but yet we've got to manage the resource. They're not managing the resource; they're depleting it. So, for subsistence management we've got to blanket everything in sight if we're going to have everything for years and years and years instead of having it depleted.

MR. HAAKANSON: One little comment I'd like to make.

CHAIRMAN OLSEN: Certainly, Sven.

MR. HAAKANSON: What upsets me so much is if I went and shot a deer over there, just took a hindquarter and came back, they'd arrest me for wanton waste. One skipper off a factory trawler came in and said, "It's so terrible, we pulled up a drag," he said, "if I could have kept it on deck I would have filled every freezer in Old Harbor with fish." But he said, "Please don't mention my name," he said, "you people have got to do something to stop that."

CHAIRMAN OLSEN: I certainly understand .....

MR. HAAKANSON: That's quite a waste.

CHAIRMAN OLSEN: ..... that that is a method that I feel has just been neglected so long. In short, I guess the consensus that it brings me to is that we all need to work together; the communities, the regions, the State, the Federal government. We need to take these walls down as authoritarians and work together. Anymore comments on this? I guess we were looking at .....

MR. TUTIAKOFF: Well, I'd like .....

CHAIRMAN OLSEN: ..... looking at the annual report which brought us out here.

MR. TUTIAKOFF: ..... to make a comment.

CHAIRMAN OLSEN: Certainly, Vince.

MR. TUTIAKOFF: In regards to Federal control, if it did happen and this Katie John case did go through and the State didn't accept the position or whatever that Ninth Circuit Court of Appeal came up with, the one positive thing for subsistence users would be that the primary use of that industry or fishery, whatever, will be superseded by subsistence users. In other words, the fishing industry will have to sit back and wait until the subsistence user has their fair take before it will open up to commercial fisheries. In other words, ...

MR. PETERSON: It's not happening now.

MR. TUTIAKOFF: And that's not happening now because of the State's guidelines and their politicians and those people that are controlling that industry have a bigger say. They

have more money. And that's where the problem lies is that we, as subsistence users, don't have that kind of money. But this is through the process.

MR. CHRISTENSEN: Are we sure that that's going to happen?

MR. TUTIAKOFF: What's that?

MR. CHRISTENSEN: Are we sure that that's going to happen, that it will be subsistence users first?

MR. TUTIAKOFF: It's mandated, under Federal law, that subsistence users will be the first users of any industry.

MR. CHRISTENSEN: I'm just -- I just don't really care for the idea of after fighting for statehood and fighting to get the lands from the Federal government and then to turn around and start giving this power back to them. You see where my line of thinking is going?

CHAIRMAN OLSEN: I don't recall having a vote on statehood, number one. It was just in our lap, all of a sudden, January of 1959 .....

MR. CHRISTENSEN: It was not just in our lap. There was a big fight in the state for statehood.

CHAIRMAN OLSEN: From where, from the rural people?

MR. CHRISTENSEN: From the people of Alaska. They fought for years. There was many different -- there were many different proposals gone to the Federal government asking for statehood. The State didn't feel that the -- that we had enough money and resources to govern ourselves.

CHAIRMAN OLSEN: I guess I'd like to really .....

MR. CHRISTENSEN: Well, we're starting to get off the subject here.

MR. EVERITT: A long ways.

CHAIRMAN OLSEN: Yes. And I feel that the only we have here, it's already mandated that the only thing we are looking at is to make sure that subsistence is available. We are not looking for control of the commercial fisheries. We just -- and it's mandated that it will be in line; commercial, sports, subsistence. I guess we're getting .....

MR. TUTIAKOFF: I just wanted to comment on my feelings.

CHAIRMAN OLSEN: Okay. Moving on rapidly here.

MR. CHRISTENSEN: On this annual report now, do we just accept it or just what?

CHAIRMAN OLSEN: Oh, excuse me. Yes, ...

MR. DIRKS: Do you want -- if you want me to put in the additions, the paragraph on fisheries, we could do that and then you sign it and we could submit it to the Chair.

MR. TUTIAKOFF: In April.

MR. CHRISTENSEN: Are you just asking that the Federal government recognize that we are heavy users of fish .....

MR. TUTIAKOFF: Yeah, that's all.

MR. CHRISTENSEN: ..... and that's all?

MR. TUTIAKOFF: I'm not saying that they take over that, but recognize it, ...

MR. CHRISTENSEN: Okay, I'm .....

MR. TUTIAKOFF: ..... and that would be a process for them to start.

MR. CHRISTENSEN: I agree that they -- I agree with that, that they just recognize that we are heavy subsistence users of fish.

MR. TUTIAKOFF: Because right now it's not even a subject. I mean it's not even being considered because it's not part of their .....

CHAIRMAN OLSEN: Right now it's not .....

MR. CHRISTENSEN: I can go with that.

CHAIRMAN OLSEN: We want to be able to have some kind of say over our primary -- that's all I'm -- I'm not looking for a takeover, I'm only addressing our concerns and our needs. Any objection? I will so recommend that Moses incorporate this with our annual report for 1994. Any objection? Thank

you.

I would like to then move this on. Certainly we did kind of cover it a little bit, regional council matters. Of course we did -- I guess we didn't talk too much about our request as far as additional members to our region or splitting of the boundary lines. Moses, do you want to -- oh, excuse me, I did skip the charter.

MR. CHRISTENSEN: I was wondering about that.

CHAIRMAN OLSEN: I'm sorry. I'm sorry.

MR. DIRKS: Okay. On item D. of the Council Charter Renewal, this is sort of the official signature of our charter that we're finally signed, and as you will notice that the changes have been made from -- we were concerned about the member absences -- it's on there now, and this is just for your information, that this is a new updated charter at this time by the Secretary. That's what it is.

MR. TUTIAKOFF: Do we have to move to accept this or anything?

MS. SHELLIKOFF: No, it's .....

MR. DIRKS: No.

MR. TUTIAKOFF: Okay.

CHAIRMAN OLSEN: It's been signed. It's just for information, I guess. And if there is anything you feel should be added deleted or challenged in this renewal, I believe that it should be given thought to the concurring year.

MR. DIRKS: Yes, that will be in the fall when you do that. Sue.

MS. DETWILER: I was just going to mention that the next time the charters will be sent back for renewal will be in 1996, so that's when the next change will be made.

MR. TUTIAKOFF: Can we ask for changes in our next meeting then to start that process?

CHAIRMAN OLSEN: Yes, it has to go through a process of review, I'm sure, comment and the like. Any more comment on the charter?

MR. CHRISTENSEN: Not too much we can say right now. I g

CHAIRMAN OLSEN: Right. But it should be noted for its contents and are we happy with it as it stands today.

MR. CHRISTENSEN: We better be, we just got done changing it.

CHAIRMAN OLSEN: Priorities do change from day to day. Okay, then we'll go on to the regional council matters, as to our requests of additional -- splitting of boundaries, things of this nature. Can you update us on that matter, please, Moses?

MR. DIRKS: Okay. This is just mostly informational. On our last regional council meeting we had concerns over these, and then I was trying to get as much answers as possible and we may be lacking in some respect to probably answering the concerns that the council members had, but I'll try my best. I met with some of our division chiefs and discussed this matter over additional membership, and they told me it is possible that they may be able to add two additional members from the representatives coming from the Pribilofs and probably the Aleutians, those concerns that we had because of council members, the majority of them coming from Kodiak and then they felt that there was not much representation from the Aleutians. So that may happen, but what they did was they wanted comments and other regional councils statewide to make sure that they wanted them to look at the .....

CHAIRMAN OLSEN: Weak rubber band.

COURT REPORTER: There's a short in one of your mikes, Mr. Chairman or Moses.

MR. DIRKS: Do you want me to start all over again?

COURT REPORTER: No, you're fine.

MR. DIRKS: Well, anyway, they went on and checked with the other regional councils to find out whether or not they had a similar situation where there was representation that was insufficient and that's happening right now, and once that is done then they will seriously consider, you know, adding members to -- additional members to the other councils when necessary. So when that happens, then I'll let you guys know about that. But it looks pretty good right now.

As far as the split of the regional -- Region 3 that we

were talking about, separating Kodiak from the Aleutians, that most likely won't happen because of funding, and as far as land resources, Federal public lands, there's very little public lands that exist in the Aleutians and also here, too, so as far as splitting the region, it's very unlikely it will happen because of funding sources.

CHAIRMAN OLSEN: Moses, maybe I'd like to ask you personally, as your home of Atka, I didn't necessarily care for the response from -- I guess it was Bill Knauer, saying that there was no justification really for a split because there was no Federal public lands out there anyway, it didn't matter. To me that's saying the people out there have no voice about what their future subsistence is. It's hard for me to swallow.

MR. DIRKS: Yeah, I think the implications .....

MR. CHRISTENSEN: Well, that's the reason why we are asking for two additional members for out there.

MR. DIRKS: I think the problems or the things that they considered also was the species management. For most of the activities that are going on in the Aleutians are jurisdictional, so a lot of stuff that is happening out there is fisheries and sea mammal oriented. So -- and then what the Federal Subsistence Program deals with is those other species that we are responsible for. Sue.

MS. DETWILER: I was just going to add also that part of the reasoning is that there is a limited pot of money that all the councils have to share, and one council takes, you know, between 50 and $100,000, and so with the creation of a new council that takes away money from the other councils as well, and given that there aren't that many public lands and not that many communities and that much of the subsistence use of those communities is outside of the purview of the Federal Board, it's pretty unlikely that they would want to create a new region that would be using up that amount of money from the other regions.

CHAIRMAN OLSEN: In all due respect, Sue, I don't buy that part of funding. When this was all brought together we did address how much money is going to be made available to us, and they just simply stated it was seeded with approximately $100,000 per region, which at any time can be flexible. We swallowed that at that point believing since it was just a start we are not going to be tied and held into that. Right now it's not so much the money focus to me, I realize, but it is in fact taking away some human rights, I feel, just because

of jurisdictional matters. And this is why I proposed and want the Secretary of Interior to know that, yes, the majority of subsistence out there is from the sea. They are islands, purely jurisdictional.

MR. DIRKS: Boundary change. It was my fault as far as a misunderstanding what they meant by the boundary change. Vincent, when we met last time, wanted a boundary change to include 9-D -- it is in your chart.

MR. TUTIAKOFF: Right here.

MR. DIRKS: I didn't really understand what he meant, to include 9-D, which was already included in the Region 3 area. So as far as boundary change with Region 3, that is already done and it includes 9-D also, so as far as that goes, that's already done.

CHAIRMAN OLSEN: I am trying to refresh my memory on your point there, Vincent. That last time was it .....

MR. TUTIAKOFF: Well, it was in regards to .....

CHAIRMAN OLSEN: ..... something to include -- I thought it was going down the center of the .....

MR. TUTIAKOFF: Right. To try and determine why the decision was made to include Port Moller, and going through -- then going through False Pass with 9-D. And I understand, you know, this is because of the State's definition of boundaries that the Federal government went ahead and adopted this boundary. Port Moller and Herendeen Bay area there is part of what I call the Aleutians and Aleuts and their traditional hunting and customary use. Those people up there, you know, are more in line with what's happening with Sand Point and King Cove and what's -- the fisheries and that whole area all part of the same part of area. And if you look at the boundary line, it goes right down the middle of Port Moller Bay and crosses over into Stepovak Bay there. What I was requesting is they go back into and readjust that boundary and bring Port Moller back in line with the rest of us here. Right now they're in Bristol Bay, and this boundary that goes all the way up into Togiak and back all the way up into Illiamna Lake, passed that area. I don't see where they -- they're probably in the same kind of boat that we are in as being part of the Kodiak Aleutians. They don't have any reference to that area that they're being represented by, and I've talked to those people up in Port Moller last summer and they were asking me why they were put in this boundary and why they were put in

this area because they felt they were more in line with what was happening in the Aleutian and Kodiak fishery. So, I recommended that they make that change. It wasn't this boundary line to make 9-D part of 10, but the main boundary itself.

I don't know, maybe you can go back and ask them about that, the main boundary line, not the .....

CHAIRMAN OLSEN: I certainly .....

MR. TUTIAKOFF: ..... Fish & Game -- Alaska Fish & Game boundary.

CHAIRMAN OLSEN: It would be in line to ask the people of Port Moller how they feel on the issue, ...

MR. TUTIAKOFF: Yeah.

CHAIRMAN OLSEN: ..... by all means, in written form so that we have the justification.

MR. TUTIAKOFF: If they do get -- if we do get a positive response and they want to become or would like to be part of the Aleutian/Kodiak area then we ought to make moves to have that happen. I mean I've heard rumblings that they didn't feel they were being fairly represented, you know, in that area that they're in now, Bristol Bay.

CHAIRMAN OLSEN: Okay.

MR. TUTIAKOFF: Sue had a question.

CHAIRMAN OLSEN: Excuse me. Sue.

MS. DETWILER: Since Port Moller is in the other region, I don't know if Helga Eakon, who coordinates that, even knows about this issue, but it might be worth coordinating with her to get it on the agenda in that council's meeting and see what they have to say about it.

MR. TUTIAKOFF: They just finished their meeting yesterday. Well, that's all there was.

CHAIRMAN OLSEN: As I recall, that was .....

MR. CHRISTENSEN: How far up the coastline were you -- were the Port Moller people talking about, were they talking about .....

MR. TUTIAKOFF: Within their .....

MR. CHRISTENSEN: ..... going into some of those Federal lands up there

MR. TUTIAKOFF: No, no.

MR. CHRISTENSEN: ..... or just the city or the villages?

MR. TUTIAKOFF: Going to the boundaries of Port Moller and the -- what I call the boundaries, the village areas where they use -- customarily use, ...

MR. CHRISTENSEN: Because there's .....

MR. TUTIAKOFF: ..... which isn't that far away.

MS. SHELLIKOFF: What are you .....

MR. CHRISTENSEN: Because there's quite a bit .....

MS. SHELLIKOFF: ..... talking about, Nelson Lagoon?

MR. CHRISTENSEN: ..... of private -- State, private and other lands there. 'Cause, you know, you'd have to bring the boundary quite a ways up before you hit Federal lands. .....

MR. TUTIAKOFF: I know, there .....

MR. CHRISTENSEN: ..... was wondering if you're .....

MR. TUTIAKOFF: ..... is people that go over in this area. There's a community .....

MR. CHRISTENSEN: ..... talking about moving the boundary .....

MR. TUTIAKOFF: ..... there but they want to go back and forth to Nelson Lagoon.

MR. CHRISTENSEN: ..... to include Federal lands or just Port Moller itself?

MR. DIRKS: I think what he meant was to include Port Moller itself .....

MR. CHRISTENSEN: And that's it?

MR. DIRKS: ..... and then part of the peninsula on the south, just move it up about a half-inch.

MR. CHRISTENSEN: But not into the Federal land part?

MR. DIRKS: No.

MR. CHRISTENSEN: Okay. So we wouldn't -- we wouldn't be gaining any more Federal lands, we'd just be basically getting Port Moller into our region.

MR. DIRKS: Readjusting the boundaries.

MR. CHRISTENSEN: Yeah.

MR. DIRKS: But we would have to -- like Sue was saying, that we would notify Helga Eakon, she is the coordinator for the Region 4, which is Bristol Bay, and then work with her on that particular issue.

CHAIRMAN OLSEN: It does seem kind of odd to though for this jurisdictional matter of boundaries .....

MR. TUTIAKOFF: We didn't have any say on it.

CHAIRMAN OLSEN: On the commercial side it goes right on down to Cape Igvak part of the coastline on the commercial entity side, but the subsistence it's in a different area. We're looking at the same species. Why they segregate into different areas, that's my question. Whether it matters not, I would think so.

MR. PETERSON: Mr. Chairman, if it's like that also for the culture and language, we're connected with the Aleutians in actual facts from archaeological sites, and historians, we speak more Yupik than Aleut, so our trading routes also went up north and we'd go up to Bristol Bay and that area. You can speak with the Eskimos up there more than you can speak the native language down the chain. The boundaries -- I don't understand the boundaries either. So .....

MR. TUTIAKOFF: Nobody does. We didn't make them.

CHAIRMAN OLSEN: Yeah, we didn't make them. I think that's really something to consider, not that I am certainly looking for any more area, if you will, but I think we do have a lot in common with places like Chignik and Sand Point and

King Cove. Sand Point and King Cove are -- I'm primarily looking at them, the Chignik area, we have an awful lot in common with our resource area as far as subsistence lifestyle and commercial harvest.

Is there anything else that comes before us on the boundaries?

MR. PETERSON: Get rid of 'em.

MR. TUTIAKOFF: These guys might be out of a job.

CHAIRMAN OLSEN: Proposals that come before the regional council that directly or indirectly effect Region 3.

MR. DIRKS: Well, also this is one of the informational things that I wanted to bring up to the Council. There are some proposals that may or may not affect our region, but the reason why I included those was to inform the council that there are a couple of proposals that were submitted by Bristol Bay that may or may not affect our region.

And the problem that some of the regional councils have encountered is that they've made the proposal and found out later that it affected another region. So that's why I wanted to point that out to the council. And also when they -- the regional councils deliberate with the Federal Subsistence Board in April that the Chairman may want to comment on some of the proposals other than the proposals from our region.

So, for example, we have this one proposal that comes from Stevens Village Council. It concerns the snow machine and motor driven boats may be used to take caribou, and that particular issue may come up and the council may want -- this council may want to comment on that during the meeting.

So, I've also included in your packet the -- all the proposals that were submitted this regulatory year that describes what the subject is and the regions that they council may want to comment on. It's the table that you see in the beginning of the thing there. So, that was my comment I wanted to make.

(Pause)

CHAIRMAN OLSEN: And it's in here?

MR. DIRKS: On that one and, of course, the others, there are a couple of proposals that came from Bristol Bay that

-- you know, the reason why I put it in there was because there may be some customary and traditional practices or people going over from Kodiak onto the mainland to go hunting and stuff like that, and that's what I mean by, you know, indirectly may affect the -- or have some comment, things that, you know, needs to be considered, and it could affect, you know, what happens in Region 3.

CHAIRMAN OLSEN: That is another concern of mine as to why the boundaries are affected. From the State's side on the commercial harvest and all, like I say, it goes right up to Capt Igvak. Certainly to be that far down, I know our people traditionally hunt moose or caribou on their journeys, the same as the Chignik people that come to Kodiak to fish and hunt in winter. They utilize the resource. I don't know if it's a personal conflict. People in Unit 8 in their territory, I don't know what the implication is there.

MR. PETERSON: Mr. Chairman, from what I've seen, just like here, you've got all kinds of people coming up to fish in Kodiak from Anacortes and Washington and Oregon, and they come up here thinking they can get an out of state license and hunt deer and do the stuff they can do when they get up here, and it's just like we ain't the only ones going up to Bristol Bay on that herring fishery. There are people from Anacortes, Washington and Oregon going up there and probably upsetting the Natives up there. And as far as what I've seen and heard from going up to Togiak, there isn't a problem for a fisherman going up there, as long as they go up and talk with the people. Even if it's fair colored or a quarter Native guy here, he's going to go up there and let them know where his heart stands, and he's got a little bit of ancestry in the Native people of Kodiak, they seem to not have any problem with it. Maybe they can define it in their proposals and talk to the Native tribal councils of each village on Kodiak or on the Aleutian on the effects it might have on them, and make sure it's not going to affect them, but it's going to affect the people from Anacortes, Washington and Oregon.

CHAIRMAN OLSEN: Correct me, how I stand on this, Moses, but I certainly look at these proposals and their integrity but it says, like Proposal 26-B, the last part of it, "...and caribou except by qualified rural Alaska residents." That has not been determined yet. That's where we are in conflict is that there is no rural preference.

MR. DIRKS: Well, these were the proposals that are going to be presented at .....

MR. TUTIAKOFF: There is under Federal, not under State; is that right? There is under Federal, not under State. That's where the lawsuit is at. The State does not recognize rural preference, the Federal government does.

CHAIRMAN OLSEN: But how do you -- I realize that, but it says "qualified rural Alaska residents." Is there any -- I'm not aware of any .....

MR. TUTIAKOFF: Under Federal guidelines there is a definition of rural residency qualification.

CHAIRMAN OLSEN: I thought that was one of the big .....

MR. DIRKS: Yeah, that's .....

CHAIRMAN OLSEN: ..... what we are fighting is urban versus rural.

MR. TUTIAKOFF: That's the State.

MR. DIRKS: Well, that issue is going to come up later on in the agenda, so we'll discuss that later.

MR. PETERSON: Mr. Chair, it seems like when we have conflicts like this the only place I see it resolved is really down in Juneau during the VPC conference. That's where we see people finally talking and getting together. At AFN, that to me, that's a corporate -- there are corporate issues that are dealt with, corporate issues, but when it comes to tribal issues and stuff like we're talking about, it might be a little bit of conflict, it seems like they air it out in VPC in Juneau. I don't know, maybe whoever is on that in the region we're talking about, find out if they're on RurAL CAP and have them bring it up and discuss it with the people that are going from Kodiak and the people that are going from the chain and people that are going up from there to RurAL CAP. It seems like that's a -- that's the best time to discuss something like this.

MR. CHRISTENSEN: Yeah, Mr. Chair, I'd also like to mention, too, that we're veering off our issue that we're on right here. It seems to be in discussion, but these discussions we're having right now are coming up later on in the agenda. I'd just like -- because this is informational right here, this particular issue. I'd like to -- if we're going ahead and discuss something else, let's go ahead and get off this issue and move on to the next part of the agenda.

Because .....

CHAIRMAN OLSEN: I wholeheartedly understand one part of it, then on the other hand if we're supposed to digest this, then how are we supposed to -- if it's just informational then it certainly should be open for discussion.

MR. CHRISTENSEN: But I mean, what we're discussion here is not pertaining -- doesn't seem to be pertaining to these proposals.

CHAIRMAN OLSEN: Pretty rigid, pretty rigid.

MR. DIRKS: What I want to do is .....

MR. CHRISTENSEN: Does anybody agree with what I'm saying at all?

MR. PETERSON: Are you looking for action, Randy?

MR. CHRISTENSEN: No. What seemed like our discussion is veering off from what this particular .....

MR. PETERSON: Well, I didn't know about the proposals, and I'm glad they talked about it so we could have action later maybe. I don't think we should have action now.

MR. TUTIAKOFF: I think we're discussing the reasons why we as a regional council should either take some type of action on it or make recommendations or make comments to the originators of the proposal is all that's being asked here. I think that's all we can do. We support it or we don't, basically.

MR. CHRISTENSEN: So, support or why we don't support it.

MR. TUTIAKOFF: We support 26(D) and 26(C), 26(B).

MR. DIRKS: So the reason why I had these proposals in there was to have -- when Mark and -- I think they were calling the chair and the vice chairs also for the Federal Subsistence Board meetings in April, right, so that they will have a pretty good feel of what the council .....

MR. CHRISTENSEN: Recommendation from this board whether we support it or not, and that's what we're trying to get to here.

MR. DIRKS: So that they will have a pretty good idea if the council supports it or not. That was the main intent.

CHAIRMAN OLSEN: In all due respect, Randy, in one hand the agenda was asked to be flexible, second of all, until I get the feel back of what this proposal actually means, I don't know, it's hard for me to make a decision until I have the input of what the context is of.

MR. WILLIS: Mr. Chairman.

CHAIRMAN OLSEN: Yes.

MR. WILLIS: Maybe I could talk a little bit about those proposals and clear up a little confusion. These proposals, the 26 proposals there on the moose and caribou in Unit 9(E), those came about because the local villages felt that there were too many outside hunters coming in to hunt the area around their villages, and because the people in this region, Region 3 or Unit 8 don't have customary and traditional use of moose and caribou up there, you, too, would be excluded if this proposal was passed. It's really aimed at the hunters coming from Outside, the non-subsistence hunters, but it would also affect you because you're not the designated hunter of C & T use of those animals up there.

CHAIRMAN OLSEN: That's my question, qualified rural residents. What is the -- I'm just .....

MR. WILLIS: I can tell you .....

CHAIRMAN OLSEN: Do we take it at face value and be told later on?

MR. WILLIS: I kind of assume that everybody was familiar with the way the Federal regulations .....

MR. CHRISTENSEN: It seems like these proposals are -- they seem to be almost -- probably with very little differences in there, they all seem to be towards one aim, ...

CHAIRMAN OLSEN: That's to keep you and I from hunting moose .....

MR. CHRISTENSEN: No, but I mean as far as supporting or not supporting 'em, I think that we might be able to support or not support them all, you know. Just looking at them here, I think we might be able to support them or not support them even on a lump, you know. We could almost support them all

because they are all aimed at exactly the same thing. The only difference may be is motor driver and snow machines.

CHAIRMAN OLSEN: Robert, yes, go ahead.

MR. WILLIS: Yeah, the green book, the regulation -- Federal regulation book spells out who has customary and traditional use for each species in each area, and in this case Unit 9(E), it's rural residents of 9(B), 9(C), 9(E), 17 and residents of Nelson Lagoon and Sand Point. So the Federal Regulations spell out who is a qualified subsistence user for every one of these areas. And Unit 8 or Region 3 is not included in that. And so that's -- you know, whenever you need to know who a qualified subsistence user is, it's spelled out in here, and if it's -- if anybody in the State -- if any rural resident in the state had C & T use, it will say "no determination."

MR. CHRISTENSEN: In other words, whether these pass or not it will not affect us.

MR. WILLIS: Only if you want to go up there and hunt.

MR. CHRISTENSEN: But that would -- would that come under customary and traditional subsistence use though?

MR. WILLIS: Well, we have a customary and traditional use determination for that area, okay, and that's the people I've just listed, and that doesn't include anybody on Kodiak or the Kodiak archipelago or the Aleutians. So, if you pass this regulation, closing this area except to qualified rural Alaska residents, that closes it to you, too, because you're not on that list.

MR. CHRISTENSEN: That's what I'm saying. So it's not going to -- whether it passes or not, it's not going to affect us. The only .....

MR. WILLIS: Only if you like to go up there and hunt.

MR. CHRISTENSEN: Yeah.

MR. PETERSON: Mr. Chairman.

CHAIRMAN OLSEN: If you do not choose to hunt in that area it's not going to affect you.

MR. PETERSON: Mr. Chairman, ...

MR. CHRISTENSEN: I understand that, but .....

MR. WILLIS: But that's the reason, you know, Moses felt like we should bring it up. There may be some people here who traditionally go up there and hunt moose and caribou. I don't know.

MR. CHRISTENSEN: Yeah, I go with you, I see what you're saying.

MR. PETERSON: Mr. Chairman. The new discoveries from the -- because of the break in the communication between the elders and this generation, we're looking towards archaeological sites to find out the customary and traditional and the stories and the folklore and the culture. From the discoveries in the last few years, we're finding we have customary and traditional of resources up there, and when I go up there and met with those people they talk about coming down to Kodiak -- I mean from Illiamna, way up in that area, coming down to Kodiak to trade, and this guy was telling -- his grandpa was telling him that they used to come to Kodiak, and from here -- the artifacts we're finding here, connecting with the ones up there up north, the ivory on the west side of the island is coming from up there, and you're trading from the Larsen Bay side to the people up there were just not passed down. We lost the customary and traditional use, but we can connect it if we just connect it here, and then go up there and gain the knowledge that we're trying to do for customary and traditional from where maybe it's still going on and we got disconnected from it.

CHAIRMAN OLSEN: I could not support it just for the fact is I don't have enough information on how many people utilize the moose and caribou of the coast that we are familiar with, and customarily .....

MR. PETERSON: When you're trying to revive your culture I feel if we don't include us up there that's going to be a barrier when we go and try and do a revival of -- okay, when we used to come up here we used to, you know, hunt moose, caribou, whatever. I don't know yet, we haven't gotten to that stage yet of that far reviving our culture as far as going -- our language and our culture is up -- going up north instead of going out -- down the chain, it's -- our language and our culture is similar to those up there. One way to find out your culture is go up there where we have similarities.

MR. MISHLER: I have a comment here, it's informational. That is we did our subsistence harvest survey

In Larsen Bay, I think it was year before last, we did encounter local hunters who would go over to the peninsula and gotten moose. I'm not sure exactly what area they hunted now. It might be in our field notes, but we were kind of surprised to find people had taken moose for subsistence in Larsen Bay, but they had gone -- simply gone across Shelikof Strait and -- I guess in somebody's purse seiner, and landed and had gone ashore and hadn't fixed the location, but it does happen.

CHAIRMAN OLSEN: Thank you. What I want to say is kind of -- I'm very aware of that myself, but I'm also aware that the sport hunting of moose is not included in the refuge lands. So we have no documentation, although there is knowledge of moose taken out of refuge lands not being recorded because it's not available legally. So, here now we are trying to improvise federal lands where there will be a subsistence hunt. We have no record because people would be incriminating themselves by showing that they shot moose or caribou on refuge lands. So, it's a -- once again .....

MR. TUTIAKOFF: Then we shouldn't support this.

MR. MISHLER: I'd hate to close the door on anything -- this my have been a one-time only deal or maybe Randy knows more about it, about the moose that were taken over on the peninsula?

MR. CHRISTENSEN: I'm sorry. I was reading this here. What was the .....

MR. MISHLER: When we did our harvest survey over there last year there was a party of hunters that .....

MR. CHRISTENSEN: That took moose?

MR. MISHLER: Do you know where they hunted over on the .....

MR. CHRISTENSEN: They hunted -- well, I'm not exactly sure, but they pretty much went straight across to the peninsula -- I mean straight across from Kodiak Island, that area. They went as sport hunters. But they took everything. Well, they took the antlers, I guess, of course, but the -- you know, they took all the meat. They came back with .....

MR. MISHLER: Was that a one time only thing or .....

MR. CHRISTENSEN: As I recall, that was probably one time. It was Brad Aga went over.

MR. MISHLER: Yeah.

MR. CHRISTENSEN: And he went over as -- him and a group went over there and they got a -- I think they only got one moose.

MR. MISHLER: Do you think that they would want to start this as a tradition or .....

MR. CHRISTENSEN: I'm sure that it probably can be, if some -- if it could come under subsistence, I'm sure that that would certainly be acceptable to them.

MR. MISHLER: Well, this is where it gets into this -- the people from one management unit or one resource region, as they're called, hunts in a different region, they -- I mean they might have hunted with a sport hunting license but they would probably prefer to do it under subsistence regulations if they knew there was a subsistence opportunity.

MR. CHRISTENSEN: If they were eligible under the customary and traditional subsistence use though. That would be where the kicker would be. See, because if this -- if these proposals were -- if they didn't pass, you know, they did go over there as sport .....

MR. TUTIAKOFF: Mr. Chairman.

MR. CHRISTENSEN: ..... hunters and if this -- if this passed, then they wouldn't be able to go over there as sport hunters. But I'm not sure if they're be able to go over as subsistence users. If they come under the jurisdiction of .....

MR. MISHLER: Then they wouldn't qualify as a rural resident of the region.

MR. CHRISTENSEN: Right.

CHAIRMAN OLSEN: So effectively on both sport and the subsistence it directly affects us.

MR. CHRISTENSEN: Right.

CHAIRMAN OLSEN: Without choice. And I am personally aware of at least a dozen parties .....

MR. CHRISTENSEN: That go .....

CHAIRMAN OLSEN: ..... that go from Port Wrangell on to Illiamna and all the areas. I mean taking the boats right in to the lagoon there and going across the old road system on three-wheelers or four-wheelers.

MR. MISHLER: Jeff's point is well taken, get rid of the boundaries. It's really going to reduce subsistence opportunity if this is customary, or is becoming customary, and, you know, customs and traditions are begun every day.

CHAIRMAN OLSEN: Certainly, Vince.

MR. TUTIAKOFF: I guess to get this thing off the ground, get it moving, is I would support the -- I would not support the proposals of -- submitted by Bristol Bay, particularly the proposals 26(B), 26(C) .....

MR. CHRISTENSEN: That's all there is, and then the first one.

MR. TUTIAKOFF: ..... and 9(E) or Proposal -- whatever the number is.

MR. CHRISTENSEN: There's just the first one and then .....

MR. TUTIAKOFF: 26(B) and 26(C).

MR. CHRISTENSEN: Right.

MR. TUTIAKOFF: Only because they do not include Region 3 as rural residents -- qualified residents. If at this meeting coming up in April where these will be addressed by the regional board, then that was when we would speak up and say we do not support it from our region because we want our people to be included. If they will modify it and include areas 3 and make them acceptable rural residents, then we would accept it. And at that time possibly they may adopt it, but right as it's written, we do not adopt it because we do have traditional uses up there, going across and hunting.

CHAIRMAN OLSEN: Thank you, Vince. Is that a motion?

MR. TUTIAKOFF: I'll move.

MR. CHRISTENSEN: I'll second that.

MR. TUTIAKOFF: Discussion.

MR. CHRISTENSEN: In discussion, I was wondering, I don't see, what is the number of the first proposal on the snow machines and motor driver boats; what's the number of that? I don't see the number. It's proposal what? And I was wondering if we should include that one, too.

MR. DIRKS: Was that the one, the statewide proposal? Robert, do you remember?

MR. WILLIS: No, I don't know off the top of my head.

MR. CHRISTENSEN: I've gotten a little confused here, because I've got a double copy of this -- all these proposals. I thought there was more than one, but there's only three, and I thought there was six in my -- I don't know about you guys, but I've got a double copy of everything.

MR. TUTIAKOFF: It's to doubly confuse you.

MR. CHRISTENSEN: Do you see what I'm saying?

CHAIRMAN OLSEN: No, ...

MR. CHRISTENSEN: See, it's this one and this one and this one and this one. And then here's a whole other set of the same thing.

MR. DIRKS: Oh, is it? It's probably our fault. I just put those down as examples of references to -- you know, there may be more proposals .....

MR. CHRISTENSEN: There's just 26(B) and 26(C) and then that first one which doesn't have a number, but then after that there's a whole new set of exactly the same thing.

MR. WILLIS: My copy doesn't have a number on it either, Randy. I think that's just an oversight, 'cause it looks like .....

MR. PETERSON: Mr. Chairman.

MR. WILLIS: I have a book of all the proposals here, but the one you're talking about was just stuck into it loose at the last minute, and it doesn't have a number on it. I'm sure it's been assigned one, but I can't tell you what that is right now.

MR. TUTIAKOFF: Question on the motion, ...

CHAIRMAN OLSEN: Yes, there is a motion on the floor.

MR. TUTIAKOFF: ..... just addresses 26(B) and 26(C).

MR. CHRISTENSEN: Okay, well, I was .....

MR. TUTIAKOFF: We can address this other one later.

MR. CHRISTENSEN: Address the other one after. Okay.

CHAIRMAN OLSEN: It's been moved and seconded. Is there any more discussion on this?

MR. PETERSON: Can you have discussion from the floor?

CHAIRMAN OLSEN: Certainly we can have discussion from the floor.

MR. PETERSON: To avoid any conflict, I was wondering if you can say -- you can say you support them only if there is sit down with the other tribes that are involved.

CHAIRMAN OLSEN: That's basically what we are saying.

MR. CHRISTENSEN: Right, yeah.

MR. PETERSON: Okay. You said you opposed .....

MR. CHRISTENSEN: And if they'll accept us .....

MR. PETERSON: You're going to get Bristol Bay more mad at us than they already are.

MR. TUTIAKOFF: They won't get mad. I think what they're -- these are submitted proposals anyway. They're not they're willing to negotiate with the regions -- different regions. They just don't know what we want, and this is a way to tell them that, yeah, we want to be part of this proposal, include us in this proposal.

MR. CHRISTENSEN: Include 3 in with 4.

MR. TUTIAKOFF: But the way you're writing it right now we don't want it to happen that way is all we're saying.

CHAIRMAN OLSEN: We want to be included.

MR. PETERSON: We went to the Alaska Intertribal

Council Meeting in Bristol Bay and they're already mad at us for other reasons.

MR. TUTIAKOFF: So what?

MR. PETERSON: So what, we don't want to have any problems with anybody, we .....

CHAIRMAN OLSEN: No, we don't.

MR. PETERSON: ..... want to -- we're all (indiscernible), let's get together.

CHAIRMAN OLSEN: That's what we're considering, is we get together and discuss this issue.

MR. PETERSON: Usually what's going to happen is saying Kodiak Island did not support our proposal. That's what I want to avoid. The first thing when you get to the meeting they're going to say them guys didn't support our proposal. That's what I'm trying to avoid.

CHAIRMAN OLSEN: If you will read the motion back to us, I think it will be clearer. Do you understand what the proposal was? Could you read it for us, Sue?

MS. DETWILER: What I wrote down was the motion is to oppose Proposals 26(B) and 26(C).

CHAIRMAN OLSEN: But that was not the full motion.

MR. TUTIAKOFF: With the intent -- you can write that the intent -- I think I explained this, it was excluding area 3 in their proposal, and based on the knowledge that we have area 3 does subsistence hunt and fish on that peninsula.

CHAIRMAN OLSEN: If they were to recognize area 3 as a qualified .....

MR. CHRISTENSEN: Subsistence user .....

MR. TUTIAKOFF: In that other area I don't see why .....

MR. CHRISTENSEN: ..... otherwise we will not support it because it will exclude us as sport hunters.

CHAIRMAN OLSEN: And subsistence users.

MR. CHRISTENSEN: And subsistence.

CHAIRMAN OLSEN: Certainly Sue .....

MS. DETWILER: Yeah. The way this action paper is written here, they have -- there is a description which is the motion to oppose these two proposals, and then the justification is the rest of your motion which is the proposal would prohibit subsistence users from area 3 who use those resources.

And I have a comment that one of the caveats on your motion was that you wouldn't support it if they didn't consider subsistence users in Region 3 as being eligible. The way the regulations are written there's not much that they or the Board could do to authorize additional users because they current -- it would take a change in customary and traditional use determinations, so they couldn't -- the way the regulations are written right now they couldn't submit a proposal that adds additional communities besides just those who have C & T, and Region 3 doesn't have communities -- a couple of exceptions that have C & T, there's nothing that they or the Board could do about it.

CHAIRMAN OLSEN: But in all consideration, this here proposal would even knock us out of a sport hunt.

MR. CHRISTENSEN: So we just don't support it.

CHAIRMAN OLSEN: That totally puts us out, and I support the motion as, within its parameters, defined.

MR. CHRISTENSEN: Question.

CHAIRMAN OLSEN: Question has been called. All those in favor, signify by aye.

IN UNISON: Aye.

CHAIRMAN OLSEN: Those opposed?

(No opposing responses)

CHAIRMAN OLSEN: Motion passes.

MS. DETWILER: Can I just read you what I have to make sure what I have .....

CHAIRMAN OLSEN: Certainly, very much.

MS. DETWILER: The motion is to oppose Proposals 26(B) and 26(C), and the justification is that the proposal would prohibit subsistence users in area 3 who use these resources for subsistence and sport.

CHAIRMAN OLSEN: For subsistence or sport, they were not .....

MS. DETWILER: Or sport.

CHAIRMAN OLSEN: They were not for it, yes. And/or sport, not either/and, but and/or.

MS. DETWILER: Okay.

MR. CHRISTENSEN: Would it make any difference if the wording was oppose the proposal or oppose support or not support? Would it be oppose the proposal or not support .....

MS. DETWILER: This motion was to oppose the proposals.

MR. CHRISTENSEN: Does that make any difference if you should not support it or support it or just oppose it; does that make any difference in that kind of wording, that verbiage?

MR. WILLIS: Oppose is usually the wording that's used; you either oppose it or you support it. So, I think you did it the right way in saying, we oppose the adoption of this proposal.

CHAIRMAN OLSEN: Just no recommendation. At this time as I look at the clock I notice that under customary and traditional we should be eating lunch. So at this time I would like to call a recess until 1:00 p.m.

COURT REPORTER: Off record.

(Off record)
(On record)

CHAIRMAN OLSEN: I would like to go ahead and call this meeting back to order at this time, as the sun has reached its peak for the day, I think.

MR. TUTIAKOFF: Mr. Chairman.

CHAIRMAN OLSEN: Yes, Vincent.

MR. TUTIAKOFF: I make a motion to amend the motion previously that I made, with the second's consent, to change the motion which would only change the numbers, in essence, from Proposals 26(B) and 26(C) to item Proposals #24, 25 and 26, as listed in the Federal Board agenda. With the second's consent then, I would ask that that be made as part of the motion. You were the second, Randy. All we're doing is changing .....

MR. CHRISTENSEN: I'll second -- yeah, I'll go ahead and second the amendment.

CHAIRMAN OLSEN: If you would give me one moment, please, and bear with me. I guess there's a little confusion to me, too. As it is, if you look on the page of the proposal, Proposal 26(B), it has to do with proposed regulation moose and caribou, but under here it only closes public lands to non-subsistence take. The subject only addresses caribou. If you look at it -- if you look at it here, 24, 25, 26, it's only under subject of caribou, but the proposal itself has proposed regulation for moose and caribou. So I just want to make you aware that whichever one we're going to follow, we better amend to many holes and make a weak spot. So there is conflicting evidence here. Yes, Sue.

MR. CHRISTENSEN: Can we just make it to use the same support the same -- or oppose the proposals as they were given to us and then -- do you see what I'm saying, just as they were given to us here in the proposals, and that's what they are, whatever they are in the actual board packet?

MR. DETWILER: Yeah.

CHAIRMAN OLSEN: Certainly, Sue, go ahead and speak.

MS. DETWILER: I might be able to clear this up a little bit. This chart that you have, not the proposals but the list of proposals, that is the list of proposals that the Board is going to be using for this meeting. Those are the correct numbers. The numbers that are on the proposals that you dealt with before, 26(C) and (B), I don't know how those proposals got numbered that way, but to be on the safe side what you might want to do is retain the old motion to oppose proposals 26(B) and (C) and let that motion stand, and then consider motions doing the same thing for proposals .....

MR. CHRISTENSEN: 24, 25 and 26.

MS. DETWILER: Yeah, 24, 25 and 26, to do the same thing. That way you've covered all the bases.

CHAIRMAN OLSEN: In other words, have another motion addressing the chart as it stands so that we don't have conflicting evidence of the motion.

MR. CHRISTENSEN: I so move.

CHAIRMAN OLSEN: Moved by Randy. Do I hear a second?

MS. SHELLIKOFF: Second.

MR. TUTIAKOFF: As a matter of .....

CHAIRMAN OLSEN: Seconded by .....

MR. TUTIAKOFF: ..... procedure, I withdraw my amendment.

CHAIRMAN OLSEN: ..... Gilda. Is there discussion here?

MR. TUTIAKOFF: Under discussion, I withdraw my amendment then, 'cause it's still hanging out there.

CHAIRMAN OLSEN: Thank you.

MR. TUTIAKOFF: Question on the motion.

MR. CHRISTENSEN: Question. I withdraw my second on your withdrawal of the amendment.

CHAIRMAN OLSEN: Okay, then it clear then that we are opposing both sides, just as a safety measurement?

MS. DETWILER: Okay. As the description of the motion do you want me to write motion to oppose Proposals 24, 25 and 26 and then the reasoning the same as -- your justification is the same as 26(B) and 26(C)?

MR. TUTIAKOFF: Yes.

CHAIRMAN OLSEN: Uh-huh (affirmative). I .....

MR. CHRISTENSEN: Yeah, that's right.

CHAIRMAN OLSEN: I think the only reason I am objecting here also is because under subject it just addresses caribou

and not moose. That was a conflicting difference between the chart and proposal, but for the same reason, again. Just so it's clear.

MR. TUTIAKOFF: Question.

CHAIRMAN OLSEN: Can we give her just a moment to make sure that we got this right? Otherwise it's all for naught.

(Pause)

MS. DETWILER: Okay. The motion, as I have it written on this sheet of paper, is the motion is to oppose Proposals 24, 25 and 26, and then the justification is exactly the same words as justification for the previous motion, and that wording is: The proposals would prohibit subsistence users from Region 3 who use these resources for subsistence and/or sport.

MR. CHRISTENSEN: And sports or .....

CHAIRMAN OLSEN: Yes.

MR. CHRISTENSEN: And sports hunters.

CHAIRMAN OLSEN: Well, us as sport hunters.

MR. CHRISTENSEN: Right.

CHAIRMAN OLSEN: It still would preclude us from the ability .....

MR. CHRISTENSEN: Sport hunters and subsistence users from Region 3.

MS. DETWILER: Okay.

CHAIRMAN OLSEN: Clear as mud? Okay. I'll accept the call for the question. Question's been called. All those in favor, signify by aye.

IN UNISON: Aye.

CHAIRMAN OLSEN: Those opposed?

(No opposing responses)

CHAIRMAN OLSEN: Motion carries. Okay. I think the next thing we have on our agenda is one that we had discussed

before but was no response, and I am just as .....

MR. CHRISTENSEN: Are we just not going to take any action on this first proposal? Is that the general consensus?

MR. DIRKS: Oh, that was just -- I think that was .....

MR. CHRISTENSEN: With the snow machines and the power boats .....

CHAIRMAN OLSEN: No response.

MR. CHRISTENSEN: No response? Okay.

CHAIRMAN OLSEN: No response.

MR. TUTIAKOFF: We don't oppose the use of them, so not point in responding to it.

CHAIRMAN OLSEN: This matter of the charting was in front of us at the last meeting, and Moses had asked the individuals to go ahead and make the corrections to this chart identifying communities and people affected and those that are basically deleted. In other words, basically update the chart as we know it today.

Moses, do you want to elaborate on that a little bit more, please?

MR. DIRKS: I just wanted to get your comments right now, here, so that no one had to go back and set you another set of maps and wait for it and not get anything back. So I thought it would be appropriate to get your comments here and I will get those in and we will try to get a good set of maps. And that was -- this is not the only reason for doing that; they're doing it statewide again.

MR. CHRISTENSEN: Well, Mr. Chair, the only comment I have is that I've already talked to Moses and I told him I was going to bring my map to the meeting, but I spent up until the last five minutes of my flight trying to make sure I got a ticket, so when I was packing I forgot my map.

MR. DIRKS: So why don't we just go ahead and give me the comments. I'll write them down.

MR. CHRISTENSEN: That's my comment.

CHAIRMAN OLSEN: Is there any additions or deletions then at this point that anybody can address?

MS. SHELLIKOFF: Mr. Chairman.

CHAIRMAN OLSEN: Yes, Gilda.

MS. SHELLIKOFF: I see -- I don't see that they have False Pass on the map.

CHAIRMAN OLSEN: Okay. Thank you. Maybe it's right in the middle of that big black boundary line. Maybe you don't know which side of the fence you're on.

MS. SHELLIKOFF: That's the other side -- no, it's down.

MR. TUTIAKOFF: By the red line.

MR. CHRISTENSEN: Maybe you don't know.

CHAIRMAN OLSEN: I don't know where I'm going. Excuse me. Okay.

MR. PETERSON: I don't have one of the maps. It's not over here.

MR. CHRISTENSEN: They're hard to read, they're so small.

MR. DIRKS: You need a larger scaled map?

CHAIRMAN OLSEN: That was another kind of request, wasn't it, to upscale it. From my general reasoning I don't find it conflicting, but others might.

(Council talking among themselves -- off record comments)

MS. MASON: Mr. Chairman, may I make a comment on the maps?

CHAIRMAN OLSEN: Certainly.

MS. MASON: I notice that for all the Aleutian communities there is no -- there is no dot marking where the town is, and I think that's -- St. Paul and St. George aren't on here as communities. So that whole section, Unit 10, needs to be re-hauled and put dots in where the communities are.

CHAIRMAN OLSEN: I was looking at that, too. We might

as well make it as clear as we can.

MR. CHRISTENSEN: Well, Mr. Chairman, another thing I'd like to mention, too, is that on Kodiak Island there is quite a few names on here that I know that are not inhabited, and I was wondering if we need those on there, other than the .....

MR. DIRKS: Yeah, they should try to delete those.

MR. CHRISTENSEN: Yeah, just delete those because we basically have six villages, is that not correct?

CHAIRMAN OLSEN: Seven, City of Kodiak.

MR. CHRISTENSEN: Yeah, other than Kodiak, but .....

MR. TUTIAKOFF: Which ones are on here that are not inhabited?

MR. CHRISTENSEN: Well, Port Williams, Afognak, ...

CHAIRMAN OLSEN: Port Hobron.

MR. CHRISTENSEN: Port Hobron.

MR. PETERSON: Afognak?

MR. CHRISTENSEN: Huh?

MR. PETERSON: You wanted to take Afognak?

MR. CHRISTENSEN: No, I'm saying that's the ones that are not inhabited. They're not recognized as villages.

CHAIRMAN OLSEN: Afognak is now Port Lions; it was relocated.

MR. CHRISTENSEN: Yeah, and the only thing that would be Afognak at all would just be cabins or somebody's guide -- you know, hunting. They're not recognized villages.

MR. EVERITT: It's just what's left of the old village.

MR. CHRISTENSEN: Right, you know, ...

CHAIRMAN OLSEN: It's a village site, yes.

MR. CHRISTENSEN: But what I'm saying is that we should just have the six villages, right?

CHAIRMAN OLSEN: On the other hand, I look at Ayakulik here. It is a recognized ANCSA .....

MR. CHRISTENSEN: But is it a recognized village though?

CHAIRMAN OLSEN: Yes, Ayakulik is.

MR. CHRISTENSEN: Well, there also was a village at Afognak.

MR. HAAKANSON: There's villages all over the place.

MR. CHRISTENSEN: You know, but what I'm saying is that the map stands -- as corrected today, we're basically only representing six villages right now.

MR. DIRKS: Yeah, I think that's how we should go with it.

MR. CHRISTENSEN: Is that the way we should go with it?

MR. DIRKS: They're existing .....

MR. CHRISTENSEN: That's what you were asking for.

MR. DIRKS: ..... communities.

MR. CHRISTENSEN: Existing communities.

MR. DIRKS: Yeah.

CHAIRMAN OLSEN: Domicile.

MR. CHRISTENSEN: You know, because -- well, you know, ...

MR. HAAKANSON: Somebody when they went and make it up put the old villages here.

MR. CHRISTENSEN: Yeah. Well, see these maps are made by somebody that, you know, probably didn't even live here and just -- see, well, if you can -- if you want to put in old villages, you can probably put dots all over the whole island, you know. But I think what we're looking for here is, you know, just the six existing villages as -- that are directly affected by this council.

MR. MISHLER: Well, I would think you'd want to also add the new Old Believers community though. I think they call it Alynevz, which is in the Raspberry Straits area.

MR. CHRISTENSEN: I don't even know where that's at. to tell you the truth.

MR. HAAKANSON: (Indiscernible - away from microphone)

CHAIRMAN OLSEN: It's certainly -- on that note there, we did have three places in Raspberry Straits; Port Wakefield, Port Hobron and Iron Creek, but they have all gone out since the herring industry.

MR. PETERSON: I don't think Hobron was in existence.

CHAIRMAN OLSEN: It was a whaling station, yes.

MR. CHRISTENSEN: Yeah.

MR. HAAKANSON: There's a village of Saltery there before (indiscernible) but .....

MR. PETERSON: Saltery, yeah, that's right.

MR. HAAKANSON: (Indiscernible) a village (Indiscernible).

MR. CHRISTENSEN: Again, I'd like to say I think like what Moses was mentioning was what we want to recognize is where there is actual villages today that are recognized as the well, cities is what you would say, what you call them.

MR. MISHLER: (Indiscernible)

CHAIRMAN OLSEN: Yes, Craig.

MR. MISHLER: I realize that maybe the Old Believers village is not a popular village but they're still rural residents and I should think that they should be represented in this council.

CHAIRMAN OLSEN: What do you call it?

MR. CHRISTENSEN: The Old Believers?

MR. MISHLER: Alynevz, they call it.

CHAIRMAN OLSEN: Is that the Russian settlement?

MR. MISHLER: Uh-huh (affirmative).

MR. DIRKS: So how do you spell that?

MS. MISHLER: There's about 10 families living there. It's a small community, but a very active one, as you know, in terms of fishing, and they do a lot of subsistence also. They don't eat shellfish though, it's against their religion.

CHAIRMAN OLSEN: That's not consistent with our customary and traditional uses though. Here again, when you look at how long, they've only been here .....

MR. CHRISTENSEN: Well, they -- I guess -- I don't know, they should probably be put in, I guess, like he said, they're a village.

CHAIRMAN OLSEN: Are they US citizens? I guess so. I have no problem with it, but it certainly brings more questions.

MR. PETERSON: Mr. Chairman.

CHAIRMAN OLSEN: Certainly.

MR. PETERSON: On that, I know it's kind of hard to accept them as a subsistence class but the way to avoid conflict and possibly drawing it out is just include them -- you can include them to sit in, but as long as there's a majority of us to -- you know, the majority speaks/the majority rules, but you don't want to exclude anybody because it would be more of a conflict, but you can include them in on any kind of map or discussion. It seems like it would be better to include them rather to exclude them and have them go to war.

MR. HAAKANSON: I say go to war.

CHAIRMAN OLSEN: I guess then what our topic under this would be subsistence or subsistence defined as customary and traditional.

MR. CHRISTENSEN: Well, Mr. Chairman, I would suggest that we were asked in the last meeting to go back on our large maps and adjust them as we see fit in our basic areas. Now I'm not going to include them because, for one thing, I don't know how to spell the name of their village and I don't even know exactly where it is over there.

CHAIRMAN OLSEN: It's Mike Mullen's old place in the Narrows.

MR. CHRISTENSEN: Yeah. But anyway, so I'm not going to include it in my map, and I'll just adjust my map as to the way I feel, and I think each and every one of us should do on our maps the way we feel.

CHAIRMAN OLSEN: Certainly to add to that there are still people, rural families living in the old Raspberry Straits, Wakefield, Port Vida and Iron Creek, too. I certainly don't -- not include them just because they're not on the map or chart, if you will.

MR. MISHLER: There's a lot of isolated rural residents (indiscernible - away from microphone).

MR. CHRISTENSEN: Aren't we looking for cities that are like incorporated or what?

MS. MASON: I don't know about it being incorporated, but if we are looking at communities, maybe we should also include Danger Bay, since there is a group of year around residents living there now that have a school.

CHAIRMAN OLSEN: Seal Bay is another one.

MS. MASON: Yeah.

MR. DIRKS: Danger Bay.

MR. CHRISTENSEN: Well, what about Chiniak?

MS. MASON: Chiniak should be on here, too.

MR. CHRISTENSEN: Okay. Well, that would be more than like you two would be.

MR. EVERITT: I would keep it right to the six cities for a map.

CHAIRMAN OLSEN: It does encompass them all, certainly.

MR. MISHLER: Karluk is not a city.

MR. WILLIS: Mr. Chair, the purpose of this map is really for reference, and the cities on there are for reference only because every resident in this area has the same customary and traditional rights and the same subsistence rights as every

other resident whether their village is recognized on this map or not. So whether it's the six villages or every house that everybody knows about on here is really not that important.

CHAIRMAN OLSEN: Right. I feel the way you do, that it's insignificant as far as boundary and eligibility, but absolutely basically no significance, just identification purposes. What was the intent?

MR. CHRISTENSEN: I guess the intent was just for reference.

MS. MASON: Yeah. The main important thing that I see that could be accomplished is to eliminate those places that are on here that don't have any residents because that would just be a misleading part of the map.

MR. CHRISTENSEN: That's the impression I got initially.

CHAIRMAN OLSEN: But in the same stance, we're excluding those that we do know about.

MS. MASON: Right.

CHAIRMAN OLSEN: So is the cup half full or half empty? I'm not sure. At any rate, I guess this can be accepted individually because it has basically no impact, I would say, other than informational for questionnaires, surveys or others that -- that is the significance. So, any more comment on the map, chart, whatever?

MR. HAAKANSON: I wish somebody, the Russians or the Americans, would have documented the traditional hunting grounds on the island. Before, certain villages were packing white granite rock, clean on top the mountain, identifying areas. People, many years ago, wondered why those piles of rock were on top Chuchila (ph), and there was a Kodiak village hunting grounds. Way back they used to war with people when people went in the other guy's hunting areas. If you climbed the mounting you'll find piles of rock and wonder how -- why they are there. They were hunting ground boundaries that the villages had on the island.

CHAIRMAN OLSEN: These are certain significant testimony that's going to have an effect when we find a determination as far as consistency and long-term identification, but I feel that's going to be a topic and subject all of its own once its -- whichever way it's

determined, as far as our eight criteria. Do you look at me perplexed?

MS. MASON: No.

CHAIRMAN OLSEN: Okay. I think we have already taken action on regional council members' absences, which would then take us on down to 8.A., New Business. Council nomination process. Moses.

MR. DIRKS: Okay. The council nomination process is on the chart that is on the next page behind the thing. I just wanted to track down to inform the council what -- where we're at now and what steps still need to be done in order to end up selecting those two nominations that are coming up. So what -- we started the process back in December, and now all the letters to the regional councils went out and news releases to the public. That went on from December on, and the application period was from December 1 on to .....

CHAIRMAN OLSEN: February 28.

MR. DIRKS: ..... the end of this month. So the application process is still valid and people can still apply for it. And then from there the application review process starts from January 31, and we've been getting applications out from the field.

MR. CHRISTENSEN: Can I interrupt for a moment? When you say the application period ends at the end of this month, I just wanted to make sure that -- I know Freddie was going to apply and I guess maybe should make sure that he knows that the deadline is this month for the applications.

CHAIRMAN OLSEN: Okay.

MR. DIRKS: And then notifications went out to all the land managing agencies seeking representatives or field panelists, they're called. So what we did is we sent notices to all the refuges that are within Region 3. That would be Kodiak National Wildlife Refuge, Alaska Maritime of the Aleutians Islands Unit, and also to Izembek. So, from those we will get -- we will try to get panel members from there to review the applications, and I will also be involved. And to backtrack I also will send to all the council members a list of applicants once the deadline is closed so that they're aware of who has applied so that they'll know those people that applied for it. From there the field panels will review, according to what criteria is set, as far as election process goes, and then

they have the steps that they have to go through in order to select or rank these applicants. And from there they recommend to the -- I mean they meet together -- the field panels meet together and then they rank the applicants according to how qualified they think they are, and then from there it goes on to the division chief and then it's consolidated. And the list is then presented in April to the division chief, and there goes on to -- the Staff Committee reviews it, and then we get their blessings and if they need to do some changes on there, that's what happens. And then from there it goes on to the Subsistence -- Federal Subsistence Board, and they review those two, and then the names are given to them, and that takes place in May and June. And from there the Federal Subsistence Board will make recommendation, and then it goes on to Washington, and the Secretaries review it and then that's how the council applicants are appointed.

MR. MISHLER: Mr. Chairman.

CHAIRMAN OLSEN: Certainly, Craig.

MR. MISHLER: I just wondered if Moses has any idea how many applicants so far have applied.

MR. DIRKS: Right now it's -- there were at least or half a dozen applicants that came in so far, but this is incomplete, so I can't really tell you how many because of the -- we haven't met the deadline, so there may be more.

MR. MISHLER: There's probably more applicants than seats.

CHAIRMAN OLSEN: Hopefully.

MR. DIRKS: So we're down to just those three steps now.

MR. CHRISTENSEN: Well, that may not be necessarily so because some of the applicants might be from areas that the seats are already filled.

MR. DIRKS: So those people that their seats are up need to re-apply in order to get appointed.

CHAIRMAN OLSEN: Did you hear that, Gilda?

MS. SHELLIKOFF: I heard it.

CHAIRMAN OLSEN: Thank you. Is there -- yes.

MR. PETERSON: Can you use the application that was submitted previously instead of doing a whole new one again?

MR. DIRKS: No, they recommend you do a new one every time you re-apply. You see, what has happened is that in the Federal process that we don't really make any selections and it could happen -- I mean we don't make the final selection, it's up to the Secretary.

CHAIRMAN OLSEN: Not very many applications or paperwork is lost in the shuffle, but we just want to make sure.

MR. DIRKS: What does help is that endorsements from, you know, your corporations and non-profits and stuff like that.

CHAIRMAN OLSEN: These letters of recommendation should be attached to the application?

MR. DIRKS: Right, uh-huh.

CHAIRMAN OLSEN: Yes.

MR. DIRKS: That helps.

MR. CHRISTENSEN: Plus I also believe that if you use old applications, you know, some might be three years old, they may not want to .....

MR. PETERSON: Well, what I'm saying is I applied for the one that -- you just got done with, like recently, and I think it was last year. Now another seat is up and I'm going to do another one. I think it's still on the computer.

MR. DIRKS: Yeah. The process this year is more streamlined so that they get notifications of people that are in the new applications that were received. That didn't happen last time. So, it was very unfortunate but that was kind of...

MR. CHRISTENSEN: Just apply again.

MR. PETERSON: Mr. Chair, I just want to address that because I think that's where it comes into reporting truthfully and honestly. I put down there I harvested bear for subsistence, and that's not -- you know, Federal Subsistence Board is going to look at it and say, we can't have this guy on

the board, you know, that's -- I think that's got to be noted. Maybe that's why I didn't get selected. That's what I'm thinking.

CHAIRMAN OLSEN: I couldn't help you out there, but I certainly know that this far the process, they need new applications.

MR. PETERSON: You've got to play the game to get in, I guess is what you're saying, bottom line.

CHAIRMAN OLSEN: Right. And we have absolutely no jurisdiction over that but to inform you of regulation and status quo.

MR. CHRISTENSEN: It's the government.

MS. DETWILER: I have a comment on that. I've worked with some of these panels that review the nominations, and what they look for mostly is how well you know subsistence, how well the applicant knows subsistence uses, and how much leadership they show. They don't immediately zero in on whether you break the law or not, you know, that's not the main -- that's not the thing that they look at.

MR. PETERSON: Well, I just -- okay.

CHAIRMAN OLSEN: Incarcerate him. Any more comments here on the application process or otherwise here dealing with applications? Hearing none, we should move on to Proposal to change Subpart D, Wildlife Regulations. I think I'll go ahead and let Moses take the lead on that as he seems to be doing very well.

MR. DIRKS: Well, thank you. I was hoping you'd ask. No, what I -- what we decided to do was we're going to go ahead and have those staff people that had offered these proposals to go ahead and take the lead on presenting the proposals, and from there, after they do that, they do the summaries, I will do the public comments, written comments that came in in regards to these proposals, and from there we will ask for public comments from the public, and then that's it, I guess, huh? So, the first one is Proposal #19.

CHAIRMAN OLSEN: Who was in charge?

MR. DIRKS: I believe Rachel was in charge of Proposal #19.

MS. MASON: Okay. This is the designated hunter proposal. I'll just hit the high points of what the proposal is. The main purpose of this proposal was to legalize the kind of sharing that already goes on, and so it was to permit hunters to harvest deer for sharing with others that can't hunt for themselves. It's not unusual in rural Alaska for one hunter to hunt for four or more people as it is. And this was meant to provide an opportunity for that kind of harvesting.

As you know, any household may contain members that are unable to hunt for themselves. Elderly people or single parent families might be other categories of those who rely on others to supply them with resources. And also some people are simply better than others at hunting, trapping and fishing. And it's been brought up several times that sharing is a strong part of the tradition in rural Alaska, and it's a way of equalizing these inequalities in hunting abilities.

The proposal was for Unit 8 which encompasses Kodiak Island and all the other islands in the Kodiak archipelago. Almost 100 percent of the rural households in the unit use subsistence food. And in all the communities the kinds per capita harvest indicates a strong interest in subsistence. Deer is extensively harvested here in the Kodiak area communities. For example, in this community, Old Harbor, 45 percent of the households harvested deer, and more than twice as many, which is 93 percent, use deer. So that's an indication of how much sharing goes on.

The deer population is healthy and it's healthy enough to sustain potential increased harvest that this proposal might allow. A rough estimate of the deer population on Kodiak Island is 100,000 animals. 70 percent of them are on the Kodiak National Wildlife Refuge and therefore on Federal lands. Populations, as you know, from Robert Stovall's presentation, populations do tend to decline when there are severe winters, and there were several of those winters in the late '80s, but since 1991 there have been population increases of deer. The annual harvest has varied between 6,000 and 9,000 deer throughout the islands in recent years, and 50 percent of the harvest has been on Federal lands.

I should note that the road system, which is where the most hunting pressure occurs, is not affected by this proposal because it's not on Federal lands. And you also know from Robert Stovall's proposal that according to the responses from hunter questionnaires a minority of the hunters in this area are actually locals. There is -- last year, or I guess it was 49 yeah, last year 16 percent were local, and in other years --

in 1991 to '93 it's averaged about 22 percent. So, only the local residents are the ones that would be affected by this proposal.

Again, you should view these figures with caution because a lot of people don't like to answer that questionnaire, so the response might not be an indication of how much hunting is local. But generally the proposal would only find those people that seek to hunt more than their personal limit. It wouldn't affect hunters that currently get less than the bag limit because they -- they would still be sharing within that bag limit. It would only effect those people that would be capable of taking more than the bag limit, and that number appears to be quite small. So, generally, in conclusion, any increased harvest from this proposal will probably not have a strong effect on the deer population on Kodiak Island. And that population is healthy.

The only area where there's any reason for caution on this is that there currently is no limit -- as you put in your proposal, there's no limit on the number of people for whom a designated hunter might hunt. And you might be interested to know the Southeast Council dealt with this by putting a cap on the number of bag limits that a hunter could have. I think they said two bag limits. And also you should know that the Southeast Council passed a designated hunter proposal which didn't say that the person that receives the deer has to be handicapped or elderly. It could just be anyone that doesn't choose to hunt, and so I just wanted to present that as a possibility, if you guys wanted to do that also.

Does anybody have any questions?

MR. CHRISTENSEN: Mr. Chairman. On the proposal, I'd support it just as it was 'cause the last two meetings we extensively talked about how we wanted this to be -- how we wanted this to be worded, and I see on the Department of Fish & Game's opposition, the wording on the proposed regulation, it says qualified rural residents with a license, and I believe that -- you know, if you have a license then you have to comply with all these laws. It says opposed as written, raises too many questions about how a transferrable permit system would be implemented and its potential effects. Well, on the proposal the wording "qualified rural residents with a license," that encompasses all six of these statements that the ADF&G opposes, their reasons for opposition. So, I -- like I say, we extensively spent a lot of time on this to word it the way we wanted it, and I -- was this proposal, was it -- it wasn't passed by the Board, was it?

MR. DIRKS: Yeah. Well, excuse me, but could we wait on comments until all the staff analysis is done and then we could discuss it .....

MR. CHRISTENSEN: Oh, well .....

MR. DIRKS: ..... and then take public comments?

MR. CHRISTENSEN: I thought you asked for comments -- I'm sorry, I thought you were done.

MS. MASON: Yeah, I was confused, but I am done.

MR. CHRISTENSEN: Well, I thought she was.

MR. DIRKS: Okay. After I do my public comments then we'll open it to the public, and then we'll discuss it.

CHAIRMAN OLSEN: I'd just like to make one comment, that the Department must be doing a hell of a job in the balances because 10 years ago they estimated 100,000 deer on the island, too. It seems to be really in balance. Good job.

MR. WILLIS: It rises and falls, as you know, with the severe winters, but because there are no predators on the island, no wolves, especially, the deer can come back real quick when the weather turns mild again. So there was a population crash back -- sometimes back in the '80s, but I've forgotten exactly when it was, but it comes back. You know, a few mild winters and you're right back where you were before.

CHAIRMAN OLSEN: The reason I look at that, I sat with the local advisory council at least a decade ago and it was the same number. I certainly questioned that at that time, how they arrived with it, and certainly I know since then the deer have migrated to the southern end of the island here and have increased heavily on the south end, but yet we still have -- I mean this makes me wonder how big the ballpark is getting.

MR. WILLIS: Yeah, well, 100,000 is a pretty round number, and a very rough estimate because obviously there's no way -- we haven't yet found a way to count deer, especially with the limited number of people that you can afford to send out there. That's why Robert Stovall is still investigating methods to try to come up with a good way of coming up with estimating numbers.

CHAIRMAN OLSEN: I guess then that all we can assume by

this number is that is a healthy population.

MR. WILLIS: That's a safe assumption.

MR. CHRISTENSEN: Mr. Chairman, I'd like to ask Mr. Stovall, on the wording for the proposal it says "qualified rural resident with a license." Just that wording alone, will that not encompass and result in all these oppositions by ADF&G; will that not make sure that all that is happening the way it's supposed to? Do you see my question?

MR. STOVALL: Yeah.

MR. CHRISTENSEN: Because if it's a legal license -- it's like every other license which has to do exactly what this is saying. So if that is not happening then they would be against the law anyway. Right?

MR. STOVALL: You have to go by the Federal Subsistence Regulations, and most of -- because there's a license requirement and such a requirement states that most of what that particular response that the state is actually addressed in the proposal. So I'm not sure why they hadn't observed those changes that we did make in the proposal.

CHAIRMAN OLSEN: I'd just like to comment again here. I know as we've waded through this thing so heavily and it still -- I'm not sure where the point is at, but here again I say subsistence is not subsistence when we are regulated to death. Second of all, I know we oppose very heavily on getting two licenses and a permit for the same animal. It seems very redundant, it sounds like we are carrying it way too far, and I know we will never get compliance or any more statistics out of it even if this adopted. It's taken us nowhere, in my point of view. When they're asking so much as not available -- when I say that, Robert, I remember talking to you about I'd get a survey to find out if all the villages had licenses available to them in the village, and it is not true that all villages do not have a way of getting a license within their community.

MR. HAAKANSON: Mr. Chairman, I was going to try and propose a way back that in order to get proper record of the kills and stuff that the tribal councils in each village be able to sell the permits to the residents, and that way they can keep a master sheet of someone who gave up their tags, whereas if they got 'em from Fish & Game sometimes they don't turn them in, but I'm sure they'd be accurate if they got them from their tribal government, knowing that they will write down how many they caught and stuff, knowing that they won't

prosecute for helping them maintain a good lifestyle.

MR. MISHLER: Mr. Chair.

CHAIRMAN OLSEN: Certainly, Craig.

MR. MISHLER: Can you tell me which villages you contacted who did not have a license vender?

CHAIRMAN OLSEN: The one I contacted that did not was Akhiok, and I -- there was one other that I did not get a response back as of yet. What do you consider Karluk; is that not considered a village or is that .....

MR. PESTRIKOFF: Just now in the last year is the first time we've had a vender.

CHAIRMAN OLSEN: I understand. I did try to speak to as many as I could in the villages to try to get where this was at, and I think before we can implement a regulation like this or even a proposal this has to be made available to all applications, not just some here, some there. Otherwise, it's a discriminate proposal or regulation.

MR. CHRISTENSEN: Just for the record, there is a vender in Larsen Bay. There has been for some years.

CHAIRMAN OLSEN: Yes, I did contact Larsen Bay, thank you.

MR. WILLIS: Mr. Chair. Maybe I can clear up some of the confusion here. First I want to answer Randy's question about these State comments. The proposal that Rachel mentioned which was submitted by the Southeast Regional Council did not have a license requirement in it, and what the State did here on Proposal 19 was to just take their comments from that proposal, which I believe was #1 or #2, and stick them in under 19, and so a lot of what they said here doesn't apply to your proposal because you did deal with that issue.

MR. CHRISTENSEN: Well, that's what I was trying to bring up is that we went through all this in our last meeting, and when we got the proposal down as best we could to encompass and make as many people happy as possible, and that's how we went through the proposal, and I believe right now we're going over exactly the same thing we did last meeting. Correct?

MR. EVERITT: We don't need to .....

MR. CHRISTENSEN: We don't need to do anything more with this except just resubmit it, I believe.

MR. WILLIS: Yeah, that's the second thing that I wanted to bring up was that council developed this proposal after a great deal of effort and, you know, you were satisfied with it, and we had no problem with it either. And the only suggestion that I would make is coming from the Southeast Council they were concerned about some of the people who have a subsistence priority but are not really what I would call true subsistence users in Southeast, who might shoot more deer than they can handle, and that's why they add it to their proposal the idea that you could have in your possession only two bag limits at one time because of that concern. That was something the council wanted to do, and we thought it was a good idea also, and I just throw that out for your consideration as something that you may or may not want to add to your proposal.

The State's comments here, we didn't feel, were very applicable at all. I couldn't find one of them except the first one which says it raises too many questions about how this transferrable permit system would be implemented and its potential effects.

The sample of a Federal permit that I handed to you there is something that I drew up last summer as a possible means of handling this and gathering information, letting the local people gather the information and submit it to us so we can get good harvest data and they would have something to carry around which legally entitled them to have more than one bag limit of deer. The way that thing is set up, it's in three parts. Actually if you look close you'll see the perforations there where it would be split up, but the only thing a person would carry with him in the field is a narrow strip on your right-hand side there. The top part there, where it's the name and the address and so forth for the designated hunter, that would remain with the person who is passing these out in the village. The bottom part is a postcard that's already got a stamp on it and at the end of the year if he's hunted for four different people and he's shot 25 deer for those people, then he fills that out and drops it in the mail. It comes back to us and that's local, so the local people are sending us the information on what they harvest and it's all legal, so nobody's going to prosecute 'em if they did shoot 25 deer. We just want to document how many deer you're actually harvesting in the villages.

That's my idea about how this thing would work. The State license system since they already have licenses and a deer tag, that would allow somebody to carry with them -- if

I'm going to be a designated hunter for you, you give me your deer tags. You've got five deer tags. I can go out and shoot 10 deer. I come back to the doctor with 10 deer on the boat and there's an officer there with the State waiting to check me, okay, I've got enough tags, I've got 10 tags for 10 deer. And this does a couple of things. It's kind of a concession to the State in that if we start substituting a Federal permit for their State license, they lose revenue which they need to do the work on the deer herd, you know, to do the management. They do most of the management work, and they do a lot of surveys and research, and it was our feeling that they have a legitimate concern about people hunting without putting anything back in to it as far as a State license. In most cases it would be a $5.00 license because the people that -- but in the villages generally are low enough, as far as their cash income, that they don't have to buy the expensive license anyway, they can get a $5.00 license. Of course, there's some people who don't think that the subsistence user should have any license at all -- be required to have any license at all. You can do what you want with that, but that's how I envision this thing working.

Obviously we're going to have to do a better job, make sure the State does a better job of getting the licenses out to the villages that don't have vendors. And I've spent, off and on, the last two or three weeks trying to get a meeting with the State agencies and all the Federal agencies involved because this is going to apply to Southeast Alaska, too, not just Kodiak, and get everybody together and try to decide how we're going to do this, you know, let's make sure that the Federal permit and the State licenses are all going to be available to all the villages from the same person to make it as easy as possible so people can go in and get what they need before they hunt, and I can't guarantee you I'm going to be successful, you know, in getting the meeting set up or getting this thing resolved, but that's what I'm trying to do right now. And, hopefully, by the time the Board meets in April we'll have a system worked out. This permit is just something came up with, it's not something that's been blessed by the Federal Board or the other agencies or the State or anybody else. Hopefully by the time the Board meets and passes a proposal or a regulation involving designated hunters we'll have a system set up. We'll know how it's going to work. Right now we don't, really. We're soliciting ideas from you also at this meeting. But that's the way I envision it right now, and I'd like to have your input on it.

CHAIRMAN OLSEN: Two things come to my mind here, right off the bat, as we talked about it. Under this licensing

system I'm sure I'm sure it would offend you if I asked you to go to the store for me and buy a loaf of bread but you in fact found out you had to pay your price for it and also my price for it and the taxation on it to boot. I mean that is what you are basically asking for us, from a designated hunter's position.

Secondly of all, we might go back to our charts here again and say this designated hunter is going to affect all of Unit 3, which encompasses the Aleutians and Pribilofs. Now they don't have deer out there but yet because they're eligible for it on Kodiak here, then that means you're going to have to go set up a licensing department to Bilofsky, do-do-do-do-do, and identify it.

MR. WILLIS: No, that wouldn't apply at all. To your first point our feeling is that the person who is receiving the deer -- it's not like a sport hunting situation where you pay for the privilege of going hunting essentially is what you do, when you buy a sport hunting license that's no guarantee you're going to get any game, you're just paying for the privilege, but the subsistence user is not like that. For them it's food on the table, and so the idea is that if you're going to get a year's supply of meat, somebody's going to go out and shoot five deer for you, then you have a responsibility to pay for some part of the management of that deer herd because you're getting a year's supply of meat from that deer herd. The hunter is also shooting his deer; he has a license because he's doing the same thing. So the individuals who are using the deer, whether they actually do the shooting or not, are paying for part of the management. Now that's the way we look at it, and I know a lot of people disagree with that, but I wanted to present that anyway.

CHAIRMAN OLSEN: I certainly totally disagree with that, 'cause the good Lord put them there for a reason, but you want to take credit for it. But .....

MR. WILLIS: The good Lord didn't put 'em here, the US Government put 'em here.

CHAIRMAN OLSEN: ..... at any rate, I -- here again, one thing that comes to my mind, how many proposals are there on designated hunter? There is .....

MR. WILLIS: Two.

CHAIRMAN OLSEN: Two? Just two now?

MS. MASON: Three. Southeast has two.

MR. WILLIS: Oh, the moose -- yeah, Southeast has one for moose as well as for deer in one very small area.

CHAIRMAN OLSEN: Politically speaking, would it not be prudent to see what precedence goes before we try to put in verbiage that's going to conflict for Southeast and Southeast has verbiage that's going to conflict with Kodiak and so therefore we both get beat out? I can see friction there until .....

MR. WILLIS: We're trying to come up with a standard for -- you know, to have both areas have the same regulation, that's what we're trying to do.

CHAIRMAN OLSEN: So, our proposals better basically be the same? I mean .....

MS. MASON: I don't think they need to be identical.

MR. CHRISTENSEN: No, I don't think so. Mr. Chairman. First of all, I'd like to say that as far as paying for the license, you know, I mean there's quite a few people that are you know, what's good for the goose is good for the gander, and people that -- you know, like maybe somebody's wife that doesn't want to go out or can't go out hunting, she should have to pay for a license just like everybody else, and also the reason for getting a license, I believe that we hashed this out before, was just for the purpose of accurate reporting of the harvest. And I thought we already had that hashed out.

Second of all, I'd just like to go back to just to clarify what your first comment was on the Southeastern part about it, that he said we might consider. Personally, I think that this should just be -- if this was not approved by the Board -- was it approved?

MR. DIRKS: No, this is going to be taken up in April.

MR. CHRISTENSEN: It's going to be taken up. Okay, so then I thought we already figured that -- I don't understand why we're going over this again.

CHAIRMAN OLSEN: Here again, Randy, ...

MR. CHRISTENSEN: 'Cause we just .....

CHAIRMAN OLSEN: ..... the opposition here, which I am

showing is that I agree the recording needs to be there, but as long as we're going to have these rural people have a license, we are not going to get that reporting, so I guess it's trying to say have your cake and eat it too. Do we want the reporting or the people are going to go on to certainly there isn't enough protection or what-have-you to incriminate them out in the field, so .....

MR. CHRISTENSEN: I just don't see why we have to go on hours and hours on the same thing that we went hours and hours on .....

CHAIRMAN OLSEN: Because it's not resolved.

MR. CHRISTENSEN: ..... and already agreed on. We already resolved it last meeting. We've already done this before, why are we doing it again?

MR. DIRKS: Okay. What had happened was that we submitted this proposal last April, and it was rejected.

MR. CHRISTENSEN: Okay. But this is a revised proposal.

MR. DIRKS: This is a revised proposal.

MR. CHRISTENSEN: So what are we doing this again for? Why was it even in our agenda?

MR. DIRKS: Well, ...

CHAIRMAN OLSEN: Why was it rejected?

MR. CHRISTENSEN: It was not rejected. I'm just -- that's what I was wondering, why is it in here because it hasn't even been submitted yet.

MR. WILLIS: It was deferred.

MR. DIRKS: Or deferred.

MR. WILLIS: It was tabled last year in order to allow because a lot of people were interested in the designated hunter and the task force was put together last year after the board meeting when it was tabled in order to study all the possibilities or alternative harvest systems rather than a harvest limit or one person, one bag limit. And, you know, designated hunter and community harvest were two possibilities that were developed, and, you know, we went over this before

for communities like Kodiak especially, a designated hunter works much better than a community harvest. It's simply too big a community and too diverse. The people in Southeast felt the same way; the designated hunter was the preferred option. So the idea was that you would look at what was available in alternative harvest systems and draw up your own proposal for what you wanted in your area and submit that to the Board, and that's what you have in front of you, what you are submitting this year, and it will be acted on this year.

MR. CHRISTENSEN: Well, I'm happy with .....

MR. WILLIS: The only thing that was not considered, in my recollection, was the idea of limiting it to a person having only two harvest limits in their possession at any one time. I don't think that was discussed by this council.

MR. EVERITT: Can I ask you a question?

MR. WILLIS: Sure.

MR. EVERITT: You're bringing this to us and your idea for bringing this to us is that we might be bringing the same type proposal, as Southeast does, about limiting the number of deer a person can have at any one time to stop wanton waste?

MR. WILLIS: Yes.

MR. EVERITT: Okay. So you would like to see us maybe consider adding that to it so we both have a better chance when they vote on this, that we both handled the issue that might be a major concern that you see?

MR. CHRISTENSEN: That's what my question was a while ago, if he can expound more on it.

MR. WILLIS: Yeah, I thought it was a good idea. I thought that Southeast Council had a good idea in doing this, and .....

MR. CHRISTENSEN: And you think that we'd have a better chance of it passing if we added it in as an amendment to the proposal maybe?

MR. WILLIS: I hate to tell you what to do, Randy. You understand that.

MR. CHRISTENSEN: I know. But well, I'm just asking, just as a -- you know, as a .....

MR. WILLIS: I think it would help. There's a lot of concern about abuse of the system by people who, you know, are not true -- in my opinion, true subsistence users. Like in Southeast where the council came up with this, only about half the people are Native. You have a lot of transients, people in logging camps that come in there from Washington and Oregon. They're living there so they've got the same subsistence rights as everybody else, but they have no real stake in the country, you know, about protecting resources. They just use whatever they want to use while they're here and then they're gone. You have a lot of people living in the larger -- some of the larger communities. Sitka comes to mind. It's got about 8,000 people, who hunt only when conditions are good. And I have the data that shows this. When there's a lot of deer and conditions are good they go out and they shoot a lot of deer. When the hunting is tough and the weather is bad, they don't bother to hunt at all. They're not really dependent on the resource, and it was -- you know, because there are a number of people down there that -- who might go out and not deliberately but shoot some of the deer on the beach, you may be able to shoot 15 or 20 deer, you know, pretty easily, and then have more than you can take care of. By the time you've cut up eight or 10 deer, you know, people say, hey, I'm just going to take the backstrap .....

MR. CHRISTENSEN: Well, I was just going to say that. Usually you don't go out alone, so if you go out with somebody, if you have in your possession -- if you have a limit of two harvests for each person, you're looking at 20 deer. By the end of the day, by the time you get done butchering 20 deer, you know, you're -- you know, then you can get them home and go out and get another 20, you know.

MR. WILLIS: Yeah. This might not be a factor, but the Southeast Council was concerned about it and they felt it should be limited, and I thought it was a good idea because usually you're -- you know, people like you are not going to go over that many anyhow. But it addressed a concern that they had.

CHAIRMAN OLSEN: I feel this is particular -- in reason of what the subsistence is all about, asking for the rural preference with these issues in mind, but unfortunately we had a judge rule saying that it is unconstitutional. Craig.

MR. MISHLER: Yes. I would like to support the Federal staff position on this and the recommendation of a possession limit simply because I've heard complaints when I've done the

visits to Akhiok. There's something -- a phenomenon here that occurs in the Kodiak area that may or may not have occurred in Southeast. That's party boat hunting, which you may be familiar with, and people in Akhiok told me time and time again that they are appalled at the number of deer that come out of Olga Bay and Moser Bay where there's intense hunting of a small population of deer, and in fact it's discouraged them from hunting in their traditional areas. They now have gone into Deadman Bay to do their hunting, where they they used to go into Olga Bay and Moser Bay, simply because the hunting pressure is so great. And I would attest that without some kind of possession limit these party boats could really -- I mean already with legal takes they can have 20 or 25 deer aboard. I mean if the possession limit -- if there isn't some kind of rational possession limit, I think it could very much be abused.

CHAIRMAN OLSEN: I certainly agree that abuse if the local issue amongst this kind of a regulation, but I also feel it is being pointed right at the subsistence user. What is there -- what is the State going to do for the sport hunter to defer this?

MR. WILLIS: The sport hunter cannot hunt as a designated hunter. This is strictly for the subsistence user.

MR. MISHLER: But anyone in the City of Kodiak is a qualified subsistence user.

CHAIRMAN OLSEN: Yeah, I understand that. I'm talking wanton waste. The sports hunter, it doesn't matter if he only has one tag, if he goes out and shoots that one animal and leaves it, we've got the same effect.

MR. CHRISTENSEN: Mr. Chairman, I'd like to make a motion that we make an amendment to Proposal 19 where a qualified rural resident hunter of Unit 8 in possession of a Federal permit and a valid State hunting license may take deer for other qualified rural residents with a license who otherwise cannot harvest or hunt for themselves in a customary manner for the traditional uses providing that they can only have a possession limit of 2 license harvests.

CHAIRMAN OLSEN: Before I act on that was there any more public comment on this? Hearing none, I would like to take this for a proposal motion under consideration. Do we have a second?

MR. EVERITT: Second.

CHAIRMAN OLSEN: Seconded by Tom Everitt. Any discussion on -- more discussion on designated hunter proposal 19?

MR. TUTIAKOFF: Question.

MR. HAAKANSON: That's for one given day, but they can go another day for someone else?

MR. WILLIS: Sure.

CHAIRMAN OLSEN: All those in .....

MR. CHRISTENSEN: Okay. On -- was there a question called?

CHAIRMAN OLSEN: Yes, there was.

MR. CHRISTENSEN: Well, I guess is it too late for me to change? Because I just read the wording, the verbiage on Southeastern's, and there was a little bit -- well, would it change anything, because it's only in possession. That doesn't mean that he can't go back out again.

CHAIRMAN OLSEN: You're making the motion.

MR. CHRISTENSEN: Right. No, I was just .....

MR. WILLIS: I just thought you'd be interested to see the language that they used in Southeast.

MR. CHRISTENSEN: Okay. I don't see how that -- how my motion would make any difference, 'cause the possession limit itself doesn't mean you can't go back out.

MR. WILLIS: Right.

MR. CHRISTENSEN: Okay.

MR. TUTIAKOFF: You can go back out the same day.

MR. CHRISTENSEN: Yeah, you can go out the same day, it just means you can't have the possession of them.

MR. WILLIS: You've got to get 'em back and get them processed first before you go back out.

CHAIRMAN OLSEN: There's a motion on the table, the

question has been called. All those in favor of the motion, signify by aye.

IN UNISON: Aye.

CHAIRMAN OLSEN: Those opposed? Aye. Motion passes.

MS. DETWILER: Excuse me. I didn't get the wording.

MR. CHRISTENSEN: Okay. After the initial proposals, as written, I put: providing that the hunter has only a possession limit of one -- or of two valid hunting licenses. I guess that's the way it would work.

MR. WILLIS: The Board may decide to write it one way or the other and do the same thing, but they may change the wording around to suit themselves a little bit.

MR. CHRISTENSEN: Just so they understand.

MR. EVERITT: I think that's a reasonable safety net, because anybody that's hunted and you have 10 deer -- you shoot 10 deer, you have your hands full, and any more than that, I can see the potential of waste happening.

MR. CHRISTENSEN: Well, a lot of people don't go out just by themselves, too. You know, like if you have two people, you have the possibility of 20 deer. If you have three people, you have the possibility of 30 deer, you know. And if you go out in a skiff, you know, by the time you get 30 deer in there, you know, it's going to be tough to get home.

MR. EVERITT: Yep.

MR. TUTIAKOFF: Proposal 20.

MS. DETWILER: Could I speak?

CHAIRMAN OLSEN: Yes, Sue.

MS. DETWILER: For the record here, did you want to capture in a few words what your justification was for making the amendment that you did?

MR. TUTIAKOFF: I think the justification is in the addition, that's to keep .....

MR. CHRISTENSEN: Keep wanton waste down.

MR. TUTIAKOFF: ..... wanton waste down.

MR. CHRISTENSEN: And possibly .....

MR. WILLIS: Possible unintentional waste, too, you know.

MR. CHRISTENSEN: ..... unintentional waste.

MR. WILLIS: Some people would probably not realize the work involved in handling three or four limits of deer. Some people like to shoot, they don't like to work.

CHAIRMAN OLSEN: I agree. I agree, but I think the wrong people are being penalized for it.

MS. DETWILER: Okay. So is it okay to say the justification is that the amendment is added to eliminate intentional or unintentional wanton waste?

MR. CHRISTENSEN: Correct.

MS. DETWILER: Okay.

CHAIRMAN OLSEN: That takes us on to Proposal 20.

MR. DIRKS: Robert.

MR. WILLIS: Proposal 20 deals with king crab in the federal waters off Kodiak Island, which are limited to the Womens Bay area, the area around Afognak Island, and around the mouth of the Karluk River. We really kicked the king crab issue around back in the fall, and I won't go to a great deal of detail except to say that the Board at that time rejected a proposal by the State to put a size limit on king crab in the Womens Bay, Gibson Cove area for the subsistence user. However, they were concerned about the decline in the crab population and wanted to do whatever was possible to try to help the crab population. And Chair Mark Olsen suggested that a good idea would be a limit on the size of the crab pots that would be used in that area, that with a limit of only six male crabs, and considering the large number of small crabs in that area because it was a nursery area, there was no point in using an extremely large trap, pulling up large numbers of small crabs that then had to be tossed back overboard because they couldn't be kept. So the Board thought that was a good idea and instructed us and Fish & Wildlife Service to draw up this proposal and consider what would be a good limitation on the size of pots.

So, I talked to Mark and talked to Dave Jackson, the ADF&G shellfish biologist in Kodiak, and came up with a 75 cubic foot limit. This would be a 5' by 5' cage 3 feet deep, just as an example. Rather than specifying a shape because people build crab pots in different shapes, we decided that the interior dimensions would be the way to go. So, any shape that's 75 cubic feet interior dimension -- volume or smaller would be acceptable.

We don't really have any information on the mortality of small crabs that are caught and then tossed over the side. It kind of stands to reason that there would be some increased mortality from them being handled, and also if they're handled roughly. So, although we don't have any good information which suggests that this is a problem, it certainly would not hurt -- it would not affect the subsistence user who is using the smaller pots anyway. And since we don't have a commercial fishery for king crab in that area, they wouldn't be limiting commercial fishing.

I believe that's all that I have.

CHAIRMAN OLSEN: I would definitely like to make some comments on this and what brought me to these conclusions. There is not data showing how much gear greater than 75 cubic feet capacity is currently used. That is wrong -- that is probably correct as far as subsistence goes. We're not on commercial. Every commercial pot is identified that the bigger the pot the more room for crab there is in there, whether they are keepers or undersized. And if you have ever been around crab fishing where you get into trash crab or crab that are not legal, you find that even the big boats have a tough time getting that pot aboard, 'cause all those crab are squishing down towards the doors as they are being hoisted out of the water. They're just crunching together. And you try to get that door open with all those legs sticking through the meshes. You bet you're going to rip a hell of a lot of legs out of them. Not only that, that big pot -- your pot is here, your boat is up here with the tide, you're pulling that pot, that pot is skipping along the bottom. What's to get in it's way, whatever is in there. You think a 2,000 pot is -- you're going to say, out of my way? Negative. When you pull that pot aboard you can look at the bars underneath it and see how many crab pieces are left. I certainly think there's a hell of a lot of merit to the subsistence user of a smaller pot, and the primary concern here, again, is the resource itself, as to why would like to see a smaller type of gear used, since it is for subsistence. Also if the limit is only six per day, you

don't need an eight by eight to get six crab. I just don't see where the justification is being missed, but I am open to any comments on it.

MR. PETERSON: Mr. Chairman.

CHAIRMAN OLSEN: Yes, Jeff.

MR. PETERSON: Mr. Chairman, I'd like to comment on pot size. I support downsizing the pots because of the limited resource, and that's -- you only -- if there was a lot of crab out there and we had a bigger demand in the village for crab, then we go to either more pots or bigger pots. But because of depleted resource, we downsized our pots and downsize the numbers. Just like we always in the past, we always go by if there's this low number of this, we'd go with a -- we's just harvest less. I believe that pot size is a real good idea.

CHAIRMAN OLSEN: Thank you, Jeff. Another consideration that is here is that it certainly will defer those transient boats coming through with their commercial gear on board while they're hunting, while they're tendering, to be able to bring them along and flop them out legal or illegal is not the matter; the matter is the conservation. Yes, Mitch.

MR. PESTRIKOFF: Also on the -- I also agree on the scaling down of the pot size for subsistence, but I also like to see the same thing happening as the commercial user, like the rotten cotton in the escape hole for the -- you know, the size web for the smaller crab to escape in, and the rotten cotton just in case of the lost pot, to be part of the part.

MR. EVERITT: That's already part of the law.

CHAIRMAN OLSEN: That is for commercial, Tom. It's not mentioned here.

MR. EVERITT: Subsistence, you have to have the rotten cotton to have a subsistence pot, under State where everybody's it's the same, you have to have so many inches of it sewed up so it will rot out. And this regulation right here is only Womens Bay.

CHAIRMAN OLSEN: Grant you. Not just Women's Bay but Federal public .....

MR. EVERITT: Right.

CHAIRMAN OLSEN: ..... lands.

MR. EVERITT: That's all there is here.

CHAIRMAN OLSEN: Thank you, Mitch. But I also look at this as being consistent with the rest of the Department's management tools. If it was not consistent, I think we would much rather have two or 300-fathom herring seines and 400-fathom salmon seines, things of this nature. If it is for management tools, I think it should be respected as in consistent with regulation.

Any more comment?

MR. CHRISTENSEN: Are you entertaining a motion?

CHAIRMAN OLSEN: If there is no other comment, hearing none, I would entertain a motion on Proposal #20, king crab.

MR. CHRISTENSEN: I move that we amend Proposal 20 to read as written, no more than five crab pots may be used to take king crab. Each pot can be no more than 75 cubic feet in capacity.

MR. TUTIAKOFF: Second.

CHAIRMAN OLSEN: Moved and seconded. Any more discussion?

MR. CHRISTENSEN: You might want to add in after -- if it's passed that -- if there's any comments there you can go ahead and put whatever Mark said for comments.

CHAIRMAN OLSEN: Yes, Sue.

MR. CHRISTENSEN: And also Buddy (Mitch Pestrikoff) and Jeff.

MR. TUTIAKOFF: Just to follow the primary conclusions at page 13. Question.

CHAIRMAN OLSEN: Question's been called. Those in favor of the motion, please signify by aye.

IN UNISON: Aye.

CHAIRMAN OLSEN: Those opposed?

(No opposing responses)

MS. DETWILER: I have a question.

CHAIRMAN OLSEN: Excuse me, I'm sorry. Sue.

MS. DETWILER: I'm kind of confused. You had added an amendment and the amendment is written right into the proposal, so .....

MR. TUTIAKOFF: The shaded areas to the original proposal.

CHAIRMAN OLSEN: This is the amendment to the original proposal.

MR. CHRISTENSEN: The amendment is in the dark, I think.

MR. EVERITT: We're accepting this is what they've come up with.

CHAIRMAN OLSEN: Right. We did not have a pot size or a pot .....

MS. DETWILER: It wasn't in the original proposal, okay.

CHAIRMAN OLSEN: Right. Identification.

MR. WILLIS: To the original regulation.

CHAIRMAN OLSEN: I would just like to make one comment here, that as we talk about the amount of crab caught per pot, as we were on a survey for the State of Alaska in Adak, as we took all the information necessary from the crab, this is just another exception, not the rule, but after we caught the crab, after we tagged and measured, got all the information needed, as they were thrown overboard, here was a school of sea lions sitting there, just waiting for each one to come back overboard because it was all your money going to the diet of a sea lion. It was real. It was real. Yes, Sue.

MS. DETWILER: Did you want to state a justification for .....

MR. CHRISTENSEN: Well, I would like to. I think what Mark was saying, too, I think, probably what would be good would be the third sentence under: Reason for changing your regulation: the third sentence says "Since the harvest limit is six male crabs, it is both unnecessary and detrimental to

the crab population to catch and handle large numbers of crabs when only six male crabs can be retained." And also -- and additionally, it will -- it should help stop large commercial crabbers from coming in that many times are not -- they are not necessarily subsistence users.

CHAIRMAN OLSEN: In a few words, limited impact on the resource.

MS. DETWILER: Okay. That brings up another point I was going to make when you were thinking about your justification or making your recommendation. The Board when it deliberates on proposals and decides what action it's going to take, it has two primary guidelines that it has to adhere to. Actually, I'll get to the three after I get to the two. The two fundamental ones, which are written into Title VIII are that it has to be consistent with conserving healthy populations and if that's the case then it has to accommodate subsistence uses. So in your recommendations it helps your case if you justify it by saying that this is consistent with maintaining or concerning healthy populations, and it accommodates subsistence uses -- customary and traditional uses. And if that's truly the case, then the Board can only reject your recommendation for one of those two reasons. So, if you say that it's consistent with maintaining healthy populations and customary and traditional uses, then the Board doesn't have any evidence to the contrary of that, then they have to adopt the recommendations. So my recommendation is that you address those two basic parameters in your justification. The standard one that I suggest is what I just said, that this .....

MR. CHRISTENSEN: Is consistent.

MS. DETWILER: Yeah.

MR. CHRISTENSEN: Okay.

MS. DETWILER: It also accommodates customary and traditional uses.

CHAIRMAN OLSEN: Yes. How would you word the other; it refers, like we said, any other illegal take by commercial gear? That was a very big part of why we felt some action needed to be taken on it.

MS. DETWILER: Okay. So for the justification did you want to include in there the wording that you had pulled out the -- that reason for changing your regulation which is .....

MR. CHRISTENSEN: Well, you could just have the -- it's consistent with conserving the population of the resource and it's consistent with a customary and traditional manner, and also helps stop commercial users from trying to take crab as subsistence users.

CHAIRMAN OLSEN: Illegal take.

MS. DETWILER: Oh, okay.

MR. CHRISTENSEN: Stops commercial fishermen from using commercial gear when many of them are non-subsistence users, but they'll keep on doing it anyway.

MR. CHRISTENSEN: You're not a commercial fisherman, are you?

MR. CHRISTENSEN: Now I can't use my gear.

CHAIRMAN OLSEN: Is there any more that we feel needs to be discussed on this proposal? Can we move on? Are you satisfied with this? Okay. How do we want to handle this, Moses, for each proposal the procedure will be.

MR. DIRKS: Oh, those are the ones we just got done with.

CHAIRMAN OLSEN: Okay, that's what I had thought. Eligibility process, new residency requirement, under New Business. Want to elaborate more on that for me, please, Moses?

MR. DIRKS: Okay, the eligibility process, new residency requirement is up for the regional council to look at, and I asked Sue to present that.

MS. DETWILER: I'm still writing on this proposal.

MR. DIRKS: Okay. As soon as she's done. But it's the problem we just discussed earlier in the meeting about the definition of resident. There's a definition as far as Federal Subsistence Management Regulation is concerned, and I guess the difference in the State. So, I guess it differs from the State. This is why it's been a controversial issue, and then they've come up with options which the Board would like to obtain comments from the Regional Subsistence Advisory Councils on this issue. And then Sue will go ahead and go over those four or three options that they propose, and the letters from

the Alaska Department of Fish & Game was also included, together with the comments from the Bureau of Land Management.

MS. DETWILER: Okay. As far as eligibility for subsistence priority goes in our licensing, there's three issues that the Board is going to have to address, and so you can comment on them if you want. They've come up with both the Department of Fish & Game and BLM have written letters to the Board asking them for -- bringing up the issue and asking for resolutions to the issue, and I'll just highlight what those three issues are.

The main issue is whether Federal regulations should require a subsistence user to have a valid State resident license. Right not he way the Federal regulations are written you don't need to have -- you just need to have a valid State license so you can have either non-resident license or a resident license, and so the way that the regulation is written now, anybody can come up from the Lower 48 and the next day get a non-resident license and qualify for subsistence use. And the State has written the Federal Board a letter saying that that's not really fair that people who've just come up here haven't had time to learn customs and traditions of subsistence uses and the intent -- and that's the intent of Title VIII is to protect those longstanding uses, and a person who is just up here really recently shouldn't be given that priority because they haven't had the chance to pick up -- to learn those customs and traditions.

So the question before the Board then is going to be whether to change the regulation to require a resident license, which would mean that to qualify -- a resident State license would mean to qualify for the priority a person would have to have been here long enough to get a State resident license.

CHAIRMAN OLSEN: The last on, first off proposal made by .....

MS. DETWILER: Sheldon.

CHAIRMAN OLSEN: ..... Sheldon, is that what we're looking for? Are we not going to .....

MS. DETWILER: They're really two different kinds of issues. One is Sheldon's proposal had to do with allocating among subsistence users. In other words, his proposal was .....

CHAIRMAN OLSEN: Where is priority going to start

being .....

MS. DETWILER: Right. Among -- yeah, whose been here, whose customs have been here longest, and his point was that Native traditions and customs have been here longest. So among subsistence users since they've been here longest, they would -- they would be the last ones to be restricted. And other subsistence users would have to be restricted before that because they had a shorter length here. But the issue that has to do with licensing is separate from that. It has to do with whether or not the Federal regulations should just require a person to have a resident license. It has nothing to do with .....

CHAIRMAN OLSEN: Non-residents?

MS. DETWILER: Yeah. How can I make this more clear? It has to do with when a rural person could qualify for the subsistence priority. The main issue is whether a person who just moved up here a few days ago could qualify for a subsistence priority. What the State is asking for is for the Federal Board to change the regulations so that a person would have to be in the state for a minimum of a year before they qualified at all.

MR. CHRISTENSEN: Mr. Chairman. I would just like to make one comment, that Moses asked us to read on both of these issues here last night, and hopefully we all did. I've already made up my mind on both of these here, so I'm for the Option B. That's just my comment.

MR. TUTIAKOFF: I'm also for Option B. That's my comment. And Option B is one year residency requirement and nine months in a location, showing valid .....

MR. CHRISTENSEN: It basically just states that you have to be a resident. A resident hunting license is required, and you need a State resident trapping license and no license for subsistence fishing, which I believe -- isn't it the way it already is?

MS. DETWILER: And the other part of the issue is how long a person would have to live in a certain area to be called a resident of that area, like how long they would have to live in this area to become a resident of this area, and the way the regulations are written now, there is no time limit. So -- and -- so how they determine who is a resident, which area, is based on what kind of documentation that person can produced showing that they lived there. Like driver's license, address,

hunting address, you know, if they -- hunting license address, tax documents, where they own their houses. If they can produced enough documents saying that that's where their address is, then they qualify for subsistence priority within that area, but in some cases people are able to produce those documents but they don't really live there. So people don't really consider them a resident of that area. So the BLM is suggesting that we actually add in a time of nine months that a person has to live in a certain area in order to qualify as a resident of that area.

CHAIRMAN OLSEN: I'd like to comment on that myself. I am very aware of this, even as far as the commercial harvest goes, that place of residency by owning a home in Kodiak got them to get a permit under residency, where in fact they might own a home here, in Seattle, Hawaii, the East Coast. I think we should go one step further and say domicile. Residency, to me, does not mean anything except that they have a home in that area, and technically by that they've beaten it in the loop by just owning the home here in Kodiak but .....

MR. CHRISTENSEN: The only problem is .....

CHAIRMAN OLSEN: ..... living in Seattle.

MR. CHRISTENSEN: ..... that there's many subsistence hunters who do have two different homes or three, and that would exclude them, wouldn't it?

CHAIRMAN OLSEN: Well, yes, but I also feel if you're going to come up here and just be here 30 days, I don't want to see a van load of subsistence taken back to Timbuktu. I mean that's kind of an abuse of what, I think, is in the best interests to the regulation. Am I off base?

MS. DETWILER: Your point, Mark, and Randy's counterpoint are the crux of the issue because what you're saying is that some people -- some real valid subsistence users do go from place to place to place; you know, they live two or three places out of the year, and so if we were to adopt BLM's nine-month minimum limitation, that would .....

MR. CHRISTENSEN: Nine months at a location and 12 months per residency.

MS. DETWILER: Yeah. So .....

CHAIRMAN OLSEN: Would that be -- couldn't that be identified as just within the State?

MR. CHRISTENSEN: Not necessarily. You could be three months out of the state. Just nine months at the location.

MS. DETWILER: Yeah, nine months at the location.

MR. CHRISTENSEN: Within the state.

MS. DETWILER: Within the state. And that .....

CHAIRMAN OLSEN: I'm trying to protect those that move around the state.

MS. DETWILER: Yeah. See, there's two different issues that we're trying to address here. One is whether or not a person can move up from the Lower 48 and move to a rural area and immediately qualify for Federal priority, and then the other issue is when the person moves to a community that has a customary and traditional use determination and say that they live in that area but they don't really live there, they live in Anchorage for five months out of the year, but they have a hunting camp out here and they say, well, you know, I have a mail box here and I have a little cabin, this is my place of residence, but people in the area don't really consider them a subsistence user because they're not a part of the community. So, that's the problem that people have is people coming into the area and saying, well, I can produce all these documents saying I'm a subsistence user, but most people don't really consider them a subsistence user because they're a resident of Anchorage for most of the year. And so that's what BLM is trying to clarify with their nine-month rule, that a person from Anchorage can't live in Anchorage for six months and then move to Lake Clark or even out here somewhere and say, well, I'm a subsistence user in this community.

MR. CHRISTENSEN: Mr. Chair.

MS. DETWILER: But, you know, there are advantages and disadvantages either way.

CHAIRMAN OLSEN: I certainly recognize the problem and it's probably 10-fold more than what we are verbalizing here at this time. I guess my question is what kind of action, if any, are you looking for on this?

MS. DETWILER: It's up to the council. We just wanted to make sure that the council was aware of the problem that's before the Board now, and if you have comments then at least you know what the issue is and you can make those comments, but

there's no action that's required on your part.

MR. CHRISTENSEN: I would just like to clarify one thing. You're talking about six months in Anchorage and six months in Lake Clark. Now can't you be a subsistence user in both places and still be a resident?

MS. DETWILER: If .....

MR. CHRISTENSEN: And couldn't you still be -- if you're a subsistence user in Anchorage can't you be considered a subsistence user in Lake Clark?

MS. DETWILER: If you live in Anchorage, if you're a resident of Anchorage, then by -- according to Title VIII, you live in a non-rural area, so you don't qualify as a subsistence user.

MR. CHRISTENSEN: Well, I would just like to again comment that I support Option B.

CHAIRMAN OLSEN: Here, again, that's -- what I look at, so, is the only alternative I know is personal eligibility. Jeff, you were patiently waiting here.

MR. PETERSON: Yes. I just wanted to comment on -- I haven't looked at the proposals or the options, and then like you say, it seems like it would be just simpler to add into any of those options that the only way you could subsist out of Old Harbor or any rural villages is -- and you're having a question on their eligibility, just ask the tribal council and see if they're eligible to subsist. Here, if some guy comes down here and says he's a subsistence hunter from some other place, and if we don't know who he is or how he subsists, then we're not going to allow him. But if we know the individual and he's from another village and we get to see him and talk with him and feel that he's going to be a good subsistence hunter that's going to share and not over-harvest the resource, then he's going to be welcome to subsist in our area. That's unwritten, but, you know, it's done, and if we could get it in writing in one of your options, that would be the best way to go.

CHAIRMAN OLSEN: As I look at the C & T customary and traditional use anyway, I see if we do get that part resolved what's to stop somebody from coming in and saying, well, yeah, it's cultural and traditional harvest, all that means is I have to harvest in a cultural and traditionary manner. You know, I'm just -- I don't mean to be facetious or pessimistic, but

unfortunately I see these things as a reality.

MR. PETERSON: Mr. Chairman, it's the same thing that happened with the commercial fishery around here. You all know that Old Harbor's got a strong fleet and they fish at a certain spot and nobody else fishes there. It's the same way for the subsistence users here. Somebody comes in from Outside and they're a local guy from someplace that is a wanton waste guy, even though he was a subsistence user is not going to be even allowed to come in here and -- without getting ridiculed or harassed to get out of here.

CHAIRMAN OLSEN: I recognize that, and I've heard it addressed as the Old Harbor Management Unit.

MR. EVERITT: Are they just asking us to approve one of these three, to vote on it and send back .....

CHAIRMAN OLSEN: That's the consensus I get, Tom.

MR. EVERITT: ..... that we voted on accepting this one? I move that we accept Option B.

MR. CHRISTENSEN: Question.

CHAIRMAN OLSEN: All those in favor, say aye.

(IN UNISON) Aye.

CHAIRMAN OLSEN: Those opposed?

(No opposing responses)

MS. DETWILER: Did you have any justification that you wanted to add in?

MR. TUTIAKOFF: It's customary and traditional.

MR. CHRISTENSEN: Consistent.

MS. DETWILER: Thanks. I knew it would come back to haunt me. I just didn't know it was going to be that soon.

CHAIRMAN OLSEN: Now this takes us on to new petition that has just been hot off the press as of last week, which is known as the NARC Petition.

MR. CHRISTENSEN: I thought they were talking about drugs.

CHAIRMAN OLSEN: Well, you might as well be. Is anybody unfamiliar with the NARC Petition? Would -- Moses, you laid it on me. How about if I -- you did so well, I'd like you to continue.

MR. DIRKS: Thank you, Mr. Chairman. There was a news release put out by the Federal Subsistence Board on February 9, 1995, that was handed out to the council members. It's in reference to the Federal Subsistence Board announces public comment period on a petition to extend Federal subsistence jurisdiction. So, as the Board is now accepting public comments through April 3, 1995 on a petition that was submitted to the Secretary of Interior and Agriculture by the Northwest Arctic Subsistence Regional Council -- Advisory Council and other Native groups requesting an expansion of Federal subsistence management jurisdiction beyond Federal public lands.

The current Federal Subsistence Regulations apply only on Federal public lands, and the petitioners ask that the Federal management jurisdiction be broadened to include lands selected by but not yet conveyed to Native corporations in the State of Alaska. And the petitioners also request that restrictions be placed on activities off of Federal public lands when it is necessary to protect subsistence uses on Federal public lands.

Okay, and then it goes on. The petitioners would like the Secretary to initiate a rulemaking to provide further protection of the subsistence priority afforded by the Title VIII of ANILCA. Under current Federal regulations -- Subsistence Regulations, eligible rural residents have a priority to take fish and wildlife for subsistence or for other uses on Federal public lands when it is not possible to accommodate all uses.

And the public comments received by the Board will assist the Secretaries in developing a response to the petition which was submitted by the Northwest Arctic Subsistence Regional Advisory Council and one of 10 -- they were one of 10 official advisory groups of the Federal Subsistence Management Program, and also they had Stevens Village Council, Kawerak, Incorporated, Copper River Native Association, Alaska Federation of Natives, Alaska Intertribal Council, RurAL Community Action Program, and Dinyee Corporation. Each of the 10 Federal Subsistence Regional Advisory Councils will consider petition during meetings scheduled throughout Alaska during the February and early March meetings, and that's what we're doing

right now.

And if we wanted more information and to request copies, you already have it. In case your constituents want copies, we have that available, and then they could contact me or the council members and go ahead and send it out to them so that they may get some information. Sue, if you want to comment further? Is that enough or .....

MS. DETWILER: Yeah. I think that news release said it pretty well. If people are confused, I can try and capture what it means in shorter words.

CHAIRMAN OLSEN: I guess I ask here, it says: Selected but not conveyed. In other words, conveyed lands are not being requested in the petition?

MS. DETWILER: Yeah. Lands that are -- lands that have been selected by the State, the Native Corporations under the Statehood Act, and also under ANCSA. They haven't -- the title hasn't passed yet from the Federal government to the State or Native corporations. And I understand .....

MR. CHRISTENSEN: They're in limbo, in other words?

MS. DETWILER: Yeah.

MR. CHRISTENSEN: So they're not under jurisdiction of Federal Subsistence, they're under the jurisdiction of the private lands but they don't actually belong to them.

CHAIRMAN OLSEN: But they don't know who owns them.

MS. DETWILER: Actually, they haven't been conveyed .....

MR. CHRISTENSEN: Until they are conveyed, then they're going to be under the jurisdiction of private lands, right?

MS. DETWILER: Yeah, either State or Native selected.

CHAIRMAN OLSEN: You might say a quitclaim deed.

MR. CHRISTENSEN: I'd like to comment that -- Mr. Chairman, that this is also another one that we were asked to read last night, and I've also made a decision here that this is not going to directly affect our regional -- our region, and since this is asked by many, many subsistence user groups, many Native groups supporting this petition, I would

just like to comment that I'm for supporting it. I think that's all they're asking for.

CHAIRMAN OLSEN: Do you have any idea how much land is selected but not conveyed?

MS. DETWILER: At the time these regulations were written there were about 60 million acres that had been selected but not conveyed. The two -- only 30 million of those acres would eventually be conveyed, and the other 30 were what they call over-selected lands, so of those 60 million acres of selected lands, 30 million would go into State and Native hands and the other 30 million would come back into Federal hands.

CHAIRMAN OLSEN: Sounds very interesting. How would the council like to look at this?

MR. TUTIAKOFF: Well, I personally support it because of the problems it's created in trying to do their subsistence annual harvests on public lands not conveyed. They have been kind of set aside and sport hunting guides and all those come basically first under these, and these people are up there trying to survive with -- you know, basically survive on subsistence hunting, and they're put under a strain and having to deal with all these other entities and compete for the food that they need to survive and keep themselves going. I think if we do agree to this it will help them to become number one users of that first before the other groups do, and I support it only because of the problems that they're having in getting these lands conveyed. It may take another 10, 15 years the way the State and Federal government are going at it, you know. It doesn't affect our area, but I think we should support it.

CHAIRMAN OLSEN: It's been 25 years, so far, since ANCSA's decision.

MR. CHRISTENSEN: Right.

CHAIRMAN OLSEN: What's the wish of the council here? Do you feel this needs to be in motion form as supporting or not?

MR. CHRISTENSEN: One more comment. I'd also like to mention, just as a comment that, well, like I said before, we're supporting some subsistence groups and also it's not going to hurt the eventual owners, whether it's State or Native corporations, so, you know, whether it goes or not they're still going to eventually get it, and then I think, like she said, maybe possibly half of it will go back to the Federal

government anyway. So I don't care if we take a motion or just -- I personally support it.

MR. TUTIAKOFF: By resolution support the action.

MR. CHRISTENSEN: What do you call it, just a resolution supporting -- what did you say?

MR. TUTIAKOFF: You might -- either some form of a resolution supporting this action would also help, I guess. We don't -- a motion would help also, just something positive that we support it as a council.

CHAIRMAN OLSEN: Well, if it's just as well, then I would entertain a motion as to how the council .....

MR. CHRISTENSEN: Well, I made the last two motions.

MR. EVERITT: You're doing a good job.

MS. SHELLIKOFF: A resolution or just a motion?

MR. TUTIAKOFF: A motion would do it.

MS. SHELLIKOFF: I move that we support this petition.

MR. TUTIAKOFF: I'll second the motion for rulemaking by NARC -- the NARC Petition -- Northwest Arctic Regional Council.

CHAIRMAN OLSEN: Right. Do you find that easy?

MS. DETWILER: Yeah, it says support petition. And then .....

CHAIRMAN OLSEN: It's been moved and seconded. Discussion?

MR. CHRISTENSEN: It's just that it's just increasing the rights of the people for subsistence. I think that's good.

MR. TUTIAKOFF: Question.

MR. CHRISTENSEN: Good.

CHAIRMAN OLSEN: Question is being called. Those in favor, aye.

IN UNISON: Aye.

CHAIRMAN OLSEN: Those opposed by the same.

(No opposing responses)

CHAIRMAN OLSEN: Motion carries.

MS. DETWILER: For justification, support due to the impacts on subsistence users and asserting subsistence jurisdiction will not harm the eventual owners of those lands.

CHAIRMAN OLSEN: That's what I said.

MR. TUTIAKOFF: Uh-huh (affirmative).

CHAIRMAN OLSEN: Thank you. I'd like to call for a break at this time, if you will.

(Off record)
(On record)

CHAIRMAN OLSEN: We'd like to call the meeting back to order, please. I know we're getting really down tight on time here, but we still have some other matters that we must look at. Yes, we're on the same page, Moses.

Next here, we're looking at the Eastern Interior's Regional Council factory trawler resolution. Moses, will you carry us through this, please.

MR. DIRKS: The acting coordinator for Eastern Interior Regional Advisory Council wanted me to go ahead and notify the Council on this particular resolution that they had on -- when they met up in Tok in October of '94, they discussed subsistence fisheries, and they were advised that the Federal Subsistence Management's jurisdiction does not apply to navigable waters and to open seas. So what they wanted to do is try to get some support from other regional councils, and this was the resolution that they came up with.

Whereas, the Eastern Interior Regional Advisory Council is concerned with the health of the salmon stocks in the Yukon Drainage, and

Whereas, it is well documented that factory trawlers presently operating in the Bering Sea for pollack are allowed a by-catch of other species, including salmon, and

Whereas, it is also documented that a large portion of

those salmon, chum and chinook, are of Western Alaska origin,

Therefore, be it resolved, that the council would like to see an immediate curtailment of this wasteful practice.

And this resolution passed with a unanimous vote of eight members, 001.

CHAIRMAN OLSEN: I guess my only question here is what the 1 stands for at the .....

MR. DIRKS: I don't know what that means. Maybe it's an 800 number or something, I don't know.

CHAIRMAN OLSEN: My only recommendation is I think we should include that to the Gulf of Alaska as well.

MR. DIRKS: Gulf of Alaska also, yes. I think there was a similar concern expressed here that somebody wanted to discuss as far as factory trawlers was concerned. So, you could probably come up with some sort of resolution also.

MR. TUTIAKOFF: Mr. Chairman.

CHAIRMAN OLSEN: Yes.

MR. TUTIAKOFF: I'd like to submit some wording here, maybe for discussion. To add on to the present Eastern Interior Council's resolution, the first "whereas" would be:

Whereas, the Kodiak Aleutians supports Eastern Regional Advisory Council's resolution, and

Whereas, the Kodiak Aleutians Advisory Council -- scratch that second one there -- The Kodiak Aleutians Advisory Council is concerned with the health of salmon stocks in the Kodiak Aleutian area, and

Whereas, it is well documented -- the rest of it -- all the rest of the whereas's would remain the same. All I'm doing there is including wording that would more describe Kodiak Aleutians as a resolution. We support it but we also come up with our own for submission.

MR. CHRISTENSEN: I see what you're saying.

MR. TUTIAKOFF: My first .....

CHAIRMAN OLSEN: We support this but .....

MR. TUTIAKOFF: My first .....

CHAIRMAN OLSEN: ..... we will also entertain .....

MR. TUTIAKOFF: ..... our own resolution.

CHAIRMAN OLSEN: ..... a motion -- I mean a proposal .....

MR. TUTIAKOFF: Which this would be right here. We'd basically use their same wording except for where -- the first whereas, under Eastern Interior Region there would read Kodiak Aleutians is concerned with the salmon stocks and strike Yukon Delta drainage and put Kodiak Aleutians area. And then keep all the rest of it the same and adopt it.

CHAIRMAN OLSEN: Is that then .....

MR. TUTIAKOFF: Under the first "whereas" we'd be supporting it.

CHAIRMAN OLSEN: Understood. But is this here a resolution in itself, too? Is that -- did you intend this to be a separate resolution from the Kodiak Aleutian Regional then, also?

MR. TUTIAKOFF: Yes. Supportive of Eastern Aleutians, the same motion, the same rule.

CHAIRMAN OLSEN: We support the same one as is and then submit another resolution .....

MR. TUTIAKOFF: Of our own.

CHAIRMAN OLSEN: ..... of our own, except changing Eastern Interior Regional Advisory Council to Kodiak Aleutian Regional Council. And also the .....

MR. TUTIAKOFF: And then .....

CHAIRMAN OLSEN: ..... Kodiak Aleutian .....

MR. CHRISTENSEN: With the health of salmon stocks in the Yukon Drainage?

CHAIRMAN OLSEN: No.

MR. TUTIAKOFF: Scratch that and put Kodiak Aleutians.

CHAIRMAN OLSEN: Kodiak Aleutians.

MR. CHRISTENSEN: Kodiak Aleutians, yeah, area.

MR. TUTIAKOFF: That will encompass a big area, I know that, but at least we'd be on record in our efforts to get support for fish as a subsistence way of life. This is probably a start of it. It also takes in the concern of local residents here that I've heard, earlier in our meeting yesterday, of the trawler issue where they wanted some sort of relief in helping to keep that trawler activity down with the subsistence or the mainstay of their livelihood area.

MR. CHRISTENSEN: No, on the resolution .....

MR. TUTIAKOFF: It can't be specific on each area. I mean it would be awful hard to do.

MR. CHRISTENSEN: I know, but on the resolution with the Kodiak Aleutians the third whereas where it says the chum and chinook are of Western Alaska origin, do you want to change Western Alaska?

MR. TUTIAKOFF: That's up to you. I didn't know what else to put in there.

MR. CHRISTENSEN: What origin .....

CHAIRMAN OLSEN: I would like to make some recommendations here that to also the second "whereas":

Whereas, presently operating in the Gulf of Alaska.

MR. TUTIAKOFF: And the Bering Sea.

CHAIRMAN OLSEN: And the Bering Sea. But also the third "whereas" I think we'd incorporate sea lion.

MR. TUTIAKOFF: Those salmon and sea lion?

CHAIRMAN OLSEN: Of the Gulf origin.

MR. DIRKS: Sea mammals or sea lions in particular?

CHAIRMAN OLSEN: Sea lions is a major concern, I know, of this area here.

MR. CHRISTENSEN: Of what?

CHAIRMAN OLSEN: Of the Gulf.

MR. CHRISTENSEN: How about Gulf and Western Alaska Region origin? Huh, or I guess .....

MR. TUTIAKOFF: Aleutian Kodiak region.

MR. CHRISTENSEN: Huh?

MR. TUTIAKOFF: Just put Aleutian Kodiak region.

MR. CHRISTENSEN: Origin.

MR. TUTIAKOFF: Or Kodiak Aleutian .....

MR. CHRISTENSEN: Origin.

CHAIRMAN OLSEN: That would be satisfactory to me. I don't see any problem with that. Do you have that all down yet?

MR. DIRKS: With the intent that this is going to be sent to the Secretaries of Interior and Commerce.

MR. CHRISTENSEN: Right.

CHAIRMAN OLSEN: Does this need to be addressed as a resolution with a title or number, Resolution Number 95-01?

MR. CHRISTENSEN: Oh, was that in the form of a motion?

MR. TUTIAKOFF: 95-02-1?

CHAIRMAN OLSEN: 95-02-1, I don't recall any other resolution being .....

MR. TUTIAKOFF: It would be 1, right? 02 meaning the month.

MR. CHRISTENSEN: We just had a resolution.

MS. SHELLIKOFF: No, you just use the year.

CHAIRMAN OLSEN: I thought that was a motion.

MR. TUTIAKOFF: 95 and then what, 01?

MS. SHELLIKOFF: It would be the first resolution of

this year so it would be 01.

MR. TUTIAKOFF: Okay.

CHAIRMAN OLSEN: This is the first resolution I'm aware of being made.

MR. TUTIAKOFF: 95-01.

MR. PETERSON: Mr. Chair.

CHAIRMAN OLSEN: Yes, Jeff.

MR. PETERSON: Could we just accept the resolution that's in front of the council right now and then I've got one similar to that so we could -- this is a good resolution, let's support it, and then I've got another one for Kodiak Island Aleutian. It's similar but it's not the same.

MR. CHRISTENSEN: That's what we were just talking about.

MR. PETERSON: Yeah, it seems like it's taking so long. I mean accept this resolution the way it's written and we'll write one with our own wording and geographic definitions.

MR. CHRISTENSEN: Basically we're just changing Eastern Interior Regional to Kodiak Aleutian Regional.

MR. TUTIAKOFF: I'm using the same one, just putting in Kodiak Aleutians, and as far as the areas, it's the Kodiak and Aleutians.

MR. CHRISTENSEN: And then adding the Gulf of Alaska and Bering Sea on the second whereas, and then the third whereas salmon and sea lion of .....

CHAIRMAN OLSEN: The Gulf and Western .....

MR. CHRISTENSEN: Or maybe just the Kodiak and Aleutian origin.

CHAIRMAN OLSEN: Also if -- I don't know if we just put Kodiak Aleutian -- origin, it affects the origin .....

MR. CHRISTENSEN: Gulf and Bering Sea origin or Gulf and Western Alaska origin.

CHAIRMAN OLSEN: Right. That's what I'm looking at,

the impacts we have even though it's out of our jurisdiction, it still impacts us.

MR. CHRISTENSEN: Well, it's not our of their jurisdiction, the Bering Sea, so that would be the same thing.

CHAIRMAN OLSEN: All I'm saying is Kodiak area doesn't go up into Cook Inlet and other parts of the Gulf where sea lion are also a -- part of the endangered species, if you will, of contention of that neighborhood.

MR. TUTIAKOFF: Mr. Chairman, I was just addressing it as only Kodiak Aleutians since we're on the advisory council for those areas.

CHAIRMAN OLSEN: Well, we are impacted by origins from other areas. That's what I'm trying to look at, we're still impacted by them. How do we -- I guess can I get a final notation on what the resolution shall be then?

MS. DETWILER: Do you want me to read to you what I have so far?

CHAIRMAN OLSEN: Please.

MS. DETWILER: Okay. Maybe what we could do is just go through each of the whereas's and then you can make corrections as I go through.

The first Whereas is the original one that you want to add: Whereas, the Kodiak Aleutian Regional Advisory Council supports the Eastern Interior Regional Advisory Council factory trawler resolution, and -- going back to the resolution that's actually typed up: Whereas, the Kodiak Aleutians Regional Advisory Council is concerned with the salmon stocks in the Yukon Drainage?

MR. TUTIAKOFF: No. Strike Yukon Drainage and put .....

MR. CHRISTENSEN: No, with the health of the salmon stocks in the Kodiak Aleutians area? I don't know .....

MR. TUTIAKOFF: Kodiak Aleutians, Bering Sea. That's what I had. I don't know, you guys stuck that .....

MR. CHRISTENSEN: Kodiak area .....

MR. TUTIAKOFF: Kodiak Aleutians entails the Gulf, as

far as fisheries and trawlers go.

MR. CHRISTENSEN: I have salmon stock. How about salmon stocks in the Gulf and the Bering Sea?

CHAIRMAN OLSEN: It just makes it a little broader. I don't see any problem. What's the wish?

MR. CHRISTENSEN: The Gulf .....

CHAIRMAN OLSEN: The Gulf and Bering Sea?

MS. DETWILER: In the Gulf of Alaska and Bering Sea. Is that the way that whereas would read would be: Whereas, Kodiak Aleutians Regional Advisory is concerned with the health of salmon stocks in the Gulf of Alaska and Bering Sea?

MR. PETERSON: Drainages.

MS. DETWILER: I'm sorry. I missed .....

MR. PETERSON: Drainages? Is that -- we're concerned about this -- we're concerned about the salmon stocks .....

MR. CHRISTENSEN: All the salmon stocks.

MR. PETERSON: Yeah, salmon stock drainages in the Gulf of Alaska and the Bering Sea.

CHAIRMAN OLSEN: Yeah, just as a wide -- broad .....

MR. CHRISTENSEN: Just a broad -- just in the Gulf of Alaska and Bering Sea. It doesn't necessarily have to be drainages because there's a lot of places that are not necessarily drainages in the Gulf.

MS. DETWILER: What you could say is concern with the health of the salmon stocks in the Gulf of Alaska and Bering Sea and/or drainages.

MR. CHRISTENSEN: Yes.

CHAIRMAN OLSEN: That would cover the bases. The second whereas?

MS. DETWILER: Okay. Whereas it is well documented that factory trawlers presently operating in the Gulf of Alaska and .....

MR. CHRISTENSEN: And Bering Sea.

MS. DETWILER: ..... and Bering Sea for -- you just want to have pollack there?

CHAIRMAN OLSEN: I want cod -- I think cod should be entered in it, too.

MR. CHRISTENSEN: Pollack and cod.

MS. DETWILER: And cod. And are allowed a by-catch of other species, including salmon and .....

CHAIRMAN OLSEN: Sea lion.

MS. DETWILER: Salmon and sea lion. And then the next and is when you go to the next whereas: Whereas, it is also documented that a large portion of those salmon -- in parentheses (chum and chinook) are of .....

MR. CHRISTENSEN: And sea lion.

MS. DETWILER: ..... and sea lions -- okay, I have that are of Western Alaska origin?

MR. CHRISTENSEN: Well, how about just the Gulf of Alaska and Bering Sea origin.

MS. DETWILER: Okay. Therefore, be it resolved, that the council would like to see an immediate curtailment of this wasteful practice.

CHAIRMAN OLSEN: At this time I would also ask for unanimous consent.

MR. PETERSON: Mr. Chair, before taking a vote on it can we add in factory trawlers and trawlers? Because a lot of people are trying to get away from it, the local trawl fleet, the small trawl fleet trying to slide in on factory trawlers because trawlers that come here to Kodiak, they're not factory trawlers, they're trawlers. Just add in trawlers also.

MR. TUTIAKOFF: And trawlers.

CHAIRMAN OLSEN: Yes, thank you, Jeff.

MR. CHRISTENSEN: How about just trawlers? Eliminate factory. That would encompass it all.

CHAIRMAN OLSEN: Right.

MR. TUTIAKOFF: Yeah, okay, just strike factory trawlers, that sounds good. Trawlers.

MR. CHRISTENSEN: Good point, Jeff.

CHAIRMAN OLSEN: That did kind of hit me and I spaced it. Is there any further requests? Jeff?

MR. PETERSON: Yes. The reason the sea lions is on there, when you add sea lions to it, the count, you're going to say that the by-catch of sea lion is down. You're going to say that because they have -- some boats have got observers, but that still doesn't take into the fact that they're trawling on the sea lions primary food resources, which is pollack and grey cod. So: Whereas, the primary food source for harbor seals and sea lions is pollack and grey cod, and the bait fish. I'm talking to the marine biologist specialist who are saying that they're not counting the food of the sea lion and the other mammals as by-catch. Now they're starting to recognize that factory trawlers do harvest and waste a lot of marine mammals' food -- the smaller fish on the food chain.

MR. CHRISTENSEN: That's a lot of whereas.

MR. PETERSON: All right.

MR. CHRISTENSEN: No, I mean, that's good, but .....

MR. TUTIAKOFF: Yeah, we should justify the reason for sea lion. That could be it.

MR. PETERSON: The bottom line is .....

CHAIRMAN OLSEN: Right. I .....

MR. TUTIAKOFF: Whereas the grey cod and the .....

MR. CHRISTENSEN: Maybe just add a separate line for whereas for sea lions?

MS. DETWILER: Right. Okay. So, the whereas could read something like this. Help me out here. Whereas, grey cod and pollack .....

MR. PETERSON: Are the primary food source of the sea lion.

MS. DETWILER: Primary food source .....

MR. CHRISTENSEN: I'm not sure if they're necessarily a primary food source, but they're an important food source.

MS. DETWILER: Okay. So where as grey cod and pollack are an important food source of the sea lion and -- and then do you want to put that new whereas right above the line that starts "Therefore be it resolved" with the council?

CHAIRMAN OLSEN: Please.

MR. CHRISTENSEN: Okay, I guess.

MR. PETERSON: Mr. Chair, do we have to mention that -- would it be nice to mention that that stuff -- pollack and grey cod are an important food source for the sea lion, which the sea lion is in an endangered species?

MR. CHRISTENSEN: I think they already know that.

MR. PETERSON: Okay, they already know that.

CHAIRMAN OLSEN: It never hurts to remind them.

MR. PETERSON: And that we should remember .....

MR. CHRISTENSEN: I think they're threatened.

MR. TUTIAKOFF: They're threatened right now and on the .....

MR. PETERSON: Well, we should remember that we should keep our order of preference from subsistence, commercial and sport. Here we are harvesting the primary food for of sea lion and it's still going on today, and here sea lion are on the decline. We've got to keep in mind the order of preference of subsistence over commercial and sport. And they're harvesting pollack and grey cod at great numbers and .....

CHAIRMAN OLSEN: I don't think that has been adopted yet by any agency though. And that's what the contention is of rural preference, but that has not been fully distinguished and adopted at this point that I'm aware of. I'm speaking lightly there.

MR. CHRISTENSEN: And whereas Jeff Peterson has got to put in his application for the Kodiak Aleutians Regional Advisory Council.

CHAIRMAN OLSEN: I think -- does that meet the needs of our discussion?

MR. TUTIAKOFF: Question.

CHAIRMAN OLSEN: Question's been called. All those in favor .....

IN UNISON: Aye.

CHAIRMAN OLSEN: ..... of the resolution, 9- .....

MR. TUTIAKOFF: 95-001.

CHAIRMAN OLSEN: 95-002. Those opposed?

MR. TUTIAKOFF: 1. We haven't had 2 yet.

CHAIRMAN OLSEN: Oh, 1. Excuse me. 95-001. Excuse me. Those opposed? One?

(No opposing responses)

CHAIRMAN OLSEN: Okay. Unanimously approved.

MR. TUTIAKOFF: For the record, did we do anything with that resolution from Eastern, did we vote to approve it -- support it?

MR. DIRKS: To support it.

MS. SHELLIKOFF: That was .....

MR. TUTIAKOFF: No?

CHAIRMAN OLSEN: Yes, ...

MR. DIRKS: We did at the beginning.

MS. DETWILER: Your resolution was simply .....

MR. TUTIAKOFF: To do that, right.

MS. DETWILER: ..... well, the first whereas you incorporated whereas .....

MR. CHRISTENSEN: Yeah, we did it.

MS. MASON: It's in the first sentence.

MS. DETWILER: Yes.

MS. MASON: Whereas, the .....

MS. DETWILER: Yeah, the first sentence says, "Whereas, the Kodiak Aleutians Regional Council supports the Eastern Interior Regional Council factory trawler resolution."

CHAIRMAN OLSEN: So, in fact we did just cover this under one resolution instead of two. That's why I got messed up.

MR. TUTIAKOFF: One.

CHAIRMAN OLSEN: Why? One.

MS. DETWILER: But just to underscore, if you're going to submit this -- when you submit this resolution to the Secretary, you might just, in your cover letter, include -- point out that it not only supports Eastern Interior's but also you have a similar factory trawler -- trawler resolution.

MR. TUTIAKOFF: We can make an attachment to this resolution which would be the Eastern .....

CHAIRMAN OLSEN: Moses is very good at cover letters.

MR. DIRKS: Okay.

CHAIRMAN OLSEN: What other matters do we have next here?

MR. CHRISTENSEN: I think we're under Administrative Matters, unless there's any more New Business, I guess.

MR. PETERSON: I'm sorry we don't have a written proposal for you to look at. I was wondering if we could make a proposal from -- a verbal proposal at this time?

CHAIRMAN OLSEN: I think it would be in order to make a proposal to come under first consideration of the council, certainly. Although proposals will not be .....

MR. PETERSON: That's fine. No time better .....

CHAIRMAN OLSEN: ..... submitted through us till a later date, ...

MR. PETERSON: ..... than the present, while you're all here to help with it.

CHAIRMAN OLSEN: Although for all real purposes, it would be nice to have you write this proposal up so we can .....

MR. PETERSON: We just did one right here.

MR. CHRISTENSEN: That was a resolution.

CHAIRMAN OLSEN: That was a resolution, not a proposal. Proposals are .....

MR. CHRISTENSEN: Proposals are usually made up and then .....

CHAIRMAN OLSEN: ..... torn apart and .....

MR. CHRISTENSEN: Proposals are usually made up and presented in a formal form.

MR. TUTIAKOFF: You can let us know what your going to propose in your proposal.

MR. PETERSON: Okay. Maybe we should deal with this one, it was kind of long in a resolution. You just said it was a proposal to recognize the -- Federal Subsistence Board recognize that most of the subsistence resources come from the ocean in the Kodiak Aleutian Region, and we need to recognize that.

MR. CHRISTENSEN: We did that.

MR. PETERSON: Where?

MR. CHRISTENSEN: Didn't we make a -- remember, we had that big thing about -- earlier today about a lot of our subsistence is coming from the sea?

MS. SHELLIKOFF: That was added .....

MR. CHRISTENSEN: Do you remember .....

MS. SHELLIKOFF: ..... to that paragraph in the annual report.

MR. TUTIAKOFF: Yeah, it was in our annual report to

the .....

MR. CHRISTENSEN: Yeah, it was in .....

MR. TUTIAKOFF: ..... Secretary of Interior.

MR. CHRISTENSEN: ..... our annual report.

MR. TUTIAKOFF: To recognize the fact under a charter that we're also .....

MR. CHRISTENSEN: We're also very .....

MR. TUTIAKOFF: ..... a majority of the communities are getting their subsistence from the ocean. And under the Federal government that's not recognized subsistence because of the navigable waters situation. Right?

CHAIRMAN OLSEN: Right. It was taken as a concern since we do not have any jurisdiction over navigable waters. That's .....

MR. CHRISTENSEN: Right. We wanted the Federal government to realize that a lot of our subsistence did come from the ocean but navigable waters is under the jurisdiction of the State.

MR. PETERSON: And the second one was -- what's the status on reinstating subsistence bear hunt?

CHAIRMAN OLSEN: That would have to come as a proposal too, at the time of proposals, and certainly I think the Council here does support that and hope that it is another proposal to bring before the Board again this fall.

MR. TUTIAKOFF: Which would be in October.

MR. CHRISTENSEN: At this point, as far as making a proposal, you would probably have to go ahead and have somebody help you unless you make a proposal, because it takes time to make -- till you get the wording right, you know, and it would be better to .....

MR. TUTIAKOFF: Who had that? Did Craig have that originally?

MR. DIRKS: We could go ahead and send you those proposals and then we'll give you the contact people if you need help drafting it.

CHAIRMAN OLSEN: Certainly I think it would look good to have that proposal and have it endorsed by the community here, whether it be the tribal, whether it be the village council, but having support from the entity, whatever it may be, I think, adds a lot to the proposal.

MR. CHRISTENSEN: It's kind of lengthy to put in a proposal because you have to have the right wording, and then you have to put in who it will help, who it will hurt.

MR. PETERSON: Then it doesn't seem like -- you've got it pretty short.

CHAIRMAN OLSEN: There's a lot of research that goes into a proposal there.

MR. PETERSON: Okay. You're moving along on the tribal subsistence reports, they're both the Federal and State agencies. Is there a proposal in now on that or have you seen anything come across the board on tribal subsistence reports both from the State and Federal agencies? I think George Gatter mentioned yesterday during the meeting that report going to the tribal or State and Federal governments on the harvest number and the counts of live subsistence resources. Is there any proposals in on that?

MR. TUTIAKOFF: It sounds like an administrative process that you are talking about yesterday.

MR. CHRISTENSEN: I think -- was that the one where he was talking about the volunteer work?

MR. PETERSON: Yeah, the tribal would take in numbers of harvest from the local area and then a local count of the local area and when it was time do it, to help the Feds and the State, then they'd submit that .....

MR. CHRISTENSEN: I think you've .....

MR. PETERSON: ..... on top of what they're doing.

MR. CHRISTENSEN: Didn't you get a response from one of the staff? Who addressed that?

MR. WILLIS: I believe Robert Stovall did yesterday.

MR. STOVALL: Yeah. Essentially, I think, Jeff is just trying to point that out, that that's something that the

council should look at as an avenue for having more data, and it sounds like he's willing to work with the refuge to do that. So, I think he wanted to make that a part of the public record.

CHAIRMAN OLSEN: For public record, yeah, 'cause it's not an action.

MR. TUTIAKOFF: I think we should encourage that in all the communities, not only here but start here, 'cause it's going to go to all these other communities that we get local support.

CHAIRMAN OLSEN: That, I think, isn't that still under consideration as far as the designated hunter?

MR. CHRISTENSEN: No, I think that's separate.

CHAIRMAN OLSEN: But the designated hunter, I think, under community harvest or tribal or -- don't we have different options under that designated hunter?

MR. WILLIS: Right. That would be a .....

CHAIRMAN OLSEN: So that would be the time to incorporate it, ...

MR. WILLIS: ..... like Jay said, a component -- that would be one species, you know, where you'd be getting local information on how many animals were being harvested. I think Jeff is thinking about more than just deer.

MR. PETERSON: Yeah. The State does it. They come around here and they do a -- that's how I see this report. I seen the same harvest report in here as I seen the State do, and then we'd get the Federal government to do the same thing, but I don't know why it didn't happen. So we've just got to work with the Federal government at the Buskin and do the same thing. Because when Craig Mishler comes down, it seems, on a regular basis and gets a lot of harvest data.

MR. BELLINGER: He actually was using Federal money for those harvests from Mineral Management Service.

MR. PETERSON: Good guy. All right.

MR. CHRISTENSEN: One -- well, I know there was one other thing on C.6. was urchin fishing that Emil brought up yesterday, and also I was concerned about that, too, but I was

wondering under -- what jurisdiction is the tidelands under; is that Federal or State? Is that under navigable waters?

MR. WILLIS: The State.

MR. CHRISTENSEN: The State?

MR. WILLIS: Tidelands are under State regulation.

MR. CHRISTENSEN: So that means that the Federal lands just go to the high water mark?

CHAIRMAN OLSEN: 0/0.

MR. CHRISTENSEN: Okay. So then all urchin fishing is under the State law then, unless they really climb up there high.

MR. DIRKS: But that doesn't .....

CHAIRMAN OLSEN: Unless they're in navigable waters.

MR. DIRKS: That doesn't mean that we couldn't write a proposal to the State when they're, you know, calling for proposals.

CHAIRMAN OLSEN: Right.

MR. PETERSON: That would strengthen it.

MR. DIRKS: We could take this issue back up again in October.

MR. CHRISTENSEN: Well, it should be on the minutes. In fact you might -- as far as bear hunting or -- well, that -- you know, you should state your name for the record when you talk, you know, and also on the subject of volunteer -- you know, volunteer help or -- you know, with Robert, you know, helping him to figure out the numbers of the animals. You should state your name so that it will be -- like you said, that way it will be a matter of public record on the council's minutes.

MR. PETERSON: Well, I have to admit I was under the misunderstanding that at the end of the meeting we were going to draft up some proposals, and then I had -- this was -- we were supposed to have a tribal meeting at one o'clock if everything went well we'd have a tribal meeting and draw up these proposals and submit them while you were here, and I

don't know if they were going to be reviewed in October, but there's no time like the present. Everybody was, I think, kind of meeting'd out from dealing with the tragedy that happened just recently, so we're going to have to -- next tribal council meeting we'll have these proposals written up and submitted.

MR. CHRISTENSEN: As far as drafting of a proposal with the council here, you know, we're representing quite a few different areas, you know, all the way down, so, you know, I'm not sure -- maybe will Moses will say, but we don't do -- well, ...

CHAIRMAN OLSEN: How about I can request this. If you will get your generic proposals out and get them to either me or Moses, we can have a look at them and make any recommendations that we might be able to see which would help them or help the content .....

MR. EVERITT: Your proposal can't come before the Board anyway until next year. So because we're just dealing with what was submitted last fall, we get to make any changes to what we've already put in the process.

MR. PETERSON: Well, I'm lobbying right now.

MR. EVERITT: So your proposal -- the proper timetable is that it comes in and then we talk about it in our fall meeting, and then so it would go before the Board next year.

MR. DIRKS: And then notices will be put out when they are asked for proposals to all the entities in our region.

CHAIRMAN OLSEN: And it certainly is .....

MR. PETERSON: We're getting a good headstart, I guess.

MR. DIRKS: Yeah, uh-huh.

CHAIRMAN OLSEN: I think -- I hope you don't get the feeling that we're trying to just be a part of the bureaucratic process, but we do have our guidelines that we need to .....

MR. CHRISTENSEN: It's just hard to start one day, you know, and try to finish a proposal all in one day, I think.

MR. PETERSON: We've done them in the past, it just takes a lot of brainstorming and doing it and you picked the perfect wrong time to come down here to do 'em, but at least we got the ball rolling and we've got a clear understanding .....

MR. CHRISTENSEN: Well, like you say, you know, you had a personal tragedy as far as the community is concerned, but then there's also a lot of other stuff on our agenda, too, you know. So .....

CHAIRMAN OLSEN: To give you, quite frankly, once again when the designator hunter started, that was our first one, was that '93?

MR. DIRKS: In '93, yeah.

MR. CHRISTENSEN: And that's still out there.

CHAIRMAN OLSEN: And we're still .....

MR. DIRKS: But you guys started that way before that.

MR. PETERSON: We can hurry and spit 'em out and get them passing through.

CHAIRMAN OLSEN: Well, we pass them, they shovel them back at us. But, yes, it is our intent to absorb an education so these proposals hopefully don't take as long. I'm not saying I'm happy with the time frame, by all means, I am not, but until we get it right, I guess they're going to keep sending it back and rejecting them, and if we don't keep submitting them then we know .....

MR. CHRISTENSEN: I always thought another thing, too, was that the -- you know, I mentioned it before but when you make a proposal you want to propose it so that you could get what you want, but you want to try and make it as attractive as possible to the Board so you'll get a better chance of having it passed.

CHAIRMAN OLSEN: And a lot of follow-up data, whatever we can possibly get to the interagencies help. And don't feel like you're in it alone because by this proposal starting we can contact the interagencies that I'm sure would be awful glad to help on 'em.

I guess -- are we still on administrative procedures or are we .....

MR. DIRKS: No, we're under there now.

CHAIRMAN OLSEN: We're under there now. Here again, I think this falls under the regional coordinator's direction.

MR. DIRKS: Yes. The reason why I had this administrative matter was because there was -- I was concerned about trying to keep the communications open between the Council and I and -- I know there was some misunderstandings as far as travel vouchers being filed, and in order to expedite things we need to get those forms in as soon as the meetings are over, and I feel that I have to apologize for the Fish & Wildlife Service because our office staff has been short-handed and a person there that has been dealing with, you know, travel and all that stuff has had three other jobs that he had to deal with, and he did a very nice job in getting us, you know, where we're supposed to be going. But if you have any comments or, you know, things that you don't understand, just feel free to call me up at the office. You have my number, an 800 number is there, too. So that's basically what I wanted to do. And then if you have any concerns at this particular time, you could address those now.

CHAIRMAN OLSEN: In short, I think what Moses is trying to say, please don't just throw your hands up in the air and say, "I quit."

MR. EVERITT: One thing I'd like to say, Moses, it's hard to get this the day of the meeting.

MR. DIRKS: Right.

MR. EVERITT: And I think we brought this up last meeting. You bring things that you want us to read and be able to make a decision. It would really be nice to have some time to look over this packet.

MR. DIRKS: Right.

MR. EVERITT: Even if it was just three days before this so we have enough time to look at it.

MR. DIRKS: The problem with this particular packet was my excuse is that I wanted to get some briefings from some other agencies, not -- they don't have any jurisdiction over subsistence, but I wanted to get some briefings from National Marine Fisheries on the sea lion and then the harbor seal situation so that I knew -- I talked to Mark before and when we came down to this meeting in Old Harbor a lot of the community members would be concerned with the sea mammal issues, so that's what I was waiting for. And also we were waiting for a response from the Aleutian Islands Unit of the Maritime and the Adak caribou situation, and I wanted to get the most recent

update on what was going on. And then at that particular week they were meeting with the Congressional delegation down there so that I could give the latest -- and I wanted a complete as possible packet, but I understand your concerns, and I'm trying my best to try to get these packets together before to send out to you guys so you can review them before the meeting.

CHAIRMAN OLSEN: And I'm aware that he was on a survey out in the Aleutians for a month. Then we had an unscheduled meeting at the beginning of this week which threw a kink into both of us. I agree, it would be nice to have them at least a week ahead of time.

MR. TUTIAKOFF: Well, see it don't happen anymore.

CHAIRMAN OLSEN: Just don't let it happen again.

MR. CHRISTENSEN: I know I've mentioned this before, too, Moses, but another concern was getting reimbursed, you know, try a little bit earlier, you know, like two or three months later, you know. That's almost been consistent, you know.

MR. DIRKS: Right, yeah. That's why I wanted to apologize for the US Fish & Wildlife Service, and also we have a new administrative officer now, so things should slack off and they were, I guess, short-staffed down in Denver where they process all the paperwork down there, so they were running, I think, three or four weeks later than usual. And, of course, this person was doing 10 regions; that's over 100 people, alone, single-handed.

And then all the other stuff, like the -- I've also included in your packet the letter that was written to Mr. Katchetag from the visit that our Regional Director or Assistant Regional Director of Subsistence went up there and talked to the regional councils, and talked about different issues, and I also included that. In case you're interested in looking at those, they're there, on different issues that came up and the questions that they had he tried to answer those, and that's in there.

And also the briefing paper from the amendments that were made in the migratory bird/subsistence hunting issue. I got that from the migratory birds, and that is also in there. And then it gives you the issue, the background and recent events and how it relates to ANILCA, why they don't have rural preference, and under migratory management they don't -- you know, it doesn't fall within the subsistence purview, so .....

And then the National Marine Fisheries, like I mentioned, I got a briefing from them on the sea lion situation and what they are doing and who the contact people are. And in case you guys are interested, here to, I could give you the phone numbers and contact people or the local people here on that one also.

MR. CHRISTENSEN: Where is it?

MR. DIRKS: You don't have one of those?

MR. CHRISTENSEN: No.

MR. DIRKS: I'll give you one.

CHAIRMAN OLSEN: It's probably in your pile.

MR. CHRISTENSEN: I have it.

MR. DIRKS: Okay.

MR. CHRISTENSEN: I just thought you were passing it out.

MR. DIRKS: Okay, that's basically what I have.

CHAIRMAN OLSEN: Are there any questions here for Moses, as far as any more administrative process? Then I guess that brings us very close here.

I think we need to establish a time and place of the next meeting.

MR. PETERSON: Mr. Chair. Before you guys get close to adjourning, can I address a concern for the customary and traditional use? Whoever is making the decision to come up with these customary and traditional uses, it seems like it would be a real good time to have a vote or talk to 'em while we're at the -- while other villages are together, like at maybe RurAL CAP or something like that, where you can get input and so that everybody can understand what is going on with customary and traditional use so we don't, down here in Kodiak, say this is customary and traditional, and people up in the Interior, this is customary and traditional, and so it's not one big, broad definition and have different regions fighting against each other, saying this is traditional and this is not, and .....

CHAIRMAN OLSEN: I don't know if I'm correct, we are on the circuit of customary and traditional use. Where are the Kodiak Aleutians on the list?

MS. MASON: We're pretty far down.

CHAIRMAN OLSEN: We're pretty far down. This is going in a -- exactly what we're talking about, it's going region by region to try to identify.

MR. PETERSON: We've got to get together and talk about it. I don't know, RurAL CAP seems the best place for villages from across the state are getting together and talking about issues and working things out. I don't remember if I've ever seen somebody come up here and work up .....

MR. DIRKS: You the -- you mean inviting the Federal agencies to come up and talk?

MR. PETERSON: Yeah. What my idea was is to invite you guys, this advisory board, to Juneau, but that would be just the Kodiak Aleutians. I'm on a planner for RurAL CAP, and we plan these things, and I just learned of you guys here, by meeting you, but it would be a good idea to have a -- I wrote down as a sit down between all the Federal boards and all the State boards so we can all -- and you need to call the order when all tribes are together to avoid conflict. I don't know, instead of -- you know, calling all the tribes to you, why don't you go to the tribes when they're having a get together.

CHAIRMAN OLSEN: Number one, I agree with that in a consensus, but on the other hand looking at our jurisdictional as far as the councils go. I think, yes, it is on the right track, but I think to go through all the regions first and try to pick out customary and traditional uses is one starting point, but I guess Rachel here has a suggestion.

MS. MASON: This is a matter that is in extreme flux right now. Statewide the whole Federal Subsistence Program is debating over what to do about the whole customary and traditional process. So although that is something, I think, that is a very valid thing to meet with RurAL CAP and to get the word out statewide, I don't think that this is the time that this particular council is prepared to address that issue.

MR. PETERSON: Yeah, I understand that. It was just an idea. This is good, I'm glad everybody from different agencies was here, because usually when somebody comes down to Old

Harbor from either a State board or a Federal board they usually say, "Well, that's out of our jurisdiction. I'm sorry, I can't answer that question. That's in their hands." It's good to always bring everybody together so they can answer all the questions.

CHAIRMAN OLSEN: I guess what I'm advocating, too, is I certainly want to learn more about it and what the pros and cons are, whatever they might be so when we do meet on it we might have our ducks in a row, to be able to pass on more solid information as to where it is at, not only in our region but statewide. I think there would be an awful lot of similarities statewide. It might not be a blanket clause or regulation, but I'm hoping that it will be consistent -- more consistent than previous regulation.

MS. MASON: And one thing that everybody's in agreement on with customary and tradition is that it's necessary to have input from everyone that's going to be affected by the rules. ....

CHAIRMAN OLSEN: This is step one.

MS. MASON: ..... the more information that is circulated, the better.

CHAIRMAN OLSEN: Is there any further -- Jeff?

MR. PETERSON: Mr. Chair, I just want to say this was a good meeting. I'm glad there were other agencies here to ask other questions. That's better than what I've seen in the past when somebody comes down and that's the only people you get to talk to and all they say is "that's not in our jurisdiction, address it to the Federal guys," or "address it to the State guys or National Marine Fisheries." Maybe next time you come down here or the next time you have a meeting somewhere else invite all the people in that chart that are on that chart, NMFS -- there's a big chart here somewhere where you've got all these different agencies that handle migratory birds, marine mammals .....

CHAIRMAN OLSEN: Right in back there, one of the pages will show responsibilities.

MR. DIRKS: I did invite the NMFS, and they told me that they didn't see any important issues that would justify them coming up from Juneau or from Kodiak.

CHAIRMAN OLSEN: Didn't you tell them that the sea lion

issue was going to be on there again?

MR. DIRKS: I told them -- yeah, I told them, if you can't do that then give me a written briefing on what is happening, so that's what they did. But I did contact them. Robert has his hand up.

CHAIRMAN OLSEN: Oh, excuse me. Robert, I'm sorry.

MR. STOVALL: I have a suggestion -- just a suggestion. Maybe it might be something, talking to Jeff Peterson and the concern about the draggers/trawlers, maybe -- and the inability to do anything -- at least this council to do anything. The mere fact that you are a council and you do have some type of .....

MR. TUTIAKOFF: Title?

MS. STOVALL: ..... title, class, whatever you want to call it, maybe if you were to draw up some type of letter with all the board members addressing the concerns that you've noticed in Old Harbor about the increased dragger activity and your concerns about it to someone in the power structure that would be controlling that. It would probably be the State and/or National Marine Fisheries.

MR. PETERSON: Thank you, Robert. That was a good idea. That's how the entities in Old Harbor work, they -- if they can't go face to face with somebody they start up at the top and let it trickle down to the right agency. At the same time it's coming from the bottom to the top and hopefully it will connect.

CHAIRMAN OLSEN: Any more -- I think we left off on -- since we are through our administrative, are we finished with that, Moses?

MR. DIRKS: Yes.

CHAIRMAN OLSEN: I think we concluded that. We are on the next meeting place.

MR. TUTIAKOFF: Mr. Chairman. I'd like to recommend that the next meeting be October 5 and 6, and at King Cove, Alaska.

CHAIRMAN OLSEN: Okay, the next open window or the window from the beginning of council meetings for next meeting would fall from October 1 to -- and ends November 4. So in

between any of those days we could meet.

MR. EVERITT: October 5 and 6, that's within 'em.

MR. CHRISTENSEN: I would like to make a comment. I know last year I didn't feel I had a problem with -- last fall with October 4, but I -- it's the latest I've ever fished, and I didn't realize it but I fished till September 21st, that's when I took my seine off. And, you know, it takes a couple days usually just to winterize it and get it cleaned up and everything, you know, plus traveling and scrambling. It was -- you know, just to get to Anchorage by October 4 -- that was the latest I ever fished. I doubt -- usually I only fish till about the 20th, you know, but it just so happened I went all the way to the 31st or whatever, whenever the end of September was. I don't think I'll do it again, but you never know, it depends on how long the fish run. I was hoping to go like maybe the second week in October, if it doesn't bother the rest of the council.

MR. PETERSON: AFN is in October, ...

CHAIRMAN OLSEN: It's the third week.

MS. SHELLIKOFF: And the week before that is the Aleut Corporation's annual meeting.

CHAIRMAN OLSEN: October is a heavy scheduled month, so .....

MR. CHRISTENSEN: So what goes on in the second week?

MR. TUTIAKOFF: I won't be able to attend that week at all.

MR. CHRISTENSEN: The second week?

MR. TUTIAKOFF: The second week, because of Aleut Corporation Board meetings which I'll start attending on the 9th.

MR. CHRISTENSEN: Well, the chances of me, you know, fishing till the 31st again are remote. That's the first time I've ever done it in my life. Usually I'm done, you know, way like the third week at the very latest. But that just so happened this year. It probably won't happen again. So what does the 5th and 6th fall on, a Thursday and Friday?

MR. DIRKS: Yeah.

MR. TUTIAKOFF: A Thursday and Friday.

MR. CHRISTENSEN: Well, the 5th and 6th, that will be fine with me, I guess.

CHAIRMAN OLSEN: Well, we can set it at this time. I think we have a little bit of time to find out if there's any conflict that can be addressed in the meantime. I think we could, at this time, propose it on that date, and certainly if there's a conflict get back with us soon, and we can then poll the board/council to see how it fits.

MR. TUTIAKOFF: It will give Moses time to check King Cove, too, for facilities and arrangements for meetings. They do have the facilities, and I think it's a good time because it's the end of the salmon season, you'll have a pretty good compliment of the community there, right there, because a lot of them are putting their boats away, like you say, and taking it easy. And they are the main users of subsistence on the peninsula there.

CHAIRMAN OLSEN: Is there any objection to King Cove? We didn't discuss that. I have heard them. I would imagine, Moses, that for the majority of us here on the island we could charter right across. It might be -- we can look into that later.

MR. DIRKS: Yeah, I could look into that.

CHAIRMAN OLSEN: Pen Air does fly across the Gulf. I guess at this time I would ask if there's any closing comments from the public .....

MR. TUTIAKOFF: So is it King Cove on the 5th and 6th?

MR. CHRISTENSEN: Is that going to Kodiak and chartering out; is that what the general idea was?

MR. DIRKS: Well, I'll look into that and then get back to you.

CHAIRMAN OLSEN: If nobody else has any comments .....

MR. DIRKS: Is there a motion?

CHAIRMAN OLSEN: I would just like to say, myself, it's turned out to be a good meeting. I really enjoyed it here in Old Harbor. I also would like to say I know my contact with

Moses, between the two of us sometimes I wonder if we're going to ever get our goals accomplished as far as our responsibilities. I know Moses puts in a lot of time, and I want to commend him and I appreciate, I think, he put together a real good packet for us, although maybe better late than never.

MR. DIRKS: It was a little late.

CHAIRMAN OLSEN: But I think we can improve on that or target it. I certainly want to thank everybody involved here, making this meeting a success. It's getting to be more like a family. We are starting to be able to voice our concerns without personal feelings in 'em, and I certainly appreciate that. I know I have a hard time myself keeping my personal emotions from coming out. But bear with me, I'll learn. And Laurel has been good with us here at our meetings, too. But all and all, I just want to say I feel we're progressing in the right direction, and without the help of everybody it wouldn't be possible. I want to thank you all.

MR. CHRISTENSEN: I'd like to thank the village of Old Harbor myself. We've been provided for greatly and I think there's been a lot of good concern and a lot of input, and I appreciate that. I think we picked a good spot to go.

CHAIRMAN OLSEN: I think between Moses and I we can send a letter to the correct people in Old Harbor and let them know what we left with since there's not many here. I'm sure Jeff here will be able to, but we would surely formally like to address that.

Any other .....

MR. TUTIAKOFF: I'd like to say thanks to the community of Old Harbor and to the many friends I haven't seen in almost 37 years, some of them I didn't recognize, but I'm really happy to see them, especially their input that I think is real important to this board in order for it to operate like it's supposed to. And Jeff brought up -- we are supposed to sing the music they play. Well, this is the start of it, I guess. I know that I'm from the Aleutians area but I also have a lot of concerns of what happens in the Kodiak Region. I think this is just the start of a lot of meetings that should be happening in the rural villages, and I support it and I think everybody here and Old Harbor for their help.

Move to adjourn?

CHAIRMAN OLSEN: I would entertain a motion to adjourn if we feel we're at that point.

MR. EVERITT: Motion to adjourn.

MR. TUTIAKOFF: Second. Question.

IN UNISON: Aye.

CHAIRMAN OLSEN: Thank you.

(Off record)

(END OF PROCEEDING)
*** * * * * ***

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

C E R T I F I C A T E

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

I, Rebecca Nelms, Notary Public in and for the State of Alaska, residing at Anchorage, Alaska, and Reporter for R & R Court Reporters, Inc., do hereby certify:

THAT the annexed and foregoing is a Transcript of the Kodiak Aleutians Subsistence Regional Advisory Council Meeting, Volume II, taken on the 17th day of February 1995, commencing

at the hour of 9:00 o'clock a.m., at the Community Hall, in Old Harbor, Alaska;

THAT this Transcript, as heretofore annexed, is a true and correct transcription of the proceedings, recorded by Laurel L. Evenson and thereafter transcribed by Laurel L. Evenson.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 2nd day of March 1995.

Notary in and for Alaska
My commission expires: 10/10/98