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YUKON-KUSKOKWIM DELTA SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING
October 20, 1993
KVNA Building
Bethel, Alaska

COUNCIL MEMBERS PRESENT:

HARRY O. WILDE, SR., CHAIRMAN
DAVID O. DAVID, VICE CHAIRMAN
PAUL MANUMIK, SR., SECRETARY
MOSES A. NICOLAI, MEMBER
PAUL JOHN, MEMBER
STEVEN WHITE, MEMBER
HENRY L. NAPOLEON, MEMBER
ZECHARIAH C. CHALIAK, SR., MEMBER
ANTONE K. ANVIL, MEMBER

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ANCHORAGE, ALASKA 99501

John Andrew, Coordinator

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Sam K. Alexie, Interpreter

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PROCEEDINGS

1
2 MR. ANDREW: We can start now. One person is
3 missing today. This is an open public meeting, if you know
4 anybody who want to come here. And it will be open (Yup'ik) --
5 and we have a translator who's name is Sam Alexie, and he can
6 translate both in Yup'ik and English. If you talk in Yup'ik,
7 then he will interpret it in English. If somebody speaks in
8 English, then he'll translate into Yup'ik.

9
10 As yesterday, we will introduce ourselves and who we
11 are. And after introducing ourselves, we will start. We're
12 going to start from counter-clockwise and those of you sitting
13 on the other side.

14
15 MR. DAVID: David O. David, Kwigillingok.

16
17 MR. ANVIL: Antone Anvil, Bethel.

18
19 MR. CHALIAK: Chuck Chaliak, Nunapitchuk.

20
21 MR. MANUMIK: Paul Manumik from Sheldon Point.

22
23 MR. WILDE: Harry Wilde, Mountain Village.

24
25 MR. NICOLAI: Moses Nicolai, Kwethluk.

26
27 MR. JOHN: Paul John from Nelson Island.

28
29 MR. WHITE: Steven White, Eek.

30
31 MR. ANDREW: My name is John Andrew. I work
32 for Fish and Wildlife. I'm the regional coordinator for Region
33 Five, and I am the regional coordinator for this area.

34
35 MS. FOX: Okay. I'm Peggy Fox. I'm from the
36 Subsistence Office in Anchorage.

37
38 MR. ALEXIE: Sam Alexie, I'm the translator/
39 interpreter.

40
41 COURT REPORTER: Meredith Downing. I'm the
42 court reporter who will be recording this meeting.

43
44 MR. BORBRIDGE: I'm John Borbridge. I'm the
45 subsistence specialist for the Bureau of Indian Affairs, and
46 member of the Federal Subsistence Staff Committee.

47
48 MR. CASE: I'm Randy Case, and I'm with the

49
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Alaska Department of Fish and Game. I'm a wildlife biologist for Unit 18.

2

3 MR. DENTON: I'm Jeff Denton. I'm with BLM, Anchorage District Office in Anchorage, and a wildlife biologist/subsistence specialist.

6

7 MR. FISHER: I'm Dave Fisher from the Fish and Wild- -- from the Fish and Wildlife Service, Subsistence Office in Anchorage.

10

11 MS. REICHARD: I'm Deborah Reichard, and I work for Legal Services.

13

14 MR. KURTH: I'm Jim Kurth. I'm with the Fish and Wildlife Service Subsistence Office in Anchorage.

16

17 MR. ANDREW: And we'll follow the agenda. You're going to election of officers for two people. One is chairman, vice chairman and secretary. You can choose your candidates by -- there will be a motion for nomination. After all the votes are done, the chairman will take over the meeting.

23

24 MR. ANVIL: I nominate Paul Manumik for

25

26 MR. ANDREW: Hold on a minute. We've got to wait until we get ready.

28

29 MR. ANVIL: I make a motion and nominate Paul Manumik for Chair.

31

32 MR. ANDREW: Antone Anvil made a motion to nominate Paul Manumik for the Chair.

34

35 MR. CHALIAK: I'll nominate Harry Wilde.

36

37 MR. ANDREW: Is there a second to the motion?

38

39 MR. NICOLAI: Second.

40

41 MR. ANDREW: Moses Nicolai seconded the motion for nomination of Paul Manumik.

43

44 MR. CHALIAK: I'll nominate Harry Wilde.

45

46 UNIDENTIFIED: Second.

47

48 MR. JOHN: I nominate David O. David.

49

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1 MR. ANDREW: A question.
2
3 MS. FOX: Yes?
4
5 MR. ANDREW: Can they nominate two of them for
6 the Chair at the same time? That was his question.
7
8 MS. FOX: You can have as many nominations for
9 the chair as you have seconds, and

10
11 MR. MANUMIK: We have three. Three.
12
13 MR. ANDREW: There was a question whether there
14 can be more than one people for nomination. There's a
15 nomination for David O. David.
16
17 MR. CHALIAK: What about the one that I -- what
18 about the nomination I made for Harry Wilde?
19
20 MR. ANDREW: I'm sorry. Chuck Chaliak
21 nominated Harry Wilde.
22
23 MR. MANUMIK: Second.
24
25 MR. ANDREW: Paul Manumik seconded the motion
26 for nomination for Harry Wilde.
27
28 MR. ANDREW: Nomination for David O. David was
29 seconded by Steven White.
30
31 MR. MANUMIK: Move to close the nominations.
32
33 MR. CHALIAK: Second.
34
35 MR. ALEXIE: Paul Manumik moved to close the
36 nomination, seconded by Chuck Chaliak.
37
38 MR. ANDREW: Now, there are three people that
39 you can vote for for chairman: Paul Manumik, Harry Wilde, and
40 David O. David. Put the name on a piece of paper for your
41 nomination and present to me. Got it?
42
43 MS. FOX: Uh-huh.
44
45 MR. ANDREW: Good.
46
47 MS. FOX: Want to pass them down this way?
48
49
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1 MR. ALEXIE: Nominations are being turned into
2 a secretary here.

3 MR. DAVID: Before you record them, could you
4 count the ballots?

5
6 MS. FOX: Make sure they're all here?

7
8 MR. DAVID: Supposed to be.

9
10 MR. ANDREW: Put it over here.

11
12 MS. FOX: Two, three, four, five, six, seven,
13 eight.

14
15 MR. ANDREW: Yeah, eight. Okay. There's eight
16 people, because one person is missing.

17
18 (Pause while ballots counted)

19
20 MS. FOX: It's a tie. Take another vote on
21 these two.

22
23 MR. ANDREW: We're going to have a re-election
24 for two people who are tied for -- for David O. David and Harry
25 Wilde. You can vote for either one of these. We have a tie.
26 David O. David or Harry Wilde. Turn in your votes as soon as
27 you finish them. Everybody's accounted for.

28
29 (Pause while ballots counted)

30
31 MS. FOX: Tie.

32
33 MR. MANUMIK: Tie?

34
35 MS. FOX: Tie.

36
37 MR. ANDREW: There's another tie. Four and
38 four. In a case like this, Mr. Borbridge, what's the ruling?
39 A second tie?

40
41 MR. BORBRIDGE: The ruling as I understand,
42 Mr. Andrew, is that you'd have to -- you can go into a revote
43 after a recess. It's possible that the people may want to have
44 a recess, talk it over and try another vote. If it's still
45 tied then,

46
47 MR. ANDREW: Uh-huh.

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1 MR. BORBRIDGE: then you can make an
2 effort to locate the missing member.

3 MR. ANDREW: Okay. Thank you. (In Yup'ik)
4

5 MR. ALEXIE: It's a repeat of what
6 Mr. Borbridge said and translated at the same time.

7
8 MR. ANDREW: Do you want?
9

10 (Discussion in Yup'ik regarding recess)
11

12 MR. ANDREW: We'll vote after we locate our
13 missing member, and

14
15 MR. DAVID: Call the -- try to locate that
16 person and call him to be here..

17
18 MR. ANDREW: We'll have a ten, 15-minute recess
19 to locate the other member, and he's going to call him in.
20 That will be our tie-breaker.

21
22 (Off record)
23

24 (On record)
25

26 MR. ANDREW: We can take care of the election
27 of officers and take care of the introduction of council
28 charter afterwards.

29
30 And then after that, they're working on your operations
31 manual and will send it out to you by December 1st. Then with
32 any comments or concerns until January 15th, and they should be
33 finalized by February.

34
35 We will wait for one more person that -- one more
36 member, and then we'll start. They said he's on his way.

37
38 (Off record)
39

40 (On record)
41

42 MR. ANDREW: If they go for the third tie or
43 the second tie for the same position, then one of them have to
44 be the chair, the other one have to be co-chair.

45
46 MS. FOX: Okay.
47

48 MR. ANDREW: Do you like the translations over
49

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there?

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2

MS. FOX: Yeah.

3

4

MR. BORBRIDGE: You may want to consider if the vote is tied and the other member is not here, if the membership agrees, you can defer this until he arrives and address other parts of the agenda. And it might be easier for them if maybe you might continue to sort of lead them until he comes. But if it's a tie vote, you can go on to the next item on the agenda, just defer the vote until he shows up, if it's tied.

12

13

MR. ANDREW: John Borbridge tells us that if there's a tie in the vote and it brings up -- it brings up a conflict, then we can go ahead with the agenda and wait for him to come. Do you want to continue like that?

17

18

MR. ALEXIE: The answer was yes.

19

20

MR. ANDREW: And on -- the next on the agenda is on the introduction of council charter.

22

23

MS. FOX: Tab two. Oh, that's not in -- it's not in that book. It's a different book.

25

26

MR. ANDREW: This council charter is named Yukon-Kuskokwim Delta. This gives you an authorization to work as council. The first one says the official designation.

29

30

The Council shall be designated as the Yukon-Kuskokwim Delta Subsistence Regional Advisory Council.

32

33

And then the next is your objective. I want to share the -- the objective of the Council is to provide an administrative structure that enables rural residents to have first -- who have personal knowledge of local conditions and requirements to have meaningful role in the management of the fish and wildlife and of subsistence use of the resource on public lands in the region.

40

41

MR. ALEXIE: Thank you.

42

43

MS. FOX: Thank you.

44

45

MR. ANDREW: That the period -- the period of time, the Council is expected to exist into the foreseeable future, and the period of time necessary for the Council activities and termination date. The Council is expected to

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exist into the foreseeable future. It's continuation is, however, subject to rechartering every bicentennial anniversary of Alaska National Interest Conservation Act of December 2, 1980.

4

5

MS. FOX: That's every two years.

6

7

MR. ANDREW: Every two years?

8

9

MS. FOX: Every two years.

10

11

MR. ANDREW: The Council shall take no action unless the requirements of the Federal Advisory Committee Act have been complied with.

14

15

And the fourth, the official to whom the Council reports. The Council reports to the Federal Subsistence Board Chair, who's appointed by the Secretary of Interior, with the concurrence of the Secretary of Agriculture.

19

20

Number five, support services. Administrative support for the activities of the Council will be provided by the U.S. Fish and Wildlife Services, Department of the Interior.

23

24

Number six, duties of the Council. The Council possesses authority to perform the following duties:

26

27

Number one, review, evaluate and make recommendations and proposals for regulation, policies, management plans, and other matters relating subsistence use of fish and wildlife on the public lands within the region.

31

32

Number two, provide a forum for the expression of opinions and recommendations of persons interested in any matter related to the subsistence use of fish and wildlife on public lands within the region.

36

37

Encourage local and regional participation in the decision-making process affecting the taking of fish and wildlife on the public lands within the region for subsistence use.

41

42

Number four, prepare and submit to the Federal Subsistence Board an annual report containing the following:

44

45

A. An identification for current and anticipated subsistence use of fish and wildlife populations within the region.

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B. An evaluation of current and anticipated -- anticipated subsistence needs for the fish and wildlife populations within the region.

3
4 C. A recommended strategy for the management of fish and wildlife populations within the region to accommodate such subsistence uses and needs.

7
8 D. Recommendations concerning policies, standards, guidelines, regulations to implement the strategy and make recommendations on determination of customary and traditional uses of subsistence resources.

12
13 This Council shall perform its duties in conformity with the operating manual for Federal Subsistence Regional Councils.

16
17 Number seven, estimated operating costs. Annual operating costs of the Council are estimated at \$100,000.00, which includes one person-year of staff support.

20
21 Number eight, meetings. The Council shall meet twice a year at the call of the Council Chair, Federal Subsistence Board Chair or designated federal official with the advance approval of the Federal Subsistence Board Chair, or the designated federal officer who shall approve the agenda.

26
27 Number nine, membership. The Council membership shall be as follows: Nine members who shall be knowledgeable and experienced in matters relating to the subsistence use of fish and wildlife, and are residents of the region represented by the Council. Members shall be appointed by the Secretary of Interior and the Secretary of Agriculture, based on the recommendation of the Federal Subsistence Board.

34
35 Vacancy. Whenever a vacancy occurs among Council members appointed under paragraph nine, the Secretary shall appoint another chosen in accordance with paragraph nine to fill that vacancy for the remainder of the applicable term. The Secretary of Interior can appoint a person to fill in a vacancy.

41
42 Terms of office. In this addition (ph) that you shall serve three-year term, but in the first time when we first thought this up, it had said that three -- that three members will have three-year terms, and two on a two-year term. And if we choose the rule (ph) for the current by the Secretary upon recommendation of the Federal Subsistence Board, they can fill that -- the Secretary can fill the vacancy. If resigning prior

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to the expiration of -- the expiration of the term, members shall provide a written resignation into the Chair.

2

3 Council members shall elect a Chair for a one-year term. The first elected chairman serve a term of less than one year.

6

7 Removal of members. If a Council member appointed under paragraph nine misses three consecutive regularly scheduled meetings, the Chair of the Federal Subsistence Board may recommend that the Secretary of the Interior, with the concurrence of the Secretary of Agriculture, remove that individual. The Chair of the Federal Subsistence Board may recommend that the Secretary of the Interior, with the concurrence of the Secretary of Agriculture, remove that individual.

16

17 Compensation. Members of the Council shall receive no compensation as members. Members shall, however, be allowed travel expenses, including per diem, in the same manner as persons employed intermittently in government service are allowed such expenses under 5 USC 57.03.

22

23 Number ten, designated federal officer. The designated federal officer, which is me, for this section, or whoever is in my place will be working for you.

26

27 Authority, number 11. The Council is established by virtue of the authority set out in the Alaska National Interest Lands Conservation Act.

30

31 Can you understand that? This is your charter. This is your Council charter.

33

34 MR. DAVID: I don't like the terms of office. In case we are directed by the Chair to do a good job, and we have two meetings a year, and he will be removed. And if he misses three meetings, and if there's such happenings, three consecutive meetings are missed, by the Chair with a one-year term, that might provide a conflict and a problem. I like the two too three year term better than that one year term. And this refers to

42

43 MR. MANUMIK: The term of office, as explained in that, that the Council serve a three-year term.

45

46 MR. DAVID: Some people who are -- will have more, you know, the knowledge of the regulations and the workings of the Y-K Delta Subsistence Regional Advisory Council.

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1 MR. MANUMIK: And if we like the person that's
 2 chairing the -- chairing the Council, we can push for more --
 3 you know, a longer term for them.

4
 5 MR. WILDE: We can reappoint that person.
 6 That's how I understand it. The Secretary of Interior,
 7 probably in their office they have names with their terms, and
 8 probably there's a recommendation then that they can reappoint
 9 the person to the same office. And there's always that room
 10 for another person to be elected into -- to that office. And
 11 the other people have a chance to run for that office.

12
 13 MR. ANDREW: Several of our members have
 14 expressed concerns that in terms of the Chair, is that one year
 15 too short, especially if you have -- if you have a good,
 16 strong chair person, that a one-year term is too short for them
 17 to serve. 'Cause if he's -- his term is expired, they will be
 18 losing the benefit to have -- of having a good, strong
 19 chair,

20
 21 MS. FOX: But they can reappoint

22
 23 MR. ANDREW: or chair person.

24
 25 MS. FOX: But they can be reappointed. They
 26 can be

27
 28 MR. MANUMIK: At the request of this Board.

29
 30 MR. ANDREW: Yeah. They can reappoint

31
 32 MS. FOX: Yeah.

33
 34 MR. ANDREW: the Chair if they liked it.

35
 36 MR. CHALIAK: Can reappoint Chair.

37
 38 MR. ALEXIE: They are discussing the roles of
 39 the chairman, and they're also saying that sometimes even a
 40 member has a stronger voice than the Chair. And they are
 41 bringing out that the term of the Chair is almost up. And
 42 before they start a meeting, they always recognize the Chair.
 43 And he's pointing out that each -- you know, the different
 44 members have a chance to report, and then before they start,
 45 after the term is up for the Chair, they elect a new one.

46
 47 MR. WHITE: And I think it would be -- would be
 48 better if they would extend the term of the Chair.

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1 MR. MANUMIK: As I see it, the term of the
2 Chair has -- is appointed to have one-year term. Since it
3 gives us a chance to recommend to -- for reappointment by the
4 Secretary of Interior, and we can push the Federal Board for
5 reappointment of the Chair.

6
7 MR. ANDREW: Should we go for a break?

8
9 MS. FOX: If -- well, do they need a recess to
10 talk or are we going to move on after that?

11
12 MR. ANDREW: Yeah.

13
14 MS. FOX: Okay.

15
16 MR. ANDREW: 'Cause we're right here. We're
17 still at Council Chair.

18
19 If you want to take a break and discuss the Council
20 Charter?

21
22 MR. DAVID: Well, we have too many breaks. I
23 think we all understand it already. We don't need to break.
24 We've got to go on.

25
26 MS. FOX: Is the -- is the Council ready to
27 move on, or do they want to take a vote?

28
29 MR. DAVID: Vote on what?

30
31 MR. ANDREW: Is there

32
33 MS. FOX: I don't know. Is there -- I don't
34 know how you're -- are we resolved? I heard both sides of the
35 issue, but I don't know if we're resolved. Are we ready to
36 just move on to the next item?

37
38 MR. ANDREW: They still don't like that -- the
39 first year chairman. It's too short. What if it falls to a
40 guy with a one-year membership? His position will be
41 terminated at the same time as the Chair is terminated.

42
43 MS. FOX: Uh-huh.

44
45 MR. DAVID: But do like you said, we can
46 recommend to the Board to have that person reappointed.

47
48 MS. FOX: Yes.

49
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1 MR. ANDREW: But how long will it take to have
2eappointed? You know, we know how the Department works. It
3akes them almost three months to

4

5 MS. FOX: We're going to

6

7 MR. ANDREW: make one decision.

8

9 MS. FOX: We're going to start the
10appointment process long before the terms run out. We will
11have new appointments decided before the terms run out, or very
12close to that. It won't be -- it won't take as long as it did
13his last time.

14

15 MR. ANDREW: It won't be like the first time.
16hen we wait for -- for months before anything is done.

17

18 MS. FOX: Right now all of these terms will
19expire towards -- probably towards the December date. We'll
20probably have them all coincide next December, so it will be a
21little bit more (indiscernible, coughing) this time.

22

23 MR. DAVID: Let's move on.

24

25 MR. ANDREW: Before -- for those of you who
26ost came in, we will give the public a chance to have their
27input after lunch.

28

29 (Yup'ik) draft -- we don't have it available?

30

31 MS. FOX: No.

32

33 MR. ANDREW: The draft Federal Subsistence
34Regional Advisory Council Operations Manual, we don't have it
35our hand right now, but they're still working on it. When
36is finished by December 1st, it will be sent here and to
37you, to you members, also. And during that time, if there's
38any comments, concerns, you can have your input until January
391994. If we receive

40

41 MS. FOX: January 15th.

42

43 MR. ANDREW: it by January 13th

44

45 MS. FOX: Fifteenth.

46

47 MR. ANDREW: 15th, January 15th, 1994,
48and during that time we receive it, you'll have comment to that

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date, and for the last -- the final draft will be done by February. I just bring that out to let you know, because the draft is not done yet, but those are the procedures that you'll follow within those dates.

4

5 MR. CHALIAK: What are we going to do about
6 the charter?

7

8 MR. ANDREW: Chuck has a question on the
9 charter. What do we do with this charter? Do they have to
10 vote to accept it?

11

12 MS. FOX: It's already been -- it's already
13 been -- it's a given to get the Council started. You will have
14 an opportunity to suggest changes to it by the time it comes up
15 for renewal in December of '94. But to get you started, we've
16 developed a charter, and you'll have an opportunity to look at
17 some revisions during the next year.

18

19 MR. ANDREW: What -- during the second year of
20 the Council charter, there's always room for -- there's room
21 for any changes. And December 1994, you can ask to make
22 changes on the Council charter. This -- this was brought up --
23 this in general was brought up for you guys to start having
24 your meeting here.

25

26 After -- we're -- after this subject here, we're
27 supposed to go until 11:30, adjourn for lunch, but we're moving
28 pretty fast, because we -- because our election of officers was
29 not taken care of this morning. However, if you want to
30 discuss any other terms or on any regional issues on Yukon
31 Delta Regional Council, if you have any comments. And, you
32 know, the things on the board there, there will be other issues
33 later on. And if there is any public input later on, we'll
34 come other.

35

36 MR. WILDE: I would like the Council to draft a
37 resolution.

38

39 MS. FOX: Yeah, if they want to move ahead with
40 resolutions and vote on them without -- without officers.

41

42 MR. DAVID: Now, we can draft them, couldn't
43 we? We could draft the resolutions and vote on them

44

45 MS. FOX: Vote on them later?

46

47 MR. DAVID: after we elect the officers.
48 Can we?

49

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1 MS. FOX: Uh-huh.

2

3 MR. ALEXIE: Yeah, they -- he's asking to see
4 if they can draft a resolution and vote on it later on.

5

6 MR. ANDREW: Mr. Harry Wilde suggested that
7 even though we don't have our elected officers, he wants to
8 create a resolution from this committee to be voted on.

9

10 MR. WILDE: Since there's -- sometimes there
11 are no follow-ups in the written manual, I would like to draft
12 a resolution.

13

14 MR. ANDREW: Mr. Harry Wilde brought out his
15 major concern. After reviewing the federal subsistence
16 regulations, his major concern is that a lot of the fur bearers
17 and black bear and the others have no determinations in there,
18 and he knows from experience from attending different board
19 meetings, whenever the certain species have no determination
20 status, the Board is reluctant to do any actions on them, just
21 because they don't have any community data base to work with.
22 He wants to come up with a resolution to address that issue, so
23 he will give the Board, the Federal Board directions to get
24 working on it.

25

26 MS. FOX: If

27

28 MR. ANDREW: Moses?

29

30 MR. NICOLAI: Yeah. The subject of no
31 determination of the subject -- no subsistence plan, and I have
32 never agreed with it, and you -- I'd like to give an example on
33 the beaver, and you caught a beaver when it's closed, and these
34 protection officers will take -- will arrest you, and that part
35 don't like. And in that clause that -- on that no
36 determination, or when they caught a pike, they're trying to
37 use it for subsistence, and they have -- they have said in
38 there no determination, and they take him and put him in court.
39 That is why we should -- we the new members should make a
40 proposal to correct that situation.

41

42 MR. ANDREW: John Borbridge?

43

44 MR. BORBRIDGE: Yeah, John and Council members,
45 appears you not only want the Board to address this issue as
46 customary and traditional matter, but the Board has already
47 scheduled other species for customary and traditional findings.
48 So what you also want, I would suggest, is that this be a

49

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priority, that this be among your important (indiscernible). In other words, you're asking the Board not only to look at this as a C and T, but it's very important to you here, and so you want them to look at it as a priority matter.

4

5 MR. NICOLAI: We all know those we hunt, and I
6- and the young people hunt, after they look into the manual,
7 that when they go hunting for subsistence, and there is no
8 determination on that -- that specie, and then after they see
9 that, these protection officers, when they come upon them,
10 having killed that specie, they take -- they take it. Yet they
11 yet they arrest him, because that species closed for the
12 season, yet it is being hunted for subsistence.

13

14 MR. ANDREW: Do you want to make a resolution
15 toward that -- toward that topic?

16

17 MR. DAVID: If -- when it's -- when it's
18 already in the manual with no determination, when -- when it is
19 when we go hunting and there's a species that's, you know,
20 here during, it's closed and yet there's no determination on
21 it. And then we know that we should -- why should let them
22 know that -- that, you know, these things are done because
23 traditionally they have been done in the past.

24

25 MR. BRELSFORD: John, was there another issue?
26 A second one that I didn't catch while I was writing?

27

28 MR. ANDREW: Uh-huh.

29

30 MS. FOX: I only heard -- I heard black bear
31 mentioned, and beavers.

32

33 MR. WILDE: And fur bearers.

34

35 MS. FOX: Fur bearers in general and black
36 bear.

37

38 MR. BRELSFORD: Black bear, we've got it.

39

40 MS. FOX: Okay. And is Unit 18? You had --
41 that's the only -- Unit 18?

42

43 MR. NICOLAI: It should be better if all the
44 subsistence species that have no determination status.

45

46 MR. ANDREW: And all species with no
47 determination status. There might be fish involved in there,
48 too. All species. Fish, for example as the pike.

49

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1 MS. FOX: Okay. That's what we need to have
2 real clear. Good.
3
4 MR. ANDREW: We should -- we should cover all
5 units. Game management units from 17 through 22. All the
6 adjoining game management units. 17 through 22.
7
8 MR. BRELSFORD: Twenty, that's over by
9 Anchorage.
10
11 MR. ANDREW: It doesn't have to be only 18.
12
13 MR. MANUMIK: Seventeen, 18, 19 -- 17, 18, 19,
14 20, 22.
15
16 MR. WILDE: The federal regulations state that
17 these species with no determination can be used or can be
18 hunted by all the people of Alaska.
19
20 MR. ANDREW: You pick (ph) so many years.
21
22 MS. FOX: Uh-huh. That's why I say they should
23 indicate what's their highest concern, what species and what
24 unit.
25
26 MR. WILDE: As far as I know, that there --
27 sometimes when these people catch these species of no
28 determination, I know that in a lot of cases that there have
29 been arrests.
30
31 MR. ANDREW: In the first -- in this no
32 determination, there are too many things that we're trying to
33 resolve that was -- maybe you should concentrate on the most
34 important ones right now.
35
36 MR. WILDE: I think it should be better if we
37 should name the ones that we use for subsistence.
38
39 MR. ANDREW: I think -- as I think it would be
40 better if you work on our unit first, and then later on as we
41 develop, we probably can hit other units then.
42
43 MR. NICOLAI: I don't think if we work on Unit
44 first it will -- it wouldn't be -- because people who are --
45 people who are hunting for subsistence, they don't hunt in Unit
46 only, but they go further into 19, 20, 17,
47
48 MR. ANDREW: But because of the intensity of
49
50

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the things that we have to work with on Unit 18, I think that we should work -- concentrate on the things that we -- we need for subsistence use.

3

4 MR. JOHN: If we can get clarification on Subsistence use on covering -- and trying to cover all the areas of what we use, I think we would go more smoothly.

7

8 MR. WILDE: Maybe we could follow all customary traditional use species.

10

11 MR. ANDREW: Even if there's -- there's ~~de~~termination, -- even if there's a determination, there's still the regulations that need to be followed. No ~~de~~termination just means that no C and T status has been ~~ap~~plied to these species. There are still federal regulations.

16

17 MS. FOX: What it means is it's open to all rural residents of Alaska.

19

20 MR. ANDREW: Uh-huh.

21

22 MS. FOX: I don't -- yeah, I don't understand what the concern is.

24

25 MR. ANDREW: Part of the reason -- their reasonings is it's been their experience whenever they have no ~~de~~termination status, and the court refuses to take action on ~~it~~.

29

30 MR. ALEXIE: Can I interpret this?

31

32 MS. FOX: Uh-huh.

33

34 MR. WHITE: (In Yup'ik)

35

36 MR. ALEXIE: They are discussing that, you know, the difference between the Yukon and Kuskokwim, the subsistence use of some species do not exist in our area, and ~~in~~ the Kuskokwim the species are not available up there.

40

41 (Translates note from Randy Case into Yup'ik)

42

43 I explained and interpreted that there must be ~~de~~confusion and explained this, but the difference between the ~~de~~termination and no determination and explained to them that ~~bo~~th of them have already regulations.

47

48 MR. JOHN: Since the white man does not eat

49

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like a Yup'ik, we have -- we have been the members, are given an opportunity to say and present what we want. And this is how I understand it.

3

4 MR. DAVID: I'm going to add to what Paul John said. There are so many -- there are so many regulations that have been brought that hurt the Yup'ik people, and then we have unwritten regulations and you should -- you should listen to our unwritten regulations, even though you already have yours written down, but you should -- you should listen to us, since we don't apply -- we don't apply regulations to you. We already have that have been handed down generation to generation.

13

14 MR. JOHN: I've -- I brought this up before for 15 towards subsistence use, I brought this up before the U.S. Attorney General, and he brought up an example, and they said they had -- the federal and the state, they got together and made regulations. Are hard to break. Yet I brought this up, and our unwritten regulations state that if there's anybody in need that is trying to eat off the land, that we are to help them out, and accept him in our community, and that was an example of the big rope that I presented to the Attorney General and he said, "I cannot give you an example for that," and he was using ropes for an example, that the state and the Federal had, you know, given out to the state.

26

27 MR. WILDE: I think that most of this Council have -- they understand what this no determination, it means. However, no determination in this regulation indicate open to all rural Alaska residents. That's the way we -- that's the way we understand here.

32

33 MS. FOX: Uh-huh.

34

35 MR. ANDREW: Steven White.

36

37 MR. WHITE: Even though it's open to the rural people, when a species caught and they, you know, they are seen with that species in their possession, they still get arrested. And they're -- they arrest him for trial and sometimes -- a lot of times they don't have any expenses to pay for the fees and the fines.

43

Also when Harry Wilde presented earlier, he needed to know if there can be help from the Federal Board, either they take it or reject it. And maybe that should -- maybe that's what he present.

47

48 MR. DAVID: Let me ask a question. John,

49

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you're -- I know that you're from Southeastern, right? And your people had their -- had their life before white people walked into the area. And you probably know the rules and the laws of your people. But when white people came along, they had money. That's what they -- what they use as -- as their -- part of their power. We Alaskans, all the whole Alaskans, that we didn't have no money to fight them with. So they -- they come around and played with our ancestors like they did to us, and adopted us to come into their world. And most -- many people are being adapted to the white man's world, are living as a white man, even the food -- even their food is, Southeastern people from there. And -- but up here, we have the majority -- many of our white -- our people didn't have enough education to be qualified to be hired by white people to get the job. So we still -- we go under rules, our forefathers files and regulations throughout, and we want to keep that out and pass it out to our grandchildren and our great grandchildren, and we don't want to lose that. Never. So what do you have in here, saying no determination, is that white man's federal and state rules and regulations are covering that? Are covering that. And if a person gets a caribou out of season, even if it's open -- even if it's open -- even if it's edible to our people, they take the person and ask (ph) him for what they did. And, you know, I know -- I know the people here, that person is innocent. He didn't have to be arrested for what he did, because they're -- they are out to get food for the -- food for the family.

27

28

MR. BORBRIDGE: Yeah. Thank you, Mr. David. Council members, the former chairman of the Federal Subsistence Board was named -- is named Curt McVee, and when he was chairman, he said that we on the Federal Subsistence Board are practicing too much of what he called "top on down," where the federal people were making many of the decisions without talking to the subsistence users like yourself. And this is why we have been very anxious to have the regional advisory councils like this one begin, because what we are looking now at the Federal Subsistence Board is recommendations from you where we need to change something.

39

And when the Federal Subsistence Board formed and we began our federal administration of subsistence in mid 1990, we had many customary and traditional findings by the State of Alaska. We adopted those as a federal board so we could get started and get underway. Now we find that not all villages and areas have customary and traditional findings. So the board, the Federal Subsistence Board is setting up priorities to try to correct this as soon as possible.

47

Earlier, before the regional councils were set up, we had a number of proposals that were concerned about customary

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and traditional uses of different species, fish and wildlife, in various areas across the State. But we wanted to wait until the regional advisory councils were underway, so that when we start to work on the customary and the traditional findings, we will have your advice and the advice of other regional advisory councils.

6 There's no question that there have been many mistakes made as you've pointed out, and there's no question that we have made mistakes where the culture has been concerned. And we are hoping that the regional advisory councils will help us to start to straighten those out.

11 Did I pretty well --? Yeah. Thank you.

12

13 MR. DAVID: Thank you.

14

15 MR. MANUMIK: I've got -- yeah, John, I've got a question I know. When you say some regions have no traditional -- customary, traditional findings for certain species in their area,

19

20 MR. BORBRIDGE: Uh-huh.

21

22 MR. MANUMIK: or in their region, let's take our region for instance,

24

25 MR. BORBRIDGE: Uh-huh.

26

27 MR. MANUMIK: Some off our people from the Lower Yukon -- Lower Kuskokwim and Lower Yukon River has to go up further, out of our region to get moose and bear.

30

31 MR. BORBRIDGE: Uh-huh.

32

33 MR. MANUMIK: Would you consider that as a customary and traditional use finding for that region?

35

36 MR. BORBRIDGE: I think that is -- I don't want to appear to be dodging the question, but the way the question would be answered is that you would, or someone else -- you or someone else would bring this up and to say you feel that this should be a customary and traditional finding.

41

42 MR. MANUMIK: Uh-huh.

43

44 MR. BORBRIDGE: And this would be brought before the regional advisory council. And from here you'd have staff input and it would work its way up to the Federal Subsistence Board. Then the Board would make the final determination, and it would have before it the information that

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you're suggesting. It would have the recommendation of the Board, which I have a hunch would agree with you on that. And so that the Board would be in a better position to make the right decision, because they will have heard from everyone here, including yourself as well. I hope I answered that question?

6

7

MR. MANUMIK: Yes, you answered it.

8

9

MR. BORBRIDGE: Okay.

10

11

MR. MANUMIK: Thank you.

12

13

MR. BORBRIDGE: Thank you.

14

15

MR. MANUMIK: (Explains his conversation with Mr. Borbridge in Yup'ik).

17

18

MR. ALEXIE: This is the -- this is the repeat of the question that he asked John about, you know, the people from the Lower Kuskokwim going up, and the Lower Yukon, going up out of the unit to catch some moose for subsistence use, and then he -- he wanted to find out if that was -- that was a customary. And his answer was that they will look into it, and then -- and after it goes through the process that they can let us know.

26

27

MR. NICOLAI: Yeah, I still don't feel comfortable in -- on the no determination clause where it covers on our -- in our area. I feel that it would be a lot better from Unit 17 to 22. I feel that we would -- we would be seen as our customary and traditional use area. However, as we see it here, Unit 18. It is confusing, because it does not -- it does not specify which units can be used for customary and traditional use under no determination. Maybe it will be seen by the federal government that we do use those units, 17 to 22 as our customary and traditional use.

37

38

MR. WILDE: There is still danger in that customary and traditional use determination. Let me use rural resident of Unit 21E, resident of Russian Mission. And it's -- it -- the danger of this regulations adjacent Holy Cross, Unit 22, and it says to all rural Alaska residents.

43

44

MR. NICOLAI: I feel that if all of the unit managements are written in the regulations, it would -- we'd have more access to our customary and traditional use. If they are written down. They can close areas.

48

49

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MR. DAVID: We who are in that unit, we cannot -- we cannot close toward our Yup'ik people. However, but -- however, the regulations that are drawn up can -- can prohibit the rest of the Yup'ik people to hunt in our area. However, it has been our tradition that any area is open within our -- within our own people. But if we follow the regulations, that is the dangerous part, because, you know, it could close -- it can close the area for the rest of our Yup'ik people.

8 We should study and understand each regulations, how it
9- toward each regulation that come up, we should understand it
and hear it, because, you know, I think it's about time we
stopped accepting everything that's thrown at us. And if there
needs to -- if we need to fight against it, then we should --
we have been -- we have been people here before, and we have
traditions that have been handed down, although they are not
written.

16

17

MR. CHALIAK: We know our ancestors that have long gone, well, they did not have any regulations, because they travel far and near for customary, traditional use. It seemed like this is having -- we have become a problem, because we have access to travel far and near quicker than our ancestors and it seems like that is becoming a big concern. We have not -- I think we should have our input in some regulations, and concerns, that we should have our input in that. And also our comments should -- and input should be brought up to better the regulations.

27

28

MR. ANDREW: A ten-minute break to call the other member.

30

31 (Off record)

32

33 (On record)

34

35

MR. ANDREW: We have already set in place that we should continue the voting process when the member is -- when one more member is present. Either -- vote for one person for chair. David O. David or Harry Wilde.

39

40

MR. JOHN: Henry, the one you've got to vote for is either David O. David or Harry Wilde.

42

43

MR. ANDREW: And after the chairman, you'll vote for the vice president and the secretary.

45

46

MS. FOX: Do you want to tell them where to pass them to? Pass them to you again?

48

49

50

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1 two.
2
3 MR. ANDREW: They're going to vote for these
4
5 MS. FOX: I know.
6
7 MR. ANDREW: Just these two. And they'll go
8 right into vice chair, then secretary, and then they'll go for
9 a lunch break.
10
11 MS. FOX: Okay. I think they're ready to pass
12 you their notes.
13
14 MR. ANDREW: Nine. Now I'm out. Nine votes.
15 The vote results are Harry Wilde, five, and he's now the
16 chairman. David O. David. And the meeting is turned over to
17 the new chair, Harry Wilde. You can vote for the vice
18 chairman. He will now conduct the meeting.
19
20 MR. WILDE: The floor is open to select a vice
21 chairman.
22
23 MR. JOHN: I nominate David O. David.
24
25 MR. MANUMIK: Second.
26
27 MR. WILDE: David O. David is nominated.
28 Seconded by Paul Manumik.
29
30 MR. MANUMIK: I move to close the nomination
31 and ask for unanimous consent.
32
33 MR. WILDE: This is -- nomination is closed.
34 Paul moved for unanimous consent, and he's automatically the
35 vice chairman.
36
37 Secretary.
38
39 MR. JOHN: I nominate Paul Manumik.
40
41 MR. CHALIAK: Second.
42
43 MR. ALEXIE: Nomination for secretary for Paul
44 Manumik, seconded by Chuck Chaliak.
45
46 MR. WILDE: There's a motion on the floor to
47 nominate Paul Manumik, and it's been seconded.
48
49 MR. MANUMIK: I nominate Chuck Chaliak.
50

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1 MR. WILDE: There's a motion on the floor to
 2 Chuck Chaliak.
 3
 4 MR. ALEXIE: Nomination for Chuck Chaliak.
 5
 6 MR. DAVID: I second the nomination.
 7
 8 MR. WILDE: Seconded by David.
 9
 10 MR. ALEXIE: Seconded by David O. David.
 11
 12 MR. WHITE: Move nominations be closed.
 13
 14 MR. WILDE: The motion is nominations be
 15 closed.
 16
 17 MR. ALEXIE: A motion made by Steven White to
 18 close the nominations.
 19
 20 MR. WILDE: There's two now that -- Paul and
 21 Chuck for secretary.
 22
 23 MR. ALEXIE: There are two people for
 24 secretary, Paul Manumik and Chuck Chaliak. For secretary.
 25
 26 MR. ANDREW: You've got one extra. Good
 27 enough.
 28
 29 MS. FOX: Good enough?
 30
 31 MR. WILDE: If there's a tie, tie one in half.
 32 mean, break one in half.
 33
 34 MS. FOX: No, there was a nomination of -- for
 35 David O. David for secretary.
 36
 37 MR. ANDREW: No.
 38
 39 MR. WILDE: No.
 40
 41 MS. FOX: Somebody's
 42
 43 MR. WILDE: David O. David is, yeah,
 44 already
 45
 46 MS. FOX: I know. Yeah, he was elected the
 47 vice chair, but there's -- let's see here, we've got one,
 48 two
 49
 50

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1 under here.
2

MR. ANDREW: That won't count. Just put it

3
4 eight.

MS. FOX: three, four, five, six, seven,

5
6 MR. ANDREW: The vote for secretary, Paul
7 Manumik five, David O. David -- Paul Manumik is the new
8 secretary.

9
10 MR. MANUMIK: Thank you.

11
12 MR. WILDE: Before we break for lunch, I'd like
13 to thank you for voting for your chairman. I was -- I want to
14 say this: You as a board should remember that we should
15 consider the rightful customary and traditional use of
16 subsistence for our people, and in this meeting please do not
17 use alcohol during our meeting. Thank you.

18
19 MR. ANDREW: Before we stop, I would like to
20 say yesterday at the Fish and Wildlife I would like to thank
21 Dennis (indiscernible) for coffee and tea, and the board for
22 dried fish. Also the KVNA building, and this was a donation
23 from the AVCP (ph), you won't have to pay for the building, for
24 the rent. However, you should clean it up when you finish with
25.

26 I'll turn it back to the chair.
27

28 MR. WILDE: We should break for lunch. We will
29 resume at 1:00 o'clock. An hour and a half. An hour and a
30 half lunch break.

31
32 (Off record)

33
34 (On record)

35
36 MR. WILDE: Maybe we should start right now
37 after lunch at 1:00 o'clock. We would start at 1:00 o'clock,
38 and our meeting is open for the public comment period. And
39 right now we can open it to the public and have their comment
40 session at our Federal Subsistence meeting. If any of you
41 people want to say something, that you can say anything, even
42 if you speak Yup'ik or English. We have a translator here, or
43 we have an interpreter here, so you can say in both languages.
44 But after you state your name and where you're from, and you
45 can address what you feel is important, after you state your
46 name and where you came from.

47
48 MR. JOHN: Did you understand what our chairman
49

50

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says?

1

2 MR. ALEXIE: He's re-addressing that it's open
3 for the public, and explained it to the guy who's hard of
4 hearing.

5

6 MR. JOHN: It's open for the public. Yeah,
7 it's open for us.

8

9 MS. FOX: Any more to hand out?

10

11 MR. ANDREW: I think they're over at the
12 counter.

13

14 MS. FOX: I hope they are.

15

16 MR. ANDREW: Mr. Chairman, whoever wants to
17 make a presentation or comments or -- then you can fill out a
18 little form, a blue form. Before you say anything, you've got
19 to fill out a blue form.

20

21 MR. CHIEF: I'm getting old, and I cannot fill
22 out papers. I'm getting old. I can

23

24 UNIDENTIFIED: He's an old man. You don't have
25 let him fill out a paper.

26

27 MR. CHALIAK: If they can't fill out a paper,
28 there should be some kind of help for them to fill out the
29 form. You have to fill out one.

30

31 MS. FOX: We don't have any more of those for
32 some reason.

33

34 MR. ANDREW: We've got more over there in the
35 back.

36

37 MR. WILDE: Do you want to -- do you want to
38 say anything before you go? Uh-huh.

39

40 UNIDENTIFIED: No, thank you.

41

42 MR. WILDE: Those blue forms, while they're
43 filling out the blue form, these three items here, if we can
44 work on the three items here. Open public comment period, and
45 filling blue forms, while they're filling it, we can probably
46 address identification of regional issues, and development of
47 regulations proposals, because, you know, if we can -- while we
48 listen to the public -- open public comments, we'll probably --

49

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it will probably take us quite a while, but we can probably get these two issues.

2

3 MR. ALEXIE: He's -- he brought up the subject that they should have a sergeant at arms during this meeting.

5

6 MR. DAVID: Mr. Chairman, I move that we appoint Moses Nicolai to be our sergeant at arms.

8

9 MR. ANVIL: Second.

10

11 MR. DAVID: I make a motion to chose Moses Nicolai to be our sergeant at arms.

13

14 MR. WILDE: He looks like a good candidate for our sergeant at arms. Are you willing to be one?

16

17 MR. NICOLAI: I will give it a try.

18

19 MR. WILDE: Okay. All right. We -- you will take him by the -- we are voting. Those of you across there who are filling the forms in, we are waiting for you. We would like to listen to your comments, those who want to make presentation.

24 This is Joe Chief from ONC. Stand somewhere and make a presentation. If you want to sit down, you can.

26

27 MR. CHIEF: Can I speak in -- I've interpreted 28 I've translated this, so I can read it in English.

29 I am Joseph Chief, Senior, of Bethel, speaking on behalf of all natives in Alaska on this subsistence issue and our traditional lifestyles.

32 We are totally against the proposed regulations of the Alaska Department of Fish and Game. We have lived on subsistence as our ancestors and their ancestors did, and we practically depend on our subsistence ways of living.

36 We are always told by our elders to respect our land and water by keeping it clean as our own plates. This is an example that our ancestors followed for -- and practiced for many centuries. When we hunted and fished for subsistence use, we were told to take only what we needed and not to waste food resources. These are some of the traditional laws which we followed for many years.

43 We, the people of Alaska, do not need permits and/or licenses to hunt, because the land belongs to us as we live a subsistence lifestyle. We should keep it that way as long as the State and native traditional laws are equal.

47 On the sport hunting and fishing issue -- issues going on by people from either our State or by outsiders is totally

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unacceptable, because they're only wasting what we natives rely on for food ever since we can remember. Sport hunters take only animals' heads for their so-called prize game and get rid of the rest. Also, sport fishers catch and let go of the fish which only causes them to die later even before they have spawned, which lessens the populations of fish -- of fish all over.

7 The same goes with deep sea fishermen, by throwing out sea mammals and fish they think they don't need. They're all dying off because of that.

10 All this should already be known to legislators, our ways of living. We're not against anyone, but all we want is our equality of living our lifestyle and be able to pass it on to our next generations and theirs to follow.

14 Thank you.

15

16 MR. WILDE: Those that you have presented, I would like you to give the copies to the front there.

18

19 MR. ALEXIE: They are requesting copies.

20

21 MS. FOX: Good.

22

23 MR. WILDE: I'm going to have our secretary work on those blue papers, because he has to record them, and if there's anybody that's in a hurry, or got any other appointments, otherwise we'll go in chronological order. The next speaker will be Jesse Moses.

28

29 MR. MOSES: I don't really have anything to say. I really don't know what this meeting is about. However, I heard that it's -- it will be for less subsistence activities. And I haven't spoken before in meetings, however, I am not really from Bethel, but I moved from Mekoryuk, which is Nunivak Island.

35

I like the subsistence activities, because we hunt on the resource of the land, and also from the ocean, and we have always hunted, and now we are pushing for our livelihood to be recognized from the land resources, and from the ocean and the rivers. And we are pushing it seems like every year.

40

When the seasons come for to hunt for species, we always hunt to put some food on our table, and we always -- and we have requested for the Fish and Game to listen to us, that these things that we hunt are for our livelihood, but they don't seem to listen to us, whether they are land or are -- in our land, and you can see my skin that I am from the -- made from the clay and land. When I came to a long time ago, there was no white man's food, and we -- and they didn't travel by motors, yet they traveled by kayak, and then we hunt for food

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when the weather permit us to do so. And we would catch whether we would catch -- filling our kayaks when we are provided for, and we would take them home. And there's things we catch by kayaks.

4 We did not know without -- we hunt without any -- without any regulations, nor we did not hear -- when I came to the Fish and Game were not around. There weren't any -- there was no Fish and Game when I came to, and we hunt from the land and sea for livelihood of -- for our livelihood, and take only what we need. We did not care, nor did they give us any restrictions of how many we should get then, but we only see the resources and we take only what we need when it was provided for. Sometimes we catch lots, and sometimes we catch just a little bit, and sometimes I -- when the weather is bad, the resources that we are hunting for, we did not see any whether we hunt or not, because the weather would be bad. It would not permit us to hunt, and we did not get what we need.

17 Therefore I make this short presentation to you. Thank you for listening to me.

19

20 MR. WILDE: Billy McCann.

21

22 MR. McCANN: You think these things that you present will go to our legislators, our senators and to the Governor?

25

26 MR. WILDE: These things that I say are issues that we were -- we are the advisory to the Federal Committee. Federal Subsistence Committee.

29

30 MR. McCANN: Okay. It's been over the years, and they are many, we've been working on subsistence, we've been fighting for this subsistence. We go to AFN, we bring this up, and we draft resolutions, but to this day we have not the white men have never understood. These people from Washington, D.C., and they promised -- they promised us that they would support subsistence issue 100%, but when is it going to happen? Every time I hear, I remember. What I hear, I never forget, and I don't -- I can't even write. Yet I've got people that I work for, they are educated, and they've got degrees and they have power. Yet they never seem to understand what we need. We have asked for this for a long time. I think it is about time they give it to us.

43 It's written in the law that the subsistence issue would be the last closure, and comes after sports and commercial. That was the way it was presented, it should be understood -- the representatives, if they can't understand that shouldn't be even sitting in the office. They should be replaced with people who would understand and work on the issue

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and resolve it without pondering it over the last of the year (ph). The last of my -- my mother (ph) was (indiscernible) when we closed the commercial for the subsistence, and they gave us a mesh size that we should use for subsistence that is only compatible for the white fish only, yet the white -- the King salmon, silver and red were swimming, but they closed the whole species because of one specie of fish only.

7 And they do not understand, they cannot close because of one specie. That law does not state that, and I haven't heard that yet. They should start -- begin to understand.

10 I support the subsistence issue, and every time I hear any kind of meeting on that, I attend to it, because I live off the land and the resources. Every Yup'ik -- I will fight with my mouth if anybody tries to take me out of subsistence. They 14 they ask us to do something, yet when we try, they never 15 listen to us, even though it was given to us. Yet, it seems 16 like they cannot comprehend of our lifestyle. If they can't 17 understand, wherever, whoever they are, sitting in the offices, 18 should not be even sitting there.

19 Thank you very much.

20

21 MR. WILDE: Thank you, Bill. These things that were presented, these -- what you said in the presentation here, presentation chair, we are just advisory group. You should not ask us any questions. And we will review each case that you bring up, and you will bring it before the Federal Board and present it during that meeting, and compile them into one, and they will bring it up before the Board, and they will push for this issues to be heard. But you should understand, and these people who are sitting here as advisory -- advisory Board, are for the federal, not for the State. James A. Peter.

31

32 MR. PETER: And I also have something to say towards subsistence. From a long time we have -- it has been our livelihood. It should not be used as a tool of education, because we have learned it from our ancestors, and our fathers and our mothers, and they -- we have been brought up in a way we should look at the land through hunting, and where to hunt, and where they set out their black fish traps or where they have fish camps for hunting places, there's -- there is no way to try to learn how to do that, because it was handed down from our generation. We have been told that we should hunt with what we have, and not waste or leave out in the -- out in the wilderness, that would waste any subsistence resources. But if we catch lots, we should disburse them among our Yup'ik people, and give them the excess that we catch.

46 However, I don't right about -- I don't feel right about the -- the commercial fishermen last summer when they stopped with a whole school of fish pass by through the river

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and that the only economic resource for these people who don't have jobs. Red salmon. Yet they opened -- and when they opened up for the coho run, they keep closing it. Closing it.

3 Three years ago I used to fish. They do not watch. When they open up the coho season, they never had any closures. I know that, because I went fishing during that coho season in Bristol Bay, and they didn't have hardly any closures. Yet the only time they closed it is when the canneries shut down.

8 Those things, the regul- -- unwritten regulations that were handed down from generation to generation, from my grandparents and also when we hunt the migratory birds, they used to tell us not to hunt them when they are very young. The only time that we can hunt them is after they have matured, and every time we hunt, when other members of our hunting party do not catch any, we were to share with everything that we caught, and we have passed down these things to our children, and this is how much I help in the subsistence issue.

17

18 MR. WILDE: Matthew Bean.

19

20 MR. BEAN: I will speak in English.

21 Down in that False Pass area, too many of these boats come up from South 48 to long -- to trawl, deep sea trawling and high liners. They don't care what happens to us up here in the rivers. All they want is green backs. And when they leave us, we have hardly any fish when they come to these rivers. And here we cannot go -- do without fish, because we were raised on that. And all they're up here for is just so they can come home with the cash in their pockets. And that's all they want.

29 And we here, we're left here without the fish, because we were raised on mostly fish. Our blood, body system is not used to domestic foods. We have to live on our traditional lifestyle, like fresh fish from the rivers, both domestic and indigenous fish.

34 And, number two, in the last 25 years our hospitals have been putting sewage lagoons in these villages, in flood plains, and I've been crying for sewage treatment plants, but nobody wants to listen to me. What happens in the spring run off? The water will -- the snow will run off the fish (ph) into these rivers and hurting our -- not only fish, it hurts our wildlife and water fowl, and everything else. People that think from it gets hurt in a way for that reason. They are telling us we are being hurt by this clean water. Where is the Clean Water Act? We don't see them.

44 And yet they say we are contaminating our body system. What for? Because what they are really trying to do, like they did down South 48, clean out the native people. They're trying to clean us out up here in Alaska, so they can -- without interference they can do whatever they want with the

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State of Alaska.

1 Thank you.

2

3 MR. WILDE: George Whitman.

4

5 MR. WHITMAN: First of all, I want to thank
6 that I am given the opportunity to sit before you to make a
7 presentation. When I was young, I used to be in the -- I used
8 to be on the Council, but yet when I moved to Bethel, I have
9 not been involved on any councils or committees. It seems like
10 I have been -- it seems like I have been -- I haven't been in
11 committees for a long time since I moved to Bethel.

12 Our way of life, and our Yup'ik way is our livelihood.
13 Back then I was born at Nunivak Island. We were very poor.
14 There were no stores where -- where a lot of groceries were
15 sold. If I tell this to these young people, they will not
16 believe it, because there is -- and they would not believe that
17 back then they used to sell it seemed like just tobacco,
18 coffee, tea, a little bit of flour, and a little bit of
19 something.

20 Back then during that time in the -- that period of
21 time when we were growing up, if a person came from Washington,
22 D.C., they would probably have starved, and probably wouldn't
23 eat what we had back then. Nowadays -- or back then, our
24 parents went hunting to put a table on our food (sic), anything
25 that is edible in the summertime. All they can. And whether
26 they can reach and gather the food.

27 But now in these latter times, I know that the -- now
28 they -- and there's -- and it has been introduced that there
29 are jobs and the only livelihood they have is by a job. And
30 when they need something, they work for it.

31 A long time ago they -- when they hunt for -- when they
32 hunt for food, they would sacrifice the (indiscernible). When
33 I was small, I loved to sleep, but then finally when I get up,
34 I would -- from the moment I got up, I'd get up, we worked
35 until I went to bed. When I went to -- when I woke up, I would
36 be in subsistence activity from the moment I get up, and then I
37 it came to the point where I began to understand that they
38 would be working for money, and then I would work to support.

39 We are told that we will need food. We would hunt
40 whatever was set before us. Way back then when I hunt, there
41 were no regulation whether to hunt a cow or a bull. But as I
42 remember, and the generations and generations, they did not
43 kill for waste. They ate the game. A long time ago they
44 respect, traditional respect. They would -- back then when no
45 fish, usually people -- it was repression (ph) people would run
46 after the game. And there were no regulations toward hunting
47 any game back then, because had -- showed enough respect for
48 the land that they had deplete any games.

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And we Yup'ik people, it seems like we don't have any money, yet when we -- we don't -- when we put in a -- when we don't put in a good working record, we can be fired by a supervisor, yet even though that happens, I want our life to have to be recognized.

5 Thank you very much.

6

7

MR. WILDE: Greg Roczicka? Greg?

8

9

MR. ROCZICKA: Mr. Chairman,

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MR. ALEXIE: Go ahead. I'm

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13

MS. FOX: He's translating.

14

15

MR. ROCZICKA: Oh, okay. Mr. Chairman, yes. I had originally thought to dump a whole bunch of papers in front of you, but I figured you had enough to work with this time, so I'll just -- I just have a few items here that I'll toss out as handouts, and I'll keep my comments pretty brief.

20

Essentially -- for the record, my name is Greg Roczicka. I work with the Association of Village Council Presidents as a game specialist, a position formerly held by Tapper John who is now your regional subsistence coordinator.

24

I guess the primary reason I would -- I'm here today is hopefully to request the support and endorsement of this council in the future in all the cooperative and co-management efforts which have taken place in the past and which will be on-going through the years. Perhaps you addressed some of them already, you know.

30

If this whole effort and so on that's taken place say within about the last five to eight years, and is gaining in momentum as time goes on, and is quite well accepted by all the user groups, and the managers as well, you know, in the good old hindsight, if this would have occurred 20 years ago, we'd be looking at one heck of a lot less of the conflict and controversy that we're facing today. But, you know, as usual, tomorrow comes, yesterday's gone, and there's nothing any of us can do to bring it back. So we're stuck here today dealing with the issues that we are.

40

Just recently -- of course, many of you are familiar with the Kilbuck Caribou Plan which has been used as a guideline in several other areas of the State and is working quite well.

44

There are also -- we have taken that another step currently within our region for the brown bear, which as many of you are aware, became a matter of very great concern due to collaring, drugging, tracking project that was implemented by the Fish and Wildlife and the State management agencies. I

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have here copies showing the -- it shows the boundaries of the area and also a resolution which was passed by the group of 15 Villages which met, both from the Yukon and the Kuskokwim Drainages back on October 5th.

4 One real worthy item of note that took place at that meeting was, of course, the drugging and collaring program, that people had such a great difficulty with. I think it speaks very, very positively of the commitment that the Villages have to making cooperative management a reality in what they agreed to set this issue aside. They still have very strenuous objections to it carrying forward, but for the -- in the spirit of cooperative management, they laid the issue off the table, and agreed to go ahead and discuss those issue that they felt they could deal with at the time.

14 I would like to suggest possibly this Council may be an appropriate arena to request either a suspension or a moratorium for perhaps a period of at least one year to the Fish and Wildlife to -- in the interim, to pursue alternative, non-intrusive methods of research, which are available, and which may not have been looked into in enough detail. And one of the gravest concerns that -- behind that is that it's still unknown what the effects of the drugs that are within the animals would have on people if they should happen to catch one and eat it. So there is an unknown danger there. And if this Council would see fit, I would think that might be an appropriate action that they could take.

26 Along the -- following up on the whole cooperative management approach, we are also currently scheduling a meeting of the Lower Yukon in the Village of Emmonak on November 18th to deal with the concerns they have over the Lower Yukon moratorium and future management issues over there in another area of major conflict that's arisen in the recent past.

32 Perhaps -- one recommendation I would also have concerning the Lower Yukon is on the customary and traditional use designation which the villages in Unit 18 presently don't have. The -- in 21E where there is records going back and this can be supported through management records at the Department, that the majority of villages within the lower river do hunt the Anoko Drainage and do hunt Pimute Slough, and anybody from over there knows that. However, for whatever reason we can yet not ascertain, perhaps they haven't spent \$40,000.00 to send somebody out there and write up a 20-page report that -- that says that people actually did hunt up there for the last 50 years. Anyway, they still don't have customary and traditional use designation. And that would be something that I would hope this Council could advocate for at the next Federal Subsistence Board meeting.

47 And finally, just perhaps to exemplify the confusion and the -- boy, I can't even think of a word to explain it, the

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-- just total mess-up of opinions that occurs at the administrative level within the State and through the Bureaucracy. You know, we recently -- I've just gone through explaining about this cooperative co-management approach, and how we've gotten a lot of cooperation through the managers, through the users.

6 And then we come across things like this, which -- and, incidentally, this is just an excerpt which provides a little bit of a summary of the whole thing. It's about 20, 30 pages. But where the Department of Law and the Department of Fish and Game's ANILCA Division came out totally putting down the dual management -- they call it dual management, what we call cooperative management -- totally putting down the concept. They state in there that it acts as an obstacle to adequate management. They say that their managers have -- or hands are tied. Maybe I could quote at length, you know. "They hinder the State's ability to track populations and manage accordingly."

18 It's just -- it's more than a slap in the face. It's a punch in the nose.

20 And, you know, I guess what a lot of people don't really realize that don't deal with this on a daily basis as me and many other people, and probably a lot of you sitting here, too, is that at the local level, a lot of times we see a lot of the cooperation, or the cooperative efforts anyway from the area managers at the local level, but once it gets up into the higher echelons of the administration, where politics begins to play a role, and it goes any direction. And nobody knows what the outcome is going to be. And we see something like this. And do you want to go ahead and pass that around? And so

30 With that, we will be submitting, of course, much further written comments, and we'll also have some proposals by the November 1 deadline that I'm sure we'll be passing in front of you for review.

34 With that, thank you for your time.

35 If you've got any questions, I'll do my best to answer.

36

37 MR. WILDE: He's asking to see if any of the committee has any questions toward him. If you have any -- if you don't have any questions?

40

41 MR. ROCZICKA: As I mentioned, too, I'll submit a complete copy of this for the record, too.

43

44 MR. WILDE: There are no more. We have invited the public to address their issues and concerns on subsistence, however, since there are no more public comments, I would give an opportunity for the board members to address any issues, should they have any towards the subsistence issue.

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1 MR. ALEXIE: This is David O. David. He's
 2 asking me whether I'm going to interpret everything that he
 3 says. I said, yeah, everything.

4
 5 MR. DAVID: Everything that I said, it has got
 6 to be interpreted, whether it's good or bad.

7
 8 MR. ALEXIE: Interpret, whether it's good or
 9 bad.

10
 11 MR. DAVID: Because my testimonies are usually
 12 pretty dirty sometimes.

13 I'm going to address an issue to our subsistence
 14 lifestyle. Since it was handed down from generation to
 15 generation, and one of the important things why I sit here to
 16 present it today is because the people that were before me,
 17 they did not present it. Maybe they did, but maybe I didn't
 18 pay attention.

19 But it was handed down from us from generation our
 20 lifestyle. And not to -- this was not to -- this was handed
 21 down. However, it was not to make us rich, but to have a
 22 lifestyle that will be comfortable and to help other people.

23 You white people, you that came from wherever you came
 24 from, you concentrate on becoming rich. You go to and fro and
 25 then you can go from here to buy fish, and this is -- you don't
 26 know how to hunt, you don't know how to hunt the game, you
 27 don't know how to kill it. All you concentrate is to get rich.
 28 But today we are like this. Our Yup'ik people, they are like
 29 you. You take them, you take our Yup'ik people, Indians and
 30 other people, and you take them with money, because with money
 31 you can take anything. We people, we make a little bit money
 32 to help us make it. We trade it in for something we can use.
 33 You become -- you become rich, and if -- and if you see
 34 somebody standing by you, even though they are going to stand
 35 or starve, you will not do anything. I have seen this with
 36 my eyes, because you concentrate becoming rich. And me -- and
 37 I see that your subsistence is your pencil and paper, because
 38 you buy your food with the money that you earn.

39 Not this Eskimo here. This Eskimo here goes out to
 40 hunt food -- goes out to hunt food or goes out to catch fish
 41 for the family as well as for the neighbors.

42 These -- we people are -- we Yup'ik people, we follow
 43 our rules and regulations, unwritten rules and regulations,
 44 that if we see somebody in need, we are to share with what we
 45 have or what we catch, and we cannot bypass them. There's so
 46 many that are in need, or somebody in sick and can't do
 47 anything. We cannot bypass them. And if it's among us, we
 48 have to help them.

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And also, the people in need we do not hand them over to the State or to the federal regulations. If it's -- if they're in the midst of us in the villages, we help them out with what we can.

4 Now, those people who have more than enough that they, that they -- then we can -- yet you, even if you have excess in your possession, yet when you see somebody in need, you just hand them over to the State or the federal.

8 However, the -- much less that we have, we have unwritten regulations, we should not -- you should not even tell us how we should live. We already have written rules and regulations. If you should -- if you should want to draft any regulations to us, you should be in front of us and even if you're a white man, you are not better than me. You are like me. We -- in front of our maker. We're equal. We're supposed to be equal in the eyes of -- in front of God. We were all -- we're all human beings. We don't have to look down on the -- there is no way that we should look down on the -- on the other face, because we think we can think better than them. Or maybe because we can handle money. We have our own ways and laws that are -- that come from our forefathers.

21 You have regulated -- the things that you work on, regulations, we think that you can regulate the way Yup'ik people in need is not right, and they are done without our knowledge. These people can think. They can think. They can think the way you can, but it's -- and you should not bypass them when you start working on regulations. We are human beings just like you. Thank you.

28

29 MR. WILDE: If you think you want to make a presentation, you should see Trapper John here for -- to fill out form. Hand your name to that

32

33 MR. ANDREW: I'll take your name and address. We don't have any more of those. If there's anybody here, we can get out of forms, and if there's anybody who wants to make a presentation of this, we'll write down their name and address.

37

38 MR. ANVIL: And I want to make a presentation on our subsistence. I grew up -- I grew up living off the land like dad and my dad trained me to live off the land. It was not easy. It was tough. Yet there are -- there are regulations that came that makes it hard for us, and that those are the -- those times when we try to put food on our table, and now those rules and regulations that are announced in the Yukon River, and the subsistence was closed last summer in the Yukon area. Yet when they opened it, it was too late to catch sufficient subsistence food for the winter.

48 And they send me to Anchorage to give a testimony, and

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at Captain Cook they had a meeting -- they had a meeting, the Fish Board met there, and when we made presentation there, they promised us -- the Board promised us, and they said that subsistence lifestyle, we will not try and run it, because the people who are using it use it for to catch food for their livelihood. They said -- and what they promised us, they have broken once again, and they are not executing the promise they made to us. And I know it's coming.

8 The resource that we catch for our subsistence use, we know that they are going to start limiting that. And if we don't do anything about it right now, it's going to happen. It's going to happen. And they're going to tell you and limit you how much you can catch. And if you catch more than what you're allocated for the day, they are going to put you in jail. And we should start getting -- we should start preparing for that, and we should do this in order to help the Yup'ik people of Alaska, and try to resolve this. And resolve this so we will not get into that -- into that stage where we'll be Governor (ph), and we should concentrate that -- we should work on and get ready to face that issue where I know that some -- they can limit our daily catch.

21

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MR. WILDE: Paul John.

23

24

MR. JOHN: I always like to give examples when I make a presentation. This you can easily see, this State of Alaska is hurting our way of life through subsistence. In 1971, December 18, our kids after 1971 and grandsons and granddaughters, we could not -- we could not identify them as Yup'ik any more. And our subsistence way of life is starting to -- is starting to deteriorate, and this is an example. Those people -- the old people in my village, when Yup'ik people come to our place, they wonder who it was, and sometimes when my people who are elders, they can't even know the names of their grandsons, because they're either halfbreeds and also this is also an example, on the other -- on the other side, on the outside of Alaska, even when we take off our clothes, our clothes in -- and people even if they're from down in the States, they have the same extremities, even though it's a woman or a man, they still have the same thing on their body. Yet, -- and before 1971, from then on we have been the Game Board, the Fish Board, and every year I've always come to these meetings concerning subsistence. Yet when we were getting ready, I was so angry, what am I -- what I going to go to the meeting for? We -- they never follow what we have brought up to -- in our meetings.

46

And now I'm going to get into the subsistence issue. Our ancestors tell us the land is like a bowl. We Yup'ik people, our resources are off the land. And then if anybody

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comes from another region, whether it's a stranger or not, that we should accept them, give them food, and -- because people are grateful, that they never forget that they have the -- the people of those villages have been hospitable. And now we Yup'ik, we are not adjust to white -- we are not of these white people, because they work -- they work and have good jobs. But in my mind, because this person is working, they are educated, yet the Yup'ik people are high school graduates, are just wandering around outside, and they don't have a degree, and yet they have no jobs, yet they can work, because of that -- because of that degree. They cannot -- much like the State has taken away the privilege to work, while we have not developed any resentment toward any race. We have been -- it has been passed down from generations that we should love one another, as we should. As David O. David pointed out, that we should not ignore anybody, and that -- and there are people who travel around Yukon and in other place, the Yup'ik people, we are recognized that we push our people and other people for their to other -- to the betterment of themselves.

19

20 MR. WILDE: Anyone here that would like to be
on the

22

23 MR. WHITE: Yeah.

24

25 MR. WILDE: Steven White. I give the floor to
you, Steve.

27

28 MR. WHITE: My name is Steven White from Eek,
Alaska. The Yup'ik name for that village is Kvikchuck (ph),
the only one, because they're kind of on a land that's kind of
elevated.

32 I'm going to represent, and it's not mine, I'm going to
represent my people.

34 The State before it became a state, it was governed by
the people who were before, the forefathers and grandfathers.
And those were my ancestors. They tell me during the
territorial days the federal government said when it -- they
will not touch the subsistence activities of the Yup'ik people.
Or the State rules and management plan. You can see them now,
the regulations are this thick, after they promised us that
they will never -- they will never touch our subsistence way of
life. The federal government promised that it was going to --
when it was fighting for State of Alaska to become a State.

44 Today they are afraid and they fear when they try and
provide for the family, when they catch something, the Fish and
Game will arrest a person, and even if they don't have enough
money, they put them in jail.

48 I think the federal government and the State government

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are liars, because they did not follow what they promised. I cannot tell you how thick these things are, and I cannot tell you where they originate from, but I can tell you where they derive from, and the people that we voted for, and believe they fight, yet our subsistence way of life, it is not -- it is not written down in this regulation book. The federal and State cannot believe how will they -- we are going to try again, from our federal standpoint again to try and make them understand, and point out the subsistence way of life. And it is to make presentations, and try and make the federal board to try and believe and execute, to help us in our way of life.

11

12 MR. WILDE: Any more presentations? I think right now there are -- there are not any more presentations. We -- if there's no more public comments, -- we -- if there's no -- any -- no more public comments, we will resume on following our agenda, and then -- well, we're working on the agenda here, it's already approved, and it's written that if there's no more comments after -- towards the subsistence issue, they should have a place for them to present that issue. And probably while we're discussing the identification of regional issues, John would probably direct that issue.

22

23 MR. ANDREW: Thank you, Mr. Chairman. We worked on the issues yesterday, and the Lower Yukon -- the Lower Yukon region near Mountain Village. We talked about it yesterday, and that was the first issue that you brought up yesterday. But today under certain issue, there's potential cooperative management plan. And we wanted to work on this issue regarding -- relating to the moose management plan, Kolbuck area. And we recommended to work with both the State and the federal to work together, and if the Yukon people can work on that, then they can work on that issue by themselves. Even though that -- even if there's moose in that area, the biologist could not open that area. This is how much I present to you, and from this point on, you as a committee can work on that.

37

38 MR. WILDE: Those are the two important ones that were brought up. The Fish and Game will have a meeting concerning the moose season in the Lower Yukon area, and Mountain Village. The other side -- from the other side of the Mountain, there -- there is an opening, yet on the other side it is closed. And it's creating conflict and hardship for those people in that area. And some villages in that area, that there should be an opening in the fall and closure in the winter. And that is their position. However, it may be best if we would hear them.

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1 MR. ANDREW: When is our next meeting?
 2 February. Is that right?
 3 MR. ALEXIE: November.
 4
 5 MR. WILDE: This one?
 6
 7 MR. ANDREW: The Federal Board.
 8
 9 MR. ALEXIE: November.
 10
 11 MS. FOX: Oh, the Federal Board?
 12
 13 MR. WILDE: No, I'm talking they're going to
 14 have a meeting at Emmonak concerning moose?
 15
 16 MR. ALEXIE: November 18th.
 17
 18 MS. FOX: Oh, he's talking about the November
 19 19th.
 20
 21 MR. MANUMIK: Check with the natural resource
 22 AVCP.
 23
 24 MR. ALEXIE: November 18th.
 25
 26 MR. WILDE: When?
 27
 28 UNIDENTIFIED: November 18th. Okay.
 29
 30 MR. WILDE: That's too far. Emmonak. It will
 31 be too late.
 32
 33 MR. DAVID: The people in Kotlik after they
 34 have observed -- after they have observed on the population of
 35 the moose, they have requested there be an opening. I have
 36 observed the Fish and Game. They just go out for about an hour
 37 or so and come back and sometimes they go out and go back a
 38 different route. And, you know, from the air it's hard to
 39 count, but those people live there. They have a better count
 40 of the population, and request that there be an opening for
 41 them to hunt the moose.
 42
 43 MR. WILDE: The person I talked to said -- made
 44 comment to me that some people say it shouldn't be open, and
 45 some people say it should. But for me and Paul Zenumik got
 46 together and see if they can draft a proposal to -- and send
 47 them out before November, and send it to their office. And to
 48 or -- send them to John Andrew.
 49
 50

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1 MR. ANDREW: If I can receive them -- if I can
 2 receive those proposal, I can fax them out on the same day.

3
 4 MR. WILDE: Right now there's -- they have
 5 difference of opinions.

6
 7 MR. MANUMIK: Mr. Chairman, how come you do not
 8 send them to John Andrew from those villages, Chevak, Hooper
 9 Bay, Emmonak, Mountain Village.

10
 11 MR. ANDREW: The question is if I could poll
 12 the villages concerning the local -- Lower Yukon.

13
 14 MR. MANUMIK: So what I'm getting at is you
 15 could fill out that

16
 17 MR. ANDREW: Proposal form?

18
 19 MR. MANUMIK: proposal form, yeah.

20
 21 MR. WILDE: We will ask council first before we
 22 send any draft, any proposal draft drafted, and to those Lower
 23 Yukon villages from Chevak, Hooper, Bay, Emmonak, Kotlik and
 24 Mountain Village, Scammon, Chevak, Sheldon's Point.

25 What's the important -- what's the other important
 26 issue?

27
 28 MR. NICOLAI: \$400.00.

29
 30 MR. MANUMIK: \$400.00.

31
 32 MR. WILDE: Oh, \$400.00.

33
 34 MR. ANDREW: Remember yesterday, you -- the
 35 second issue that you brought up was the 40 horsepower motors
 36 between Holitna and Hoholitna. And the third issue was -- that
 37 you brought up was the land use permit upriver to \$400.00.

38
 39 MR. WILDE: Who made up that 40 horse motor
 40 restriction?

41
 42 MR. ANDREW: Pete Shepard, and the State Board
 43 accepted that. And now, this is last year, they used that 40
 44 horsepower limit. And then that is used in that. 40 horse.

45
 46 MR. McCANN: Mr. Chairman, could I speak?

47
 48 COURT REPORTER: Excuse me, Mr. Chairman, he'll
 49

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have to come up here so we -- the interpreter and I can both hear.

2

3 MR. McCANN: Not loud enough, huh? You
4 couldn't close your ears. I've got a big, loud voice, but I'll
5 take it easy.

6 Yeah, my name is McCann, Billy McCann. I always fight
7 that issue. I always fight that issue on that \$400.00 land use
8 permit for this reason, and just for this reason, for
9 subsistence purposes. These corporations, they have right, and
10's presented that they can have right. However, as I think,
11 the subsistence -- they are against the subsistence. They said
12 somebody is hunting for subsistence, they would ask the
13 individual for the land permit. But you know, when people hunt
14 from this area, they use a lot of meat, and they make -- they
15 pay over \$1,000.00 for expenses to pay for gas, food until they
16 come back. And yet on top of that, the land use, and the
17 moose, they catch like they're buying, and paying extra. That
18 is only -- Look at this, if they started using it, they started
19 the corporation's trying to make a profit, and it's not very
20 right, and then we are going to turn against each other. We
21 should understand subsistence, and the regulations that they
22 made for this land use permit. It's fighting against our way
23 of life, subsistence way. And I hear that the elders of these
24 of the villages do not like this activity, and that -- and
25 yet -- and I give instructions to my people not -- not to make
26 the regulations for the land we use as subsistence. We must
27 give like a booklet, they showed us how many regulations have
28 already been made. They start coming up with subsistence
29 regulations, we will turn against you, because every time we --
30 when we accept them, they become a reality, and sometimes we
31 are not aware of the regulations that come up, and that is very
32 much dangerous to us. And back then there is now a conflict
33 with the use of the wood and yet we have been given other
34 resources by our maker. You guys know about the laws. It was
35 and there are insects that are made by our maker, that
36 anything that had died off could be eaten by those things. And
37 it's very dangerous that when these regulations come up,
38 here's going to be a lot of conflict.

39

40 MR. WILDE: I think -- let me see. We need --
41 we're going to need some kind of help here. The location of
42 the place, it's on a federal land or -- the place? Maybe
43 someone here that's could help us? We -- some of the Board is
44 concerned about the fee of hunting up in that area. Is that in
45 the federal land or?

46

47 UNIDENTIFIED: It's on state land.

48

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1 MR. WILDE: State land?
2 UNIDENTIFIED: No, private.
3
4 MR. BRELSFORD: Well, Mr. Chairman, perhaps we
5 should be more precise. It's native corporation lands, and it
6 comes under the jurisdiction of the State subsistence
7 management program.
8
9 MR. WILDE: The reason I wanted to ask this, do
10 this board have jurisdiction over State land right now? I
11 don't think so.
12
13 MR. MANUMIK: That's, yeah, State.
14
15 MR. WILDE: We are subsistence -- the regional
16 Council here, we are federal. The only thing -- only
17 subsistence activities in federal land, is that right? Not to
18 do with the State.
19
20 MR. BRELSFORD: Mr. Chairman, when you make a
21 proposal to the Federal Subsistence Board,

22
23 MR. WILDE: Uh-huh.
24
25 MR. BRELSFORD: they can change a
26 regulation only on federal land. However, your Council has the
27 opportunity to provide information on any questions concerning
28 our subsistence practices. You may make recommendations on
29 all of the things that concern you. However, the Federal
30 Subsistence Board can only change the regulations on the
31 federal lands.
32
33 MR. WILDE: Yeah, go ahead?
34
35 MR. CASE: Mr. Chairman, you

36
37 COURT REPORTER: Excuse me, sir?
38
39 MR. CASE: on the Board

40
41 COURT REPORTER: Sir?
42
43 MR. CASE: Oh, sorry. Yeah. Mr. Chairman, I'm
44 Randy Case. I'm with the Alaska Department of Fish and Game.
45 On the -- on the 40 horsepower regulation on the
46 Holitna, that's on the Board of Game's agenda, and as a group,
47 you could write a proposal to have that changed if

48
49
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1 MR. WILDE: We could? This could

2 MR. CASE: Right.

3

4 MR. WILDE: This body could?

5

6 MR. CASE: Right. On the -- on the access fee
on KNA lands, I don't know. I don't have an answer, because
that's private land.

9

10 MR. WILDE: So

11

12 MR. CASE: But you can write a proposal to have
the 40 horse regulation changed, if that's the wish of this
committee. And you could submit it to the State Board of Game,
as well as the Federal Board. You could -- you could submit a
proposal to both boards.

17

18 MR. WILDE: How we would be able to deal with
the fee then? Did they -- I suppose a corporation to
corporation have to deal with it from down there.

21

22 MR. CASE: That's something that I think
Calista and TKC has to agree on something amongst themselves.
I don't think that's something that the Board of Game or the
Federal Subsistence Board can solve. Those are -- that's a
trespass law, that's not a Fish and Game law.

27

28 MR. WILDE: I would ask that question, and then
between federal and state law, that we can pay to go hunting,
and then -- and it just -- the State Fish and Game and Federal
Fish and Game have no jurisdiction over that land use permit,
because it's derived from the private corporation.

33 The 40-horse issue, that you can write a proposal for
34 write a proposal to the State Board.

35

36 MR. ANDREW: Mr. Chairman, it's the -- right
now the issue on 40 horsepower is already on the agenda to be
discussed, yet you as a board can make a proposal, write a
proposal to make any recommendations on any changes.

40

41 MR. WILDE: However, that

42

43 MR. ANDREW: Those two are different issues.
Those two are two different issues. The \$400.00 and the 40
horse are two different issues. Two different issues. The 40
horse we can work with. However, the land use permit, it's
through the KNA and Calista Corporation, and the only way we
can approach that is go before those two corporation.

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1 MR. DAVID: I'm afraid of moose, and I had to
2 go moose hunting. What was the reason, what was the real
3 reason behind this 40 horse?

4
5 MR. JOHN: I've always suspect that for the --
6 always suspect that to decrease the amount of people hunting.

7
8 MR. WILDE: We can fill out -- we

9
10 MR. DAVID: I understand that already.
11 However, I wanted to find out what originated this 40 horse.

12
13 MR. WILDE: Another reason that was brought up
14 before was that people use big motors, because, you know, the
15 power motors develop big waves, and it damages the side of the
16 river there.

17 Yeah, go ahead.

18
19 MR. ROCZICKA: Mr. Chairman, I can give you a
20 little bit of a history behind that if you want.

21 The way that the 40 horsepower restriction occurred was
22 that the Village of Sleetmute requested that the fly-in -- that
23 all fly-in hunters and float hunters on the Holitna River be
24 restricted, because they considered them wasteful use of the
25 resource for moose and caribou both, and that a lot of rafts
26 were coming down with only horns and a couple of pieces of meat
27 in it.

28 This is one of the things that takes place when the
29 Board of Game, Board of Fisheries processes, that once an issue
30 opened, that the Board essentially has the authority and the
31 ability to take it anywhere they want to.

32 What happened at the meeting was that again the big
33 money sport/commercial interests who have guided operations up
34 that area had their coalition there, had their lobbyists
35 here, and had the sympathetic ear of the majority of the Board
36 members. Again, in -- on the Board of Game we have essentially
37 only two votes out of the seven that are familiar with
38 subsistence issues. The Board in its considerations and
39 determinations stated that the problem being that there was too
40 access, they chose to limit the use of the down river hunters
41 rather than to limit the use of fly-in and float hunters. And
42 that's what happened in that area.

43 For the \$400.00 use fee, I can tell you exactly where
44 the lands that are affected by that. It's starting from the
45 tuffs right above by Tuluksak. It's essentially all KNA
46 corporation lands. It's private lands. It extends from the
47 tuffs below -- above Tuluksak, up to the Tatlawiksuk River
48 right above Stony. There are two areas on the main Kuskokwim

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that there are State lands, one right above Napaimiut. When you go around that big bluff right there, there's about a two or three mile stretch right across the river. There's also a place by Komakaski that are also State lands that people can camp on, and they don't need a permit.

5 Once you get off the main Kuskokwim and you get onto practically any one of the tributaries, you travel up there five to ten miles, you're off corporation lands again. You go up the Aniak as far as Buckstock Creek, you're on State land. You go up the Holokuk, it's about eight miles, you're on State land. You go up the Oskawalik five miles, you're on -- again on public lands. I can't remember if it's State or federal. I believe it's State land also. You go up the Holitna to where the Hoholitna flows in, you're back onto State lands. You do not know the corporation permit for that. The same goes -- \$5ony River, you've got to go in about 20, 25 miles.

16 So that permit, a lot of people have that misunderstanding, and we've tried to do what we could to have that cleared up, that you don't need a permit to go up moose hunting, if you're not going to camp on corporation ground.

20 And, you know, it's been pointed out to me by not only KNA people, but other village corporations as well, nobody complains about Akuchuk charging 100 bucks for people to go get wood if they're non-shareholders. Nobody complains about the Village of Mekoryuk charging \$1,000.00 use fee for people who want to go hunt musk ox. Nobody complains about Hooper Bay who or Scammon Bay who have their use fees for people who want to go take pictures of birds.

28 You know, it's the same kind of principle, and the reasons behind it, of course, to many people who are familiar that the people within the KNA region watched from roughly 1983 to '84, there used to be an average of about 300 boats going up there. Starting in '84, that number of boats started going about 100 boats every year. You put that on a graph, and it looks like that. Where -- to where nowadays, it levelled off about 1988 or '89 where you now you have anywhere from 800 to \$1200.00 boats going by every year. And they watched that happening, and, of course, they're going to have a concern.

38 And along with that, you know, increased numbers of people going up, you've always got the few bums who don't respect other people's property, and they had the liquor store open at that time, and people were getting their fish camps busted into and trash laying around, you know. It certainly wasn't -- the majority of people were -- respected the land, and the other people, but the few, you know, made it into a bad situation for everybody, and so that's where that came about.

46

47 MR. WILDE: Yeah, I think that we understand how what that means. If you have any concerns or issues toward

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this 40-horse issue, you can draft a proposal to cover 40-horse motor restriction.

2 Joe Chief, he wants to

3

4 MR. CHIEF: I'm not going to make a long presentation, however, I was very concerned, unless -- about my two -- my two little kids. They didn't tell me, but they told their mom. That land that they went that doesn't belong to anybody, and that land in -- where they were going down river, they stopped, and they pointed a gun at them. And they said to them that if they come up to their land, that they will shoot them. It was too dark for them to recognize. This corporation that you bring up is violating our subsistence rights, and breaks the regulations of our unwritten regulations that were handed down from our generations.

15 And then I heard again about two boats. They -- because they were restricted -- they were restricted to -- because of the land use permit, they did not want to go. One overturned and lost all the meat, and they staked their lives, because whoever made that regulations made a danger for the lives of those people, and we don't have that much -- we don't have that much money with some people. But those people, what will they do if there's loss of lives? What will they do? The human being is more valuable, and when -- and when they -- they were afraid to go to the public land to stay over night, so they kept going and going, even though it was really rough, and all their work was for nothing, and I think you guys should put a stop to this, and -- and those people who would use these firearms and threaten the people that if they come up to their land, that they will shoot then. I think you should -- they -- those people, and these people before this things came up, that we do -- we were given the best hospitality that they have.

32

33 MR. WILDE: Yeah, I guess you all should understand. If you want, that you can draft a resolution to Galista to point out the dangers of -- pointing out the dangers of the -- our land activity and how it is affected. And it -- I know that it would help us in these positions, issue. After a five-minute break, we should work on the regulations and proposal or resolutions. And John will help us, and move on with our issues and concerns in developing a resolution. Five-minute break.

42

43 (Off record)

44

45 (On record)

46

47 MR. ANDREW: We live by the regulations of our ancestors, because we are Yup'ik people. We live off

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the land for the resources of the land. Then I was told by three white people we Yup'ik people, our way of life and we could live off the land, don't -- never to change, and they also told me that they will never change our livelihood. It -- Our ancestors never paid to go hunting. And it was -- it is not the way of our ancestors. And we shouldn't be even -- we shouldn't be even doing that. For this is our land.

7 This younger generation, they go along with the ways, and they seem forced -- they seem foreign to us. They don't know -- they don't know how -- they don't seem to know how to live off the land, yet they are our offsprings. As I think, and if I get hungry -- if I get hungry, I will watch for anything nor white man, but I will take what I need, because hunger knows no

14

15 MR. WILDE: Next we'll give Mr. Borbridge an opportunity to speak as a public, and you go sit with the rest of the -- where those people sit.

18

19 MR. BORBRIDGE: Thank you, Mr. Chairman. I appreciate the opportunity you're giving to me. I'm not testifying, but I wanted to respond to the words of the members of the Council as they spoke them earlier.

23 I know that as I come to the country of my wife and our children, that I come to our country, and I want you to know what I feel very deeply about our fight to preserve our subsistence way of life.

27 Earlier David O. David asked me about our subsistence in Southeast. He asked me if at an early time the Tlingit and Haida had been fighting to protect it and to use it, and I wanted to explain that, yes, we did. That the tribes respected one another's area. They respected the areas where we shot our seals, where we -- the streams where we caught our fish for drying and smoking. And no one could come into those areas without permission. We all understood and we respected one another.

36 Our people like our fellow native people across the State, they used knives, clubs, spears, they used everything they could to fight those who were trying to take the land from them. Over the years, the weapons we use to protect our lifestyle changed. Laws, regulations, papers. We weren't fighting on the beaches any more. We were fighting in Washington, D.C., and fighting in state capitals.

43 I was in Juneau, and I received a call just a few years ago, and the caller was Chief Eddie Hoffman. He said he was in Juneau to testify on subsistence, and he was asking me if I would come with him to help him testify before the State Legislature. All of us who revere the memory of Eddie, of Chief Eddie Hoffman, know that we never said no to Eddie

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Hoffman. And so I said yes to the Chief. And as I worked with him, he was fighting for all of us across the State.

2 Now, today I heard you share not only what you know, but you were sharing in your hearts what you feel about subsistence. You were sharing the tribal wisdom that has been passed on to you from generation to generation, and it is with you as it is with us in Southeast, and that helps us to reach across to one another to work together.

8 I wanted to take this opportunity to thank each one of you who shared those things with us, and who reminded us of what it is that we are fighting for. We have to pay attention to regulations and to rules, but we must always remember what the big thing that we're fighting for, our tribal lifestyle, our subsistence way of life. That is what we want to pass on to our children.

15 I received not too long ago a land allotment from my aunt who passed on a few years ago. And when the first -- the land allotment was first received in my family, around 1900, the ancestral owner was given the opportunity to sell the land for what was a lot of money in those days. But he said, "The money will go no matter how careful I am. It will be spent. But the land is forever. It is always with you. It is a part of you." And that's what I wanted to share with you.

23 And I want to again to thank each one of you for sharing what you have. And I listened, and as you have said to us, that we come here with -- some of us with an education, that might be true. But you are helping each one of us to learn. You are helping to educate us, and we need that, and I am listening. And so I again -- I want to thank you very much. Dee-ana (ph).

30

31 MR. WILDE: Thank you, Mr. Borbridge.

32

33 MR. BORBRIDGE: Well, if I might add one note, I am a Tlingit Indian married to an Eskimo born in Bethel, and your secretary said this to me: He said, "you should have one for the Yup'ik, one for the Indian."

37

38 MR. WILDE: I am going to close the comment session, because I believe there are no more public comment. Before we do development of regulation proposals, we have three items that we are going to work on. The land use permit, because it was surfaced by the presenters that it creates danger to lives, and also the recommendations to John be entered that we draft a resolution to Calista inside the Eikon/Kuskokwim area, and send it to all the corporations. And if it's okay with you, Board, I would like to ask to make a motion that it be done by John Andrew in a resolution form when drafted and send it to the Y-K Delta corporations, that \$400.00

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land use permit, because of -- if you want it done that way, you can make a motion and second it and vote on it, and then we would

3

4 MR. JOHN: Mr. Chairman, every person I came across to, they do -- they did not like this land use permit. Even though a person is from like Kalstag and he was for the subsistence way of life. Since -- and even though he was on the board. They removed him without his knowledge. And I move that we draft a resolution to turn down the land use, \$400.00 land use permit, and to direct it to Calista where they can work on it.

12

13 MR. MANUMIK: Second.

14

15 MR. WILDE: Paul Manumik seconded the motion.
Discussions?

17

18 MR. WHITE: Mr. Chairman, the claims -- when we worked on the claims act, they had an attorney, a native from Tyonek. And the attorney advised us, and with the help of the BIA, tried to make the people understand. The lawyer explained how it should be if they gain an access -- said when they gained access to the land, he advised the people in the village that it did not belong to that village only, but to all the Tyup'ik people without any resentment toward each other. If -- he says in the end, if they resent to each other, they will turn against each other. This is how the lawyer explained it to the people when they worked on the BIA with the lawyer explaining the procedures to the people. This act came out from one person, Paul Lambert from Tyonek. He says their -- that the refuge, National Wildlife Refuge is taking portion of the land, and pretty soon he explained that in the latter time, in the federal state take over, the people will not have the freedom to do what they want toward living off the land. That they -- when they were together with AVCP they were thinking that the outcome of all this would create so many regulations.

37

38 MR. WILDE: The question's been called for. All those in favor in drafting a resolution and send it to Calista Corporation, and to all in the Calista Region in the Yukon/Kuskokwim, those -- all those in favor say "Aye"?

42

43 ALL: Aye.

44

45
46 MR. WILDE: All those opposed, say "Nay".
Motion passed.

48

Forty horse. The 40-horse motor, those -- the Fish and

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Wildlife has advised us that we can draft a proposal and send it to the State. Any members of the committee, if it is your wish to draft a proposal.

3

4 MR. WHITE: I so move that you draft a proposal
5 to oppose the 40-horse motor restriction, and -- because
6 it

7

8 MR. ANVIL: Second.

9

10 MR. ALEXIE: Seconded by Antone Anvil.

11

12 MR. WILDE: Is there any discussions? Any
13 discussion?

14

15 MR. WHITE: Question.

16

17 MR. WILDE: The question's been called for.
18 All in favor say "Aye"?

19

20 ALL: Aye.

21

22 MR. WILDE: All those opposed say "Nay"?
23 Motion carried.

24

25 MR. ALEXIE: Motion passed.

26

27 MR. WILDE: Number Three. The mouth of the
28 Yukon from Mountain Village, that they open it up, that they
29 open it up in the fall and not in the wintertime. The Fish and
30 Wildlife presented that some people don't want it open, some
31 people want it closed. We -- we push (ph) our coordinator that
32 there are more people, a majority of people, that they open
33 up before November 1. And then I'm going to ask this
34 question: I want the motion being done that if there are more
35 people wanting that to open, that we push for it, and if there
36 are more people not wanting to open it, that we push for that,
37 too.

38

39 MR. ANVIL: I'll make the motion to that.

40

41 MR. WILDE: Yeah.

42

43 MR. ALEXIE: Antone Anvil so moved.

44

45 MR. WILDE: If we would move the way the
46 villages wanted to go.

47

48 MR. JOHN: I second it.

49

50

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1 MR. WILDE: Seconded by Paul John. Any
 2 question -- I mean, discussions?

3

4 MR. WHITE: Mr. Chairman?

5

6 MR. WILDE: Yeah?

7

8 MR. WHITE: Mr. Chairman, when this was
 9 surfaced yesterday, they said there are difference of opinions.
 10 Some are more -- there are more people affected when there is
 11 a closure in the mouth of the Yukon River. The lower part of
 12 the Yukon River. I thought that they wanted -- I thought they
 13 wanted to follow the regulations of Unit 18.

14

15 MR. WILDE: When I heard from Mountain Village
 16 elders, they -- that they were afraid that if their sons caught
 17 or killed a moose during that -- during that closed season,
 18 they were afraid that they would run into a lot of problem,
 19 because they don't have any financial support. They need meat
 20 and they saw some moose, yet they left them alone. Yeah.
 21 There's -- they see that they saw some game, yet they left it
 22 alone. Therefore, since -- if people, more people want that
 23 season to be open at that time, we will push for it.

24 Any more discussions?

25

26 MR. JOHN: Mr. Chairman, at the end of -- at
 27 the end of the five years, was it supposed to open? They have
 28 passed that five-year restriction by two years. Since they
 29 passed that seven years limit -- or five-year limit. I don't
 30 think also that the count is very accurate, because you cannot
 31 spot every animal when they're in between the trees. They're
 32 not always by the river. And a lot of it is flat where you
 33 cannot get up on the hill, look through your binoculars to see
 34 if you can locate one. Therefore I don't think that every hunt
 35 can be successful.

36

37 MR. WILDE: Any more discussion?

38

39 MR. MANUMIK: Question.

40

41 MR. WILDE: The question's -- the motion is --
 42 will be drafted in such a manner that the village people
 43 want that Lower Yukon to be opened, they will push for it. If
 44 they push for it not to be opened, we will also push that
 45 issue. That's the way the motion is to be set up.

46 All in favor say "Aye"?

47

48 ALL: Aye.

49

50

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1 MR. WILDE: Opposed, same sign? Motion
2 carried.

3 Aside from those three things, is there any other
4 concerns? If I forget any, let them surface at this time.
5 Those are the three most important things, and as we move on
6 from there, we will move up to the development of regulation
7 proposals. Who is the one going to be our teacher?

8
9 MS. FOX: Do you want me to -- do you want me
10 to go through the?

11
12 MR. WILDE: I think you -- I think it would be
13 good if you go through.

14
15 MR. ANDREW: Remember, I teased her earlier
16 that she was my secretary. She is my supervisor. And number
17 two, we've got to thank her for the pastries.

18
19 MS. FOX: Thank you, Mr. Chair and Council.
20 Thank you, John.

21
22 MR. ANDREW: If you can go up to the board?

23
24 MS. FOX: Go up to the board?

25
26 MR. ANDREW: Right, right to that

27
28 MS. FOX: You want me to go up there? Okay.

29
30 MR. ANDREW: Uh-huh.

31
32 MS. FOX: As I'm going up here, I'd like you to
33 look in section four of your binder.

34
35 MR. WILDE: Section four.

36
37 MS. FOX: Yes. Section four contains the
38 papers that tell you -- this. There are some of these on the
39 back table for anyone else who wants to follow along. These
40 are the forms that we will use along with the instructions on
41 how to submit a proposal to the Federal Subsistence Board to
42 change the federal subsistence regulations.

43 The first page are instructions, which I will go
44 through so that you understand the questions that you need to
45 answer. The second page is the actual form itself with the six
46 questions that we would like to have completed. Following that
47 form are two samples that were done in previous years that were
48 successful, to give you an idea of what kind of information was

49
50

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provided by the people that were proposing a change, so that you can see -- there's two different examples there of the way it will -- the way we'd like to have the information presented.

3 The first question that we need to clarify is specifically what regulation do you want changed? If it's a regulation that's in the current book, the regulations book that you have, then you need to help us -- or we'll help you in this case, if it's another individual, you might be helping somebody back in your village, or with a corporation that you work with, or some other kind of council or committee, to help fill this out. You might be able to pass that on to them.

11

12 MR. McCANN: Ma'am?

13

14 MS. FOX: Yes?

15

16 MR. McCANN: These proposals, they can be from
17 coming from the individuals also?

18

19 MS. FOX: Yes. The proposals can come from anyone. They can come from individuals, from an organization, or from the Council. Anyone can submit a proposal. The Council can choose to adopt somebody's proposal in this room today and make it their recommendation as well.

24 So the first question is, is if it's a regulation in the book, tell us specifically which one that is. Quote it for us, write it down exactly as it is in the book. That's the regulation you want changed.

28 Paul?

29

30 MR. MANUMIK: Are you saying to write the whole regulation?

32

33 MS. FOX: If it's too lengthy, tell us what page it's on, and help us to identify which one you're talking about, because we've had proposals come in, and we don't really know what the problem is,

37

38 MR. MANUMIK: Uh-huh.

39

40 MS. FOX: what the regulation is that they want to see changed. They just start discussing some problems with our regulations, and we're not sure which one they're talking about.

44 Now, maybe it will be you want to propose a new regulation, and so it won't be in the book, so you would skip that, okay, because there isn't any existing regulation.

47 So in the second one, going down to number two on the form, you would say how do you want to see the regulation

49

50

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changed?

1

2

MR. NICOLAI: Mr. Chair, I've got one question.

3

4

MS. FOX: Yes?

5

6

MR. NICOLAI: What about if you want to make a proposal which is not in the book right now? Could you make a proposal and send it out before November 1st?

7

8

MS. FOX: Yes.

9

10

MR. NICOLAI: While it's not in the book, in the

11

12

MS. FOX: It's not in the book right now, but you want to

13

14

MR. NICOLAI: But you want to make a resolution in order to -- if it combines with one of the game units that you wanted to have -- to be changed?

15

16

MS. FOX: Yes. Is there a question, or should

17 go on?

18

19

MR. McCANN: What about -- ma'am?

20

21

MS. FOX: Yes?

22

23

MR. McCANN: What about like he said, ask about make a proposed new rule, what about

24

25

MS. FOX: Make a new rule?

26

27

MR. McCANN: What -- yeah. What about, do these things have to be voted by the people of -- all over Alaska or something like that? What has to be done? To add regulations,

28

29

MS. FOX: You -- yes.

30

31

MR. McCANN:

32

33

MS. FOX: Right. Right.

34

35

MR. McCANN: But I thought that this has to be voted by a majority of the legislator

36

37

MS. FOX: No.

38

39

40

41

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MR. McCANN: or something like that?

1

2

MS. FOX: No, it does not have to, if it's submitted by an individual. If the Council recommends it, we're assuming that they are representing the region, and that they have the support of the people in the region to recommend a change or a new regulation. But anyone can submit it. But the more support a recommendation has, the chances of its success are greater. Because we would be very concerned about a regulation to change something that's already existing or to add a new regulation if it was only one person's idea, and most of the other people in the area that would be affected would be against it. We will be looking into that. We will be trying to find out who supports it and who doesn't. But it isn't a voting situation when individuals send in proposals. It will be with the Council. Okay?

16

So are we ready to go on in number two? Yes?

17

18

MR. MANUMIK: I'd like to go to the one on Moose, and I want a dry run.

20

21

MS. FOX: Okay.

22

23

MR. MANUMIK: Because it doesn't

24

25

MS. FOX: Okay.

26

27

MR. MANUMIK: there's -- on page 88 of our regulation, on the Unit 21E, it states on the bottom of that, customary and

30

31

MS. FOX: Oh, 20- -- yes.

32

33

MR. MANUMIK: traditional use determination.

35

36

MS. FOX: Right.

37

38

MR. MANUMIK: On the -- right on the very bottom down there. Unit 21E states, "rural residents of Unit 21E and residents of Russian Mission." Everybody else is locked out of that game hunting unit.

42

43

MS. FOX: For federal -- for a federal subsistence hunt, yes.

45

46

MR. WILDE: Yeah. Yeah. Uh-huh.

47

48

MR. MANUMIK: Yeah.

49

50

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1 MS. FOX: Yes. Right.

2

3 MR. MANUMIK: Yeah. I don't like the language
4n here.

5

6 MS. FOX: Right. Well, let me explain first
7 that this is a customary and traditional use finding that falls
8 under a different portion of the regulations than we're working
9 with now. What we're calling for proposals to change the
10 regulations for are those specific seasons, the harvest limits,
11 sometimes there's a quota system. But it isn't -- right now it
12 does not include looking at customary and traditional use
13 determinations.

14

15 MR. MANUMIK: It doesn't?

16

17 MS. FOX: That's not what's opened for public
18 comment and change right now. However, we have received a lot
19 of recommendations about customary and traditional use
20 determinations, which we keep. And the Board is currently
21 looking at how to prioritize what areas to have the staff work
22 on. So we keep those, and then once the Board has decided on
23 its priorities, we bring those, you know, up for the high
24 priority ones, and those proposals are addressed. But what we
25 do every year is look at seasons and harvest limits, but it's
26 only on a area by area basis that we look at customary and
27 traditional use determinations.

28

29 This year right now there's two customary and
30 traditional use analyses going on. One is for the Kenai
31 Peninsula, and one is the Upper Tanana/Copper River area. I
32 don't know of any others. Do you know of any others the other
33 staff are working on? Those are the two that -- ones -- two
34 that are being worked on this year right now. And, of course,
35 they're getting ready to work on other areas, but the Board
36 hasn't set the priorities for the other areas yet.

36

37 So what I'm saying is if you -- if the Council feels
38 strongly about sending something in to bring it to our
39 attention, we will keep that until that area is analyzed.

39

40 MR. MANUMIK: So what you're basically saying
41 is then that you're putting up a special opening for those
42 residents in the?

43

44 MS. FOX: That's -- I guess that's what was
45 decided, because we adopted the State regulations relative to
46 customary and traditional use. The State had determined that
47 those were the people that were eligible. We adopted that.
48 Right now that's what we're using, until we get a chance to

49

50

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analyze that and possibly revise it.

1

2 MR. WILDE: May I say something about this
3 certain determination?

4

5 MS. FOX: Termination?

6

7 MR. WILDE: This certain

8

9 MS. FOX: Oh, the determination? Yes.

10

11 MR. WILDE: area. The first time, before
12 federal regulation come out, they sent out to the villages to
13 for the public comment.

14

15 MS. FOX: Yes.

16

17 MR. WILDE: We make a comment that certain
18 things before the Board approved, this certain thing here. We
19 request for the whole Lower Yukon should be rural resident,
20 because they've been hunting there. Because of this thing
21 here, even people that has been hunting 15, 20 years, now
22 they're left out. They couldn't even hunt.

23

24 MS. FOX: Because they don't live in 21E?

25

26 MR. WILDE: Yeah, 21E, because they's not
27 living there.

28

29 MS. FOX: Yeah.

30

31 MR. WILDE: But they do hunt 20, 15 years.
32's -- those people, they feel they are left out, you know,
33 that they're -- they don't fit -- they feel really bad.

34

35 MS. FOX: Yes. Okay. Then if, like I said, if
36 the Council feels strongly about that, then I, you know, would
37 we would go ahead and help you fill out a form to submit
38 that, and we'll keep it. Well, I guess you're saying that that
39 was already submitted?

40

41 MR. WILDE: It's been submitted

42

43 MS. FOX: Already been submitted.

44

45 MR. WILDE: three, four times, but we
46 never

47

48 MS. FOX: Okay.

49

50

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1 MR. WILDE: get no response.

2

3 MS. FOX: Right. Okay. Well, the primary
 4 reason you haven't gotten a response is the Board has not yet
 5 made its decisions on how to prioritize the analysis, so
 6 there's nothing to say until they have decided on those
 7 priorities, and then they -- then they will have a schedule for
 8 when that will be addressed.

9 As you can imagine, across the State, there are a
 10 number of these determinations that people want changed, so it
 11 does require us to put them in a priority order and schedule
 12 them over time in order to get the analyses complete. So all I
 13 can say is the Board has got a draft right now that it's
 14 looking at, so it shouldn't be too long before we have a
 15 decision. And then we'll know what the Board -- and as I --
 16 that is going to come out for public comment. So then you'll
 17 be able to see when it's identified that this area -- well, the
 18 area that 21 -- what region would that be in, or area? What's
 19 the in?

20

21 MR. MANUMIK: It's in our region.

22

23 MR. BRELSFORD: It's Council Area Six.

24

25 MR. MANUMIK: It's unit

26

27 MS. FOX: It's in -- it's in Region Six?

28

29 MR. MANUMIK: Region Five.

30

31 MR. BRELSFORD: Regional Council Number Six,
 32 Western Interior.

33

34 MS. FOX: Okay. It's -- this Council only has
 35 Unit 18 as I understand it. Your boundaries are just Unit 18.
 36 That doesn't stop you from making recommendations on things
 37 that affect people here. But I'm just saying, you'll be able
 38 to see when that chart comes out that has the schedule and the
 39 parties on it where that falls out, and you'll have an
 40 opportunity to agree or disagree with that proposal.

41

42 MR. WILDE: I think we want to say that we want
 43 right now that we need some kind of proposal to make sure that
 44 the Board will take care of it when its times come up.

45

46 MS. FOX: Uh-huh.

47

48 MR. WILDE: Even though that we are -- we

49

50

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understand or recognize -- we recognize that our position, where we're supposed to be worked on, however, you must understand that our peoples goes that far up, 21, 21E and all 3- all that area even from here.

4

5 MS. FOX: Yes.

6

7 MR. WILDE: You've got to recognize that, because it -- in that -- during this -- it's more like a traditional thing,

10

11 MS. FOX: Uh-huh.

12

13 MR. WILDE: subsistence hunting.

14

15 MS. FOX: Uh-huh.

16

17 MR. WILDE: It have to be going to propose -- proposals make sure that the Board will look at it, and we should get -- this body here should get some kind of response.

20

21 MS. FOX: Yes. If you, if this Council sends something, you will get a response. So this might be the time for you to

24

25 MR. WILDE: Is that possible, that you could help us?

27

28 MS. FOX: Yes, we could. Yes.

29

30 MR. WILDE: Uh-huh.

31

32 MR. ANDREW: Peggy, perhaps if you showed them an example, using that 40-horse restriction, how to -- how they could introduce a proposal? Use that for an example.

35

36 MS. FOX: Well, it would be

37

38 MR. ANDREW: Do one example,

39

40 MS. FOX: that's a State regulation.

41

42 MR. ANDREW: they'd have a better understanding.

44

45 MS. FOX: Okay. It's a State regulation. I'd have to have

47

48 MR. ANDREW: I know.

49

50

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1 MS. FOX: the State

2

3 MR. ANDREW: But the recommendation can come
4 from this Board.

5

6 MS. FOX: Okay. Can I have -- hand me a State
7 book. No, I need the State one, because it's a State
8 regulation. There's one here somewhere. I know there is.

9

10 MR. ANDREW: I have recommended that they --
11 that this example be used on the 40-horsepower restriction.

12

13 MS. FOX: Okay. Well, I don't know if you have
14 a State book in front of you, but for example,

15

16 MR. WILDE: Yeah, we've got one right there.

17

18 MS. FOX: Oh, good. Okay. Let's start out
19 with number one on your form. Where we want it changed. We
20 would refer -- you'd refer to

21

22 MR. ANDREW: Game Management 21E.

23

24 MR. BRELSFORD: The 40-horse, John.

25

26 MS. FOX: You asked me to do the 40-horse.

27

28 MR. ANDREW: Uh-huh. I was just thinking the
29 40-horse restriction.

30

31 MS. FOX: It's in -- it's in 19, isn't it?

32

33 MR. BRELSFORD: Yes, it's 19.

34

35 MS. FOX: Maybe it covers more than one unit.

36

37 MR. CASE: It's a controlled

38

39 MS. FOX: Just 19?

40

41 MR. CASE: use area

42

43 MS. FOX: Yeah, it is, I know.

44

45 MR. CASE: in that regulation.

46

47 MS. FOX: Okay. It's Unit 19. The Unit is
48 always important so we can zero in on that. And it's called

49

50

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the Holitna/Hoholitna Controlled Use Area.

1

2 UNIDENTIFIED: Excuse me, if that's a proposal
3 that's going to go to the State Board of Game, it ought to go
4 on the State form. The State form is set up differently.

5

6 MS. FOX: I know. But they asked me to use
7 that as an example of how to do the federal proposal form,
8 which we can do.

9

10 UNIDENTIFIED: Oh, as an example only.

11

12 MS. FOX: It's just a practice. It's just a
13 dry run. We'll just pretend for the moment it's a federal
14 regulation.

15

16 MR. CASE: It is a federal regulation.

17

18 MS. FOX: No, we took it out. No, it isn't.
19 It was in last year's, but not this year's, not any more,
20 because it does -- we have no jurisdiction. It was just -- so
21 it's not in there any more. Okay.

22 And what you want to change is (b). It says the area
23 closed, and I won't write it all out there, but it says,
24 "The area is closed to the use of any boat equipped with
25 board or outboard motors with an aggregate horsepower in
26 excess of manufacturer's rating of 40 horsepower for the
27 purpose of taking big game, including transportation of big
28 game hunters or parts of big game, during the period August to
29 November 1." That's what it says. And we would write that in
30 here, or you could just abbreviate it like that, and end the
31 sentence with the last word. Okay. So that's how you would
32 answer number one. You would try to rewrite the regulation.

33 Okay. Number two is, how do you -- how do you want it
34 changed? And in this case, you want that restriction removed,
35 you'd say "remove it."

36 Number three, we ask why? Why is this -- why is this
37 important? Okay. You need to tell me, and I'll put it up
38 here. What would we say is why? Why do we want it changed?
39 Why do we want the restriction removed?

40

41 MR. ANDREW: It's discriminating, restrictive
42 and it's not acceptable,

43

44 MS. FOX: It's what, you said?

45

46 MR. ANDREW: is that fair enough?

47

48 MS. FOX: No. What did you -- what was your

49

50

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first phrase?

1

2 MR. ANDREW: It discriminates people from --
~~3~~ people from our lower area which have to go with bigger boats
~~4~~ and horsepowers, and it

5

6 MS. FOX: Okay.

7

8 MR. ANDREW: And if you go with a 40-horse, it
~~9~~ will take you forever to go upriver with your load. The same
~~10~~ way back. And even the people from upriver are complaining
~~11~~ they cannot go into their traditional hunting areas.

12 And number three, the third major reason is that it
~~13~~ only benefits mostly the guide/outfitters.

14

15 MS. FOX: I missed two.

16

17 MR. ANDREW: Because part -- that restriction
~~18~~ applies to portion -- portions of the Hoholitna drainages, and
~~19~~ to be fair, you'd have to either remove it or to apply that
~~20~~ restriction to the -- all -- in -- all the drainages.

21

22 MS. FOX: Okay.

23

24 MR. ANDREW: And part of that is a lot of
~~25~~ people cannot afford that 40-horse, because the majority of
~~26~~ those villagers out there and further up don't have year-round
~~27~~ jobs to purchase their equipment, like boats and motors.

28

29 MS. FOX: Okay. What was the second one I
~~30~~ missed, John? You had three that I know of.

31

32 MR. ANDREW: Discriminate.

33

34 MS. FOX: Discriminates against people who are
~~35~~ coming up from the lower river, and then you said
~~36~~ something

37

38 MR. ANDREW: Restrictive? Did I say
~~39~~ restrictive?

40

41 MR. MANUMIK: Yeah.

42

43 MR. BRELSFORD: It prevents people from going
~~44~~ their traditional area.

45

46 MS. FOX: Oh, yes. Yes.

47

48 MR. ANDREW: Oh, prevents people from going in

49

50

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their -- in that -- in their traditional hunting areas.

1

2 MS. FOX: Okay. And then you said something
about an unfair burden on the cost -- them having to buy, say,
A second motor?

5

6 MR. ANDREW: Uh-huh. Part of that -- part of
that reason, the prohibitive cost of motors, especially to the
people that don't have jobs out there. And part of that is,
you know, what it actually is, it discriminates a certain class
of people, or the people that can afford extra motors. And
that's about basically the majority -- most of the reasons that
Yup'ik people always give to us when they state they don't like
that 40-horse restriction.

14

15 MS. FOX: Okay. Okay. Then one of the major
concerns I think that's our -- everybody's concern, is
answering the question number five: What will your proposed
change, how will that affect the wildlife populations in the
area? That's something that we will want to know. In your
judgment, how do you think that your proposed change will
affect the wildlife or the fish or whatever the issue is. In
this case

23

24 MR. ANDREW: The majority of our

25

26 MS. FOX: it would be wildlife.

27

28 MR. ANDREW: people, where they go up
that river, they go in there to harvest mostly caribou and
moose if they can get it. Up in that area, you've got an
excess population of caribou, and they're eating their habitat
area out. I've seen that area before. And it will help them
to cull out the excess population in that area. That's part of
the reasons. And I think -- from what I've -- what my people
have seen up there, they've got a real healthy population of
moose, and they -- they still can afford to let the people from
other areas to go in there to do their subsistence hunting
without hurting their local stock. Both in moose and caribou.

39

40 MS. FOX: I didn't -- I didn't get that. Would
you say that again, please, John?

42

43 MR. ANDREW: Number one, it will help us to
cull out the excess population of the caribou, because they
have way better -- and I don't know exactly how many we've got
there, but there are caribou all over that country, spilling
over to the Bristol Bay side.

48

49

50

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1 MS. FOX: Okay.

2 MR. ANDREW: And the majority of their habitat
are well eaten out, too.

4 MS. FOX: Okay.

6 MR. ANDREW: It's getting -- probably getting
8 to the point even -- I've heard from the old people up there,
9 it's getting to the point where there will be a major disaster,
10 that pop- -- that caribou population is at the point where it
11 will come to a crash sooner or later.

12 MS. FOX: Okay.

14 MR. ANDREW: Over-graze. The word is over-
15 grazed.

17 MS. FOX: Over-grazed. Okay.

19 MR. WILDE: You want it in three words?
20 Balance the nature.

22 MS. FOX: The next one is, what's the effect on
23 subsistence users? Some of this we've talked about up here.
24 We say that there is an unfair burden, so we could use that
25 same thing down here.

27 MR. WILDE: Uh-huh. Uh-huh. Yeah.

29 MR. ANDREW: We could use the same thing. It
30 will provide

32 MR. WILDE: The same thing.

34 MS. FOX: Yeah. Prevents people from going to
35 their traditional hunting area, discriminates against
36 people

38 MR. ANDREW: Uh-huh.

40 MS. FOX: who have traditionally used
41 that area on the lower level -- from the lower river. So we
42 could probably in this area repeat some of number two.

44 What about the subsistence users in the region, in the
45 Noholitna/Holitna area? How are they going to be affected? I
46 mean, you know -- if you don't know, you don't have to answer
47 that, but that would be a question that we would try to find
48 out. There's the effect on the people from the lower river,

49

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but what about the people who live there?

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MR. MANUMIK: Yeah. I think what I heard someone say, that their own people upriver couldn't even go back into their -- to their traditional hunting areas. They will regain

MS. FOX: So they

MR. MANUMIK: the use of their lands back again. Their hunting area.

MR. ANDREW: You know what I've seen up there? When I -- when I went up there last fall, all the people that were hunting, they came from this area, with only the exception of two camps were from upriver. And the homesteaders were there from Bethel, in Bethel area.

MS. FOX: So what you might indicate is that there really aren't that many users in that area?

MR. ANDREW: I think that restriction, that 40-horse restriction is hurting more of the people upriver than they do other areas.

MS. FOX: Okay. So you're saying they're being hurt just as much?

MR. MANUMIK: Worse.

MR. ANDREW: No, this is (indiscernible, coughing). I'm not talking for this right now. But I recognize all the Bethel area people up there. At the time I went up there, the first three guys that were -- I seen up -- 20 boats, only two of them -- or, no, three of them were from Stony area. Sleetmute or Stony.

MS. FOX: Okay. So this

MR. ANDREW: And all the others 17 were from this area.

MS. FOX: So this -- you could possibly conclude that this restriction would benefit them as much as the people on the lower river.

MR. ANDREW: Uh-huh.

MR. WILDE: Benefit their people

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1 MS. FOX: Benefit their people.
2
3 MR. WILDE: much -- yeah.
4
5 MS. FOX: Yeah. Okay. And then the last
6 question says, "Is there anything else that you can tell us
7 about this that we need to know?" And one of the things that
8 would be real important to put in here is an indication of how
9 much support there is for the proposed change.
10
11 MR. CHALIAK: Mr. Chairman? (In Yup'ik)
12
13 (Discussion between Mr. Wilde and Mr. Andrew in
14 Yup'ik.)
15
16 MR. CHALIAK: How about in the case where
17 people are told to leave the land when they are spending
18 overnight during hunting. I think that should be put in, that
19 land use permit, that \$400.00.
20
21 MS. FOX: Did you want to do something else
22 with number five? I should get my machine so I can hear.
23 John, I didn't catch that last part. Is there something else
24 that they want to put on here or change?
25
26 MR. CHALIAK: No, it's a different subject.
27
28 MR. ANDREW: They were considering
29 whether

30
31 MR. WILDE: It's a different

32
33 MS. FOX: Oh, a different subject?

34
35 MR. WILDE: Yeah.

36
37 MS. FOX: Okay.

38
39 MR. ANDREW: to use that \$400.00 as an
40 excuse, because they cannot hunt by the mouth of Holitna and
41 further down and all the way to Tuluksak.
42
43 MS. FOX: Okay. So is there anything else --
44 anything else you can think of that might be important for the
45 board to know about this proposed change that we didn't cover
46 with the other questions?
47
48 MR. ANDREW: I think one of the additional
49
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information you might write down is like Joe Chief said, a couple of his boys got run off up there, even got to the point where their lives were threatened, because they were stopping over at the mouth of Hoholitna in the dark. They were asked to leave that country.

5

6

MR. DAVID: With local people.

7

8

MR. ANDREW: They were threatened at gun point.

9

10

MS. FOX: Are they -- where are they from?

11

12

MR. ANDREW: It's not the first time we've heard of it. There's been some occasions where people have been threatened off from hunting areas.

15

16

MR. MANUMIK: At night. This is at night.

17

18

MS. FOX: At night?

19

20

MR. MANUMIK: Uh-huh. And the weather doesn't always play

22

23

MS. FOX: And the what?

24

25

MR. MANUMIK: The weather isn't always calm. It's all -- sometimes it gets windy and

27

28

MS. FOX: Okay.

29

30

MR. MANUMIK: the river gets rough. The weather's unpredictable.

32

33

MS. FOX: That's a very good point. It's a safety consideration.

35

36

MR. ANDREW: And relating to that, there was two incidents this fall where a couple of boats sunk on the Kuskokwim, losing all their supplies, meat, whatever they got. Two boats sunk this fall during a storm, because they couldn't afford to stop by on those KTC lands upriver. They were trying to bypass those lands, restricted land areas, and in the process they lost their boats and gear and meat, and endangering their lives.

44

45

MR. WILDE: I guess we have -- kind of get an idea of how to make our proposal at this time.

47

48

MR. MANUMIK: (In Yup'ik.)

49

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1 MR. ANDREW: Yeah, the -- we will draft these
2 and critique them, and -- for the State and federal proposals.

3
4 MR. JOHN: And these things that have come up
5 that affect our subsistence lifestyle.

6
7 MR. MANUMIK: He has heard remarks from the
8 elders up river who own that land there, that they don't want
9 any trouble to arise out of that limitation that they're using
10 for outboard motor.

11
12 MS. FOX: They don't want any trouble to arise
13 out of that?

14
15 MR. MANUMIK: Uh-huh. They have -- they have
16 the same fear that we do, that they don't want to get into
17 trouble by having to apply that limitation to other hunters,
18 other than their own, you know. They have a fear of getting
19 into trouble if it keeps being applied to the hunters.

20
21 MS. FOX: Okay. You're -- let me ask a
22 question. The people that are threatening other people who are
23 using the river system, are they associated with a private land
24 situation, or are they just hunters who have come into the area
25 who are trying to keep -- I mean, where do -- who are these
26 people that are doing the threatening?

27
28 MR. MANUMIK: The elders are -- the
29 threatening? The people that are doing the threatening are the
30 younger generation that run the corporation.

31
32 MS. FOX: Okay.

33
34 MR. MANUMIK: But the elders fear from applying
35 that restriction to the hunters, because in the future that
36 they might get into trouble by loss of life or

37
38 MS. FOX: Yeah.

39
40 MR. MANUMIK: being lawsuit or something.

41
42 MS. FOX: Okay.

43
44 MR. JOHN: The two people from Sleetmute saw me
45 and he says to me, "if this guy sees you on his land, he's
46 going to shoot you," and these people are the residents from --
47 who residents from Sleetmute. And this happened two years ago.

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1 MR. WILDE: I think that's enough.
2 MS. FOX: John, I did your work for you again.
3
4 MR. WILDE: Yeah. If we learn too much, we
5 might be

6
7 MR. ANDREW: I'll be very nice to you in
8 Anchorage.
9
10 MS. FOX: Yeah. Okay.
11
12 MR. ANDREW: Uh-huh.
13
14 MS. FOX: You're all witnesses.
15
16 MR. WILDE: Going on with the agenda, there's
17 already been an agenda -- or introduction of Council members.
18 Any other business that -- or concerns?
19
20 MR. ANDREW: Mr. Chairman, there's -- I think
21 you've got one more issue. You said yesterday you wanted to
22 work on that no determination status, and vote with the three
23 important issues. And

24
25 MR. WILDE: May I remind you, these things that
26 were handed down from generation to generation, or

27
28 MR. ANDREW: Mr. Chairman, we brought onto the
29 table that -- the C and T determination, that we were to ask
30 for the no determin- -- ask regulations that are recognized.
31
32 MR. WILDE: The floor is open towards this
33 issue, to make a motion -- make a motion

34
35 MR. ANVIL: I move.
36
37 MR. WILDE: Antone Anvil moved to work on the
38 determination issue.
39
40 MR. JOHN: Second.
41
42 MR. WILDE: Seconded by Paul John.
43
44 MR. WHITE: Question.
45
46 MR. WILDE: No discussion. Question. All in
47 favor say "Aye"?
48
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ALL: Aye.

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MR. WILDE: All opposed say "Nay"? Motion carried.

Okay. Any other business? Okay. Any other business.

MR. ALEXIE: And John and his supervisor are being addressed to see if they have any other business.

MR. WILDE: I've got other business. I think from now on that whoever taking care of travels and per diems, this shouldn't be happen after this, because some of us, we're using our money, and we've got no money to eat on right now. It's really bad for us, because we just came back from Anchorage, and we spent most of our money, and right now that some of us that we're broke, we couldn't even have lunch or supper tonight. And my understanding that yesterday that monies travel this way never get here, it still never get here. I think that this could be handled better than -- better than this.

MS. FOX: Our apologies. We won't let that happen again, will we, John? We really won't. We have to get we'll have the -- the next meetings we're going to be planning six months ahead for them. I mean, your -- at the end of your meeting today, you're going to be setting the meeting date for your next meeting, so there will be plenty of advance notice about when it is, and where you're going to be travelling from and where we're going to be staying. So there shouldn't be any excuse for any delay next time. And we're offering no excuses now, just our apologies.

MR. WILDE: So will you tell us that

MR. ANDREW: We can try and call up the Refuge and see if they can check on the mail.

MR. WILDE: What happened to those -- the advance that we're supposed to get yesterday?

MS. FOX: As I understand, it was mailed from Denver, which is where checks are issued from for this area, on Monday.

MR. WILDE: Is there any way that this -- some of us people here that -- because the ones that's not going home tonight, they've got to have something to eat.

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MS. FOX: Right. In the -- in the same

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MR. WILDE: How are you guys going to handle

5 MS. FOX: Okay. I had the same situation
happen in Nome. And I have extended personal loans. I can do
that to a certain extent. I mean, I don't have a lot of money,
But I'm talking about if you need money to eat tonight, you
know, if that's what it takes, we'll make sure that you get to
eat. I will make sure that you get to eat. So, if that's the
case, you know, let me know who, and we'll make sure that
somebody gets something to eat. We're not going to let anybody
starve.

14

MR. WILDE: Any other business?

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(Off record discussion of travel, lodging and per diem)

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MR. WILDE: Where are we going to have a

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meeting next?

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2 MR. ALEXIE: They're concerned about the time
3 to have more than -- have more than two meetings a year, and
4 they have been the information that they can call a special
5 meeting.

6

7 MR. MANUMIK: The things that we worked on
8 today, I know that they will not go to the State, but to the
9 Federal.

10

11 MR. WILDE: It would be best if we'd have a
12 meeting before the regulations are being discussed. These are
13 just proposals.

14

15 MR. ANDREW: (In Yup'ik)

16

17 MR. ALEXIE: They're discussing about the
18 meeting time and also they're trying to determine whether they
19 should have meetings right before they present the proposals to
20 the Federal Subsistence Board. And they are discussing the
21 copies of the subsistence regional advisory council meeting
22 proposal, regulations.

23

24 MR. ANDREW: If you as a Board need to draft a
25 proposal, they always have a deadline, November 1st, and the
26 State has a different date.

27

28 MR. CHALIAK: (In Yup'ik)

29

30 MR. ANDREW: I will work on the three proposals
31 here and I will send you each a copy. And if you see any
32 things in the subsistence manual regulations for federal public
33 lands in Alaska, you can ask for help from your Councils and
34 draft a proposal for regulation change.

35

36 MR. WILDE: Those are -- these are proposals
37 that you can work on, is for certain areas, however, you can
38 make recommendations.

39

40 MS. FOX: Okay.

41

42 MR. ALEXIE: Determine time where we will have
43 our next meeting.

44

45 MS. FOX: Yeah.

46

47 MR. ANDREW: Remember the January week of
48 January 23 to 28, or March -- or February 27 to March 5.

49

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1 MR. WILDE: We should -- we should survey the
 2 meeting dates of other agencies such as AVCP and determine our
 3- determine our meeting.

4
 5 MR. ANDREW: (In Yup'ik)

6
 7 MR. MANUMIK: Because we were with other
 8 agencies, most of the people here on the -- on this committee
 9 here are in some other agencies. We are requesting that you
 10 survey the times, the time and date of their meetings and see
 11 if you can set up this meeting for an open date. I'm with YKUC
 12 and these are with AVCP and other agencies here, so you should
 13 so that you should

14
 15 MR. ANDREW: I will not choose -- I will not --
 16 All the other meetings are written in there.

17
 18 MR. ALEXIE: He's studying the meeting dates.

19
 20 MR. WILDE: If we don't set the time and the
 21 date right now, after determining the school board, YKUC, AVCP
 22 meetings, I will have the coordinator get in touch with me, and
 23 as the chairman will notify each and every one of you of the
 24 time and -- determine the time and place for -- of the next
 25 meeting.

26
 27 MS. FOX: Okay. Okay.

28
 29 MR. WILDE: We do not want to have conflict
 30 with any other organization. But where?

31
 32 UNIDENTIFIED: Before you adjourn, I have a
 33 question.

34
 35 MR. WILDE: Yeah. Wait. Where are we going to
 36 have a meeting?

37
 38 (Discussion in Yup'ik regarding location)

39
 40 MR. ANDREW: Mr. Chairman, I think it would
 41 wise if you would have our meeting here in Bethel until we are
 42 solidly rooted in our positions here, and then we would
 43 probably ask to have meetings in villages later on.

44
 45 MR. WILDE: If it's okay with you, Board, the
 46 things that we discussed I will go before the federal board and
 47 present them to them in Yup'ik.

48 However, I'm going to tell you this, these elders know

49
 50

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this: I have given it a thought, that toward the subsistence, that if I start working toward the subsistence within the subsistence regional advisory council, that I would not want to bear any conflict on the subsistence lifestyle within our people. I'm a parent. And me having lost both my parents, I raised up my siblings. We lived off the land.

6 I was being beaten up -- or, excuse me, I was being spanked so hard by a teacher that I couldn't even sit down, but I didn't shed a tear. But when my father asked me what happened, I made a vow that one day I'm going to stand before a white man and fight for my people. And when I go before the board, the federal board, I'll give it all I have to push these proposals for my people. Before

13 Yeah, go ahead?

14

15 MR. ROCZICKA: I just wondered if the board had made -- had taken any action or given any direction for discussing the customary and traditional use designations, and if you'd made any formal recommendations, that, you know, we put in proposals back in 1990, we put in a proposal in 1991, we put in a proposal in 1992, then to raise it, and they've had it for four years. You know, we cited, you know, extensive studies that have been done by both the State and federal management agencies, (indiscernible).

24

25 MR. WILDE: Is this possible, to give those

26

27

28 MR. ROCZICKA: It just seems to me, you know, that even though it may not be in the formal -- within their posting, what they call it, in their call for proposals, it seems that this Council, given the power that it claims to -- that the Federal Subsistence Board has given to it, that it could make a recommendation that they do take action on this, rather than continue to sit on it, and not do anything.

35 And the customary and traditional use designation as far as that goes has a direct effect on the seasons and bag limits, and then it says who can hunt and who can't under a subsistence hunt. And so therefore it's a valid argument that should apply as well.

40

41 MS. FOX: Uh-huh.

42

43 MR. ROCZICKA: And as I say, the information is there. They just need to get the people to be given the order to go do it.

46 But again, I didn't know if you took any action or gave any direction on that or not. It didn't -- it sounded to me like you went off of that and into other business without ever

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making

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MR. WILDE: What are you talking about? What kind of action are you talking about?

4

5

MR. ROCZICKA: To clarify and formalize the customary/traditional use designations for -- especially for the Lower Yukon villages on 21E.

8

9

MR. WILDE: It's my understanding that right now -- you was telling us that

11

12

MS. FOX: Yes.

13

14

MR. WILDE: it's not the right time to do that right now, until there's a certain time that the Board will handle the areas or whatever?

17

18

MS. FOX: Okay. Yes. The proposals that we're asking to be submitted right now have only to do with seasons and harvest limits.

21

22

MR. WILDE: Uh-huh.

23

24

MS. FOX: They don't have to do with customary and traditional use determinations. However, Greg is right, that it's hard to separate the two. And the Board has received requests where there's been this very type of problem, and most of which they have said, "we can't address that until we have more information and we have time to analyze it."

30

So -- but what I said to you is if you want to forward a recommendation, because you feel very strongly about it, then you should, and you will get -- it will be dealt with. You will get a response. I don't know what that response will be, because they can say this isn't the time, and it -- and it takes a lot more time to do the information gathering to make the right determination, considering all of the villages and and other users in the area. They may say that. But if they feel -- if you can convince them that it's a very urgent problem, then they may give you some form of relief. They may make some kind of modification. But they have rarely done that, but they have done it on occasion. so, again, if you feel strongly about that, then you should go ahead with the recommendation.

44

45

MR. KURTH: I don't want to interrupt, but the person in Anchorage who

47

48

MS. FOX: Right.

49

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1 MR. KURTH: can make sure that all the
2 travel is taken care of, I asked to stay. She leaves at 4:30,
3 I asked her to stay until 5:00, and I want to make sure we've
4 got everybody taken care of.

5
6 (Off record discussion regarding travel)

7
8 MR. WILDE: I did not quite understand what
9 Greg was presenting, and I got sidetracked, so I do not quite
10 understand. I don't quite understand what you were saying. I
11 was listening to other things, too. You're requesting, or your
12 recommendation of what?

13
14 MR. ROCZICKA: I was asking if you had given
15 any direction for action from this Council for the Federal
16 Subsistence Board to address customary and traditional use
17 designation within our region.

18
19 MR. ANDREW: They did.

20
21 MR. ROCZICKA: Those that have

22
23 MR. ANDREW: Yes.

24
25 MR. ROCZICKA: And they have them

26
27 MS. FOX: But it's not the same as 21E.

28
29 MR. ROCZICKA: Uh-huh.

30
31 MS. FOX: It's not the same as 21E. 21E has a
32 determination. And you're -- what they -- what they instructed
33 you to deal with was those that don't have determinations, so
34 they're two different things.

35
36 MR. WILDE: Uh-huh. I know that. We

37
38 MS. FOX: Okay.

39
40 MR. WILDE: He's supposed to take care of that.
41 All of it.

42
43 MS. FOX: 21E and the no determinations?

44
45 MR. WILDE: Yeah.

46
47 MR. ANDREW: (In Yup'ik)

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1 MR. ALEXIE: He's reiterating what he said, and
2 he's interpreting what Greg put in.

3 MS. FOX: I'm sorry, what did you say?
4

5 MR. ALEXIE: He's just repeating what Greg
6 already presented. Interpreting.

7
8 MR. WILDE: (In Yup'ik)

9
10 MR. WHITE: (Makes motion in Yup'ik)

11
12 MR. CHALIAK: I'll second.

13
14 MR. ALEXIE: He make a motion, Steven made a
15 motion for the Lower Yukon, or the Lower Kuskokwim to be
16 recognized as well as the Upper

17
18 MR. JOHN: Lower and Upper Yukon/Kuskokwim when
19 their seasons are open.

20
21 MR. WILDE: Any more discussion?

22
23 MR. CHALIAK: Question.

24
25 MR. WILDE: The question's been called for.
26 All who favor, say "Aye"?

27
28 ALL: Aye.

29
30 MR. WILDE: Opposed say "No"? Motion carried.

31
32 MS. FOX: For moose and caribou? For moose and
33 caribou or just moose?

34
35 MR. ANDREW: Moose.

36
37 MS. FOX: Moose?

38
39 MR. JOHN: For moose and caribou.

40
41 MR. WILDE: Yeah.

42
43 MR. ALEXIE: For moose and caribou. Uh-huh.

44
45 MR. JOHN: Winter seasons.

46
47 MR. ALEXIE: Winter seasons.

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MR. WILDE: (In Yup'ik)
MR. ANVIL: (Gives benediction)
MR. MANUMIK: Move to adjourn, Harry.
MR. WILDE: Motion (Yup'ik)
MR. NICOLAI: Second.
MR. WILDE: Moses Nicolai seconded. All in favor say "Aye"?
ALL: Aye.
MR. WILDE: Opposed, stay home.

(END OF PROCEEDINGS)

* * * * *

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C E R T I F I C A T E

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3) ss.
4 STATE OF ALASKA)
5

6 I, Meredith L. Downing, Notary Public in and for the
7 State of Alaska and Reporter for R & R Court Reporters, Inc.,
8 do hereby certify:

9
10 THAT the foregoing pages numbered 02 through 81 contain
11 a full, true and correct Transcript of the Yukon-Kuskokwim
12 Delta Alaska Subsistence Regional Advisory Council meeting
13 taken electronically by me on the 20th day of October, 1993,
14 beginning at the hour of 9:00 o'clock a.m. at the KVNA
15 Building, Bethel, Alaska;

16
17 THAT the transcript is a true and correct transcript
18 requested to be transcribed and thereafter transcribed by me
19 to the best of my knowledge and ability;

20
21 THAT I am not an employee, attorney, or party
22 interested in any way in this action.

23
24 DATED at Anchorage, Alaska, this 27th day of October,
25 1993.

Notary Public in and for Alaska
My Commission Expires: 7/3/94

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R & R COURT REPORTERS

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