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1 SEWARD PENINSULA FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL

2 PUBLIC MEETING

3 Kattimivak Center

4 Unalakleet, Alaska

5 February 6, 1997, 9:00 a.m.

6 VOLUME II

7 Members Present:

8 Sheldon I. Katchatag, Chairman

9 Edgar Ningeulook

10 Grace Cross, Secretary

11 Fred Katchatag, Sr.

12 Peter G. Buck

13 Elmer Seetot, Jr.

14 Joe O. Garnie

15 Cliff Edenshaw, Coordinator

P R O C E E D I N G S

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(On record)

5 CHAIRMAN SHELDON KATCHATAG: Before we get into our
6 agenda for today -- well, I'd better call this session to
7 order. Call the session of the Seward Peninsula Subsistence
8 Regional Advisory Council back to order. For the record, all
9 of the Council members that were here yesterday for roll call
10 are here. Again we have one resignation and one excused
11 absence.

12

13 Before we get into our agenda for today, I wanted to
14 ask the -- not only the Council, but also some of Staff what
15 the caribou status is on hunting? I know that I think I heard
16 that Fish and Game through the Board of Game process opened up
17 caribou hunting in 22(D) and E, is that correct, Charlie?

18

19 MR. LEAN: They opened 22(D) (indiscernible-away from
20 microphone). And I guess there's still a possibility but we'd
21 have to see more caribou.

22

23 CHAIRMAN SHELDON KATCHATAG: I was under the
24 impression, and Edgar can probably tell us, but I was under the
25 impression there was at least 2,000 head over towards
26 Shishmaref.

27

28 MR. LEAN: Well, I haven't kept up on that. They
29 didn't open as far as I know.

30

31 CHAIRMAN SHELDON KATCHATAG: Are there any plans or do
32 they have a certain threshold that they have to exceed, or.....

33

34 MR. LEAN: At the time they opened 22(D) they thought
35 that there was going to be 30 to 40,000 move into D and that's
36 why they opened it. I think 2,000 would be too few. But I'm
37 speaking way beyond my authority. I don't know what the
38 threshold is.

39

40 CHAIRMAN SHELDON KATCHATAG: I just wanted to clarify
41 that because I wanted to make sure that everybody had an
42 opportunity on the animals that -- especially if they're in
43 their back yard. We'll check on that.

44

45 And I also -- too bad we didn't discuss it yesterday
46 with Sandy because the Park Service's been pretty good about
47 special actions for this kind of thing. So, Ken, has there
48 been any request for a special action to open D and/or E to
49 caribou on Bering Land Bridge?

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1 MR. ADKISSON: Not to our knowledge. You might want to
2 check with Jim Magdanz on that. I was under the impression
3 that the State Board of Game now has set a season for like D
4 and E, but they left it up to the judgment of the local Fish
5 and Game office as to whether there was.....

6
7 CHAIRMAN SHELDON KATCHATAG: Excuse me. Can you come
8 up and approach a mike, please. I've been remiss in my
9 reporting.

10
11 MR. ADKISSON: Yeah, Ken Adkisson, National Park
12 Service, Bering Land Bridge National Preserve.

13
14 You should probably talk to either Steve Machida or Jim
15 Magdanz on that. I was under the impression that the State
16 Board of Game had actually established a season for caribou for
17 D and E, but left it open to the discretion of the local Fish
18 and Game office as to whether there were sufficient animals to
19 actually declare a hunt. So you've probably want to check with
20 them.

21
22 And the Park Service hasn't had any requests for any
23 kind of special action. I think it's our feeling right now
24 that if the State feels there's sufficient animals in there to
25 proceed with a hunt, that would probably meet the needs of the
26 local subsistence users, unless there were competition problems
27 or something like that that, you know, the locals would have to
28 go back to the Federal Board for a subsistence priority, but
29 right now there seems to be enough animals and stuff that there
30 seems to be no need for that.

31
32 CHAIRMAN SHELDON KATCHATAG: Thank you, Ken. For the
33 record, if you want to talk about this Jim, Mr. Magdanz, of the
34 subsistence portion of Fish and Game has just handed us a
35 report from Peter Bente on a Western Arctic herd caribou radio
36 tracking flight that they did a little over a week ago, about
37 two weeks ago. Jim.

38
39 MR. MAGDANZ: Thank you, Mr. Chairman. My name's Jim
40 Magdanz, I'm with the Division of Subsistence with the
41 Department of Fish and Game.

42
43 Ken correctly described the Board's action in that the
44 Department now has the ability to open hunts in 22(D) and E
45 with an emergency order, and they did open a hunt in 22(D) late
46 last year after flying over the area and observing tens of
47 thousands of caribou in the eastern portion of 22(D).

48
49 I'd handed out an e-mail that I received from Peter

50 Bente, who's the Management -- or the Research Biologist in the

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1 Nome office. About two weeks ago they conducted an aerial
2 tracking flight. Their flight was primarily on the southern
3 portion of the Seward Peninsula, they flew east from Nome and
4 through the Fish River Flats area and most of the caribou that
5 they saw were distributed through the Eastern Fish River Flats,
6 especially upper Windy Creek, upper Telephone Creek, mid Omilak
7 Creek, upper Rathitulik Creek and the upper North Fork Etchepuk
8 Creek and they thought there were 20 to 25,000 animals in that
9 area.

10
11 There are also some maps attached to this that
12 summarize flights in October when the caribou first moved into
13 the area. There are two maps that show what they observed on
14 October 24th and then a week later on October 31st. This was
15 just before the hunt was opened. At that time the caribou were
16 farther west nearing Ahkugarok (ph) Road and upper Casadepaga
17 area there and along the Bendeleben.

18
19 There are a lot of caribou in the south of Deering
20 between Deering and Candle. Our office hasn't been monitoring
21 that portion of the herd, that's been done out of Kotzebue and
22 I don't have current information about the movement of those
23 animals. But my understanding was that they were primarily in
24 23 and that I don't have any information about 22(E) and the
25 animals that might be in the western -- or, excuse me, the
26 eastern and southern portion of 22(E).

27
28 CHAIRMAN SHELDON KATCHATAG: Edgar, have you any
29 information on caribou in 22(E)?

30
31 MR. NINGEULOOK: Yes. I was speaking earlier with some
32 of the Deering people. They told me that there's several
33 thousand between Deering and Shishmaref. They had estimated
34 about between 12,000. Say there's about 60 wolves among the
35 herd. So they're not too far from Shishmaref. Say about a
36 four hour snow (indiscernible) trip.

37
38 CHAIRMAN SHELDON KATCHATAG: Thank you, Edgar. For the
39 record that was Edgar Ningeulook from Shishmaref, Regional
40 Council member. So does the Fish and Game have a certain
41 threshold that they require before they open it or.....

42
43 MR. MAGDANZ: There is no formula for opening it. I
44 think we consult -- before the last opening I can tell you what
45 happened is that we got report from reindeer herders and others
46 that there were a lot of caribou out there. So we began flying
47 surveys, observed the caribou and we held meetings with the
48 members of the Advisory Committee in Nome with the Reindeer
49 Herders' Association representatives and discussed also with

50 the Board of Game just what avenues were opened to us.

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1 So there was a process involving users and other
2 interests in whether or not this should be opened and it seemed
3 appropriate to open it and so we did. I suspect if there is a
4 lot of caribou in 22(E) that we'll do the same sort of thing.
5 We'll consult with the people in the villages, we'll consult
6 with the Advisory Committee and the landowners in the area and
7 the reindeer herders and make a decision to open it. It will
8 probably be a faster decision this time, on the order of a week
9 or so to open if the caribou are in the area.

10
11 CHAIRMAN SHELDON KATCHATAG: So you figure maybe in a
12 week or so we should hear about it if it's going to be opened?

13
14 MR. MAGDANZ: Once we have reports that there are a lot
15 of caribou in 22(E), we'd want to fly it and locate the
16 animals. And especially where they are in relation to reindeer
17 herds. That's an issue that's real important to the Reindeer
18 Herders Association. So the Department would certainly welcome
19 advice from this Council about how to proceed, either in terms
20 of its survey work or in terms of its regulations.

21
22 CHAIRMAN SHELDON KATCHATAG: Well, you know, I know
23 that the people of Shishmaref routinely or customarily and
24 traditionally have been traveling all the way east as far as
25 Deering and Buckland to get caribou. And it would be a shame
26 or us not to provide them the opportunity when the caribou are
27 substantially closer. And given the snow, it's snowing out
28 there right now. So I think the snow cover should be pretty
29 good up that way too. I would think that they should try to
30 expedite the possibility of having an opening over there on
31 that side of the Peninsula.

32
33 And I know the people of Wales and Shishmaref would
34 gladly be -- would be more than glad to travel four hours
35 instead of all day on a snow machine just to get caribou. So
36 that's the reason that I wanted to take it out of sequence,
37 because we didn't have it on our agenda. And I know I'd
38 thought about it and thought about putting it on the agenda but
39 before we got into our agenda today I wanted to get some idea
40 of the possibility of opening caribou for those people on that
41 side. Edgar?

42
43 MR. NINGEULOOK: Last October we received a fax from
44 the IRA office stating that the State would open caribou if the
45 herd travels to 22(E). So when I look at the map there on
46 22(E), in fact they have been around for several years along
47 the barrier islands up the coast between (Indiscernible) and
48 Cape Westenberg (ph).

49

MR. MAGDANZ: Mr. Chairman.

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1 CHAIRMAN SHELDON KATCHATAG: Mr. Magdanz.

2
3 MR. MAGDANZ: Caribou are definitely present in 22(E).
4 In fact, they're present as far as the Wales area. The herder
5 in Wales has reported taking caribou from their herd two years
6 ago. So the small numbers of caribou have been filtering
7 through 22(E) for the last couple of years. And I know Herbie
8 Carmens harvest -- he's been culling a lot of reindeer -- or
9 caribou out of his reindeer herd over the last couple of years.
10 So they definitely are present in this area and they have been
11 for a while. It's at what level that we have enough animals
12 that they can sustain a hunt. And that's sort of the decision
13 that's before us.

14
15 CHAIRMAN SHELDON KATCHATAG: I kind of wonder about
16 that last statement you made because we do have plenty of
17 animals. The last estimate I saw was 450,000 animals in the
18 Western Arctic area. So it's not a matter of not having enough
19 animals. And I'd like to see them be able to hunt them while
20 they're close.

21
22 MR. SEETOT: Mr. Chairman.

23
24 CHAIRMAN SHELDON KATCHATAG: Elmer.

25
26 MR. SEETOT: The reindeer and caribou -- I think that
27 Reindeer Herders' Association and the reindeer herders in the
28 Seward Peninsula are getting preferential treatment in that
29 they were going to try to separate the reindeer from the
30 caribou. And then I'm not too sure which direction that -- you
31 know, that they would rather caribou. You know that pretty
32 much the reindeer were to help the local communities. It's
33 only one or two individuals are benefitting from the reindeer,
34 just the owners, you know, a long time that pretty much use the
35 reindeer on the table is maybe Thanksgiving and Christmas
36 holidays, or when they donate some reindeer.

37
38 There are more people in the Seward Peninsula that
39 would like to have reindeer but, you know, the cost sometimes
40 is high and I think caribou is the preferred alternative. And
41 they talk about driving the caribou back east, you know. There
42 have been -- or I have heard over the years that the caribou
43 would be returning to Seward Peninsula, you know, from elders
44 this was passed on. This was the first year that they had been
45 seeing great numbers.

46
47 If -- Jim, we're going to get equal treatment, you
48 know, from the agencies then, you know, that they should open
49 the caribou hunting areas within the affected areas, you know,

50 like they did in 22(G) this past fall. They opened it maybe at

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1 the insistence of reindeer herders. I'm not really too sure. I
2 would think that they were very vocal saying that they wanted
3 to protect their reindeer herds from the caribou. I know that
4 if the reindeer herders were to protect their caribou, then
5 they would have to be with them at, you know, all times to keep
6 them going or taking off with their reindeer herd.

7
8 And that's pretty hard within the (Indiscernible)
9 mountains, you know, because it's kind of rugged at times. You
10 just can't fence your reindeer to keep them from running off
11 with the caribou. So I think that if the caribou are
12 migratory, then you should look at not only looking at the
13 animal populations within the subunit, but looking at animals
14 as a population statewide because they're not going to stay
15 there come spring or summer. I think that their instinct would
16 be to migrate with the herd, which they have been doing, you
17 know, over the years. And should not just be on the threshold
18 population within that subunit, it should be what's in those
19 populations statewide or within that particular herd.

20
21 CHAIRMAN SHELDON KATCHATAG: Jim.

22
23 MR. MAGDANZ: Well, Mr. Chairman, I think it's
24 absolutely correct that the reason that reindeer -- the caribou
25 hunting has been closed in 22(D) and 22(E) has been out of
26 concern for the reindeer. That the reindeer herders were
27 concerned that people would take caribou -- or reindeer as if
28 they were caribou. But I think it's also absolutely clear with
29 the biological situation here it's changed fundamentally in the
30 last year. And this is the kind of juncture when I think the
31 Department needs to step back and the decisions about how this
32 herd should be managed are into the public arena now for advice
33 from your group and from advisory committees and from other
34 people about just how these animals should be managed.

35
36 And so I think the Department is trying to do the best
37 job it can in responding to the situation, giving people an
38 opportunity to hunt, but we're kind of conservative by nature
39 and we do not want to make wholesale changes. And we want the
40 public bodies like this to tell us how they want us to proceed.

41
42
43 CHAIRMAN SHELDON KATCHATAG: Yeah, I think Mr. Seetot
44 makes a very good point because I know after watching these
45 animals since I've been living in Elim over the last 10 years,
46 I've been taking part in hunts just every year on them. And if
47 you don't catch them while they're there, they migrate out and
48 you're going to have a long run trying to catch up to them once
49 they start moving. They do completely clear out, regardless of

50 how many animals you might be seeing there around the Koyuk

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1 River, around Monument, around Granite Mountain, they do all
2 move out as they migrate towards spring. Mr. Garnie.

3
4 MR. GARNIE: Yes. I'd like to just mention that I'm in
5 agreement a hundred percent with Elmer about the reindeer
6 herders getting some special treatment and being allowed to
7 drive off caribou. And, in fact, when you did mention that
8 they weren't open in certain areas and they were calling the
9 caribou, it's hard for me to say rather this is really right or
10 not to be calling caribou. Because, you know, like I say, we
11 would rather see caribou in than reindeer right at the present
12 moment.

13
14 The way the price of reindeer is, and Elmer says we
15 can't afford to buy it and then we have our reindeer herders
16 driving them away and calling them out, it's just they're
17 beating us up. And they're slightly political stronger than
18 the rest of us, with a little bit of income and everything and
19 able to make meetings and travel. I don't understand the
20 Department's point in giving them all these liberties to spook
21 of animals and call them.

22
23 MR. MAGDANZ: Well, I think clearly it's time for some
24 input from the public on how the Department should proceed.
25 Things have changed and I think we're getting that. And I
26 think whatever this body wants to provide in the way of advice
27 and recommendations I think is appropriate.

28
29 CHAIRMAN SHELDON KATCHATAG: Thank you, Jim. Any
30 comments or questions for Jim before we move on? One question
31 I have, Jim, would you then take this concern that we're
32 expressing here as enough initiative to start a public process
33 on 22(E)? Is that the procedure you're planning on following?

34
35 MR. MAGDANZ: Well, in the -- as you know on the State
36 side the Advisory Committee is sort of the point at which these
37 proposals typically begin. And a communication from this
38 Council to the Advisory Committee would probably be the most
39 effective way to start the wheels rolling in the proposal
40 process. And you know I'll certainly consult with John Coaty
41 (ph) when I get back and with Elizabeth Andrews and tell them
42 about the concerns that you expressed to me here today, and
43 formally. But the Committee -- the Advisory Committee would be
44 the forum for these discussions to come on the table.

45
46 CHAIRMAN SHELDON KATCHATAG: Mr. Buck, do you still sit
47 on the Advisory Committee? The local Advisory Committee? The
48 Northern Norton Sound one? Are you still on that?

49

MR. BUCK: Yeah.

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1 CHAIRMAN SHELDON KATCHATAG: So we do have an avenue.
2 Do you know when your next meeting is?

3
4 MR. BUCK: I'm not sure.

5
6 CHAIRMAN SHELDON KATCHATAG: Can they call meetings,
7 special meetings?

8
9 MR. MAGDANZ: They can and the Board of Game will be
10 meeting in Nome in October of '97, this year, and there
11 certainly will be Advisory Committee meetings in advance of
12 that. I don't believe there's one scheduled at the moment.

13
14 MR. ADKISSON: There is a pending one scheduled for
15 late March or April.

16
17 CHAIRMAN SHELDON KATCHATAG: By then they'll be gone.
18 The caribou will be gone by then. Because I know I was talking
19 with a friend of mine in Elim before I left and he was telling
20 me about all the caribou there in our back yard in 22(B) there
21 and he was telling me, you know, they're here now, but probably
22 end of the month they'll be gone.

23
24 MR. MAGDANZ: Well, Mr. Chairman, with that sort of
25 time frame in your mind then I think I'll call John Coaty (ph)
26 and talk to Steve Machida when I get back to Nome and, you
27 know, we can discuss this tomorrow and find out what their
28 plans are. They may know more than I do because they've got --
29 the Kotzebue information I don't have at the moment. So I'll
30 talk to them tomorrow.

31
32 CHAIRMAN SHELDON KATCHATAG: I'd appreciate it. And
33 then what is the wish of the Council? Elmer.

34
35 MR. SEETOT: To Mr. Magdanz, have there been
36 observations in the past when the caribou actually migrated,
37 you know, west? You know, like towards Mount Bendeleben or
38 this year that -- this year was the first time that I heard
39 that they pretty much migrated up to the road system. Have
40 there been any observations in the past when they first started
41 migrating west? Or has that been traditionally been done by
42 the caribou, but the public had not been notified, you know,
43 that the caribou are within this area?

44
45 MR. MAGDANZ: The short answer is I don't know. The
46 long answer is that Steve Machida and Jim Dow do most of the
47 flying. I don't fly for the Department. And so, you know, I
48 don't know exactly the small movements that they may have
49 observed. Obviously caribou move all the time and we don't see

50 it and it's quite possible that the caribou have moved farther

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1 west than we've observed before.

2

3 And farther to the north, on the northern side of the
4 Seward Peninsula, there seems to have been movements farther
5 west earlier and now we're seeing them moving farther west from
6 the southern part, south of the Bendeleben. So the numbers of
7 caribou that we observed this fall are far in excess of
8 anything we'd observed before. So I think the difference is
9 that we've got a movement on an order or magnitude bigger than
10 anything we've ever seen before.

11

12 CHAIRMAN SHELDON KATCHATAG: So in the past you're
13 saying that primarily the reindeer herders have been seeing
14 them, the effect in their herds, but nothing on the scale that
15 we have this year?

16

17 MR. MAGDANZ: Right. I assume if two caribou show up
18 in Wales that they got there across the Seward Peninsula. So
19 the movements have been occurring for some time undoubtedly.

20

21 CHAIRMAN SHELDON KATCHATAG: I would just as a matter
22 of expediency and sensitivity to the people and the fact that
23 they do travel all the way to Deering and Buckland, to get
24 their fair share of the caribou. I would think that there
25 shouldn't be a threshold population equation or anything,
26 formula to that effect because when they start migrating
27 they're all going to leave. They're not going to leave a few
28 behind to hold the fort. That's not how caribou operate.

29

30 So I think that we should take advantage of the fact
31 that they are there in numbers and especially the numbers that
32 Edgar says that he's been hearing from people in Deering.
33 That's a sizeable population. And knowing the migratory
34 patterns of the caribou, they will all leave the area come
35 migrating time. And that's approaching within a month or so.
36 So I really think that we should do all we can not only on the
37 Federal side, but also on the State side to take advantage of
38 the fact that they are close for them. So that's the reason
39 that I disrupted our agenda to put this on the table.

40

41 MR. MAGDANZ: Well, Mr. Chairman, it seems that quite a
42 bit of the land that would be involved here is in fact under
43 your jurisdiction.

44

45 CHAIRMAN SHELDON KATCHATAG: Great. I'm glad that's on
46 the public record. So I think the proper, and Ken, you can
47 correct me if I'm wrong, proper avenue for us would be then to
48 request a special action. Is that normal standard operating
49 procedure for the Park Service?

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1 MR. ADKISSON: Yeah, I believe so. Like I said, Bering
2 Land Bridge Natural Preserve doesn't have any real strong
3 feelings one way or the other. We wouldn't oppose a Federal
4 hunt. We just felt that because of the timing of the season
5 and stuff and the movement of the animals, that the State
6 procedure provided basically, hopefully, ample opportunity for
7 people to harvest caribou.

8
9 And so at the time there was no real need to proceed on
10 a Federal level, unless there were competition -- excessive
11 competition and other factors that would interfere with the
12 subsistence harvest. But, you know, we sure wouldn't oppose
13 the Federal fund. But I would wonder if, you know, the thing
14 could move along fast enough this season to do much good. And
15 those folks could probably tell you that.

16
17 MS. H. ARMSTRONG: We practically did a special action
18 for musk ox in two days. It can be done very rapidly if it
19 needs to be. We can do it. We'd prefer a week but, you know,
20 the musk ox.....

21
22 CHAIRMAN SHELDON KATCHATAG: When is the next Board --
23 Federal Subsistence Board meeting?

24
25 MS. H. ARMSTRONG: They called one is what they did.

26
27 CHAIRMAN SHELDON KATCHATAG: Okay.

28
29 MS. MEEHAN: But it would make a lot of sense. I mean
30 since the State has local authority to do it, it would make
31 sense to have a State season about first that opportunity.

32
33 CHAIRMAN SHELDON KATCHATAG: That's all well and good
34 for 22(D) because the majority of land in 22D is non-Federal.
35 And it's also -- for the people of Wales and Shishmaref it's on
36 the opposite side of the mountain. So it doesn't do them any
37 good.

38
39 MS. MEEHAN: Well, a State hunt would open up on the
40 Federal land too, wouldn't it?

41
42 MR. ADKISSON: Oh, yeah. Yeah. See if the State were
43 to up a hunt in 22E, that would apply on Federal public lands
44 as well, unless you had to invoke the subsistence priority for
45 some reason.

46
47 CHAIRMAN SHELDON KATCHATAG: I think was as a
48 Subsistence Council should go ahead and do what we can to push
49 the matter this year because of the sizeable Bering Land Bridge

50 portion of 22E. And, Ken?

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1 MR. ADKISSON: The only thing that I would point out
2 is, is that clearly if the state were to open up a hunt in 22E
3 it would apply all the way across the subunit on Federal public
4 lands, as well as State private lands. If we go the Federal
5 route it's sort of kind of like the musk oxen, we're back where
6 the hunt would only apply on Federal public lands. And that's
7 just an observation.

8
9 CHAIRMAN SHELDON KATCHATAG: Thank you, Ken. So I
10 think maybe we'd better try two things. We would recommend to
11 the State that they open up a season and not be concerned about
12 either threshold populations or anything to that effect because
13 when these animals migrate they're all going to migrate out.
14 So I don't think that would be a valid concern.

15
16 The fact that they're in 22E now should -- as long as
17 the people can discriminate between reindeer and caribou, I
18 don't think we should have a problem. So what is the wish of
19 the Council with regard to 22E? That's the only area in --
20 well, yeah, even 22C, yeah.

21
22 MS. CROSS: Ken, you haven't explained what he said
23 before earlier about if the State opens up there was a -- I
24 kind of missed it somehow.

25
26 CHAIRMAN SHELDON KATCHATAG: Well, he was saying that
27 if the State opens up a 22E hunt for caribou, it's going to be
28 on Federal public lands also.

29
30 MS. CROSS: Yeah, I understood that.

31
32 CHAIRMAN SHELDON KATCHATAG: Regardless of any action.
33 If we don't act it'll -- they're going to have a hunt anyway if
34 they open 22E.

35
36 MS. CROSS: Okay. Including Bering Land Bridge?

37
38 CHAIRMAN SHELDON KATCHATAG: Right. But since we're
39 the Regional Advisory Council for the Federal public lands,
40 then I would think that we should do what we can on the Federal
41 side. That even if they do open -- well, the ideal thing would
42 be for the State to open (indiscernible) hunt. And we won't
43 know for a week or until he calls tomorrow and we'll all be
44 gone. Fred.

45
46 MR. TOCKTOO: Yeah. My name is Fred Tocktoo. I was
47 born and raised in the Shishmaref area. As you were saying,
48 and I'd like to re-emphasize or make it clear to the State
49 agencies here that we've got on hand that like Edgar stated,

50 the four hours (indiscernible-equipment malfunction). And if

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1 we wait any longer for Shishmaref there will not be time to act
2 on nor take emergency action to -- for 22E emergency action for
3 hunting caribou.

4

5 CHAIRMAN SHELDON KATCHATAG: Cliff, how long can it
6 take you to draft the letter?

7

8 MR. EDENSHAW: When I get back into the office.

9

10 MS. H. ARMSTRONG: Actually, we can run it right here.

11

12 MR. EDENSHAW: Right here on the laptop.

13

14 CHAIRMAN SHELDON KATCHATAG: Good. Okay. The Chair
15 will entertain a motion that the Seward Peninsula Subsistence
16 Regional Advisory Council recommends that we along with the
17 National Park Service seek a special action of the Federal
18 Subsistence Board to open Federal public lands in 22E to
19 caribou hunting for this season.

20

21 MR. NINGEULOOK: Mr. Chairman, I so move.

22

23 CHAIRMAN SHELDON KATCHATAG: Just a minute, Edgar.
24 Yes.

25

26 MS. H. ARMSTRONG: We need a time. I'd like a
27 specified season, a date as to when you want it opened and when
28 you want it closed.

29

30 CHAIRMAN SHELDON KATCHATAG: To be opened as soon as
31 possible and to last until such time as they migrate out of
32 22E, which will be within a month, month and a half at the
33 most.

34

35 MS. DEWHURST: March 15th?

36

37 MS. H. ARMSTRONG: March 15th.

38

39 CHAIRMAN SHELDON KATCHATAG: Yeah.

40

41 MS. DEWHURST: They deal better with.....

42

43 CHAIRMAN SHELDON KATCHATAG: Even March 30th would be
44 nice, if the caribou stick. And that's kind of pushing it
45 because I know around the Monument area they start moving east
46 right around the middle part of April. So the herds to migrate
47 would probably hit the western ones earlier.

48

49 MS. H. ARMSTRONG: So you want March 30th?

00133

1 CHAIRMAN SHELDON KATCHATAG: March 30th would be fine.

2

3 MS. H. ARMSTRONG: Okay.

4

5 CHAIRMAN SHELDON KATCHATAG: And that would give them
6 -- depending on how fast this goes through the process, this
7 will give them a good month and a half to take advantage of the
8 caribou.

9

10 MR. EDENSHAW: Mr. Chairman?

11

12 CHAIRMAN SHELDON KATCHATAG: Mr. Edenshaw.

13

14 MR. EDENSHAW: And this is specifically in 22E?

15

16 CHAIRMAN SHELDON KATCHATAG: 22E.

17

18 MR. EDENSHAW: 22E.

19

20 CHAIRMAN SHELDON KATCHATAG: That's the only area that
21 we're talking about because 22D is taken care of already. They
22 already have a special caribou season now. And 22C, as far as
23 I know there's no caribou in 22C yet. Ms. Armstrong.

24

25 MS. H. ARMSTRONG: I just wanted to know whether you --
26 I hope this is not an ignorant question, but whether you want
27 that into 23 as well, and then that would be -- you know, they
28 could -- that probably is not needed until mid-month, but.....

29

30 CHAIRMAN SHELDON KATCHATAG: 23 is already opened.

31

32 MS. H. ARMSTRONG: Oh, okay.

33

34 CHAIRMAN SHELDON KATCHATAG: Yeah, as far as I know 23
35 is already opened, is it not?

36

37 MS. H. ARMSTRONG: Yeah, it is. You're right.

38

39 CHAIRMAN SHELDON KATCHATAG: And I think while we're
40 still on the motion, I think that we should also as a Regional
41 Advisory Council for Unit 22 request that the State expedite
42 their procedures to open up emergency/temporary hunt for the
43 residents of 22E at the same time.

44

45 MR. MAGDANZ: So noted.

46

47 CHAIRMAN SHELDON KATCHATAG: Appreciate it. And we'll
48 see who gets there first. Mr. Adkisson.

49

MR. ADKISSON: Just a point maybe of clarification on

00134

1 what basically seems to be happening. If the State opens up a
2 hunt in 22E, it covers all lands within the unit and
3 essentially would be open to any resident of the State. If the
4 Federal Board proceeds with the Federal subsistence in Unit
5 22E, it can only occur on Federal public lands and would be
6 opened to those people who have the C&T determination, which
7 basically are all residents of Unit 22, essentially.

8
9 And as for the question of Southern 23 over by Buckland
10 and Deering, they correctly pointed out that that's currently
11 open under the State. But if I recall, when we brought up the
12 caribou C&T discussion, Southern 23 was omitted from the
13 request. And so residents in Unit 22, such as in 22E, do not
14 have Federal C&T right now for Southern 23. So their only
15 option right now is to hunt over there in Buckland/Deering area
16 under a State hunt.

17
18 CHAIRMAN SHELDON KATCHATAG: Yeah, it shows all --
19 everybody in 22 has customary and traditional use.

20
21 MS. H. ARMSTRONG: And 23 does too.

22
23 CHAIRMAN SHELDON KATCHATAG: Right.

24
25 MS. H. ARMSTRONG: Yeah, and.....

26
27 CHAIRMAN SHELDON KATCHATAG: 23, 24 and I think the
28 residents -- these are residents of 18, the ones -- residents
29 of Kotlik, Emmonak and so on. I think those are the people
30 north of the Yukon.

31
32 MS. H. ARMSTRONG: That's right.

33
34 CHAIRMAN SHELDON KATCHATAG: So C&T is no problem then,
35 right?

36
37 MS. H. ARMSTRONG: Right.

38
39 CHAIRMAN SHELDON KATCHATAG: So right now the present
40 harvest limits and seasons under the Federal system is 22C, D
41 and E are no Federal open season right now. And that's what
42 we're addressing.

43
44 So as part of our motion that I'm in the process of
45 entertaining, I would recommend that we go with the present
46 harvest bag limit of five caribou per day, with the same
47 proviso as shown in our booklet that, however, cow caribou may
48 not be taken May 16th to June 30. And we had talked about a
49 season going to March 30, I believe.

00135

1 Any other things we should add to our motion? The
2 Chair will entertain that motion.

3
4 MR. NINGEULOOK: Mr. Chair.

5
6 CHAIRMAN SHELDON KATCHATAG: Mr. Ningeulook.

7
8 MR. NINGEULOOK: I so move.

9
10 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
11 as enunciated, is there a second?

12
13 MR. GARNIE: Second.

14
15 CHAIRMAN SHELDON KATCHATAG: Second. Discussion.

16
17 MR. BUCK: Question.

18
19 CHAIRMAN SHELDON KATCHATAG: Anything else that Staff
20 needs? Any further discussion on the motion before us on
21 caribou for 22E?

22
23 MR. BUCK: Question.

24
25 CHAIRMAN SHELDON KATCHATAG: Question's been called.
26 All those in favor of the motion before us, signify by saying
27 aye.

28
29 IN UNISON: Aye.

30
31 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

32
33 (No opposing responses)

34
35 CHAIRMAN SHELDON KATCHATAG: Motion passes unanimously.
36 Do you need a letter also?

37
38 MR. MAGDANZ: I don't think so.

39
40 CHAIRMAN SHELDON KATCHATAG: Okay. Great. Thank you,
41 Mr. Magdanz.

42
43 MR. MAGDANZ: Thank you.

44
45 CHAIRMAN SHELDON KATCHATAG: Let's take about a.....

46
47 MS. H. ARMSTRONG: Mr. Chair.....

48
49 CHAIRMAN SHELDON KATCHATAG: Ms. Armstrong.

00136

1 MS. H. ARMSTRONG: A point of clarification. We were
2 consulting and I'm not sure we even need a letter. We have
3 your -- we have these in minutes, it's on the record so.....
4

5 CHAIRMAN SHELDON KATCHATAG: Okay. I was thinking that
6 we might need a letter for the State side.
7

8 MS. MEEHAN: You don't need to worry about us.
9

10 CHAIRMAN SHELDON KATCHATAG: Pardon?
11

12 MS. MEEHAN: Don't worry about us.
13

14 CHAIRMAN SHELDON KATCHATAG: Oh. Well, I -- you know,
15 the ideal thing would be for the State to open the season and
16 then that would cover the whole -- that's ideal. And the
17 reason that I think that we should do it this way is we'll see
18 who gets there first. Because I know the hunters are glad --
19 first opportunity at the hunt.
20

21 MS. MEEHAN: The only precautions I've got -- and we
22 will with due diligence pursue this. The only caution is we're
23 right in the middle of running all these meetings around the
24 State, so it is a crazy time.
25

26 CHAIRMAN SHELDON KATCHATAG: I think Sandy -- Ken, I
27 think Sandy would be more than willing to pursue a special
28 action, would he not?
29

30 MR. ADKISSON: I'll give him a call as soon as I get
31 back in Nome.
32

33 CHAIRMAN SHELDON KATCHATAG: I'd sure appreciate it.
34 He's been the point man on special actions so far.
35

36 MS. MEEHAN: Yeah. It's not a problem getting it
37 going. It's just getting all the way through and to the Board.
38

39 CHAIRMAN SHELDON KATCHATAG: Okay. Let's take about a
40 10 minute break for coffee.
41

42 (Off record)
43

44 (On record)
45

46 CHAIRMAN SHELDON KATCHATAG: Call the meeting back to
47 order. I had originally planned on scripting out my report
48 that I tabled for today on the Joint Federal Subsistence Board
49 Regional Council Chair Meeting, 7(A)(2). I have it on disk but

50 I'm running into problems finding a printer to share a copy

00137

1 with everybody.

2

3 And this is the draft letter that we had presented to
4 the Federal Subsistence Board. And I had told the Board that I
5 planned on sharing the finished letter that that was a draft of
6 not only with the Council, but I was going to ask the Council
7 for their endorsement of the letter.

8

9 It's a letter that's calling for the restructure of the
10 Federal Subsistence Board to be made up of the 10 Regional
11 Advisory Council Chairs to seek an Alaska Native Policy Tribal
12 Subsistence Management and Independent Legal Counsel. It's on
13 your computer and I also have a disk somewhere around here.

14

15 MS. H. ARMSTRONG: I missed it. I'm sorry.
16 Restructuring of the Board, Independent Legal Counsel.....

17

18 CHAIRMAN SHELDON KATCHATAG: Alaska Native Policy and
19 Tribal Subsistence Management. Oh, I have the disk here. But
20 that's basically the gist of the letter. And it's addressed to
21 the Secretary of the Interior and the Secretary of the
22 Agriculture because they fulfill the title of Secretary under
23 Title VIII of ANILCA.

24

25 The Secretary of Agriculture is included because he's
26 in charge of the Forest Service lands which are the greenlands
27 in Southeast and Southcentral Alaska. But basically the Board
28 told us that the structure of the Board is the purview of the
29 Secretaries of Interior and Agriculture. So that's why it's
30 addressed to them.

31

32 And it outlines my reasons for not only asking for the
33 restructure of the Board, based on the fact that they are urban
34 residents, money-wise they're in the upper echelon. Money-
35 wise I would hazard a guess -- the guess that I put on the
36 letter is I'm guessing that those Regional Directors make at
37 least \$70,000.00 a year, plus 25 percent COLA, which comes out
38 to in the neighborhood of \$85,000.00 a year. And I was
39 comparing that with the average subsistence user's income of
40 about \$10,000.00 a year. And that's one reason.

41

42 Another reason is they are part of the urban majority.
43 They live in Anchorage for the most part. They're remote from
44 the resource, they don't live in rural Alaska, they're not for
45 the most part, except for the BIA Director and the appointed
46 Chair, Mitch Demientieff, those are the only two that have any
47 personal knowledge of local conditions and requirements, those
48 two being subsistence users. Niles Ceasar (ph) is a
49 subsistence user, he's originally from Southeast and Mitch

50 Demientieff is from Nenana. So he's a subsistence user from

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1 that area. But other than that the rest -- the other four
2 directors that sit on the Federal Subsistence Board have no
3 personal knowledge of subsistence, local conditions and so on.

4
5 And it's kind of awkward. See, I wanted to be able to
6 hand it out and have the Council read it. So I don't know
7 quite how to proceed.

8
9 MS. MEEHAN: Sheldon, something we could do is since
10 we've got it on the computer, we can take it back and then mail
11 a copy to everybody, would that help you out?

12
13 MS. CROSS: You can read it.

14
15 CHAIRMAN SHELDON KATCHATAG: Do you want me to read the
16 whole thing, or would you like to see a copy yourselves?

17
18 MR. SEETOT: Mr. Chairman, is there anything compatible
19 with that -- or what's in the comments?

20
21 CHAIRMAN SHELDON KATCHATAG: Well, I had planned
22 yesterday that I was going to ask my good friend who works for
23 NSEDC, they have an office up here in the corporation building
24 here and I was going to ask them to print out a copy. But
25 little did I know that I should have done that yesterday
26 because they left yesterday afternoon at 4:30 for a Board
27 meeting in Anchorage -- I mean Nome and they won't be back
28 until tomorrow.

29
30 And I asked the corporation and she told me that all
31 they'd have as far as disk drive is only the five and a quarter
32 inch and they won't read these. So unless I wander around and
33 find a printer that will take these, I don't know what we can
34 do.

35
36 MS. SEAMON: Mr. Chairman.

37
38 CHAIRMAN SHELDON KATCHATAG: Ms. Seamon.

39
40 MS. SEAMON: I need to go to the schools today -- over
41 to the school today. If you tell me what your requirements are
42 I'll ask if they can do it over there.

43
44 CHAIRMAN SHELDON KATCHATAG: Well, it's just a windows
45 word 5.1 -- 7. something. But it's just an IBM compatible. As
46 long as they have a three and a quarter inch drive it should
47 print it.

48
49 MS. H. ARMSTRONG: Let me save this into something. If

50 I can find out what they have I can save it into that. Because

00139

1 if they are lower than we have, you know what I'm saying.....

2

3 CHAIRMAN SHELDON KATCHATAG: Yeah.

4

5 MS. H. ARMSTRONG: Then they can't convert it. So if
6 you find out what program they have I could save it into
7 something.

8

9 CHAIRMAN SHELDON KATCHATAG: You could probably save
10 this back on 5.1.

11

12 MS. H. ARMSTRONG: Yeah. Why don't you give that to
13 me.

14

15 MS. CROSS: Mr. Chair.

16

17 CHAIRMAN SHELDON KATCHATAG: Ms. Cross.

18

19 MS. CROSS: I did a quick survey. (Indiscernible)
20 there's no printing capability.

21

22 CHAIRMAN SHELDON KATCHATAG: I can read it, I guess. I
23 don't know if I want to unplug it and bring it over here,
24 but.....

25

26 MS. CROSS: Or she could read it.

27

28 MS. H. ARMSTRONG: It doesn't have a very long plug, so
29 I think you'll have to come over here.

30

31 CHAIRMAN SHELDON KATCHATAG: Okay.

32

33 MS. H. ARMSTRONG: Or I can read it. No, I'll let you
34 read it.

35

36 CHAIRMAN SHELDON KATCHATAG: How long are these cords?

37

38 MS. MEEHAN: Why don't we just turn it around and
39 let.....

40

41 CHAIRMAN SHELDON KATCHATAG: Okay. I can handle it.
42 Okay. Can you hear me, Dorothy?

43

44 MS. WENZEL: Yes, sir.

45

46 MS. MEEHAN: Do you want a chair?

47

48 CHAIRMAN SHELDON KATCHATAG: Yeah.

49

MS. SEAMON: Here, just take this one. I'll move for a

00140

1 minute.

2

3 CHAIRMAN SHELDON KATCHATAG: Okay. This is addressed to
4 the Secretary of the Interior, the Secretary of Agriculture and
5 the Federal Subsistence Board and it's from the Regional
6 Council Chairs. And I list them all: Bill Thomas-Region 1,
7 Ben Romig-Region 2, Mark Olson-Region 3, Dan O Hara - Region
8 4, Fritz George-Region 5, Ray Collins - Region 6, me from
9 Region 7, Craig Fleener-Region 8, Walter Sampson from Region 9,
10 and Fenton Rexford-Region 10.

11

12 Okay. It's in regards to the Restructure of the
13 Federal Subsistence Board request.....

14

15 MS. H. ARMSTRONG: I'm sorry. Here I was trying to
16 help. Hold on.

17

18 CHAIRMAN SHELDON KATCHATAG: And it says Restructure of
19 FSB Request-Justifications. And then it lists some of the
20 topics of the paragraphs below.

21

22 Council of Chairs formation, TITLE VIII of ANILCA, the
23 ALASKA State Constitution, the Ratification in Congress in '59,
24 the Alaska Statehood Act, Jurisdiction, the amendment procedure
25 on the Constitution and Article XII. Sec. 12 of the State
26 Constitution, which is a Disclaimer Clause. And then it has
27 the ANCSA Amendment disclaimed and it's cites section
28 Sec.4.(b), .2.(b) and Sec.2.(c) of ANCSA and then some of the
29 reasons that -- why I think that the current Federal
30 Subsistence Board is not sufficiently sensitive to subsistence
31 users.

32

33 They are career Federal Bureaucrats, they are urban
34 Alaskans and they have no personal knowledge of local
35 conditions and requirements. They are a cash Western
36 economists, they are Federal Bureau Directors and this is just
37 to show that I'm up on the new. I put Bruno Magli's versus
38 Mukluks, O. J. Simpson trial. Urban resource remoteness and
39 urban resource user remoteness versus subsistence users who are
40 all rural Alaskans, indigenous/subsistence economists,
41 customary and traditional resource users that have the most
42 vested interest in resource health, most ecology and ecosystem
43 awareness and indigenous resource management, it's the most
44 successful and the prima facie evidence of that is the present
45 resources and their health. And they also have the longest
46 tenure resource management in this area. And they are rural
47 and they do have -- basically we do have basically day to day
48 interaction with resources and the ecosystems and users and
49 uses.

00141

1 And if the jurisdiction is in question and it is that
2 right now I think because both the Feds and the State are
3 arguing over who has the jurisdiction of subsistence resources.
4 So then it is in question. And if it is in question, then they
5 should at least show deference to the Tribal Governments of the
6 people.

7
8 The definition of government is you form together to
9 protect yourself and your rights. And Federal Indian law,
10 canons of construction, the basis of Federal Indian law is that
11 if an error is to be made in the interpretation of statute,
12 that it requires that you err on the side of the Indians, which
13 in that case are the tribal members of the State. It also gets
14 into the Alaska Native Tribal Policy, the necessity for it. It
15 outlines the Native American Policy presently in use by the
16 Fish and Wildlife Service who basically is for the most part
17 applicable mostly to the reservation Indians in the Lower 48.

18
19 We need a policy because we -- the Federal Government
20 says that they have a government to government relationship
21 with the tribes and I wanted to make sure that we as a Federal
22 creation, we are a Federal Agency -- well, an Advisory Council
23 -- Federal Advisory Council, that we as best we can abide by
24 the government to government relationship with the tribes.
25 That we should respect and recognize indigenous tribes of
26 Alaska, that they have -- we need a policy because the Alaska
27 situation is far different of the reservation Indians. Those
28 people have been conquered. They've been conquered in wars and
29 they have treaties that outline the relationship between the
30 Federal Government and their tribal government. And that we
31 need a policy to guide us as a Regional Advisory Council in our
32 relationship with the tribal governments in our area. And to
33 insure that there is consistency. In other words, that we're
34 as far as with say the Stebbins and St. Michael IRA membership
35 as we are with Unalakleet, anybody else, Teller, Shishmaref.
36 We should have a policy that outlines all of that.

37
38 And then it gets into the letter itself. It starts
39 out: Restructure FSB request-justification: This document
40 shall serve as fulfillment of the directive of the Seward
41 Peninsula Subsistence Regional Advisory Council in official
42 session convened October 1-2, 1996, in Nome, Alaska, to inform
43 and seek the support of the other nine (9) Regional Chairs and
44 their respective Regional Advisory Councils of the need to
45 properly and legally provide for and protect subsistence,
46 resources, uses, users and rights, and its Priority mandated by
47 Title VIII of ANILCA. Lacking "...adequate technical staff" in
48 the form of independent legal counsel, our interpretation of
49 Title VIII of ANILCA requires that we request a Restructure of

50 the Federal Subsistence Board to be comprised of the ten

00142

1 Regional Advisory Council Chairs, with the FSB Chair to be
2 elected by them from their ranks.

3

4 Council of Chairs formation: As a first step in the
5 Process to Restructure the Federal Subsistence Board, at our
6 meeting of the RAC Chairs on the evening of November 19, 1996,
7 the RAC Chairs decided that it is in the best interests of ALL
8 our respective Regions to organize ourselves in order to more
9 efficiently and comprehensively represent the interests and
10 proposals recommended by the subsistence users and RACs to the
11 Federal Subsistence Board. We feel that we can reach a
12 consensus on the majority of our concerns and coordinate the
13 development of comprehensive, mutually-applicable Proposals
14 more efficiently through this organization.
15 By a unanimous vote we organized and elected, myself, Sheldon
16 Katchatag and Bill Thomas as interim Chair and Vice-Chair,
17 respectively, of our Council of Chairs.

18

19 We will draft our Charter and By-laws prior to our next
20 meeting and confer via teleconference to discuss and agree to
21 Amendments to the draft. Following agreement to the final
22 draft of the Charter and By-laws, we wish to meet for a
23 complete day prior to the next Federal Subsistence Board
24 meeting to ratify them and elect Officers for the first term.

25

26 Title VIII of ANILCA: Title VIII of ANILCA Subsistence
27 Management and Use mandates Subsistence Uses and Users of fish
28 and wildlife and other renewable resources "... shall be the
29 priority consumptive uses of all such resources ..."; and
30 Congress finds and declares that "...the continuation of the
31 opportunity for a subsistence way of life ...require that an
32 Administrative Structure-[i.e., the Federal Subsistence Board]
33 ...enabling RURAL residents who have PERSONAL KNOWLEDGE OF
34 LOCAL CONDITIONS AND REQUIREMENTS to have a MEANINGFUL role in
35 the MANAGEMENT of fish and wildlife and of subsistence uses.

36

37 For the record, the incumbent members of the Federal
38 Subsistence Board are NOT RURAL residents, NOR DO THEY {with
39 the exceptions of the appointed Chair and the BIA FSB Member}
40 have PERSONAL KNOWLEDGE OF LOCAL CONDITIONS AND REQUIREMENTS.
41 Both these facts violate the spirit and Congressional Intent of
42 Title VIII by making the role of the RACs and their respective
43 Chairs merely advisory, as opposed to the MEANINGFUL role in
44 the MANAGEMENT of fish and wildlife and of subsistence uses...
45 envisioned by Congress, and by making members of the upper
46 echelon (economically-speaking) urban society the
47 Administrative Structure as opposed to RURAL residents who have
48 PERSONAL KNOWLEDGE OF LOCAL CONDITIONS AND REQUIREMENTS
49 mandated in Title VIII.

00143

1 The ALASKA State Constitution, Alaska Statehood Act-
2 Public Law 85-508, 72 Stat.339, (77 Stat.223). On July 7,
3 1958, Congress enacted Public Law 85-508, subject to the
4 provisions of this act, providing for the admission of the
5 State of Alaska into the Union on an equal footing with the
6 other States.

7
8 Sec. 4. As a compact -- this is a quote. "As a compact
9 with the United States said State and its people do agree and
10 declare that they forever disclaim all right and title to any
11 lands or other property not granted or confirmed to the State
12 or its political subdivisions by or under the authority of this
13 Act, the right or title to which is held by the United States
14 or is subject to disposition by the United States, and to any
15 lands or other property (including fishing rights), the right
16 or title to which may be held by any Indians, Eskimos, or
17 Aleuts (hereinafter called natives) or is held by the United
18 States in trust for said natives; that all such lands or other
19 property (including fishing rights), the right or title to
20 which may be held by said natives or is held by the United
21 States in trust for said natives, shall be and remain under the
22 absolute jurisdiction and control of the United States until
23 disposed of under its authority..." That's a disclaimer clause
24 in the Statehood Act.

25
26 Jurisdiction. Sec.6 (e)...Provided, That the
27 administration and management of the fish and wildlife
28 resources of Alaska shall be retained by the Federal Government
29 under existing laws until the first day of the first calendar
30 year following the expiration of ninety calendar days after the
31 Secretary of the Interior certifies to the Congress that the
32 Alaska State Legislature has made adequate provision for the
33 administration, management, and conservation of said resources
34 in the broad national interest:...

35
36 Article XII. Sec. 12-Disclaimer Clause. Section 12.,
37 this is also a direct quote from the Constitution. "Section
38 12, DISCLAIMER AND AGREEMENT. The State of Alaska and its
39 people forever disclaim all right and title in or to any
40 property belonging to the United States or subject to its
41 disposition, and not granted or confirmed to the State or its
42 political subdivisions, by or under the act admitting Alaska to
43 the Union. The State and its people further disclaim all right
44 or title in or to any property, including fishing rights, the
45 right or title to which may be held by or for any Indian,
46 Eskimo, or Aleut, or community thereof, as that right or title
47 is defined in the act of admission."

48
49 Article XIII-Amendment and Revision. This is how the

50 Constitution of the United -- of Alaska can be amended.

00144

1 Section 1. AMENDMENTS. Amendments to this constitution may be
2 proposed by a two-thirds vote of each house of the legislature.
3 The lieutenant governor shall prepare a ballot title and
4 proposition summarizing each proposed amendment, and shall
5 place them on the ballot of the next general election. If a
6 majority of votes cast on the proposition favor the amendment,
7 it shall be adopted. Unless otherwise provided in the
8 amendment, it becomes effective thirty days after the
9 certification of the election returns by the lieutenant
10 governor. That is the entire procedure for amendment to the
11 Constitution of the United -- of Alaska.

12
13 And then I have a title here that says, ANCSA Amends
14 Alaska Constitution with a question mark. And then I have it
15 disclaimed, i.e., illegal. Some Alaskans-including the
16 Congressional delegation-claim that ANCSA, through the section
17 cited below, extinguished any aboriginal hunting and fishing
18 rights that may exist, and thereby amended the Alaska
19 Constitution, by negating the above Disclaimer clause. The
20 Disclaimer clauses in the Constitution and the Statehood Act
21 state that all right or title in or to any property, including
22 fishing rights, the right or title to which may be held by or
23 for any Indian, Eskimo, or Aleut, or community thereof remain
24 under the absolute jurisdiction and control of the United
25 States until disposed of under its authority, and in the glare
26 of the international community and the most recent conventions
27 on the recognition of Human Rights and the Prevention of
28 Genocide, the people (especially our fellow indigenous
29 brethren) around the world recognize Aboriginal Indigenous
30 Hunting and Fishing Rights as Inherent and Inalienable. In
31 other words, these Aboriginal hunting and fishing rights you
32 are born with and they cannot be taken from you.

33
34 Sec.4.(b) of ANCSA. This is the section of ANCSA cited
35 as justification for disregarding and/or disavowing the
36 aboriginal hunting and fishing rights of Alaska Natives:
37 "Sec.4.(b) All aboriginal titles, if any, and claims of
38 aboriginal title in Alaska based on use and occupancy,
39 including submerged land underneath all water areas, both
40 inland and offshore, and including any aboriginal hunting and
41 fishing rights that may exist, are hereby extinguished."

42
43 Sec.2.(b) states though, and I quote, "Sec.2. Congress
44 finds and declares that-"(b) the settlement should be
45 accomplished rapidly,...and without adding ...to the
46 legislation establishing special relationships between the
47 United States government and the State of Alaska." This
48 clause-as cited above-disclaims any additions to the Alaska
49 Statehood Act OR other legislation-including AMENDMENT OF THE

50 ALASKA CONSTITUTION-i.e., repealing and/or negating the

00145

1 DISCLAIMER CLAUSE.

2

3 Sec.2.(c) of ANCSA says, and I quote, "(c) NO provision
4 of this Act shall REPLACE or DIMINISH ANY RIGHT, PRIVILEGE, OR
5 OBLIGATION of NATIVES as citizens of the United States or OF
6 ALASKA, or relieve, replace, or diminish any OBLIGATION of the
7 United States or of the STATE OF ALASKA TO PROTECT AND PROMOTE
8 THE RIGHTS or welfare of NATIVES as citizens of the United
9 States or OF ALASKA..." This clause RECOGNIZES AND REAFFIRMS
10 THE ABORIGINAL HUNTING AND FISHING RIGHTS DISCLAIMED IN Article
11 XII. Sec. 12 of the ALASKA CONSTITUTION by the OCCUPATION
12 COLONISTS who wrote the ALASKA CONSTITUTION. TO INTERPRET THIS
13 IN ANY OTHER WAY MAKES A MOCKERY OF Sec.2.(c), AND OF THE
14 ABORIGINAL HUMAN HUNTING AND FISHING RIGHTS OF ALASKA NATIVES-
15 and by logical extension, THE ABORIGINAL HUMAN HUNTING AND
16 FISHING RIGHTS OF INDIGENOUS PEOPLE AROUND THE GLOBE.

17

18 And this is another justification, Career Federal
19 Bureaucrats. It is understandable-especially amongst those
20 brought up, educated, and making (or attempting to make) a
21 living in the competitive Western society-that these five
22 Career Federal Bureaucrats would want to protect their "turf "-
23 i.e., appointed Power as the Federal Subsistence Board-and
24 would use all means available-including Regulatory and Rule-
25 Making-to give the illusion that to do anything but what they
26 want is NOT ALLOWED.
27 This again supports our repeated request for Independent Legal
28 Counsel for the RAC's and their CHAIRS, in that we should be
29 able to confidently request a favorable interpretation of ALL
30 available Statutes, Rules, and Regulations to enable us to
31 maximize our effectiveness as RACs under our Title VIII
32 mandate.

33

34 URBAN Alaskans-violation TITLE VIII. The incumbent
35 members of the Federal Subsistence Board are URBAN Alaskans-
36 which we feel is a violation of TITLE VIII of ANILCA, in that
37 the Intent "...necessitates the establishment of an
38 administrative structure [i.e., the Federal Subsistence Board]
39 which enables RURAL residents to have a meaningful role in the
40 regulations and management of fish and wildlife and subsistence
41 uses on the public lands." "The committee also has determined
42 that the protection of the subsistence way of life and the fish
43 and wildlife populations upon which that lifestyle depends
44 NECESSITATES the establishment of an administrative structure
45 which enables RURAL residents WITH PERSONAL KNOWLEDGE OF LOCAL
46 CONDITIONS AND REQUIREMENTS to have a MEANINGFUL role in the
47 regulations and management of fish and wildlife and subsistence
48 uses on the public lands."

49

No personal knowledge of local conditions and

00146

1 requirements: Legislative History-P.L. 96-487 Senate Report
2 NO. 96-413, under TITLE VIII-Subsistence Management and Use,
3 Sec.801 Findings. "...The continuation of subsistence uses in
4 rural Alaska is threatened by the Rapid population growth of
5 Anchorage, Fairbanks and other URBAN centers and the resultant
6 pressure which URBAN residents engaged in subsistence and
7 sports uses have placed upon important fish and wildlife
8 populations ..."

9
10 "The committee also has determined that the protection
11 of the subsistence way of life and the fish and wildlife
12 populations upon which that lifestyle depends NECESSITATES the
13 establishment of an administrative structure which enables
14 RURAL residents WITH PERSONAL KNOWLEDGE OF LOCAL CONDITIONS AND
15 REQUIREMENTS to have a meaningful role in the regulations and
16 management of fish and wildlife and subsistence uses on the
17 public lands."

18
19 "WITH PERSONAL KNOWLEDGE OF LOCAL CONDITIONS AND
20 REQUIREMENTS" it's understood by the Chairs and their
21 respective Councils to mean more than a briefing by a Staff
22 Committee-based upon research and reports by Regional Staff-
23 about the issues being considered.
24 Understanding and Relating to the Harvest, Processing Storage
25 and Customary and Traditional Uses of Subsistence Resources
26 CANNOT be properly done VICARIOUSLY. In other words, you're
27 doing it not by -- you're learning about it not by actually
28 doing it, but by reading about it or some other non-active way.

29
30 Proper reverence and respect for the Customs and
31 Traditions of Renewable Resources Harvest and Use requires an
32 almost life-or-death, hunger-or-food dependency upon the whole
33 panoply of indigenous renewable resources regularly harvested
34 by the indigenous people and those who seek to obtain or
35 emulate the cultural, physical, emotional, and spiritual
36 satisfaction entwined in the Customs and Traditions practiced.

37
38 They are cash for western economists. As any
39 indigenous elder will tell you-from long years of empirical
40 experience with "cheechakos" and various and sundry other
41 greenhorns which have "come into the country" since the Treaty
42 of Cession-you CANNOT understand and relate to Customs and
43 Traditions unless you have PERSONAL KNOWLEDGE -i.e., hands (and
44 every other part of the functioning body)-on experience with
45 all phases of your interaction with the resources-MULTI-
46 Generational as well as MULTI-Seasonal.

47
48 The elders would also tell you if asked, that,
49 those-REGARDLESS of Race -that have only the Western Society

50 "education" as their formal upbringing-are for the most part

00147

1 dangerously-ignorant, and graphically illustrate the old adage
2 "So educated that they are stupid..." when it comes to being
3 able to function efficiently in our indigenous ecosystems-
4 "Wilderness" to the Western society. When it comes to being
5 able to relate to our indigenous ecosystems and the renewable
6 resources that they annually-provide, there are none so
7 separated from a natural understanding and kinship with the
8 natural world than those Western-educated, immersed in the
9 Artificial Cash Economy-where, supposedly, Man controls
10 everything.

11
12 Federal Bureau Directors. While we have no PERSONAL
13 KNOWLEDGE of the overall duties and schedules of the five
14 Regional Directors in respect to the day-to-day administration
15 of their respective Federal agencies, we can understand the
16 scope of their responsibilities as being greater than that of
17 those harried bureaucrats within their respective agencies with
18 whom we have interacted in the past. We can infer that these
19 Regional Directorships are very busy and ambitious positions
20 within the Federal bureaucracy.

21
22 Therefore, we are legitimately concerned-due to the
23 other crowded and urgent issues confronting these bureaucrats
24 in their daily routines-that the issues which our RAC's duly
25 recommend and bring forth HAVE NOT received and will NOT
26 receive adequate and due consideration by the incumbent Federal
27 Subsistence Board.

28
29 With the seasonal procurement, processing, storage and
30 consumption of Subsistence Resources being such an integral
31 part of our daily lives, and especially of those we are
32 supposedly here to serve and protect the resources, uses and
33 rights for, it behooves the RAC Chairs and their respective
34 RACs to be most adamant that the administrative structure
35 established-i.e., the Federal Subsistence Board- enables RURAL
36 residents WITH PERSONAL KNOWLEDGE OF LOCAL CONDITIONS AND
37 REQUIREMENTS to have a meaningful role in the regulations and
38 management of fish and wildlife and subsistence use.

39
40 REGARDLESS of the diligence and conscientious effort
41 exerted by the incumbent Federal Subsistence Board-the facts
42 that they are URBAN residents, heads of large federal agencies,
43 upper-class economically-speaking and have NO PERSONAL
44 KNOWLEDGE OF LOCAL CONDITIONS AND REQUIREMENTS violates the
45 Legislative Intent and Mandate of TITLE VIII of ANILCA for the
46 ...establishment of an administrative structure which enables
47 RURAL residents WITH PERSONAL KNOWLEDGE OF LOCAL CONDITIONS AND
48 REQUIREMENTS to have a meaningful role in the regulations and
49 management of fish and wildlife and subsistence uses on the

50 public lands."

00148

1 REGARDLESS of the diligence and conscientious effort
2 exerted by the incumbent Federal Subsistence Board-the facts
3 that they are URBAN residents, heads of large federal agencies,
4 upper-class economically-speaking and have NO PERSONAL
5 KNOWLEDGE OF LOCAL CONDITIONS AND REQUIREMENTS violates the
6 Legislative Intent and Mandate of TITLE VIII of ANILCA for the
7 ...establishment of an administrative structure which enables
8 RURAL residents WITH PERSONAL KNOWLEDGE OF LOCAL CONDITIONS AND
9 REQUIREMENTS to have a meaningful role in the regulations and
10 management of fish and wildlife and subsistence uses on the
11 public lands."

12
13 Bruno Magli's vs. Mukluks. Another point illustrating
14 our argument that these career bureaucrats do not have as
15 adequate an understanding as rural subsistence users of the
16 importance of the renewable resources to the typical
17 subsistence user is that they have not "...walked the many
18 miles [in their Bruno Magli's or other custom shoes] that we
19 have in our Mukluks." Income-wise, these career bureaucrats
20 are diametrically-opposed to the average subsistence user:
21 Your Average Village Resident makes approximately \$10,000.00 a
22 year, whereas the Regional Director's salary -- and I put a
23 question mark on there and I put -approximately ?\$70,000.00 +
24 25% cost of living, which comes out to in the neighborhood of
25 \$85,000.00 a year.

26
27 MS. H. ARMSTRONG: I think it's more than that.

28
29 CHAIRMAN SHELDON KATCHATAG: And she says it's more
30 than that. But that was my conservative guess.

31
32 "Urban"-Resource Remoteness. TITLE VIII of ANILCA
33 mandates "...PERSONAL KNOWLEDGE OF LOCAL CONDITIONS AND
34 REQUIREMENTS..." as qualification to serve on the Regional
35 Advisory Councils, and it is only common sense and logical that
36 the regulatory, decision-making body-i.e., the administrative
37 structure established-the Federal Subsistence Board-have the
38 same requirement for"...PERSONAL KNOWLEDGE OF LOCAL CONDITIONS
39 AND REQUIREMENTS.." in order to fully-implement the
40 recommendations of such knowledgeable bodies.

41
42 Logically, it does NOT make sense to have URBAN, UPPER-
43 CLASS, SUPERMARKET-SHOPPING, LUXURY CAR DRIVING JETSETTERS
44 making a VERY COMFORTABLE LIVING relying on second- and third-
45 hand reports and years-old population, habitat, and habits
46 LITERATURE to administer a Federal Subsistence Management
47 Program to regulate the Renewable Resource Harvest and Uses of
48 RURAL, RESOURCE-HARVESTING, PROCESSING, STORING AND USING
49 People who make do with the best clothing, equipment and

50 transportation which they can meagerly afford to interact with

00149

1 and observe on a regular basis, the resources-IN THEIR NATURAL
2 ENVIRONMENT-upon which they rely for the majority of their
3 nutritional [NOT to mention Spiritual and Cultural] sustenance.

4
5 "Urban"-Resource User Remoteness. Nothing underscores
6 nor more-graphically illustrates the arrogance of the "Manifest
7 Destiny" school of thought than the gist of the wrong that this
8 request seeks to remedy:

9
10 That URBAN, ELITIST, LETTERED, CASH ECONOMY AGENCY
11 BUREAUCRATS LIVING IN THE STATE'S LARGEST URBAN
12 METROPOLIS CAN SPARE MAYBE 5% OF THEIR RESPECTIVE
13 DIRECTORSHIP'S TIME TO ADEQUATELY, SENSITIVELY,
14 PROPERLY, TIMELY AND LEGALLY PROVIDE FOR AND PROTECT
15 THE RENEWABLE RESOURCES, THEIR HABITAT, AND THE PEOPLE
16 WHO DEPEND FOR THEIR VERY HEALTH AND LIVELIHOOD UPON
17 THOSE RENEWABLE RESOURCES IN ECOSYSTEMS AS VAST AS THE
18 LENGTH AND BREADTH OF AN AREA FIVE TIMES LARGER THAN
19 TEXAS, WITH A COASTLINE LONGER THAN THAT OF THE ENTIRE
20 CONTINENTAL UNITED STATES-WHO COME FROM THOSE SAME
21 AREAS WHERE THEY OR THEIR RECENT FORBEARERS HAVE
22 DEFILED THE ECOSYSTEMS AND DRIVEN MORE SPECIES TO
23 EXTINCTION THAN THE INDIGENOUS PEOPLE OF ALASKA HAVE
24 HUSBANDED TO THE PRESENT DAY. That's the gist of the
25 problem.

26
27 Versus Subsistence Users: Rather than iterating all
28 the contrasts in knowledge, awareness sensitivity, and
29 familiarity with the resources and their ecosystems of rural,
30 customary and traditional and other subsistence renewable
31 resource users when compared with the deficiencies highlighted
32 above of the incumbent Federal Subsistence Board, it will
33 suffice to list the opposing assets of RURAL residents who have
34 PERSONAL KNOWLEDGE OF LOCAL CONDITIONS AND REQUIREMENTS who
35 should rightfully have a MEANINGFUL role in the MANAGEMENT of
36 fish and wildlife and of subsistence uses:

37
38 And if I had the time I would have filled out these
39 paragraph titles. They are RURAL Alaskans, which is in
40 compliance with TITLE VIII of ANILCA. They are
41 INDIGENOUS/Subsistence Economists. They are
42 Customary and Traditional Resource Users and they have the
43 MOST-vested Interest in Resource Health. They have the MOST
44 Ecology and Ecosystem Awareness. INDIGENOUS RESOURCE
45 MANAGEMENT is the MOST Successful and the Prima Facie Evidence
46 of that is the PRESENT Resources. And they do have the
47 Longest Tenure of successful Resource Management. And they are
48 "Rural," they have day-to-day Interaction with the
49 Resources/Ecosystems and of Users and Uses.

00150

1 Then it gets into the ALASKA NATIVE TRIBAL POLICY and
2 why it's a necessity. At the present time, there is NO uniform
3 ALASKA NATIVE TRIBAL POLICY to guide the Federal Subsistence
4 Management Program and/or its lead agency for Subsistence
5 Management toward proper and legal fulfillment of its mandate
6 "...to protect and provide the opportunity for continued
7 subsistence uses on the public lands by Native...rural
8 residents...", and to properly implement the policy of Congress
9 "...to cause the least adverse impact possible on ..." those
10 "...rural residents who depend upon subsistence uses of the
11 resources of such land."

12
13 Native American Policy-Continental Indians. The
14 present Native American Policy-supposedly in use by the lead
15 agency for Subsistence Management, the US Fish and Wildlife
16 Service-provides guidance for the government-to-government
17 relationship with the Continental Indians, which make up less
18 than half of the Federally Recognized Tribes. As mentioned
19 above, that might suffice for indigenous people who have been
20 conquered in wars and who have few and small populations of
21 renewable resources on their reservations surrounded by mono-
22 culture farms and ranches, when compared with the abundance of
23 pristine renewable resources and habitats found in the extended
24 backyards of our Alaska Natives.

25
26 PRESENT Natives. The present policy speaks -- and this
27 is the policy I'm talking about here. This is the Native
28 American Policy of the Fish and Wildlife Service. With more
29 than half of all the Federally Recognized Tribes, the majority
30 of the acreage of National Parks and Federal Public
31 Lands located in Alaska, and a National Native American Policy
32 which elaborates on the supposed government-to-government
33 relationship enjoyed by the fewer Federally Recognized Tribes
34 on reservations in the Lower 48 states, it is an insulting slap
35 in the collective faces of Alaska's Tribal Indigenous People
36 that the most important physical, cultural and spiritual source
37 of sustenance is treated outside of a coherent and
38 comprehensive Alaska Native Policy.

39
40 It flies in the face of logic that our Alaska Native
41 Tribal Indigenous People are treated cavalierly as an
42 afterthought, with no respect for their human dignity and
43 millennia of History as sole users and occupants of this most
44 pristine and at times hostile environment.

45
46 DEFERENCE DUE-Jurisdiction in Question. Even if the
47 lead agency for Subsistence Management refuses to abide by-
48 much-less recognize-their obligation as a Federal Agency to
49 Respect the government-to-government relationship that their

50 government has with the 223 Federally Recognized Tribes in

00151

1 Alaska, the Seward Peninsula Subsistence Regional Advisory
2 Council will continue to seek to develop a mutually-agreed-upon
3 Alaska Native Tribal Policy with the 22 Federally Recognized
4 Tribes in our Region.

5
6 Tribal Governmental Subsistence Management Program.
7 Toward that end the Seward Peninsula Subsistence Regional
8 Advisory Council will once again seek to obtain the approval of
9 our DRAFT Tribal Subsistence Management Plan which has been
10 tabled to date due to the lack of communication with the
11 affected 22 Federally Recognized Tribes of our Region.

12
13 Federal Indian LAW-Canons of Construction. For what
14 it's worth, what value can we as Indigenous Tribal People place
15 in the so-called Federal Indian LAW-Canons of Construction, if
16 it is abandoned in the area which we feel is most crucial to
17 have it conservatively construed in our favor?

18
19 Independent Legal Counsel for the RAC's and CHAIRS.
20 Lastly, we again iterate our request to have at our disposal
21 Independent Legal Counsel for our RAC's and CHAIRS.

22
23 The unwillingness on the part of the Subsistence
24 Management Staff to even give due deference to our Indigenous
25 People as Members of 223 Federally Recognized Tribes
26 underscores our need for all of the above recommended changes
27 to the Federal Subsistence Management Program.

28
29 And that's the letter as it sits now. I didn't mean to
30 put you to sleep, Joe.

31
32 MS. H. ARMSTRONG: 20 pages.

33
34 MS. CROSS: So you maybe getting it to the other Chairs
35 for review before it's mailed out?

36
37 CHAIRMAN SHELDON KATCHATAG: Well, the idea -- well, I
38 don't think the original draft that we had talked with the
39 Board about in November was supposed to have been sent to all
40 the other Regional Advisory Councils, was it not?

41
42 MS. MEEHAN: I wasn't at the meeting. I don't know.

43
44 CHAIRMAN SHELDON KATCHATAG: Yes. We were given
45 assurances that it would.

46
47 MS. MEEHAN: The draft that was prepared at the.....

48
49 CHAIRMAN SHELDON KATCHATAG: The draft of this letter.

50 It wasn't as filled out, but we had asked that that draft be

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1 circulated to the other 10 Regional Advisory Councils after
2 November.

3
4 MS. MEEHAN: I don't personally know if it was. I mean
5 I just.....

6
7 CHAIRMAN SHELDON KATCHATAG: The DAR gave me assurances
8 that it would be.

9
10 MS. MEEHAN: Okay. Then it was.

11
12 CHAIRMAN SHELDON KATCHATAG: Okay.

13
14 MS. MEEHAN: Yes. I just don't -- what I don't
15 remember is if we were going to do it or if you guys were going
16 to do it.

17
18 CHAIRMAN SHELDON KATCHATAG: I had asked him and he
19 said that he would make sure that it was done.

20
21 MS. MEEHAN: Him meaning?

22
23 CHAIRMAN SHELDON KATCHATAG: Tom Boyd.

24
25 MS. MEEHAN: I'll check on it. Tom Boyd.

26
27 MS. SEAMON: Mr. Chairman, could I ask you if you could
28 illuminate on one point in your letter. You talked about the
29 other nine Chairs of the Regional Councils unanimously voted to
30 organize a new group. What is it called? Is it a.....

31
32 CHAIRMAN SHELDON KATCHATAG: Well, tentatively, we call
33 it the Council of Chairs.

34
35 MS. SEAMON: And you're the Chair of Chairs.

36
37 CHAIRMAN SHELDON KATCHATAG: And I'm the Chair of
38 Chairs, temporarily.

39
40 MS. CROSS: And the Chairs are going to bring it back
41 to the Regional Council before the letter is mailed, or what is
42 the plan of the Chairs?

43
44 CHAIRMAN SHELDON KATCHATAG: My intent for bringing it
45 before was that we had voted on this in October and I had said
46 that I was going to flesh that out. And we had as a Council
47 unanimously voted that.....

48
49 MR. BUCK: These issues should be stopped.

00153

1 CHAIRMAN SHELDON KATCHATAG: Right. That we push
2 forward with these issues. And I'm only bringing this back
3 because I haven't had a chance to flesh it out like that. And
4 that -- I bring it forward for, you know, the Council's --
5 whatever is the wish of the Council. Mr. Buck.

6
7 MR. BUCK: Mr. Chairman, I make a motion that they
8 forward the letter.

9
10 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
11 that the Council approves and request that this letter be
12 forwarded not only to the Council of Chairs, but to the
13 Secretary of the Interior and Agriculture and the Federal
14 Subsistence Board as it is written. Is that your motion?

15
16 MR. BUCK: Yes.

17
18 CHAIRMAN SHELDON KATCHATAG: We have a motion before
19 us, is there a second?

20
21 MR. FRED KATCHATAG: Here.

22
23 CHAIRMAN SHELDON KATCHATAG: We have a second.
24 Discussion? Mr. Ningeulook.

25
26 MR. NINGEULOOK: Discussion. Mr. Chairman, since I
27 work with Tribal Affairs, instead of 223 Federally Recognized
28 Tribes in Alaska, there is 226.

29
30 CHAIRMAN SHELDON KATCHATAG: Okay. Thank you for the
31 clarification. We have an accurate number. Any further
32 discussion? Mr. Garnie.

33
34 MR. GARNIE: This letter is going to the -- to all the
35 Chair persons of all the Regional Advisory Committees?

36
37 CHAIRMAN SHELDON KATCHATAG: Yes.

38
39 MR. GARNIE: This is just a rough draft that you read?

40
41 CHAIRMAN SHELDON KATCHATAG: Well, this comes from the
42 Chairs. This -- whatever is the wish of the Council. If you
43 want to approve all or a part of it, that's your -- that's the
44 Council's.....

45
46 MR. GARNIE: And this is going before all the regions,
47 for all the regions?

48
49 CHAIRMAN SHELDON KATCHATAG: Right.

00154

1 MR. GARNIE: And they'll probably all have some input?

2

3 CHAIRMAN SHELDON KATCHATAG: Yes.

4

5 MR. GARNIE: May I -- it's hard, you know, I've got a
6 really short memory anyway listening to the letter. And I
7 didn't nod off on you. But, anyway, you know, I just kind of
8 catch in one part where you mentioned that we hadn't made any
9 species endangered and that the peoples in power now from where
10 there had come had made many species endangered.

11

12 You know, we're asking for a policy and, you know, we
13 don't want to aggravate anybody. You know, it might be just
14 enough to perturb all the arrogant little SOB's and stuff.
15 Let's not give them this. You know, maybe we can word it in a
16 slightly kinder way.

17

18 CHAIRMAN SHELDON KATCHATAG: Well, the reason that I
19 put that in there, it's -- it's the truth.

20

21 MR. GARNIE: It is the truth, but at the same time it
22 makes -- anybody would cringe through it, you know. I mean
23 it's strong, you know. It's a strong truth. But you know what
24 I'm trying to say, is.....

25

26 CHAIRMAN SHELDON KATCHATAG: I know what you're trying
27 to -- you want me to be more diplomatic.

28

29 MR. GARNIE: We want to be accepted, not -- you know
30 it's hard to get something except getting somebody's back in
31 (indiscernible).

32

33 CHAIRMAN SHELDON KATCHATAG: I understand that.

34

35 MR. GARNIE: You know, you could say the same thing
36 with just kind of softer speech, or something.

37

38 MS. CROSS: Mr. Chair.

39

40 CHAIRMAN SHELDON KATCHATAG: Ms. Cross.

41

42 MS. CROSS: Read your motion again.

43

44 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
45 to approve the letter as read to be sent to the Secretaries of
46 the Interior and Agriculture and also to the Federal
47 Subsistence Board, pushing for the Restructure of the Federal
48 Subsistence Board to be made up of the 10 Regional Advisory
49 Council Chairs, and also pushing for an Alaska Native Policy,

50 Tribal Subsistence Management and Independent Legal Counsel.

00155

1 MS. CROSS: Mr. Chair, it would make sense to me if
2 this would be a draft letter that would be sent to all the
3 Chairs and then they could make their comments and put whatever
4 additions they want before the final draft is sent to the
5 Secretary of the Interior, the Federal Subsistence Board,
6 because you are writing on behalf of many regions and I believe
7 that it would be not only polite but for all of the regions to
8 look at your letter and make whatever amendments that they want
9 or whatever -- put additions, whatever they want, before the
10 final draft is mailed. Then it would be a letter from all the
11 regions that are represented.

12

13 MR. BUCK: Mr. Chairman.

14

15 CHAIRMAN SHELDON KATCHATAG: Mr. Buck.

16

17 MR. BUCK: I believe that you're writing the letter
18 from this Federal Subsistence Board of this region. You're not
19 writing this letter for all the Subsistence Boards in Alaska.
20 I don't think we need to have the approval of all the other
21 Federal Subsistence Boards.

22

23 MS. CROSS: It is from the Chairs.

24

25 MR. BUCK: So it's pretty much not from the rest of
26 Alaska. So I don't think we need their opinion.

27

28 MS. CROSS: That's a letter from the Chairs. All the
29 regions.

30

31 MR. BUCK: This letter is from you, I understand,
32 though it's addressed.....

33

34 CHAIRMAN SHELDON KATCHATAG: Ms. Cross, would you feel
35 better about it if we addressed it to the Secretaries of the
36 Interior/Agriculture and the Federal Subsistence Board from the
37 Seward Peninsula Regional Advisory Council?

38

39 MS. CROSS: Then we should pass out the letter before
40 we send it out.

41

42 CHAIRMAN SHELDON KATCHATAG: Right.

43

44 MS. CROSS: As a Board.

45

46 CHAIRMAN SHELDON KATCHATAG: Fine.

47

48 MR. FRED KATCHATAG: I think -- Mr. Chairman.

49

CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag.

00156

1 MS. CROSS: If it's going to come from this region,
2 that I would far more -- excuse me.

3
4 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag.

5
6 MR. FRED KATCHATAG: I think it would be best.

7
8 CHAIRMAN SHELDON KATCHATAG: Okay.

9
10 MR. FRED KATCHATAG: Because the other entities can
11 write their own too.

12
13 CHAIRMAN SHELDON KATCHATAG: Right.

14
15 MR. FRED KATCHATAG: And this would come from this
16 Board here. And that would be a lot better.

17
18 MS. CROSS: But I really think that we should discuss
19 it further before we.....

20
21 MR. FRED KATCHATAG: I mean like you said it -- like
22 you said it, you've (indiscernible) there.

23
24 CHAIRMAN SHELDON KATCHATAG: Mr. Garnie.

25
26 MR. GARNIE: The only thing is if we're trying to get
27 Alaska Native Policy, it's for all Alaska Natives. It isn't a
28 policy just for us in this region. We need to agree on one
29 policy that's going to categorize us all, for all our rights.

30
31 MR. FRED KATCHATAG: Mr. Chairman.

32
33 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag.

34
35 MR. FRED KATCHATAG: I think that it's a lot better if
36 it comes from this Board here because there are a lot of other
37 Boards which have had their own rights to write, depending on
38 what they want. We cannot satisfy anybody on the outside of
39 this Board here. This letter is coming from this Board and
40 that's all it consist of. And the Secretary of Interior will
41 read it with an understanding that this comes from the nine man
42 Board. He doesn't have to go to the other Boards because the
43 other Boards have their own interests. But we need to come
44 with one -- we all have to stick together without any
45 differences from this Board if you want the Secretary and the
46 United States Congress to understand this. They don't accept
47 no -- if we can't stick together, they're not going to
48 acknowledge us at all.

49

CHAIRMAN SHELDON KATCHATAG: Mr. Garnie.

700157

1 MR. GARNIE: Yeah. We've are trying to establish an
2 Alaska Native Policies. And that is -- have you had contact
3 with the Regional Boards?

4
5 CHAIRMAN SHELDON KATCHATAG: When we discussed it the
6 other 10 -- other nine Regional Advisory Council Chairs and I
7 discussed it, we were unanimously in favor of an Alaska Native
8 Policy.

9
10 MR. GARNIE: So your letter has been compiled from
11 their input also?

12
13 CHAIRMAN SHELDON KATCHATAG: They -- yes.

14
15 MR. GARNIE: And if we are to -- if we are striving for
16 Alaska Native Policy, it's -- we need one letter and one draft.
17 We don't need one from every region because this is going in
18 with a divided attitude right off the bat. We need one policy.
19 We need a united policy. That carries a little more weight.
20 We don't need one from each region.

21
22 And, in fact, before it is sent to the Secretary of
23 Interior I would say that they all should be sent a copy and
24 have a chance to look it over and say yes, we are behind this,
25 and not the Secretary of Interior getting letters and calls
26 from different regions saying, we don't agree with this, we
27 never had a chance to agree with this. And there we are
28 shooting ourselves in the foot again.

29
30 So I think if we take correct steps and then we come in
31 with a full swing.

32
33 CHAIRMAN SHELDON KATCHATAG: See, that's why I was
34 asking Staff whether or not the draft that was originally
35 discussed at the -- with the Federal Subsistence Board by the
36 Chairs, whether that was forwarded to all the Regional Advisory
37 Councils.

38
39 MR. FRED KATCHATAG: Mr. Chair.

40
41 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag.

42
43 MR. FRED KATCHATAG: In 1949 or somewhere in that
44 neighborhood, the IRA Council of Unalakleet wrote a letter to
45 Secretary of Interior requesting a reservation from
46 (Indiscernible) Hills up here down to south mouth Yukon, and me
47 and Henry Nashalook (ph) -- late Henry Nashalook, we told Frank
48 Degnan you have to visit all the people that's living in this
49 area. Of course during that time very few people, very few

50 neighboring villages knew what is going on. And we wanted a

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1 big reservation. We knew that somehow things would change when
2 they start talking about bringing in children home here in
3 Unalakleet. That didn't behoove us very much because that's
4 natural everywhere.

5
6 Like when they brought and amended that children home
7 here in Unalakleet to high schools, that's when we knew that
8 the changes was going to take place. And then Henry Nashalook
9 and I talked this thing over and we approached Frank Degnan.
10 We told him, you have to run it by Koyuk, Indian, Shaktoolik,
11 St. Michael, Stebbins, all the way down to south mouth Yukon.
12 He said, no, they don't know what's going on.

13
14 I think they should know what's going on. We're not
15 going to do anything behind their back. We can't do anything
16 behind their back. Your request will go down the drain if you
17 do that. No, he said you don't have that much knowledge. I
18 said go ahead and send it then and you'll find out. He sent it
19 out, we got our letter from Secretary of Interior, that this
20 was -- we got what we want. And he just said, see, Fred, I
21 know what's going on.

22
23 In about two weeks later another letter came from
24 Secretary of Interior saying that that thing is abolished with
25 a written letter from Secretary. IRA President. One from St.
26 Michael IRA President saying that we need not know what -- we
27 don't know what is going by. We weren't notified that this
28 thing was going on.

29
30 Apparently Secretary of Interior wrote that letter to
31 all these IRA Presidents and within this requested reservation.
32 So that thing went down the drain. We could have been in
33 reservation today if we did not try and write letters for
34 somebody else. And Congress don't go for that at all.
35 Everybody has to -- you have to -- everybody has to agree
36 before anything can become and granted to each community.

37
38 And this letter is a good thing coming from this --
39 from just this Board here, if we don't try to include anyone
40 else in the whole region, in the whole State of Alaska. They
41 have a right to do that themselves. And this should go to the
42 Secretary of Interior from here, from this Board alone.

43
44 MS. CROSS: Mr. Chair.

45
46 CHAIRMAN SHELDON KATCHATAG: Ms. Cross.

47
48 MS. CROSS: Since we are proposing for major changes
49 that will affect all 10 regions, what he said was true; if we

50 independently sent the letter out as a group from this here, we

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1 may get adverse reaction from the other nine.

2

3 I know the Chairs have discussed this, but they may
4 want to include some changes or put some additions in the
5 letter. So if we just sent the draft to the Chairs and then
6 they can discuss it with their own Regional Councils in some
7 way or another and come back to us and that the final draft
8 would be forthcoming at the time.

9

10 CHAIRMAN SHELDON KATCHATAG: Okay.

11

12 MS. CROSS: Since we're proposing for major changes and
13 arguing for major changes, which will affect the entire State,
14 it makes more -- it makes sense to me, so we avoid the
15 situation that he's talking about when they were trying to
16 become a reservation and all of a sudden Shaktoolik and other
17 villages were protesting, I think that's right, we need to
18 appear uniform for the State.

19

20 CHAIRMAN SHELDON KATCHATAG: I agree with you. And the
21 main reason why we as the Council of Chairs discussed this and
22 agreed to this draft letter, was that we wanted it discussed at
23 all Regional Advisory Councils. And the reason that I'm
24 putting it forward here is for approval of this Council of our
25 actions. This is a draft and until such time as all the other
26 10 Regional Advisory Councils and/or their Chairs agree to
27 this, that then it will go forward.

28

29 MS. CROSS: Okay. The motion as I understand is to
30 approve the letter as read.....

31

32 CHAIRMAN SHELDON KATCHATAG: Yes.

33

34 MS. CROSS:to be sent to.....

35

36 MR. FRED KATCHATAG: From this Board. If we approve
37 this from this Board, then it'll have power to go to the other
38 Advisory Boards in our -- in all 12 or 13 regions.

39

40 CHAIRMAN SHELDON KATCHATAG: So you would prefer that
41 this letter be from this Council only.

42

43 MR. FRED KATCHATAG: Right. To the other 12 or 13
44 regions. They will all read it and see if they want to come
45 along from -- go with that.

46

47 CHAIRMAN SHELDON KATCHATAG: So you want this letter
48 addressed to the Secretary of Interior, Secretary of
49 Agriculture, the Federal Subsistence Board and the other nine

50 Regional Advisory Councils?

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1 MR. FRED KATCHATAG: Not only from this version.....

2

3 CHAIRMAN SHELDON KATCHATAG: And then.....

4

5 MR. FRED KATCHATAG:if these other Board members
6 here agree. That it will come from -- that letter would come
7 from.....

8

9 CHAIRMAN SHELDON KATCHATAG: This Council?

10

11 MR. FRED KATCHATAG:this Council.

12

13 CHAIRMAN SHELDON KATCHATAG: So.....

14

15 MR. BUCK: Mr. Chairman.

16

17 MR. FRED KATCHATAG: To their -- to the -- and these
18 other.....

19

20 CHAIRMAN SHELDON KATCHATAG: From our Council to the
21 other nine.

22

23 MR. FRED KATCHATAG: Right.

24

25 CHAIRMAN SHELDON KATCHATAG: As well as the Federal
26 Subsistence Board, the Secretaries of Interior.....

27

28 MR. FRED KATCHATAG: And you will -- all their
29 Chairpersons from these others.

30

31 CHAIRMAN SHELDON KATCHATAG: Right.

32

33 MR. BUCK: Mr. Chairman.

34

35 CHAIRMAN SHELDON KATCHATAG: Mr. Buck.

36

37 MR. BUCK: Who did you originally have that addressed
38 to?

39

40 CHAIRMAN SHELDON KATCHATAG: The way it was originally
41 written it went to Secretary of the Interior, Secretary of
42 Agriculture, and the Federal Subsistence Board from the 10
43 Regional Advisory Council Chairs.

44

45 MR. BUCK: Okay. That sounds good. That was from the
46 Regional -- five Regional Council Chairs?

47

48 CHAIRMAN SHELDON KATCHATAG: From the 10 Council
49 Chairs.

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1 MR. BUCK: Oh, okay.

2

3 MR. FRED KATCHATAG: If they approve.

4

5 MR. BUCK: If we say that it was from us to the
6 Secretary of Interior and to the Chairs.....

7

8 MR. FRED KATCHATAG: It's not from.....

9

10 MR. BUCK: The rest of the regions could get copies of
11 it, but we don't have to address them.

12

13 CHAIRMAN SHELDON KATCHATAG: Well, the -- so are you
14 requesting an amendment that we change the letter so that it's
15 addressed to the Secretary of Interior, Secretary of
16 Agriculture, Federal Subsistence Board and the other nine
17 Regional Advisory Councils?

18

19 MR. BUCK: No.

20

21 MR. FRED KATCHATAG: Mr. Chair.....

22

23 MR. BUCK: I'm just saying leave that addressed as it
24 is, and then we can have copies of whoever we want to send it
25 to.

26

27 MR. FRED KATCHATAG: Mr. Chair.

28

29 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag.

30

31 MR. FRED KATCHATAG: If the other Chairs from the 10
32 Regional councils -- Advisory Councils, they're the ones that
33 can discuss the changes. We will accept this from this Board
34 here if they so okayed without any amendments.

35

36 CHAIRMAN SHELDON KATCHATAG: So, okay.

37

38 MS. CROSS: Mr. Chair.

39

40 CHAIRMAN SHELDON KATCHATAG: Ms. Cross.

41

42 MS. CROSS: I gather that he is asking for approval
43 from the other Chairs. This is what I understood him to say,
44 that your letter be sent to the other Chairs so they could read
45 it and add or delete whatever they want, and then the final
46 draft be made and then mailed to the Secretary of the Interior,
47 Federal Subsistence Board and Secretary of the Agriculture.
48 That that letter be approved by the other regions prior to it
49 being finalized and mailed.

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1 CHAIRMAN SHELDON KATCHATAG: I don't believe -- no, Mr.
2 Bucks says he is not amending his motion to that effect.

3
4 MR. BUCK: I made a motion to approve the letter that
5 was read. If the other Chairs or other regions want a copy of
6 the letter, we can send it to them, or if we want to send a
7 copy of that. But the address would stay the same and it's
8 from this region.

9
10 CHAIRMAN SHELDON KATCHATAG: So the from on the letter
11 would read from the Seward Peninsula Regional Advisory Council.

12
13 MR. BUCK: Okay. Right.

14
15 MR. GARNIE: And who is this addressed to?

16
17 MR. BUCK: This is where the letter originate anyway.
18 So.....

19
20 CHAIRMAN SHELDON KATCHATAG: It would be addressed to
21 the Secretary of the Interior, Secretary of Agriculture Federal
22 Subsistence Board. Mr. Garnie.

23
24 MR. GARNIE: It would just seem like common sense to me
25 to leave out the Agriculture and the what have you until we all
26 agree upon one Alaska Native Policy before we address it to
27 them. It would just seem common sense to me for the not to
28 have to sit there and have 13 different letters and then
29 decide, well, we'll take one. We'll take this segment from
30 this guy, this from this guy and compile an Alaska Native
31 Policy without us all signing one letter in agreement and say
32 this is our policy that we agreed upon, rather than them -- I
33 don't think they even would want to decipher it or really read
34 all the literature from 12 different letters and try and do our
35 job for us.

36
37 So it just makes common sense to me before we address
38 it to the Secretary of Interior, to agree upon one policy
39 before we address it to them.

40
41 CHAIRMAN SHELDON KATCHATAG: Mr. Garnie, to
42 address.....

43
44 MR. GARNIE: Do a letter from each.....

45
46 CHAIRMAN SHELDON KATCHATAG: To address that concern
47 let me explain that the structure of the Federal Subsistence
48 Board is the responsibility of the Secretary of the Interior
49 and the Secretary of Agriculture. They are the ones that

50 delegated their authority to the Federal Subsistence Board so

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1 that it is their responsibility as to how that Board is made
2 up. That's why it's addressed to them.

3
4 In other words the Federal Subsistence Board can't
5 change its own structure. The Secretary of the Interior and
6 the Secretary of Agriculture delegated them the authority to
7 act on their behalf for subsistence. That's why it's addressed
8 that way. It doesn't make any sense to address it just to the
9 Federal Subsistence Board because they can't change themselves
10 under law.

11
12 MS. CROSS: No, I think he was -- were you talking
13 about the Regional Councils?

14
15 MR. GARNIE: Yeah, the Regional Councils.

16
17 MS. CROSS: He's talking about the Regional Councils.

18
19 MR. GARNIE: Yeah, the Regional Councils all agreeing
20 upon our policy before we address it to the Secretary of the
21 Interior.

22
23 MS. CROSS: Regional Council Chairs.

24
25 MR. GARNIE: All Regional Council Chairs agreeing upon
26 one policy.

27
28 MR. FRED KATCHATAG: Mr. Chairman.

29
30 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag.

31
32 MS. CROSS: Mr. Chair, can I -- maybe.....

33
34 MR. FRED KATCHATAG: To my understanding, all the State
35 Chairs along each one -- all the other 10, Sheldon is one of
36 them, they have talked about this already. And all these other
37 want to do is go to the Chairs of the other nine Advisory
38 Boards and they'll be the ones to read this to their Board.
39 And they can discuss this thing amongst themselves and the
40 final letter, after all the other 10 Advisory Boards or Chairs
41 read this, they can make amendments if they want to.

42
43 And all we have to do is, they will come to us and tell
44 us these are their amendments that came from the other nine
45 Advisory Boards. And depending on how we feel, we can go along
46 with the other nine and send it all at the same -- send it all
47 down there wherever you're going to address this to. It don't
48 matter to me who we address it to.

49

CHAIRMAN SHELDON KATCHATAG: Would having this --

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1 having the approval of this letter as a draft address your
2 concerns?

3
4 MS. CROSS: Mr. Chair, maybe.....

5
6 CHAIRMAN SHELDON KATCHATAG: Ms. Cross.

7
8 MS. CROSS: Maybe an answer to the question would
9 clarify some things. When the Chairs were meeting, were you
10 directed by the remaining nine Regional Chairs to write the
11 letter to the Secretary of the Interior and the Agriculture
12 regarding these issues as the Chair of the Chairs?

13
14 CHAIRMAN SHELDON KATCHATAG: Yes.

15
16 MS. CROSS: Okay. Now, if I were a Chair of Southeast
17 Alaska or any other region, I would like to see that letter
18 first before it's mailed out and it seems like if you were --
19 and they may -- the other Chairs may also would like to have it
20 come from the Chairs instead of just this region.

21
22 And since you were directed by the Chairs to write the
23 letter on behalf of all the regions, they may still want the
24 letter to come from the Chairs instead of just from one region.
25 So maybe that's one thing that we can clarify too.

26
27 Now, if they adamantly -- if the other -- if some of
28 them chose not to be in the matter, then each of the regions
29 can write their own. But I think that we should know how they
30 feel first. I think he's right too when he was saying that
31 when you write the letter then after all the other nine regions
32 have read it and put their additions or deletions or whatever,
33 it'll come back to you and then you can fit in their wishes or
34 talk to the other Chairs.

35
36 CHAIRMAN SHELDON KATCHATAG: The way this was presented
37 to the informal meeting with the Board, I emphasized that this
38 was a draft letter.

39
40 MS. CROSS: Okay. Good.

41
42 CHAIRMAN SHELDON KATCHATAG: That it would not be final
43 until it had been, especially from our region, approved by our
44 Council as -- what I was seeking was endorsement of our Council
45 to the letter requesting restructure of the Board and for those
46 four items that -- the main topic.

47
48 MS. CROSS: I think I would like to see the final
49 letter before any -- you know, the final draft before and a

50 final letter before any approval is made.

00165

1 MR. BUCK: Mr. Chairman.

2

3 CHAIRMAN SHELDON KATCHATAG: Mr. Buck.

4

5 MR. BUCK: My motion was that we approve the letter as
6 is because it was a draft. So I'm not worried about the final
7 at this point.

8

9 MS. CROSS: Then can you amend it so that -- can you
10 amend your amendment to say that they approved the letter as
11 written to be sent -- delete sent to Secretary of Interior and
12 Agriculture and Federal Subsistence Board, but only to the nine
13 Regional Councils?

14

15 MR. BUCK: No.

16

17 MS. CROSS: For approval?

18

19 MR. BUCK: No, I don't think we need their approval.

20

21 MS. CROSS: We are talking about major changes that
22 would affect the entire State of Alaska. And if any of the
23 nine disagree with us, we will not look united.

24

25 It's one thing if we were jus talking about 22 --
26 Region 22 and things that are going to affect Region 22, only,
27 not the entire State. Then we don't need to send the letter to
28 anybody -- anything that affects our region we don't have to
29 send any copies to the other regions if it's going to affect
30 only us. But we're talking about major changes here.

31

32 CHAIRMAN SHELDON KATCHATAG: Ms. Cross and Mr. Buck,
33 this -- as far as I know the other nine Regional Advisory
34 Council Chairs did take a copy of the draft back home with
35 them. And I don't know what the disposition of them -- how
36 many meetings have they.....

37

38 MS. H. ARMSTRONG: I can say that I know that that
39 letter was not discussed at the North Slope Regional Council
40 meeting. I can't speak for any of the other Council meetings.
41 So -- and then I would just also make the point, you made
42 changes last night so the letter they're reviewing is not the
43 letter that you have. You really need to -- I really need to
44 have everybody reviewing the same letter.

45

46 CHAIRMAN SHELDON KATCHATAG: Right. So.....

47

48 MS. CROSS: Mr. Chair, it makes more sense to me if you
49 write the letter without addressing it and sending it to the

50 other nine Regional Councils so they can review the letter

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1 before the final is drafted -- before the final is mailed out
2 to any of the Federal entities. Or at least run it the way you
3 did and send it only to the other nine Regional Councils and
4 say this is the letter that we are proposing from this region
5 or from the Chairs. And have the given time to review it, make
6 whatever amendments they want, and I'm sure there will be, or
7 whatever additions that they want and then the final draft
8 being made and mailed out upon the approval of everybody.

9
10 CHAIRMAN SHELDON KATCHATAG: Let me just ask one
11 question. Is there anything in the letter that we as a Council
12 object to and would like to have deleted as it sits now?

13
14 MS. CROSS: I would like to read the letter in person.
15 I do have things that I would like to be.....

16
17 MR. FRED KATCHATAG: Mr. Chair.

18
19 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag.

20
21 MR. FRED KATCHATAG: I heard the letter and in the
22 letter it has an answer to -- seems to me like it has an answer
23 to all proposed -- I've seen a letter from our Governor to the
24 House Speaker in Juneau and in that proposed letter to the
25 House Speaker in Juneau, this letter here covers most of the
26 answers to that letter.

27
28 And to my knowledge this letter will help and answer to
29 their request coming from the Governor to the House Speaker in
30 Juneau, requesting that the Constitution of the State of
31 Alaska, to change the Constitution of Alaska. And he wants --
32 he told the House Speaker in Juneau to do this rapidly without
33 any additions or without any de -- without taking away anything
34 from the proposed amendment to the Constitution of Alaska.

35
36 So when I listen to it, it touches pretty near all the
37 requests the Governor has made to the House Speaker. And we
38 cannot argue about this too long because I think it's the best
39 letter I've heard in touching all the things the Governor wants
40 to take away from you and I and subsistence users.

41
42 MS. CROSS: Mr. Chair.

43
44 CHAIRMAN SHELDON KATCHATAG: Ms. Cross.

45
46 MS. CROSS: Earlier there was concern expressed in the
47 language that was used. I believe the words, i.e., was some of
48 the letter -- the language in the letter is too strong. So I
49 think that the question that you asked earlier about the

50 approval of the letter from this Board as is, we need further

00167

1 discussion. But I would like to see the letter first printed
2 out before I make my comments.

3

4 CHAIRMAN SHELDON KATCHATAG: Let me -- Chuck, do you
5 have access to a computer with a printer?

6

7 MR. DEGNAN: Our Village Corporation does.

8

9 CHAIRMAN SHELDON KATCHATAG: They didn't have a three
10 and a half inch disk drive. They have only the five and a
11 quarter. I checked up there at the corporation. And the
12 letter is on her computer and also on a three and a half inch
13 disk.

14

15 (Council talking among themselves regarding computer
16 and printer capabilities)

17

18 CHAIRMAN SHELDON KATCHATAG: So what is the wish of the
19 Council, that you want to see a copy before you take any action
20 on this? Mr. Garnie.

21

22 MR. GARNIE: Well, I'd like to see it -- I think
23 probably another job or Cliff, he can get a draft copy of all
24 the letters to all the regions and in draft form and they can
25 add and delete what they want so that we agree on one policy.

26

27 I would be -- I would kind of make a motion to have all
28 the Boards agree on one policy before we send it in to the
29 Secretary of the Interior.

30

31 CHAIRMAN SHELDON KATCHATAG: Before you make a motion
32 we're still discussing the original motion of Mr. Buck.

33

34 MR. BUCK: Was there a second on that motion?

35

36 CHAIRMAN SHELDON KATCHATAG: Yes. We were in
37 discussion.

38

39 MR. GARNIE: Okay. Then we're in a motion?

40

41 CHAIRMAN SHELDON KATCHATAG: Yes. There was a motion
42 and a second and we were in discussion.

43

44 MS. CROSS: Who second the motion?

45

46 CHAIRMAN SHELDON KATCHATAG: Somebody did. Fred did.
47 Fred seconded the motion. And then we went in discussion and
48 that's where we're at.

49

MR. GARNIE: I -- excuse me.

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1 CHAIRMAN SHELDON KATCHATAG: Mr. Garnie.

2

3 MR. GARNIE: I forgot what the discussion was with the
4 motion. We got carried -- we were discussing where it was
5 addressed to, is that correct? We were discussing -- we were
6 in disagreement of where it was getting sent to?

7

8 MS. CROSS: The motion -- or you want to hear the
9 motion again? The motion was to approve the letter as read to
10 be sent to Secretary of Interior, Secretary of Agriculture,
11 Federal Subsistence Board and the nine Regional Council Chairs.

12

13 CHAIRMAN SHELDON KATCHATAG: That's not the way it was
14 written. It's just the.....

15

16 MR. BUCK: The motion was to accept the letter as read
17 and as addressed.

18

19 MR. GARNIE: As addressed to the Secretary of Interior.

20

21 MR. BUCK: The way it was read.

22

23 MR. GARNIE: The way it read, not to who it's addressed
24 to?

25

26 MR. BUCK: Yeah. Yeah.

27

28 MR. GARNIE: Well, I am in.....

29

30 MR. BUCK: We could.....

31

32 CHAIRMAN SHELDON KATCHATAG: One at a time, please.

33

34 MR. BUCK: We can send copies to those people.....

35

36 MS. CROSS: I wrote it down.

37

38 MR. BUCK:that want it. It's still just a draft.

39

40 MS. CROSS: Proposed letter as read to be sent to.

41

42 CHAIRMAN SHELDON KATCHATAG: So you want it approved as
43 a draft other than as a final letter?

44

45 MR. BUCK: Yeah.

46

47 CHAIRMAN SHELDON KATCHATAG: Would you amend your
48 motion to that effect, that we as a Council would then approve
49 this letter as a draft.

00169

1 MS. CROSS: After we review it.

2

3 MR. BUCK: That's why I made the motion, because it was
4 a draft anyway. So.....

5

6 MR. FRED KATCHATAG: Mr. Chairman, before we do
7 that.....

8

9 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag.

10

11 MR. FRED KATCHATAG:I will withdraw my second and
12 then you can talk now.

13

14 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag, if you
15 withdraw your second then we cannot be in discussion.

16

17 MR. FRED KATCHATAG: All right. Get in discussion.
18 And then I will -- he will make another motion and I will
19 second it again after you correct your argument.

20

21 CHAIRMAN SHELDON KATCHATAG: Okay. What you want
22 clarified then, Peter Buck, is -- Mr. Buck, is that you want
23 this approved as a draft?

24

25 MR. BUCK: Well, you stated it was a draft letter while
26 you read?

27

28 CHAIRMAN SHELDON KATCHATAG: It was a draft which I in
29 the meantime have fleshed out as it is. The original that the
30 other Council Chairs and I read to the Federal Subsistence
31 Board was as a draft. And I've fleshed that out to the way it
32 presently read.

33

34 The trouble is, we as Councils only meet two times a
35 year as it sits now. So if you're talking about getting the
36 other nine Councils to approve this before we move it on, we're
37 looking at probably late 1998 before this thing is even sent.

38

39 MS. CROSS: But still copies of the -- from what I
40 understand, Mr. Chair, the letter is coming from the Chairs.

41

42 CHAIRMAN SHELDON KATCHATAG: Right.

43

44 MS. CROSS: It seems to me if the letter is from the
45 chairs, the rest of the Chairpersons should read the letter and
46 approve your final draft. The letter is coming from the
47 Chairs, not from -- I think there's two things. I think
48 there's confusion as to where the letter is coming from. Okay.

49

My understanding is the letter is coming from the

00170

1 Chairs and you were directed as the Chair of Chairs to write
2 that letter.

3
4 CHAIRMAN SHELDON KATCHATAG: Right.

5
6 MS. CROSS: Then the approval should come from them.

7
8 CHAIRMAN SHELDON KATCHATAG: Right.

9
10 MS. CROSS: And since it's not coming from -- the
11 original resolutions came from here that you had presented to
12 the Chairs, right?

13
14 CHAIRMAN SHELDON KATCHATAG: Right. The original -- if
15 you remember from our.....

16
17 MS. CROSS: And you already passed them out?

18
19 CHAIRMAN SHELDON KATCHATAG: If you remember from our
20 original meeting in October, that we as a Council unanimously
21 approved the request to restructure the Board, to seek an
22 Alaska Native Policy, to adopt a draft Tribal Subsistence
23 Management Plan, which is somewhere in the file somewhere, and
24 to ask for independent legal counsel not only for the Chairs,
25 but also for the Regional Advisory Council. Those were the
26 four things that we agreed up -- I believe they're in our
27 minutes.

28
29 MS. CROSS: Then can I ask you a question? If the
30 letter comes from the Chairs -- this is the letter that's
31 coming from the Chairs, this Council is to approve the letter
32 from the Chairs?

33
34 CHAIRMAN SHELDON KATCHATAG: Well, that's what I'm
35 seeking. In other words, I don't believe that I as a Chair
36 have any authority to do anything without the approval of the
37 Council.

38
39 MS. CROSS: Which Chair? The Chair of Chairs or the
40 Chair of this Council?

41
42 CHAIRMAN SHELDON KATCHATAG: The Chair of this Council.

43
44 MR. FRED KATCHATAG: That's all we're talking about.

45
46 MS. CROSS: No. Then the letter comes from all of the
47 Regional Chairs?

48
49 MR. FRED KATCHATAG: Grace, if we didn't do anything at

50 all, if the other subsistence Board members didn't do anything

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1 at all, then the Secretary of Interior will say, them
2 subsistence Boards don't care what the Council does.

3
4 MS. CROSS: Okay. Then before -- then I would like to
5 look at the letter and make my comments. If you're seeking
6 approval I want to read it.....

7
8 MR. FRED KATCHATAG: You will read.....

9
10 MS. CROSS:prior to it being sent anywhere.

11
12 MR. FRED KATCHATAG: Grace, you will see this. You
13 will -- they will give you the.....

14
15 MS. CROSS: Before the final draft.....

16
17 MR. FRED KATCHATAG:carbon copy -- carbon copy.

18
19 MS. CROSS: Before the final is mailed to the Secretary
20 of the Interior and Agriculture.....

21
22 MR. FRED KATCHATAG: All right.

23
24 MS. CROSS:I would like to read it before any
25 approval comes from me.

26
27 MR. FRED KATCHATAG: Grace, Grace, look, let me explain
28 you something. He's our Chair, right? How many of us do -- do
29 we trust our Chair? The other Advisory Councils have their own
30 Chair. What he's talking about is that they have -- how often
31 do you meet, the Chairs of the Advisory Councils? Do they
32 meet.....

33
34 CHAIRMAN SHELDON KATCHATAG: We meet -- we're planning
35 on meeting before each Federal Subsistence Board meeting that
36 we're invited to attend.

37
38 MR. FRED KATCHATAG: Did you hear? They're going to
39 have meeting.....

40
41 MS. CROSS: Yes.

42
43 MR. FRED KATCHATAG:and that letter will be
44 approved by them when they have their own meeting. So they're
45 not cheating you on anything.

46
47 MS. CROSS: I still think that.....

48
49 CHAIRMAN SHELDON KATCHATAG: Did Chuck go.....

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1 MS. H. ARMSTRONG: Yeah, he went to (indiscernible).
2 We also have a fax modem and I could get the phone number next
3 door and go to the phone and fax it over. We just figured it
4 out, so if you can't get it printed off, he took it. I gave it
5 to him.

6
7 CHAIRMAN SHELDON KATCHATAG: Okay. Let me explain.
8 Chuck Degnan has offered to see if he can get it printed out.
9 And I would suggest that we take a recess from now till 1:30.

10
11 MS. CROSS: And can we put this -- can we go on with
12 the other business until we're sure that -- after recess can we
13 go on with the other business and pick this up later?

14
15 CHAIRMAN SHELDON KATCHATAG: So the proper procedure
16 then would be.....

17
18 MR. FRED KATCHATAG: All we need to do is to approve
19 this letter now so he can have something to say when he goes to
20 the meeting with the rest of the Chairs.

21
22 MS. CROSS: Mr. Katchatag, my problem is the letter is
23 coming from the Chairs. The resolutions came from Seward
24 Peninsula. We approved of certain things that we wanted in our
25 last meeting. However, that letter is coming from the Chairs.
26 Our Chair here wrote it as the Chairperson of the Chairs.

27
28 MR. FRED KATCHATAG: He has the right to. Do you.....

29
30 MS. CROSS: I'm not arguing that he has a right to.

31
32 MR. FRED KATCHATAG: Do you trust him.....

33
34 MS. CROSS: I'm not arguing that he doesn't have the
35 right to, but I'm just saying that if we're going -- if that
36 letter is going to be mailed out, therefore, the other Chairs
37 should look at it first.....

38
39 MR. FRED KATCHATAG: They will.

40
41 MS. CROSS:and then make their own -- put in
42 whatever they want and then they can.....

43
44 MR. FRED KATCHATAG: They can make their own.

45
46 MS. CROSS:hash it out at their meeting and send
47 it out.

48
49 MR. FRED KATCHATAG: They're not going to make their

50 own. All they have to do is agree with this letter. And our

00173

1 Chair, I trust our Chair.

2

3 MS. CROSS: I'm not arguing about that.

4

5 MR. FRED KATCHATAG: That letter that I heard while ago
6 is good enough for me and it's good enough for my family. And
7 why should I need to see the letter. All our leaders have seen
8 it already. They can send it without any delay. We
9 agreed.....

10

11 MS. CROSS: They have not seen the final draft.

12

13 MR. FRED KATCHATAG: Then you will see the final draft.

14

15 MR. BUCK: Mr. Chairman.

16

17 MR. FRED KATCHATAG: What can you do about it if the
18 other 10 Chairs approve it? Is there anything wrong with it?

19

20 MR. BUCK: Mr. Chairman.

21

22 CHAIRMAN SHELDON KATCHATAG: Mr. Buck.

23

24 MR. BUCK: My motion is the same and the second is the
25 same. I call for -- ask for the question.

26

27 CHAIRMAN SHELDON KATCHATAG: Question has been called
28 on the motion before us. All those in favor, signify by saying
29 aye?

30

31 IN UNISON: Aye.

32

33 CHAIRMAN SHELDON KATCHATAG: All those opposed, any?

34

35 MS. CROSS: Nay.

36

37 MR. GARNIE: Nay.

38

39 CHAIRMAN SHELDON KATCHATAG: Let the record show we
40 have to nays.

41

42 MR. FRED KATCHATAG: Against four.

43

44 CHAIRMAN SHELDON KATCHATAG: Against five ayes.

45

46 MR. FRED KATCHATAG: So we'll go ahead and -- now we're
47 ready to send this to the other -- he can take it or send it to
48 the other nine.....

49

MS. CROSS: Your motion is to send not just for the

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1 nine, this is for the Secretary of the Interior and the other.

2

3 CHAIRMAN SHELDON KATCHATAG: I don't quite know how to
4 proceed here. I appreciate the vote of support and I also
5 appreciate the two nays and I appreciate the reasons why.
6 Technically, I don't think that there's anything in our charter
7 that requires anything more than a majority vote. So let the
8 record show that we have five ayes, two nays, one abstention
9 and one vacant seat out of our nine Council members.

10

11 And if and when we get a copy, if we can do that before
12 today, we can put it up for reconsideration when you can see a
13 copy of the letter in front of you. Is that acceptable?

14

15 MR. GARNIE: Yes.

16

17 CHAIRMAN SHELDON KATCHATAG: It's almost 10 minutes to
18 12:00 now. I suggest that we take -- Mr. Garnie.

19

20 MR. GARNIE: I have no objection with the letter. I
21 just -- just the only -- I'd just like to clarify that. I'm
22 all one hundred percent agreeable with the letter, but I just
23 disagree with it getting sent to the Secretary of the Interior
24 before it's had its final approval from all the region --
25 Region Chairs.

26

27 MR. FRED KATCHATAG: Are you saying that it would be
28 better if we didn't do anything about it?

29

30 MR. GARNIE: No, sir, I haven't. The main reason.....

31

32 MS. CROSS: I'm in agreement with him, this is my
33 objection too, that the letter be -- that the letter be sent to
34 the other nine Regional Chairs and they could read it and put
35 whatever additions or deletions that they wanted and then the
36 final draft be mailed to the Secretary of the Interior and to
37 the Agriculture.

38

39 CHAIRMAN SHELDON KATCHATAG: Well, the proper
40 procedure, I think, and I think we should wait until after
41 lunch to do that, would be to request a reconsideration on the
42 vote on the approval of the letter. That will again put this
43 back on the table and then we can either amend or not amend,
44 depending on the wish of the Council.

45

46 It's 10 minutes to 12:0 now. Let's recess until 1:00.
47 And hopefully by then we'll have a printed copy for everyone to
48 look at.

49

00175

1 (On record)

2

3 CHAIRMAN SHELDON KATCHATAG: Call the SPSRAC back to
4 order. We are now on our second page of our agenda, new
5 business, Item 8(B)(1) Proposals. And let's take care of that
6 first before we get back to the letter. So, Rosa, I believe
7 you're the proposal team leader.

8

9 MS. MEEHAN: Yes. What we've got, we have -- there's
10 three C&T proposals here for your review and discussion. And
11 we also have a couple of proposals that are from the Y-K Delta
12 region that are kind of overlap proposals that we want to go
13 over with you as well.

14

15 And just to remind everybody -- and I'm sorry, Rosa
16 Meehan, Office of Subsistence Management -- to remind everybody
17 about the process. That this is -- these are draft analyses
18 and preliminary conclusions. And the intent of this process is
19 to present to you essentially our first cut at analysis of the
20 proposal and these are C&T proposals from the backlog.

21

22 But, at any rate, to present to you our analysis, just
23 preliminary, and a preliminary conclusion, and then for your
24 discussion and then your recommendation on it. After we go
25 through the process here will go back and incorporate comments,
26 additional from the Council and, if necessary, adjust the
27 preliminary conclusions.

28

29 The proposal then would go to the Staff Committee and
30 to the Federal Subsistence Board for action by the Board in
31 April. So we're at the first part of the analysis and
32 conclusions. And I just want to reiterate that this is very
33 much an opportunity to gain additional information from you all
34 and have a serious look at the preliminary conclusions.

35

36 So with that I would like to have Helen Armstrong
37 actually present the proposals. I will take notes. And this
38 -- the proposals are behind Tab I in your books.

39

40 MS. H. ARMSTRONG: Is everybody on Tab I. My name is
41 Helen Armstrong from Fish and Wildlife Service. I just wanted
42 to really emphasize what Rosa just said. I know that there's
43 not in -- complete information in here. What I wanted to
44 present to you is what information we had available in the
45 literature in the harvest databases.

46

47 And then our conclusions are very much preliminary
48 based on only that information. That I fully expect you to in
49 some cases modify those conclusions and provide us with

50 additional information.

00176

1 I may have made the -- they may be narrower than they
2 needed to be, but I've been criticized for making conclusions
3 based on information we didn't have. And so I wanted to make
4 sure that we have based it on information we have and then have
5 the Council add that information.

6
7 The Board takes very, very seriously what the Council
8 says. There aren't that many cases where the Board doesn't
9 support a Regional Council conclusion. And they look very much
10 towards the input that you provide. And since we don't have
11 studies done in all of the communities throughout Alaska, we
12 don't always have very good data.

13
14 And in some cases I think you can make assumptions that
15 what one community might do another one might do, and I look
16 for your input as to telling he when you think that that
17 situation is there.

18
19 The first proposal is Proposal 61. And did everybody
20 get a chance to review the proposals a little bit at least?
21 I'm not going to read the proposal at all and I would like to
22 submit these analyses to the record. There are some factors
23 that we used that I think are more important than others. I
24 think in the interest of time, because we have a lot to do yet
25 this afternoon, unless the Council wishes, I won't -- I will
26 summarize rather than going into a lot of detail, unless I feel
27 it's really necessary.

28
29 Anyway, Proposal 61. The existing regulation for Unit
30 22 black bear has been all rural residents. That means that
31 any Federally qualified rural resident in the State could hunt
32 for black bear in Unit 22. This proposal came from the Seward
33 -- this Council last fall. Actually, I think this was a
34 backlogged one. It came the previous year. And the request
35 was made for Unit 22(A) to have -- for the residents of
36 Shaktoolik, Unalakleet, St. Michael and Stebbins to have C&T
37 for black bear, Unit 22(B), residents of Unit 22(B) and Unit
38 22(C), (D) and (E), no Federal subsistence priority.

39
40 The reason that you requested this was because it was
41 what we call a no-determination C&T where there had never been
42 a determination made on it. To just refresh your memories, and
43 maybe for those people who are new on the Council, when we
44 started doing -- when we started the Federal subsistence
45 program we adopted this customary and traditional use
46 determination that the State had made and this is one they had
47 never made. That's why it was a no-determination. And
48 therefore anybody was qualified to hunt black bear in Unit 22.

49

The communities affected by this proposal are all of

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1 the communities within Unit 22. This information applies to
2 all of the proposals we'll discuss today, but in Unit 22, as
3 you know, 32 percent of the lands are Federal public lands, 18
4 percent of the lands are BLM lands, 2 percent are National
5 Wildlife Refuge, and that's the little tiny corner in the south
6 side of 22(A), 12 percent are Bering Land Bridge National
7 Preserve, and most of the Federal public lands are BLM in
8 22(A), where 54 percent of the lands are BLM lands and then in
9 -- then the Bering Land Bridge National Preserve.

10
11 When we do customary and traditional use determinations
12 or C&T determinations, we're required by the regulations to
13 follow eight factors. Those are found in our regulations. And
14 those eight factors were decided upon at the start of this
15 program and they're somewhat similar to the factors that the
16 State has used in making their customary and traditional use
17 determinations.

18
19 The Board looks at these they call them factors instead
20 of criteria. They look at it somewhat loosely in some cases.
21 There's no establishment of having to fulfill all the eight
22 factors in a certain way in order to give C&T.

23
24 Anyway, the first factor is a long term consistent
25 pattern of use excluding interruptions beyond the control of
26 the community or area. In Unit 22, from what I could find, and
27 I look for the Council to let me know if this is not the case,
28 black bear do not appear to be locally available to the
29 residents of Units 22(B), (C), (D) or (E). And the one I have
30 questions about most might be 22(B), that it did appear from
31 the literature that there is black bear habitat in 22(B) but we
32 don't know if there really are any black bear or if people have
33 -- if they hunt them in 22(B). So that's one thing I want you
34 to keep in mind, of letting me know about 22(B).

35
36 And we don't have documentation of black bear being
37 harvested anywhere within Unit 22 or outside of 22 in our
38 databases -- that's in the databases. Okay. The subsistence
39 studies in Shishmaref, Golovin, Brevig Mission and Stebbins
40 didn't include any harvest of black bears.

41
42 There was just yesterday Jeff Denton talked about the
43 harvest monitoring program going on in Unalakleet and there
44 were two black bears harvested in 1995 to 1996 in that -- that
45 were recorded in that project and they were September kills.
46 So we really don't have a lot of good information with black
47 bears is really the point.

48
49 Right now the black bear season is from July 1st from

50 June 30th. There has been a study in Unalakleet that was done

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1 by Jorgensen and John Muir Institute in 1984 and they did
2 document that black bears were hunted by Unalakleet residents.
3 They noted that they were harvested when they came from their
4 dens in the spring and then again -- and through the fall.
5 That their hides are best in the spring, that when their diet
6 consists of berries, roots, rodents and grubs, that they're
7 preferred. That when they're eating fish they're not
8 particularly preferred to eat. I think that's the truth
9 throughout the State from what I've heard.

10
11 Traditionally black bears -- I just went through --
12 sorry, I didn't note that that was the second factor, the
13 specific seasons.

14
15 Their pattern is a pattern of use consisting of methods
16 and means of harvest which are characterized by efficiency and
17 economy of effort and cost, conditioned by local
18 characteristics. Traditionally black bears were taken by
19 spears. Today black bears are hunted with small caliber, high-
20 powered rifles that shoot flat and fast. We have no evidence
21 in the literature that black bears are baited.

22
23 In terms of the fourth factor, the one on the area in
24 which black bears are harvested, in Unalakleet there was a
25 study that -- was the one that I referred to earlier -- that
26 black bears are harvested along the coast about 30 miles north
27 and south of Unalakleet, and as well as along the Unalakleet,
28 North, Little North Chiroskey, North Fork and Old Woman River
29 drainages. And all of those harvests occur within Unit 22(A).

30
31 As I said earlier, there is favorable black bear
32 harvest -- a black bear habitat in the Koyuk, Tubtulik and
33 Kwiniuk drainages in the vicinity of Unit 22(B), near Koyuk,
34 Elim, White Mountain and Golovin, but we don't have any
35 information on whether or not black bears have been harvested
36 there. There's no other evidence that black bears have been
37 harvested by residents of or in Units 22(C)-(D) or (E).

38
39 The next factor is the means of handling, preserving,
40 preparing and storing fish or wildlife, which is traditionally
41 used by past generations, including consideration of alteration
42 of practices due to recent technological advances where
43 appropriate.

44
45 The black bears that we do know of being harvested, the
46 meat, the fat, the hides and the claws of black bears are all
47 used. The kidneys are considered a delicacy and the heart, the
48 liver and even occasionally the lungs are consumed. There has
49 been a lot of use of all parts of the black bear, both in

50 providing for sleeping pads and handicrafts.

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1 As with other subsistence resources, we know that the
2 lore of the knowledge of hunting black bears has been
3 transmitted from generation to generation. And in the same way
4 we know that black bear is shared just as other resources are
5 in the subsistence communities in this region where black bear
6 is harvested.

7
8 The last factor is dependence on a wide diversity of
9 fish and wildlife resources. And in that one, as you know, I
10 mean Unalakleet is the only place we know that people have
11 harvested black bears, but they depend on a very wide variety
12 of wildlife resources.

13
14 The preliminary conclusions, and I emphasize
15 preliminary conclusions, are to modify the proposal and give a
16 positive customary and traditional use determination for
17 hunting black bears to Unalakleet residents in Unit 22(A). And
18 you'll note that with further input from the Seward Peninsula
19 Regional Advisory Council that we could modify that conclusion
20 to include all residents of Unit 22(A) and then I'm looking for
21 particularly information on the other units -- sub-units as
22 well.

23
24 We have for a justification as I just said, we have
25 really good evidence that Unalakleet residents harvest black
26 bears in Unit 22(A) and that that harvest meets all of the
27 other -- all the eight factors, but we need more -- I need more
28 information from the Councils. And what I'll do is the
29 information you provide me today, we will revise this before it
30 goes before the Board and your recommendation will go to the
31 them. The recommenda -- the conclusion that's in there will
32 not go to the Board. They won't even know what our preliminary
33 conclusions were.

34
35 So with that we need Cliff to do the comments from the
36 public and the State.

37
38 MR. EDENSHAW: Yes, Mr. Chair, Cliff Edenshaw, US Fish
39 and Wildlife. On Proposal 61, C&T proposal, this is -- these
40 are the comments from the Alaska Department of Fish and Game.
41 Final comments deferred. The community of Koyuk is located in
42 Unit 22(B) but may occasionally hunt in Unit 22(A). If
43 supporting documentation is available, the Department would
44 support this proposal being amended to find that Koyuk also has
45 a C&T use of black bear in Unit 22(A).

46
47 MS. H. ARMSTRONG: Those were all the comments. We
48 didn't receive any other comments.

49

CHAIRMAN SHELDON KATCHATAG: Why were those comments

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1 not included in our booklets?

2

3 MS. H. ARMSTRONG: I didn't do the booklets.

4

5 MR. EDENSHAW: That's because -- Mr. Chair, that's
6 because we received these comments after the booklets.....

7

8 CHAIRMAN SHELDON KATCHATAG: Okay.

9

10 MR. EDENSHAW: After we put together the final. This
11 is the comments that we received from the Fisheries
12 Regulations. Those were last minute additions.

13

14 CHAIRMAN SHELDON KATCHATAG: Thank you, Cliff. For the
15 record, I would just like to document that there are black bear
16 in Unit 22(B) because a couple of good friends of mine saw one
17 about two and a half miles east of Elim just this last
18 September. And I was very surprised to hear that because I
19 hadn't heard of any being west of Koyuk. Primarily brown bear
20 areas. And I don't know if you know it or not, but brown bear
21 like black bear just like we do.

22

23 MS. H. ARMSTRONG: Excuse me, Mr. Chair, where did you
24 say it was?

25

26 CHAIRMAN SHELDON KATCHATAG: It was at Iron Creek,
27 which is about two and a half miles east of Elim. And that was
28 in late September this year, this last September.

29

30 MS. H. ARMSTRONG: And that's the first time you've
31 ever heard of black bear in your years of being out there,
32 being around?

33

34 CHAIRMAN SHELDON KATCHATAG: Yeah, I've been in Elim
35 for over 11 years now and I personally have not seen any black
36 bear in that area. And in talking with the people I know that
37 if they had hunted and harvested in the past they would have
38 told me. But it's good to know that there's at least one in
39 the area. And they said it was pretty big. So I was pretty
40 surprised. Mr. Garnie.

41

42 MR. GARNIE: Yes. I don't remember who it was that made
43 the report on sighting a lot more black bear in the area.

44

45 CHAIRMAN SHELDON KATCHATAG: Jeff Denton.

46

47 MR. GARNIE: Jeff Denton. Anyway, just like now, you
48 know, we've got a lot of -- I'm from Teller and on the
49 (Indiscernible) drainage -- all that drainage system we see a

50 lot more beaver now and more interior animals moving in. I

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1 don't know whether we've got a secondary yolk (ph) or something
2 going on, but in earlier years I have heard of black bear in
3 22(D).

4
5 MS. H. ARMSTRONG: 22(D)?

6
7 MR. GARNIE: Yeah. I have heard of it. And I have
8 heard of some people from years and years ago catching one. I
9 never saw the bear actually myself, but I was just a kid at the
10 time but they did say they got black bear up there.

11
12 MS. H. ARMSTRONG: Okay.

13
14 MR. GARNIE: But I've also got one more thing here, Ms.
15 -- you know, I don't know where this has come from on -- what
16 page is it?

17
18 CHAIRMAN SHELDON KATCHATAG: Page 6.

19
20 MR. GARNIE: Down here at the bottom where it says
21 although traditionally in recognition of the animal's physical
22 and spiritual power bears were treated with great respect by
23 Inupiats, this respect has been diminished in Unit 22 (ADF&G)
24 which is absolutely untrue. In 22(D) we still have great
25 respect and teaches --- were taught me and I teach it to my
26 children also.

27
28 MS. H. ARMSTRONG: I should have probably mentioned
29 that that's going to be corrected. It's been pointed out to me
30 that it was misstated, probably. That it was in a context
31 actually of brown bear. And so, anyway, we'll take it out.

32
33 MR. GARNIE: Thank you.

34
35 CHAIRMAN SHELDON KATCHATAG: Mr. Seetot.

36
37 MR. SEETOT: Is that an ordinance to the bear in
38 general or to any -- to the black bear or to the brown bear?

39
40 MS. H. ARMSTRONG: Well, I think it's just incorrect.
41 We're just going to take it out.

42
43 MR. SEETOT: Okay.

44
45 MS. H. ARMSTRONG: So we probably don't even need to
46 dwell on it.

47
48 CHAIRMAN SHELDON KATCHATAG: One other thing that I
49 would like to interject is that regardless of what's available,

50 the Inupiat people are adaptable and opportunistic. And

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1 depending on conditions of the year, I've stated before that
2 early -- early, when I was growing up, that moose were pretty
3 much a new thing. And it was the custom and tradition at least
4 in my family when I was growing up, that if my father could not
5 get a moose he would make sure that he got at least a fat brown
6 bear because, you know, you've got to eat, you've got to feed
7 your kids. And just wanted to point that out because, you
8 know, we -- that's just a part of my history.

9
10 I had a very good black bear meal last spring when I
11 was here for salmon fishing. My brother got one the year
12 before. But one thing about black bears is, generally
13 speaking, and that depends on the weather of course, but
14 generally speaking, and this is from talking with my parents,
15 that he said my dad pretty much he's got long years of
16 experience hunting in this area and everything that walks on
17 the ground has been hunted by him and his brother and his
18 father.

19
20 That the black bears are generally the first to den.
21 And you're very, very lucky if you see one anywhere past the
22 end of September. So there's a very short window of
23 opportunity for them between the time when they quit eating the
24 fish, which they fatten up on, and then they get into the
25 berries and that cleans out all that old rot and dead fish
26 smell out of their flesh and their fat. And that's generally
27 when they -- if they don't get them then in that short window,
28 then they like to get them in the spring when they're still --
29 when their flesh is still basically cleaned out by mostly
30 vitamin C I think it is, theirs.

31
32 And another comment with regard to black bears is they
33 make very good mattresses when you catch them when their fur is
34 prime. They're very warm. I spent one night up in a tent with
35 friends of mine on the river and all I had -- they had an old
36 box spring with no cover on it and he just threw a skin on
37 there and gave me an old very thread-bare Army blanket and
38 says, well, goodnight. I thought I was going to be cold that
39 night because it was -- we were getting frost overnight and I
40 slept very well. So I know that black bears are considered a
41 delicacy, especially if they're caught at the proper time of
42 the year.

43
44 And people don't believe me when I tell them this, but
45 they actually smell and taste better than beef when they're
46 caught at the right time of the year. I don't generally try to
47 tell that to too many people. Any other comments on the --
48 Elmer.

49

MR. SEETOT: Mr. Chair, I think that was a C&T

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1 determination, that I commented before Joe and Edgar got on
2 board, that I didn't -- or I didn't hear of any observations or
3 sightings of black bear, but Joe was in the country -- you
4 know, he's more in the country (indiscernible). That was my
5 comment. I guess I thought that wouldn't work considering
6 black bear that we didn't have -- or that I did not see or
7 hear, you know, of black bear being taken within 22(D). So I
8 guess Joe stand me corrected.

9
10 CHAIRMAN SHELDON KATCHATAG: So we should correct, it
11 huh?

12
13 MR. SEETOT: Yeah.

14
15 CHAIRMAN SHELDON KATCHATAG: Did you hand this out to
16 all.....

17
18 MR. EDENSHAW: Yes.

19
20 CHAIRMAN SHELDON KATCHATAG: Okay. What is the wish of
21 the Council with regard to Proposal 61? Any further
22 discussion?

23
24 MS. CROSS: Mr. Chair, can we add on page 7 where it
25 says subsistence study in Unalakleet, begins that statement the
26 fourth paragraph down.....

27
28 CHAIRMAN SHELDON KATCHATAG: Yeah.

29
30 MS. CROSS: Can we add whales. Instead of a wide
31 diversity of wildlife resources are harvested by residents of
32 22(A) -- oh, we're still talking about 22(A).

33
34 MS. H. ARMSTRONG: We can.....

35
36 MS. CROSS: We do have Beluga -- we do -- to Beluga
37 wales. I know it's kind of.....

38
39 MS. H. ARMSTRONG: Grace, I can actually add something
40 about all the communities that we have information on,
41 especially if we're going to broaden this to include all of
42 Unit 22, I'll do that.

43
44 MS. CROSS: Well, we do harvest Beluga out there. I
45 just wanted to make sure that those are included just in case
46 somebody might say, well, it didn't show.

47
48 MS. H. ARMSTRONG: Yeah.

49

MS. CROSS: Thank you.

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1 CHAIRMAN SHELDON KATCHATAG: So we'll -- well, you'll
2 take care of that, Helen?

3
4 MS. H. ARMSTRONG: I'll take care of that, no problem.

5
6 CHAIRMAN SHELDON KATCHATAG: Okay. What we're doing
7 with this proposal as it sits right now in the regulation book,
8 it says that all rural residents that's of the State have
9 customary and traditional use determination. And what we're
10 changing it to is to the residents in 22(A), residents
11 basically of the subunit. Those are the four communities,
12 Shaktoolik, Unalakleet, St. Michaels, Stebbins.

13
14 And what was that mention about adding Koyuk to 22(A).

15
16 MS. H. ARMSTRONG: Sure, we can do that if the Council
17 so desires and they feel that the Koyuk people go down there.
18 I think we're looking for some input from the Council that
19 that's what they do or.....

20
21 CHAIRMAN SHELDON KATCHATAG: Yeah, I have no problem
22 with adding the residents of Koyuk because if you look in your
23 regulation book at the map of Unit 22, it shows the boundary
24 being just north of the Ungalik River. And I know the Koyuk
25 people have camps there along not only the mouth, but even a
26 little ways in the Ungalik River, that they do go over there,
27 they have customarily and traditionally harvested not only fish
28 over there, but just like us, they're opportunistic. So I
29 would have no problem with adding Koyuk to 22(A). If that is
30 the wish of the Council.

31
32 MR. FRED KATCHATAG: What about if by their own
33 proposal they say they are part of Calista region on the and
34 the Yukon Ridge.

35
36 CHAIRMAN SHELDON KATCHATAG: Oh, that's with regard to
37 Proposal 54. Is that what you're looking at? You're talking
38 about a different proposal. We're on this one up here.

39
40 MR. FRED KATCHATAG: Oh, okay.

41
42 MS. H. ARMSTRONG: Mr. Chair, you'd also want to modify
43 the conclusion to include all residents of Unit 22(A) as it
44 exists now, and when you add Koyuk you'd want to change that.
45 And anything I could -- if there's anybody can add information
46 to say that -- just to substantiate that people from those
47 villages do hunt black bear.

48
49 CHAIRMAN SHELDON KATCHATAG: What is the wish of the

50 Council with regard to 22(A)? I move that we add the residents

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1 of Shaktoolik also. I mean Koyuk, I'm sorry. Do I hear a
2 second?

3

4 MR. GARNIE: Second.

5

6 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion.

7

8 MR. SEETOT: Mr. Chair.

9

10 CHAIRMAN SHELDON KATCHATAG: Mr. Seetot.

11

12 MR. SEETOT: Wouldn't Koyuk be included in 22(B)? Or
13 Koyuk would be allowed to hunt in 22(A)?

14

15 CHAIRMAN SHELDON KATCHATAG: They would be allowed to
16 hunt bear in 22(A) also.

17

18 MR. SEETOT: Okay.

19

20 CHAIRMAN SHELDON KATCHATAG: Mr. Garnie.

21

22 MR. GARNIE: Yes. I hate to backtrack anybody. I'd
23 just like to make a comment that this is where our Alaska
24 Tribal Status really come in. We wouldn't have -- these
25 boundaries would -- since -- because we interact so much in
26 between the boundaries wouldn't -- this clarifies.

27

28 CHAIRMAN SHELDON KATCHATAG: I appreciate that
29 clarification. Again, it points up to a need for a proper
30 comprehensive Alaska Native Policy. So -- yeah. And the
31 reason that I'm moving that we include Koyuk, as I said, they
32 do have fish camps on the mouth of the Ungalik, which just
33 happens to be just barely within the boundary of Unit 22(A),
34 but I know they do go up both the Ungalik and the Iglutalik
35 (ph) River, which it appears to me from this map here that the
36 upper portions of the Iglutalik River are also in 22(A). Is
37 that correct, Charlie? Let me look at this map over here.

38

39 MR. DEGNAN: Yeah. It's the dividing line.

40

41 CHAIRMAN SHELDON KATCHATAG: Oh, okay. I thought the
42 Iglutalik was included in 22(A). But, yeah, I know that they
43 not only get into the Iglutalik River when they're hunting, but
44 also on Ungalik in the spring caribou and anything else. Mr.
45 Garnie.

46

47 MR. GARNIE: Yes, I've got a question. It's slightly
48 pertaining to land, but it does have to do with these
49 boundaries. Is I'm just curious about the Native land. You

50 know, the Native land boundaries. If the Fish and Game has any

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1 intentions of re-drawing these boundaries and have them on this
2 side of Native lands.

3

4 CHAIRMAN SHELDON KATCHATAG: Mr. Lean.

5

6 MR. GARNIE: And one reason being, you know, we are at
7 constant war with our fellow brothers and sisters in Nome and
8 we just feel the hunting pressure. And just the fact that
9 we're here so close to Nome and we have roads all around our
10 land from Nome. And I've been on this kicker, the -- your big
11 all terrain vehicles are scuffing our land up all to hell. And
12 I was just getting concerned with it. And it's just a big
13 curiosity to me whether one of these days you have any idea of
14 any intention to respect us with having private land with
15 drawing this boundary -- revising these boundaries.

16

17 CHAIRMAN SHELDON KATCHATAG: Mr. Lean.

18

19 MR. LEAN: The boundaries for these subunits are
20 drainage boundaries in general. And so I guess the answer is,
21 no, that I'm not aware of any intent to do that at this time.
22 Most of the subunit boundaries are traced along the peak of the
23 divide between various river systems. The intent was to make
24 those boundaries easier to find.

25

26 MR. GARNIE: Well, Mr. Lean, I'm really at odds here.
27 I just don't feel how this can be justified, how you can allow
28 hunting on private land.

29

30 CHAIRMAN SHELDON KATCHATAG: I can understand that -- I
31 mean I can explain that, Joe. The way that both the Feds and
32 the State look at Native corporation lands is as private land.
33 And the way the regulation is written, both on the Federal and
34 State side, is that the State is in charge of hunting and
35 fishing on State lands and on private lands. Is that not
36 correct?

37

38 MR. LEAN: That's my understanding.

39

40 CHAIRMAN SHELDON KATCHATAG: And the only option that I
41 can see for doing what you're talking about is for the Native
42 corporation involved, whether it be village or regional, to
43 publish as is done by NANA, they -- every hunting season they
44 put notices in the paper saying that all NANA lands are private
45 property and all hunting done on them, regardless of whether or
46 not it's under the State or the Federal system, they have to
47 get permit from the landowner. Mr. Garnie.

48

49 MR. GARNIE: Well, if this is done by the Native

50 corporation -- we've also done that in Teller Native

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1 Corporation, but it's never paid no heed and we can't afford to
2 enforce it and we're just scuffed off anyway. But I was just
3 curious if the Fish and Game -- if this is proposed like say by
4 NANA and by Teller Native Corporation, you'd think that in
5 their publications of the hunting boundaries that they would
6 draw this out as a no hunting area. We're saying no hunting
7 but the Fish and Game is saying hunting. This has to be
8 clarified.

9
10 If we're saying no hunting on it and the Fish and Game
11 is telling their people to go ahead and hunt on there, that's
12 exactly what they're saying by drawing these boundaries, and
13 this should be re-drawn. If a Native corporation is saying no
14 hunting from here and here, well that's where the line should
15 be drawn, so as all the hunting -- all the hunters within 22(D)
16 or whichever Native corporation is wanting no hunting on there,
17 it should be drawn there.

18
19 MR. LEAN: Mr. Garnie, Charlie Lean again. In the
20 sport fishing reg book and I believe one year in the wildlife
21 regulation book the State puts out there were opportunities to
22 put advertisements in it. And several Native groups chose to
23 insert in there the point that their private lands were off
24 limits, except for shareholders.

25
26 And I can't speak for the Wildlife Division or the
27 Board's Division of Fish and Game, but I -- one approach to
28 that might be to put a note to that effect in the appropriate
29 section, say dealing with Unit 22 in this case, that then tell
30 our Native corporation lands were off limits. But the --
31 they're not off limits to the shareholders, as I understand
32 you. And so regulations would apply to those people on their
33 lands in that case.

34
35 MR. GARNIE: Thank you.

36
37 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Lean. Any
38 further discussion on the motion before us to add Koyuk to the
39 customary and traditional use determination for Unit 22(A)?

40
41 MR. FRED KATCHATAG: Mr. Chairman.

42
43 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag.

44
45 MR. FRED KATCHATAG: Can I ask you a question? Are you
46 satisfied with your answer?

47
48 MR. GARNIE: Oh, not really.

49

CHAIRMAN SHELDON KATCHATAG: Would you like further

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1 discussion on that issue? It doesn't speak.....

2

3 MR. GARNIE: Well, I'll have to -- I have to sleep on
4 things before I can really -- otherwise, I put my foot in my
5 mouth every time.

6

7 CHAIRMAN SHELDON KATCHATAG: Okay. Anyway, it doesn't
8 speak to the motion before us right now. Any further
9 discussion the motion to add the residents of Koyuk as having
10 customary and traditional use of black bear within Unit 22(A)?
11 Hearing none the Chair would entertain a call for the question.

12

13 MR. FRED KATCHATAG: Question.

14

15 CHAIRMAN SHELDON KATCHATAG: Question's been called.
16 All those in favor of the motion before us to add the residents
17 of Koyuk to the customary and traditional use determination for
18 Unit 22(A), along with the residents of Shaktoolik, Unalakleet,
19 St. Michael and Stebbins, signify by saying aye.

20

21 IN UNISON: Aye.

22

23 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

24

25 (No opposing responses)

26

27 CHAIRMAN SHELDON KATCHATAG: Motion passes unanimously.
28 As far as Unit 22(B) it says -- it shows the residents of Unit
29 22(B). What is the wish of the Council?

30

31 MS. CROSS: Mr. Chair.

32

33 CHAIRMAN SHELDON KATCHATAG: Ms. Cross.

34

35 MS. CROSS: Does any of the residents of Unit 22(A)
36 cross over to do the same thing as Koyuk does?

37

38 CHAIRMAN SHELDON KATCHATAG: Well, we do hunt -- I know
39 people do go up to Koyuk and hunt caribou in the spring and
40 there's probably a chance that if they ran across a black bear
41 in the spring hunting in Koyuk that they might conceivably
42 catch a black bear up there too. But in recent years they have
43 not had -- they have not been forced because of the migration
44 of the caribou even south past Unalakleet that they haven't
45 been forced to go hunting up in Koyuk. But I know I don't
46 recall hearing of anybody ever catching a black bear out of
47 Koyuk in the spring hunt, but I haven't heard anything.

48

49 MS. CROSS: So you're satisfied with the way it's

50 proposed in Unit 22(B)?

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1 CHAIRMAN SHELDON KATCHATAG: For right now. I'm sure
2 if the residents of 22(B) wanted it changed that they'd be
3 willing to put in a proposal for the Units of 22(A).

4
5 MS. CROSS: That's it. Thank you.

6
7 CHAIRMAN SHELDON KATCHATAG: Thank you, Ms. Cross. We
8 could do 22(B) and (C) -- the next two shaded portions
9 together. What's the wish of the Council? Unless you want to
10 change the (C), (D) or (E) one. Mr. Garnie, or Mr. Seetot, or
11 Mr. Ningeulook. Have you heard of anybody even seeing bears in
12 (C), (D) or (E), black bear, other than Joe?

13
14 MR. NINGEULOOK: Mr. Chairman.

15
16 CHAIRMAN SHELDON KATCHATAG: Mr Ningeulook.

17
18 MR. NINGEULOOK: I haven't observed any stories of our
19 town that's in the past telling stories about black bears, but
20 I've heard a lot about grizzlies.

21
22 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Ningeulook.
23 Mr. Garnie, since you're the one that brought up the fact that
24 you are aware of past harvest of black bear in 22(B).....

25
26 MR. GARNIE: 22(D).

27
28 CHAIRMAN SHELDON KATCHATAG: Let's get done with 22(B)
29 first. I take that as a motion to it.

30
31 MR. SEETOT: It's p-u-u-t.

32
33 CHAIRMAN SHELDON KATCHATAG: I take that as (laughter)
34 a motion to adopt the regulation for.....

35
36 MR. SEETOT: You've got to take it whether you want it
37 or not, you're sitting next to me.

38
39 CHAIRMAN SHELDON KATCHATAG: What is the wish of the
40 Council with regard to the customary and traditional use
41 determination for Unit 22(B)? Hearing nothing, the Chair will
42 entertain a motion to leave the Unit 22(B) customary and
43 traditional use determination as it is shown on page three as
44 residents of Unit 22(B) having customary and traditional use.

45
46 MS. CROSS: Second.

47
48 CHAIRMAN SHELDON KATCHATAG: We have a motion and a
49 second. Is there discussion?

00190

1 MS. H. ARMSTRONG: Mr. Chairman.

2

3 CHAIRMAN SHELDON KATCHATAG: Ms. Armstrong.

4

5 MS. H. ARMSTRONG: Anything you could provide to me for
6 further justification would be great. And I'm going to put in
7 what you said about having seen black bear. And you don't
8 really know, but there is black bear habitat, you've seen one,
9 but anything else that you might be able to provide to me.

10

11 CHAIRMAN SHELDON KATCHATAG: Okay. As far as 22(B),
12 it's only recently that I've been made aware of the fact that
13 there is at least one in 22(B) that I'm aware of. And I know
14 that the Inupiat people are opportunistic people and I'm sure
15 that if in fact one were to come across this particular black
16 bear or any of its relations in the proper season when the meat
17 is of edible quality, that they would take them as needed. And
18 that's basically where 22(B) stands right now.

19

20 I'm not aware of any large populations of black bears
21 in 22(B) but I have not made extensive travels in the far
22 eastern regions of 22(B). And I'm sure that there are some up
23 there in the hilly timber countries on the upper regions of the
24 east fork of the Koyuk River and also the Ungalik and Iglutalik
25 Rivers, even though the Ungalik falls in 22(A).

26

27 The Chair would entertain a motion to adopt the C&T
28 determination as shown on page three for Unit 22(B) as being
29 the residents of Unit 22(B).

30

31 MR. SEETOT: So moved.

32

33 CHAIRMAN SHELDON KATCHATAG: We have a motion before
34 us. Is there a second?

35

36 MS. CROSS: Second.

37

38 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion?

39

40 MR. FRED KATCHATAG: Question.

41

42 CHAIRMAN SHELDON KATCHATAG: Question's been called.
43 All those in favor of adopting for final recommendation to the
44 Federal Subsistence Board of the customary and traditional use
45 determination for black bear in Unit 22(B) to the residents of
46 Unit 22(B), signify by saying aye?

47

48 IN UNISON: Aye.

49

CHAIRMAN SHELDON KATCHATAG: All those opposed, any.

00191

1 (No opposing responses)

2

3 CHAIRMAN SHELDON KATCHATAG: For the record, motion
4 passes unanimously. We now move on to Unit 22(C), (D) and (E).
5 Having heard from Mr. Garnie who resides in Unit 22(D) that in
6 the past he has -- he is aware of past harvests of Unit 22 of
7 black bear in Unit 22(D), what is the wish of the Council with
8 regard to 22(C), (D) and (E)? Mr. Garnie.

9

10 MR. GARNIE: Yeah. I can't say I've ever seen a black
11 bear but I've heard of them being taken there. My parents are
12 from (Indiscernible) and lived and grew up there. And I've
13 heard them talk of taking black bear but I've never seen any.
14 But if they're there and I see one I -- if their population is
15 not endangered I wouldn't mind taking one.

16

17 CHAIRMAN SHELDON KATCHATAG: So you would like to -- is
18 it your motion then that we remove 22(D) from this no Federal
19 subsistence priority for customary and traditional use based on
20 past history of harvest of black bear in 22(D)?

21

22 MR. GARNIE: Yeah.

23

24 CHAIRMAN SHELDON KATCHATAG: Would you be willing to
25 make a motion to that effect.

26

27 MR. GARNIE: Yes, I would.

28

29 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
30 to remove 22(D) from being lumped with 22(C) and (E) with
31 regard to customary and traditional use and that we find
32 customary and traditional use of black bear in Unit 22(D) by
33 rural residents of Unit 22(D). Is there a second.

34

35 MR. FRED KATCHATAG: Second.

36

37 CHAIRMAN SHELDON KATCHATAG: Second. Discussion?

38

39 MS. CROSS: Question.

40

41 CHAIRMAN SHELDON KATCHATAG: I think before we call for
42 the question, Ms. Cross, we must make sure that Ms. Armstrong
43 is satisfied with justification.

44

45 MS. H. ARMSTRONG: I think it'll fly, yeah.

46

47 CHAIRMAN SHELDON KATCHATAG: Okay. Having received
48 reassurances from Ms. Armstrong that we have provided
49 justification, we now have a call for the question to find the

50 customary and traditional use determination for Unit 22(D) as

00192

1 being the rural residents of Unit 22(D). All of those in
2 favor, signify by saying aye.

3

4 IN UNISON: Aye.

5

6 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

7

8 (No opposing responses)

9

10 CHAIRMAN SHELDON KATCHATAG: Motion passed unanimously.

11 We now move on to the customary and traditional use
12 determination for Units 22(C) and (E). Before we entertain
13 that I would like to have from Mr. Seetot and Mr. Ningeulook
14 with regard to 22(E). Do you have a problem with no Federal
15 subsistence priority determination for black bear in Unit
16 22(E)? And, oh, you're part of (D). I'm sorry, Elmer.

17

18 MR. SEETOT: Mr. Chair.

19

20 CHAIRMAN SHELDON KATCHATAG: Mr. Seetot.

21

22 MR. SEETOT: I think with the habitat or with the
23 grazing that if this is 22(E), I would think that the black
24 bears wouldn't hesitate, you know, to go that far, or if the
25 habitat is wooded forest and rivers, then I would think that
26 they would have no reason to migrate, except if circumstances
27 like wolves -- wolverine, you know, chase them, you know, to do
28 that. Because there is a way from Koyuk to (Indiscernible)
29 Basin, you know, that that can be reached inland.

30

31 And I wouldn't think that any migratory animal that
32 goes through that route, you know, would travel about 200
33 miles or so, you know, to find new habitat. Just like moose
34 did quite a few years ago. Moose were not heard of and when
35 they started coming in, they taste like the feed from down
36 south, like it was spruce or something like that. It wasn't
37 preferred until they came in and, you know, at the local
38 vegetation.

39

40 And then that's when the hunting pressure got on moose.
41 I would think that with black bear they would have to have a
42 suitable habit to be up that area.

43

44 CHAIRMAN SHELDON KATCHATAG: So you have no problem
45 with leaving 22(E) with no Federal subsistence priority on
46 black bear.

47

48 MR. SEETOT: Yes. As far as I know.

49

CHAIRMAN SHELDON KATCHATAG: Okay. Edgar.

00193

1 MR. NINGEULOOK: Yes, I agree with Mr. Seetot on this
2 because at this time we don't see any black bears in 22(E).
3 But I'm sure they'll come around because the first moose that
4 came was shot, was in January and February 1759. Or at the
5 present time there's plenty of moose. So in the long run I'm
6 sure they'll migrate up north.

7
8 CHAIRMAN SHELDON KATCHATAG: So what is the wish of the
9 Council with regard to 22(C) and (E) as far as customary and
10 traditional use determination? The Chair would entertain a
11 motion to leave Units 22(C) and (E) customary and traditional
12 use determine for black bear as it sits on page three, no
13 Federal subsistence priority at this time.

14
15 UNIDENTIFIED VOICE: I so move.

16
17 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
18 to that effect. Is there a second.

19
20 MR. SEETOT: Second.

21
22 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion.
23 The only proviso that I would add before I get to you, Mr.
24 Garnie, is that at some point in the future I would invoke the
25 opportunistic nature of the Inupiat people living in that area
26 and that at such a time in the future as there might be a
27 population of black bear in 22(C) or (E), that they would be
28 then given a positive C&T based on the fact that probably in
29 the millennia since we have been in this area that some form or
30 another that at least one black bear might have been taken in
31 the past. Mr. Seetot. Oh, I'm sorry, Mr. Garnie first, then
32 Mr. Seetot.

33
34 MR. GARNIE: Well, you kind of answered the question I
35 was going to say. Is it should be it would be opened in the
36 future times, but I don't know whether maybe right now would be
37 the right time to open it up or not and save the hassle 50
38 years from now.

39
40 CHAIRMAN SHELDON KATCHATAG: Would that proviso be
41 sufficient for now?

42
43 MS. H. ARMSTRONG: I think it would. It certainly is
44 -- C&T determinations are just like our seasons and harvest
45 limit proposals, they are changeable, if -- you know, if a
46 population grew and moved into an area, they can have it
47 revisited.

48
49 I think not necessarily with black bear, but what you

50 always want to be careful of is that if in the future there

00194

1 were -- let's just take an example of black bear, just
2 hypothetically. And black bear is not a really good one to
3 take as an example. Let's take caribou. And suddenly there
4 were too few and not -- and we had to limit the harvest, then
5 you want to make sure that you haven't given it to so many
6 people that then everybody's eligible. That becomes the
7 problem. So -- but it is always opened to change.

8
9 CHAIRMAN SHELDON KATCHATAG: Well, you know, that's the
10 basis of the rejection by the DAR as far as what we tried to do
11 with not only this, but all the species listed in the
12 regulation book. Is it not? He basically shot us out of the
13 water saying that it's outside the purview of the Federal
14 Subsistence Management Program to do that.

15
16 MS. H. ARMSTRONG: I'm not following you.

17
18 CHAIRMAN SHELDON KATCHATAG: I have a letter somewhere,
19 I don't have it here but it was in my original briefing booklet
20 at home to the effect that the actions which we took to
21 basically do just that, you know, we're not saying that there
22 are any resource and any kind of a threatened population now,
23 but that we wanted to clarify the C&T.

24
25 And in discussions with the Federal Subsistence Board
26 we told them that we wanted to do it now when there isn't a
27 fight for the resource, that we list, we recognize those people
28 that have, first of all, the longest customary and traditional
29 use of the resource, and then work our way down to the 30 day
30 residents. And he basically shot us out of the water saying
31 that that was outside the purview of the Federal Subsistence
32 Management Program.

33
34 MS. H. ARMSTRONG: Now, I know what you're talking
35 about. Yeah. Saying that right now it has to be applied to
36 all, all residents of the region and not.....

37
38 CHAIRMAN SHELDON KATCHATAG: Right.

39
40 MS. H. ARMSTRONG: Yeah. Right.

41
42 CHAIRMAN SHELDON KATCHATAG: So that's.....

43
44 MS. H. ARMSTRONG: Well, if you got into and 804
45 situation, then it -- then you could start looking at residency
46 as a factor. But it's this -- that's what he's saying at this
47 stage you can't.

48
49 CHAIRMAN SHELDON KATCHATAG: See, that's the problem I

50 have with customary and traditional use determinations, is the

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1 definition of customary and traditional use. We as customary
2 and traditional users take it as being not only multi-
3 generational, but also multi-seasonal. So that that makes it
4 pretty clear that, you know, these people have been using these
5 resources as part of their culture and so on.

6
7 MS. H. ARMSTRONG: Right.

8
9 CHAIRMAN SHELDON KATCHATAG: But -- Mr. Garnie.

10
11 MR. GARNIE: And another thing that has to be organized
12 here I think as far as what you were just talking about, the
13 multi-season. And there's a lot of our people do a lot of
14 traveling and that particular person or that particular family
15 at one time or another probably use black bear, you know, in a
16 different area. But like I say, that all goes back to having
17 that Native Policy. It would cover all these bases. It would
18 cover -- you can solve all these problems with that anyway
19 because.....

20
21 CHAIRMAN SHELDON KATCHATAG: And not only that but, you
22 know, customarily and traditionally if Joe were to visit me in
23 Elim and I happened to be going out hunting, as a matter of
24 courtesy and respect I would say, Joe, would you like to come
25 with me just because he is my friend. And this is a custom and
26 tradition. And yet the customary and traditional use
27 determination just looks at past uses, but they do not look at
28 the customs and traditions practiced..

29
30 MS. H. ARMSTRONG: Right.

31
32 CHAIRMAN SHELDON KATCHATAG: And that is the problem
33 that I have with this whole process. And time and time again I
34 hammered that at the Federal Subsistence Board, that you make a
35 customary and traditional use determination, but you don't look
36 at the customs and traditions practiced.

37
38 MS. H. ARMSTRONG: Right. I agree with you. We have
39 this on the North Slope right now. That came out. And you'll
40 hear about that at the Federal Subsistence Board meeting where
41 everybody -- they want to give the C&T for sheep for everybody
42 on the Slope, for exactly that reason that when we go visit our
43 relatives, if we go -- you know I'm from Point Hope, but I
44 won't go to Kaktovik and they go sheep hunting and I want to be
45 able to go with them. And I agree, you know, that we aren't
46 taking into consideration those traditions. Then what they
47 decided to do was give C&T to everybody on the North Slope
48 because of that.

49

And I also think if you -- C&T is something that is --

00196

1 how we do it right now is not final, that we've had a lot of
2 discussions in our office about doing it a different way and it
3 got a little pushed to the side because of this fish thing
4 coming on board. But I think as a Council you could also push
5 to make some of those modification so that it would be more a
6 way -- done in the way that you customarily and traditionally
7 do it.

8
9 CHAIRMAN SHELDON KATCHATAG: Yeah. You know, and to
10 point that out, I know that among the Inupiat people, if I were
11 to visit Kaktovik, that it would be, you know, just how we are
12 as people, that would be a cause for celebration.

13
14 MS. H. ARMSTRONG: Right.

15
16 CHAIRMAN SHELDON KATCHATAG: And as a courtesy and as a
17 matter of respect, that knowing that I like to hunt they'd
18 probably ask me to go up, you know, and harvest. To them sheep
19 is a delicacy used in special occasions. They would have no
20 compunction to ask me to accompany them if I wanted to.

21
22 MS. H. ARMSTRONG: I have another question. This
23 is.....

24
25 CHAIRMAN SHELDON KATCHATAG: Helen.

26
27 MS. H. ARMSTRONG: If you were -- okay. Say Joe came
28 to visit you and you took him hunting and then you were caribou
29 hunting and you saw a caribou, would there be a custom as to
30 who -- you both saw it, as to who was allowed to shoot it?
31 Would you offer it to your guest, or does it matter? I mean is
32 there any kind of.....

33
34 CHAIRMAN SHELDON KATCHATAG: There is no custom, you
35 know. We don't say you have to do this, you have to do that.
36 We just as a matter of respect, you know, and I would ask Joe,
37 would you like to shoot this animal.

38
39 MS. H. ARMSTRONG: That's what I wondered, is if out of
40 respect for your guests, if you would give them the first
41 opportunity.

42
43 CHAIRMAN SHELDON KATCHATAG: Right.

44
45 MS. H. ARMSTRONG: Those are important things to know
46 down the line in this whole process. Okay.

47
48 CHAIRMAN SHELDON KATCHATAG: Mr. Garnie.

49

MR. GARNIE: Yes. Just getting back to our motion. I

00197

1 don't know if we're getting away from it or not, but just
2 listening to Ed here, I ain't so sure if he didn't want to keep
3 it opened in case in the future maybe this might be harder to
4 get this opportunity. Maybe it's going to get more sticky,
5 maybe it's not in -- not at this table and at this point in
6 time in history, and it will be history before long, maybe it
7 won't be much harder to get that privilege. So I ain't so sure
8 he isn't being wise in wanting to keep it opened. And I think
9 this is what he was referring to in his concern.

10
11 CHAIRMAN SHELDON KATCHATAG: So who made the motion?

12
13 MR. FRED KATCHATAG: Nobody.

14
15 CHAIRMAN SHELDON KATCHATAG: We're in discussion on a
16 motion.

17
18 MR. GARNIE: Yeah, we to the question. The motion had
19 been seconded.

20
21 CHAIRMAN SHELDON KATCHATAG: Right. We were in
22 discussion.

23
24 MR. NINGEULOOK: Question.

25
26 CHAIRMAN SHELDON KATCHATAG: Okay. You're calling for
27 the question?

28
29 MR. NINGEULOOK: Yes.

30
31 CHAIRMAN SHELDON KATCHATAG: We have before us a motion
32 to leave the C&T determination for Units 22(C) and (E) for
33 black bear as it sits on page three, no Federal subsistence
34 priority, but with the proviso that if at some point in the
35 future a population of black bear does come to be within Units
36 22(C) and (E), that we would revisit them based upon the
37 customs and traditions of the indigenous people to be
38 opportunistic with regard to harvest of all living resources
39 within their region. All those in favor, signify by saying
40 aye.

41
42 IN UNISON: Aye.

43
44 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

45
46 (No opposing responses)

47
48 CHAIRMAN SHELDON KATCHATAG: Motion passes unanimously.
49 Before we move on to Proposal 62, let us take about a five

50 minute coffee break.

00198

1 (Off record)

2

3 (On record)

4

5 CHAIRMAN SHELDON KATCHATAG: Call the meeting back to
6 order. I've just been advised by Council that I've been a
7 little remiss in how we handle these proposals. For -- I would
8 request a motion for reconsideration of the proposal we just
9 worked on, Proposal 61, so that we can properly follow
10 procedure and hear from all parties. I've been a little
11 remiss.

12

13 The proper procedure is listed on the second page of
14 our agenda. The proposals are written, are read and the
15 analysis is given by Staff, Mr. Edenshaw gives the Summary of
16 Public Comments, we open the floor to public comments, then we
17 hear the State's comments, then we do the Regional Council
18 deliberation. So the Chair would entertain a motion to
19 reconsider 61.

20

21 UNIDENTIFIED VOICE: So moved.

22

23 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
24 to reconsider Proposal 61. Is there a second?

25

26 MR. GARNIE: Seconded.

27

28 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion?
29 Let us -- before we get into discussion let us go ahead and I
30 think the State's comments are supposed to be right after
31 the.....

32

33 MS. H. ARMSTRONG: Right.

34

35 CHAIRMAN SHELDON KATCHATAG:socio-biological
36 analysis.

37

38 MS. H. ARMSTRONG: Right.

39

40 CHAIRMAN SHELDON KATCHATAG: Normally. Right. So Mr.
41 Lean or Mr. Magdanz, or both. I'm sorry that I didn't follow
42 the proper procedure and I beg your forgiveness.

43

44 UNIDENTIFIED VOICE: You're excused.

45

46 CHAIRMAN SHELDON KATCHATAG: Thank you.

47

48 MR. MAGDANZ: Well, Mr. Chairman, I'll make my comments
49 brief. The State's comments have already been read into the

50 record. I just want to concur that those were in fact our

00199

1 comments and that the State believes that Koyuk is appropriate
2 for inclusion in GMU 22 and 22(B) is certainly an appropriate
3 C&T determination for those communities. So I'll leave it at
4 that.

5
6 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Magdanz.
7 Appreciate it. Are there any public comments? Mr. Degnan,
8 would you have anything to say on.....

9
10 MR. DEGNAN: I just came in so I'm not familiar with
11 the background.

12
13 CHAIRMAN SHELDON KATCHATAG: Okay. We're discussing
14 customary and traditional use of black bear across the entire
15 Unit 22. We went ahead and approved for Unit 22(A), which is
16 this subunit here and you can see the boundaries, they go from
17 just north of Kotlik all the way up to just north of Ungalik
18 River. And we approved customary and traditional use
19 determinations for all the residents of Unit 22(A) and the
20 residents of Koyuk because I know that they camp at the Ungalik
21 River, and which just falls inside of 22(A).

22
23 MR. DEGNAN: I feel it is appropriate.

24
25 CHAIRMAN SHELDON KATCHATAG: Right. And we also
26 included -- we also worked on Unit 22(B) as being the residents
27 of 22(B) and we changed the last part and did a determination
28 for 22(D). And then 22(C) and (E) as it stands right now, no
29 Federal subsistence priority, based on the testimony of the
30 representatives from that area. And we left it opened if in
31 fact in the future that the black bear migrate into their
32 areas, we would revisit the customary and traditional use
33 determination, especially if at the request of the residents.
34 And that's where we're sitting right now at 21 -- and that
35 would conclude our proper procedure on this procedure on
36 Proposal 61.

37
38 Having done that, the Chair would entertain a motion to
39 adopt Proposal 61 as mended.

40
41 MS. CROSS: So moved.

42
43 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
44 to adopt the customary and traditional use determination for
45 Unit 22 black bear as shown on page three and as amended in our
46 deliberation process. Is there a second.

47
48 MR. GARNIE: Second the motion.

49

CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion.

00200

1 The Chair would entertain a call for the question.

2

3 MR. FRED KATCHATAG: Question.

4

5 CHAIRMAN SHELDON KATCHATAG: Question. All those in
6 favor of Proposal 61 customary and traditional use
7 determination for black bear as amended, signify by saying aye.

8

9 IN UNISON: Aye.

10

11 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

12

13 (No opposing responses)

14

15 CHAIRMAN SHELDON KATCHATAG: Motion passes unanimously.
16 We now move on to Proposal 62. Helen.

17

18 MS. H. ARMSTRONG: Thank you, Mr. Chair. Given the
19 time, our Staff is due to leave at -- on a 6:20 plane. We're
20 going to do this rather briefly.

21

22 Proposal 62 also was submitted by this Council as a
23 backlogged proposal. It also covers customary and traditional
24 use determinations. This is for Unit 22 moose. The existing
25 C&T determination is for all residents of Unit 22. The
26 proposed regulation was to change only the portion for Unit
27 22(A) and to have that be that only residents of Unit 22(A)
28 could hunt for moose in 22(A). All of the rest of the unit, it
29 would be all residents of Unit 22.

30

31 So, in other words, somebody from 22(B) could go into
32 22(C) or (D) and to (E) or (B), they could move around, but the
33 residents of Unit 22 would be the only ones eligible for 22 --
34 22(A), I'm sorry.

35

36 Since the focus is really a where question, I'm going
37 to submit the analysis as it is in the book for the record and
38 not go through all of the factors except the one that concerns
39 -- except for the discussion -- this is in Section I on page
40 12.

41

42 What we know about who hunts where in Unit 22(A) --
43 who's hunting in Unit -- well, who hunts where, leave it at
44 that, in 22(A). There's a table at the top of the page and I
45 have to say that the harvest information we have we know is not
46 accurate, that there are probably a lot more harvests that are
47 done. But from what we know, this is from records I think the
48 oldest were 1985 up to 1995, in 22(A) there have been harvests
49 -- people from 22(B), (C) and (D), as well as 23 and 18 who

50 have gone into 22(A) over the past 10 years.

00201

1 You can see that there were -- it totals -- the number
2 of permits were 991, it totals 306 that have been taken. The
3 actual harvest, Unit 22(A) residents, and this is from records,
4 Unit 22(A) residents harvest 85 -- about 85 percent of the
5 moose harvested in 22(A). So there are people who've taken
6 moose who -- in 22(A) who are not in 22(A). But from 1983 to
7 1995, less than one percent of the moose harvest came from
8 22(B), (C) or (D). And there were no recorded harvests of
9 residents of 22(E) and 22(A).

10
11 So I think what the issue here is it's up to the
12 Council, that we know there is some harvest in 22(A) by
13 residents outside of 22(A), and my guess is that it's probably
14 relatives coming to visit and, you know, it's that sort of
15 thing that's happening.

16
17 I have to say that this perplexes me because I go, you
18 know, into one part of the State and people want to leave it
19 broad range, you know, wide opened, and in other parts maybe
20 people don't, and I think part of the issue here is that
21 there's some concern of not enough moose being available to
22 people in 22(A). So it's really up to the Council to decide
23 how they would like to deal with this.

24
25 The conclusion was to adopt the proposal. The
26 justification was that there is evidence that the primary moose
27 hunting in 22(A) is by residents of 22(A). There have
28 occasionally been hunters going from 22(B), (C) or (D), but
29 it's been less than one percent of the harvest and this use may
30 not be a community-wide use. It looks like it's sporadic and
31 somewhat minimal and that residents of Unit 22(A) are the
32 primary subsistence users. So it's up to the wishes of the
33 Council. I think right now we'll have Cliff present the public
34 comments, and then we'll have the State's comments.

35
36 CHAIRMAN SHELDON KATCHATAG: Mr. Edenshaw.

37
38 MR. EDENSHAW: Thank you, Mr. Chair. On Proposal 62,
39 C&T proposal, final comments are deferred as above that I've
40 read for Proposal 61, by the Alaska Department of Fish and
41 Game.

42
43 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Edenshaw.
44 ADF&G comments?

45
46 MR. MAGDANZ: Mr. Chairman, Jim Magdanz, ADF&G, Nome.
47 Just to be a little more specific, our comments were that the
48 community of Koyuk is located in 22(B), but they occasionally
49 hunt in 22(A). I understand some Koyuk have camps on the

50 Ungalik River and so the State would just offer the observation

00202

1 that there may be some hunting by Koyuk residents in 22(A).

2

3 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Magdanz.
4 Public comments? No public comments. We now move on to
5 Regional Council deliberation and recommendation. What is the
6 wish of the Council with regard to Proposal 62? The Chair
7 would entertain a motion to on the first part add the residents
8 of Koyuk to Unit 22(A) customary and traditional use
9 determination based upon facts presented by Mr. Magdanz with
10 regard to Koyuk residents having camps and allotments on the
11 Ungalik River, which fall just inside of the northern 22(A)
12 borders.

13

14 MR. GARNIE: So moved.

15

16 CHAIRMAN SHELDON KATCHATAG: We have a motion before
17 us, is there a second?

18

19 MR. FRED KATCHATAG: Second the motion.

20

21 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion.

22

23 MS. CROSS: Mr. Chair.

24

25 CHAIRMAN SHELDON KATCHATAG: Ms. Cross.

26

27 MS. CROSS: On page 11, on the last paragraph, halfway
28 there it says, although moose are not available to the
29 residents on St. Lawrence and Diomedé islands, residents hunt
30 moose with relatives on the mainland, but not in 22 -- Unit
31 22(A). That is not a true statement because people on St.
32 Lawrence Island have relatives in Stebbins, Unalakleet and
33 Shaktoolik and they do come and hunt for moose. And their
34 relatives in turn go to St. Lawrence Island and hunt for walrus
35 and whale. And this has been ongoing since (indiscernible)
36 moved in this area. But they do -- like my brother's wife is
37 from Shaktoolik, he has been hunting in that area since they
38 got married, which was in late '6 -- early '70s on and off.
39 It's not a continuous thing but whenever need be they do.

40

41 CHAIRMAN SHELDON KATCHATAG: Would the Council be
42 amenable to an amendment to Unit 22(A) to be residents of Unit
43 22(A), plus Koyuk, plus relatives of residents living in 22(A).
44 Mr. Garnie.

45

46 MR. GARNIE: Yes. You know, with all species I think
47 here it's pretty safe to say I think we all know somebody or
48 anybody from our family has hunt, so most everyone of these
49 from (A) through (E). So I think it just hard to separate, you

50 know what I mean. I mean we all know somebody that lives here

00203

1 and hunts here and there and all over. Because we're not --
2 and especially in the past. We moved around a lot more than we
3 do today, but still we hunt in all different areas and we have
4 a diverse diet.

5
6 Like we were from inland up here at (Indiscernible) but
7 still we had mukluk to eat because we have some family and
8 friends and relatives and get invited on a hunt to come out
9 there and bring back a big supply and trade -- for trade. But
10 we can discuss this until, they say, the cows come home so to
11 speak, but I think this is going to be with every species we're
12 going to have this and we're always going to stop on somebody's
13 toes and it'd be hard for us to do.

14
15 CHAIRMAN SHELDON KATCHATAG: Yeah. That's why we need
16 that policy again.

17
18 MR. GARNIE: Yes. I hated to say that over again, but
19 that would clarify it all and save a lot of process.

20
21 MS. CROSS: Mr. Chair.

22
23 MR. GARNIE: And maybe the State agencies here and Fish
24 and Game can express this to help us acquire this Native
25 Policy.

26
27 CHAIRMAN SHELDON KATCHATAG: I really think that this
28 policy should be not just a Federal system, but it should be
29 both the State. Ms. Armstrong.

30
31 MS. H. ARMSTRONG: I don't want to be seen necessarily
32 as an advocate, but I think that the idea of putting in the
33 relatives of residents is really an interesting one and no
34 one's tried that.

35
36 CHAIRMAN SHELDON KATCHATAG: Well, we can do that.

37
38 MS. H. ARMSTRONG: It would be interesting to see how
39 the Board handled that.

40
41 CHAIRMAN SHELDON KATCHATAG: Okay.

42
43 MS. CROSS: Mr. Chair.

44
45 CHAIRMAN SHELDON KATCHATAG: Ms. Cross.

46
47 MS. CROSS: Especially in the light when the -- say,
48 for example, if moose is scarce in 22(D) and if you have
49 relatives, most likely you will travel over to 22(A) or any of

50 the other regions, either (A), (B), (C) or (E) because within

00204

1 your area the moose really are scarce. So you travel to
2 another area with your relatives to get your subsistence needs
3 from there.

4
5 We kind of move around. So I think it's a good idea
6 to put, you know, the way you had stated the last.....

7
8 CHAIRMAN SHELDON KATCHATAG: So I will as the maker of
9 the motion, I will amend my request for a motion to read for
10 Unit 22(A) moose customary and traditional use determination,
11 residents of Unit 22(A) and the residents of Koyuk, plus
12 friends and relatives of the residents of the Unit 22(A) and
13 Koyuk, with their relatives.

14
15 In other words you just can't say, well, I have a
16 relative in Unalakleet and I won't even both to stop by and see
17 them, I'm just -- just because I'm a relative I'm going to go
18 hunt them first. Okay. Let's leave it at residents of Unit
19 22(A), Koyuk; plus their friends and relatives.

20
21 MS. CROSS: Maybe relatives would be better.

22
23 CHAIRMAN SHELDON KATCHATAG: That might be visiting.

24
25 MR. GARNIE: Does that mean my buddy from Chicago can
26 come up here because he's my friend?

27
28 CHAIRMAN SHELDON KATCHATAG: As long as he gets a non-
29 resident hunting license.

30
31 MS. H. ARMSTRONG: A point of clarification.

32
33 CHAIRMAN SHELDON KATCHATAG: Ms. Armstrong.

34
35 MS. H. ARMSTRONG: Are you -- so you're saying any
36 friend and any relative outside of unit -- do you want to say
37 who resides in Unit 22?

38
39 CHAIRMAN SHELDON KATCHATAG: Okay. In Unit 22.

40
41 MS. H. ARMSTRONG: Who is a Unit 22.....

42
43 CHAIRMAN SHELDON KATCHATAG: Right.

44
45 MS. H. ARMSTRONG:resident. Okay. See, that's
46 where our policy would be really nice because all of this -- we
47 wouldn't have to get into all of these micro-managing
48 decisions. We would just say -- it would just -- our proposal
49 booklet would say, all the residents of Unit 22 have customary

50 and traditional use for all species within Unit 22, and among

00205

1 their customs and traditions that they allow relatives and
2 friends that might be visiting to hunt with them as a matter of
3 courtesy and respect. And all animals taken come right off the
4 top of the quota. But we don't have that right now, so at
5 least we can look at it for a name in the future.

6
7 Does that clarify that mud situation? Okay. Let me
8 clarify it. Clear as mud. We are working on Proposal 62,
9 customary and traditional use determination for moose in 22(A)
10 as being the residents of Unit 22(A) and Koyuk, plus their
11 friends and relatives who are residents of Unit 22. Does that
12 make sense?

13
14 MR. BUCK: Mr. Chair.

15
16 CHAIRMAN SHELDON KATCHATAG: Mr. Buck.

17
18 MR. BUCK: Could we eliminate friends. Do we need to
19 say relatives and their friends?

20
21 CHAIRMAN SHELDON KATCHATAG: Well that -- I'd be
22 willing to amend my amendment.

23
24 MS. CROSS: I would rather see it relatives then add
25 friends.

26
27 CHAIRMAN SHELDON KATCHATAG: Okay. As the maker of the
28 motion I hereby amend my amendment to strike friends so that it
29 read customary and traditional use determination for Unit 22(A)
30 moose, will be residents of Unit 22(A), Koyuk, plus relatives
31 of residents of Unit 22(A) and Koyuk who are also residents of
32 Unit 22. Does that make sense?

33
34 MS. H. ARMSTRONG: And to clarify, we've deleted the
35 part that you have to be hunting with your relative, right?
36 You took that out or did you just.....

37
38 CHAIRMAN SHELDON KATCHATAG: Well, I think that's
39 micro-managing.

40
41 MS. H. ARMSTRONG: Okay. I just wanted to make sure I
42 had it clear.

43
44 CHAIRMAN SHELDON KATCHATAG: We could make that a
45 proviso.

46
47 MS. H. ARMSTRONG: It's up to you.

48
49 CHAIRMAN SHELDON KATCHATAG: If you had no problem with

50 that.

00206

1 MS. H. ARMSTRONG: I just wanted it clear. I don't
2 have a problem with it. You're the Council.

3
4 CHAIRMAN SHELDON KATCHATAG: Mr. Adkisson.

5
6 MR. ADKISSON: Since you're working on the relatives,
7 there may be something already in the CFRs for the Federal
8 program that might help. There's a definition of subsistence
9 uses on the books now that says means the customary and
10 traditional use by rural Alaska residents while renewable
11 resources for direct personal or family consumption. And the
12 same definition -- group of definitions defines family as means
13 all persons related by blood, marriage or adoption, or any
14 person living within the household on a permanent basis.

15
16 And so maybe a really unique way of doing that would be
17 to define it on the basis of family as defined in the Federal
18 regulations.

19
20 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Adkisson.
21 I think I remember that definition as being part of Title VIII.
22 Yes, it is. Section 803, Definitions. 803(1) it says family
23 means all persons related by blood, marriage or adoption, or
24 any person living within the household on a permanent basis.
25 And we're talking about subsistence uses -- okay. Let me read
26 this into the record.

27
28 Section 803. As used in this act the term subsistence
29 uses means the customary and traditional uses by rural Alaskans
30 residents of wild renewable resources for direct personal or
31 family consumption as food, shelter, fuel, clothing, tools or
32 transportation. It doesn't say it has to mean all of those.
33 It could be one or a combination of them. For the making and
34 selling of handicraft articles out of non-edible byproducts of
35 fish and wildlife resources taken for personal or family
36 consumption, for barter or sharing with personal or family
37 consumption and for customary trade.

38
39 For the purposes of this section, the term family means
40 all persons related by blood, marriage or adoption, or any
41 person living within the household on a permanent basis.

42
43 So let's -- with the indulgence of the Council I will
44 as the maker of the motion, let's -- let all our customary and
45 traditional determinations read residents and their family as
46 defined in Section 803.

47
48 MR. FRED KATCHATAG: I don't -- Mr. Chairman.

49

CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag. Let me

00207

1 finish. Residents and their friends -- I mean residents and
2 their family as defined in Section 803 of Unit 22(A) and Koyuk.

3

4 MR. FRED KATCHATAG: Not friends, relatives.

5

6 CHAIRMAN SHELDON KATCHATAG: It has to be family.

7

8 MR. ADKISSON: The only problem with that I guess would
9 be.....

10

11 MR. FRED KATCHATAG: I don't know if this is good thing
12 to do or not.

13

14 CHAIRMAN SHELDON KATCHATAG: Well, it's a definition
15 already in the law. We're just applying it to our customary
16 and traditional use determination.

17

18 MR. FRED KATCHATAG: What if one of these guys from
19 island come down and break the law in our district? Who's
20 responsible for that?

21

22 CHAIRMAN SHELDON KATCHATAG: Charlie is. Well, see,
23 that's -- I don't think we should worry about that kind of a
24 problem until it comes up. We're going to assume that all our
25 relatives that we might bring out hunting will be law abiding
26 like we are, if we are.

27

28 MS. CROSS: Mr. Chair, the only problem I see within
29 the definition is there's a clause that says living in the
30 household permanent basis.

31

32 CHAIRMAN SHELDON KATCHATAG: That's not the entire
33 definition. That's just the last part of it.

34

35 MS. H. ARMSTRONG: Blood relative.

36

37 MS. MEEHAN: Yeah, blood relative or related by
38 marriage.....

39

40 CHAIRMAN SHELDON KATCHATAG: And then it says or any
41 person living within the household on a permanent basis.

42

43 MS. CROSS: Oh, okay. I didn't hear the word or.
44 Okay. That's fine.

45

46 MR. ADKISSON: Mr. Chairman.

47

48 CHAIRMAN SHELDON KATCHATAG: Mr. Adkisson.

49

MR. ADKISSON: The only problems with that I guess too

00208

1 as you point out the same time, is that the St. Lawrence Island
2 residents you'd have no problems because they're rural. But
3 where you might run afoul with the program is if that family
4 member happens to be a permanent resident of an urban center,
5 say Anchorage, and then you run across the problem of rural
6 residency.

7
8 CHAIRMAN SHELDON KATCHATAG: All right. I changed --
9 because of the definition of family in 803, because that is
10 more comprehensive than what we were saying.

11
12 MS. H. ARMSTRONG: Okay. Just so I have it right, tell
13 me now what you want it to be.

14
15 CHAIRMAN SHELDON KATCHATAG: Okay. The way that I have
16 modified my amendment is to read Unit 22(A) customary and
17 traditional use determination for moose shall be residents of
18 Unit 22(A), and Koyuk, and their family as defined in Section
19 803, which for the records is -- means all persons related by
20 blood, marriage or adoption.

21
22 MR. FRED KATCHATAG: I don't feel we need to make any
23 motions, we'll just follow that path.

24
25 CHAIRMAN SHELDON KATCHATAG: See, where the problem
26 comes in is what he just mentioned about our relatives that
27 live in Anchorage or live in Fairbanks which are by definition
28 urban.

29
30 MR. FRED KATCHATAG: They're there by their choice.

31
32 CHAIRMAN SHELDON KATCHATAG: Even though they qualify
33 based on the definition of family, which takes precedence. As
34 far as we as people, family takes precedence over where they
35 reside or don't reside.

36
37 MR. FRED KATCHATAG: See they went -- they become an
38 urban by their own choice.

39
40 CHAIRMAN SHELDON KATCHATAG: Okay. Thank you want.....

41
42 MR. FRED KATCHATAG: And if somebody marries -- if I
43 married a woman from island down there, then I got to live with
44 them down there, right? It's my choose -- my choice. I don't
45 have to become a snag to another village. We don't need one
46 more snag. See, the laws are getting so critical now, in
47 trying to help other people we get in a snag and we suffer for
48 that.

49

CHAIRMAN SHELDON KATCHATAG: I think it would make

00209

1 Charlie's job and the rest of Fish and Game's job very much
2 harder if we didn't include the provision that family as being
3 residents of 22. I don't think we want to step on that can of
4 worms and squish it open and end up with all our 20,000 urban
5 Native relatives taking part. Mr. Seetot.

6
7 MR. SEETOT: Mr. Chair, I think (indiscernible-away
8 from microphone).

9
10 CHAIRMAN SHELDON KATCHATAG: Well, I was looking at the
11 statute itself. Because -- Mr. Adkisson.

12
13 MR. ADKISSON: You could modify that by saying family
14 members who are rural residents or family members who are
15 residents of unit such and such. That would probably eliminate
16 that problem.

17
18 CHAIRMAN SHELDON KATCHATAG: But the definition still
19 holds in Section 803 that family means -- it doesn't say just
20 the persons that you're related to by blood or any other way
21 who are rural residents.

22
23 MR. DEGNAN: So you don't have a problem.

24
25 MR. FRED KATCHATAG: I think I would move.....

26
27 CHAIRMAN SHELDON KATCHATAG: The problem comes in when
28 our urban blood relations come over and say, yeah, I'm going to
29 exercise my subsistence rights under the Federal Subsistence
30 Management Program. Because, you know, just because somebody
31 moves away they don't quit being my brother and sister. So
32 that's the conundrum that is built into the system, that if we
33 had a comprehensive Alaska Native Policy that covered all
34 Alaska Natives we wouldn't have a problem with this. They
35 would all be customary and traditional users regardless of
36 place of residence. And I guarantee you that even if they do
37 live in Anchorage, if they've been raised on customary and
38 traditional foods they still have that hunger and need for that
39 resource.

40
41 MR. DEGNAN: You said they're still a member of the
42 tribe.

43
44 CHAIRMAN SHELDON KATCHATAG: Right.

45
46 MR. DEGNAN: So you don't have a problem.

47
48 CHAIRMAN SHELDON KATCHATAG: Right.

49

MR. FRED KATCHATAG: You got provision for that. Just

00210

1 pay the postage. And that way you don't argue with Fish and
2 Game, you argue with the Postmaster.

3
4 CHAIRMAN SHELDON KATCHATAG: Shall we put it for a test
5 case and leave it as residents of Unit 22(A) and Koyuk and
6 their family as defined in Section 803.

7
8 MS. H. ARMSTRONG: Period.

9
10 CHAIRMAN SHELDON KATCHATAG: Period.

11
12 MR. SEETOT: Mr. Chairman.

13
14 CHAIRMAN SHELDON KATCHATAG: Mr. Seetot.

15
16 MR. SEETOT: Would that determination we wouldn't --
17 apply to all species, you know, if we want to make a case out
18 of that, you know, it could pretty much state for all species
19 covered in the Federal lands, either residents of that certain
20 subunit or residents of that unit. And wouldn't it make it
21 where if I'm not a Board member in the future, would someone
22 challenge, you know, the ruling made like for families of our
23 -- a certain subunit?

24
25 CHAIRMAN SHELDON KATCHATAG: Well, I think if they're
26 going to challenge that definition of family they're going to
27 have to amend ANILCA.

28
29 MR. FRED KATCHATAG: Well, let's leave it the way it
30 is.

31
32 CHAIRMAN SHELDON KATCHATAG: That's why I wanted to
33 leave it the way it is and just leave it as we have just said,
34 that customary and traditional use determination for moose will
35 be.....

36
37 MR. FRED KATCHATAG: We've got a lot more proposals to
38 go through.

39
40 CHAIRMAN SHELDON KATCHATAG:residents of Unit
41 22(A) and Koyuk.....

42
43 MR. FRED KATCHATAG: Let's get out of here. And let's
44 never invite this Board again to Unalakleet. We always get by
45 real fast in urban areas. The minute we go to rural, we sit
46 down and argue and argue and argue, and pretty soon you're
47 going to have to stay here without pay. Those of you that
48 change it. So let's make it so that we never invite this Board
49 again.

00211

1 CHAIRMAN SHELDON KATCHATAG: As it stands now our
2 proposal will be residents of Unit 22(A) customary and
3 traditional use determinations for moose as being residents of
4 Unit 22(A) and Koyuk and family as defined in Section 803. Is
5 that the wish of the Council? Do you want to stick with the
6 definition in Title VIII of ANILCA?

7
8 MR. FRED KATCHATAG: For time being anyway.

9
10 CHAIRMAN SHELDON KATCHATAG: Okay. So that is my
11 motion. And is it still seconded.

12
13 UNIDENTIFIED VOICE: Second.

14
15 CHAIRMAN SHELDON KATCHATAG: Okay. We're in
16 discussion.

17
18 MR. FRED KATCHATAG: Question.

19
20 CHAIRMAN SHELDON KATCHATAG: Mr. Garnie, before we get
21 to the question.

22
23 MR. FRED KATCHATAG: Oh, excuse me.

24
25 MR. GARNIE: We're leaving this until.....

26
27 CHAIRMAN SHELDON KATCHATAG: Until it's challenged.

28
29 MR. GARNIE: Until it's challenged. Is there some room
30 where we can put until we have -- all this is subject due to
31 change until we get a Native Policy. Because, man, that Native
32 Policy would just clear us all up. We wouldn't have this
33 discussion at all, this problem.

34
35 CHAIRMAN SHELDON KATCHATAG: Well, we could ask that
36 Staff put in there that a proper Alaska Native Policy would
37 simplify these things in the extreme.

38
39 MS. H. ARMSTRONG: Sure. We can put it in.

40
41 CHAIRMAN SHELDON KATCHATAG: Is that the wish of the
42 Council?

43
44 MR. GARNIE: I really think we need every plug we can
45 get to help us to get this Native Policy. Every chance --
46 every crack we can squeeze it in to show where it's needed and
47 why I think would help us.

48
49 CHAIRMAN SHELDON KATCHATAG: Okay. So you want to make

50 mention.....

00212

1 MS. H. ARMSTRONG: I'll do that.

2

3 CHAIRMAN SHELDON KATCHATAG:in the Staff analysis
4 of -- for the recommendation of the Board that this
5 demonstrates.....

6

7 MS. H. ARMSTRONG: So noted.

8

9 CHAIRMAN SHELDON KATCHATAG:a crying need for a
10 comprehensive Alaska Native Policy to not only recognize the
11 customary and traditional use, but also the customs and
12 traditions practiced by those people involved. Is that
13 sufficient, Mr. Garnie? Are we sufficiently confused?

14

15 MR. GARNIE: Yeah. Let's go on.

16

17 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag, are you
18 still calling for the question?

19

20 MR. FRED KATCHATAG: Question.

21

22 CHAIRMAN SHELDON KATCHATAG: Question's been called.
23 All those in favor of the Proposal 62, Unit 22(A) portion
24 customary and traditional use determination for moose as being
25 residents of Unit 22(A) and Koyuk and family as defined in
26 Section 803, signify by saying aye.

27

28 IN UNISON: Aye.

29

30 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

31

32 (No opposing responses)

33

34 CHAIRMAN SHELDON KATCHATAG: For the record, motion
35 passed unanimously. We now move on to the second portion of
36 Proposal 62 which reads, Unit 22 Remainder - moose, customary
37 and traditional use being determined as being the residents of
38 Unit 22. What is the wish of the Council? This part. We did
39 this part. We did do this part. State proposal, the lower
40 part.

41

42 MR. GARNIE: 22(D), (E) and (C)?

43

44 CHAIRMAN SHELDON KATCHATAG: No, no. You're on Proposal
45 61. You want to go to 62.

46

47 MS. CROSS: So we're talking about the remainder of 22,
48 other than 22(A).

49

MS. H. ARMSTRONG: Mr. Chair.

00213

1 CHAIRMAN SHELDON KATCHATAG: Ms. Armstrong.

2

3 MS. H. ARMSTRONG: You could probably -- I mean that
4 part of the regulation wasn't changing, was staying as it is.
5 So you might be able to just simplify it by just -- I mean
6 there wasn't a change to C&T proposed for (B), (C), (D) or (E).

7

8 CHAIRMAN SHELDON KATCHATAG: Okay. As it stands now
9 the customary and traditional use determination is in the
10 record. I show moose to rural residents of Unit 22. So we
11 will leave that as it sits. I would entertain a motion to that
12 effect.

13

14 MS. CROSS: I so move.

15

16 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
17 for the customary and traditional use determination for moose
18 in Unit 22, remainder, is residents of Unit 22 -- rural
19 residents of Unit 22. Is there a second?

20

21 MR. FRED KATCHATAG: Second.

22

23 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion.

24

25 MR. GARNIE: Question.

26

27 CHAIRMAN SHELDON KATCHATAG: The question's been
28 called. All those in favor of the C&T proposal for moose in
29 Unit 22 remainder outside of 22(A) as being residents of Unit
30 22, all those in favor, signify by saying aye.

31

32 IN UNISON: Aye.

33

34 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

35

36 (No opposing responses)

37

38 CHAIRMAN SHELDON KATCHATAG: Motion passes unanimously.
39 Let's now move on to Proposal Number 63.

40

41 MS. H. ARMSTRONG: We're getting there.

42

43 CHAIRMAN SHELDON KATCHATAG: Ms. Armstrong.

44

45 MS. H. ARMSTRONG: Okay. Proposal 63. This proposal
46 also was submitted by this Council and it requests that
47 positive customary and traditional use determination for wolf
48 in Unit 22, includes the residents of Unit 21(D) west of the
49 Yukon River, Unit 22, and Unit 23 south of the Arctic Circle.

50 The regulation currently provides a positive C&T determination

00214

1 for rural residents of Units 6, 9, 10 (Unimak Island), 11
2 through 13 and the residents of Chickaloon, and Units 16 to 26.

3

4

5 What happened was that the State did sort of all
6 encompassing C&Ts. They never meant to indicate that some of
7 these units actually hunt wolf here, but we wanted to change
8 that so it reflected more the situation that truly exist.

9

10 I don't think there's any question about a C&T that
11 people in this unit have C&T and to -- considering the time
12 we'll just present the analysis as in the proposal into the
13 record.

14

15 The information that we found, and again it's not -- we
16 know it's not particularly accurate. There are people outside
17 of Unit 22. The only people I found who weren't from urban
18 communities, or communities that were particularly far away
19 hunting for wolf -- let's see, in Unit 22(A) there are people
20 who come up from Kotlik and there were eight actually taken by
21 Kotlik residents. And this is from 1984 to 1995. There were
22 two people who came from Bettles and then those were outside of
23 Unit 22. All the rest in 22(A) were by residents of 22. In
24 22(B) there were people from again Wasilla and non-residents,
25 and the rest were from 22(B) and (C). And then in 22(C) the
26 only -- there weren't any outside residents. It was all Nome
27 residents who took wolves. And then in 22(D) it was all 22(C),
28 (D) and (E) residents. We didn't have any information on
29 22(E).

30

31 So I think you could probably -- let's see, the total
32 harvest in the Unit were 271 in that time period. And the
33 total harvest by Unit 22 residents in 22 were -- it was 95
34 percent. So most of the harvest are occurring by residents
35 from Unit 22, and then some from Kotlik.

36

37 There wasn't information available as to whether or not
38 people outside -- with the exception of Kotlik, whether or not
39 people outside of the Unit were harvesting wolves in 22. And
40 we're seeking additional information from the Y-K Delta, the
41 Western and Northwest Arctic Regional Advisory Councils and see
42 whether they wanted to modify that. Those meeting have not yet
43 been held, so I don't have any input from them.

44

45 The preliminary conclusion then based on what I've just
46 said was to modify the proposal to give a positive customary
47 and traditional use determination for hunting wolves to Unit 22
48 residents and Kotlik in Unit 22. And then we would wait from
49 further input from those other Councils to see if they had

50 people coming into Unit 22. My guess is there might be, but

00215

1 it's hard to know.

2

3 CHAIRMAN SHELDON KATCHATAG: Well, your modification
4 kind of strikes Unit 23 out. And I have problems with that
5 because I know that people from 23 in chasing wolves, there's a
6 big rolling hills area over between Koyuk and Buckland that you
7 pretty much -- you'd have to have a GPS to figure out whether
8 you're in Unit 23 or Unit 22(B). So I would respectfully ask
9 that we keep that -- our original proposal and add just the
10 residents of Kotlik, which is part of Unit 18.

11

12 So it would read and the Chair would entertain a --
13 well, when we get later on in deliberation the Chair would
14 entertain a motion to add residents of Kotlik. And so the way
15 it would read would be customary and traditional use
16 determination for Unit 22 wolf would be rural residents of Unit
17 21(D) west of the Yukon River, Unit 22 and Unit 23 south of the
18 Arctic Circle, plus the residents of Kotlik.

19

20 MS. H. ARMSTRONG: Good.

21

22 CHAIRMAN SHELDON KATCHATAG: So that's the proposal.
23 And we'll amend that when we get into deliberations. We now
24 move on to public comments. Mr. Edenshaw. Or are you done,
25 Helen?

26

27 MS. H. ARMSTRONG: Um-hum.

28

29 CHAIRMAN SHELDON KATCHATAG: Okay.

30

31 MR. EDENSHAW: Thank you, Mr. Chair. Proposal 63, C&T
32 proposal, final comments deferred from ADF&G.

33

34 CHAIRMAN SHELDON KATCHATAG: Any public comments? No
35 public -- I'm sorry, State, ADF&G, Mr. Magdanz.

36

37 MR. MAGDANZ: Mr. Chairman, Jim Magdanz, ADF&G, Nome.
38 Just a brief observation that fur bear bear hunting typically
39 involved ranging over a large area and I think it's appropriate
40 to have a larger area for a C&T determination for fur bear
41 species. They tend to be taken from snow machines by hunters
42 who travel great distances, your example about the Buckland
43 drainage, Koyuk drainage in the past is certainly astute and,
44 you know, they think this is an appropriate area to be C&T for
45 wolf.

46

47 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Magdanz.
48 No public comments. We now move on to Regional Council
49 deliberation and recommendation. The Chair would entertain a

50 motion for the C&T determination for Unit 22 wolf to read as it

00216

1 stands on page 16 of our briefing booklet, rural residents of
2 Unit 21(D) west of the Yukon River, Unit 22 and Unit 23 south
3 of the Arctic Circle, and the residents of Kotlik. So we would
4 modify that by adding or amend it by adding, plus Kotlik.

5 MR. GARNIE: So moved.

6
7 CHAIRMAN SHELDON KATCHATAG: We have a motion before
8 us, is there a second?

9
10 MS. CROSS: Second.

11
12 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion?

13
14 MR. FRED KATCHATAG: Question.

15
16 CHAIRMAN SHELDON KATCHATAG: Did you call for the
17 question? Question's been called. All those in favor of the
18 motion to amend the proposal to add the residents of Kotlik to
19 those shown on page 16 in favor, signify by saying aye.

20
21 IN UNISON: Aye.

22
23 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

24
25 (No opposing responses)

26
27 CHAIRMAN SHELDON KATCHATAG: Motion passed unanimously.
28 We now have the Proposal 63. What is the wish of the Council
29 for the proposal itself for final recommendation the the Board.
30 The Chair would entertain a motion to adopt Proposal 63 as
31 amended.

32
33 MS. CROSS: I so move.

34
35 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
36 to adopt Proposal 63 as amended. Is there a second?

37
38 MR. FRED KATCHATAG: Second.

39
40 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion?

41
42 MR. BUCK: Question.

43
44 CHAIRMAN SHELDON KATCHATAG: Question's been called.
45 All those in favor of Proposal 63 customary and traditional use
46 determination for Unit 22 wolf as being rural residents of Unit
47 21(D) west of the Yukon River, Unit 22 and Unit 23 south of the
48 Arctic Circle, plus Kotlik, those in favor signify by saying
49 aye.

00217

1 IN UNISON: Aye.

2

3 CHAIRMAN SHELDON KATCHATAG: Those opposed, nay.

4

5 (No opposing responses)

6

7 CHAIRMAN SHELDON KATCHATAG: Motion passes unanimously.

8 We now have before us Proposals number 54 and 66. Helen.

9

10 MS. H. ARMSTRONG: Thank you, Mr. Chair. Proposal 54
11 is one that affects Unit 22(A), although the proposal is not
12 coming from Unit 22(A). It comes from the Native Village of
13 Hooper Bay. Last year when we made our customary and
14 traditional use determination for caribou for 22(A), at the
15 Board meeting there was evidence submitted to support providing
16 C&T for caribou in 22(A) for Kotlik, Emmonak, Marshall,
17 Mountain Village, Pilot Station, Pitka's Point, Russian
18 Mission, St. Mary's, Sheldon Point and Alakanuk.

19

20 The Y-K Delta Council provided information and we had
21 some maps available that indicated that those people do go up
22 into 22(A) to hunt caribou. Hooper Bay submitted a proposal
23 asking for Hooper Bay, Scammon Bay and Chevak to also be added
24 to that determination. And I think this is a good example of
25 where customary and traditional use determinations are evolving
26 And so if we -- somebody does get -- somebody feels they're
27 left out then it can be added at a later date.

28

29 There is actually no information in the literature or
30 in the databases that supported that those communities have
31 harvested caribou in 22(A). However, the Staff who put this
32 together did do some consultation with people out in the region
33 and talked to people who do go up into the corner of 22(A) to
34 harvest caribou. Actually, caribou, wolf and moose.

35

36 When the snow conditions are favorable they
37 particularly like to go up that far. They did indicate that
38 caribou are hunted in their area depending on transportation,
39 economics, weather conditions and availability of caribou that
40 are nearer to their village. It's not a consistent pattern of
41 use, but it is something that is occasionally done, especially
42 when they don't have enough marine mammals, moose or other
43 resources.

44

45 I think I will again submit the remainder into the
46 record and we can deliberate on the issue of whether or not
47 those villages should be added to the customary and traditional
48 use determination.

49

The preliminary conclusion was suggestive but not

00218

1 conclusive for supporting a positive customary and traditional
2 use finding for Chevak, Hooper Bay and Scammon Bay. The
3 suggestion was to table the request until the Regional Councils
4 could hear public testimony to support the proposal, or until
5 formal studies could be carried out in those three communities,
6 which could be a long time.

7
8 There isn't any concern whether or not people actually
9 have used caribou. It's whether or not they have used it in
10 the area. That concludes my presentation. And Cliff, do you
11 have any comments.

12
13 CHAIRMAN SHELDON KATCHATAG: Thank you, Ms. Armstrong.
14 Mr. Edenshaw, public comments.

15
16 MR. EDENSHAW: Yeah, Mr. Chair. For Proposal 54, a C&T
17 proposal, comments are deferred from ADF&G, and one letter from
18 Jerry Austin and others from the Village of St. Michael. This
19 proposal should not be changed by adding three villages that
20 have never hunted caribou in Unit 22(A) until the past 2 or 3
21 years. This is a sham trying to say that a few years equals
22 traditional and customary use. By their own proposal they say
23 that they are part of the Calista Region and the Yukon
24 drainage. People in Unit 22(A) do not mind newcomers
25 harvesting the resource as long as it exists, but to be allowed
26 "customary and traditional use" goes way beyond the scope of
27 the law. And those were the only comments. Thank you.

28
29 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Edenshaw.
30 ADF&G comments?

31
32 MR. MAGDANZ: No comments.

33
34 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Magdanz.
35 We now proceed to Regional Council deliberation and
36 recommendation. What is the wish of the Council? As you can
37 see on the page one of the supplemental proposal, that the
38 change is to add Hooper Bay, Scammon Bay and Chevak, which are
39 residents of Unit 18, I believe.

40
41 MS. HENNEMAN: It's not on the map but we could get the
42 books out.

43
44 CHAIRMAN SHELDON KATCHATAG: Well, we can see it. We
45 can point to the big map.

46
47 MR. GARNIE: Is the local residents that are opposing
48 this, was that right, Cliff?

49

CHAIRMAN SHELDON KATCHATAG: Jerry Austin and others.

00219

1 MR. EDENSHAW: Austin and St. Michael, yeah.

2

3 MR. GARNIE: He's opposing to having Hooper Bay
4 and.....

5

6 CHAIRMAN SHELDON KATCHATAG: Um-hum.

7

8 MR. FRED KATCHATAG: What's the reasoning for this?

9

10 CHAIRMAN SHELDON KATCHATAG: Well, this is to recognize
11 that these are indigenous people just like we are, basically,
12 and that they are just as opportunistic as we are. And the
13 resource can support and has supported their hunt of the --
14 just about everybody. And it's basically to recognize that
15 they have hunted at least caribou in the past. And that, you
16 know.....

17

18 MR. FRED KATCHATAG: Does caribou migrate through
19 there?

20

21 CHAIRMAN SHELDON KATCHATAG: They went all the way down
22 to back door of St. Mary's that one year.

23

24 MR. FRED KATCHATAG: And they're not permitted to hunt
25 them?

26

27 CHAIRMAN SHELDON KATCHATAG: They weren't at the time
28 under the Federal subsistence because they had no C&T
29 determination, legally, but they did hunt them. Mr. Garnie.

30

31 MR. GARNIE: Yeah, I think we should include them.
32 They're part of our people and they're just -- they're all
33 subject to this boundaries being drawn. Before they didn't
34 have the boundaries if the caribou were there and they had the
35 means and physical capability of traveling there and hunting,
36 there's been residential history on it.

37

38 CHAIRMAN SHELDON KATCHATAG: I remember when we were
39 talking about this at the Federal Subsistence Board they were
40 listed, those people in Hooper Bay, Scammon Bay and Chevak at
41 the time we discussed them, but when we did the proposal we did
42 it -- we amended it to include just those villages north of the
43 Yukon. And I believe these three are all south of the Yukon
44 mouth.

45

46 MS. H. ARMSTRONG: They're right here.

47

48 CHAIRMAN SHELDON KATCHATAG: So they're basically the
49 neighbors and friends and relatives of everybody else that we

50 included from Kotlik all the way down to wherever.

00220

1 MR. FRED KATCHATAG: Make a motion.

2

3 MR. GARNIE: Make a motion we include them.

4

5 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
6 to include the residents of Hooper Bay, Scammon Bay and Chevak
7 as having customary and traditional use of caribou in Unit
8 22(A). Is there a second?

9

10 MR. FRED KATCHATAG: Second.

11

12 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion?

13

14 MR. BUCK: Question.

15

16 CHAIRMAN SHELDON KATCHATAG: The question's been
17 called. All those in favor of the proposal to modify the
18 current customary and traditional use determination for caribou
19 in Unit 22(A) to include the residents of Hooper Bay, Scammon
20 Bay and Chevak, all those in favor, signify by saying aye.

21

22 IN UNISON: Aye.

23

24 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay,

25

26 (No opposing responses)

27

28 CHAIRMAN SHELDON KATCHATAG: Motion passes unanimously.
29 Again, a customary -- I mean a comprehensive Alaska Native
30 Policy would have taken care of this in the extreme.

31

32 Proposal Number 66. Helen.

33

34 MS. H. ARMSTRONG: Last one. I'm sorry, the last time
35 I didn't draw you to where these were. They're in the
36 supplemental materials that looks like this. These -- it's
37 sometime hard when we're working on these that this -- anyway,
38 that last one didn't get done until after the book came out and
39 the next one hasn't been done at all. Now, that meeting isn't
40 until the end of the month. And I won't bore you with the
41 details of our overworked staff this year. But we had a staff
42 member whose wife had cancer and subsequently died, so we were
43 pulling extra loads of work.

44

45 But, anyway, Proposal 66 the analysis has not yet been
46 written, but what I'm going to do is just look to you for some
47 input. This is a Unit 23 caribou C&T determination like we did
48 last year with the Unit 22 caribou. We are refining the C&T
49 determinations more. When they were done by the State they

50 were done by herd and we're doing it by unit.

00221

1 The existing determination is for all rural residents
2 of Unit 21(D) west of the Koyukuk and Yukon Rivers and rural
3 residents of Units 22(A), 22(B), 23, 24 and 26(A). The
4 proposal, and this came from the Gates of the Arctic
5 Subsistence Resource Commission, and it says here the Seward
6 Peninsula, but that's not right, that's supposed to be
7 Northwest Arctic Federal Subsistence Regional Advisory Council.

8
9 The proposal is to in Unit 23 south of the Arctic
10 Circle have a C&T determination for rural residents of Unit
11 21(D) west of the Koyukuk and Yukon Rivers and rural residents
12 of Units 22(E), 23, 24 and 26(A), and then the remainder of
13 unit 23 for rural residents of 21(D) west of the Koyukuk and
14 Yukon Rivers and rural residents of Units 23, 24 and 26(A).

15
16 So the part that concerns this Council really is the
17 part south of the Arctic Circle and whether or not that should
18 be only residents of Unit 2(E), or are there other residents
19 from Unit 22 who would also go up into 23?

20
21 CHAIRMAN SHELDON KATCHATAG: We discussed -- excuse me,
22 let's follow our process. Go ahead, Cliff, filed public
23 comments. Written public comments I should say.

24
25 MR. EDENSHAW: 66 right?

26
27 MS. H. ARMSTRONG: Yes.

28
29 MR. EDENSHAW: This is for Proposal 66, Mr. Chair.

30
31 CHAIRMAN SHELDON KATCHATAG: Yes, sir.

32
33 MR. EDENSHAW: C&T proposal; final comments deferred.
34 Unit 22 is excluded from this proposal for the area south of
35 the Arctic Circle, while even more distant areas e.g., Units
36 22(C) and 26(A) are included. If supporting documentation is
37 available, consideration should be given to including Unit
38 22(A) in this proposal. And those were submitted by ADF&G.
39 No further comments.

40
41 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Edenshaw.
42 ADF&G comments.

43
44 MR. MAGDANZ: Mr. Chairman, Jim Magdanz, ADF&G, Nome.
45 It helped me to look at these proposals in terms of the
46 communities that were involved here, rather than the units
47 which even I find hard to track, but it would appear to me that
48 in essence the first change would add Shishmaref, Brevig
49 Mission, Teller and Wales as well as Nome to the C&T

50 determination for that south of the Arctic Circle caribou.

00222

1 Whereas the second -- let me stop there with the first
2 one. So we'd added the western and northern portion of the
3 Seward Peninsula. We did a survey in Shishmaref last February
4 and we determined there, we estimate that about 358 caribou
5 were taken by the community of Shishmaref last year. And
6 people told us that a lot of those caribou were coming out of
7 Unit 23. And Shishmaref has not had a C&T determination for
8 that and I think there is certainly strong evidence that they
9 should have and it's something that should be corrected.

10
11 So we would certainly support that portion of the
12 proposal, but we also would ask, and perhaps members of the
13 Council can provide us with information about this. We have
14 less information about the harvest of caribou by residents of
15 Brevig and Teller from Unit 23. I'm not talking 22(D) now, but
16 from Unit 23 up by Buckland. We don't have information in our
17 files on that at this time.

18
19 And then for the second portion here of the proposed
20 regulation, the Unit 23 remainder portion, north of the Arctic
21 Circle would be the other way to think about that. It removes
22 all C&T determinations for all residents of GMU 22. So then it
23 would just be GMU 23 residents who hunt north of the Arctic
24 Circle, along with 24 and 26(A). We don't have information
25 that there is any harvest by residents occurring -- of 22
26 occurring in that northern portion of Unit 23. That most of
27 the Unit 22 residents harvest occurs in the Buckland, Deering
28 area.

29
30 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Magdanz.
31 Any public comments? No public. We now move on to Regional
32 Advisory Council deliberation, recommendation.

33
34 Like Fish and Game I kind of object to 22(A) being
35 excluded because I know that there's a fine line between 23 and
36 22(B) when it comes to traveling around. And at the present
37 time most of the residents of 22(A) with the migration as it is
38 now don't have to go that far. But in the past it was a rare
39 thing to even hear of the caribou coming down past Shaktoolik,
40 the Shaktoolik River drainage, but we -- I do remember growing
41 up and hearing of people that hunted extensively in Ungalik,
42 Iglutalik and Koyuk River area. And even though that might be
43 a long way to travel, it's conceivable that they could have
44 ended up outside the boundary of 22(B). What is the wish of
45 the Council? Mr. Garnie.

46
47 MR. GARNIE: Yes. I don't think anybody from any one
48 of these 22s should be excluded. It's pretty well known
49 throughout our culture all of us have used caribou and are

50 planning on using it a lot more.

00223

1 CHAIRMAN SHELDON KATCHATAG: What is the wish of the
2 Council with regard to Proposal 66? See you next time,
3 Charlie. Have a good trip.

4
5 MR. LEAN: Sorry to leave, but.....

6
7 MR. SEETOT: Mr. Chair.

8
9 CHAIRMAN SHELDON KATCHATAG: Mr. Seetot.

10
11 MR. SEETOT: The way the proposed regulation reads, can
12 you clarify -- I know that it does specify the Western Arctic
13 herd that pretty much comes -- it says caribou. So they were
14 crossing out 22(A) and 22, is that my understanding. Or it
15 would include the residents of Unit 22?

16
17 CHAIRMAN SHELDON KATCHATAG: The way it will read, if
18 you look at where it says proposed regulation, Unit 23 south of
19 the Arctic Circle caribou, just below that it shows the line
20 crossing out the A and the parenthesis and the next 22, so that
21 it would be rural residents of Units 22(B) through (E).

22
23 MR. SEETOT: Oh, okay, (B) through (E).

24
25 CHAIRMAN SHELDON KATCHATAG: So they're striking out
26 (A) and expanding 22 to -- 22(B) to include (B), (C), (D) and
27 (E). What is the wish of the Council?

28
29 MR. NINGEULOOK: Mr. Chairman.

30
31 CHAIRMAN SHELDON KATCHATAG: Mr. Ningeulook.

32
33 MR. NINGEULOOK: I would include 22(A) because with the
34 past from the Shishmaref caribou hunters would end up in Koyuk
35 and the caribou further up the elbow in Buckland area. So they
36 would hunt a long with the Koyuk people. I'm sure they go into
37 22(A), so I would not exclude 22(A) from (B), (C), (D) and (E)
38 in conjunction with 23.

39
40 CHAIRMAN SHELDON KATCHATAG: Ms. Cross.

41
42 MS. CROSS: Mr. Chair, I would not exclude 22(A)
43 because, like I said in the past, in times of scarcity our
44 people travel long and far to get food on our table. If
45 there's -- if 22 -- for some reason or another there's not
46 enough caribou in 22(A) in order to preserve the caribou that's
47 there, people would go far away to get food elsewhere. And
48 that's always been traditional.

49

CHAIRMAN SHELDON KATCHATAG: Thank you, Ms. Cross. Mr.

00224

1 Buck.

2

3 MR. BUCK: Yes, I would like to clarify too that the
4 people do travel I know. (Indiscernible) and he said we travel
5 from Golovin to Kivalina and back and forth. If they needed to
6 follow the game, the go where the game goes.

7

8 CHAIRMAN SHELDON KATCHATAG: What is the wish of the
9 Council. The Chair would entertain a motion.

10

11 MR. GARNIE: Alaska Native status.

12

13 CHAIRMAN SHELDON KATCHATAG: Pardon?

14

15 MR. GARNIE: Alaska Native status.

16

17 CHAIRMAN SHELDON KATCHATAG: We just included them on
18 the previous proposal for wolf.

19

20 MR. GARNIE: Well, we've got to include them in on
21 here.

22

23 CHAIRMAN SHELDON KATCHATAG: I'm talking about we
24 included the 23(A) residents south of the Arctic Circle for
25 wolf in our region saying that, you know, it's pretty hard to
26 determine which boundary you cross. Mr. Garnie.

27

28 MR. GARNIE: Well, sometimes you know it's hard to
29 determine the path of caribou and people are going to dravel
30 (sic) through them. Because if you can go out there and load
31 up a 14-16 foot sled with meat, that's a lot of meat you're
32 going to bring home. So these boundaries are kind of a real
33 pain for us, really. You know, it's -- I think we kind of have
34 to as far as caribou and wolves go, we have to kind of race
35 them.

36

37 CHAIRMAN SHELDON KATCHATAG: So what is.....

38

39 MR. GARNIE: We've got to hunt where the game is. We
40 can't stop and say, well, we're not going to go over there,
41 it's in 22(D), (B), (C) or whatever. I think we have to -- we
42 have to erase the line, so to speak. Just include them all.

43

44 CHAIRMAN SHELDON KATCHATAG: The Chair would entertain
45 a motion that Proposal 66 customary and traditional use of Unit
46 23 caribou south of the Arctic Circle should include residents
47 of Unit 22(A), as well as 22(B), (C), (D) and (E).

48

49 MR. FRED KATCHATAG: Second the motion.

00225

1 CHAIRMAN SHELDON KATCHATAG: No. We have to make the
2 motion. I was going to entertain it.

3
4 MR. FRED KATCHATAG: Oh, I thought you had moved.

5
6 UNIDENTIFIED VOICE: I'll move.

7
8 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
9 to recommend that south of the Arctic Circle in Unit 23
10 customary and traditional use determination for caribou should
11 include rural residents of Unit 22.

12
13 MS. CROSS: Second.

14
15 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion.

16
17 MR. GARNIE: Question.

18
19 CHAIRMAN SHELDON KATCHATAG: Question's been called.
20 All those in favor of the motion before us, signify by saying
21 aye.

22
23 IN UNISON: Aye.

24
25 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

26
27 (No opposing responses)

28
29 CHAIRMAN SHELDON KATCHATAG: Motion passed unanimously.
30 Is that all of our proposals?

31
32 MS. H. ARMSTRONG: That concludes the presentation,
33 yes.

34
35 CHAIRMAN SHELDON KATCHATAG: Before we finish up our
36 business let's take about a 10 minute coffee break.

37
38 (Off record)

39
40 (On record)

41
42 CHAIRMAN SHELDON KATCHATAG: Call the session back to
43 order. I'd like to finish by 5:00, if possible. We are now on
44 Item 8(B)(2), Regional Council Nominations Update. Mr.
45 Edenshaw.

46
47 MR. EDENSHAW: Yes, Mr. Chair. In regards to Regional
48 Council Nominations, nominations can be received until the end
49 of this month, February 27th I believe or 28th. I never know

50 how many days are in February. But, anyway, and to my

00226

1 knowledge in regards to applications from this region, we have
2 not received any in the office in Anchorage.

3
4 In regards to Abraham's resignation, it is -- well, I
5 believe you covered that issue yesterday. The Regional Council
6 may recommend individuals or an individual to fill a -- the
7 remaining term of Abraham's which is two years I believe
8 because he was a new Council member that came on with Joe and
9 Grace. So it is okay for the Council to make recommendations,
10 or else the office will go through the applications that we
11 received for the two seats that are up for re-nomination,
12 Sheldon's and Elmer's. So we can also select an individual
13 from the pool of the applications whose application we receive
14 prior to the end of this month.

15
16 Yes, and the individuals, Elmer and Sheldon, if you
17 plan on reapplying you will have to resubmit an application.

18
19 CHAIRMAN SHELDON KATCHATAG: I'm in the process.

20
21 MR. SEETOT: I did send in an application to Fish and
22 Game, Anchorage.

23
24 MS. MEEHAN: To Fish and Wildlife?

25
26 MR. SEETOT: That's the way the mail operates. I guess
27 it's slow in Anchorage, Fairbanks.

28
29 MR. EDENSHAW: Anyway, Mr. Chair, that's all I have
30 with regard to Regional Council nominations and as well as the
31 vacancy by Mr. Abraham Anagosak.

32
33 CHAIRMAN SHELDON KATCHATAG: Okay. Thank you, Mr.
34 Edenshaw. For the record Mr. Seetot has indicated that he is
35 reapplying for reappointment. Is that not correct? And for
36 the record let it be shown that I'm in the process right now of
37 filling out my reappointment application. Anybody want to be
38 my reference? I think I'll put down the Federal Subsistence
39 Board members were.

40
41 One of the things that we as Regional Advisory Council
42 can do is we can also make recommendations for either
43 appointment or reappointment. And one of the things that we
44 had discussed yesterday, as a matter of respect and also for
45 geographical balance, even though that's not required under our
46 charter, is that the seat vacated by Mr. Abraham Anagosak of
47 Koyuk was originally held by Mr. Roy P. Otten (ph) also of
48 Koyuk and I think it would be in the interest of balance on our
49 Council, good if we can have another member recommended by the

50 Koyuk IRA Council.

00227

1 And if that is the wish of the Council, I would
2 entertain such a motion.

3
4 MR. NINGEULOOK: So moved, Mr. Chairman.

5
6 CHAIRMAN SHELDON KATCHATAG: We have a motion before
7 us, is there a second?

8
9 MS. CROSS: Second.

10
11 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion?

12
13 MS. CROSS: Question.

14
15 CHAIRMAN SHELDON KATCHATAG: The question's been
16 called. All those in favor of requesting or recommendation for
17 the vacated seat of Mr. Abraham Anasogak of Koyuk requesting
18 that the Koyuk IRA recommend someone for that particular seat,
19 all those in favor, signify by saying aye?

20
21 IN UNISON: Aye.

22
23 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

24
25 (No opposing responses)

26
27 CHAIRMAN SHELDON KATCHATAG: Motion passes unanimously.
28 Mr. Edenshaw, will you take care of that correspondence?

29
30 MR. EDENSHAW: Yes, sir.

31
32 CHAIRMAN SHELDON KATCHATAG: I appreciate it. As far
33 as recommendations, I would like to make a motion or entertain
34 a motion that we recommend Mr. Seetot as a very able member of
35 our Council to be reappointed.

36
37 MR. BUCK: So moved.

38
39 CHAIRMAN SHELDON KATCHATAG: We have a motion before
40 us. Is there a second?

41
42 MR. FRED KATCHATAG: Second.

43
44 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion.

45
46 MR. NINGEULOOK: Question.

47
48 CHAIRMAN SHELDON KATCHATAG: Question's been called.
49 All those in favor of a letter of recommendation being sent to

50 the Federal Subsistence Board for the reappointment of Mr.

00228

1 Elmer Seetot, Sr. to be reappointed for another three year
2 term, signify by saying aye.

3

4 IN UNISON: Aye.

5

6 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

7

8 MR. SEETOT: Mr. Chairman.

9

10 CHAIRMAN SHELDON KATCHATAG: Mr. Seetot.

11

12 MR. SEETOT: I abstain.

13

14 CHAIRMAN SHELDON KATCHATAG: Let the record show that
15 we have six ayes and one abstention for the recommendation for
16 Mr. Seetot to be reappointed to sit on the Regional Advisory
17 Council. As far as myself, I will abstain from the
18 deliberation and turn it over -- who's my vice-chairman, by the
19 way?

20

21 MR. FRED KATCHATAG: Mr. Katcheak.

22

23 CHAIRMAN SHELDON KATCHATAG: Oh, Mr. Katcheak is gone.

24 So.....

25

26 MS. CROSS: Fred, Sr.

27

28 CHAIRMAN SHELDON KATCHATAG: What is the wish of the
29 Council for an interim Chair for this particular discussion?

30

31 MR. FRED KATCHATAG: I would make a motion for you to
32 stay on until this meeting is over without.....

33

34 CHAIRMAN SHELDON KATCHATAG: Well, I will anyway. This
35 is my last meeting as this appointment, I believe.

36

37 MS. MEEHAN: That's right.

38

39 CHAIRMAN SHELDON KATCHATAG: So.....

40

41 MR. GARNIE: You'll be on by the next meeting -- back
42 on, won't you?

43

44 CHAIRMAN SHELDON KATCHATAG: So what is the wish of the
45 Council as far as my -- are.....

46

47 MR. GARNIE: Make a motion to still have you as a
48 Chair.

49

MR. NINGEULOOK: No, I think he's trying to clarify as

00229

1 a recommendation for.....

2

3 MS. CROSS: I would entertain a similar motion like you
4 did with him.

5

6 CHAIRMAN SHELDON KATCHATAG: Madam Secretary, there
7 being no vice-chair, he is excused, I will turn the Chair over
8 to you temporarily for this particular item.

9

10 MS. CROSS: Okay. That is your application to be
11 reappointed?

12

13 CHAIRMAN SHELDON KATCHATAG: Your -- the Council's
14 recommendation on my application for reappointment.

15

16 MS. CROSS: Okay. What is the wish of the Council on
17 his reappointment to the Council?

18

19 MR. GARNIE: I recommend that we reappoint.

20

21 MS. CROSS: Okay. So I shall entertain a motion.

22

23 MR. FRED KATCHATAG: You're appointed.

24

25 MS. CROSS: I will entertain a motion stating just
26 so.....

27

28 MR. GARNIE: Well, I make a motion we reappoint Mr.
29 Sheldon Katchatag or recommend Mr. Shelton Katchatag as our
30 Chairperson.

31

32 MS. CROSS: To be reappointed to the Council?

33

34 MR. GARNIE: To be reappointed to the Council as
35 Chairperson.

36

37 MR. BUCK: Second.

38

39 MS. CROSS: There's been a second.

40

41 MR. BUCK: I did.

42

43 MS. CROSS: Discussion?

44

45 MR. GARNIE: Question.

46

47 MS. CROSS: Question has been called. All that's in
48 favor say aye.

49

IN UNISON: Aye.

00230

1 CHAIRMAN SHELDON KATCHATAG: I abstain.

2

3 MS. CROSS: Unanimous with one abstention.

4

5 CHAIRMAN SHELDON KATCHATAG: You're still the Chair,
6 Madam Secretary.

7

8 MS. CROSS: I will give you the Chair back.

9

10 CHAIRMAN SHELDON KATCHATAG: Thank you, Madam
11 Secretary. Is that sufficient, Cliff? As far as -- oh, we
12 already discussed Mr. Anasogak's seat already. We will wait to
13 hear from Koyuk.

14

15 I think as a matter of courtesy we might at the same
16 time on the recommendation for the Abraham Anasogak's seat,
17 also make a recommendation that we will endorse the
18 recommendation of the Koyuk IRA Council. Is that appropriate?
19 The Chair will entertain such a motion.

20

21 MR. GARNIE: Mr. Chair, so move.

22

23 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
24 to as a Regional Advisory Council, to -- what did I say?

25

26 MR. GARNIE: Endorse.

27

28 CHAIRMAN SHELDON KATCHATAG: To endorse the
29 recommendation of the Koyuk IRA Council as to who will serve
30 out the term of Mr. Abraham Anasogak of Koyuk.

31

32 MS. CROSS: Second.

33

34 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion?

35

36 MR. BUCK: Question.

37

38 CHAIRMAN SHELDON KATCHATAG: Question's been called.
39 All those in favor, signify by saying aye?

40

41 IN UNISON: Aye.

42

43 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

44

45 (No opposing responses)

46

47 CHAIRMAN SHELDON KATCHATAG: Motion passes unanimously.

48

49 MR. EDENSHAW: Mr. Chair.

00231

1 CHAIRMAN SHELDON KATCHATAG: Mr. Edenshaw.

2

3 MR. EDENSHAW: Who is the individual you stated that
4 served previously to Abraham?

5

6 CHAIRMAN SHELDON KATCHATAG: Mr. Roy Peter Otten (ph),
7 a/k/a Peachy. Who was tragically killed on the 10th of
8 December, 1994, in an airplane accident some 10 miles behind my
9 house.

10

11 We now move on in our agenda to number (3), Certificate
12 of Appreciation. And I'm sorry, in the rush of leaving Elim I
13 left the one certificate I have for Mr. George Lockwood sitting
14 on my book shelf. I will bring it down the next chance that I
15 have to come down this way and present it to Mr. Lockwood in
16 person. If that is the wish of the Council.

17

18 MR. GARNIE: So moved.

19

20 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
21 that I present the Certificate of Appreciation for the years of
22 service that Mr. George Lockwood of Unalakleet served on the
23 Seward Peninsula Subsistence Regional Advisory Council, all
24 those in favor, signify by saying aye.

25

26 IN UNISON: Aye.

27

28 CHAIRMAN SHELDON KATCHATAG: Those opposed, nay.

29

30 (No opposing responses)

31

32 CHAIRMAN SHELDON KATCHATAG: Motion passed unanimously.
33 Or did I not hear a second?

34

35 MS. CROSS: There was none, but I'll second it.

36

37 CHAIRMAN SHELDON KATCHATAG: Okay.

38

39 MS. CROSS: After the fact.

40

41 CHAIRMAN SHELDON KATCHATAG: Posthumously it was
42 seconded. Moving on to Item (4), Report from Cooperative Musk
43 Ox Meeting in Nome, January 28, 1997. We met all day on the
44 28th of January in Nome with all the signators to the Seward
45 Peninsula Cooperative Musk Ox Management Plan and deliberated
46 over what to do about musk ox on the Seward Peninsula. And I
47 will leave it up to the memories of Mr. Garnie and Mr.
48 Ningeulook and Mr. Seetot to inform the Council as the length
49 and breadth of our deliberations.

00232

1 MR. SEETOT: Mr. Chairman.

2
3 CHAIRMAN SHELDON KATCHATAG: Yes.

4
5 MR. SEETOT: They wanted the Musk Ox Cooperative
6 Program to be or to decide on issues for the group to be a
7 little smaller. That we talked about musk ox all day without
8 really hitting or making any final decisions. Musk ox quotas
9 is still uncertain. I guess there'll need to be more
10 deliberations, more discussions on the musk ox.

11
12 I kind of stressed to the group that the State and
13 Federal Governments need to work together on these issues that
14 effect the subsistence users of the region. We did talk pretty
15 much the whole day just like on one subject matter without
16 really coming to any consensus. Or I guess that got it started
17 anyway.

18
19 MR. GARNIE: Mr. Chair.

20
21 CHAIRMAN SHELDON KATCHATAG: Mr. Garnie.

22
23 MR. GARNIE: Yes. If I remember right, we came up with
24 a pretty long list of co-managers of the musk ox. Wasn't that
25 -- didn't it come up to a list of 27, 29 somewhere in that
26 survey. I suppose it's in this draft. What's the section --
27 what tab is it under? But I don't remember. We come up with
28 that list. And whether it's going to be feasible to get this
29 big group together or not I have no idea.

30
31 CHAIRMAN SHELDON KATCHATAG: For the record I believe
32 it was all 22 IRA Councils on the mainland -- actually I
33 shouldn't say all, 19 IRA/Traditional Councils on the mainland
34 and a representative from Kawerak, a representative from the
35 reindeer herders association, a representative from the
36 Department of the Interior, a representative from the State, I
37 believe. Anyway it came to some 29 different entities that
38 they felt should be part of the Cooperative Musk Ox Management
39 Plan. Mr. Buck?

40
41 MR. BUCK: Were there any elders testifying during that
42 meeting?

43
44 CHAIRMAN SHELDON KATCHATAG: Nobody except Chuck
45 Wheeler and he's not an elder.

46
47 MR. GARNIE: Mr. Chair.

48
49 CHAIRMAN SHELDON KATCHATAG: Mr. Garnie.

00233

1 MR. GARNIE: Yes. Like you say, there were no elders
2 there and we didn't hear any testimony, but I think Fred
3 Katchatag was there, were you?

4
5 MR. FRED KATCHATAG: No.

6
7 CHAIRMAN SHELDON KATCHATAG: No, he wasn't.

8
9 MR. GARNIE: Well, anyway, you know, I've heard Mr.
10 Katchatag's opinion on the musk ox and in one vein I agree with
11 him, and from all the elders here at home, you know, with all
12 their gathering areas, which is now listed as private lands, is
13 a lot of complaints of the structuring of green-gathering areas
14 and berry-gathering areas. They've stalked them and plucked
15 them beyond growing back, and soured off as they grow back.
16 And they're night there and they are grazing or munching. And
17 this is after words die here from the elders there that they're
18 really in competition with the musk ox as far as gathering.

19
20 MR. FRED KATCHATAG: We had a whole bunch of them here
21 migrated from somewhere, but we got rid of them. They were no
22 good for nobody. They were disturbing our berry picking lands,
23 our meat and lands and we didn't want them at all. We told
24 them, get them out of here, you brought them here. Because
25 there is no future in holding them. And we'd have no berry
26 picking land if we kept them here, although they were fenced,
27 but they were just like -- to me they're just like a high
28 school playing with their drug. So we got rid of them. The IRA
29 Council here went to work. They took them away from here.

30
31 MR. BUCK: Mr. Chairman.

32
33 CHAIRMAN SHELDON KATCHATAG: Mr. Buck.

34
35 MR. BUCK: I'd like to bring this issue up between the
36 State elders and Governor's conference when they have the
37 meeting.

38
39 CHAIRMAN SHELDON KATCHATAG: One other upshot of this
40 was that Tom Sparks, who was also there taking part in the Musk
41 Ox Cooperative Meeting is that he thought it would be a good
42 idea that -- he was planning on inviting me to speak with the
43 Village Cooperation Land Planners when they have a meeting
44 toward the end of this month to discuss options as far as musk
45 ox management and so on.

46
47 One of the things is that they are the surplus land
48 holders in the vicinity of the villages. And they could
49 exclude or include hunters as private land holders. So they

50 were talking about working with the State, number 1, to secure

00234

1 a positive customary determination before the Board of Game and
2 also the possibility of -- which by the way that was one of the
3 recommendations of the cooperators, that they seek through the
4 Northern Norton Sound Local Advisory Committee to pursue a
5 positive customary C&T determination under the State Board of
6 Game.

7
8 And I believe Roy Ashenfelt (ph) who is the Chair, is
9 he not, he's the Chair of the Northern Norton Sound Local
10 Advisory Committee and he will be putting that forth when the
11 Board meets, Board of Game, to seek just a positive customary
12 and traditional use determination. They had denied it earlier
13 based upon the fact that there has been no quote/unquote,
14 customary and traditional use of the resource in recent memory
15 and they wanted to pursue this again based upon the fact that
16 we have now had two years of subsistence hunting of the
17 resource under the Federal program.

18
19 So one other item which we discussed but did not come
20 to any final action on was the possibility of allowing past a
21 certain season date, if in fact all permits for those musk ox
22 are not taken, that we would cooperate with the State and allow
23 them to open a sport and/or trophy hunt drawing for the
24 remainder of permits outstanding, if at the end of the regular
25 season that they are not caught. So that's one other item for
26 discussion that we had.

27
28 And another thing that the State Biologist, Mr. Steve
29 Machida, brought up was that they would have a lot less problem
30 with the way our hunt is managed now if in fact we could
31 guarantee that the hunters would target these groups of
32 bachelor -- young bachelor bulls instead of the mixed sex
33 groups because those are less prone to disturbance and they're
34 wider ranging were a couple of the reasons that he explained.

35 And he said he would be willing to expand the
36 percentage of harvest from the conservative three percent
37 mentioned in the plan to all the way up to whatever their
38 reproductive rate was. So effectively we would cap the size of
39 the musk ox herd at basically what it is now. And one of the
40 things, you know, we were talking about capping it at 900 and
41 base the hunt on the entire population.

42
43 So those are some of the things that we'll be looking
44 to discuss again when the cooperators meet again. And they did
45 make by more or less vote there, they decided that I as Chair
46 of this Council because we play such an important part in the
47 subsistence hunt, that they wanted me to sit on the cooperator.
48 So that's basically where it's at right now. Any questions?
49 Mr. Edenshaw.

00235

1 MR. EDENSHAW: Yes, Mr. Chair. I think I'm just
2 suggesting or recommending that the Regional Councils send some
3 sort of a recommendation or motion to the Federal Subsistence
4 Board because come April 7th through the 11th they will address
5 the RFR that the State submitted at our -- during that November
6 19th session.

7
8 And at that meeting November 19th, there was a motion
9 by the Board to reduce the number of permits in 22(D) from
10 eight to two. And Sheldon and Elmer and Edgar knows -- and
11 Joe, who attended the musk ox meeting, know that the three
12 percent allocation wasn't addressed. And so -- and, Sheldon,
13 do you recall in November when the Board recommended that
14 cooperators get together and address this issue. And when we
15 were in Nome at the end of January, we weren't able to address
16 the allocation. And so they said -- the Board said they would
17 wait until their week long April 7th through the 11th to
18 address the issue.

19
20 So I just wanted to bring that up because I feel that
21 when the Board meets in April that they're going to revisit
22 this issue again and if it's with the approval of the Council,
23 once I receive the minutes from the facilitator from BLM I'll
24 put together a draft paper of the notes that she took with all
25 the suggestions and what went on at the meeting, as well as
26 what they hope to accomplish in the future meeting.

27
28 CHAIRMAN SHELDON KATCHATAG: Okay. The Chair would
29 entertain a motion that we make a recommendation to the Federal
30 Subsistence Board -- let me see.

31
32 MS. MEEHAN: Mr. Chair.

33
34 CHAIRMAN SHELDON KATCHATAG: Rosa.

35
36 MS. MEEHAN: If I could jog everyone's memory. I'll
37 look at Fish and Game to catch me if I say it wrong, but they
38 RFR from Fish and Game was to reduce the harvest in 22(D) from
39 eight down to two and the justification behind it was to follow
40 the three percent recommended level of harvest, but have it be
41 three percent of the animals on Federal public lands, not all
42 the animals within the subunit, Subunit (D).

43
44 When that went in front of the Board in November, the
45 Board -- the recommendation from the Council was that the
46 harvest limit remain at eight. And the recommendation, the RFR
47 of the Fish and Game, was to reduce it down from eight to two.
48 The Federal Board deferred action on it pending the cooperators
49 getting together. So now the coop -- and hoping that the

50 cooperators would amend the plan and address the allocation

00236

1 issue.

2

3 And as Mr. Edenshaw reported, and we discussed, the
4 cooperators did get together but did not address the allocation
5 issue yet. So I would submit that the situation is the same as
6 it was when the Board met in November. And that is that you
7 still have the same guidance from the existing plan, and we
8 still have the specific issue has not changed.

9

10 CHAIRMAN SHELDON KATCHATAG: What is the wish of the
11 Council? I withdraw my entertainment. You know, the
12 discussion that I had with Steve Machida regarding his
13 preference that we target only the bachelor bull groups when we
14 authorize this hunt, and he would have no problem with getting
15 the entire three percent or up to the reproductive rate,
16 whatever that might be, and that that's determined every two
17 years based on the census done every even year.

18

19 MR. FRED KATCHATAG: Mr. Chairman.

20

21 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag.

22

23 MR. FRED KATCHATAG: How did these musk ox got to the
24 area anyway?

25

26 CHAIRMAN SHELDON KATCHATAG: They were transplanted
27 there in the '70s and early '80s to Teller and to where?

28

29 MR. SEETOT: Cape Woolley area. Cape Woolley and then
30 Brevig, around Brevig.

31

32 CHAIRMAN SHELDON KATCHATAG: Okay. That's -- they
33 transplanted them from Nunivak, I believe. And they have since
34 grown to the last survey done in April of last year. They
35 counted some 951 on the Seward Peninsula. There was about just
36 under 70 transplanted over there all together I think,
37 something like that, 70 or 72. I think there were 35 in one
38 group and 37 in another. So they.....

39

40 MR. FRED KATCHATAG: Are they disturbing the livelihood
41 of the people living in the area?

42

43 CHAIRMAN SHELDON KATCHATAG: Ask these guys, Mr.
44 Garnie, Mr. Seetot, and Mr. Ningeulook, even Mr. Buck.

45

46 MR. BUCK: Mr. Chair.

47

48 CHAIRMAN SHELDON KATCHATAG: Mr. Buck.

49

MR. BUCK: Yes. I don't think that we have and the

00237

1 people in White Mountain hadn't determined whether the musk ox
2 had do any damage or not. But they are getting more and more.
3 And so far there's been a lot of interest on whether we should
4 harvest for potlatches and dinners. But my recommendation is
5 to -- I'll keep an ear opened to any (indiscernible) on what
6 the impact of the musk ox are doing. But my recommendation
7 would be to go to the elders at the elders conference and ask
8 them what they think of the musk ox in the area. And you can
9 (indiscernible) on the elders to determine what the -- what my
10 recommendations.

11
12 CHAIRMAN SHELDON KATCHATAG: Mr. Garnie.

13
14 MR. GARNIE: Yes. I'd like to state again I'm from
15 Teller and like I say I've been -- and of course you've been
16 hearing me talk about being in competition with the gatherers
17 there. And Mr. Katchatag here has also come up with the same
18 consensus, that they did cause a lot of problems with the
19 gatherers and they reproduce pretty slow. So it's really hard
20 to -- I guess once the herd got a lot larger we could harvest
21 more animals and they would be a supplement to our diet.

22
23 But with the coming of caribou and just the fact that
24 them had at one time become extinct here, and we don't really
25 have a sound theory as to why they had become extinct. I think
26 we saw a really good report here on the lichen and vegetation
27 growing back where the caribou had come through and grazed and
28 it was I think up to 65 years or somewhere in that
29 neighborhood.

30
31 And I think with musk ox and their habits of staying in
32 one little spot for months at a time, you will find it will be
33 a lot longer than 65 years. And to me this is fairly alarming
34 and to the people in my home. And we would like to see the
35 size of the herd capped until we know that they are not
36 destroying habitat for other animals around them, or for
37 themselves. I mean I think this is just a common sense deal.
38 I really think it's just common sense. We should not let it
39 get too far out of hand.

40
41 I mean if they are destroying their own habitat, and
42 maybe this is why they had become extinct, maybe we really
43 don't want this.

44
45 MR. FRED KATCHATAG: Maybe the best way to find out
46 exactly if they are really -- they are really destroying the
47 land because when they eat black berries, cranberries, they eat
48 them roots and all. So the best way to exercise this issue is
49 to put so many musk ox on each island, like we got islands out

50 here. Just put them out, send them on down there. Put about

00238

1 five or 10 of them down there Nunivak Island down there, maybe
2 two. Put them all in the island, not among the -- not among
3 where people make existence out of, you know, for subsistence,
4 like picking up greens, berries and everything like this. Put
5 them in the islands. And then you can see how much destruction
6 they did to that island in one year. And that way it would
7 save your, so to speak, you back or your subsistence. And
8 you've have more years of you to pick greens, more years salmon
9 berries, more years blueberries. There -- nobody live down
10 there anyway while they're eating all the stuff down there.

11
12 CHAIRMAN SHELDON KATCHATAG: The only trouble is that's
13 a maritime refuge.

14
15 MR. NINGEULOOK: Mr. Chairman.

16
17 CHAIRMAN SHELDON KATCHATAG: Mr. Ningeulook.

18
19 MR. NINGEULOOK: The path down 22(E), Shishmaref, the
20 musk oxen has destroyed most of our vegetation, like for
21 example, soured up in some areas, in the salmon berry picking
22 areas, especially up and down the coast.

23
24 CHAIRMAN SHELDON KATCHATAG: What is our recommendation
25 to the Board on this allocation issue? Mr. Garnie.

26
27 MR. GARNIE: Yes. I would recommend -- strongly
28 recommend that we cap the size of the herd and harvest as many
29 animals as it takes to keep the herd stable at it's number now.

30
31 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
32 to recommend to the Federal Subsistence Board that we -- due to
33 the fact that the cooperators did not come to any kind of
34 agreement on the three percent issue, that we make a
35 recommendation to the Federal Subsistence Board that the musk
36 ox herd on the Seward Peninsula be capped at its present size
37 and that each year's harvest be geared toward eliminating the
38 number by which they have grown over the previous year. Is that
39 -- we have a motion before us. Is there a second.

40
41 MR. SEETOT: Second.

42
43 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion?

44
45 MR. FRED KATCHATAG: Question.

46
47 CHAIRMAN SHELDON KATCHATAG: The question's been
48 called. All those in favor of the motion before us to cap the
49 musk oxen at their present numbers on the Seward Peninsula, all

50 those in favor, signify by saying aye.

00239

1 IN UNISON: Aye

2

3 CHAIRMAN SHELDON KATCHATAG: Those opposed, nay.

4

5 (No opposing responses).

6

7 CHAIRMAN SHELDON KATCHATAG: Motion passes unanimously.

8 I would also like to thank the National Park Service, Mr.

9 Adkisson and Mr. Sandy Rabinowitch for their assistance in

10 obtaining special action approval by the Federal Subsistence

11 Board not only last year, but also this year for extensions on

12 the hunt to make sure that we fill as much of the permits given

13 out each year.

14

15 We now move on to Item 5 -- 8(B)(5). Madam Helen. Ms.

16 Armstrong.

17

18 MS. H. ARMSTRONG: Four A) we added special actions.

19 Donna is going to give a brief report on the decision by the

20 Board last week.

21

22 CHAIRMAN SHELDON KATCHATAG: Okay. 4-A). I'm sorry,

23 Donna.

24 MS. H. ARMSTRONG: I bet she can go it in three

25 minutes.

26

27 CHAIRMAN SHELDON KATCHATAG: I'll time her.

28

29 MS. DEWHURST: Okay. This was originally presented to

30 us from I think it was Jim Moedoe (ph) of Deering and upon

31 discussion the original proposal was just for deering and then

32 upon discussion -- and it was for one week, and discussing it

33 with some of the other agencies we quickly realized that that

34 really wouldn't benefit anybody and that everybody else was

35 interested extension and broader extension. So that's where we

36 decided to prevent having to do a whole bunch of these special

37 actions, to just make it for a longer period and open it up for

38 22(D) and (E) and 23. Otherwise we would have ended up having

39 to do four or five of these for each little area and it seemed

40 to make sense to just do a broader one.

41

42 The extension wasn't deemed to be a problem this year

43 because of the lack of snow. And the lack of snow was the main

44 reason used to request the extension. The debate has been

45 among our office and other office is, well, should this be a

46 permanent extension of the season. But the problem runs into

47 if we made it a perm -- you know, if there was a proposal to

48 make it a permanent extension, in a year of heavy snow when the

49 musk oxen are stressed more, the factor of having hunting in

50 February could be a problem on musk ox, it could be a real

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1 detriment.

2

3 On the other side of the coin, in a year of heavy snow,
4 probably most people would have gotten musk ox long before that
5 and probably wouldn't be hunting in February. So these are
6 just some things to be thinking about down the road.

7

8 You know we've had two years in a row now where there's
9 been requests for an extensions, but these were both light snow
10 years. So something to be thinking about, whether or not it
11 should be a request for a permanent extension, or if we should
12 just do this year by year based on snowfall and other
13 conditions.

14

15 The front two pages are the Staff analysis for the
16 special action and the back page is just a summary of the
17 Federal Subsistence Board decision.

18

19 CHAIRMAN SHELDON KATCHATAG: Any questions for Ms.
20 Dewhurst regarding her report on the special action S96-07?
21 Mr. Seetot.

22

23 MR. SEETOT: Mr. Chairman, I have a comment. I'd like
24 to make a comment on the extension. I think that this is a
25 first time, you know, that the residents of 22 have hunted musk
26 ox. It's going to take a while for them to know when is the
27 best time to harvest the musk ox, as it did when the moose
28 first came in. And I think it should be done on a case by case
29 basis on the extension -- to extend it and then you, you know,
30 just kind of look at it. The weather patterns has changed over
31 the years and I think that, you know, if you extends the
32 seasons or, you know, just go from an average cycle, then this
33 be done on a case by case basis.

34

35 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Seetot.
36 Now, one other option that we might have with regard to this,
37 and we can think about that between now and our next fall
38 meeting, is the possibility of having both a fall and a late
39 winter/early spring season like they do -- I think they have
40 something like that on Nunivak, is that not the case? Let me
41 check. What unit is.....

42

43 MS. DEWHURST: Nunivak, yeah, they do because they have
44 a February through March 15th, and then they'll take one in
45 like October/November, something like that.

46

47 MS. H. ARMSTRONG: The Kaktovik people have two seasons
48 as well.

49

CHAIRMAN SHELDON KATCHATAG: Is Nunivak part of 18?

00241

1 Our booklet doesn't seem to -- oh, that's why. I know why,
2 because they don't have a Federal hunt, they only have a State
3 hunt.

4
5 MS. DEWHURST: No, it's just a State hunt, it's a
6 lottery. Yeah, Nunivak and Nelson Island are both just State
7 hunts.

8
9 CHAIRMAN SHELDON KATCHATAG: Right.

10
11 MR. SEETOT: Mr. Chair.

12
13 CHAIRMAN SHELDON KATCHATAG: Mr. Seetot.

14
15 MR. SEETOT: I also would like to comment that I
16 noticed that the biologists for the Federal and State agencies
17 like to use the word stress on animals. How much stress do
18 they put on the humans also, you know? It should be applied
19 equally. How do they know that the animals are under stress
20 either by -- are they out there in the field observing the
21 animals while the local residents are right there in the back
22 yard. I guess that -- when they make papers like this here,
23 you know, that they kind of rely on secondhand information.
24 And that we as residents, you know, are right there to observe
25 the animals.

26
27 CHAIRMAN SHELDON KATCHATAG: Right. And I also would
28 like to interject a comment with regard to stressing the
29 animals. I'm sure that a pack of wolves stresses any small
30 group of musk oxen quite a bit more than a hunter does.
31 Because that hunter, his impact, is that if he's any good as a
32 hunter he'll sneak up close and he might -- you might shoot
33 once, at the most two or three times and then that animal down,
34 whereas with wolves they probably harass them all day before
35 they manage to get one animal.

36
37 MR. SEETOT: Or maybe.

38
39 CHAIRMAN SHELDON KATCHATAG: Maybe. So -- and I know,
40 you know, that's one thing that we haven't heard in all our
41 discussions on the fragile nature of these poor musk ox, is how
42 they manage to reproduce at a 15 percent rate with wolves in
43 the area. You know it kind of makes me wonder that we're
44 making things difficult for the subsistence hunter and too easy
45 for the musk ox.

46
47 And another objection I have to this three percent on
48 Federal lands only, the surveys are only flown in even years.
49 So, you know, for 22(D) they're saying that they only spotted

50 like 40 some odd animals on Federal public lands at the end of

00242

1 April of last year and they want us to believe that there'll
2 only be 40 some animals on Federal public land until they
3 survey again in 1998. And my objection to that is I don't see
4 or I haven't heard of any musk ox with unbreakable collars and
5 chains type immovable objects anywhere, or that they're fenced
6 in or out of Federal public lands or off of State lands.

7 So that's why we've been pretty adamant that the three
8 percent be applied to all the animals in 22(D) as opposed to
9 just the Federal public lands. Any other comments on either
10 the hunt as it stands now or the extension. Hearing none, let
11 us move on to Item 5. 8(B)(5), the Rural Cap Subsistence
12 Round-Table Extension.

13
14 When I first heard about this in January, I called
15 Cliff in Anchorage, requesting that he find out first of all
16 what Rural Cap was up to with regard to the subsistence round-
17 table, and also request Staff to provide travel and per diem
18 for the Regional Council Chairs to attend that. And right off
19 the bat our DARDS, which stands for Deputy Assistant Regional
20 Director for Subsistence, Mr. Tom Boyd, faxed me off a letter
21 explaining why we as Regional Advisory Council Chairs could not
22 using Federal funds attend this meeting to learn as much as we
23 can about the concerns of subsistence in a statewide forum
24 because of the fact that he is worried that we will be using
25 such Federally funded travel and per diem to try to lobby
26 Congress for changes to ANILCA. That is his excuse.

27
28 Regardless of how much we might benefit, that we as
29 Chairs might get from gaining a broader statewide understanding
30 of the concerns for subsistence not only on Federal lands but
31 also on State lands. Ms. Armstrong.

32
33 MS. H. ARMSTRONG: Not to contradict you, but it's my
34 understanding from what Tom told the North Slope Council, that
35 it's not that he was worried, but that he is forbidden by law
36 to allow that -- to allow participation in something like that
37 because of there being a discussion about the Congressional
38 changes.

39
40 I don't think Tom -- I think Tom felt restricted by
41 law. That was my impression.

42
43 CHAIRMAN SHELDON KATCHATAG: Well, I think he very
44 narrowly interpreted the scope of the discussion that was being
45 anticipated by Rural Cap. Anyway, to make matters short, the
46 Fish and Wildlife Service will not fund travel and per diem of
47 any of the Regional Advisory Council Chairs to attend this
48 meeting, which is the 15th, 16th and 17th of this month.

49

But I just wanted to inform our Council here that I

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1 have been asked by the Coordinator of the Subsistence Round-
2 Table for Rural Cap to participate in their round-table on
3 subsistence. And I will be taking part in the first round-
4 table on subsistence and I will report back to you at the
5 earliest convenience as to -- I'm sure you'll hear it on your
6 TV and on the radio and the newspapers as to what actually
7 happens there.

8

9 MR. FRED KATCHATAG: You're going up there?

10

11 CHAIRMAN SHELDON KATCHATAG: Yes.

12

13 MR. FRED KATCHATAG: I think I'll go. When is it?

14

15 CHAIRMAN SHELDON KATCHATAG: 15, 16 and 17 of this
16 month.

17

18 MR. FRED KATCHATAG: Yeah, I'll go with you.

19

20 CHAIRMAN SHELDON KATCHATAG: And it just so happens to
21 coincide with Rondy also. Fur Rendezvous starts the Friday
22 before that and ends the Sunday following that.

23

24 MR. FRED KATCHATAG: Where is this going to be
25 happening?

26

27 CHAIRMAN SHELDON KATCHATAG: Anchorage Hilton. Any
28 questions with regard to the Rural Cap Subsistence Round-Table?
29 Is there any issues that our Council would like to put forward
30 for discussion? I know some of the things that I will be
31 discussing is our request for restructuring of the Federal
32 Subsistence Board, our request for an Alaska Native Policy and
33 Tribal Subsistence Management.

34

35 Are there any other items which this Council would like
36 to put forth or have me convey, not officially as a
37 representative, but as a participant in the round-table?
38 Hearing none we move on to Item 6, Study of leghold traps. For
39 the record, Craig Fleener, the Chair of the Eastern Interior
40 Council called me early last month and he said he had found out
41 one way or another of a study funded in the Interior
42 Appropriations Bill. I don't know who put it in there, but it
43 was put in there to fund a study of leghold traps. I believe
44 it is on refuges in Alaska. Rosa.

45

46 MS. MEEHAN: Yes. What's in the -- again it's in our
47 Interior Appropriations Bill, so it's in our funding bill and
48 it is a directive to the Fish and Wildlife Service to evaluate
49 the use of leghold traps on National Wildlife Refuge lands.

50 And the directive was for the Fish and Wildlife Service to set

00244

1 up a committee or through a group of users determine what kind
2 of leghold trap use there is on refuges and what affects that
3 has on refuge resources and report back to Congress.

4
5 This was in fact a slightly modified version of what
6 was originally proposed. The original proposal was to ban use
7 of leghold traps on National Wildlife Refuges. And that got
8 caught in Congress and dropped down to being instead an
9 evaluation of it. What has happened is that the Fish and
10 Wildlife -- again, this is just on National Wildlife Refuge
11 lands, so it does not affect the bulk of Federal lands within
12 the Seward Peninsula region.

13
14 There's just that small corner of the Yukon Delta
15 National Wildlife Refuge and the southern part of 22(A).
16 Anyway, the Fish and Wildlife Service are in the position of
17 being told by Congress to find out what kind of uses there are
18 on refuges and then report back to Congress.

19
20 Since we're as an agency being told to gather this
21 information, we have to be very careful not to advocate a
22 position one way or the other on use of leghold traps. We're
23 strictly notifying people that this issue is there and that by
24 February 15th, if anybody is interested in the issue, they need
25 to submit a letter to the Fish and Wildlife Service for
26 inclusion in a report to Congress.

27
28 And I believe that you all have been provided with a
29 copy of a letter that was prepared by Eben Hopson.

30
31 MS. H. ARMSTRONG: It was actually prepared by Ben
32 Hopson.

33
34 MS. MEEHAN: Ben Hopson.

35
36 CHAIRMAN SHELDON KATCHATAG: Oh.

37
38 MS. H. ARMSTRONG: But the Chair signed it.

39
40 MS. MEEHAN: But the Chair signed it.

41
42 CHAIRMAN SHELDON KATCHATAG: Okay.

43
44 MS. MEEHAN: So you have an example of a letter from a
45 user very involved in the issue which you may use as you wish.
46 But that's basically the issue.

47
48 CHAIRMAN SHELDON KATCHATAG: Okay. The questions I
49 have, you say that this was in the funding appropriation bill.

50 What is the amount of the appropriation for this particular

00245

1 study?

2

3 MS. MEEHAN: Probably none. It's just there is --
4 frequently with our appropriation bill there's within the
5 general operating funds you have to for sure cover these tasks
6 and this is just one of them.

7

8 CHAIRMAN SHELDON KATCHATAG: My understanding was, was
9 that they included funding in the appropriations bill for this.

10

11 MS. MEEHAN: I don't know.

12

13 CHAIRMAN SHELDON KATCHATAG: I would like some
14 clarification on this because it doesn't make any sense to have
15 a non-funded mandate. And my understanding is, was this was in
16 the actual appropriation funding.

17

18 MS. H. ARMSTRONG: What originally happened was they
19 were going to put together task force but then -- and that was
20 supposed to have collected the information. But then the
21 Solicitor evaluated and said there was no way they could get
22 together this task force in the time allowed.

23

24 So then, with complications, (indiscernible) they
25 decided to put out this Federal Register notice just -- what
26 they're really doing is just asking for comments. I don't
27 think there's a study per se going on. This was sort of a
28 tricky way of some Friends of Fur group trying to get leghold
29 trapping off of the refuges and they put nothing into the
30 appropriations bill.

31

32 CHAIRMAN SHELDON KATCHATAG: So it wasn't an actual
33 appropriation?

34

35 MS. H. ARMSTRONG: No. It was just something they
36 wanted to do. Just sliding it in.

37

38 CHAIRMAN SHELDON KATCHATAG: So it's just a paragraph
39 on the appropriations bill itself? Okay.

40

41 In discussions with Mr. Fleener, who is the Chair of
42 the Eastern Interior Council, I agreed to sign off on a letter
43 which I don't have with me right now, but he was putting
44 together a letter outlining the reasons why we object to this
45 kind of back door type of attacks on customary and traditional
46 uses of renewable resources. And he made a very good argument
47 and I will sign off on it. And I would like the Regional
48 Advisory Council to endorse my signing that particular document
49 of SPSRAC.

00246

1 UNIDENTIFIED VOICE: So moved.

2

3 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
4 authorizing me as Chair of the Seward Peninsula Subsistence
5 Regional Advisory Council to sign off on a letter objecting to
6 the leghold trap study in the appropriations bill of Interior
7 Department. Is there a second?

8

9 MR. FRED KATCHATAG: Second.

10

11 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion.

12

13 MR. GARNIE: Question.

14

15 CHAIRMAN SHELDON KATCHATAG: Question's been call. All
16 those in favor, signify by saying aye?

17

18 IN UNISON: Aye.

19

20 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

21

22 (No opposing responses)

23

24 CHAIRMAN SHELDON KATCHATAG: Motion passed unanimously.
25 Item 8(C), Agency Reports. Mr. Adkisson. Bering Land Bridge
26 National Preserve.

27

28 MR. ADKISSON: Yes, Mr. Chairman, Ken Adkisson, Land
29 Bridge National Preserve. The hour is late. I think the
30 Council's aware of the work that we've done on the musk ox and
31 issues. Most of the other things I have to say I think it'd
32 probably keep until the next meeting or in some written form.
33 So I'd just like to limit my remarks to one announcement.

34

35 Bering Land Bridge National Preserve has been
36 officially merged with the three National Park Units in the
37 Kotzebue area. Dave Spurtese (ph), who is the Chairman -- or
38 the Superintendent of Bering Land Bridge National Preserve,
39 you've met him, will be assuming the Superin -- has currently
40 assumed the Superintendency of all four areas and probably next
41 summer will officially move to Kotzebue.

42

43 We will be merging some of our staff so there may be
44 some realignments. However, Fred Tocktoo and I will continue
45 to be based in Nome and will continue our work with this
46 Council.

47

48 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Adkisson.
49 Any questions? Hearing none, thank you, Mr. Adkisson. Other

50 Federal agencies, we heard from Sandy Rabinowitch from the Park

00247

1 Service yesterday, we heard from BLM, there is no BIA
2 representative here. Alaska Department of Fish and Game, Mr.
3 Jim Magdanz. He is handing out a handout.

4
5 MR. MAGDANZ: I'll hand out two. Mr. Chairman.

6
7 CHAIRMAN SHELDON KATCHATAG: Mr. Magdanz.

8
9 MR. MAGDANZ: My name is Jim Magdanz, I'm with the
10 Division of Subsistence of the Alaska Department of Fish and
11 Game. I sometimes feel like our specialty is really numbers
12 and I've passed out more numbers than are possible to digest.
13 But the first document that I passed around is the draft
14 results of the 1996 subsistence salmon harvest surveys.

15
16 Every fall for the past three years we've gone to about
17 a thousand households in Northwest Alaska. We work in
18 cooperation with the Bering Sea Fishermen's Association and
19 with community organizations. We hire local surveyors in each
20 of these communities and spend several days in a community
21 going door to door collecting salmon harvest survey estimates.

22
23 So this is only really about a week and a half old.
24 Just briefly, harvests in Norton Sound were estimated to be
25 129,000 salmon, which is similar to the harvest that we
26 documented the previous two years. Point Clarence harvest were
27 reported -- estimated to be 10,600 salmon, which is actually a
28 little lower than harvests the last -- the previous two years.
29 Not a lot, but a little bit.

30
31 But basically the results are similar and they just
32 simply add yet another year to our base of detailed estimates
33 of salmon harvests.

34
35 We'll be presenting this information to the Board of
36 Fisheries a year from now when they have their next regularly
37 scheduled AYK deliberations. The second third -- the rest of
38 the pages here break out the reports by species. The second
39 page shows you how many households we talked to in each village
40 and in the region. For example, in Golovin there we estimate
41 46 households. We interviewed 37 of them. In Elim we estimate
42 73 households and we talked to 61 of them. And you can see how
43 many households we contacted in the region.

44
45 We in the third page, and the rest of them are all the
46 same, you can see how we calculate our estimates. We ask some
47 community key response, some people who know the community
48 well, to tell us which households usually fish and which ones
49 usually do not fish. And we try to survey as many households

50 as we can. And then if we've surveyed a community with let's

00248

1 say a hundred households and we get 90 households contacted,
2 then we'll add 10 percent to the total to come up with an
3 estimate.

4

5 So are there any questions about the salmon results?

6

7 CHAIRMAN SHELDON KATCHATAG: The only question I have
8 is why are the Kotzebue Sound areas percentages of households
9 surveyed so low?

10

11 MR. MAGDANZ: That's because Kotzebue is part of the
12 survey process in that region and we don't do the door to door
13 surveys in Kotzebue. We do a postcard mail-out. So if you
14 look at the Kotzebue line you see we estimate there's 710
15 households in Kotzebue. We mailed out 710 postcards. We got
16 171 back as of the time of this report for about a 24 percent
17 sample in Kotzebue.

18

19 So that if you look at the other villages, you'll see
20 in Ambler we got 97 percent and Kiana 85, Kobuk 94 percent. So
21 in the villages we're getting the very high sample rate. But
22 in Kotzebue we're getting about a fourth of the households.

23

24 You see Nome is not reported here at all and that's
25 because Nome is a permit based system, rather than a survey.

26

27 CHAIRMAN SHELDON KATCHATAG: And they are listed on the
28 top of the first page?

29

30 MR. MAGDANZ: Those -- the harvests that are listed on
31 the top of the first page are from permit returns. So people
32 come and give us their permits at the end of the year and we
33 calculate our estimates from those permits.

34

35 CHAIRMAN SHELDON KATCHATAG: Interesting. You've got
36 pretty good cooperation rates.

37

38 MR. MAGDANZ: We do. I think that it's really good
39 quality information. I think that's a big reason for the
40 success frankly has been that we've hired local people in each
41 village to do a lot of the work on this. In several
42 communities we've got people who've worked for us now for three
43 years in a row.

44

45 It's about to the point where we can -- and we're
46 discussing this, next year we'll simply mail the surveys to
47 them and let them do it and send it back. So it's been a real
48 successful project in that arena.

49

CHAIRMAN SHELDON KATCHATAG: Any questions for Mr.

00249

1 Magdanz? And you do have your database for subsistence use of
2 salmon is getting more and more comprehensive as you go, is
3 that not correct?

4
5 MR. MAGDANZ: Well, that's correct. I mean next year
6 we will have four chum salmon cycles in the database. So that
7 will be a landmark for us. We've been through -- we've got, you
8 know, the pink salmon now cycle is in there completely. Next
9 year we'll have all four chum salmon cycles in the data. So I
10 think that that will be significant.

11
12 CHAIRMAN SHELDON KATCHATAG: This will go in our
13 database?

14
15 MS. H. ARMSTRONG: We use it in our.....

16
17 CHAIRMAN SHELDON KATCHATAG: Okay. Right.

18
19 MR. MAGDANZ: The other piece of paper that I handed
20 out that has little bars on it, I think Edgar will recognize
21 this. Two years ago we conducted some surveys, baseline
22 surveys. Now, a baseline survey, we go into a community and we
23 go to as many households as we can and we ask in a detailed
24 survey basically all of the resources that are harvested by
25 that community and how many did you harvest. And in most
26 communities we're talking 60 or 70 different kinds of animal
27 and fish and plants, marine mammals.

28
29 Last year we completed the Shishmaref Project, and
30 that's the dark part. That's the new data that this Council --
31 we haven't presented to this Council before. And we estimate
32 that Shishmaref harvested on a per person basis about 837
33 pounds of wild food in the study year. In this case it was
34 February '94 through January '95. And that's the highest of
35 the four communities that we surveyed in this project.

36
37 This data then I presented as graphs, just showing you
38 how these communities compare, Shishmaref, Wales, Deering and
39 Noatak. We have a much more detailed version of this data
40 which I've shared with your Chairman, which if there's some
41 interest I'll be glad to show that to you. And I have a few
42 copies of it. But we break it out line by line, species by
43 species with numerical estimates. So, as I say, we're the
44 Division of Numbers.

45
46 By the way, these projects have been done as
47 cooperative agreements involving either Kawerak in the case of
48 Wales, or IRA Councils in the case of Deering, Noatak and
49 Shishmaref where we pass funds onto the IRA Councils who then

50 contract with local people to administer the surveys. Our role

00250

1 has been to sort of supervise the analysis of the data and to
2 provide support in the field for their survey efforts.

3
4 There are three other things I want to touch on
5 briefly. That we're involved in two cooperative agreements
6 right now with Kawerak, one to conduct water fowl surveys on
7 St. Lawrence Island, that work is nearly complete. The
8 report's been mailed to the communities for their review. And
9 we're just beginning field work on a project to document seal
10 and sea lion harvest in the region. There'll be six
11 communities involved in that. Again, it's a cooperative
12 agreement with Kawerak where the field work is being done by
13 Kawerak, our role is data analysis and some of the front end
14 work.

15
16 And, finally, there's an item in your Board book under
17 the State comments tab, I don't know what tab that is, an
18 exchange of letters between Commissioner Frank Rue of the
19 Department of Fish and Game and Dave Allen with the US Fish and
20 Wildlife Service, proposing that a memorandum of
21 understanding..... Tab J?

22
23 MS. CROSS: Tab K.

24
25 MR. MAGDANZ: Tab K, as in Katchatag. That the two
26 agencies open discussion on a memorandum of agreement. I've
27 been involved in some internal discussions in the Department of
28 Fish and Game on that document and I think that just briefly
29 what the Department of Fish and Game is interested in having a
30 meaningful role in the Federal Management System and that in
31 our discussions we feel that the Regional Council system is the
32 center of the Federal system and that we hope that we can
33 increase our participation in the Council's activities and
34 provide information and analysis to the Council, if the Council
35 finds that useful.

36
37 So, any case, there's the beginning of a dialog here
38 that we hope will involve the Council and that we urge you if
39 you have some ideas about how the State and the Fish and
40 Wildlife Service, the Park Service, can work together to make
41 your job easier and make our information more useful, that we
42 welcome those suggestions, Mr. Chairman.

43
44 CHAIRMAN SHELDON KATCHATAG: Thank you, Mr. Magdanz.
45 You among all the -- you and Charlie among all the Fish and
46 Game people have been the most enjoyable to work with.

47
48 MR. MAGDANZ: Thank you, Mr. Chairman.

49

CHAIRMAN SHELDON KATCHATAG: That's one thing that I

00251

1 appreciate about having sensitive people working in especially
2 subsistence and I hope and I'm thankful that the State is
3 turning the other cheek, so to speak, or at least facing in the
4 right direction.

5
6 So thank you and I look forward to working with you.

7
8 MR. MAGDANZ: Thanks.

9
10 CHAIRMAN SHELDON KATCHATAG: If I'm reappointed. If
11 not, it's been a pleasure, Jim. Thank you.

12
13 We now move on to Regional Native Non-Profit IRA Tribe,
14 638-Contractors and Compactors. There are none. They have all
15 fallen by attrition. No regional and village Native
16 corporations, no other reports.

17
18 The last item on the agenda before we leave is the
19 letter. The infamous letter. Do we wish to reconsider? Mr.
20 Garnie.

21
22 MR. GARNIE: Yeah. I'm all -- as I say, it's a good
23 letter but I think we can see here it's several pages long.
24 And I've got I don't know how many pages here, but all I can
25 gather from it, I don't have time I know to read and go over
26 it, but all I can come up with is to try and compile a --
27 the.....

28
29 CHAIRMAN SHELDON KATCHATAG: A shorter letter.

30
31 MR. GARNIE: No, not necessarily. Try to compile a --
32 our status, our Alaska Native status from here -- from this
33 letter will be the job of the Secretary of the Interior. If we
34 can kind of put the -- put our proposal down a to what our stat
35 -- what do we want our status to say, and then the reasons
36 being along with it. And some of the letter is the reason
37 being, am I correct?

38
39 CHAIRMAN SHELDON KATCHATAG: The majority of the letter
40 is justification for our.....

41
42 MR. GARNIE: Is the reason.

43
44 CHAIRMAN SHELDON KATCHATAG:request.

45
46 MR. GARNIE: And then our -- have we got a little
47 section there saying what our status entitles? I mean, what
48 our Alaska Native status -- supposing we got it, what does it
49 give us? I mean does.....

00252

1 CHAIRMAN SHELDON KATCHATAG: You've lost me.

2

3 MR. GARNIE: Yeah, I've lost myself. I mean I just
4 kind of don't understand what are we really asking. Are we
5 asking for what rights -- for Native rights, for hunting
6 rights, subsistence rights?

7

8 CHAIRMAN SHELDON KATCHATAG: Well, we're -- there's
9 four major parts of this letter. We're asking for a
10 restructure of the Federal Subsistence Board to be made up of
11 the 10 Regional Advisory Council Chairs, we're asking for an
12 Alaska Native Policy because we need one, we're asking for
13 tribal subsistence management and we're also asking for
14 independent legal counsel.

15

16 MR. GARNIE: Our tribal status, what kind of status are
17 we asking? I mean are we asking for some specific rights just
18 pertaining to subsistence?

19

20 CHAIRMAN SHELDON KATCHATAG: Well, we're looking for a
21 specific policy on -- for Alaska Native with -- just for
22 subsistence. It's not our place to get into the other
23 relationships that the tribes have with say ICWA matters or
24 funding matters with BIA or anything like that.

25

26 MR. GARNIE: So our tribal Native status is like all
27 these boundaries and what have you kind of gets erased?

28

29 CHAIRMAN SHELDON KATCHATAG: What -- I wish I had been
30 move prepared for this. And I apologize that I'm not, but the
31 original Council had approved a draft Tribal Subsistence
32 Management at our second meeting. But we made it subject to
33 the approval of the tribes within the region. And we have yet
34 to hear from the tribes within the region.

35

36 MR. FRED KATCHATAG: Mr. Chairman.

37

38 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag.

39

40 MR. FRED KATCHATAG: I would table this until the
41 round-table conference in Anchorage on 15, 16, 17.

42

43 CHAIRMAN SHELDON KATCHATAG: Before we do that I think
44 we have to -- someone in the majority of the vote on this
45 letter has to request a reconsideration of the letter. So
46 anybody but Grace or Joe can request a reconsideration, then
47 we'll bring this letter back on the table.

48

49 MR. FRED KATCHATAG: See, there is a proposal or.....

00253

1 CHAIRMAN SHELDON KATCHATAG: Could.....

2
3 MR. FRED KATCHATAG:the people of Alaska will be
4 urged to vote on something that's coming out from the Governor
5 of Alaska to the House Speaker of Representatives that's
6 pending now. And it's why they have called all the Native
7 leaders, probably even the -- the Village corporations, all the
8 entities of the Native people who are subsistence users who
9 have allotments, who has fishing rights, even those that have
10 -- that are landowners under the allotment.

11
12 And that amendment to the Constitution of Alaska says
13 that all those that own all these rights that are under that
14 Alaska Land Title Settlement Act will be distinguished (sic),
15 all the hunting rights, all the fishing rights, everything will
16 be distinguished (sic) if they wait.

17
18 So before we go any further with this letter I would
19 want to wait until what happen over there. And that's why I
20 want to go and pay my own fare. So that I could sit there and
21 listen. Our Governor is taking this away from you.

22
23 CHAIRMAN SHELDON KATCHATAG: Mr. Katchatag, before we
24 can do anything with the letter, we have already approved -- we
25 have already approved the letter by a five to two vote and
26 before we can do anything with it any one of the five that
27 voted for it originally has to ask that we reconsider our
28 action on it.

29
30 MR. FRED KATCHATAG: You can go ahead and send it then.
31 I don't want to reconsider it.

32
33 CHAIRMAN SHELDON KATCHATAG: Anybody else? Peter,
34 Edgar, Elmer? Going once, going twice, gone. Let us now move
35 on to the last item of our agenda, place and time of our next
36 meeting. What is the wish of the Council? Rosa suggested
37 because we might be working with the National Park Service on
38 some of the issues that we discussed yesterday, that we might
39 have our next meeting in one of the communities affected by the
40 Bering Land Bridge. And there are four.

41
42 MR. FRED KATCHATAG: I think we should go ahead and
43 meet somewhere else, in urban area to where we can go to hotel
44 and go to regular restaurant and be more happy. We don't have
45 to.....

46
47 CHAIRMAN SHELDON KATCHATAG: Any suggestion as to
48 place?

49

MR. FRED KATCHATAG: Any urban area, Anchorage, Juneau,

00254

1 even in Ketchikan.

2

3 CHAIRMAN SHELDON KATCHATAG: Just as a matter of
4 central location I would suggest Nome.

5

6 MR. FRED KATCHATAG: Fine with me. But I would want to
7 meet in Anchorage or someplace else, not in a village.

8

9 CHAIRMAN SHELDON KATCHATAG: The Chair will entertain a
10 motion as to place.

11

12 UNIDENTIFIED VOICE: I'd say in Nome.

13

14 CHAIRMAN SHELDON KATCHATAG: We have a motion and a
15 second for Nome. Any others?

16

17 MR. FRED KATCHATAG: Anchorage.

18

19 CHAIRMAN SHELDON KATCHATAG: We have a motion for
20 Anchorage. Is there a second?

21

22 MR. FRED KATCHATAG: Put the Nome and Anchorage to
23 vote. Majority rules.

24

25 CHAIRMAN SHELDON KATCHATAG: There has been no second
26 for Anchorage. As it sits now we have a motion for Nome.

27

28 MS. CROSS: Question.

29

30 CHAIRMAN SHELDON KATCHATAG: All those in favor of
31 having our next meeting in Nome, signify by saying aye?

32

33 IN UNISON: Aye.

34

35 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

36

37 MR. FRED KATCHATAG: Nay.

38

39 CHAIRMAN SHELDON KATCHATAG: Let the record show six
40 ayes and one nay. Place -- I mean time. They gave us a window
41 of opportunity and one of the things that we must consider is
42 that the cooperators will be meeting October 7. I would
43 suggest that we meet the following week. And one of the things
44 that we had agreed upon earlier is that we want to meet in the
45 middle of the week as opposed to either end, so I would suggest
46 -- I don't have a calendar handy. It's either the -- oh,
47 there's one, I'm sorry. Okay. I would suggest October 14 and
48 15, or 15 and 16. Okay. 14 or 15, or 15 or 16?

49

00255

1 CHAIRMAN SHELDON KATCHATAG: We have a motion before us
2 to meet October 14 and 15 in Nome. Is there a second?

3
4 UNIDENTIFIED VOICE: Second.

5
6 CHAIRMAN SHELDON KATCHATAG: Yeah, one other thing
7 before we do this, before we do the dates, we mentioned that we
8 wanted at least a half a day of meetings with the National Park
9 Service, so I would suggest that we meet October 15 and 16
10 officially and try to have a half a day meeting with the Park
11 Service on the 14th.

12
13 MS. CROSS: I amend my motion to reflect this.

14
15 CHAIRMAN SHELDON KATCHATAG: We have an amended motion,
16 and is the second agreeable?

17
18 UNIDENTIFIED VOICE: Second.

19
20 CHAIRMAN SHELDON KATCHATAG: Seconded. Discussion?

21
22 UNIDENTIFIED VOICE: Question.

23
24 CHAIRMAN SHELDON KATCHATAG: Question's been called,
25 all those in favor of having the meeting in Nome, the official
26 session being October 15 and 16, and the discussion with the
27 National Park Service on draft regulations will be hopefully on
28 the afternoon of the 14th, and we will tentatively schedule
29 that meeting for one -- until done on the 14th, and then we're
30 9:00 to 5:00 on the 15th and 16th. All those in favor, signify
31 by saying aye.

32
33 IN UNISON: Aye.

34
35 CHAIRMAN SHELDON KATCHATAG: All those opposed, nay.

36
37 (No opposing responses)

38
39 CHAIRMAN SHELDON KATCHATAG: Motion passes unanimously.
40 See you folks in Nome.

41
42 (Off record)

43
44 (MEETING ADJOURNED)

45
46 * * * * *

00256

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 121 through 255 contain a full, true and correct Transcript of the Seward Peninsula Federal Subsistence Regional Advisory Council, Volume II, meeting taken electronically by Dorothy Wenzel on the 6th day of February, 1997, beginning at the hour of 9:00 o'clock a.m. at the Kattimivak Center, Unalakleet, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by Mary E. Miller to the best of her knowledge and ability;

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

DATED at Anchorage, Alaska, this 14th day of February, 1997.

JOSEPH P. KOLASINSKI
Notary Public in and for Alaska
My Commission Expires: 04/17/00