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11 SEWARD PENINSULA FEDERAL SUBSISTENCE
12 REGIONAL ADVISORY COUNCIL MEETING

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Nome, Alaska
October 10, 2002
8:40 o'clock a.m.

19 COUNCIL MEMBERS PRESENT:

20

21 Grace Cross, Chairman

22 William Johnson

23 Leonard Kobuk

24 Perry Mendenhall

25 Myron Savetilik.

26 Elmer Seetot

27

28 Coordinator, Barbara Armstrong

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1 P R O C E E D I N G S

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3 (Nome, Alaska - 10/10/2002)

4

5 (On record)

6

7 CHAIRWOMAN CROSS: Good morning. I will
8 call the meeting of the Seward Peninsula Subsistence
9 Regional Advisory Council to order. It is now 8:40 a.m.
10 I want to welcome everybody who is attending the meeting.
11 It's good to see old faces and new faces today. Leonard,
12 could you please do the roll call.

13

14 MR. KOBUK: Johnson Eningowuk.

15

16 CHAIRWOMAN CROSS: Excused.

17

18 MR. KOBUK: Grace Cross.

19

20 CHAIRWOMAN CROSS: Here.

21

22 MR. KOBUK: Myself, Leonard, here. William
23 Johnson.

24

25 MR. JOHNSON: Here.

26

27 MR. KOBUK: Peter Buck.

28

29 CHAIRWOMAN CROSS: Excused.

30

31 MR. KOBUK: Elmer Seetot, Jr.

32

33 MR. SEETOT: Here, but afterward ask to be
34 excused.

35

36 CHAIRWOMAN CROSS: Granted.

37

38 MR. KOBUK: Preston Rookok.

39

40 CHAIRWOMAN CROSS: Excused.

41

42 MR. KOBUK: Myron Savetilik.

43

44 MR. SAVETILIK: Here.

45

46 MR. KOBUK: Perry Mendenhall.

47

48 CHAIRWOMAN CROSS: He's absent this
49 morning. I guess I want to welcome everybody, all the old
50 faces and the new faces to our meeting once again. I want

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1 to -- since we only have a one-day meeting, I want to be
2 able to move as fast as we can. For those of the Staff
3 members who have written reports, when it's time for you to
4 come up here, please just summarize or highlight the
5 important parts. If the RAC members have any questions,
6 they can ask at that time.

7
8 We only have a one-day meeting and I want
9 to be able to touch some of the key issues that I feel is
10 important for the RAC to discuss. One of them is customary
11 trade and the other one is changing of the RAC composition.
12 I think those two are very important. We'll just move on
13 as we go along. I'll go ahead and move on to review and
14 adoption of the agenda. Leonard. Is there any additions
15 to the agenda?

16
17 MS. ARMSTRONG: I have a couple items under
18 new business. Under new business is the meeting time and
19 places of Mr. Boyd's letter under Tab I, Tim Jennings will
20 be presenting. And number two would be Unit 21(E), moose,
21 to be assured discussion by Pat McClenahan.

22
23 MR. SAVETILIK: What was number one again?

24
25 MS. ARMSTRONG: Number one is meeting time
26 and places. It's Mr. Boyd's letter. It's under Tab I.
27 Tim Jennings will be presenting.

28
29 CHAIRWOMAN CROSS: And at 1:30 we're going
30 to call Clyde Ongtawasruk. He wants to talk about the
31 caribou season in 22(E), so we'll take time to hear from
32 him at 1:30 today.

33
34 MS. ARMSTRONG: Miss Chair, will you be
35 discussing Proposal 54 then, at 1:30?

36
37 CHAIRWOMAN CROSS: I think we'll just hear
38 from him and then just leave Proposal 54 where it is and
39 then discuss it. We just needed to come up with a time
40 where he doesn't have to wait all day long, so we kind of
41 agreed with 1:30 and we'll call him. I don't know if he's
42 going to bring anybody else, but he was going to be talking
43 to the other reindeer herders, but I think he's going to be
44 the only one that will be speaking to us or voicing the
45 concerns.

46
47 MS. ARMSTRONG: Okay. Thank you.

48
49 MR. SEETOT: Madame Chair. Western Arctic
50 caribou herd, our report under 16.

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1 CHAIRWOMAN CROSS: Okay. He wants to make
2 Western caribou.....

3
4 MR. SEETOT: Western Arctic caribou herd
5 report.

6
7 MS. ARMSTRONG: Oh, okay. That would be
8 under 16-3?

9
10 MR. SEETOT: Yes.

11
12 CHAIRWOMAN CROSS: Anybody else got
13 anything to add?

14
15 (Perry Mendenhall joins meeting)

16
17 MS. ARMSTRONG: Was there going to be a
18 Fish & Game report by John Trent?

19
20 CHAIRWOMAN CROSS: Okay, agency reports.
21 Under BLM then, huh?

22
23 MS. ARMSTRONG: BLM.

24
25 CHAIRWOMAN CROSS: Okay. So instead of
26 Dave it's Jeanie Cole. Any more corrections or additions?

27
28 MR. MAGDANZ: Madame Chair. Fred DeCicco
29 under Fish & Game fisheries, he's not able to be here
30 today. I have some material that he provided me to pass
31 out to the Council.

32
33 MS. ARMSTRONG: I have another question on
34 the Boston Creek report from BLM. Oh, that's you.

35
36 CHAIRWOMAN CROSS: That's another little
37 issue that came up this year. Is that going to be included
38 with Jeanie Cole or are you separate? So Boston Creek will
39 be added to BLM. Anything else? Is there a motion to
40 adopt the agenda?

41
42 MR. SAVETILIK: Motion to adopt agenda.

43
44 MR. KOBUK: I'll second that.

45
46 CHAIRWOMAN CROSS: Is there a question?

47
48 MR. JOHNSON: Question.

49
50 CHAIRWOMAN CROSS: All those in favor of

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1 adopting the agenda as amended signify by stating aye.

2

3 IN UNISON: Aye.

4

5 CHAIRWOMAN CROSS: All those opposed same
6 sign.

7

8 (No opposing votes)

9

10 CHAIRWOMAN CROSS: Motion carries. Review
11 and adoption of the minutes. Leonard, it's under Tab B.
12 Go page by page. It starts at page 7.

13

14 MR. KOBUK: Okay. We had Seward Peninsula
15 Subsistence Regional Advisory Council meeting on February
16 26, 2002 at Munaqsri Senior Apartments here in Nome,
17 Alaska. Any corrections on page 7? (No response) How
18 about page 8?

19

20 CHAIRWOMAN CROSS: Under roll call, I think
21 Mr. Johnson attended the meeting because I don't recall him
22 leaving the meeting. A number of times in the minutes he
23 was quoted. Does anybody remember? I know Johnson was
24 here when we had the meeting, Eningowuk. It says Mr.
25 Johnson was too ill to attend the meeting and was granted
26 an excused absence. I don't recall that happening. I
27 think he was at the meeting the entire time. Oh, wait a
28 minute. We're talking about you.

29

30 MR. JOHNSON: Yeah.

31

32 CHAIRWOMAN CROSS: Okay. I think we should
33 verify that. I'm thinking about Johnson Eningowuk. Sorry.

34

35 MR. SEETOT: Madame Chair. Under
36 Shishmaref, Mr. Johnson. Are they referring to Johnson
37 Eningowuk?

38

39 CHAIRWOMAN CROSS: Under Shishmaref. That
40 would be Johnson Eningowuk.

41

42 MR. KOBUK: Any corrections to be made on
43 page 9? Hearing none. Page 10. (No response) How about
44 page 11?

45

46 MS. ARMSTRONG: Excuse me. Under page 10,
47 under discussion, that would be Mr. Eningowuk.

48

49 MR. KOBUK: So the same thing would be on
50 page 11.

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1 CHAIRWOMAN CROSS: On motion to amend Mr.
2 Johnson.

3

4 MR. KOBUK: So that would be Eningowuk.
5 Any corrections on page 11? Hearing none. Page 12. If
6 I'm going too fast, just let me know. Page 13. Hearing
7 none. Page 14. Under discussion, that would be Mr.
8 Eningowuk again instead of Mr. Johnson.

9

10 CHAIRWOMAN CROSS: Yeah, Mr. Eningowuk. On
11 page 14.

12

13 MR. KOBUK: Page 15. I guess where it says
14 Proposal FP01-44 follow-up, St. Michael and Stebbins decide
15 to remove the proposal and wait till a survey is done in
16 those rivers or until we get more information. Page 16.
17 Any questions for 16 or corrections? Hearing none. Page
18 17. No corrections. Page 18. Any corrections for page
19 18? Hearing none. Page 19. Am I going too fast?

20

21 CHAIRWOMAN CROSS: No. You're doing fine.

22

23 MR. KOBUK: Any corrections or questions on
24 19? Hearing none, go to page 20. Any questions on page 20
25 or corrections? Hearing none. Page 21. No questions or
26 corrections. I guess that's the last page.

27

28 CHAIRWOMAN CROSS: I'll entertain the
29 motion to adopt the minutes as corrected.

30

31 MR. KOBUK: So moved.

32

33 MR. SAVETILIK: I second.

34

35 CHAIRWOMAN CROSS: All in favor of the
36 motion signify by stating aye.

37

38 IN UNISON: Aye.

39

40 CHAIRWOMAN CROSS: All those opposed same
41 sign.

42

43 (No opposing votes)

44

45 CHAIRWOMAN CROSS: Motion carries. Council
46 member reports. I missed one key thing, to have people
47 introduce themselves. I'm sorry. So we'll begin with
48 Perry.

49

50 MR. MENDENHALL: What?

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1 CHAIRWOMAN CROSS: Introductions. I forgot
2 introductions.

3
4 MR. MENDENHALL: Perry Mendenhall, Nome,
5 Alaska.

6
7 MR. JOHNSON: William Johnson, Unalakleet.

8
9 CHAIRWOMAN CROSS: I'm Grace Cross, the
10 Chair of this RAC.

11
12 MR. KOBUK: Leonard Kobuk. I represent St.
13 Michael and Stebbins.

14
15 MR. SEETOT: Elmer Seetot, Jr., Brevig
16 Mission.

17
18 MR. SAVETILIK: Myron Savetilik,
19 Shaktoolik.

20
21 MS. McCLENAHAN: Pat McClenahan, Staff
22 anthropologist.

23
24 MS. ARMSTRONG: Barb Armstrong, coordinator
25 for North Slope and Seward Pen.

26
27 CHAIRWOMAN CROSS: We'll start with Ida.

28
29 MS. HILDEBRAND: Ida Hildebrand, BIA Staff
30 Committee member.

31
32 MR. MAGDANZ: Jim Magdanz, Fish & Game,
33 Kotzebue.

34
35 MS. COLE: Jeanie Cole, wildlife biologist,
36 BLM in Fairbanks.

37
38 MR. PARKER: Dave Parker. I'm a fish
39 biologist, BLM in Fairbanks.

40
41 MR. JENNINGS: Good morning. Tim Jennings
42 with the Office of Subsistence Management in Anchorage.
43 I'd also like to introduce a new staff member. Chuck
44 Ardizzone is our new wildlife biologist who shall support
45 the Council. Donna Dewhurst, who has been working with you
46 for several years, took another job in our regional office
47 in Anchorage. We're fortunate to have Chuck from the
48 regional office in Anchorage. Welcome, Chuck, to our
49 Seward Pen team.

50

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1 CHAIRWOMAN CROSS: Welcome, Chuck.

2

3 MR. SCHNORR: Mike Schnorr, wildlife
4 biologist, National Park Service, Kotzebue.

5

6 MS. PERSONS: Kate Persons, wildlife
7 biologist for Fish & Game in Nome.

8

9 MR. TODD: Gary Todd, fisheries biologist
10 with ADF&G in Nome.

11

12 MR. ASHENFELTER: Roy Ashenfelter.

13

14 MR. ADKISSON: Ken Adkisson, National Park
15 Service in Nome.

16

17 MR. RABINOWITCH: Sandy Rabinowitch, Park
18 Service Staff Committee for the Federal Board.

19

20 MR. FRIED: Steve Fried, fishery biologist
21 with the Office of Subsistence Management, Anchorage.

22

23 MR. LEAN: Charlie Lean with the Park
24 Service in Nome.

25

26 MR. PROBASCO: Good morning. Pete
27 Probasco. I'm with the Office of Subsistence Management
28 and State Fishery.

29

30 MR. UBERUAGA: Richard Uberuaga, fisheries
31 subsistence in Anchorage.

32

33 MR. DENTON: Jeff Denton, Bureau of Land
34 Management, Anchorage field office, wildlife biologist.

35

36 MR. AHMASUK: Austin Ahmasuk from Nome.

37

38 CHAIRWOMAN CROSS: Will those people that
39 just came in please introduce themselves.

40

41 MR. WAITMAN: Spencer Waitman, Kawerak
42 fisheries biologist.

43

44 MR. TAHBONE: Sandy Tahbone, Kawerak.

45

46 CHAIRWOMAN CROSS: And the court reporter
47 is.....

48

49 MR. HILE: Nathan Hile. I record the
50 meetings.

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1 CHAIRWOMAN CROSS: Now that we got that
2 over. Sorry I missed that portion. We'll now move on to
3 Council member reports. Perry.

4

5 MR. MENDENHALL: I got my fish quota for
6 Nome, Alaska in Tier II, first time in my family and I'm
7 quite surprised how much I missed it. I believe that a lot
8 of other people have tried very much to fulfill their quota
9 too in Nome. People are very much dependant upon the
10 salmon. It's also dependant on the weather on whether it
11 would dry and keep. Some people did have to freeze their
12 fish and dry it some other time. This year the weather
13 cooperated during the fishing season and we were able to
14 dry them all on the rack without bringing them in. I heard
15 that quite a few people were also hunting for muskox in the
16 Nome area trying to get their quota. Some were successful,
17 some were not. The other one was that caribou hunting in
18 the Nome area has been questionable because some people
19 thought they were shooting caribou and, in actuality, they
20 were shooting reindeer, so some people were fined \$500 by
21 the reindeer herder. So there needs to be some education
22 to hunters that they know what to do with the reindeer.
23 One person brought in the deer without even gutting them,
24 so I don't know how well his meet turned out after being in
25 the round, coming in. Even though this person lived in the
26 region for eight years or so and he tried very hard to get
27 a moose and he didn't. So there's some information that
28 needs to be given to hunters so they won't make a mistake
29 of shooting a deer versus a caribou.

30

31 CHAIRWOMAN CROSS: Thank you, Perry.

32

33 MR. JOHNSON: Our salmon season kind of had
34 enough to suffice for subsistence needs. Commercial was
35 non-existent for many years now. There's growing concerns
36 and we're trying to work with it. That when commercial
37 gets shut down, your next commercial fishery is sport
38 fishing and something should kind of curb that before you
39 make too many more restrictions on subsistence. So that's
40 a concern. There's also a concern about surveys during the
41 main years for salmon that could be used against us by
42 saying you didn't harvest that much in 2002 and it was
43 actually a bad year or in 2001 you didn't harvest very much
44 because of the poor returns or something. Somewhere down
45 the line there's concern that they can kind of hurt us and
46 people are getting kind of apprehensive about doing surveys
47 and I bring this up because it just came up at our last
48 village council meeting. We wanted to ensure that the
49 numbers like that aren't going to come back and bite us by
50 saying, well, you didn't really rely on it in 2001 or 2000.

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1 So they're getting a little bit leery even though it's good
2 information to know what we get.

3

4 Our moose season went well. There were
5 quite a bit of moose caught this year. The caribou haven't
6 been coming back. I guess there's that saying when some
7 place freezes over, then they'll start going there, but the
8 caribou have been coming out this way and we didn't have
9 any caribou last winter. We had to go like 80 miles up the
10 North River towards the head of Shaktoolik to get caribou.
11 That's about all I have to comment on.

12

13 CHAIRWOMAN CROSS: Thank you. Leonard.

14

15 MR. KOBUK: Our subsistence fishing went
16 pretty well. Had to go all the way, as usual, to Seldon's
17 Point. They changed the name and I can't remember right
18 now. Last winter, just like Middy said, caribou never
19 showed up. It was kind of tough and a lot of people
20 started doing moose hunting. I guess they've been catching
21 during the winter and this summer, too. Again, as usual,
22 some hunters from the village of Alakanuk had killed eight
23 of our reindeer. They said they had caught caribou and the
24 caribou hadn't even showed up. I guess the IRA Council is
25 working on that for both villages.

26

27 Also this summer the Myomik fish camp at
28 Pikmiktalik burned down, which makes it pretty sad for the
29 people of St. Michael and Stebbins. We had a bad storm in
30 the month of July and they end up going into Pikmiktalik.
31 The house was locked, they broke the lock off and stayed in
32 there, but apparently they didn't turn the wood stove off
33 before they left, so it burned not only their house but
34 also three older houses. Andrew Fox, I guess he was on his
35 way back to Stebbins from Kotlik and he saw the fire and he
36 had to firefight for four hours to keep his dad's house
37 from burning down. I guess it belongs to him now. And
38 then the guy from Calista went to inspect and see what
39 happened, why the house burned down at Pikmiktalik, Frank
40 Myomik was bringing him so he could go inspect his house
41 and as they went into the river, they had to fight a fire
42 again. It seems like a lot of that's been happening last
43 summer and it's kind of sad that no one respects their
44 Native allotments and no one is saying anything about the
45 burning and they're looking into that. They have an idea,
46 but they're checking on that.

47

48 Berry picking. We had a lot of
49 blueberries. There was no salmonberries. Most of the
50 people from St. Michael and Stebbins had to go around

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1 Kotlik. I always go all the way to (indiscernible). I
2 finally remembered the name. That's where I have a land
3 allotment in that area and my wife. We help press for my
4 wife's mom because she's an elder, she's too old. We put
5 a piece away for her, we berry pick for her. So that's the
6 only thing I had.

7

8 CHAIRWOMAN CROSS: Thank you, Leonard.
9 Elmer.

10

11 MR. SEETOT: Salmon fishing was good for
12 those that took their time and effort to fish during the
13 past summer. We have no commercial fishing, however there
14 are a lot of fish that can be taken within our waters.
15 Musk oxen were harvested by those persons holding permits
16 either on Federal or State land. The salmonberries were
17 rare. I think that during the flowering stage they were
18 burned up by the sun. The blueberries were plentiful. The
19 snow geese took a different route along the water this past
20 spring I think due to the helicopter going back and forth
21 to the single steel drill that was parked in Port Clarence
22 Bay. They took it up north and it's no longer part of the
23 view. Overall, I think the subsistence resources were
24 gathered by those taking the time to gather or to hunt or
25 to preserve. There was a lot of employment activities
26 within Brevig Mission. So the subsistence activities are
27 kind of winding down due to Kumeruk Basin freezing over for
28 the winter. Activities continue throughout the year.
29 Different species, different plans, different fish and
30 wildlife are harvested during the different seasons. That
31 is my report.

32

33 CHAIRWOMAN CROSS: Thanks, Elmer. Myron.

34

35 MR. SAVETILIK: The subsistence for my
36 area, I think the water was kind of low this year. It was
37 low for the fish going up the river, but I think the people
38 that did subsist for the salmon to preserve them did well
39 with that. There was a few people that were lucky enough
40 to get some salmonberries. The blueberries were plentiful
41 also. There was a few moose that were caught. The other
42 day I talked to one person, he was saying there was tom cod
43 in the Norton Bay area. They had seen a big number of tom
44 cod that were dead. He wasn't too sure how they died.
45 That's just what I heard yesterday. He was wondering if
46 there was any research done about these tom cod being dead.
47 I don't know if there was anything documented about that.
48 Other than that, subsistence was good for the people that
49 did it. That's my report.

50

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1 CHAIRWOMAN CROSS: On the Chair's report,
2 it has Regional Council Chair Meeting at 2002. It's
3 written there, so I'm not going to go into any detail
4 unless the RAC has any questions. The minutes are there
5 and if you have any questions, just ask. If there's no
6 questions, then we can just move on. Are there any
7 questions? One of the big issues there was, once again,
8 compensation, which is an ongoing issue with all of the
9 RACs. And, of course, C&T. Then Regional Council Chairs
10 and Subsistence Board Meeting, it was almost identical to
11 the Chairs meeting.

12
13 One of the issues was since there had been
14 no appointments for new RAC members, in particular Western
15 Interior and Eastern Interior RACs didn't even feel
16 comfortable having a meeting because of their size. They
17 just felt there was not enough representation because there
18 hasn't been any appointments for quite a while. So that
19 was one of their major concerns. I understand this year,
20 because of their sizes, both of them had to meet together.
21 It's a concern that all of the RACs have because with RAC
22 members terms expiring and no new assignments, quite a few
23 of the RAC sizes are dwindling and they don't feel
24 comfortable about having meaningful meetings. I guess one
25 of the things that happened to our RAC is our alternates
26 have been removed, so I would like to encourage the Federal
27 Staff to start making appointments soon because our RAC is
28 also dwindling. I don't want to see us get to the point
29 where Eastern and Western Interior are right now. They
30 just can't make meaningful decisions because their RAC
31 sizes are so small now because there's no new appointments.
32 That was one of the bigger concerns that was presented to
33 the Federal Subsistence Board. We will be discussing later
34 on their RAC composition changes that will be forthcoming.
35 That will be discussed later on during our meeting. Does
36 anyone have any questions or comments? Okay.

37
38 Tab C is May 13-14, 2002 805 letter. I'm
39 not going to go into that either because it's written there
40 and the annual report response is in Tab D. Does anybody
41 have anything to add or any questions regarding those?
42 Okay. Let's move along. The public testimony part,
43 there's a place where you can sign in if you want to
44 testify in front of this RAC. Public testimony will be
45 ongoing throughout this meeting. You just need to complete
46 that.

47
48 At 1:30 we'll be hearing from Clyde
49 Ongtawasruk and we'll be doing that by phone. He'll be
50 addressing Proposal 54, which is to establish Federal

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1 subsistence caribou season in 22(E). This is an old
2 proposal that we had done in May of 2000 and we kind of
3 forgot about it and it came back to haunt us eventually,
4 but we will be addressing that today after we hear from --
5 and we're just going to leave it where it is and I want to
6 address it after we hear from Clyde Ongtowsruk. He has
7 talked to other members of their reindeer herders
8 association and had expressed some concerns about the
9 proposal.

10

11 Number 9 is election of officers. I feel
12 kind of uncomfortable doing that because there's just six
13 of us here. I was kind of wondering if we could do it at
14 our next meeting when new appointments have been made. I
15 would recommend that we table election of officers until
16 our next meeting. At that point, I understand there will
17 be appointment of new RAC members. How do the rest of you
18 feel about that?

19

20 MR. SAVETILIK: Excuse me. Is there any
21 officers that their terms are expiring soon?

22

23 CHAIRWOMAN CROSS: We have a lot of RAC
24 members whose terms are expiring, including mine. Normally
25 somebody writes down the dates, but I think mine, Perry
26 Mendenhall's, Leonard -- is your's expiring too, Elmer?

27

28 MR. SEETOT: No.

29

30 MS. ARMSTRONG: It's Johnson, Grace,
31 Leonard and Perry. No, there should be three. Grace,
32 Leonard and Perry that are expiring right now and then new
33 appointees will be at your Board at the winter meeting,
34 whenever that will be, once you set it up. That's when
35 you'll have a full board.

36

37 CHAIRWOMAN CROSS: And then our alternates
38 have been eliminated.

39

40 MR. KOBUK: Why is that?

41

42 CHAIRWOMAN CROSS: I guess we'll have
43 to.....

44

45 MS. ARMSTRONG: That will be discussed
46 during your meeting today.

47

48 CHAIRWOMAN CROSS: Actually, we were the
49 first RAC to be affected by the new changes that are
50 coming. We're the only RAC that's been affected so far.

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1 Like Barbara said, it will be discussed later on in the
2 meeting. So, should we table the election of officers?

3

4 MR. SAVETILIK: I don't see any problem
5 with that.

6

7 MR. MENDENHALL: What is the motion?

8

9 CHAIRWOMAN CROSS: To table the election of
10 officers until we have a full RAC.

11

12 MR. MENDENHALL: It's on the agenda now.
13 We never did have that before and done in a timely fashion.

14

15 CHAIRWOMAN CROSS: Part of what's happening
16 is three of us are sitting here expired.

17

18 MR. MENDENHALL: Right. I understand that.

19

20 CHAIRWOMAN CROSS: And then appointments
21 will be made. By the time our next meeting comes in, we'll
22 have a full RAC. I thought it would be wise for us to
23 postpone the elections until the next meeting. That way
24 we'll have a full RAC.

25

26 MR. MENDENHALL: Right, but we only meet
27 twice a year. I don't see why delaying it would do any
28 harm at all.

29

30 CHAIRWOMAN CROSS: So it's okay to delay
31 it?

32

33 MR. MENDENHALL: Well, I don't see any
34 reason for delaying it either, you know, other than Madame
35 Chair getting the business over with and I think it would
36 be businesslike to stick to what's on the agenda. You guys
37 already approved what's on the agenda, right?

38

39 CHAIRWOMAN CROSS: Uh-huh. Well, actually,
40 I was going to recommend that we table election of officers
41 until there's a full RAC.

42

43 MR. MENDENHALL: Right, but you already
44 approved the agenda and we need all of the agenda.

45

46 CHAIRWOMAN CROSS: Yeah. That's what I'm
47 doing. I'm following the agenda.

48

49 MS. ARMSTRONG: Excuse me, Ms. Chair. The
50 reason why the election of officers is there is so you

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1 could have a discussion whether you want to take it now or
2 delay it till your next meeting. That's why it's on the
3 agenda.

4

5 MR. MENDENHALL: Okay. That never was
6 clarified. But, again, we annually have done that at this
7 time, too.

8

9 CHAIRWOMAN CROSS: What are the wishes of
10 the rest of the Council? My recommendation is that we
11 table it until appointments have been made to the RAC and
12 we do have a full RAC. I feel not too comfortable having
13 Johnson, Preston and Peter not being here.

14

15 MR. MENDENHALL: What if at the next
16 meeting three more people will be missing too due to
17 weather? It's kind of hard to predict what the next
18 meeting is going to be. You're probably going to have
19 three more members missing due to weather or absentee.

20

21 CHAIRWOMAN CROSS: We'll just do the
22 election then. What does the rest of the Council feel?

23

24 MR. KOBUK: I feel the same, that we
25 probably should wait until we have those that are gone.
26 They may want to be chair or secretary.

27

28 CHAIRWOMAN CROSS: Should we put this to
29 vote, whether or not we should have an election of officers
30 now or delay it?

31

32 MR. SAVETILIK: I think that would be
33 appropriate for us to vote.

34

35 CHAIRWOMAN CROSS: Okay. Is there a
36 motion?

37

38 MR. KOBUK: I'll make a motion.

39

40 MR. SAVETILIK: I second.

41

42 CHAIRWOMAN CROSS: All those in favor of
43 having an election of officers now signify by saying aye.

44

45 IN UNISON: Aye.

46

47 CHAIRWOMAN CROSS: All those opposed same
48 sign.

49

50 (Two opposing votes)

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1 CHAIRWOMAN CROSS: There's two for and --
2 what's your vote, Elmer?

3

4 MR. SEETOT: The last one.

5

6 CHAIRWOMAN CROSS: So four are against and
7 two for.

8

9 MR. MENDENHALL: The Chair only votes on
10 ties, right?

11

12 MS. ARMSTRONG: It's still three/two.
13 Three for delay and two for.

14 CHAIRWOMAN CROSS: Four to delay and two to have
15 election now. So we will have our election in the next
16 meeting.

17

18 MR. MENDENHALL: Well, that's the
19 consensus. We already voted on it.

20

21 CHAIRWOMAN CROSS: Thank you. We'll move
22 on to 10, statewide fisheries proposals for Council review
23 and recommendation to the Federal Subsistence Board. I
24 believe it's Pat McClenahan, right?

25

26 MS. McCLENAHAN: Thank you, Madame Chair.
27 I'd refer you to Tab D, page 55. I'd like to present to
28 you statewide Proposal FP2-003-27. Please note that the
29 proposal's author has requested that the word and in the
30 phrase open seasons and harvest limits in the first
31 sentence of the proposed regulation be changed to or and
32 I'll read that back to you again at the end of my
33 presentation.

34

35 Proposal FP03-27 was submitted by the
36 Office of Subsistence Management requests that the Federal
37 Subsistence Board establish a statewide regulation allowing
38 the taking of fish for religious and ceremonial/potlatch
39 purposes. While Federal Subsistence regulations allow for
40 the taking of wildlife outside proposed seasons and harvest
41 limits for ceremonial purposes, currently no such
42 provisions exist for the taking of fish. It should be
43 noticed that, for most fish species, existing open seasons
44 and harvest limits already provide an opportunity to take
45 fish that may be used in ceremonial and religious
46 activities.

47

48 The serving of fish and wildlife is central
49 to Alaska Native ceremonial feasting. Such foods reaffirm
50 ethnic identity and tie to the land and the resources. All

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1 fishing management areas have harvest limits, temporal
2 restrictions or both for some species of fish. Statewide,
3 most fish can be harvested by subsistence users without
4 restrictions and would not require use of this proposed
5 provision.

6
7 The proposed limit on salmon and steelhead
8 trout would not equally affect subsistence users in all
9 parts of the state because of temporal and geographic
10 distribution. Steelhead have been documented along the
11 Aleutian Chain, but data of their distribution in the
12 Bering seas is limited. Salmon are rare north of Kotzebue
13 Sound. Both are only available in freshwater seasonally.

14
15 Effects of the proposal. Adoption of this
16 proposed regulatory change should have minimal impacts on
17 the salmon and steelhead populations. Our preliminary
18 conclusion is to support the proposal. The proposed
19 regulation should read -- you can view this on page 58 of
20 your book. The taking of fish from Federal waters is
21 authorized outside of published open seasons or harvest
22 limits if the harvested fish will be used for food in
23 traditional religious ceremonies, which are part of
24 funerary or mortuary cycles, including memorial potlatches,
25 provided that:

26
27 (A) The person (or designee) organizing the
28 ceremony contacts the appropriate local Federal Fisheries
29 Manager prior to attempting to take fish to provide the
30 name of the decedent(s), the nature of the ceremony, the
31 parties and/or clans involved, the species and the number
32 of fish to be taken, and the Federal waters from which the
33 harvest will occur; No more than 25 salmon or 5 steelhead
34 may be taken;

35
36 (B) The taking does not violate recognized
37 principles of fisheries conservation, and uses the methods
38 and means allowable for the particular species published in
39 the applicable federal regulations. The local Federal
40 Fisheries Manager may restrict the number, species, or
41 place of taking if necessary for conservation purposes;

42
43 (C) Each person who takes fish under this
44 section must, as soon as practicable, and not more than 15
45 days after the harvest, submit a written report to the
46 appropriate local Federal Fisheries Manager, specifying the
47 harvester's name and address, the number, and species of
48 fish taken, the date and locations of the taking, and the
49 name of the decedent for whom the ceremony was held;

50

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1 (D) No permit is required for taking under
2 this section; however, the harvester must be an Alaska
3 rural resident with customary and traditional use in that
4 area where the harvesting will occur.

5
6 Madame Chair, that concludes my remarks.

7
8 CHAIRWOMAN CROSS: Does anybody have any
9 questions or comments for Pat?

10
11 MR. MENDENHALL: How would it affect
12 Unalakleet rivers and Federal waters?

13
14 MR. JOHNSON: I mean the fisheries manager
15 may still restrict the number.

16
17 CHAIRWOMAN CROSS: When we're talking about
18 the fisheries manager, we're talking about -- like in
19 Unalakleet it would be the BLM person. And in National
20 Park Service, would that be the superintendent of NPS? And
21 if this passes, those people would be identified, right?

22
23 MS. McCLENAHAN: I believe they can make a
24 request, the people who are interested in taking -- oh,
25 you're talking about the managers.

26
27 CHAIRWOMAN CROSS: Yes, identification of
28 the Federal Fisheries Manager.

29
30 MS. McCLENAHAN: Yes, for each region.

31
32 CHAIRWOMAN CROSS: So people would know who
33 to contact and how to go about it.

34
35 MS. McCLENAHAN: That's correct.

36
37 CHAIRWOMAN CROSS: So in the case of
38 Unalakleet, would this be handled out of Fairbanks or from
39 Anchorage?

40
41 MS. McCLENAHAN: Let me have some people
42 who are knowledgeable speak to that.

43
44 MR. ADKISSON: Ken Adkisson, National Park
45 Service. I think the question may be a little fuzzy there
46 in terms of actually who does what, but my understanding,
47 and Charlie Lean can correct me if I'm wrong, Charlie,
48 actually, and the Park Superintendent is the designated
49 Federal agent for this area, but nothing that the Park
50 Service superintendent does, really, like for the

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1 Unalakleet River, can be done without consultation and
2 working with the BLM and the RAC, so it's kind of a complex
3 process. But, as far as I know, the Park Superintendent is
4 the designated agent.

5

6 CHAIRWOMAN CROSS: For NPS.

7

8 MR. ADKISSON: No. For the Federal
9 fisheries program.

10

11 MR. MENDENHALL: Madame Chair. For the
12 record, in Nome area annually we have an ANB picnic, which
13 includes everybody from Nome, basically Natives, membership
14 and we have a need of 100 fish for that annual and
15 sometimes we have to import from Unalakleet or ask
16 Unalakleet for a donation of fish. Just for a matter of
17 record, we do have an annual practice at our ANB picnic in
18 July. I think this is appropriate if it would be
19 recognized on the State side, not only on the Federal,
20 because some people do have that practice in their
21 villages, in their region, and I would be able to support
22 the statewide in nature for this type of practice from our
23 region as a friendly supporter.

24

25 CHAIRWOMAN CROSS: That brings me to
26 another question. Since we have very little Federal lands
27 in Nome, if a request is made by ANB to Unalakleet
28 fishermen to donate some fish for the ceremonial purposes,
29 who would be the individual that would be -- would ANB be
30 the one to be making the request to the Feds or would the
31 individual who is going to be donating the fish be the
32 individual to contact the Feds about donation of 100 fish
33 or whatever for the annual ceremony in Nome?

34

35 MR. LEAN: That's a really far-flung
36 scenario. The real management scenario right now is that
37 Fish & Game allows essentially unlimited subsistence
38 harvest throughout most of Norton Sound with the exception
39 of the Nome subdistrict and fish are readily available in
40 a number of locations. This wouldn't kick in until there
41 was a Federal restriction on Federal waters and that hasn't
42 happened yet. This is a very academic argument right now,
43 discussion. If there were widespread closures and some
44 Federal waters were closed, then this would kick in and the
45 person who was going to do the fishing would contact myself
46 or Dave Spirides and providing the use was within the
47 limits of this regulation, and I don't think a picnic would
48 be. I think it would have to be with regard to a ceremony,
49 a potlatch, a funeral potlatch sort of ceremony. That's
50 when this would be allowed. So this is kind of an academic

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1 sort of regulation for this area. It does have
2 implications further south in Alaska. As it stands right
3 now, this limits the harvest of 25 salmon. The Nome Eskimo
4 community could ask White Mountain for an unlimited number
5 of salmon already. You could ask Unalakleet for an
6 unlimited amount of salmon and it wouldn't involve Federal
7 management at this point.

8

9 CHAIRWOMAN CROSS: So it's kind of moot.

10

11 MR. LEAN: Yes.

12

13 CHAIRWOMAN CROSS: Okay. I understand.

14

15 MR. MENDENHALL: Madame Chair. It would
16 behoove us to support this proposal because I could see
17 where they're trying to get it on the books statewide on
18 Federal waters and I would be supportive of this proposal.

19

20 CHAIRWOMAN CROSS: I think in particular in
21 the Athabaskan regions of our state it would be helpful for
22 them to have some mechanism that would expedite things
23 since they do a lot of funeral potlatches.

24

25 MR. MENDENHALL: It's quite significant
26 down there. I have relatives in Copper Center that
27 practice it as well. Call for question on this proposal
28 and I'm in support of it. It hardly impacts it, but it
29 would be nice to have one on the State side for future
30 practices, such as the ANB picnic. We understand in the
31 Nome area we can't fish when we want to due to the lack of
32 fish, so we know how to beg from our other villages like
33 Unalakleet to give us some fish. So I call for question on
34 this proposal.

35

36 CHAIRWOMAN CROSS: We've still got a
37 procedure, so I want to move on with the procedure.

38

39 MR. MENDENHALL: Right.

40

41 CHAIRWOMAN CROSS: Alaska Department of
42 Fish & Game, do you have any comments?

43

44 UNKNOWN SPEAKER: He had to go move his
45 car.

46

47 CHAIRWOMAN CROSS: Oh, should we go into
48 other agency comments then and then we'll come back to
49 Alaska Department of Fish & Game. Other agency comments.
50 Ida.

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1 MS. HILDEBRAND: Thank you, Madame
2 Chairman. Ida Hildebrand, BIA Staff Committee member.
3 Just for your information, this proposal did generate from
4 the Interior where they have emergency requests over the
5 summer for people who had died and they needed to do their
6 ceremonial potlatches. Also, they have other ceremonial
7 activities that they have basically this regulation for
8 game, but not for fish, and that was the genesis. In the
9 discussions on the Eastern and Western Interior and I
10 believe in Southeast they had objection to limiting the
11 number of fish and they also requested that the name of the
12 decedent not be listed; that it wasn't a part of their
13 culture to list that.

14
15 CHAIRWOMAN CROSS: Did they make any kind
16 of recommendations or changes?

17
18 MS. HILDEBRAND: The recommendation was to
19 delete the language that had limited the number of fish to
20 25 and to delete the language that referred to naming the
21 decedent. I believe there were a few other changes, but
22 those were the main changes that I recall.

23
24 CHAIRWOMAN CROSS: Anybody else? Charlie.

25
26 MR. LEAN: I think North Slope also took no
27 action since they didn't think it involved them. The
28 effect of having no limit basically turfs the decision
29 about how many fish back to the manager and the people
30 requesting the action. So, depending on the conservation
31 concern, there might be room for compromise.

32
33 CHAIRWOMAN CROSS: Thank you, Charlie.
34 We'll go back to Alaska Department of Fish & Game comments
35 on this proposal since the person came back.

36
37 MR. MAGDANZ: Madame Chair, thank you.
38 Between moving the truck and other issues, I was
39 distracted. This proposal would only apply when there were
40 restrictions to Federal fisheries. I think, as Charlie
41 Lean pointed out, in Unit 22 or Norton Sound District, the
42 Port Clarence District, there are very few restrictions to
43 seasons or bag limits. So, from the State's perspective,
44 this is, for the most part, a moot proposal at this time.
45 It would only take effect if there were changes in fishing
46 regulations and Federal fishing regulations or if there
47 were emergency order or special action restrictions that
48 closed fishing and then you would have to go through this
49 process to open up fishing for funeral purposes. For this
50 region, it seems to be, by and large, moot. Madame Chair.

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1

2 CHAIRWOMAN CROSS: Thank you. Fish & Game
3 Advisory Committee comments. Mr. Ashenfelter.

4

5 MR. ASHENFELTER: I'll speak as a public
6 person, not as an Advisory Council member because we
7 haven't had a meeting. This is for funerary, religious
8 ceremony process and I think it would affect. Maybe the
9 State doesn't know it yet, but there are closures in Nome
10 subdistrict for subsistence fishing. It's down to Tier II.
11 So this would come in effect for funerary, not ANB type
12 picnic. This is specific to funerary and mortuary cycles.
13 So if you wanted to add something different or make it so
14 that it would include other ceremonies, you need to do it.
15 So that's my comments.

16

17 CHAIRWOMAN CROSS: Thank you. Ken.

18

19 MR. ADKISSON: Ken Adkisson, National Park
20 Service. I'm not sure that Roy's assessment is quite
21 right. The problem is that this would only apply on
22 Federal waters and Federal jurisdictions. Like the Nome
23 subdistrict really doesn't have any, so this proposal
24 wouldn't apply there. Where it would apply would be like
25 on the Unalakleet Wild and Scenic River if there was a need
26 for Federal restrictions.

27

28 MR. KOBUK: Would that also apply to
29 Yukon/Delta National Wildlife Refuge?

30

31 MR. ADKISSON: Yes, it would. And it would
32 also apply in perhaps parts of Bering Land Bridge, but I
33 believe that that's mostly in the Kotzebue District, but
34 this is a statewide proposal, so it would apply there and
35 also through large portions of Unit 23.

36

37 CHAIRWOMAN CROSS: Thank you, Ken. Are
38 there written public comments?

39

40 MS. ARMSTRONG: Madame Chair. There aren't
41 any written public comments.

42

43 CHAIRWOMAN CROSS: Thank you. Does anybody
44 here want to make any comments about this proposal from the
45 audience? Okay. Regional Council deliberation,
46 recommendation and justification. I'd like to hear Ida's
47 comments once again before we go into this. Regarding the
48 limitation, Eastern and Western Interior did not want any
49 limitation on how much fish is to be caught and what was
50 your other one? Oh, not to name the person that died,

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1 right?

2

3 MS. HILDEBRAND: Right.

4

5 CHAIRWOMAN CROSS: So what did they end up
6 doing with this proposal?

7

8 MS. HILDEBRAND: Thank you, Madame Chair.
9 Ida Hildebrand, BIA Staff Committee member. They
10 recommended adopting the proposal with modifications and
11 the modification was to delete the number of fish and it
12 was as Charlie Lean stated, that the requester would
13 request to the manager X amount of fish and the manager and
14 the person requesting would discuss what the conditions
15 were of that fishery and would come up with a number then.
16 It's not just unlimited take. There would be a decision,
17 but it wouldn't be a previously determined amount. And the
18 second modification was that they remove the name of the
19 decedent in the regulations. Of course, everybody in the
20 village would know who died, but they didn't want to have
21 to name them as part of the request for the permit to get
22 the fish.

23

24 CHAIRWOMAN CROSS: Thank you. Does anybody
25 here have any questions or comments to make?

26

27 MS. ARMSTRONG: Madame Chair. I have one
28 written public comment. I was at the wrong page. It's to
29 support with modification and it's written on page 61 of
30 your booklet under Tab D. "To enable enforcement and to
31 account for resource removals, CDFU supports modification
32 of Section (D) to require a permit specifying the
33 harvester's name and address, the number and species of
34 fish to be taken, the date and location of the harvest, as
35 well as the name of the decedent for each person harvesting
36 under the regulation. (This would result in the need to
37 delete Section (C)) Harvest reporting should be required
38 within a reasonable period of time, and there should be a
39 limit of one permit issued for each specific traditional
40 religious ceremony." Thank you, ma'am.

41

42 CHAIRWOMAN CROSS: Thank you, Barbara. I
43 think that possibly the only two communities within our
44 region is Stebbins and St. Michael that does potlatches or
45 does any other area do it?

46

47 MR. KOBUK: Yeah, St. Michael and Stebbins
48 do have potlatches, but it's mainly from what they catch
49 and stored for the winter, plus other people give what they
50 have.

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1 CHAIRWOMAN CROSS: So it's not something
2 that would be requested.

3

4 MR. KOBUK: No, not that I know of.

5

6 CHAIRWOMAN CROSS: So it's kind of like an
7 issue that really doesn't affect the region very much.

8

9 MR. KOBUK: No. The two villages, all we
10 do is subsistence fish. We don't have any commercial
11 fishing. I haven't heard any problem.

12

13 MR. JOHNSON: Madame Chair. It could
14 affect Unalakleet if there were restrictions imposed. The
15 only thing is, I wouldn't want to see it just restricted to
16 potlatches for funerary type, but also for the other
17 traditional. We had some for weddings, of course,
18 children's first catches. So not to restrict it just to
19 the funerary would be my comment.

20

21 CHAIRWOMAN CROSS: Thank you. Anybody else
22 have any comments on this? So what is the wishes of the
23 Council? Do we make a recommendation or should we not act
24 on this?

25

26 MR. JOHNSON: Mrs. Chair. I move to
27 support with amendments Proposal 27. Take out the
28 limitation.....

29

30 CHAIRWOMAN CROSS: Of the number of fish?

31

32 MR. JOHNSON:of the number of fish,
33 to take out having to give the name of the decedent and
34 also to take out religious and the first phrase to read on
35 the first sentence towards the end, will be used for food
36 in traditional ceremonies. I'm trying to include other
37 than just funerary.

38

39 CHAIRWOMAN CROSS: So what would be
40 appropriate wording for other? Ida.

41

42 MS. HILDEBRAND: Madame Chairman. Ida
43 Hildebrand, BIA Staff Committee member. In reference to
44 Mr. Johnson's comments, I believe those were the comments
45 of Southeast Alaska, that traditional ceremonies should
46 cover all cultural ceremonies pertaining to any region.
47 Thank you, Madame Chair.

48

49 MR. JOHNSON: So I would just put a period
50 right after traditional ceremonies and strike out the

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1 funerary and mortuary cycles, including ceremonial
2 potlatches.

3

4 MR. MENDENHALL: Second the motion.

5

6 CHAIRWOMAN CROSS: There's a motion on the
7 floor and it's been seconded.

8

9 MR. KOBUK: Question.

10

11 CHAIRWOMAN CROSS: The question has been
12 called. All those in favor of the motion signify by
13 stating aye.

14

15 IN UNISON: Aye.

16

17 CHAIRWOMAN CROSS: All those opposed same
18 sign.

19

20 (No opposing votes)

21

22 CHAIRWOMAN CROSS: Motion passes. Should
23 we take a break before we go to Proposal 28? It's been a
24 little over an hour since we've been sitting here. How
25 long do we want our break? Okay. Elmer is going to be
26 excused for his appointment. No later than -- how about 10
27 minutes.

28

29 (Off record)

30

31 (On record)

32

33 CHAIRWOMAN CROSS: Our 10 minutes is up, so
34 I'll call the meeting back to order. It is now 10:10.
35 We're moving on to Proposal 28. Pat, is it your again?
36 Oh, Richard.

37

38 MR. UBERUAGA: Thank you, Madame Chair. My
39 name is Richard Uberuaga. I'm with the Office of
40 Subsistence in Anchorage. I'm going to talk to you about
41 Fisheries Proposal 28, which is found on page 63 of your
42 book. This proposal was submitted by the Office of
43 Subsistence Management and it is a statewide proposal.
44 Specifically, this is a streamlining of in-season fisheries
45 special actions.

46

47 In-season special actions would only be
48 issued when Federal management actions are different from
49 State management actions. Let me explain that a little
50 bit. Right now when a State issues an emergency order, if

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1 the Federal subsistence group agrees with that emergency
2 order, we have to issue a special action. It's an
3 administrative procedure to go ahead and issue a special
4 action. What this proposal would do is when the State
5 issues an emergency order that we agree with, we would
6 automatically adopt that proposal and get that proposal out
7 to the public by means of a joint news release. So what it
8 is, it's an administrative action.

9

10 Let's say, for example, the State issues an
11 emergency subsistence order which the Federal side, the
12 subsistence side does not agree with, then we would issue
13 a special action specifying exactly where we differ from
14 the State's actions. I'd like to stress that safeguards
15 are built into this process. The communication of whatever
16 actions that would be taken are consulted with the
17 councils, in the case of the Yukon/Kuskokwim, with the
18 coordinating fisheries, and the public. Designated Federal
19 Fisheries Manager would continue to consult with concerned
20 individuals and groups and the Regional Council Advisories.

21

22 Let me stop here for a second and give you
23 an idea of how the other councils so far have looked at
24 this proposal. The North Slope, Northwest Arctic,
25 Kodiak/Aleutians, Southcentral Regional Advisory Councils,
26 all councils have agreed to defer action on this proposal.
27 Our recommendations on this action are to adopt this
28 proposal only for the Yukon and Kuskokwim areas at this
29 time. I'll get into why it's just the Yukon and Kuskokwim
30 a little bit later. The Eastern and Western Interior
31 regions just met this week and they agreed with this
32 proposal and adopted this proposal.

33

34 So, as I said, we want to streamline
35 fisheries special actions. We want to try to reduce
36 redundancy in our administrative work. For example, in
37 2001 on the Yukon River, the State issued 27 emergency
38 orders. The Federal Subsistence Board issued 26 special
39 actions agreeing with almost all of those special orders,
40 so there was a redundancy there. There was confusion also
41 because of the issuing of emergency orders on one side and
42 then along would come a special action after a little
43 delay, after the paperwork was taken care of. The special
44 actions and emergency actions were happening so fast that
45 the public in the area was getting confused.

46

47 So, again, what this proposal will do is it
48 will prevent us from having to write and publish
49 unnecessary fisheries special action when everyone is in
50 agreement with the emergency orders. When there is

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1 disagreement, then the Federal Subsistence Board will issue
2 special actions.

3

4 We've been asking the councils if they
5 support this streamlining effort and, as I've said, most of
6 the councils that are not directly affected are deferring
7 to the home councils, the Yukon and Kuskokwim regions,
8 where this most directly applies at this time. It appears
9 for that area the streamlining is working. As I said, on
10 Monday and Tuesday I believe they adopted this proposal for
11 the Yukon/Kuskokwim areas. Right now in Bethel they're
12 having another meeting today where they're going to take it
13 up in the Lower Yukon and Kuskokwim areas.

14

15 CHAIRWOMAN CROSS: This proposal.

16

17 MR. UBERUAGA: Yes. Because this proposal
18 started out as a statewide, applying to the whole state.
19 We looked at it, talked about it and we recommended that it
20 only apply to the Kuskokwim and Yukon areas at this time.
21 I talked to one of our biologists who went to Bethel today
22 who is at the meeting and he feels they're going to adopt
23 it and it's going to go and they're going to accept it.

24

25 Let me talk a little bit about some of the
26 other areas of the state who are not in agreement with
27 this. That was one reason we decided not to try to adopt
28 it statewide at this time. The other main reason we wanted
29 to keep it focused on the Yukon and Kuskokwim is there's a
30 lot of emergency orders and special actions going on out
31 there, but because there's a statewide memorandum of
32 agreement being developed between Federal and State boards
33 to develop a protocol. That protocol is in development
34 right now and hopefully by the 2003 fishing season there
35 will be a fixed, set, agreed upon protocol which defines
36 how these special actions and emergency orders are handled.
37 It will highlight exactly how the processes that need to
38 occur before an emergency order as agreed to by the Federal
39 side.

40

41 CHAIRWOMAN CROSS: That was for the
42 statewide, you said?

43

44 MR. UBERUAGA: Right. Statewide protocol
45 is being developed by several people in our office and the
46 statewide MOA working group. So what we've got is a
47 proposal here that's looking at eliminating redundancy, but
48 also did not necessarily agree with, then the Federal
49 Subsistence Board would issue a special action, go through
50 that administrative paperwork to go ahead and prepare a

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1 special action. If they did agree with it, then they would
2 just simply agree with it and it would go into effect right
3 away and it would be made known to the public through a
4 joint news release. The language that's proposed here, for
5 the Yukon and Kuskokwim areas, Federal subsistence fishing
6 schedules, openings, closings and fishing methods are the
7 same as those issued for the subsistence taking of fish
8 under Alaska emergency orders unless superseded by a
9 Federal special action. Cases where there's not complete
10 agreement. That concludes my proposal, Madame Chair. I'll
11 try to answer any questions you might have.

12

13 MR. KOBUK: I have a question. Anytime we
14 talk about Yukon, it always seems to affect the two
15 villages of St. Michael and Stebbins. I was wondering if
16 the village of St. Michael and Stebbins ever informed about
17 these proposals? We always seem to find out later about
18 proposals that we never hear about and then they come up
19 all of a sudden and they get passed before we're even
20 approached. The Yukon/Delta Refuge goes all the way near
21 St. Michael and into our rivers and creeks and streams.
22 Whatever decisions they make in the Yukon always seem to
23 affect the two villages.

24

25 MR. UBERUAGA: That's correct, they do.
26 You are part of that Yukon area also. But in terms of
27 informing you, that's why we're here, to discuss this
28 proposal so you understand it completely. Again, in areas
29 of Federal jurisdiction where there's disagreement between
30 State emergency orders and however the Federal Subsistence
31 Board might decide to manage fish, special actions will
32 continue and there will be differences. This proposal
33 recommends adopting this just for the Yukon and Kuskokwim
34 areas.

35

36 Let me give you a hypothetical example. If
37 the State decided to close some aspect of fishing in the
38 Yukon/Delta under Federal jurisdiction and they said we're
39 going to close this down and the Federal Board said, no,
40 we're not, on the Federal side we're going to keep it open,
41 we would then issue a special action. We retain the right
42 to issue that special action, which differs from the State.
43 If you wanted to keep fishing, let's say, you would do
44 fishing under Federal regulations that differed from the
45 emergency order. But if they issued an emergency order
46 that you agreed to, that everyone in the Yukon/Delta agreed
47 to, then we would adopt that emergency order without the
48 paperwork, without all that administrative paperwork.

49

50 MR. MENDENHALL: Save a tree in other

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1 words.

2

3 MR. UBERUAGA: Save a tree, yes, in a
4 sense. Well, dedicate some time to something else. I
5 don't believe in any way this takes away from any of the
6 power or strength of the councils to make their feelings
7 known.

8

9 MR. MENDENHALL: Madame Chair. With that
10 in mind, my own feeling is to defer to those regions that
11 are affected rather than us making decisions for them. If
12 we had a proposal there, we would not like for them to make
13 a decision for us, so I feel that we're going to step on
14 their toes without those people making their own decision
15 for their own area.

16

17 CHAIRWOMAN CROSS: Except we do have two
18 communities that would be affected by this and that's St.
19 Michael and Stebbins.

20

21 MR. MENDENHALL: Right.

22

23 MR. UBERUAGA: And that's been the case
24 for, like I said, every council that is not directly
25 affected in the Yukon and Kuskokwim today. What we heard
26 earlier this week from the Western and Eastern Interiors,
27 which are in the upper Yukon, is that they do agree with
28 this proposal. They don't have a problem with this
29 proposal.

30

31 CHAIRWOMAN CROSS: And you're anticipating
32 no problem with the Yukon/Kuskokwim?

33

34 MR. UBERUAGA: From what I heard this
35 morning from Tom Krone, the fisheries biologist that I work
36 with and he's real knowledgeable about the area. He felt
37 that there was not going to be a problem, that they were
38 going to adopt it. I'm sure there's going to be a lot of
39 discussion in the Yukon and Kuskokwim areas. They've got
40 the coordinating fisheries committees working there very
41 closely with the fisheries there, so there's a real good
42 communication between the Federal and State managers. I
43 think that's why it's probably going to work so well there.

44

45 MR. KOBUK: My only concern is for me to
46 adopt this proposal without the IRA councils of both
47 villages not knowing. Before I came, I asked Stebbins' IRA
48 president if he had any comments or concerns he wanted me
49 to bring up. I should have went through this book and I
50 didn't. I'm pretty sure they got the same thing because

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1 St. Michael IRA has it, too. I wished the Yukon region
2 would let the two villages know because whatever decisions
3 they make always seem to hurt the two villages the most
4 because we sit right on Norton Sound.

5
6 CHAIRWOMAN CROSS: I think that the Office
7 of Subsistence Management, to me, was maybe lack of
8 communication from OSM with the two communities that would
9 be directly affected by it because this proposal is
10 submitted by OSM. Maybe better communication in the future
11 with the two communities that are affected every time
12 something happens with the Yukon Kuskokwim. We do have a
13 number of people from St. Michael and Stebbins that do fish
14 over there.

15 MR. UBERUAGA: Is there any representation from
16 Stebbins and St. Michael at the Yukon meeting that's
17 occurring?

18
19 MR. KOBUK: To my knowledge, so far, we've
20 never been invited in their decisions they make. They
21 don't contact us. It seems I'm always finding out these
22 when I attend the Federal subsistence meetings. That's the
23 only time. Then I let them be aware that there are
24 proposals that are going to affect our villages. It would
25 be good if they would always inform St. Michael and
26 Stebbins because we fish in their areas or we go down to
27 that area in the Yukon and fish, too.

28
29 MR. UBERUAGA: I believe Charlie would like
30 to comment a little bit.

31
32 MR. LEAN: Thank you for the opportunity.
33 I wanted to point out that this affects the Yukon. It
34 would affect Leonard's situation where he subsistence
35 fishes on the Yukon, but I don't think it, as it's proposed
36 now, would affect Pikmiktalik or the streams closer to St.
37 Michael. Those are Federally-managed streams and you might
38 want to think about implications there later, but the way
39 this amended proposal reads, it doesn't affect those yet.
40 I just wanted to make that distinction.

41
42 MR. KOBUK: Thank you, Charlie.

43
44 CHAIRWOMAN CROSS: Yeah, I think it's very
45 important that whenever some decisions are going to be made
46 about Yukon, in particular Yukon River, that these two
47 communities be included whenever there's meetings regarding
48 fisheries in Yukon River. It is consistent they're left
49 behind. So I think it's something the Federal managers
50 should watch in the future to make sure that these two

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1 communities are included whenever there's discussions about
2 Yukon River and a fisheries management and game management.
3 Thank you, Charlie. Any questions for the Feds?

4

5 MR. MENDENHALL: You're basically just
6 saving time, streamlining things. Do you think that would
7 help a great deal for both agencies to have this?

8

9 MR. LEAN: Personally, I think it would and
10 I think that's the Federal position as well.

11

12 MR. MENDENHALL: Probably create less
13 headache for you.

14

15 MR. LEAN: The example that Rich said, 20
16 some odd agreements and one disagreement in a season, most
17 of the time everybody agrees and once in a while we don't.

18

19 MR. MENDENHALL: It's quite helpful for
20 those lower villages for this to take place, too.

21

22 MR. LEAN: Yes. Without this proposal what
23 happens is that first the State comes out with an emergency
24 order generally and then two or three days later the
25 Federal government comes out with a special action and in
26 the meantime there's two different sets of rules ongoing
27 and people are really confused about exactly where they can
28 do what. I think if an action is warranted, the quicker
29 everybody falls in line, the better.

30

31 MR. MENDENHALL: Therefore it would create
32 less confusion then.

33

34 MR. LEAN: Yes.

35

36 CHAIRWOMAN CROSS: Thank you, Charlie.
37 Alaska Department of Fish & Game comments.

38

39 MR. TODD: Gary Todd with Alaska Department
40 of Fish & Game. As Charlie stated, this is a benefit to
41 both agencies, it saves time and resources. When both
42 agencies agree, it's going to benefit everybody, including
43 the resource users and the managers.

44

45 MR. UBERUAGA: Their formal comments are on
46 page 73. That's just what Gary said.

47

48 CHAIRWOMAN CROSS: Okay. Other agency
49 comments.

50

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1 MS. ARMSTRONG: Madame Chair. You have one
2 written public comment by Cordova District Fishermen United
3 who supports this proposal in the interest of clarity and
4 consistency. This regulation will require collaboration
5 and cooperation between State and Federal managers,
6 resulting in benefits to the resource, managers and users.
7 Thank you.

8

9 CHAIRWOMAN CROSS: Thank you, Barbara. Do
10 you have anything to say? Okay. What is the wishes of the
11 Council on this?

12

13 MR. KOBUK: Madame Chair. I'm in support,
14 I guess, of this proposal, but I'm still going to have to
15 bring this to the attention of St. Michael and Stebbins IRA
16 Councils. But I will support it as long as it doesn't hurt
17 the two villages.

18

19 CHAIRWOMAN CROSS: Is that a motion?

20

21 MR. KOBUK: I'll make that motion.

22

23 MS. ARMSTRONG: Excuse me. You probably
24 can modify it to include St. Michael and Stebbins and
25 giving information on this proposal.

26

27 CHAIRWOMAN CROSS: To be inclusive?

28

29 MS. ARMSTRONG: Uh-huh.

30

31 CHAIRWOMAN CROSS: Repeat that again. You
32 lost me.

33

34 MS. ARMSTRONG: If you want to, you can
35 include that Stebbins and St. Michael be included in the
36 proposal in being informed of what is happening in the
37 fisheries area for Yukon/Delta. Am I stating that right?

38

39 MR. JOHNSON: Maybe a clarification. I
40 don't know if this proposal is talking about informing,
41 it's just a process of how the two agencies will work, so
42 I don't think that's really necessary. And I'd like
43 clarification on your motion. Is that for the Staff
44 recommendation for the Yukon and Kuskokwim regions only at
45 this time?

46

47 MR. KOBUK: You're asking me?

48

49 MR. JOHNSON: Yeah.

50

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1 MR. KOBUK: Yes.

2

3 CHAIRWOMAN CROSS: So, when we refer to
4 Yukon and Kuskokwim regions, is that also inclusive of
5 Stebbins and St. Michael fishing over there?

6

7 MR. UBERUAGA: Part of their area is within
8 the Yukon area.

9

10 CHAIRWOMAN CROSS: It seems to me that
11 instead of amending the motion to add St. Michael and
12 Stebbins, it just doesn't make sense to me. I think the
13 Council should instead make a recommendation that this
14 always happens in future communications regarding -- any
15 decisions that are going to be made about the Yukon River
16 Stebbins and St. Michael should always be included. Not as
17 part of the motion though.

18

19 MR. JOHNSON: Madame Chair. We have a
20 motion and I'd like to second the motion.

21

22 CHAIRWOMAN CROSS: There's a motion on the
23 floor. It's been seconded.

24

25 MR. KOBUK: Question.

26

27 CHAIRWOMAN CROSS: Question has been
28 called. All those in favor signify by stating aye.

29

30 IN UNISON: Aye.

31

32 CHAIRWOMAN CROSS: All those opposed same
33 sign.

34

35 (No opposing votes)

36

37 CHAIRWOMAN CROSS: Motion carries.
38 Richard, you were going to say something else?

39

40 MR. UBERUAGA: I was just going to point
41 out that the recommended proposal language, there are two
42 words that are different than in your book. Rather than
43 regions it should say areas and this word statewide should
44 be struck. That's on page 70. Let me read it again. For
45 the Yukon and Kuskokwim areas, and strike statewide at this
46 time. I also forgot to mention that this proposal was
47 tried on the Yukon in the 2002 fishing system on a one-year
48 basis. They tried this way of doing business and it seemed
49 to work well and we wanted to hear feedback from the
50 Councils this fall on what their real feelings were and

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1 make sure that they've accepted this and that this was
2 working well for them. We'll be hearing that today in
3 Bethel in the RAC meeting there. That's all I've got.

4

5 CHAIRWOMAN CROSS: Thanks, Richard. Moving
6 along to call for proposals to change Federal subsistence
7 wildlife regulations, Tab E. Does anybody have any
8 proposals to present? I would like to be able to discuss
9 Proposal 54 after we hear from Clyde Ongtawasruk and we'll
10 be hearing from Clyde Ongtawasruk at 1:30. He wants to
11 testify on Proposal 54 and we'll be calling him at 1:30
12 today.

13

14 MR. MENDENHALL: So we'll not table it, but
15 what do you call it, set it aside for a while.

16

17 CHAIRWOMAN CROSS: Yeah, set it aside for
18 a while. We don't want to table it, we just want to talk
19 about it after we have heard from Clyde. Is that greed?

20

21 MR. KOBUK: Yeah, we should wait for him
22 first.

23

24 CHAIRWOMAN CROSS: So I'll move along to
25 customary trade. Pete. And that's in Tab F.

26

27 MR. PROBASCO: Good morning. For the
28 record, my name is Pete Probasco. I serve as the State's
29 fishery liaison for the Office of Subsistence Management.
30 My primary duties are to work between the Federal
31 Subsistence Board and the State Board of Fish. I'd like
32 you to refer to your customary trade supplemental
33 materials. For you that are not aware, originally this
34 spring the Federal Subsistence Board was going to take
35 final action on customary trade; however, they deferred
36 action on customary trade until January 2003 primarily for
37 the purpose to allow more opportunity for the Regional
38 Advisory Councils, public tribal organizations and other
39 agencies to comment.

40

41 Since this meeting, Staff for the Federal
42 Subsistence Board have analyzed comments that we received
43 to date. In addition to the proposed rule that was adopted
44 in December, you'll see in your booklet three additional
45 alternatives. Those alternatives one, two and three are
46 based on the numerous comments we received from the public
47 and they're there for your review along with the current
48 proposed rule.

49

50 For your benefit, I'd like to review with

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1 you very briefly the reasons why the issue of customary
2 trade is before you. Title VIII of ANILCA specifically
3 identifies customary trade as a recognized part of
4 subsistence uses. The term customary trade is defined in
5 regulation as the cash sale. We're only addressing the
6 cash sale or exchange for cash of fish and wildlife
7 resources to support personal or family needs and does not
8 include trade or barter like a lot of people discuss in the
9 rural communities. And it cannot constitute a significant
10 commercial enterprise.

11

12 When they defined customary trade in
13 regulation, the people that worked on these regulations
14 failed to clarify what was meant by significant commercial
15 enterprise and all of us may have similar or different
16 interpretations and that is why this issue is before us.
17 The Federal Board found the term significant commercial
18 enterprise as unclear. The lack of definition is hampering
19 effective law enforcement to prevent abuses and the Board
20 wants to prevent traditional customary trade practices and
21 recognized regional differences while preventing abuses.

22

23 I'd like to refer you to this booklet.
24 It's on page 1. It is the proposed rule that the Board
25 passed in December of last year. This proposed rule has
26 three parts to define customary trade. It breaks it out
27 between transactions from rural resident to rural resident,
28 which the proposed rule says there would be no limits
29 places on the exchange of subsistence fishery resources for
30 cash. The second part or section 12 deals with
31 transactions between rural residents and others. You'll
32 note that the Federal Board purposely left the terms
33 significant commercial enterprise in that term. The reason
34 for that is that there was a lot of discussion and debate
35 on trying to define the terms and the Board felt that when
36 they adopted the proposed rule, it was necessary to leave
37 it as is to facilitate further comments and hopefully
38 clarifications from the Councils, tribal governments and
39 other interested parties.

40

41 So that's really what we're focusing on at
42 this point, is still trying to provide information to the
43 Board to define that term. In addition, Subsection 13
44 addresses the transactions of subsistence-harvested fish to
45 fishery businesses and it would be prohibitive. In other
46 words, an individual could not take subsistence-harvested
47 fish and sell it to a company or entity that had to be
48 licensed by the State as a fisheries business.

49

50 Madame Chair, if we turn the page to page

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1 three, you'll see the three alternatives that were derived
2 after the proposed rule was sent out for comments.
3 Alternative one, which is on page three, recommends no
4 action, status quo. Some of the councils and felt that
5 identified or perceived abuses could be addressed on a
6 case-by-case basis and they felt the current language was
7 at this point in time addressing the concerns.

8

9 Alternative two is on page four.

10 Alternative two recommends limit implementation. It does
11 not address customary trade between rural residents to
12 rural residents and rural residents to others. Essentially
13 that practice would go unchecked. It would be allowed to
14 occur. There would be no cap. And it focuses strictly on
15 commercial entities. Some of the commenters felt that the
16 area for the greatest abuse was in the commercial market.

17

18 So, in summary, they expanded on the
19 fishery business and they just said you may not sell
20 subsistence-taken fish to any individual, business or
21 organization required to be licensed as a fishery business
22 and, in addition, you couldn't sell fish that could go into
23 the commercial market.

24 Alternative three is essentially a recommendation
25 that recognizes sections 11 and 13 as currently written in
26 the proposed rule and takes section 12 and adopts the
27 language that each respective Regional Council felt to
28 identify their unique practices in their region.

29

30 Your recommendation is found on page 16 at
31 the top of the page. Under Alternative three, when you
32 came to the section to define the Seward Peninsula for
33 Region 7, that would be in the regulation. So, in a
34 nutshell, Alternative three captures each area or each
35 region of the state's unique differences on how they deal
36 with customary trade.

37

38 Madame Chair and Council members, where
39 we're currently at is we're in the process of, again, like
40 we did last year, going to the Councils, asking for their
41 input. Carl Jack has again taken the lead on tribal
42 consultations. This period for input from the public and
43 other agencies will end November 1st. The Federal
44 Subsistence Board is scheduled to take this up on January
45 14th, 2003. Their intent at this time is to take final
46 action. That doesn't necessarily mean that they will, but
47 that's their intent. Prior to January 14th, the Staff
48 Committee that supports the Federal Subsistence Board will
49 meet, review all the comments from the Councils, tribal
50 government and public and they will develop their

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1 recommendation to the Federal Subsistence Board.

2

3 If the Federal Board adopts a regulation in
4 January, the publication of the final rule or regulation
5 will occur in February, but the main point is that the goal
6 is to have this regulation in place for the 2003 fishing
7 season. Again, what the Board is asking you as a Council
8 is for specific inputs to define the limits of significant
9 commercial enterprise. They want you to address should
10 there be a limit placed on the exchange for cash between
11 rural and non-rural residents and should a limit be
12 established for cash between rural residents. And they
13 wanted to know what limitations that you recommend for
14 defining customary trade, how will that affect subsistence
15 needs, traditions and the values of subsistence way of
16 life.

17

18 My job here today, along with Barbara, is
19 to bring back to the Board specific recommendations. You,
20 as a Council, could elect to re-affirm the action which is
21 on page 16 and have that forwarded as you did during the
22 last winter meetings. You could take an entirely different
23 position. You could base your recommendations on any of
24 the three alternatives, so, essentially, it's wide open.
25 You did take specific action, which is outlined on page 16,
26 last winter. Madame Chair, that concludes my presentation
27 and I'm free to answer questions.

28

29 CHAIRWOMAN CROSS: I thought we wanted to
30 strike out barter. We didn't want barter to be addressed.

31

32 MR. PROBASCO: In the proposed rule, which
33 we addressed, barter was pulled out. So you're looking for
34 the word specifically in your recommendation on 16?

35

36 CHAIRWOMAN CROSS: In our recommendation,
37 I don't think we wanted barter there.

38

39 MR. PROBASCO: You are correct. That's an
40 error, Madame Chair. That's correct.

41

42 MR. MENDENHALL: Madame Chair. Alternative
43 three does mention dollar amounts there, yet our
44 recommendation is not to have any dollar limit. I don't
45 think alternative three would be kosher to what we want
46 because of the.....

47

48 CHAIRWOMAN CROSS: What page are you on?

49

50 MR. MENDENHALL: That's on page five.

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1 They've got 500, 500, 500.

2

3 CHAIRWOMAN CROSS: That's specific to the
4 regions, I think.

5

6 MR. MENDENHALL: I know that, but why did
7 they do that? That's bothering me. For Yukon, Northern
8 Bristol Bay and the Aleuts. They do kind of point toward
9 a dollar limit and yet up here we don't want a dollar
10 limit.

11

12 MR. PROBASCO: Madame Chair, Mr.
13 Mendenhall. That, indeed, is correct. These Councils
14 wanted to embrace, if you will, for their area how they
15 feel customary trade would be defined and it's only for
16 that area. So, for the Yukon Northern Management Area
17 you'll see a dollar limit recommended on the cash exchange
18 between rural and non-rural. Under alternative three, your
19 recommendation would be, if that was forwarded and adopted
20 by the Board, would go forward and there wouldn't be a
21 dollar amount placed on it, but only for your area, not the
22 remainder of the state. If you go through alternative
23 three in detail, you'll see there's quite a bit of
24 difference depending on what area of the state you're in.

25

26 CHAIRWOMAN CROSS: Alternative three is
27 kind of like regional specific.

28

29 MR. PROBASCO: Yes, ma'am.

30

31 MR. MENDENHALL: I kind of fear taxation,
32 you know, future taxation and using that as a basis to tack
33 dollar amount on our subsistence food and that gives our
34 people no representation in the future if we set a dollar
35 amount, taxation without representation and all that. It
36 could be forced and used against us. That's why we want no
37 dollar amount in ours. I'm quite fearful how it will be
38 used in the future once we set it because this is a Federal
39 level, which can go down to the State and any State/Federal
40 agency can look at it from that aspect. I was just trying
41 to figure out which alternative would be to our best
42 interest. You say three was to ours, but it placed a
43 dollar amount in three.

44

45 CHAIRWOMAN CROSS: The dollar amounts are
46 regional specific.

47

48 MR. MENDENHALL: I know, yeah.

49

50 CHAIRWOMAN CROSS: So ours would not have

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1 that.

2

3 MR. JOHNSON: It would have an effect, say,
4 if I were to go to the Yukon or to the Kuskokwim to harvest
5 and wanted to do customary trade or vice versa. I know I
6 wasn't here at the last meeting for this or we didn't
7 submit a comment. I think that's maybe one of the reasons
8 I would go on the grounds of no dollar amount also.

9

10 MR. MENDENHALL: Madame Chair. We have
11 examples around Nome where people have been arrested for
12 taking fish in what they thought was their subsistence
13 right. In a way, we might be also making criminals out of
14 people that should not be criminals for taking subsistence
15 food in a time of need. We do respect regulations for the
16 aspect of trying to keep the species alive, but I'm trying
17 to see how this law may, in essence, in the future, make
18 criminals out of old men, old ladies, children, wherever,
19 in our region or in Alaska, and I think that's -- by
20 defining it loosely, I think the less specific we are in
21 this aspect, for the beginning, that kind of criteria, see
22 how far that goes rather than specifics.

23

24 MR. PROBASCO: Madame Chair, Mr.
25 Mendenhall. I have attended a few of the Council meetings
26 but not all of them and many of them struggled with the
27 concept of dollar limits, et cetera. What I can say is the
28 theme has been from many of the Councils is that they have
29 recognized where is the potential for the greatest abuse.
30 The potential for the greatest abuse is if the product
31 enters into the commercial market, i.e. fishery businesses
32 or wherever. So some have recommended adopting language
33 that would prevent its going into either fishery businesses
34 or commercial markets and left the exchange between rural
35 and non-rural no limits placed on them. That's been some
36 of the options. Others have recommended recognizing
37 regional differences, so each Council is unique on trying
38 to address customary trade and capture what takes place in
39 their area at the same time to prevent future abuses.
40 Madame Chair.

41

42 CHAIRWOMAN CROSS: I thought we were
43 talking about alternative two.

44

45 MR. PROBASCO: Madame Chair. Like, for
46 example, in Hoonah last week, in Southeast, I would say the
47 Southeast Council took a modified approach. They adopted
48 alternative two in concept as far as preventing the product
49 to go in the commercial market, but they also wanted to
50 capture regional unique exchanging in Southeast. For

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1 example, exchange for hooligan from the fisheries that take
2 place in Southeast. However, they did not recommend any
3 kind of cap, dollar value, between rural residents to rural
4 or rural to non-rural.

5

6 CHAIRWOMAN CROSS: When I was in the
7 committee, the concern stemmed from subsistence fish being
8 sold to commercial enterprises.

9

10 MR. PROBASCO: Yes. Madame Chair.....

11

12 CHAIRWOMAN CROSS: The concern was not
13 necessarily significant exchange between rural resident to
14 rural resident. The concern of the enforcement agency was
15 the amount of fish that sold to fisheries business --
16 subsistence fish that are sold to fisheries businesses.
17 That was my understanding.

18

19 MR. PROBASCO: That's correct.

20

21 CHAIRWOMAN CROSS: And we kind of took off
22 almost in the wrong direction in terms of trying to
23 regulate -- in my mind, it's kind of like the committee
24 kind of took off in the wrong direction trying to address
25 a problem, but I think it became over-exclusive in a trade
26 or a cash exchange between rural Alaska for subsistence
27 caught fish. We're talking about individual to individual.
28 It seems to me that if each region does something
29 differently, in that area we're still missing the point
30 what law enforcement wanted to curtail, which is
31 subsistence-caught fish being sold to commercial
32 enterprises.

33

34 MR. PROBASCO: Madame Chair, if I may. If
35 alternative three is adopted as it's presented, it would
36 prevent the product to be sold to a commercial entity but
37 still capture what could occur from rural residents to
38 others. Other is defined as non-commercial entity.

39

40 CHAIRWOMAN CROSS: So in some regions it
41 would be capped.

42

43 MR. PROBASCO: If alternative three was
44 adopted as it's presented in this book, it would be capped
45 in some areas.

46

47 MR. MENDENHALL: Madame Chair. They also
48 say no more than 50 percent of all fish, so you're setting
49 a limitation on the take, 50 percent of the take.

50

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1 MR. PROBASCO: Madame Chair, Mr.
2 Mendenhall. You have to be very careful when you take a
3 look at alternative three. You first need to look at what
4 areas it addressed. The 50 percent cap or utilization
5 addresses Southcentral only.

6
7 CHAIRWOMAN CROSS: Well, Yukon, Northern
8 Fishery Management.

9
10 MR. PROBASCO: Yeah, they adopted it.

11
12 MR. MENDENHALL: The whole thing, it might
13 spill over to our region. It might be forced upon our
14 region, you know, from their area to our area in the
15 future.

16
17 MR. PROBASCO: I think it's important to
18 also clear up that this is a regulation that is reviewed
19 annually and that changes can be reviewed on an annual
20 basis.

21
22 MR. MENDENHALL: Right, but it's never been
23 touched. This customary trade hasn't been touched. We're
24 touching it now in essence. I'd like to be very careful
25 about limitations and dollar amounts. That's very
26 dangerous grounds because it could lead to future
27 implications on our people and their subsistence lifestyle
28 and it could be used against us as much as it could be used
29 for us. I don't like limitations or dollar amounts spelled
30 out for our area.

31
32 MR. JOHNSON: What's the current definition
33 of significant commercial enterprise? Is that what they're
34 looking for recommendation for, that definition?

35
36 MR. PROBASCO: That's what brought us to
37 the table here about a year and a half ago, was trying to
38 define the parameters of significant commercial enterprise.
39 As we went through the process, the proposed rule that's
40 before you is what attempted to define that, recognizing
41 that they still needed additional information to define
42 that term significant commercial enterprise.

43
44 MR. JOHNSON: You would think that to be
45 commercial you would need a license, for one, have a
46 business license.

47
48 MR. PROBASCO: That's where you get into
49 the differences of how you interpret the regulation. As
50 you well know, in a regulatory arena, you have to be

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1 specific to have anything enforceable. So how who you
2 would interpret that term may be totally different. As
3 Grace and I found out sitting on this committee, we had
4 quite a few members, and it varied from A to Z on trying to
5 define that. That's why we're trying to get down to
6 specifics in defining that term.

7

8 MR. JOHNSON: In past cases with the
9 Federal side, what did they come up with for a commercial
10 enterprise?

11

12 MR. PROBASCO: What did enforcement
13 recommend?

14

15 MR. JOHNSON: No, if there were any past
16 cases or present.

17

18 MR. PROBASCO: They had cases pending is my
19 understanding and they couldn't take them to court because
20 that term wasn't enforceable, so they had no case.

21

22 CHAIRWOMAN CROSS: Well, actually, during
23 the meetings, the people in the committee were asked more
24 than once what the violations are and just got the Cabela
25 example. The only thing in law enforcement said that they
26 didn't want something to happen like it did in the Cabela
27 case. The Cabela case did not come out of Alaska either,
28 so they really couldn't cite any violations. And another
29 thing that changed too, this customary trade was originally
30 just for salmon and it should have ran away to be inclusive
31 of all fish. Originally we were just addressing salmon.

32

33 MR. PROBASCO: Well, actually, it started
34 the other way, but then the committee -- our task as the
35 committee was to define customary trade for fishery
36 resource only, not other wildlife. The committee struggled
37 and focused primarily on salmon because that's where they
38 felt the potential for the largest abuse. Other species,
39 like whitefish, pike, they felt were self-limiting. But
40 then, as we move through each of the Councils, then other
41 people said what do we do about sheefish or what do we do
42 about hooligan in Southeast. If you look at the dollar
43 amounts, it specifically in some regions address salmon
44 only and other species aren't addressed, so there would be
45 no limitation placed on those species. So, depending upon
46 which area of the state you're in, there's different
47 definitions if you're looking at alternative three. Madame
48 Chair.

49

50 MR. JOHNSON: Madame Chair. I guess my

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1 thing is, if it ain't broke, why fix it? If we don't have
2 any violations, it must be okay.

3

4 MR. PROBASCO: If I may, Madame Chair. We
5 did have enforcement at the table, both at the Federal
6 Subsistence Board meeting as well as our committee
7 meetings, that said they have a regulation that they can't
8 enforce at this point. They felt they had cases that if we
9 had a clear definition they could prosecute, but they had
10 no means to go forward.

11

12 CHAIRWOMAN CROSS: Ida.

13

14 MS. HILDEBRAND: Thank you, Madame Chair.
15 Ida Hildebrand, BIA Staff Committee member. In discussion
16 in the Western Interior and Eastern Interior there was
17 strong public testimony and there has been strong written
18 testimony also that this is too soon, it needs more
19 discussion, it needs more public review, that Western
20 Interior specifically adopted alternative one specifically
21 to allow for more public review, more public comment and
22 the concern is, as you stated, Madame Chair, that there
23 isn't any cited case that shows that it is really an issue
24 and if there is an issue, it can be dealt with on a case-
25 by-case basis.

26

27 In addition to Mr. Johnson's earlier
28 question regarding the definition of significant commercial
29 enterprise, the history of the Native community on that
30 topic is specifically to leave it at that, to permit the
31 current practices to go on. If it became so blatantly
32 commercial, you could make a case against those people.
33 The Native community thus far has requested not to define
34 those terms because it serves its purpose as is. Thank
35 you, Madame Chair.

36 CHAIRWOMAN CROSS: Any further questions or
37 comments?

38

39 MR. MENDENHALL: I'm glad that they define
40 our position on page 16. That is not limited and I still
41 stand by that and I would like for this to be on the
42 record. I hope for this Council to stand on what we have
43 established so far. I think perhaps alternative two may be
44 there because it doesn't have any dollar amounts or
45 percentage that would spill over from one region to our
46 region in the future. A lot of times, with this
47 subsistence take in some regions, they're rich in salmon
48 and we're not, you know, so our people are forced to go to
49 Teller to buy fish or go down to Fish River or Unalakleet
50 to get fish if they have that desire for fish. It is

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1 considered a diet necessary for our way of life up here.
2 I think alternative two might be following right in line
3 with our stance after looking at alternative three. I
4 notice there's Kawerak here and there's representation and
5 we might have comments on that dealing with customary
6 trade. Nome Eskimo, too.

7

8 CHAIRWOMAN CROSS: Does Kawerak have any
9 position on this? I know I've sent some correspondence
10 regarding this too.

11

12 MS. ARMSTRONG: We concurred with your
13 recommendations, no limit.

14

15 CHAIRWOMAN CROSS: During the Resource
16 Committee meeting, that there be no limit. What about
17 leaving it at status quo, the way it is right now, until
18 there's more people that are more informed of it. Each
19 time I see this it changes. Every time a new booklet comes
20 out there's some changed.

21

22 MR. PROBASCO: Madame Chair. That is
23 indeed correct because we're going through a step process
24 here. In May, when the Board elected to defer action,
25 resulting in additional comments, they also directed Staff
26 to produce this booklet and summarize the comments that
27 have been received to date to provide information to you as
28 a Council what has been commented on already and the
29 detailed comments are provided in that green booklet that
30 you have on your desk before you. So, yes, you are
31 correct, Madame Chair, it changes as we go through this
32 process. You get additional information, additional
33 recommendations. The one thing that has not changed is the
34 proposed rule. That proposed rule is written as the Board
35 adopted it in December.

36

37 CHAIRWOMAN CROSS: This booklet came out in
38 August, right? So where was it distributed?

39

40 MR. PROBASCO: Madame Chair. This booklet
41 has received a very wide distribution to all the tribal
42 governments, Carl Jack has taken the lead, to all the
43 Regional Councils, Federal and State agencies. I can't
44 remember the exact number, but many public fishery groups,
45 et cetera. A very wide distribution.

46

47 CHAIRWOMAN CROSS: So there's still public
48 comments coming in?

49

50 MR. PROBASCO: Until November 1st. And

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1 we're receiving them on a daily basis.

2

3 MR. MENDENHALL: Could we take a five-
4 minute break or something so we could kind of off the
5 record discuss with the Council?

6

7 CHAIRWOMAN CROSS: We could do that.

8

9 MR. MENDENHALL: Because we're seeing a lot
10 of different things here and I think we need to really look
11 at this quite solid. Maybe for 15 minutes just to -- how
12 we're perceiving it right at this time.

13

14 CHAIRWOMAN CROSS: Okay. We'll take a 15-
15 minute break.

16

17 MR. JENNINGS: If I could make a comment.
18 Whatever you discuss off record you should come back to the
19 meeting and put on the record because this is part of a
20 public process and one of the strengths of the Council
21 process is it's open to the public. We do our
22 deliberations in front of everybody so there could be
23 questions. So after you take a break, when you come back,
24 whatever you discuss, if you could put it on the record we
25 would appreciate it and the public would also know kind of
26 the thinking of the Council.

27

28 CHAIRWOMAN CROSS: Oh, we'll do that.

29

30 MR. MENDENHALL: I don't think it's a cloak
31 and dagger thing.

32

33 (Off record)

34

35 (On record)

36

37 CHAIRWOMAN CROSS: Come back to order. It
38 is now 11:25. We had a brief discussion on this issue
39 outside.

40

41 MR. MENDENHALL: Madame Chair. I make a
42 motion to support alternative one for purpose of
43 discussion.

44

45 CHAIRWOMAN CROSS: Is there a second?

46

47 MR. KOBUK: I'll second that motion.

48

49 CHAIRWOMAN CROSS: Okay. There's a motion
50 on the floor on alternative one to take no action. We

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1 discussed this outside during our brief recess and we felt
2 that a lot of this material is new and we felt that there
3 needs to be more time for the public to review this issue
4 and to perhaps make further comments and we would like to
5 see more studies done in the areas where law enforcement
6 can identify what the problems are. That's very unclear to
7 us. We also concluded that we don't have a problem with
8 significant commercial enterprise within our region, so
9 there's really no reason for this region to take a position
10 or define significant commercial enterprise. It's not a
11 problem at this point in our region. These are the reasons
12 that we discussed. If I missed any points, somebody else
13 can add on.

14

15 MR. JOHNSON: I'd like to maybe just add on
16 that we felt that apparently we have confidence in our
17 fisheries resource managers and enforcement to continue
18 doing the job they're doing. Like I said earlier, if it
19 ain't really broke, why fix it. I could see there was some
20 concern because Unalakleet is probably the commercial
21 fishery in the Norton Sound region and there are people
22 that have been making their living off of commercial
23 fisheries, but also were regulated by other Federal
24 agencies that we cannot utilize the type of trade under the
25 commercial guidelines with cold smoked salmon and that's
26 what everybody likes to eat and they can't get any.

27

28 MR. MENDENHALL: Madame Chair. Also our
29 way of customary trade going on at this moment between
30 villages, between people that we don't like to interrupt at
31 this time too and we'd like for their input to be recorded
32 and notified about this proposal for defining customary
33 trade. We want more input from organizations like Kawerak,
34 Nome Eskimo, IRAs, and even village corporations and
35 regional corporations because it does impact our
36 corporations are set up for profit, we need to look at it
37 as well of how it would be beneficial to our people without
38 depleting our resources. Because we are non-owners too of
39 the land in question in some aspect in this state. Being
40 recognized as such, we need our shareholders to have input.

41

42 MR. KOBUK: Madame Chair. I know each of
43 the villages, the entities always gets this book, but I
44 think a letter needs to be sent to them that they need to
45 go through this book so any concerns they may have, their
46 input in the IRA city and the corporation, if you were to
47 write a letter to each of these saying that their ideas or
48 their concerns on customary trade needs to be addressed.

49

50 MR. PROBASCO: Madame Chair, if I may, Mr.

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1 Kobuk. Mr. Carl Jack has, indeed, done that. He has
2 contacted with this material as well as written a letter to
3 all the 226 recognized Federal tribes. In addition to
4 that, all other tribal entities, organizations have also
5 been sent this material along with a letter. We've
6 actually received comments back from them. Not all of
7 them. We still have a long ways to go yet, but we've been
8 receiving comments back, Mr. Kobuk.
9

10 MR. KOBUK: The reason I bring this up is
11 because I know in the IRA city or corporation, when they
12 receive these books, I tell them it's very important that
13 they go through the books that they receive, but apparently
14 this is not happening. That's why I stressed that a letter
15 they take more interest in what's happening, otherwise it's
16 going to affect them.

17
18 CHAIRWOMAN CROSS: Any other discussion?

19
20 MR. MENDENHALL: Question.

21
22 CHAIRWOMAN CROSS: We have a motion on the
23 floor to have this definition remain a status quo and we
24 have stated our reasons.

25
26 MR. PROBASCO: Is that alternative one?

27
28 CHAIRWOMAN CROSS: Alternative one on page
29 three. And we have stated our reasons. I'll call for a
30 vote now. All those in favor of alternative one signify by
31 stating aye.

32
33 IN UNISON: Aye.

34
35 CHAIRWOMAN CROSS: All those opposed same
36 sign.

37
38 (No opposing votes)

39
40 CHAIRWOMAN CROSS: Motion carries.

41
42 MR. PROBASCO: Thank you, Madame Chair.

43
44 CHAIRWOMAN CROSS: Now we're at Fisheries
45 Information Service Program. Steve Fried. I'm going to
46 leave for a minute. I just need to make a phone call.
47 I'll be right back.

48
49 MR. FRIED: Good afternoon. My name is
50 Steve Fried. I'm with the Office of Subsistence

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1 Management. What I'd like to discuss with you today is the
2 Fisheries Research Monitoring Program that funds studies
3 that assists Federal subsistence management.

4

5 There are actually two action items that
6 I'd like to put before the Council today and one is in
7 regard to the 2003 fisheries resource monitoring plan.
8 Basically, these are the study proposals that were
9 submitted for funding in 2003 and what I'm looking for here
10 is for -- I will provide you with some information on the
11 studies and what the Technical Review Committee
12 recommendations were and I can answer questions and the
13 Council would need to discuss as to whether or not they
14 would support the Technical Review Committee recommendation
15 or they don't support it or maybe they support it with some
16 other modifications or possibly they want to take no
17 action. That's the first issue, the funding for the 2003
18 studies.

19

20 The second one regards the issues and
21 information needs, which is the list that's been developed
22 through the Regional Councils of the needs within each
23 region as to what studies are needed to answer various
24 questions and to address various issues. I've provided a
25 copy of the list that's currently available that we
26 provided when we did the call for proposals in 2003. This
27 would be a good opportunity for the Council to decide
28 whether or not this list still meets their needs for 2004
29 studies or whether some issues need to be added or other
30 changes are made. Basically those are the two items I'd
31 like to discuss with the Council today.

32

33 First, the 2003 fisheries resource
34 monitoring plan, that begins in your Council book on page
35 93. What I'd like the Council to take a look at to kind of
36 focus you on the issues is there's a bar graph called
37 Figure 1 on page 100 and it shows the monies that have been
38 allocated in each of the years since this study began in
39 the year 2000 and probably of most interest today would be
40 the last two bars. If you look on the bottom, there's one
41 for the year 2003 and one for 2004. For 2003, you can see
42 that bar, the height of it represents a total amount of
43 money, which is about \$7.25 million for the program. Out
44 of that money for the proposals for 2003 there's \$1.8
45 million that's available to fund programs in 2003. That's
46 because the other money is being used to fund studies that
47 were begun in 2001 and 2002 and those are the two colored
48 segments on the bottom of that graph. You'll see there's
49 also a little block in there with diagonal lines. That's
50 the money that's being used to fund the partners for

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1 fisheries monitoring program. That funds positions within
2 the various regions to assist in operating this program.

3

4 So, basically, for 2003, there's roughly
5 \$1.8 million available for studies and out of that,
6 according to the guidelines that's been set out by the
7 Federal Subsistence Board, there's about \$238,000 that are
8 available for the Arctic, Kotzebue, Norton Sound study
9 region, of which this Council is a part.

10

11 An additional thing to bring to the
12 Council's attention is that when the call for 2003
13 proposals was sent out last November, another consideration
14 was the fact that some studies that have been funded --
15 actually, the maximum number of years that a study is
16 funded under existing agreements for contracts is three
17 years. Some of these studies really seem like they have a
18 longer life and that the information is needed every year
19 by the fisheries managers. In other words, a counting
20 tower or a weir project that counts salmon spawning
21 escapement. In some cases, that information is very
22 important for a management decision every year. So it's
23 very possible that we need to fund those for more than a
24 three-year horizon.

25

26 So what we did for 2003 was give
27 investigators with those sort of continuing studies an
28 opportunity to put in a request for one more year of study.
29 The idea of putting in just one more year of study was
30 because this would free up more money to be available for
31 2004. If you look at that bar again, you can see in 2004
32 there would be almost \$5 million available for new studies.
33 So this provides a good amount of money for people to start
34 thinking about long-term strategies on how this money
35 should be used. You know, balancing this need for
36 continuing studies with a need to keep some of the money
37 available each year for new issues that might develop.

38

39 That's kind of just a basic overview on the
40 total program. Specifically for this study region, on page
41 103, there was information on the studies that have been --
42 study proposals that were sent in for 2003 consideration.
43 For this region, the Seward Peninsula Council has
44 identified issues such as distribution, abundance, life
45 history of salmon, whitefish, tom cod, herring and char and
46 this is particularly in regards to the vicinity of Stebbins
47 and St. Michael. There was some interest in trends in
48 salmon smolt abundance to be able to look at freshwater
49 survival and production. People have been concerned about
50 the effects of offshore fisheries on salmon. Subsistence

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1 harvest patterns and trends, particularly in regard to the
2 fact that salmon runs have been declining and we need to
3 know how this is affecting the patterns of use in some of
4 these areas. Finally, traditional knowledge. There's been
5 a great interest in not only documenting traditional
6 knowledge but actually using it, bringing it into the
7 management process.

8

9 For 2003, there were actually four
10 proposals that were sent in and the Technical Review
11 Committee advanced three of these for what they call
12 investigation plan developments. They thought these were
13 worthy of further consideration and they needed more
14 information to really be able to review and evaluate these
15 studies better. There's a map on page 105 that shows where
16 these three studies are. If you'll notice, there's one
17 study within the geographic area of each of the three
18 councils within this study area. So, on the bottom, you'll
19 see Study 02020, which is Pikmiktalik River salmon
20 escapement enumeration and sampling. So that was a study
21 proposal for this area to actually do a Pikmiktalik study
22 to count and sample salmon that are entering that river to
23 spawn.

24

25 Tables on the next page, 106, Tables 1 and
26 2 actually show those three studies. It gives a TRC
27 recommendation. They said yes, but they had asked the
28 investigators to provide some modifications to make the
29 studies better and to conform better to the program and it
30 also shows what the budgets were that the investigators had
31 requested each year.

32

33 The cost of funding all three studies in
34 2003 is about \$165,000. It's actually less than the
35 guideline funding that was available for the region and
36 that's just because there weren't that many proposals
37 submitted. There's detailed information on each of these
38 studies on page 113. There's like a two or three-page
39 summary of each one. On 113 is the Pikmiktalik River
40 summary. Just briefly, at this point the investigator is
41 Stebbins Community Association and it would be a one-year
42 study. It would cost approximately \$100,000 in 2003.

43

44 The issue is that this is an important
45 river to the Stebbins and St. Michael subsistence users,
46 but there aren't any annual salmon escapement estimates
47 available at this point in time. So the purpose would be
48 to count and it would be focused on chum salmon using a
49 tower or weir and it would count the fish and also collect
50 biological information, the age, the size, the sex of these

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1 fish and the spawning escapement, and it would also collect
2 some information on the in-river subsistence harvest in
3 that area by going down and contacting the users and trying
4 to sample their fish to take a look at the age, sex and
5 size of those fish also.

6

7 The modifications that the Technical Review
8 Committee asked for for this study was that they reduce the
9 field season to focus on chums, which the investigator said
10 would be fine, and also to seek a co-investigator that had
11 some more expertise in counting and doing biological
12 sampling and I think the investigator has been looking into
13 this. Also, they limited the initial funding to one year.
14 This is similar to what I described before for a lot of
15 these longer term studies. It was just to get the study
16 started and then we can take a look on a longer term in
17 2004 to decide which studies are important enough to keep
18 carrying on.

19

20 I guess that's all I want to say about
21 these studies and I guess I'll open it up for questions and
22 ask you whether or not you just want to address this one
23 study in your particular Council's area or if you'd like to
24 address or hear more about those other two studies that
25 were in this study region. What I'm looking for is whether
26 you agree or disagree with the recommendation by the
27 Technical Review Committee to fund this study, if you do or
28 you don't, and if you have any other modifications to the
29 study that you think would make it better.

30

31 MR. KOBUK: I have a question for you. How
32 does Stebbins feel about the study? I know the funds was
33 cut.

34

35 MR. FRIED: For 2002 there was a study that
36 was funded for about \$20,000. It was just to go in there
37 and take a look at various sites and decide whether or not
38 it's possible to do this in the river and, if so, what's
39 the best site to do it and how would it be done. This
40 summer Charlie Lean and David Wiswar from the Fairbanks
41 Fish and Wildlife office and myself went to Stebbins and
42 then went by boat to the river to take a look at sites. We
43 also spent some time the next day talking to Morris and
44 getting some feedback. When I spoke to him on the phone,
45 he was very amenable to shortening the period, not trying
46 to count all the salmon at first, but let's focus on the
47 most abundant one there on chum salmon and just to get the
48 program started and going. I'm not sure who he was looking
49 at for another co-investigator. I know there's been some
50 interest with like the Bering Sea Fisherman's Association,

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1 Kawerak and some other groups to partner with studies on
2 the river with Stebbins and I'm not sure if any of those
3 two are going to be the ones or if Morris has found
4 somebody else. He was fairly happy with where it's going
5 so far.

6

7 MR. KOBUK: That's the only question I had.

8 Thank you.

9

10 MR. MENDENHALL: How would this information
11 be used? Will it just sit on the table or somewhere in the
12 back afterwards, all the studies?

13

14 MR. FRIED: What happens with most salmon
15 enumeration studies is that the information is provided
16 usually on a daily basis to the managers so they can assess
17 the run. For this one, it's going to be a long-term
18 project because there really isn't a spawning escapement
19 goal for this river. The State, when they manage most
20 major stocks, have a goal they're shooting for and they
21 have a big enough historical database that they know just
22 basically what the run generally looks like on average in
23 late and early and they can track that run throughout the
24 fishery and make some pretty good judgments as to whether
25 or not they're going to get the goal and whether or not
26 they have to limit fishing. This information would be
27 available to the managers, but how they're going to use it
28 early on is hard to say.

29

30 MR. KOBUK: Well, the reason my proposal
31 was taken out was because we wanted to see what the studies
32 said on that river, so I guess the villages are just going
33 to wait until the studies are done on that river before we
34 submit a proposal for that area. Over-fishing was our main
35 concern because that is the main river that kings, chums
36 and silvers and other species of fish go in to spawn.
37 There are some other places too that they go to. Our main
38 concern was trying to keep what little fish we have since
39 we don't do commercial fishing and our main concern is
40 subsistence fishing.

41

42 CHAIRWOMAN CROSS: Charlie, when you went
43 there this summer, it can be done, huh? You did some kind
44 of physicality study, didn't you?

45

46 MR. LEAN: Yes, Madame Chair. What we did
47 is we went out there and looked at their proposed site and
48 looked around at some other locations that we thought might
49 be good and we concurred with their judgement that their
50 site was probably the prime site. We looked at other things

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1 like how clear the river was and was this a do-able project
2 and I think we all came to the same conclusion that it was
3 a do-able project. It looked like it had a good chance of
4 success. You don't throw money at a project without being
5 assured that there's a good chance of success and that's
6 what we were doing.

7

8 CHAIRWOMAN CROSS: When you say we, who are
9 we?

10

11 MR. LEAN: Fisheries information concerns,
12 OSM.

13

14 MR. MENDENHALL: Madame Chair. In your
15 proposals, you also mention local people being put into
16 projects. How successful is this being looked into and
17 what's the success of having local people participate in
18 investigations. In some of your proposals you mention
19 that.

20

21 MR. FRIED: Well, it's a very important
22 objective of all these studies. I mean building the
23 capacity of local residents and organizations that
24 participate in the management project, including
25 information collection, is very important. So we've been
26 stressing to investigators that local hire is one aspect of
27 it, but it's not enough and really what we'd like to see is
28 more partnering with other organizations to actually have
29 a larger hand in operating a project and analyzing the data
30 and reporting the data, so that's kind of a long-term goal.
31 In some areas, it's been very successful, but in other
32 areas it's just a matter of education and getting people
33 interested and making them realize that it is a long-term
34 commitment that you just can't say I'm going to do this and
35 something comes up and you leave. But it's been fairly
36 successful.

37

38 MR. MENDENHALL: I'm glad that it's in
39 there and I hope you have a lot of success with it. So, in
40 other words, you're saying that residents of the two
41 villages are going to be trained to do this study so that
42 you can have local people there. I think that was one of
43 the concerns of both villages. They wanted to learn how to
44 count and keep better track of what's going into the
45 rivers.

46

47 MR. FRIED: Yeah, that's correct. In fact,
48 when we went and spoke to Morris and some telephone
49 conversations following up, I said don't forget, if you're
50 going to start hiring people, you can hire people from St.

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1 Michael. They could hire people from Kotlik if they wanted
2 to bring them in, too. It's for the area. And the more
3 people they can bring in and train, then I think the better
4 off it is for the future of the program and for fisheries
5 management to just have people understand more about this
6 stuff.

7

8 MR. MENDENHALL: That's good to hear.

9

10 CHAIRWOMAN CROSS: Anybody else have
11 anything to add to this?

12

13 MR. FRIED: I guess then maybe the Council
14 could have a motion as to whether or not they would support
15 the TRC recommendation to fund the study for 2003 and
16 whether or not they have any other modifications or
17 suggestions about it.

18

19 MR. JOHNSON: Sorry. Just asking for
20 support on the one at Pikmiktalik and not the other two.

21

22 MR. FRIED: Yeah, that's the Council's
23 decision. They can vote on all three if they'd like.

24

25 MR. JOHNSON: I'd find it hard to vote on
26 the other two without getting maybe a little bit of -- I
27 mean I could finish reading the rest of it, maybe what the
28 recommendations were.

29

30 MR. FRIED: Well, I can sure briefly walk
31 you through the other two. On page 117, there's a study on
32 the stock status and trends on Arctic cisco and Dolly
33 Varden near the village of Kaktovik and that's within the
34 boundaries of the North Slope Regional Council. The issue
35 here was that people have been concerned that their
36 catches, particularly of Arctic cisco, have been declining
37 and also the fish size and the catch has been going down.
38 There was a study back in '88 to '91 on setnets in these
39 two lagoons, so there's some information on what the
40 general abundance was and how many fish they caught and
41 what the size was. The Fish & Wildlife Service would like
42 to do a study
43 for another three years to compare with that past one to
44 see whether or not they also notice a decline in size and
45 abundance and maybe get a better handle on those
46 populations. The response by the Review Committee was that
47 this seems like a generally good idea to do and it does
48 address an important issue, but they really need to bring
49 in some more local support and local cooperation to conduct
50 the project. And there was some other suggestions on how

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1 to operate it, but maybe do some tagging of fish and modify
2 their collection procedures a little bit more to
3 standardize them to get a better idea. Basically, it was
4 recommended for funding by the Technical Review Committee.
5

6 Then there was a study, which is on page
7 121, that would be in the Northwest Arctic Council's area
8 that would be just a one-year study looking at identifying
9 the mostly whitefish species that were harvested in the
10 spring and fall subsistence fisheries in the Selawik River
11 Drainage. What this would do was basically help some
12 confusion on using -- taking a look at the Inupiat names
13 and the western scientific names so everybody knows they're
14 talking about the same fish species, trying to collect some
15 information again on the biology of these fish by age,
16 length, sex, maturity and just identifying better as to
17 just what fish are being harvested there. This study would
18 be done by the Fish & Wildlife Service and Selawik IRA.
19 Again, the Technical Review Committee recommended this for
20 funding and addressed an important resource to subsistence
21 users of the area. It would provide some more information.
22 There's not really a lot known on some of these species
23 just from a fisheries management perspective. Again, they
24 suggested the investigators needed to strengthen the
25 capacity building component of the project and provide more
26 opportunity even than they had their for local involvement.
27

28

29 So, basically, those are the two other
30 studies. Just for your own information, the other two
31 Councils, the North Slope and the Northwest Arctic, I don't
32 think they took action on the studies outside their region.
33 They thought they'd just leave it to the other Councils to
34 decide whether or not they thought that those studies would
35 be good for their region.
36

37 MR. JOHNSON: I guess my thing is that even
38 though it might be outside the region, this money is just
39 for this area and to kind of prioritize or for us to sit
40 here and say go spend it how you want is not a wise thing
41 to me. If I think there would be something that maybe
42 should have been done that might have a little higher
43 priority than identifying whitefish or a more urgent thing,
44 I would recommend that -- you know, we can't just defer,
45 defer, defer because the funding is for the whole region as
46 a whole.
47

48

49 MR. FRIED: That's a very good comment. I
50 guess the only thing I'd point out is the fact that there
was plenty of money to fund all three, so there's not a lot

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1 of projects that are competing for a limited amount of
2 funding this particular year, but I think that's something
3 you're going to have to consider probably in future years
4 if there are more studies that are up for consideration
5 than there is money.

6

7 MR. MENDENHALL: Yeah, William, for years
8 back when we were getting started on these projects, we
9 tried to get money for our area, but we had lack of Federal
10 land and waters for -- because there weren't any crashes at
11 that other end of Norton Sound and also up north. We were
12 begging because we know Nome has a chum crash. We tried to
13 get some monies down this way on Federal programs.
14 Basically what we've done as a friend from this region to
15 another we would just support those projects that they were
16 presenting to us because they're a Federal expenditure. It
17 impacts a little bit of our region, but not all of it.
18 This information here, we wanted to see base studies
19 because it's one of the biggest arguments for getting
20 funding. Base studies may help us get funding for our own
21 region on the State level. Right now it's limited to the
22 Federal side of it.

23

24 MR. JOHNSON: Perry, as a friend, will you
25 buy me a new truck?

26

27 CHAIRWOMAN CROSS: On page 122, the bottom
28 sentence, "Finally, while permission to visit subsistence
29 sites would be obtained from local resident, the
30 investigators should seek permission to conduct this study
31 from the local community before any work is conducted." On
32 the Selawik project. Did this come from Selawik IRA, the
33 request to do this study?

34

35 MR. FRIED: The comments under the
36 justification are a summary of the comments made by the
37 viewers, so it's the people on the Technical Review
38 Committee who represent the Federal agencies and State
39 agencies and they represent fishery biologist and social
40 scientists. There was some concern here in that they're
41 going to be visiting fish camps, they're going to be
42 interviewing people and before you do studies like that you
43 really need to get the support of the community that they
44 will participate and they don't have a problem with it.
45 It's good to do that because otherwise you're not going to
46 get good participation. It's also some of the guidelines
47 set out for doing studies like this.

48

49 MR. JOHNSON: Madame Chair. I'd move to
50 support the draft 2003 resource monitoring plan with the

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1 Tech Committee recommendations, all three of them.

2

3 MR. KOBUK: I'll second that motion.

4

5 CHAIRWOMAN CROSS: There's a motion on the
6 floor. It's been seconded.

7

8 MR. SAVETILIK: Question.

9

10 CHAIRWOMAN CROSS: Question has been
11 called. All those in favor signify by stating aye.

12

13 IN UNISON: Aye.

14

15 CHAIRWOMAN CROSS: All those opposed same
16 sign.

17

18 (No opposing votes)

19

20 CHAIRWOMAN CROSS: Motion carries. It is
21 now noon, so perhaps we should go fill our stomachs up and
22 come back by 1:15.

23

24 MR. JOHNSON: I think he has just one more.

25

26 MR. FRIED: Actually, there was an inter-
27 regional study that the TRC didn't support funding for.
28 I'm not sure if you want to deal with that one. And then
29 there's the issues and information needs. We can deal with
30 all that at 1:15 or we can try to get through the inter-
31 regional study now. It's up to the Council.

32

33 CHAIRWOMAN CROSS: I think we should go out
34 for lunch because we have that teleconference at 1:30 and
35 we can come back to this and finish it after lunch. Yeah,
36 1:15.

37

38 (Off record)

39

40 (On record)

41

42 CHAIRWOMAN CROSS: I'm calling the meeting
43 back to order. It is now 20 after 1:00, so we'll continue
44 with Steve. He can finish up his report.

45

46 MR. FRIED: As far as 2003 goes, the only
47 other thing I wanted to bring to your attention is that
48 there was an inter-regional proposal that was submitted.
49 The inter-regional section is on page 125. I guess you
50 could look at Table 1 on page 126 and see the title. It's

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1 basically called investigations of a life history approach
2 for managing Alaskan salmon. The proposal was put in by
3 USGS, the Alaska Science Center. There's a short
4 description on page 129. It's a three-year study. It
5 would cost a total of \$250,000. Really, the objective of
6 this was directed at biological escapement spawning goals
7 for salmon and using a life history approach and the
8 investigator wanted funding to further develop some models
9 he's been working on.

10

11 The TRC reviewed this and they recommended
12 not to fund it and their reasons were that -- well, the
13 bottom line was they were more interested in getting a
14 salmon escapement goal study that would be focused on some
15 of the Yukon River stocks. This study was actually focused
16 on coho salmon in Southeast because that's the stocks that
17 there was enough information on to actually use for this
18 particular model.

19

20 The other thing was that this was more pure
21 research in that at the end of three years the investigator
22 wasn't really sure he'd have a working model that would be
23 of use to a manager. And this was after we'd been through
24 several iterations of proposals to look at salmon spawning
25 goals. So I think at this point TRC's recommendations was
26 not to fund this project and maybe just step back and take
27 a broader look at how this program should deal with studies
28 that want to focus on salmon spawning goals.

29

30 That's basically what this one was about.
31 I don't know if you have a different recommendation or if
32 you want to make a recommendation or have any questions.

33

34 CHAIRWOMAN CROSS: Inter-regional. So it
35 would mostly have been Southeast Alaska?

36

37 MR. FRIED: Yeah, inter-regional just
38 refers to the fact that it could be a statewide proposal or
39 at least it's more than one region. This one actually kind
40 of had a statewide approach, but when you look at the
41 proposal it was really focused more on coho salmon and the
42 stocks it would be focused on at least for the first three
43 years would be coho salmon in Southeast.

44

45 CHAIRWOMAN CROSS: Questions or comments?
46 Anything further?

47

48 MR. FRIED: Well, the only other thing I
49 wanted to bring before you today was the issues and
50 information needs and there's a green divider in the book.

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1 On page 133, there's a copy of the current issues and
2 information needs for this particular study area, Arctic,
3 Kotzebue and Norton Sound. This was what was provided to
4 investigators that sent in proposals in 2003 so that they
5 had a better idea of what this program was interested in
6 funding.

7

8 I guess the Council now has an opportunity
9 to update the list if they so wish for 2004. To just get
10 people thinking about this more, on page 143 we provided a
11 strategic planning document. In that there's a suggestion
12 of reorganizing the list, adding things that we've actually
13 been funding that weren't on the list and trying to get
14 more of a priority of what's funded and what's not.
15 Basically, this was just provided for discussion purposes.
16 I guess the real message is that the 2004 call for
17 proposals is going to go out around November 1st and it
18 depends, is the Council happy with their existing list or
19 are there other things they think should be added to the
20 list? Is there a single issue in the region that maybe
21 they'd like to highlight to see if they can get somebody to
22 send a proposal in? You know, how would you like best to
23 deal with this.

24

25 MR. MENDENHALL: Concerns about silver
26 salmon in that respect to beaver dams. Are beaver dams
27 increasing in other regions like our region? Are you
28 finding models reflecting the impact of beaver on salmon?
29 That's what I'm asking.

30

31 MR. FRIED: Actually, yeah, there have been
32 several other Councils that have expressed that same
33 concern. I know in Bristol Bay and some of the Upper Yukon
34 areas we actually funded some studies on beaver dams. One
35 was a field study and the other was traditional knowledge
36 study. The results were there are some benefits to the
37 beaver dams and there's some things that aren't very good.
38 I could block fish migration, but it does provide good
39 rearing habitat and usually it doesn't block migration
40 entirely or all year. It was the same thing when they did
41 the TEK study. Some people thought they were good and some
42 bad. There's reports out on that.

43

44 MR. MENDENHALL: Some of the studies will
45 reflect that in a way or what?

46

47 MR. FRIED: Well, if you had a specific
48 issue with beaver dams in the region. I don't think it's
49 on the existing list right now. If there's a particular
50 system that you're interested in looking at, it should be

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1 one that we could deal with under the Federal program, you
2 could put it on the list as an issue. Whether or not that's
3 the most important issue, you know, it's just one more
4 issue that you'd like to see if you can get a proposal for.
5 That's the way it could be dealt with.

6

7 MR. MENDENHALL: That was one of the
8 concerns of St. Michael and Stebbins because the
9 Pikmiktalik River has some beaver dams and the river isn't
10 all that deep when you go further up and we were wondering
11 maybe it's blocking most of the fish from going up to
12 spawn. That was one of their concerns, was beaver dams.
13 I was wondering if some kind of study can be done on that.

14

15 MR. JOHNSON: I know our growth for sport
16 fishing has grown almost three-fold in the past three, four
17 years, the amount of users also on the Wild and Scenic has
18 increased and I don't know what impact -- I know they were
19 trying to do a study to see the survival of silvers. Also,
20 everybody is converting to jet units to go farther. I'm
21 sure in other rivers there have been studies on jets and
22 what it does to the habitat. Those are some of our
23 concerns on the Unalakleet River.

24

25 CHAIRWOMAN CROSS: Any other? Go ahead.

26

27 MR. SAVETILIK: Just going back to the
28 beaver dams, I think it's to where each river has its own
29 -- you know, there's always a problem with the beavers
30 getting across river with their dams. It's a problem too
31 with the level of the water when the fish go and spawn. I
32 think doing more research with the beavers and with their
33 habitat and the way they're doing it we should come up with
34 a solution for that, too.

35 MR. KOBUK: Have they done any studies on jet
36 units, what it does to the river bed, especially when you
37 go farther up the river? Does that ruin the habitat of the
38 salmon, the eggs or the small fry? Does that kill them or
39 has any studies been done on that?

40

41 MR. FRIED: I'm not sure if there have been
42 or not to tell you the truth.

43

44 MR. PARKER: Madame Chair. I'm aware of a
45 study that's done on king salmon spawning. They actually
46 painted rocks and put them down and then ran the jet unit
47 over them and they found it displaced the rocks downstream,
48 so jet units do disturb the gravels. If the eggs are
49 there, they'll get disturbed also.

50

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1 CHAIRWOMAN CROSS: Jim.

2

3 MR. MAGDANZ: Madame Chair. Jim Magdanz,
4 Fish & Game. Susan Georgette has been in charge of salmon
5 surveys in Northwest Alaska for almost a decade now and
6 each year we put out an annual summary of what we've
7 learned in those harvests. But she and I have been talking
8 and we've talked some with Kawerak about this too about
9 periodically it's useful to spend more time with the data
10 and to go back to the villages and look for trends. We see
11 some communities where over the last eight or 10 years
12 salmon harvests have been relatively stable. We see some
13 other communities where there have been some changes and we
14 don't know whether those changes were related to abundance
15 or changes in the economies of these communities or just
16 exactly what is going on. Our feeling is that after 1994
17 now we haven't really looked in a comprehensive way what's
18 been happening to salmon harvest in Norton Sound. We've
19 just been putting out an updated summary every year.

20

21 So we're thinking we might be interested in
22 working with local organizations in a review of the data,
23 going back to the communities, working with them to
24 understand how salmon harvests have changed and to put out
25 a report that summarizes what's happened in Norton Sound in
26 the last decade of salmon fishing. This may fit within the
27 strategic plan under the long-term trends section, but I
28 notice that that's a new issue that wasn't in the current
29 call for proposals. I believe you're looking at it on page
30 144, number two, under TEK. We'd like to see that also,
31 the long-term trends and sources of variation in harvest.
32 Not just stock abundance, but harvest. Madame Chair, that
33 concludes my comments.

34

35 MR. JOHNSON: Madame Chair. Jim, I know
36 you want surveys to be pretty reliable and I've always been
37 concerned a little bit about the sport surveys, duplicating
38 things. Is there a way we can kind of -- with commercial
39 fishing, you definitely know what you're taking from the
40 region. Sport is kind of a commercial entity in the fact
41 that people are paying for it and somebody is making money,
42 yet we don't have a definite way -- maybe we can do it by
43 regulation or something that would require guides to log
44 down all that information so it can be more reliable. I
45 don't know. I know Sportfish isn't here, but I'm just
46 thinking of ways. And I agree with that information
47 sharing and I hope there will be more of it even within the
48 Federal agencies. I think that's really important.

49

50 MR. MAGDANZ: Madame Chair. The harvest by

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1 sport fishermen outside of the region is documented only
2 through mail-out surveys and they sample only a small
3 proportion of the fishermen. Usually the samples in the
4 sportfish survey is just a handful of fishermen, six,
5 eight, two in some years, so we don't have much faith
6 statistically in that information. We don't really know
7 what the harvest on Unalakleet River by sport fishermen
8 really are. We're just guessing. We have a better handle
9 on rod and reel harvest from Unalakleet because we ask
10 about rod and reel and net harvest when we do our
11 subsistence survey, but that just gets people that live in
12 Unalakleet.

13

14 MR. JOHNSON: So, do you think that more
15 reliable information in sport is needed?

16

17 MR. MAGDANZ: I think where you have a
18 system where you're concerned about conservation, that
19 having additional reporting requirements for sportfishing
20 is warranted. In either Federal or State jurisdiction, I
21 believe the avenue would be to go through the Board of
22 Fisheries with a proposal to require harvest reporting for
23 Unalakleet River, Nome subdistrict or whatever for
24 sportfishing.

25

26 CHAIRWOMAN CROSS: It's kind of looking
27 into impact of sportfishing on the Unalakleet River.

28

29 MR. MAGDANZ: Madame Chair. I think that's
30 a broader question than just simply the harvest that's
31 coming out of there because the impacts are displacement
32 when sport fishermen fish in areas where people are seining
33 or have setnets. There are also trend issues about
34 increases over time. So I think a more complete study
35 would be appropriate for a place like Unalakleet River
36 where you're seeing a growth in sport use.

37

38 CHAIRWOMAN CROSS: Catch and release.

39

40 MR. MAGDANZ: Catch and release. Then
41 there's catch and release mortality issues. There are
42 these different arenas that I think you could benefit from
43 more information on.

44

45 MR. KOBUK: On the catch and release from
46 a rod and reel, once the fish is released, if it's caught
47 on the gills, the fish then dies, huh, or have any studies
48 been done on that?

49

50 MR. MAGDANZ: Because I'm not a biologist,

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1 I'm not as familiar with the studies on catch and release
2 fishing, but there have been studies on where fish have
3 been hooked and the nature of the hooking was recorded and
4 then those fish were released into an enclosure and
5 observed for a period of time to see how they survive or
6 they've been tagged and released into the water column to
7 see what kind of recovery they make. Charlie Lean is
8 probably more knowledgeable about those kinds of studies
9 than I am.

10

11 MR. FRIED: You're correct, the location of
12 hooking is correlated with mortality, at least short-term
13 mortality, and not all fish that are hooked in the gills
14 die, but a large proportion I think probably do from the
15 bleeding. If hook and release is done correctly, then
16 mortality is probably pretty low. Coho are more
17 susceptible to hook and release at certain times in their
18 life history too and I can't remember if it's when they
19 first come into the river or later when they're adapting to
20 freshwater. So there have been a lot of studies on that.

21

22 CHAIRWOMAN CROSS: Anything further?
23

24 MR. FRIED: Let me see if I understand.
25 You want to just add the effects of beaver dams on salmon
26 and the effects of sportfishing activities on coho salmon
27 in Unalakleet as two more issues to the list you already
28 have? Is that what I'm understanding?

29

30 MR. JOHNSON: I know there was a one-year
31 study on the effects of coho catch and release where they
32 would put on a radio tag.

33

34 MR. MENDENHALL: I'm just curious what
35 findings you may have on beaver dam impacts on the fishery.
36 That's all.

37

38 MR. FRIED: I know the studies of the Upper
39 Yukon are completed, so I can send you the reports on
40 those.

41

42 MR. MENDENHALL: It would be interesting to
43 see.

44

45 MR. KOBUK: I guess my main concern is
46 during moose season when it opens in late fall, the traffic
47 in Pikmiktalik is quite heavy because they're all trying to
48 get their moose, especially when the caribou don't come
49 around in the wintertime. I've never seen any jet units in
50 St. Michael or Stebbins, but that doesn't mean there isn't

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1 any there. It's mostly props because they bring a lot of
2 extra props when they go up that river.

3

4 MR. FRIED: Okay. I guess I'll just remind
5 the Council that the call for the 2004 proposals goes out
6 in November. The Council can actually change, add, modify
7 their issues and information needs any time during the
8 year. You might want to take a look again at what's in
9 your books and if you decide that further changes are
10 needed, then you could always contact me sometime before
11 the call goes out and we could modify the list at any time.
12 This is going to be important long term because we need to
13 make sure that the money we have available is being used to
14 meet the information needs and help us answer some of the
15 more important issues in each of the regions. I just want
16 to make sure the money is directed towards the proper types
17 of studies.

18

19 CHAIRWOMAN CROSS: I just want to make sure
20 the Unalakeet River is protected because it's our one
21 healthy river.

22

23 MR. FRIED: And Unalakeet River is not on
24 the existing list, so it's something you might want to
25 consider.

26

27 CHAIRWOMAN CROSS: November what?

28

29 MR. FRIED: Usually it's November 1st or
30 somewhere close to that.

31

32 CHAIRWOMAN CROSS: So the call goes out
33 sometime in November.

34

35 MR. FRIED: Uh-huh, early November.

36

37 MR. JOHNSON: Runs through when?

38

39 MR. FRIED: Usually proposals are due back
40 in to us by, I think, February 1st or sometime early
41 February anyway.

42

43 MR. JOHNSON: So there probably wouldn't be
44 a time that -- I don't know when our next meeting is. It's
45 probably going to be after that. Maybe before I make any
46 motions to -- I guess you wanted support for the issues and
47 information packet that we have currently.

48

49 MR. FRIED: Well, right now your issues and
50 information needs are on pages 137 through 139. That's

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1 what we sent out. So I guess the question is, is this list
2 fine? What I'm hearing is there's maybe a couple of issues
3 that maybe need to be added to it. If that's the Council's
4 wishes, then that's as far as we can go. If there a
5 certain issue or one or two issues that are viewed as
6 extremely important, then we could always indicate that in
7 the call for proposals or you could just give them a list
8 and see what comes in.

9

10 MR. JOHNSON: What I'm wondering is that
11 proposal might have more weight if it's in our issues here.
12 Even though the call comes in November, if we didn't have
13 it in here now, I'm wondering where it's going to.....

14

15 MR. FRIED: Well, the Technical Review
16 Committee looks at the list and looks at the proposals and
17 certainly if somebody is kind of off-target, then it would
18 probably be looked at as a lesser priority unless it's
19 hitting some issue that's come up since that's pretty hot
20 and pretty important. It does help to have the list. I
21 mean it is used by the investigators and by the reviewers.

22

23

24 CHAIRWOMAN CROSS: Ida.

25

26 MS. HILDEBRAND: Thank you, Madame
27 Chairman. Ida Hildebrand, BIA Staff Committee member. For
28 Johnson's clarification, I think there's some confusion.
29 Identifying the issues or identifying that Unalakleet River
30 is an important stream that you'd like to have addressed by
31 adding it to the list is separate from putting out a
32 proposal for that river. You don't have to put out the
33 proposal, you just have to identify that it's an important
34 stream, as Grace said. It's one of your most important
35 streams in this region and you don't have to at this time
36 even conceive of a proposal, just list it as an important
37 area. If a proposal comes up that addresses the Unalakleet
38 River, it would be important to this Council. Thank you,
39 Madame Chair.

40

41 MR. KOBUK: I have another question for
42 you. Have any studies been done on brown bears or grizzly
43 bears and what kind of impact they've had on salmon, do you
44 know?

45

46 MR. FRIED: I'm sure there have. I mean
47 there's places like McNeil River in Cook Inlet. They've
48 been looking at the effect of brown bears and the chum
49 populations. There's all sorts of predators on salmon.
50 People are just another one. They all have an effect.

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1 MR. MENDENHALL: Maybe one thing could be
2 climatic change. It seems like no matter what we've been
3 doing in our region on our rivers it seems there's always
4 emergency order closure or Tier II allocations. I didn't
5 see anything addressing climatic change impact on salmon
6 studies. I think it would also spill over into other
7 regions. That would be an interesting thing to look at
8 because our ancestors do refer to climatic changes
9 impacting the fish and game.

10
11 MR. FRIED: That hits a few different
12 things. One is traditional knowledge. It would be useful
13 to go out and collect that sort of information to get that
14 historical, long-term perspective. There's been a lot of
15 work with climatic changes recently.

16
17 MR. MENDENHALL: There are times when our
18 rivers freeze all the way down to the bottom. They never
19 used to freeze all the way to the bottom. There's times
20 that we had more fish some years because it didn't freeze
21 all the way to the bottom. Those kind of studies dealing
22 with climatic change, what impact does it have. I think it
23 would tie in overall.

24
25 MR. JOHNSON: Madame Chair. I'd like to
26 move to add Unalakleet to the issues and to the needs list.

27
28 MR. SAVETILIK: I second.

29
30 CHAIRWOMAN CROSS: There's a motion to add
31 Unalakleet River to -- we don't have to be specific about
32 it, do we? We don't have to specify a specific study?

33
34 MR. FRIED: Not a study, no. I mean is
35 there any particular fish that you're interested in? Is it
36 salmon or everything?

37
38 MR. JOHNSON: I think salmon because
39 sportfish kind of affects all salmon and the same thing
40 with trout.

41
42 MR. FRIED: I get the general idea, so I
43 can try to put that together.

44
45 CHAIRWOMAN CROSS: There's a motion on the
46 floor to add Unalakleet River to their list and it's been
47 seconded. All those in favor signify by stating aye.

48
49 IN UNISON: Aye.

50

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1 CHAIRWOMAN CROSS: All those opposed same
2 sign.

3
4 (No opposing votes)

5
6 CHAIRWOMAN CROSS: Motion carries. I think
7 that's it until we contact you later.

8
9 MR. FRIED: Like I say, it's your list, so
10 you need to be happy with it too and feel it's where you
11 want to direct money for studies too. The discussion we
12 had about the beaver dams and the effects of sportfishing,
13 is that something you want to see on a list too or is it
14 just the Unalakleet River you want to add or is it all of
15 those issues, too?

16
17 CHAIRWOMAN CROSS: Did you bring up the
18 beaver dam?

19
20 MR. KOBUK: Yeah, I think that would be
21 nice to know what the effects the beaver dam has on the
22 fish where they spawn. Like I said, because of lack of
23 snow or lack of rain, the river has been quite low.

24
25 CHAIRWOMAN CROSS: We're talking about
26 Pikmiktalik groups.

27
28 MR. FRIED: And the sportfishing activities
29 on Unalakleet, is that still of interest or you don't want
30 it on the list at this point in time?

31
32 MR. JOHNSON: Yes, we would.

33
34 CHAIRWOMAN CROSS: Well, if we think of
35 something else, we'll call you.

36
37 MR. FRIED: Right. It's something that can
38 be done any time during the year. The other thing you
39 might want to consider long term is whether or not you have
40 any advice or guidance concerning funding studies on a
41 long-term basis. In other words, more than three years.
42 If so, how you balance that with also making sure there's
43 some money left, maybe address things that come up that we
44 haven't even thought of before when a management issue
45 comes up. You can quickly use all your money up just
46 funding long-term studies and then you have no money
47 available. That's not the case in this region right now.
48 None of the studies have really been going on for more than
49 -- most of the types of studies are only one or two or
50 three-year studies, but it's something to think of in the

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1 future, too.

2

3 Thank you. The only other thing I'd bring
4 to your attention is a little report just for information
5 on the status of the studies that have already been funded
6 so you can get a better idea of what's been done and how
7 successful they've been and whether or not the report is
8 available. So that's just information purposes.

9

10 CHAIRWOMAN CROSS: Thanks. We better call
11 Clyde. I think he's been waiting long enough. Then we'll
12 go back to 54 after.

13 While we're sorting all this out, let's take a short break.

14

15 (Off record)

16

17 (On record)

18

19 CHAIRWOMAN CROSS: It's now 2:15, so we can
20 continue. We'll hear from Rose first.

21

22 MS. FOSTIK: Thank you, Madame Chair and
23 Council members. I'm Rose Fostik, program director at
24 Kawerak and I work with Kawerak Reindeer Herders
25 Association. I'm speaking on behalf of the association and
26 I would like to state that Kawerak Reindeer Herders
27 Association opposed Proposal 54 and offers an alternative
28 to year round opening up 22(E). An alternative is to
29 proceed to open the game management unit through a special
30 action similar to ADF&G's emergency openings when caribou
31 move into the area and are present. We realize the Western
32 Arctic caribou herd population is increasing and migration
33 patterns are changing and we certainly support access of
34 this important resource by subsistence hunters. However,
35 we know that reindeer are in the Seward Peninsula and we
36 want to ensure that reindeer are not put at risk by having
37 year round openings when we know that caribou are not
38 necessarily there in that area year round.

39

40 As the caribou have moved into the Seward
41 Peninsula, a number of organizations are very interested in
42 the migration timing, pathways, numbers, locations and we
43 know that the monitoring is done because we have very good
44 communications with Fish & Game, the satellite collars
45 provide very good up-to-date information, which we receive
46 through email from Fish & Game here in town. Tony Gorn
47 does the downloading of information from satellite collar
48 data and transforms them into maps and we're able to
49 understand where caribou are.

50

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1 We also know that there is another method
2 in which caribou are located and that is with radio
3 collars. We listen to the village residents. They provide
4 reports to us and we also receive pilot reports.

5
6 Reindeer herders have a method of keeping
7 their reindeer out of the way of caribou moving in and that
8 is to keep updated on caribou movements. With money that
9 we've been able to obtain through emergency funding from
10 BIA, they're able to address this issue by being
11 knowledgeable on where caribou are and move reindeer to
12 safe areas. They also have sort of a newly-established
13 method called safe area planning and that is where
14 individual reindeer herders agree with a neighboring herder
15 to identify areas on their range where the other can put
16 reindeer on.

17
18 Reindeer herders have an established
19 relationship with Secretary of Interior, specifically with
20 BIA through the Reindeer Act of 1937 and also with BLM and
21 National Park Service through ANILCA and ANCSA. Those
22 three acts recognize reindeer herding and authorize
23 issuance of land use permits.

24
25 So we'd like to not only continue to have
26 that relationship with the Federal government and the
27 agencies, we'd also like to have a better relationship with
28 the Federal Subsistence Board and with Regional Advisory
29 Council. Thanks.

30
31 CHAIRWOMAN CROSS: Thank you, Rose. Any
32 questions for Rose? Elmer.

33
34 MR. SEETOT: Unrelated to the issue at
35 hand. On the reindeer issue, have you received information
36 from the working group to get reindeer herders to comment
37 on the draft management plan? There's a small section at
38 the bottom concerning conflict between the reindeer herders
39 and the Western Arctic caribou herd and we have been trying
40 to get comments from Reindeer Herders Association or from
41 the reindeer herders to comment to see if there's any
42 changes or any comments that need to be added to the
43 Western Arctic caribou herd. One of the major stumbling
44 blocks that we ran into, we talked about the conflict
45 between the caribou and the reindeer herders, but we didn't
46 receive any comments actually from the reindeer herders
47 themselves or from the Reindeer Herders Association. So
48 that would be a good opportunity to put these comments to
49 the draft management report. Thank you.

50

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1 MS. FOSTIK: Can I respond?

2

3 CHAIRWOMAN CROSS: Yes, Rose.

4

5 MS. FOSTIK: The executive committee of the
6 Reindeer Herders Association just met about the 26th of
7 September and the information that I presented just now
8 comes from their discussion. I have nothing in writing,
9 but I will have something in writing that I will submit in
10 regards to this proposal and I will also submit something
11 to the plan.

12

13 MR. JOHNSON: Rose, you said that they
14 didn't support the year round or the dates that maybe they
15 would support if they did, the Reindeer Herders
16 Association. Did they come up with dates as to a season?

17

18 MS. FOSTIK: No, not dates. What they
19 mentioned was that we have a very good method and a good
20 cooperative system that we already have with Fish & Game in
21 which they do keep good information on the numbers, the
22 locations, the migrations of the Western Arctic herd. As
23 the herd moves into areas that are closed and they locate
24 the caribou and justify the numbers or verify that there
25 are numbers of caribou in there, then they do the emergency
26 order to open and then often they have done emergency
27 orders to close and that's the system that works very well
28 for the reindeer herders. We're very supportive of opening
29 when there are caribou in the area.

30

31 MR. KOBUK: I have a question. I guess
32 you're well aware of the problems St. Michael and Stebbins
33 are having with their reindeers being killed every winter
34 because they're mistaken for caribou. My question is what
35 is going to be done about it because the killing of our
36 reindeer really hurts the IRAs because they use that to run
37 their facilities. It always seems to be a problem every
38 year with the Yukon hunters. They chase our reindeer south
39 and then they do their slaughtering where they won't get
40 caught. What do they plan to do in that area with the
41 reindeer herds at home?

42

43 MS. FOSTIK: I understand the situation
44 that you are referring to, which is that hunters -- not all
45 of them, but some hunters do pinpoint reindeer either
46 accidentally or not accidentally and they do bring reindeer
47 home during caribou hunting excursions. We know that
48 problem for reindeer herders exists. In fact, this past
49 fall in this area Fish & Game used an emergency order to
50 close one part of the area that they had opened previously

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1 for the fact that hunters had killed a number of reindeer
2 that they mistook for caribou. What we try to do about it
3 is work with Fish & Game as areas are newly opened through
4 emergency orders or as the hunting season begins in the
5 fall for caribou that the public is very well aware that
6 there are both caribou and reindeer within an area and to
7 encourage the public to not hunt reindeer.

8

9 MR. KOBUK: Right now our reindeers are on
10 St. Michael Island and I guess some of them are on the main
11 island across from St. Michael. They had to be removed and
12 kept off of Stuart Island because I think it takes two
13 years for that lichen to grow back. With reindeers, you
14 can always drive with a snowmachine, if you go really slow,
15 you can get within 100 feet and then you can walk another
16 50 feet closer, so I can't understand why or how the Yukon
17 hunters always mistake reindeer for caribou because a
18 caribou, as soon as it sees you a mile, two miles, they
19 start running right away. That was my one question.

20

21 CHAIRWOMAN CROSS: Thank you, Rose. Clyde.
22 We're ready for you, Clyde.

23

24 MR. ONGTOWASRUK: I sent a fax in yesterday
25 to the Reindeer Herders Association. That was to Kate
26 Persons yesterday and it's dated October 9, 2002. I got
27 letter written with approval from my mother Faye, she's the
28 herd owner. I do a lot of paperwork for her. I watch the
29 herd for her. This is where I'd like to kind of begin. I
30 thank you guys for letting me speak because I think this is
31 a very important matter. We are subsistence hunters also,
32 as reindeer herders. I'm going to start with my letter.
33 As I was sitting here, I thought about this a little bit,
34 what I left out from my letter, because I wanted to get
35 that one out yesterday. Here I go.

36

37 "Hello to all concerned on Proposal 54.
38 Ongtawasruk Reindeer Herd opposes opening permanent caribou
39 hunting on Ongtawasruk Reindeer grazing range, which is on
40 22E. We don't see herds or enough animals to justify an
41 opening (wild reindeer). We haven't cut all our bull and
42 female reindeer horns off our reindeer. We had one case of
43 poaching from an individual who moved from Kotlik. This
44 happened a year or two ago. That was within five miles
45 from our Lopp Lagoon corral. The reindeer still had horns
46 and are earmarked and tagged. This was resolved locally.

47

48 Ongtawasruk family are also subsistence
49 users and supports emergency opening if the caribou are on
50 our grazing allotment. We must also protect our herd from

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1 poaching also. We have talked with Clifford Weyiouanna
2 from Weyiouanna Herd and he supports our concern.

3

4 Ongtawasruk family are thankful to be
5 included on voicing our concerns to Fish & Game, National
6 Park Service and Seward Peninsula Regional Advisory
7 Council. We are willing to work with you all. Thank you,
8 Clyde Ongtawasruk, Sr. for Faye Ongtawasruk from
9 Ongtawasruk Herd."

10

11 The things that I left out, which I'd like
12 to include, are kind of my observations what I've seen this
13 summer because I have traveled 10-hour days during August
14 and September trying to keep an eye on our reindeer. I
15 always try to keep an eye out for those animals that hang
16 around Shishmaref and the ones around Serpentine in case
17 they decide to migrate like the other animals up north.
18 I've been talking with Fish & Game and requesting that they
19 try to put a satellite collar on those also.

20

21 We haven't been officially contacted by our
22 representative for Wales. I'm willing to confer with him
23 or her also. This official representative, when I talk
24 about Wales, must be part of the Seward Peninsula Advisory
25 Council because that's where I see some remarks made. We
26 don't know if the meeting with Fish & Game and Kawerak are
27 going to be written documents to be included for the
28 record. A lot of people that want to hunt closer to Wales
29 don't be in the country as I and Ongtawasruk herders. I
30 think we should be included to confer what's out there. We
31 are impacted on Weyiouanna's Range and Oleanof's Range when
32 the reindeer herds intermingle with each other.

33

34 I do know that they have meetings here and
35 we don't be told if they're going to be for the record when
36 they do have meetings here. So those meetings, when I read
37 the minutes from the Seward Peninsula Regional Council,
38 Subsistence Council, excuse me if I say it wrong, I would
39 like to know, you know. Sometimes they have Fish & Game
40 meetings. I don't know if these are for the record or if
41 these are just for the people. No, we haven't been
42 contacted by our local representative here in Wales if
43 there is any. We don't have a chance to voice and we'd
44 have information for these people if they'd like us there,
45 if they'd like us to speak because we've been trying to
46 hold our deer ever since we got them. It's a year round
47 operation.

48

49 They run freely the month of July and then
50 August we are still watching the herd and somewhat freely

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1 we let them go for a while after we're done cutting because
2 we want them to go to their grazing range. Then in
3 September, late August, that's when I try to do the
4 bunching up of the herd. At the same time I go 30, 40
5 miles out of Wales on a four-wheeler, so I kind of know
6 what's going on out there, but it would help us as herders
7 if they had satellite collars on those herds hanging around
8 Shishmaref during the summer because I think those caribou
9 do the same thing like reindeer. They come to the beach
10 from mosquitoes and the heat. That's what happens to our
11 reindeer. They either go to the lagoon edge, they hit the
12 points and they'll also go to our beach here. This is
13 something new I've seen this year, the reindeer going more
14 to the beach.

15

16 When I look back at our tally, we don't put
17 in all our deer. We are cost prohibitive due to extreme
18 costs of the chopper. We used to use the chopper all the
19 time, but we'd be going in the red. The most economic way
20 for Ongtowsruk reindeer is four-wheelers and snowmachine
21 when we do our operations. It's an extended family
22 operation. We are all subsistence users. That's how we
23 started even before we got our reindeer. I don't know
24 anymore what I could add, but I really appreciate working
25 with Fish & Game, Park Service and Council there. I'm very
26 willing to work with you all and I appreciate your time.
27 This is going to be an every year thing. These things that
28 I do I'm going to pass on to my boys. They're watching
29 what I do and I'm going to have to turn it over to them
30 sometime in the future.

31

32 I'd like to state to you all that my mother
33 is an elder. She's around 70 years old. We give her that
34 pride in keeping her as our -- our letters and stuff goes
35 to Faye Ongtowsruk, but we are like how you guys operate,
36 RHA, maybe you guys have other people doing your paperwork
37 for you, and we want to be recognized, us boys, so that's
38 where I fit in. Sometimes RHA does not like it when we
39 want to be recognized. Sometimes they just want my mother
40 Faye. Just like I sent this piece of letter, I got the
41 blessing from my mother. I always talk to Mom. Mom, I'm
42 going to do this, is it all right. I try to give her a
43 change to relax, but we give her pride in being our owner
44 and she's our chief herder even though she don't be out
45 there. That's how we recognize my mom. I pretty well
46 covered it. Is there anything I could answer from any one
47 of you?

48

49 CHAIRWOMAN CROSS: I have a question. The
50 State regs you have now, are those something that the

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1 reindeer herders are comfortable with?

2

3 MR. ONGTOWASRUK: I don't know if I heard
4 you. It's pretty hard to hear from the background. I
5 think that was Grace.

6

7 CHAIRWOMAN CROSS: This is Grace. I was
8 asking if you were comfortable with the State regulations
9 as they are now.

10

11 MR. ONGTOWASRUK: Yeah, we are comfortable
12 on the emergency order. If there's emergency order, yeah.
13 We do confer with Rose on those things. And I do confer
14 with Cliff. I haven't talked with Mr. Oleanof for a while,
15 but we are standing behind the emergency order if there
16 need be if the animals are on our range. I hope that
17 answers it.

18

19 CHAIRWOMAN CROSS: So if this RAC were to
20 mirror the State regulations, that would not impose a
21 problem for you?

22

23 MR. ONGTOWASRUK: I can't understand.

24

25 CHAIRWOMAN CROSS: Make it the same as the
26 State regulations.

27

28 MR. ONGTOWASRUK: Yeah. I think if they
29 worked together, the Federal and the State, and kind of
30 mend them together, the regulations, I think that would
31 work. I know we had a voice a few years ago when we had
32 the opening in Shishmaref. That's the kind of actions we'd
33 like to move forward with. We are comfortable with that.

34

35 CHAIRWOMAN CROSS: Okay. Perry, did you
36 want to say something?

37

38 MR. MENDENHALL: This is Perry Mendenhall.
39 You are recommending that we not pass Proposal No. 54?

40

41 MR. ONGTOWASRUK: I am recommending that we
42 do not make Proposal 54 permanent. We oppose permanent
43 caribou hunting on Ongtowasruk grazing range right now. If
44 we got it from year to year, I think that would be the best
45 way to work together on this. I've been told by the elders
46 here in Wales that sometimes the caribou are going to come
47 close. They always try to warn us. We tried listening to
48 the elders and keeping an eye on our deer more. But for
49 right now we don't see any justification opening
50 Ongtowasruk grazing range, which is on 22(E).

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1 MR. MENDENHALL: You mentioned Clifford
2 Weyiouanna, your relative up that way. You said you had
3 confirmation from him opposing Proposal 54.

4
5 MR. ONGTOWASRUK: Yeah, I talked with him
6 yesterday. I read him this letter what I was going to
7 write and he supports it. Usually we talk every week,
8 sometimes every two weeks, if not monthly, but now it's
9 getting close again. Maybe every week or two we'll be
10 talking again. But he supports my concern. We exchanged
11 information what we see out in the country and that's how
12 we work together. In late September, I took a boat from
13 Shishmaref Lagoon all the way to Ikpik Lagoon trying to see
14 if any animals are out there. I didn't hit the point below
15 Nuluk area. I don't know that channel area, but we covered
16 all the way from Shishmaref to Bizingazot, then we went
17 straight to Ikpik from there and we didn't see no animals.
18 What we saw was reindeer. Must have been Clifford's herd.

19
20 MR. MENDENHALL: That's all the questions
21 I have.

22
23 MR. SEETOT: Elmer Seetot, Jr., Brevig
24 Mission. Clyde, you mentioned something about Seward
25 Peninsula Advisory Council. Wales does not have an
26 individual representative. The representatives on the
27 Seward Peninsula Advisory Council are selected by the
28 Secretary of Interior by applicants who are willing to
29 serve on the Seward Peninsula Regional Advisory Council.
30 Some of these communities do not have representatives other
31 than pretty much just by sub-units or those persons wishing
32 to serve on the Council. I thought I better clear that up
33 with you on the Seward Peninsula Regional Advisory Council.
34 Each community within Seward Peninsula has or has not any
35 representation on the Regional Advisory Council. It is up
36 to the individuals on the Seward Peninsula to see if they
37 are interested in serving on the Regional Advisory Council.
38 That was all I wanted to clarify.

39
40 MR. ONGTOWASRUK: One question I got, I
41 think. Could us, as herders, serve on that board?

42
43 CHAIRWOMAN CROSS: Yes, you can. Anyone.

44
45 MS. ARMSTRONG: Yes, you can, Clyde.
46 Anyone who applies will be considered.

47
48 MR. ONGTOWASRUK: I kind of see it. This would
49 give a lot of information. I might think about it a little
50 bit, but that's just something I could pass on to the

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1 family. We are willing to work with anybody. At least I
2 am. Rose and Myrna at RHA, they know how to get a hold of
3 me and we've been having very good communication with those
4 people there.

5
6 CHAIRWOMAN CROSS: Clyde, this is Grace.
7 So you'd rather see no Federal open season for caribou in
8 22(E)?

9
10 MR. ONGTOWASRUK: I'd like to talk a little
11 bit more on that after I talk with Rose on that. I don't
12 know too much to say. Right now all I could say is we
13 oppose opening on our range, Ongtowsruk grazing range,
14 which includes 22(E) and goes all the way to Nuluk and
15 comes down to Lost River. If we saw animals, we would be
16 more than happy to report it. Even our reindeer act wild
17 too even if they've got the marks. When they're like that,
18 I've got to butcher them. So I don't want people to
19 mistake reindeer from caribou. You could tell what's a
20 reindeer and what's a caribou. When a wild reindeer is
21 there, it just want to go for the mountain, it just want to
22 go for the horizon. We know reindeer and I think we could
23 be an important mechanism in this. Ongtowsruk is willing
24 to work with you all.

25
26 MR. MENDENHALL: Madame Chair. As I stated
27 last week, somebody came down with five reindeer and
28 thought they were caribou and they had to pay \$2,500 fine
29 for catching those five deer. I think you learn quite a
30 bit of a lesson there. Even people out of Nome mistake
31 reindeer for caribou. I've even seen somebody brand-new to
32 our area stalk a reindeer thinking it was a moose, so we've
33 got a lot of uneducated people around here. I could see
34 your point of wanting to preserve your reindeer. There's
35 people that don't know the difference between a reindeer
36 and a caribou and I think we could act in the best interest
37 of you.

38
39 MR. ONGTOWASRUK: What Rose and what RHA
40 put in the newspaper, I think that's a very good start.
41 We've had publications from RHA putting out about caribou
42 and reindeer trying to tell the difference. I think that
43 will help quite a bit.

44
45 CHAIRWOMAN CROSS: Ken Adkisson wanted to
46 say something. Ken.

47
48 MR. ADKISSON: Madame Chair, Council
49 members. Clyde, can you hear me?
50

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1 MR. ONGTOWASRUK: Correct.

2

3 MR. ADKISSON: Part of what I'm going to do
4 is provide a little background information for Proposal 54
5 and the whole situation in 22(E) and also follow up on the
6 telephone conversation that Grace and I had with you
7 yesterday. I wanted to do it while you're still on the
8 line so I don't get anything wrong or misrepresent you,
9 Clyde.

10

11 For the Council members, since several of
12 you are new -- by the way, my name is Ken Adkisson. I'm
13 with the National Park Service Subsistence Program
14 coordinator for the Western Arctic National Parklands.
15 When Proposal 54 surfaced a few years ago at a Unalakleet
16 meeting, at the time caribou were moving further westward
17 onto the Seward Peninsula. There were no established
18 seasons and bag for 22(E) and ADF&G was only beginning to
19 move in that direction and they were doing so by a series
20 of emergency openings dependent upon, of course, that
21 sufficient caribou were in the area.

22

23 What has transpired over the intervening
24 years without any parallel Federal action has been that the
25 State, and you can ask Kate for details on this, has moved
26 to establishing a permanent regulation with an open season
27 and a bag, which currently includes the eastern part of
28 22(E) only. I believe Kate has distributed some maps for
29 you. It's a great map to look at for the existing hunt
30 area. The only problem I have with it is it doesn't show
31 the Federal public lands, but you can kind of look at your
32 regulation booklet and figure out where the park is in
33 relation to that because Bering Land Bridge National Park
34 does comprise the bulk of the Federal lands in 22(E).

35

36 Essentially what happened was, as the
37 caribou moved onto that eastern portion of 22(E), there
38 were increasing conflicts between local villagers,
39 subsistence hunters and the reindeer herders in the area.
40 This culminated with a big meeting in Shishmaref in which
41 herders and hunters were invited and community members to
42 participate. Essentially what came out of that meeting was
43 an agreement to establish an open season area, a permanent
44 regulation in the eastern part of 22(E) and keep the rest
45 of 22(E) subject to open only by emergency order, which is
46 what Clyde is concerned with and what he continues, I
47 think, to want.

48

49 What's happened is that the caribou are
50 continuing to move further westward. In fact, now a number

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1 of them are apparently staying year round to provide
2 subsistence hunting opportunity. So what's happened was
3 that initial line which was set at about the east fork of
4 the Serpentine has gradually moved westward to encompass
5 the whole Serpentine drainage and the latest go-round is
6 what is shown on your map here. That includes the
7 Sinogwitch River, which is the current westward boundary
8 line. There is an open State season there. Basically it's
9 no closed season for bulls with about a month and a half
10 closed season for cows and a bag limit of five caribou per
11 day for subsistence hunters. There's also, by the way, a
12 non-resident State season and bag. Has the same seasons,
13 I believe, but it has a bag limit of five caribou period.
14 That's where we are now. There is an open season for
15 caribou in that eastern part of 22(E), which encompasses
16 most of Bering Land Bridge National Preserve.

17

18 That westward line there at the Sinogwitch
19 River excludes Clifford Weyiouanna's primary area, most of
20 which now lies further to the west, including the Arctic
21 River drainage. The concerns you've heard Clyde express
22 so well are basically concerning herds of caribou further
23 to the west and to the south, then some of the area that's
24 currently under an open season. By the way, we have never
25 closed Federal public lands to caribou, so, in a sense,
26 anyone now can go under State regulations for a season and
27 bag and hunt caribou in that eastern part of it, so that's
28 a fact.

29

30 I think what you probably need to consider
31 now is whether it's time to look again at Proposal 54 and
32 perhaps amend it. One solution would be to bring Proposal
33 54, amend it, to bring it into align with the State
34 regulation that exists and I think that would do a number
35 of things. I could address that if you'd like. For one
36 thing, it would allow us to consolidate protections of
37 subsistence protections for hunters that use that area. It
38 would also give us the tool if we ever needed to close that
39 part of Federal public lands to non-subsistence uses.
40 Remember I said that currently there's a State regulation
41 for a non-subsistence season and bag. By having a Federal
42 regulation for that same area, it would give us the tool to
43 increase the protection if needed for local subsistence
44 users. At the same time, it would leave the whole western
45 portion of the unit, which is where I believe Clyde's
46 concerns lay. It would leave that again subject only to
47 emergency opening if there was sufficient caribou in the
48 area.

49

50 So I think if this Council were adopt a

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1 Federal regulation that essentially parallels the State, it
2 would improve subsistence protection and opportunity. At
3 the same time, it would address the concerns of the
4 Reindeer Herders Council and the concerns you've heard from
5 one local herder, Clyde, so well. So think the trick lies
6 in where the caribou area, establish a season. Where the
7 caribou aren't yet, leave that closed to Federal season and
8 leave it open subject only to emergency order and not a
9 permanent season. I guess that's sort of the quick history
10 lesson on the whole 22(E) situation. If you've got any
11 questions, I'll be more than glad to try to answer them.

12

13 Clyde, do you have any problem with what I
14 said?

15

16 MR. ONGTOWASRUK: No. I think things are
17 fair. I am assured to just keep in contact with RHA. If
18 they need to, they'll get a hold of us. They're very good
19 at passing information on to us. That's pretty much where
20 we stand.

21

22 MR. ADKISSON: Right. One thing I might
23 add too is that the current boundary line of the Sinogwitch
24 River was actually, I believe, set forth or recommended by
25 Clifford Weyiouanna, the number one Shishmaref herder, at
26 a teleconference that involved a number of IRA members and
27 so forth and that was the line that he felt comfortable
28 that would still afford him some protection for his
29 remaining deer. Essentially, there are no viable reindeer
30 herds right now further to the east of that line. That's
31 all I've got.

32

33 CHAIRWOMAN CROSS: Thank you, Ken. Rose,
34 do you have anything to add if the Federal reg were to be
35 aligned with the State?

36

37 MS. FOSTIK: We work very well within those
38 regulations.

39

40 CHAIRWOMAN CROSS: If this proposal were to
41 be changed just like the State's, it would not be a
42 problem?

43

44 MS. FOSTIK: I don't think so.

45

46 CHAIRWOMAN CROSS: Kate, maybe if you would
47 come up and explain it to the rest of the RAC the State
48 regs.

49

50 MS. PERSONS: Okay. Currently you all have

00080

1 a map that I prepared that shows in the white colored area
2 the area that now has a permanent open season and there's
3 no closed season in that area for bull caribou and the cow
4 season is July 1 until May 15th. Residents can take five
5 caribou a day and non-residents can take a total of five
6 caribou. This regulation went into effect July 1st. I
7 haven't actually been to Shishmaref, but I've talked to a
8 number of people on the phone about it and everybody seems
9 satisfied with it. Before it went into effect I got lots
10 of complaints about the emergency order system. So I
11 assume if people had problems with this, I'd be hearing
12 about it and there have been no complaints expressed to me.
13 Thank you.

14

15 CHAIRWOMAN CROSS: Thank you, Kate.

16 Comments, questions. Ken.

17

18 MR. ADKISSON: I think also the question
19 was what is the reg and basically the reg, as it exists
20 now, is Unit 22(E), that portion east of and including the
21 Sinogwitch River drainage, residents five caribou a day and
22 then it has an established season. There's a remainder of
23 Unit 22 which includes that westward portion of 22(E) and
24 basically -- I missed it. The remainder of Unit 22, the
25 State regulation says season may be announced, so that's
26 where your emergency order comes in to play and that was
27 the concern that Clyde had and what I think Rose expressed
28 as opening by emergency order. That's where that comes in
29 to play.

30

31 MR. MENDENHALL: Madame Chair.

32

33 CHAIRWOMAN CROSS: Yes.

34

35 MR. MENDENHALL: If you're so sure on this,
36 could you word the motion that we would propose to pass
37 regarding this hunt? The motion is to realign the Federal
38 regs to reflect State regulations to cover Federal
39 land.....

40

41 CHAIRWOMAN CROSS: He's trying to find
42 wording to make a motion.

43

44 MR. ADKISSON: Madame Chair, Council
45 members.

46

47 MR. MENDENHALL: Rose, how would you word
48 it?

49

50 MR. ADKISSON: I believe you have a number

00081

1 of options. One, you could simply pass a motion to align
2 the Unit 22 caribou regulations, the Federal regulations
3 with the State regulations and direct Staff to develop the
4 language and then you'd see that come out in the booklet
5 for the comment in your next meeting before it actually
6 goes to the Board or you could propose some essential
7 language right now if you wanted to. I gave Grace sort of
8 a tentative draft of some things. I could read that to you
9 if you'd like.

10

11 MR. MENDENHALL: Rose, would that be
12 satisfactory, just what he said in the first part?

13

14 MS. FOSTIK: Yes.

15

16 MR. MENDENHALL: I so move then.

17

18 CHAIRWOMAN CROSS: Is there a second?

19

20 MR. SAVETILIK: I second.

21

22 MR. MENDENHALL: We'll depend on Rose and
23 Ken to get together on this motion.

24

25 CHAIRWOMAN CROSS: All those in favor of
26 the motion signify by stating aye.

27

28 IN UNISON: Aye.

29

30 CHAIRWOMAN CROSS: All those opposed same
31 sign.

32

33 (No opposing votes)

34

35 CHAIRWOMAN CROSS: Motion carries. Clyde,
36 you heard that?

37

38 MR. ONGTOWASRUK: Yeah.

39

40 CHAIRWOMAN CROSS: And Rose will get with
41 you once the wording is done. It will be essentially the
42 same as the State's. So thank you for testifying. You
43 were very informative. We really appreciate your input.

44

45 MR. ONGTOWASRUK: I appreciate being
46 included. I will try to confer more often with you. For
47 my mother's sake, I thank you.

48

49 CHAIRWOMAN CROSS: Thank you very much.
50 You have a good day. Agency reports. Do you want to take

00082

1 a five-minute break before we do that? I'll call for a
2 recess for five minutes.

3

4 (Off record)

5

6 (On record)

7

8 CHAIRWOMAN CROSS: It's 3:15 and we're on
9 the agenda item agency reports. Tim Jennings.

10

11 MR. JENNINGS: Yes, Madame Chair, Council
12 members. For the record, my name is Tim Jennings. I'm a
13 division chief in the Office of Subsistence Management.
14 You have a briefing paper in your booklet under Tab H.
15 It's on page 147 in your books and it's entitled Regional
16 Advisory Councils and it touches on the topic of the review
17 of Regional Council composition for compliance with FACA.
18 FACA is the Federal Advisory Committee Act. For this
19 briefing, let me present an overview and then we'll open it
20 up for questions.

21

22 Earlier this year you received a copy of a
23 letter from the Department of Interior. The letter is now
24 referred to as the Griles letter. It spoke to Department
25 of Interior concerns about the membership balance of the
26 Regional Advisory Councils. The Councils are subject to
27 the requirements of the Federal Advisory Committee Act,
28 also referred to as FACA, and FACA requires the membership
29 of an Advisory Committee to be fairly balanced in terms of
30 points of view represented and functions to be performed by
31 the Advisory Committee. The Department of Interior asked
32 the Federal Subsistence Board to review procedures used to
33 select members for all of our Regional Advisory Councils.

34

35 Recently, the Chair of the Federal
36 Subsistence Board, Chairman Mitch Demientieff, was
37 interviewed by the Alaska Public Radio Network. He stated
38 that the Regional Councils have been very successful and
39 well accepted throughout the state. He added that, as with
40 any program, there can always be room for improvement. The
41 Federal Subsistence Board recently completed its proposed
42 changes to the Council composition and you've received a
43 copy of the Board letter of August 26th to Mr. Griles, the
44 Deputy Secretary of Interior, and also the report that
45 explains the changes in depth. On September 17th, the
46 Federal Board received a letter back from Mr. Griles which
47 stated that the Board's recommendations are to be
48 implemented without delay. He said the Board
49 recommendations will strengthen the program to the benefit
50 of all the residents of Alaska.

00083

1 So I'll summarize the changes that were
2 approved by the secretary's office. First, there will be
3 increased membership on most Councils. The
4 Yukon/Kuskokwim/Delta and Southcentral Councils will
5 increase their membership from 11 and 7, respectively, to
6 13 in each Council. The Southeast Council will remain at
7 13. So there will be three Councils with 13 members. The
8 remaining seven Councils, including the Seward Peninsula
9 Council, will increase membership to 10 members. Larger
10 Councils will allow additional opportunities for
11 representation of other directly affected interest,
12 recreation/sport and commercial uses that have a direct and
13 legitimate interest in subsistence allocation issues.

14
15 The next area of change is in designated
16 seats. The Secretary's Office has indicated and approved
17 the Board's proposal to have 70 percent of the seats on a
18 Council be represented by subsistence users or an interest
19 and 30 percent for representatives of recreational or sport
20 and commercial interest. For the seven Councils with 10
21 members, three seats then would be designated for
22 recreational/sport and commercial interest. One of the
23 designated seats would represent commercial interest, which
24 could include guides, transporters, commercial fishers or
25 commercial guiding for hunting. One seat would represent
26 recreational sport interest and then the third seat would
27 represent either interest, either commercial or sport.

28
29 On the three Councils with 13 members, four
30 seats would be designated recreational sport and/or
31 commercial interest. So, for example, the Seward Peninsula
32 Regional Council currently has nine members. Under these
33 changes, the membership would increase to 10. Of these,
34 seven seats would be represented by subsistence interest,
35 one seat would be represented by a recreational or sport
36 interest, one seat by a commercial interest and then the
37 final seat by either sport or commercial interest.

38
39 All Council members would continue to be
40 required to continue to be residents of the Council region
41 as required by Title VIII of ANILCA and all members must be
42 knowledgeable about subsistence uses of fish and wildlife
43 within the region. Council members may be either rural or
44 non-rural residents of the respective regions. Another
45 change is that alternates are being phased out. Some
46 Councils, such as the Seward Peninsula Council have had
47 alternates on your Council as a way to assure of obtaining
48 a quorum. Alternates will be allowed to complete their
49 terms and then the alternates will be discontinued in
50 future years.

00084

1 The nomination, application, evaluation and
2 selection process for Council members is explained in the
3 report that was mailed to you in the August 26th letter.
4 I'm not going to address them specifically here unless you
5 have questions for me at the end of my presentation.

6
7 In terms of implementation, these changes
8 will be phased in over three years beginning with the
9 application and nomination process in year 2003 and,
10 therefore, the full implementation of the new composition
11 of the Councils will be completed, it's expected, in 2006.

12
13 Finally, before I open this up for
14 questions, let me refer you to the September 26th letter
15 that was recently sent by Chairman Demientieff addressed to
16 each Regional Advisory Council member. In this letter he
17 stated that while the Councils serve to ensure that the
18 subsistence priority in ANILCA is preserved, the Board also
19 wants to ensure that the question of membership balance is
20 in compliance with FACA. He stated that the Board does not
21 believe that these two laws are in conflict, but, in fact,
22 will help the Board make well-informed decisions. He
23 stated compliance with ANILCA protects the subsistence
24 priority and compliance with FACA ensures that all
25 interests directly affected by the Board's regulatory
26 decisions would be involved in the process. Finally, he
27 encouraged the Council members to work with the Board as
28 these changes take place. Madame Chair, that concludes my
29 briefing and I'll be willing to take questions.

30
31 MR. JOHNSON: Mr. Jennings, when this
32 composition gets made up, will they take into consideration
33 -- like on my nomination I work as a Class A assistant
34 guide and also as a commercial fisherman, could they take
35 into consideration instead of saying now, will they look at
36 the composition as it is now and if I were to get
37 renominated and use that as one of the other?

38
39 MR. JENNINGS: Yes, Madame Chair, Mr.
40 Johnson. It's envisioned that on the new application form
41 applicants would designate which interest they would be
42 serving primarily in their capacity. So we would be asking
43 applicants to self-designate if they would be representing
44 primarily subsistence users or if they wished to represent
45 a commercial entity or a sport recreational entity, so we
46 would ask for that on the application form. Then, through
47 the application process, as we currently do with our
48 current process, the nominations -- the panel members who
49 review these applications, they contact key contacts within
50 the region and discuss with the key contacts the

00085

1 qualifications of the applicants based upon the criteria.

2

3 MR. JOHNSON: Did they come up with what
4 all fits under a sport recreational user? I might be a
5 runner that likes to run on National Park Service land
6 compared to a sport fisherman.

7

8 MR. JENNINGS: I think, if I understand
9 your question clearly on this Council and other Councils,
10 we have presently members who wear many different hats, if
11 you will. They're subsistence users, they commercial fish,
12 they may guide. We have that currently on many of our
13 Councils. What this change will require is any of those
14 members who wish to represent other interests they'll have
15 to indicate on an application form which interest would be
16 their primary representation. Would it be subsistence,
17 commercial or sport. Thank you.

18

19 CHAIRWOMAN CROSS: I have a question. When
20 we were talking to Clifford Weyiouanna, he said he was
21 interested in putting in an application. Would he be a
22 commercial interest?

23

24 MR. JENNINGS: Madame Chair. You're
25 referring to a reindeer herder?

26

27 CHAIRWOMAN CROSS: A reindeer herder.
28 Would that be considered commercial?

29

30 MR. JENNINGS: I would think it would be
31 considered a commercial interest. It's a business. I
32 haven't had that question. I don't know if others would
33 have some input. We haven't faced this yet, but I think if
34 it's a business for commercial enterprise and profit, that
35 would be one type of commercial interest. There are
36 multiple types of commercial interest. Obviously fishing
37 is one. Guiding and transporting would be others. To my
38 knowledge, we haven't specifically addressed reindeer
39 herding, but it seems like a reasonable category to place
40 under commercial interest.

41

42 CHAIRWOMAN CROSS: So what you said
43 earlier, if you wear dual hats or triple hats, then you
44 must declare one of them as being the one that you
45 represent.

46

47 MR. JENNINGS: Yes, Madame Chair. And
48 there would be, as I mentioned in the briefing, specific
49 seats on the Council that would be designated for
50 commercial interest or sport and recreational interest.

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1 So, in applying for these specific seats in the future,
2 applicants would want to designate the interest that they
3 wish to represent. The application form would require that
4 the applicant indicate which interest they wish to
5 primarily represent, even though we recognize that, as I
6 mentioned, one person may wear several different hats
7 because they're involved in several different activities.

8

9 MR. JOHNSON: This doesn't concern the
10 composition and it's nothing that you spoke of. It kind of
11 concerns the things that were rejected in the past that
12 goes with, I don't know, the whole per diem issue. Like
13 today, and I'm sure our coordinator could do this, Federal
14 people that are up-to-date on the per diem issues or
15 exemptions. Currently, I come here, we have the meeting in
16 this room and I have to stay at the other end of town
17 because we're trying to save money. I'm thinking because
18 the price of a room here is too expensive for our rate. Is
19 there an exemption that says if the cost of the hotel was
20 over the going per diem rate that it can still cover it?

21

22 MS. ARMSTRONG: Space availability. When
23 they made the reservations, it was by space availability
24 and by that time there was no more room already, so they
25 put the others in the other one.

26

27 MR. JOHNSON: But I mean is it -- I don't
28 mind sharing, but people either like their privacy, too.
29 As far as I know, it's always been we've been bunked up and
30 bunked up and bunked up.

31

32 MS. ARMSTRONG: I didn't know they were
33 doubling two per room till I got here and then Leonard
34 called me and that's when it dawned on me that they had
35 made reservations for two per room. I'll make sure I look
36 into it when I get back to Anchorage. Thank you for
37 bringing it up.

38

39 MR. JENNINGS: Madame Chair. I could
40 address the question a little bit further. If a hotel
41 lodging is above the government per diem rate, there is an
42 opportunity to go and request for an exception if we can
43 demonstrate that there isn't any other room available
44 nearby for that. If the meeting is taking place in the
45 same hotel, it makes better logistical sense to have
46 members staying in the same location as the meeting. We
47 can request and get approval to go above the per diem rate,
48 so there is that possibility in the regs.

49

50 CHAIRWOMAN CROSS: I thought the per diem

00087

1 was only for meals and the rooms are paid by.....

2

3 MR. JENNINGS: Madame Chair, you're
4 correct. The lodging for members is paid through a
5 contract from our office and then the per diem is for food,
6 but if we knew in advance, for instance, the next meeting
7 would be here and if we knew the wishes of the Council
8 members from out of town, if they wanted to stay in this
9 lodging facility, then we could plan far enough ahead and
10 hopefully they would have available space so we could get
11 the contract in place to have everybody stay here.

12

13 MR. JOHNSON: I know Barb just came on as
14 Seward Pen coordinator and I met her a couple times. My
15 guess was the reason they were doing it was to save money
16 or something. You know, you're saving a couple dollars on
17 your RAC Committee and we're not compensated. That would
18 be my guess. I don't know if you guys have always had your
19 own rooms or if you've always had to double up or how it
20 went.

21

22 MR. KOBUK: Yeah, we've always doubled up.
23 Usually I don't mind staying with Peter Buck from White
24 Mountain because he's my friend, but I wouldn't mind a
25 separate room because we do need our privacy from time to
26 time and I like to respect other people.

27

28 MS. ARMSTRONG: I'm sorry I missed that.
29 I'll put that in as a request for your next meeting. I
30 didn't know that at this time, so it was done in that
31 manner.

32

33 CHAIRWOMAN CROSS: Going back to the RAC
34 composition, the application process will be the same,
35 basically the way it's done now? There won't be another
36 outside entity that will have an influence on how the
37 applicants are selected?

38

39 MR. JENNINGS: That's basically correct,
40 Madame Chair. We'd do a call for nominations for people to
41 apply that would go broadly to all the regions and
42 individuals can either self-nominate or another party can
43 nominate someone else. The form will be changed a little
44 bit as I mentioned to indicate several of the changes, one
45 of which who would be your primary interest you would
46 represent. And the panel process that we use through the
47 inter-agency process followed by the Staff Committee work,
48 the Federal Board recommendations and then ultimately the
49 Secretary's Office approving remains essentially the same.

50

00088

1 CHAIRWOMAN CROSS: After they start this
2 new process, is there any plans to at some time in the
3 future take a look back and see how well it's working?
4 Some kind of, for lack of a better word, policing mechanism
5 to make sure the RACs are still working well and ANILCA
6 needs are still being met.

7
8 MR. JENNINGS: Madame Chair. The purpose
9 of the Council still remains Title VIII of ANILCA. That's
10 the primary focus and why we're all here. I'm not aware
11 of any specific language that we will look back at a
12 specific time and prepare any sort of assessment or
13 analysis. I expect that kind of assessment will be
14 ongoing. I expect that if there are issues that come up
15 and Councils are concerned about it from an ANILCA point of
16 view, that I would expect the Councils to ring that to the
17 Board's attention.

18
19 CHAIRWOMAN CROSS: Perry, did you want to
20 say something?

21
22 MR. MENDENHALL: Yes. It's kind of a Catch
23 22 here in the matter of dealing with Federal subsistence
24 and helping govern that aspect of living in rural Alaska
25 and on Federal land and then to be told that we have to
26 acknowledge commercial and recreation sports when, in a
27 way, we're dealing with subsistence. The say this FACA has
28 recommended that we need to include commercial and
29 recreation, yet we're charged to do subsistence and yet we
30 also looked at customary trade and we don't want to
31 acknowledge the commercial side of subsistence. So this is
32 a very complex puzzling thing that I think our people --
33 it's going to be hard to sell that to them, too.

34
35 The other thing is the interpretation of
36 the rules and regs and the paper process that we have to go
37 through to manage subsistence. I went around Nome and I
38 tried to get other people interested in applying for the
39 Board, too. I'm not going to be here forever, so I'm
40 trying to generate interest among Nome to apply. The
41 dilemma is you're calling for commercial/recreational
42 additions to this subsistence board activity -- I mean an
43 Advisory Council and yet it don't seem to be in the best
44 interest of subsistence when you are adding commercial and
45 recreational. We are in an economic depressed area as it
46 stands and most of our villages in the region. That is
47 something that is kind of confusing to some of our elders
48 and our young people as well. I see that BIA has their
49 finger up.
50

00089

1 CHAIRWOMAN CROSS: BIA with their finger
2 up.

3

4 MS. HILDEBRAND: Excuse me. Thank you,
5 Madame Chair. It was my index finger for the record. Just
6 to inform you regarding your earlier question regarding
7 evaluations, to inform the Council that the Native American
8 Rights Fund has filed action on this point of changing the
9 Council's structure and that was filed on September 18th as
10 part of another suit.

11

12 MR. JENNINGS: Madame Chair, if I might
13 make one additional comment in regard to Perry's concerns.
14 I think that is a concern that we've heard out there. I
15 would like to repeat the emphasis remains Title VIII of
16 ANILCA is subsistence. What the department, I believe, is
17 asking us and what the Federal Board is asking us is to
18 consider these other interests in our process, in the
19 decision-making process, so they can be heard because some
20 of the decisions that the Board makes involves allocation
21 issues or closures to non-subsistence uses. However, it
22 does not change the overall purpose of why we are here or
23 the Federal Board exists and that is to provide where
24 appropriate the priority for subsistence uses on Federal
25 lands. We just want to make sure these other interests are
26 heard during the process of the decision that's being made.
27 I know sometimes that distinction may not be as clear. It
28 appears perhaps to some that we're opening this up more to
29 becoming a commercial or a sport type of a body and that's
30 not the purpose of this body. It remains Title VIII of
31 ANILCA.

32

33 CHAIRWOMAN CROSS: I just find it so
34 interesting that at the time the State is experiencing fish
35 and game shortages that those other interests that never
36 used to have interest are now finding a way to be part of
37 this process. I'm not going to say anything more. Any
38 more comments or questions for Mr. Jennings?

39

40 MR. KOBUK: The same concerns I have is
41 what's being expressed. A lot of people at home are
42 wondering. I thought we were supposed to be for a
43 subsistence way of life and trying to protect it and then
44 the IRA people and the corporation and city, they're
45 wondering why are the sports fishermen and the guide
46 hunters coming in on the Board. I tell them that's a good
47 question. I don't really know why this is happening.
48 That's the concerns that the people have in the village.
49 Right now we're having problems with those rich people that
50 come from out of state, they're hunting on private lands,

00090

1 corporation lands, and they're not even asking to go on our
2 lands, they just go on it. So we have concerns in the
3 villages about sports and sports guide and whatnot.

4

5 MR. JENNINGS: That's a good point,
6 Leonard. I know those concerns exist out there. I'm
7 trying to look at this as the glass is half full and I
8 think that there is a potential benefit to having a more
9 complete face-to-face dialogue on some of these resource
10 uses. For instance, in your area, if you had a commercial
11 guide on the Council and these concerns were being
12 addressed back to that person, maybe it's possible that
13 some of those concerns could then be carried to the
14 interest that that person represents so that they're
15 hearing more from the subsistence users the concerns that
16 are being raised about commercial guiding, transporting,
17 issues that are important to the subsistence users. So I
18 think the dialogue potentially could be beneficial in both
19 directions. In other areas of the state there have been
20 success stories where we have these working groups that
21 bring together all the different interests on an issue. I
22 think the Board typically likes to see the working groups
23 resolve the issue at the local level because the Board
24 believes that the people at the local level are closest to
25 the issues and if things can be worked out at the local
26 level, it's typically a better decision than if it goes to
27 the higher levels. So that's the potential that's out there
28 on the positive side that could occur.

29

30 MR. MENDENHALL: Madame Chair. One of the
31 concerns about this commercial and sports, it seemed like
32 they would have an interest to open up ANILCA and make
33 changes in there against the wishes of our people because
34 we feel that ANILCA is in the best interests of our people.
35 I think by adding people in commercial and sports, they may
36 have an interest to change it even though we don't want it
37 to change at this time. That's the fear that I have if we
38 add people unless we get a person like William here who has
39 a commercial enterprise that he could represent. But I'm
40 looking at that would open it up to non-Natives being able
41 to participate in this activity on behalf of our people and
42 touching ANILCA in the future. A back door interest. It
43 looks like a friendly gesture, you know, to open it up and
44 say it's going to be balanced. Again, it might attack
45 ANILCA interests that we have.

46

47 MR. JENNINGS: Madame Chair. I don't want
48 to prolong this any longer than you wish, but, for the
49 record, I just want to clarify that ANILCA right now is
50 based upon rural residents. It's not ethnic based. So,

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1 presently, before these changes on composition, any member
2 of the region, any resident of the region can apply and
3 serve on these Councils and it's not solely tribally based.

4

5 CHAIRWOMAN CROSS: I have a question. In
6 our region, so many of us where dual hats or triple hats.
7 What happens if all the applicants for the three positions
8 that are supposed to be reserved for commercial and sport
9 and other uses, what happens if all the applicants, their
10 main interest, they mark subsistence, will those three
11 seats not be filled until the right individual comes in or
12 will they be filled in the interim with people whose main
13 interest is subsistence although they may be a commercial
14 fisherman or a game guide, but they selected subsistence as
15 their number one priority?

16

17 MR. JENNINGS: Madame Chair. Obviously we
18 haven't reached that point yet, not having gone through
19 this until 2003, but the way I've heard it discussed and
20 envisioned is if these seats are designated as they are and
21 if there are not any applicants from the region that
22 designate themselves as representing sport or commercial,
23 that those seats would remain vacant and then the Council
24 would continue with seven, eight or nine instead of the
25 full 10. In your scenario, if nobody applied, then the
26 three seats would remain vacant, then we would go forward
27 with seven members. We don't envision that happening, but
28 I suppose it is a possibility. That concern has been
29 expressed on the North Slope where there's some concern
30 there might not be residents of the region except for a
31 very few handful that actually conduct these kind of sport
32 or commercial activities. In other regions, we don't
33 anticipate getting candidates to designate for these other
34 interests, but I guess we'll have to wait and see what
35 happens when we go into this in 2003.

36

37 CHAIRWOMAN CROSS: Will things like -- for
38 example in our region the moose population is so low that
39 we have had to designate hunt areas for communities.
40 There's just absolutely no more sport hunting at least in
41 the Federal lands. Will those things be taken into
42 consideration if the area is closed for sport hunting?

43

44 MR. JENNINGS: I'm not sure I understand
45 your question, Madame Chair.

46

47 CHAIRWOMAN CROSS: For example, our moose
48 population in our region is so low that there's very little
49 areas that are open for sports hunting. The majority is
50 just for subsistence use only. Will those things be taken

00092

1 into consideration?

2

3 MR. JENNINGS: You mean in terms of whether
4 or not to have these designated seats?

5

6 CHAIRWOMAN CROSS: Are they still going to
7 be reserved?

8

9 MR. JENNINGS: As far as I understand, yes,
10 they would still be reserved for sport or commercial uses.

11

12 CHAIRWOMAN CROSS: Middie.

13

14 MR. JOHNSON: Now this has already been
15 proposed and it's going to go into effect? I guess one of
16 my fears is that it could kind of go the other way to where
17 you get enough commercial sport interested people who are
18 of the region and you can only put on so many. I don't
19 know if there's a real check and balance to make sure that
20 no problems could occur.

21

22 MR. JENNINGS: I think the safeguard is
23 that seven out of 10 seats remain for subsistence interest.
24 Then the process of evaluating the applicants who apply for
25 those subsistence seats remain with making the key contacts
26 with, for instance, Kawerak and with some of the other
27 tribal entities and other groups that clearly have a
28 subsistence interest. And how we currently conduct the
29 evaluation is we ask for input in terms of an
30 organization's viewpoint on candidates in terms of how well
31 they know subsistence issues in the region, what are their
32 leadership qualities, how are their communication skills
33 and those kinds of contacts would continue and be an
34 integral part of the evaluation process. Then ultimately
35 the safeguard rests with the Federal Board in the
36 recommendations they make to the secretary. It's clear the
37 Federal Board wants to continue to have this program be
38 representational of Title VIII of ANILCA. That's what
39 we're here for. That's what the Board exists for.

40

41 CHAIRWOMAN CROSS: Ken.

42

43 MR. ADKISSON: Madame Chair, Council
44 members. My name is Ken Adkisson and I'm speaking now as
45 a resident of Nome. I've lived in Nome for over 15 years
46 now and I'm speaking as a private individual and not as a
47 representative of my agency. The concern that I want to
48 bring to your attention on the Federal program is that I'm
49 concerned with this restructuring of the Regional Advisory
50 Council in relationship to its size. I have watched this

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1 Council since it was first established and it started with
2 seven members and there were concerns that the Council was
3 not large enough with seven members to adequately represent
4 the community of the Seward Peninsula. There's about 18 or
5 19 of those communities and they, in some degrees, fall
6 into different subsistence patterns and practices, so it's
7 not a homogenous area and you can't really expect one
8 community in some cases to adequately represent another one
9 even if the difference is only 50 miles or so.

10

11 There were arguments in advance that the
12 size of the Council was too small and fortunately it was
13 enlarged to nine members. That, in my opinion, still was
14 not enough, but it got us closer to good representation for
15 the region. If we now move to enlarge the Council to 10
16 and allocate three of those to sport and commercial
17 interest, in essence, what that does in relation to the
18 Council is put us back to that original seven and I don't
19 think that is adequate representation for the 18 or 19
20 communities in the region and I would strongly urge the
21 Federal program when they restructure to consider perhaps
22 enlarging the size of the Seward Peninsula Council to more
23 than 10.

24

25 I would like to go on record as an
26 individual that I fully support the restructuring efforts
27 to increase the range of input and representatives on the
28 Council, but I am concerned that the net loss will be a
29 reduction in the effectiveness of local subsistence use on
30 the Council. Thank you.

31

32 CHAIRWOMAN CROSS: One of the other
33 problems we had when we had seven members is that when we
34 had bad weather, we couldn't make a quorum, so seven was a
35 bad number for us. So it might be wise for OSM to take a
36 look at that number again and maybe look at the other
37 regions too where there's weather problems and
38 representation problems and perhaps increase those areas to
39 13 members instead of 10. Is that something that would be
40 possible?

41

42 MR. JENNINGS: Madame Chair. In response
43 to that, it's my understanding that for the current
44 initiative the size of the Councils has been approved as I
45 mentioned. I believe it is always an opportunity for
46 Councils to express concerns to the Board about the size of
47 membership and desiring to increase the size of membership.
48 I don't know to what extent that would be receptive by the
49 Board or ultimately the secretary. So I would say it's an
50 issue the Council certainly can consider and provide input

00094

1 back to the Board.

2

3 CHAIRWOMAN CROSS: I think we do represent
4 a lot of communities. I think we represent more
5 communities than the others that are named. It would be a
6 concern to us because it didn't work before when we were
7 seven of us. So that's something we will bring to the
8 Board. Roy.

9

10 MR. ASHENFELTER: Thank you, Madame Chair.
11 I'm Roy Ashenfelter. I'll be speaking on my own personal
12 behalf. My comments have more to do with the selection
13 process in the Federal system. We have a list of names out
14 there and I guess this panel is theoretically going out and
15 asking questions about the individuals that are interested
16 on being on the Federal Advisory Committee and we don't
17 have a clue whether or not one person over another one is
18 selected properly. If you have seven people running and
19 you have a panel, I don't know who they are or what they're
20 doing, they don't live in this region, they don't know the
21 people. Let me give you a different example. On our State
22 Advisory Committee, people are selected by the people in
23 the room that are there. They know who is running and
24 whether they would support them or not. I'm hoping that
25 the Federal system would consider local elections as
26 opposed to somebody somewhere making a selection based on
27 what a panel decides, not knowing how the panel came up
28 with the selection process. How did you, as Board Advisory
29 Committee members, get selected over someone else? How did
30 that work? That's my concern with this process. I hope
31 you look at it so that there's more of a local selection as
32 opposed to a selection made outside of our region. That's
33 my concern.

34

35 CHAIRWOMAN CROSS: Thank you, Roy. Any
36 comments on that?

37

38 MR. JENNINGS: Madame Chair. That's a
39 concern that we have heard and all I would offer is not a
40 response other than the way the process has been crafted by
41 the Secretary and by the Boards is to have it go through an
42 assessment by a panel of inter-agency people and there are
43 people within this room that sit on those panels that do
44 the evaluation and they make recommendations. However, the
45 Board, before it makes a recommendation, reviews all
46 candidates and all their qualifications and the Board
47 either concurs with the panel recommendations or, in some
48 case, they may substitute another candidate for one
49 recommended by the panel. All I would offer is that's the
50 present way the Board makes its recommendations to the

00095

1 Secretary.

2

3 MR. JOHNSON: So you say that you confer
4 with Kawerak and non-profit. Maybe if that person was from
5 the community, maybe a city council, am I hearing it
6 correct? I mean I don't know who is all on the panel. I'm
7 sitting here and I probably have some catching up to do on
8 information. I think maybe we're missing some
9 communication.

10

11 MR. JENNINGS: Maybe that's possible
12 because I don't sit on any of these panels myself. Each
13 panel is supposed to develop a list of key regional
14 contacts and then for the candidates make contact with the
15 references that are provided by the applicant and some of
16 the key regional contacts to get a broader understanding of
17 the applicant's qualifications. And in specifics I can't
18 address what's happened this time and who's been contacted
19 and who hasn't. I don't know that knowledge personally.

20

21 MR. JOHNSON: Is there a way I can find out
22 who the Seward Pen panel might be?

23

24 MR. JENNINGS: In terms of the inter-agency
25 panel? I think that would be public knowledge. I don't
26 know who is on the panel. Barb would know.

27

28 CHAIRWOMAN CROSS: I think Sandy wants to
29 address that.

30

31 MR. RABINOWITCH: Good afternoon. I'm
32 Sandy rabinowitch of the Park Service. A couple different
33 questions have been raised. On the panel, I'll defer to
34 Barb because she probably has a list. There are Park
35 Service representatives, but I'll assume you have the
36 complete list in your head or handy.

37

38 MS. ARMSTRONG: For Seward Pen area?

39

40 MR. RABINOWITCH: Yeah, it was a question
41 that was asked.

42

43 MS. ARMSTRONG: Yeah, we have the panel
44 numbers for Seward Pen area. One is from Park Service and
45 one from BLM.

46

47 MR. RABINOWITCH: I don't remember if it
48 was Charlie or Fred Tocktoo this year. It was Fred, okay.
49 So the Park Service is Fred Tocktoo. I just wanted to try
50 to add a little bit of response to your question a minute

00096

1 ago about the panels. Each of the agencies of the Board
2 are asked to put forward names to Tim's office, Office of
3 Subsistence Management, and so typically the Staff
4 Committee members, I'm a Staff Committee member of the Park
5 Service, Ida is a Staff Committee member for BIA, so
6 there's two of six of us. We send back to Tim's office our
7 names from our agencies for the whole state. So I send
8 back names for the 10 different regions in the whole state
9 and the other agencies do the same thing. So the panels
10 are composed of Federal employees working in this program
11 around the state. I think I'm correct -- if I'm wrong,
12 somebody please tell me -- I think I'm correct that the
13 panels are wholly composed of local people. I know that
14 certainly with the Park Service it's typically been Ken or
15 Fred Tocktoo or Charlie. In other regions, it's Park
16 Service people who live in the regions. I believe that's
17 generally the approach that all the agencies take. I think
18 it's been done that way for exactly the reasons that
19 concern you, because local people have better knowledge of
20 people in the region, organizations they should contact, et
21 cetera.

22
23 And then to kind of add a little more and
24 I'll stop, after the panel recommendations are put
25 together, they come to the Staff Committee that Ida and I
26 sit on, we review all the names and we make recommendations
27 sort of on top of the panel recommendations and that then
28 next goes to the Federal Board. The Federal Board does the
29 same thing and then it goes to the Secretary of Interior.
30 So there's several stops along the way. They're all
31 recommendations and the Secretary of Interior, I believe
32 with the concurrence of Secretary of Agriculture, makes the
33 final decision. So, in this case, even the Federal Board
34 isn't the decision-maker. Most things in this program the
35 Federal Board is, but in this case they just recommend
36 also. I hope that helps a little bit.

37
38 CHAIRWOMAN CROSS: Thank you, Sandy. If
39 there's no more comments or questions regarding this issue,
40 should we move on to statewide rural determination? You're
41 still the person and I'm not going to give you a name.
42

43 MR. JENNINGS: Okay, Madame Chair. For the
44 record, Tim Jennings. I'll be giving the briefings on
45 rural determination. This is for information only.
46 There's no action required on this at this time by the
47 Council. It's in your Council book under Tab H on page
48 149. This is to bring you up to date in terms of where we
49 are in the process. For those members that have been at
50 previous meetings, you know that we've embarked on a

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1 process of every 10 years the Board reviews the rural/non-
2 rural determinations and we've been briefing you, I
3 believe, almost every meeting over the last year on how
4 we're doing in the process. So I'll just mention a few key
5 points and then stop and see if there are any questions.

6
7 Title VIII of ANILCA, as you know, requires
8 subsistence priority for rural residents. When the Federal
9 Subsistence Management Program began in 1990, the Federal
10 Subsistence Board made rural determinations. The Federal
11 regulations require a review of these rural/non-rural
12 determinations every 10 years after the U.S. census is
13 done. Thus, with the Census 2000 data now completed, it's
14 time to review the original rural determinations that were
15 done in 1990.

16
17 Additionally, I think that some of you are
18 aware that in the late 1990s we received a request to
19 review the methods by which the Board makes rural/non-rural
20 determinations. A year and a half or two years ago the
21 Board decided that we should have a third party contractor
22 help us review the Board's process for making rural
23 determinations. Subsequently the Board, through our Office
24 of Subsistence Management, hired some contractors,
25 University of Alaska Anchorage, Institute of Social and
26 Economic Research, and Dr. Robert Wolf to develop and
27 review the methods for which rural determinations are made
28 and that's currently the part of the process that we are in
29 at this point. So ISER has conducted a literature review
30 of rural/non-rural characteristics for communities in
31 Alaska. They've also performed an evaluation and
32 assessment of communities to determine the best measures to
33 use to make determinations of rural and non-rural. They
34 also visited and conducted focus groups in eight Alaska
35 areas to get input from individuals and from organizations
36 about what they felt were some of the most important
37 criteria to be used in making these rural and non-rural
38 determinations.

39
40 So where we currently are in the process,
41 ISER is in the process of completing their final report on
42 their assessment of the existing methodology. Then the
43 next steps, as outlined on your sheet on page 149, you can
44 see under next steps January 14th and 15th the Board will
45 have a public meeting. At that meeting, the Board will
46 hear the results of this ISER study and review of the
47 methodology and the Board will decide which methodology to
48 put forward for further public and Regional Council review.
49 The Board could decide to put forward the same methodology
50 it currently uses or it could, based upon the input, to

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1 somehow modify that.

2

3 And then beyond that, in February and
4 March, there would be a public comment period on the
5 methodology to be used, including Regional Advisory Council
6 reviews, so at your next meeting we would anticipate coming
7 before the Council, presenting the proposed methodology to
8 be use, asking the Council for your input on the
9 methodology.

10

11 Following that public review and Council
12 input, we anticipate the Board would make a decision next
13 May regarding the methodology. Either reaffirming the
14 existing methodology or modifying the methodology in some
15 manner. After May, once the methodology is determined by
16 the Board, then the methodology that's approved is applied
17 with the census data and the rural/non-rural determinations
18 are actually made and it is anticipated that those final
19 determinations on communities that would be rural and non-
20 rural would be made in May of 2004. That's the Board
21 meeting in Anchorage. Madame Chair, that concludes my
22 briefing.

23

24 CHAIRWOMAN CROSS: Questions or comments
25 for Mr. Jennings?

26 Thank you. Steve Fried, Partners for Fisheries Monitoring
27 Program.

28

29 MR. FRIED: Good afternoon. My name is
30 Steve Fried from Office of Subsistence Management. I'd
31 like to give you just a very brief review of where we are
32 in the Partners for Fisheries Monitoring Program. This is
33 a fairly new program and it's supposed to help local
34 organizations hire professional fisheries biologists and
35 social scientists to assist local residents and
36 organizations to collect and share information about
37 Federal subsistence fish harvests and the fish resources
38 they depend upon.

39

40 At this time, there are cooperative
41 agreements that have been signed with six organizations.
42 They're listed in our report on page 151 in your books.
43 These six organizations are under contract to hire a total
44 of six fisheries biologists, 1.3 social scientists, so
45 there's one full-time social scientist and then there's a
46 part-time one, and then along with that there would be
47 seven student interns. They would be working in the Yukon,
48 Kuskokwim, Bristol Bay, Alaska Peninsula and the
49 Southcentral Regions. To my knowledge, I think there's
50 about four positions, I think, that have been hired. There

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1 might be two or three student interns. The positions are
2 not all hired yet. Some of these organizations are still
3 in the process of recruiting.

4

5 The agreements would be for as long as five
6 years. It would depend upon the availability of funds and
7 annual reviews of how these positions are working out. The
8 initial intent of the program was to acquire enough funds
9 to hire 10 positions. As I said, there's only a little bit
10 more than seven position that are hired.

11

12 The Board is going to wait, I think, about
13 a year to evaluate how these positions are working out
14 before they put out another call to fill some more
15 positions, but we kind of view this as a pretty important
16 part of the monitoring program. It seems to be going
17 pretty well. We think it's going to be a big help to the
18 monitoring program because it's really going to put local
19 professionals on-site to help plan and conduct some of
20 these studies, to work with some of the local residents and
21 identify issues and also do community outreach and training
22 and education. I think it's going to be a pretty good
23 program, but it's fairly new and we'll just have to see how
24 it works. Any questions you have I'd be happy to entertain
25 at this time.

26

27 MR. JOHNSON: You said that there were
28 going to be 10 and right now you have -- or these
29 agreements that you have will each get one position or 10
30 positions overall for this first pilot part of it?

31

32 MR. FRIED: When they started the program,
33 I think it was envisioned that there be 10 positions
34 statewide to help out all the regions. I think Southeast
35 had decided they weren't going to participate in it, so
36 that would cover the rest of the state. There was
37 competitive process where they actually went out with a
38 call for proposals and they got back -- there were more
39 proposals than this and there was a committee that selected
40 what they thought were the best ones and that's what these
41 7.3 positions represent were the ones that were recommended
42 for funding -- actually, the committee actually selected
43 them. This wasn't like the study where it was a
44 recommendation and the Subsistence Board made the final
45 decision. Contracting set this up and they wanted to make
46 sure it followed all the regulations and make sure this was
47 done so that nobody could contest the contracts afterwards
48 and we'd end up with a bunch of litigation, so it was the
49 actual evaluation committee that made the selections.
50 There were people from the Subsistence Board that were on

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1 that committee, but a little bit different than the studies
2 program.

3

4 MR. JOHNSON: So you have three more that
5 you can fund at some point in time?

6 MR. FRIED: That's what they initially thought.

7 It's kind of unusual this .3. Evidently some of the
8 proposers that put this in didn't feel like they needed a
9 full-time position, so they proposed at least for a start
10 to hire somebody part time.

11

12 MR. SAVETILIK: If an organization didn't
13 want that project would it be moved to a different area?

14

15 MR. FRIED: I know that it was originally
16 envisioned that a position within one of these study
17 regions would serve the entire region. In other words,
18 just because Bristol Bay Native Association hired a
19 position and was in Dillingham, that doesn't mean that all
20 they'd do is work in Dillingham for BBNA. They'd have to
21 serve all of Bristol Bay, plus the Alaska Peninsula,
22 because that's the whole area that was considered at that
23 point. There was a little bit of changes made.

24

25 MR. MENDENHALL: Madame Chair. So this has
26 already been sanctioned by the Federal Subsistence Board?

27

28 MR. FRIED: Right. They sanction the
29 program and they set up the process along with the
30 solicitor's office and contracting to make sure everything
31 was done properly.

32

33 MR. MENDENHALL: I just kind of wonder.
34 For our area, it's basically State. I wonder if the State
35 has similar programs like this or is taking part in this
36 kind of activity.

37

38 MR. FRIED: I wasn't on this committee, but
39 I'm not sure that any organization from the Norton Sound
40 Region submitted a proposal or note, so I think there was
41 one from.....

42

43 MR. MENDENHALL: Well, let me say, I just
44 wondered if the State had similar programs like this one
45 that's being conducted by Partners. And these areas that
46 have federal land and programs?

47

48 MR. FRIED: I'm not aware of any other
49 program that actually funds other non-government agencies.

50

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1 MR. MENDENHALL: I'm saying it's a good
2 progress and good program and going forward and would like
3 to see some of it implemented in our area if it can be
4 done. That's what I'm saying.

5
6 MR. KOBUK: I have a question. In other
7 words, Association of Village Council Presidents is going
8 to be making rules and regulations in the Yukon region. As
9 far as I can remember, AVCP, that's the Kuskokwim area.

10
11 MR. FRIED: I think you're correct. I
12 think it's mostly a Yukon-Kuskokwim organization, but these
13 people don't make rules and regulations. These are fishery
14 biologists like myself or social scientist like Pat and
15 they would kind of help them conduct these studies, maybe
16 do data analysis, maybe serve on a Technical Review
17 Committee. There's some provisions that I think it was
18 like once every three years a person from one of these that
19 was hired as a partner would serve on a Technical Review
20 Committee. It just gives all these regions a bigger voice.

21
22 MR. KOBUK: The reason I asked that
23 question it seemed like most of our problems that we're
24 having in St. Michael and Stebbins is coming from the
25 Yukon-Kuskokwim area with the rules and regulations that
26 we've got to live by there since most of our land is in the
27 Yukon National Wildlife Refuge. They make rules and
28 regulations without even including us or letting us know.
29 If that's going to be the case, I guess we'd like the AVCP
30 to advise us on what they're doing. They don't ask us
31 anything, they just make proposals that seem to always be
32 against what we want in our area because we're in the
33 National Wildlife Refuge System.

34
35 CHAIRWOMAN CROSS: Would our RAC be
36 provided in the future the partner agreements so we could
37 be aware of what's happening over there because Stebbins
38 and St. Michael will be directly affected by whatever they
39 do over there?

40
41 MR. FRIED: Are you looking for a list of
42 the persons when they're finally hired as to who is working
43 for what?

44
45 CHAIRWOMAN CROSS: What their plans are,
46 how they're going to conduct their fisheries monitoring
47 studies and whether or not they'll be providing technical
48 support and coordination of fisheries monitoring activities
49 and include Stebbins and St. Michael with it. When they
50 identify their subsistence issues, will Stebbins and St.

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1 Michael be included and how is that going to be done? When
2 they do their community outreach training and education,
3 will Stebbins and St. Michael be included? Because their
4 land is where all this is going to be going on, where they
5 hunt and they fish.

6

7 MR. FRIED: I can certainly find out about
8 that. Basically each agreement was fairly the same as far
9 as what was required. These little bulleted statements on
10 the bottom are some of the most important things they're
11 supposed to do. I can find out if that organization is
12 going to work with Stebbins and St. Michael or you can
13 contact AVCP and find out, too.

14

15 MS. ARMSTRONG: Excuse me. I think that
16 can also be channeled through the coordinators. I will
17 pass that information on to our coordinator in Y/K and I
18 will forward it to you.

19

20 CHAIRWOMAN CROSS: I think it should be one
21 of our regional concerns.

22

23 MS. ARMSTRONG: Yes. For your annual
24 report.

25

26 CHAIRWOMAN CROSS: Uh-huh. Including the
27 size of our RAC. Any more questions or comments to Mr.
28 Fried? Thank you. Barbara, the charter.

29

30 MS. ARMSTRONG: I put that on the agenda
31 there for you because I was worried that we wouldn't get
32 our charter before this meeting, but it came before your
33 meeting happened. The only thing is it still mentions
34 alternates there and the alternates are already gone from
35 this Council. Under your compensation where you ask on
36 your annual report remove that first sentence, that has not
37 happened, although this went through the Staff Committee
38 and also the Federal Board. Just because the Secretary has
39 not changed her mind to compensate the Council members,
40 then that is there on your charter. That's all I have for
41 now, thanks.

42

43 CHAIRWOMAN CROSS: Comments or questions to
44 Barb? Hearing none, I guess we'll move along to National
45 Park Service, Ken Adkisson.

46

47 MR. ADKISSON: Madame Chair, Council
48 members. Ken Adkisson, National Park Service. I'll make
49 this very, very brief. Just thought you'd like to know if
50 you're not aware of it that the Federal subsistence musk

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1 oxen regulations are the regulations you supported last
2 winter and were adopted by both Boards, so those new
3 regulations are currently in effect right now for the
4 ongoing musk oxen hunt. In essence, you created some new
5 hunt areas, increased the allowable harvest, especially in
6 22(E) and there also is a provision for a limited sport
7 hunt in 22(E) under State regulations.

8

9 I've passed out two pieces of information
10 to you. The first sheet is a breakdown of the population
11 of the number of animals by hunt area and some of the
12 calculations that were used to determine the number of
13 permits that would be available and the allowable harvest.

14

15 The second sheet I gave you is a breakdown
16 focused on Federal users and hunt areas of how the actual
17 permit allocation went between the State and Federal
18 permits by community. The point of that is that the
19 combination joint hunt, the State Tier II hunt with the
20 Federal subsistence hunt, is working essentially and does
21 appear to be working to the advantage of Federal users.
22 There was one glitch that occurred in 23 Southwest with
23 Buckland and Deering and there was a problem with State
24 Tier II permits largely winding up in the community of
25 Kotzebue and we've discussed this issue with the IRAs in
26 Buckland and Deering and ADF&G and with the Regional
27 Advisory Council up there at their most recent meeting and
28 we're working to address that and hopefully we'll prevent
29 that from happening again.

30

31 But, essentially, the new regulations are
32 in effect, the overall distribution I think went well and
33 it appears the program is continuing to work to serve the
34 Federal users. We have no reported harvest yet that I'm
35 aware of under the Federal program. There have been a
36 number of animals taken under the State and Kate will
37 perhaps more on that. My awareness of those is that those
38 in the villages who have harvested animals are doing it
39 closer to home under State permits right now. We expect
40 the Federal harvest to take place later in the year when
41 there's snowfall and the travel is easier. That's all I've
42 got.

43

44 CHAIRWOMAN CROSS: Thank you, Ken. Jeanie
45 Cole.

46

47 MS. COLE: Jeanie Cole, Bureau of Land
48 Management. I just wanted to give the Council a quick
49 update on the Unit 22(D) Federal moose hunts that BLM was
50 responsible for this fall. Unit 22(D) Southwest, the

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1 season was from August 20th to September 30th and we had
2 the permits available at the license vendors in both Teller
3 and Brevig Mission and no moose were reported harvested
4 under this hunt. One moose was harvested under the State
5 hunt in this sub-unit and since there was a quota of eight
6 moose, there's still seven moose left for a winter hunt and
7 the winter Federal hunt is right now scheduled for December
8 1st through December 31st. There could also be a State
9 hunt announced in January, so there's still moose available
10 in that sub-unit for a winter hunt.

11

12 The second hunt BLM was responsible for is
13 Unit 22(D) remainder. The season runs from August 1st to
14 January 31st and the permits are available from the license
15 vendors in Teller and Brevig Mission and from the National
16 Park Service in Nome. As of yesterday, no one has reported
17 harvesting any moose under that Federal hunt. There were
18 moose harvested under the State hunt. I don't know if Kate
19 will mention that or not. Is there any questions on the
20 moose hunts?

21

22 If not, we also got an application for a
23 reindeer grazing permit for the McCarthy's Marsh area,
24 which is outside White Mountain basically. This area is
25 currently not grazed by reindeer, it's not been allotted to
26 any herder since about 1984. We're currently consulting
27 with Fish & Game and the State Department of Natural
28 Resources as they also have land in this area and it would
29 be a joint permit between BLM and DNR. Once we get
30 comments from them, we'll write an environmental evaluation
31 and get public comments and then make a decision on whether
32 or not we're going to award this reindeer grazing permit in
33 this area or not.

34

35 The last thing I wanted to mention was the
36 Western Arctic Caribou Working Group. I think you all got
37 a copy of the plan. The working group has been working on
38 this plan for about two years. Elmer is one of the people
39 on the planning committee. We're trying to get comments
40 from the regional users of the caribou herd. Right now
41 comments are due October 31st. There's a possibility that
42 the comment period could be extended, but that decision
43 hasn't been made yet. If the comment period is extended,
44 that's probably going to put off approval of this plan for
45 probably another year I would guess. If the comment period
46 is not extended, then it would go to the full working group
47 in December. If they approved it, it would go to the Board
48 of Game and the Federal Subsistence Board next spring
49 sometime for approval.

50

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1 The main thing I wanted to do is just
2 really encourage you all to look at the plan and provide
3 Fish & Game with any comments you have. It looks long, but
4 a lot of it is appendices. The actual plan is only about
5 15 pages long. That's all I have to present unless anyone
6 has questions.

7

8 MR. JOHNSON: Madame Chair. This kind of
9 goes with fisheries. I would assume that the regional
10 office deals with any type of studies on fish or freshwater
11 fish.

12

13 MS. COLE: Our fisheries biologist is here,
14 Dave Parker, so he was going to give you a report, so I'll
15 let him talk about fish.

16

17 MR. KOBUK: I have a question. Where are
18 the caribou?

19

20 MS. COLE: Caribou go where they want to go
21 and nobody can tell them where to go.

22

23 MR. KOBUK: No, my question is you wouldn't
24 happen to know where they're at now, would you, because
25 everyone is wondering at home?

26

27 MS. COLE: Well, I looked at the web page
28 yesterday and they're still a little far north.

29

30 CHAIRWOMAN CROSS: Thank you, Jeanie.
31 Dave.

32

33 MR. PARKER: Madame Chair, Council members.
34 My name is Dave Parker. I'm a fisheries biologist with
35 BLM's northern field office. We've been directed to be
36 brief and I will endeavor to do just that. I wanted to
37 address a specific concern that was brought up by the
38 Council and apply that information to a broader problem.

39

40 Residents of Golovin have expressed a
41 concern that after emergency closure was issued for the
42 Fish River, I assume for coho, folks were continuing to
43 fish up on Boston Creek. Assuming that Boston Creek is
44 Federally-managed waters, the emergency order did not
45 apply. Here we've got to look at the criteria for
46 Federally-managed waters. One, it's got to be Federal
47 public land. Also, it's got to be non-navigable water.
48 Finally, non-selected lands. It can't be selected by the
49 State or Native selected. If it is, then the State closure
50 still apply to those lands.

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1 If we apply that criteria to Boston Creek,
2 Charlie actually has a map, but Federally-managed lands
3 don't begin for several miles up stream from the mouth of
4 Boston Creek. Whoever did the fishing up there, unless
5 they grounded their boat and hiked several miles to fish,
6 they were still on State-managed waters. So, this is a
7 State issue. Better PR on these emergency closures. Maybe
8 some maps showing exactly where the Federally-managed
9 waters start would be a good idea for next year.

10
11 If we look at it from a broader
12 perspective, there have been other emergency closures where
13 folks have continued to fish on lands that do fit the
14 Federal management criteria or could fit. Charlie has a
15 list of all the streams where these closures occur and we
16 suspect fishing may have continued.

17
18 So what can we do to address this loophole
19 of fishing continuing? Right now we're going through the
20 process of finding out if navigability determinations have
21 been made for these drainages. A lot of them I suspect it
22 hasn't happened, but we're looking into that to find out
23 exactly where they've been made.

24
25 What is the status of these Federal public
26 lands? Have they been selected? A lot of these lands have
27 been Native selected or State selected, which means that
28 the State closures would apply to those lands. So, if we
29 can identify these lands that are non-navigable, non-
30 selected and susceptible to fishing pressure, we'll need to
31 issue special actions in conjunction with the State's
32 emergency orders.

33
34 You will recall from an earlier discussion
35 that there's a delay between the State emergency closure
36 orders and Federal special actions. This could be a
37 problem. One way to resolve this would be to extend
38 Proposition 28 that we talked about earlier, which is only
39 going to apply to the Yukon, Kuskokwim drainages.
40 Essentially that's my presentation for you, Madame Chair
41 and Council members. If you have any questions, I'd be
42 glad to address them.

43
44 MR. JOHNSON: I'm just wondering, like when
45 you guys decide to come in -- I mean I guess you're
46 different than OSM and I don't know how you select your
47 criteria for what studies you do on freshwater fisheries.
48 I don't know if you get any input from the community that
49 it affects -- I'm speaking basically on the Unalakleet
50 River, Wild and Scenic. We seem to have many grayling or

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1 trout or something surveys. Even archeological work or
2 whatever and we have no idea of what's going on. We're
3 wondering are some of these things that can be integrated
4 with the State studies? Now that people are trying to work
5 together to get information so we don't overlap. This is
6 kind of broad, but I think you know what I'm getting at.

7

8 MR. PARKER: The big push now with our
9 projects is to have cooperative projects. Involve as many
10 agencies and non-profit groups as possible and get input
11 from them. Specifically in Unalakleet, our fisheries
12 biologist there, we've got a jurisdiction deal where our
13 northern field office covers land essentially from halfway
14 up between Unalakleet and Shaktolik and then north up to
15 Kotzebue Sound is what I address. Our projects go through
16 a -- you know, there's a budget process we follow and we
17 try to incorporate cooperative projects, long-term
18 projects, projects that will provide information not just
19 for BLM but to the State if they can use information on
20 escapement for regulating fishing openings and closings.

21

22 To keep you in the loop on that process how
23 they're selected, I'd have to think about that. We just
24 need to communicate with you and talk to you about what our
25 priorities are right now and what they could be in the
26 future.

27

28 The last time I spoke with you in the
29 springtime we were talking about working up on the Fish
30 River and counting salmon up on Boston Creek. The reason
31 we were promoting that project was we thought the land
32 status at Glacial Lake and Salmon Lake was going to be
33 turned over to Bering Strait Native Corporation. Right now
34 that looks like it's in limbo, so we are going ahead to
35 continue work at Glacial Lake and Salmon Lake for another
36 five years. That's not to say that we don't think the Fish
37 River and Boston Creek isn't important, but we want to
38 continue with this ongoing database that we have going on
39 up at Glacial Lake. But we need to keep in the loop about
40 why we're picking projects and incorporate your concerns
41 and what you think are the priorities in these areas.

42

43 MR. JOHNSON: Yeah, that would be good. I
44 was wondering if there's like a proposal process like OSM
45 or the State or anybody else who funds projects seems to
46 kind of go out for proposals and find out the need and I
47 haven't really seen that from BLM, so I just wondering. We
48 leave it up to you. I've been on the village council for
49 two years and I don't know if we've had much input on
50 anything that went on up there.

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1 MR. PARKER: Yeah, I think we need to get
2 you in contact with Mike Scott and talk to him about what
3 work he's doing and what he would be proposing to do in the
4 future. Thank you, Madame Chair.

5
6 CHAIRWOMAN CROSS: Elmer.

7
8 MR. SEETOT: Mr. Parker, was there any
9 research done to close the Port Clarence district because
10 salmon have been numerous. Was there any research done or
11 was there any test fisheries done to indicate that certain
12 species of salmon weren't going to spawn? This was the
13 first time that Port Clarence or they had a closing during
14 certain times either from the State side or from the -- I
15 don't think from the State side, but we were just kind of
16 puzzled. If any areas are to be closed, we'd appreciate it
17 if the State or Federal government gave a courtesy call to
18 the communities that are affected so that we know what is
19 happening to prevent violation of commercial regulations or
20 stuff like that.

21
22 MR. PARKER: Right. If we look at the
23 criteria for the Federally-managed waters, I think we're
24 going to find that there are very few areas here in Norton
25 Sound that the Federal managers make decisions about
26 openings and closings. It's a State issue.

27
28 MR. SEETOT: But you did mention the Iupuk
29 River in reference to what species of salmon?

30
31 MR. PARKER: Was the closure on coho,
32 Charlie?

33
34 MR. LEAN: Yes.

35
36 MR. SEETOT: Was that indication of weirs,
37 test weirs, or just a sampling of salmon species in certain
38 waters?

39
40 MR. PARKER: Yeah, I don't know if I'm the
41 one to answer that. Charlie or some of the State fellows
42 could tell how that determination was made.

43
44 MR. TODD: Madame Chair and Council, Gary
45 Todd, Alaska Department of Fish & Game. That closure was
46 because of late returns of coho coming into the local area
47 streams here and by a counting tower operated by Kawerak on
48 the Pilgrim River. Coho were not showing up in the Pilgrim
49 River, so they instituted a subsistence closure for this
50 area and Port Clarence district and they opened it up a

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1 couple weeks later because they assumed what they needed
2 for escapement would have already made it through the Port
3 Clarence district and been at the mouth of their natal
4 streams that they were going to go in and spawn, so that
5 was a State-instituted closure and it affected all the
6 rivers, Solomon, Eldorado and that around here.

7

8 MR. SEETOT: My observations over the years
9 or that are passed down from elders, is that coho and chum
10 go to Iupuk and it was my understanding they do not go
11 through the Pilgrim River to spawn. Am I correct in that?

12

13 MR. TODD: No, there's both chum and coho
14 in the Pilgrim River. The tower that Kawerak operates is
15 supposed to be below where the major chum spawning
16 population is there so that they can enumerate the majority
17 of the spawners in the system.

18

19 MR. SEETOT: I would recommend to the
20 Federal managers that they observe the fish that are
21 passing through the Iupuk River because they are very
22 numerous and the majority of those are chum and coho. I
23 didn't know that other species other than sockeye were
24 going through the Pilgrim.

25

26 MR. TODD: All five species of salmon are
27 in the Pilgrim, but chum and coho or the chinook aren't
28 real numerous.

29

30 CHAIRWOMAN CROSS: Thank you. Any more
31 questions? Thank you.

32

33 MR. DENTON: My name is Jeff Denton. I'm
34 a biologist with the Anchorage field office of BLM, so I'll
35 just catch up on -- probably answer some of William's
36 questions as well.

37

38 First of all, I guess we have a new State
39 director in BLM. His name is Henry Bisaunt. He's been out
40 on the Unalakleet last summer and he's only been here, I
41 think, four to five months, so he will be the member on the
42 Federal Board. His major priorities right now are oil and
43 gas on the North Slope, so he's putting a lot of trust in
44 Taylor Brelsford, the Staff Committee BLM person to guide
45 him a little bit.

46

47 There was a question I believe from Grace. The
48 recreation people did some recreation use surveys on the
49 Unalakleet Wild River summer before last and I did have
50 those folks prepare a report that was supposed to go to Ms.

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1 Armstrong, but it looks like it never got to her. I'll
2 briefly summarize that and I'll try to get a copy back in
3 to you folks.

4

5 We had some folks spend 40 days on the
6 Unalakleet River and basically they patrolled the river and
7 made contacts with all the users they could and had them
8 fill out questionnaires. After 40 days on the Wild River
9 portion, they only ran into 23 parties and basically that's
10 not enough people to provide a statistical sample. I think
11 June 20th through August 10th and it was becoming too
12 costly to have people up there when nobody was using the
13 river. I don't think their studies are reflective of when
14 the use occurs out there. That particular effort was kind
15 of a failure as far as I'm concerned.

16

17 Later this year I think Fish & Game and BLM
18 will try to do another 22(A) moose survey. That's a tough
19 one to ever do because the weather is never cooperative or
20 people dwindle away. We had had quite an increase in
21 guides and outfitters in that area looking for brown bears.
22 We still have a real chronic concern about illegal brown
23 bear harvest taken out of season and there was several
24 enforcement issues there. Relative to that, our ranger is
25 retiring in November and he's been out there a little bit
26 in the last few years, but we don't even know if we'll fill
27 that position for enforcement at all with BLM, so that's
28 kind of up in the air right now.

29

30 There's been a chronic concern for as long
31 as I've been here, probably as long as the program and this
32 Council have been meeting we've had a chronic problem with
33 illegal and unauthorized harvest down in that country.

34

35 I think, Willie, in answer to some of your
36 questions relative to the fishery stuff, Mike Scott is our
37 biologist. We have been running the stream gauge on the
38 Unalakleet for several years. Basically, that's taken most
39 of the monies we've been able to put into projects on the
40 Unalakleet and that's basically to complete the process for
41 in-stream flow for the Wild River and that's basically to
42 ensure for the long-term water levels to protect salmon
43 stocks and spawning.

44

45 Myself worked initially with the North Fork
46 counting tower, which is an index counting tower to
47 Unalakleet drainage. At times, I believe we've contributed
48 to that network, but that's a cooperative thing with
49 Kawerak and Fish & Game that's been going on for several
50 years now.

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1 I know there's been some thought about
2 putting a weir on the main Unalakleet. It's my
3 understanding, and I'm not a fisheries biologist, that an
4 adequate location for a weir is difficult to find on the
5 Unalakleet. I think there are some folks here that
6 probably know much more about what it takes and done the
7 work and they just haven't located a site that's going to
8 serve the purpose. Charlie probably knows more about that
9 than I do.

10

11 MR. TODD: Madame Chair and Council again.
12 Gary Todd. We looked at the Unalakleet for the site for a
13 floating resistance board weir. One site that was suitable
14 was fairly far upstream and there was concern that a lot of
15 the chum spawning areas may potentially be below this side
16 to where we would get good counts of the chum salmon and
17 that seems to be the main interest for the weir, is for the
18 chum salmon counts along with all the other salmon species.
19 The species of concern in Norton Sound right now is the
20 chum salmon, so that's sort of the main reason for a weir,
21 is to try to enumerate all the chum salmon, but we were on
22 the river this fall looking at sites. I don't have a map
23 so I couldn't tell you exactly where it was.

24

25 MR. JOHNSON: An idea how far up?

26

27 MR. TODD: It's up above the Big Fish
28 Lodge. It's up on the left side of the river when you're
29 going up there and it was probably five, six miles above
30 there.

31

32 MR. JOHNSON: So you're saying it's too far
33 up from where chum spawn?

34

35 MR. TODD: A significant portion of them
36 may spawn below there. They have not done anything on chum
37 salmon, so they don't know really in the drainage where all
38 the spawning is occurring.

39

40 MR. JOHNSON: Maybe I could ask Charlie his
41 thoughts. I know he's been there a long time.

42

43 MR. LEAN: Thank you. My name is Charlie
44 Lean and I work with the Park Service. Years ago we tried
45 to sonar right below the South River. That didn't work.
46 There was too much milling fish. The trick is to put the
47 weir above where the fish are milling but below where most
48 of the spawning occurs. I wasn't involved in the study
49 Gary was talking about and wasn't consulted, so I'm not
50 sure what happened and why. What we found in the past is

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1 that chums basically hardly utilized the North River at
2 all. There were large numbers of chum milling in the lower
3 river, but certainly some of them spawn there. There are
4 definitely a few fish that spawn in the tributaries, but I
5 would say in my opinion most of the spawning occurs
6 upstream of the Ryan's camp. I have encouraged Fish & Game
7 roughly a year ago to find a site there at Saren's camp,
8 was my favorite site, but I guess it was found unsuitable.
9

10 MR. JOHNSON: I guess my concern is not
11 only with BLM but the State as we start doing these things
12 to get local knowledge. Charlie had been working with the
13 State for a long time and to hear him sitting here and
14 saying that he wasn't really consulted -- he's over at NPS
15 now. And to have BLM come in with a study to do a
16 recreational use because it satisfies Washington and not
17 knowing exactly what time to conduct it, we're
18 throwing.....

19
20 CHAIRWOMAN CROSS: Bucks.

21
22 MR. JOHNSON: Yeah. So from whatever
23 agency, maybe I could just say this to everybody, Jolene
24 has done a lot of things and I know she works at Fish &
25 Game, but there's a lot of other people who have spent a
26 lot of time farther up the river who have observed chum
27 spawning and favorite holes. I don't think she has gone up
28 each river like some other guys might. I'm glad that we're
29 starting to consider looking at traditional knowledge on
30 things in our future projects and stuff. I hope everything
31 works good and we can all work together and not against
32 each other.

33
34 MR. DENTON: I know the current projects we
35 have now are -- actually, the Native corporations, both
36 Village and Kawerak, were at one time a participant in the
37 stream gauge that's now USGS and BLM, mostly a money
38 problem. It's more administrative restrictions we have for
39 these kinds of things and the fact that these things have
40 to be done for a 10-year period to establish this stuff and
41 the consistency through time is real mandatory. It started
42 out cooperative all the way around and it's kind of ended
43 up now being mostly BLM and USGS oriented work.

44
45 I'll be the first to admit internally,
46 within BLM, I tried to advise these kind of things, to
47 contact you folks. It's not my call, but I advised them
48 that they need to talk to you folks to find out what's the
49 best times and periods and either they chose not to or
50 didn't have time to or whatever their excuse might be, it's

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1 really not an excuse and I'll be the first to admit some
2 real improvement needs to be done there.

3

4 MR. JOHNSON: I'd like to address -- you
5 brought up the issue of illegal moose or bear and the
6 ranger was getting ready to retire. I'm trying to remember
7 his name. I think the only time I've ever seen him on the
8 Unalakleet River was during March during Iditarod keeping
9 an eye on the trail. When you say that your new director
10 has come to Unalakleet, I'm not surprised because it seems
11 to be the favorite spot for most BLM employees to come to.
12 If we can work together and channel some of this. But I
13 have a hard time with the moose. I mean 22(A) is a big
14 area. It's not just Unalakleet. To my knowledge, I don't
15 know of very much illegal moose activity in Unalakleet,
16 hardly at all.

17

18 MR. DENTON: Well, my response it was
19 mostly in Leonard's area where we have a chronic problem
20 out there. The people coming up from the Yukon a few years
21 ago were taking good numbers of moose. We were flying
22 surveys and people were harvesting moose right underneath
23 the airplanes and that was on the Pikmiktalik. So we know
24 firsthand and we get several calls a year. We've had calls
25 from folks in St. Michael relative to this problem. That's
26 primarily where it's been occurring is down in that neck of
27 the woods there.

28

29 MR. KOBUK: It's like I said, because of
30 the caribou not coming around for the past two years.
31 Their want for meat is what's causing this problem. The
32 other concern the village of St. Michael and Stebbins has
33 is with the sports hunters. We know there's meat going
34 out, but it don't seem like it's that much, but we know
35 things are happening there. The main concern too is the
36 tundra. Once you use a Honda on it, it's all marked up and
37 now you can see trails going every which direction. That's
38 going to cause a problem when it rains and when the snow
39 melts, it's going to start eroding the tundra.

40

41 MR. DENTON: We're well aware of that. I
42 know exactly the area. It's been a chronic sore spot for
43 some time. BLM is going into a long-term land use planning
44 process that will start in 2006. At that time, we're
45 supposed to evaluate off-highway vehicle damage and
46 management of the tundra areas. We're very interested in
47 knowing about those and actually trying to correct those
48 problems.

49

50 MR. KOBUK: And I don't think a study has

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1 been done on moose for some years now because of weather.
2 We're very curious as to how much meat -- because we're
3 starting to get concerned that we may be killing more than
4 what we should. It's becoming a concern for both villages.

5

6 CHAIRWOMAN CROSS: Middy.

7

8 MR. JOHNSON: Yeah, I think that's kind of
9 the urgency of it. I know you have to plan around certain
10 times here and weather, but if you're more liberal as to
11 when you can do it, it's not going to storm all summer long
12 and the urgency of the moose population, especially in
13 Leonard's area, would kind of warrant that something get
14 done even next summer. This year we had a pretty good
15 summer.

16

17 MR. DENTON: Primarily we would prefer the
18 best time that you have to have snow cover because
19 sightability in the summer there and heavy brush and you
20 can't get an adequate sample. If you can, it's ideal to do
21 it sometime in November when you still have bulls with
22 antlers and you can age structure on bulls as well as a sex
23 structure and reproductive structure. Most of the time we
24 don't have adequate snow, so we opt for March. Up here,
25 the only time we've ever really been able to attempt has
26 been in March in the last decade and March weather is such
27 that it's real tough to get enough time and enough effort
28 to cover that large of an area adequately. We keep trying.
29 One of these days we'll get it to work.

30

31 CHAIRWOMAN CROSS: I see people moving
32 around. I think it's time for some people to take a break,
33 so let's take a very quick break and then finish off.

34

35 (Off record)

36

37 (On record)

38

39 CHAIRWOMAN CROSS: I'm going to call the
40 meeting back to order again. It's getting late. It seems
41 to me that there's a lot of issues that are occurring in
42 Unalakleet area that BLM really needs to be getting a
43 handle on to see what the problems are and see if there's
44 any resolutions that can be done. I will talk to Barbara
45 along with William and see if we can come up with a plan to
46 see if a meeting or something can be scheduled around that
47 area in the future and try to come up with identification
48 of problems and possible resolution if that would be okay
49 with William. I hate to see that region be in the same
50 situation as 22(C). Pretty much being neglected and when

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1 somebody finally pays attention to them, there's game
2 shortages and there's fish shortages. I don't want to see
3 it go to that direction.

4

5 MR. KOBUK: And the other concerns -- we
6 need to write some kind of proposal concerning the use of
7 ATVs and the ruining of the tundra. As we all know, once
8 you go over the tundra with a Honda it leaves the trail
9 there. So we need to do something. Write a letter to
10 Jerry because he's doing the guiding out of that area.
11 I've heard that they use other animals to try to attract
12 bears by killing so they can get their game. It needs to
13 be addressed in some form or fashion.

14

15 MR. JOHNSON: Just for the record, the
16 reason I state we need to be communicating more and not
17 have any hard feelings because I've personally contacted a
18 BLM ranger as to the baiting
19 of brown bear on the Unalakleet River and I don't know if
20 it was to or not to my amazement the guide that I
21 complained upon was notified, I don't know if he was -- a
22 phone call might have been made just to find out if he was
23 doing it or something without any other further action and
24 that kind of shows who has the most communication with BLM
25 and it's the guides because they have to fill out the
26 permits and it kind of gives me the thing of how the sport
27 division works too and other agencies with maybe the State
28 and that's why I think there is a need for more
29 communication and meetings so that this doesn't occur or
30 hard feelings. Once we don't communicate or when we try to
31 communicate and we don't respond, it creates -- and we're
32 just going to draw ourselves farther away from our ultimate
33 goal and that's saving the resources.

34 CHAIRWOMAN CROSS: So, Barb, it looks like we're
35 going to be discussing a couple of things in the future and
36 we'll leave it in your good hands to make appropriate
37 plans. I think we're now ready for Kate Persons. Of
38 course Kate will be involved in it.

39

40 MS. PERSONS: Thank you, Madame Chair,
41 Council members. The State process only allows for
42 revision of wildlife regulations in a particular region
43 every other year and this is not a Board of Game year for
44 us. Last year we made some really pretty sweeping changes
45 to regulations and many parts of Unit 22. We liberalized
46 brown bear regulations unit wide, some restrictions in
47 moose hunting in the Nome area -- not in 22(C), but in
48 22(D) and (B) and 22(E), and we opened caribou seasons in
49 22(D) and 22(E). In 22(E) we doubled the muskox allowable
50 harvest and created a sport hunt. At least so far we feel

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1 like we're on the right track. We need to just kind of let
2 things sort out for a while and see whether these changes
3 are going to have the effects we intended them to have.

4

5 At this point, unless something really
6 alarming shows up in the various survey work that we do
7 this coming year, I don't really anticipate any major
8 changes for next year in any of those arenas. But this
9 spring we will, weather permitting, try again to do a moose
10 census over in 22(A) and that will be with BLM's
11 assistance. Also, we have a cooperative project with
12 Kawerak and Wildlife Division and Subsistence Division to
13 do harvest assessment surveys. Assuming that we get
14 permission from the villages of Unalakleet, Stebbins and
15 St. Mike, hopefully in April we'll try to get a handle on
16 what the big game harvest is in those communities. And
17 then have the moose census to compare that to and time for
18 that Board meeting next fall if changes need to be made.
19 Hopefully that will work out.

20

21 I prepared a brief written summary for you
22 folks just highlighting some of the work that we've done
23 with population surveys and harvest over the last year and
24 I guess I'll try to be even more brief and just touch on
25 the highlights of these things. Concerning brown bear, the
26 harvest over the last four years, the annual harvest has
27 increased substantially and there are some indications that
28 it's starting to have an impact on the bear population and
29 we see that last year for the first time the percent of
30 females in the harvest approach the percent of males in the
31 harvest. That's never close to happened before. This is
32 the first hunting season where one bear a year is allowed.
33 There's been a lot of hunting activity but the harvest
34 right now is only about 64 percent of the average fall
35 harvest. The reports that we're getting from hunters, from
36 guides and from our own observations agree with this is
37 that we're seeing still a fair number of sows with cubs,
38 even large litter sizes, but way fewer independent bears
39 that are legal, so hunters are having more trouble finding
40 legal bears. They also say the legal bears they are seeing
41 are young bears, they're small. So we may actually be
42 doing something to this bear population and it's scary for
43 wildlife managers to be in this position because we don't
44 know, so we don't really know where we're trying to go. I
45 don't think we'll be advocating any changes during the next
46 Board cycle, but if we continue over the long haul to see
47 harvests that are more than 50 percent female, I think
48 we'll feel obligated to try and make some restrictions.

49

50 With caribou, we have a new website that

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1 anybody can look up on their computer and get something, a
2 screen that looks like this, that shows the most recent
3 locations of caribou on the Seward Peninsula and it's only
4 the Seward Peninsula view. We do have a map that shows the
5 entire range of the Western Arctic herd, but at the request
6 of the Western Arctic Herd Working Group who had concerns
7 about the map drawing more outside hunters to certain key
8 locations, particularly on the Kobuk River that already get
9 a lot of outside hunters, they didn't want us to advertise
10 the locations of caribou for the entire range. Actually,
11 it was primarily for the benefit of the reindeer herders
12 that we posted this on the website, but it's available to
13 everyone. Unfortunately for you guys down there in eastern
14 Norton Sound, southern Norton Sound, we don't have any
15 information either from collars or flights to indicate that
16 they're heading your way yet, but they may yet change
17 course.

18

19 With moose, we just finished our first
20 round with the new registration hunts in the Nome area and
21 it seems like it went pretty well. In western 22(B), 37 of
22 the 42 allowable moose were harvested and those remaining
23 five will then be made available during the winter hunt in
24 January. Those will be added to the six that were reserved
25 for the winter hunt. In the Kuzitrin Drainage, 30 of 33
26 moose were harvested. There will not be a winter season
27 there. But, as Jeanie mentioned, in 22(D) southwest where
28 only one out of eight allowable moose were taken, there
29 will be a January season. If they're not all taken in the
30 Federal season in December.

31

32 We are changing our schedule of moose and
33 muskox censuses to try and put more emphasis on moose
34 because moose are declining in so many parts of the unit.
35 Muskox are really thriving. There was an attempt to census
36 every subunit once every five years and it's just not
37 enough, so we're going to try and do two moose censuses a
38 year and cover each area once every three years and then
39 also census muskox once every three years instead of once
40 every two years.

41

42 Concerning muskox, we did a census with the
43 help of the Park Service and BLM and Fish & Wildlife
44 Service this last spring and we counted 2,050 muskox.
45 That's only a seven percent annual increase though since
46 the last census in 2000 and that is a slowdown in the
47 growth rate. Prior to that it was 14 percent annually.
48 And we also did composition studies of the Seward Peninsula
49 muskox population with funding from the Park Service. For
50 the very first time looked at bull/cow ratios and

00118

1 cow/yearling ratios and we were surprised to see such high
2 bull/cow ratios really and the yearling recruitment rates
3 were like 18, 19 percent. Everywhere except for 23
4 southwest and there the population has grown more slowly
5 and less consistently. Actually, this year in that area
6 there was a decline. Thank you, Madame Chair.

7

8 MR. MENDENHALL: Madame Chair. The hunting
9 season for moose, that was quite compatible to the harvest,
10 is that correct?

11

12 MS. PERSONS: Yeah, yeah.

13

14 MR. MENDENHALL: You wanted to do August 1
15 through August 15th and we argued for a cooler time when we
16 could find moose and I think that probably made a lot of
17 the hunters successful in bringing their meet in.

18

19 MS. PERSONS: It seemed like it worked out
20 really well in both cases. I had emergency orders ready to
21 close the season if we reached the quota, but never needed
22 to use them. Yeah, it was good.

23

24 CHAIRWOMAN CROSS: Middy.

25

26 MR. JOHNSON: When you do your aerial
27 survey of moose populations next spring, do you guys
28 utilize local airline carriers or BLM choppers?

29

30 MS. PERSONS: Jim Twedo (ph) is set up now
31 and if he's willing, I plan to use him. I've actually
32 tried to use him in the past, but he hasn't been available
33 to come to other parts of the unit and stay. There's also
34 a guy from Galena, Collin Brown, that I'll try to use. I
35 try to find people locally. And I should talk to you
36 because it would be nice to get some local people as
37 observers in these planes. If you can recommend some
38 people that don't get airsick and will pay attention for
39 eight hours up in the sky, that would be a big help.

40

41 CHAIRWOMAN CROSS: Jeff.

42

43 MR. DENTON: When BLM provides aircraft and
44 observers, we have a lot of restrictions for safety
45 reasons, stuff we have to have, OAS, a Department of
46 Interior aircraft services group that we have to have
47 pilots that are qualified for this kind of work and we have
48 to have aircraft that's certified for this kind of work and
49 we can't take local observers because of liability, so I
50 guess that will be Fish & Game's game to play there.

00119

1 MR. SEETOT: The collars on your map, were
2 they from the caribou up north?

3

4 MS. PERSONS: None of these were caribou
5 that stayed on the Seward Peninsula. These all came from
6 up north. But the ones in yellow were just deployed this
7 fall, so those are not randomly mixed with the herd. We
8 haven't had an opportunity to radio track from the air, so
9 we don't know at this point how many caribou each of these
10 collars represents and there still are many collars up
11 north of this map. So this is by no means the bulk of the
12 Western Arctic herd on the Seward Peninsula, but we don't
13 know how many it is yet.

14

15 MR. MENDENHALL: You stated you didn't know
16 how many bears were taken in the area for 2000?

17

18 MS. PERSONS: 2001 actually. This is by
19 regulatory year. It's not calendar year, so this 2001
20 includes last spring's harvest because it was in the 2001
21 regulatory year. So far this fall 23 bears have been
22 taken.

23

24 CHAIRWOMAN CROSS: Leonard.

25

26 MR. KOBUK: Yesterday I was told that
27 someone saw some caribou passing Unalakleet River and I was
28 kind of wondering maybe your satellite doesn't work too
29 good.

30

31 MS. PERSONS: And that's a really good
32 point to make. We have 39 satellite collars on 430,000, so
33 there are a lot of caribou doing other things and this is
34 just generalized information. So, yeah, don't give up
35 hope.

36

37 MR. JOHNSON: Madame Chair. This is
38 another prime example of why I say we need communication.

39

40 CHAIRWOMAN CROSS: Any more questions or
41 comments to Kate? Thanks, Kate.

42

43 MS. PERSONS: Thank you very much.

44

45 CHAIRWOMAN CROSS: Jim Magdanz.

46

47 MR. MAGDANZ: My name is Jim Magdanz. I
48 work with Fish & Game Subsistence Division Kotzebue. I'm
49 handing out to packets. One is a season summary that Fred
50 DeCicco wanted to give to you that includes not only

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1 sportfish information but commercial and subsistence
2 information. The other thing that I've handed out is a
3 draft of the results of the 2001 subsistence survey in
4 northwest Alaska. Normally we give this to you in the
5 spring, but we fell behind in data management as a result
6 of some staff vacancies, so we've only recently gotten the
7 2001 survey out and we're about to go into the field with
8 the 2002 surveys.

9

10 Let's look briefly at the packet that
11 starts off with Table I household sampling. If you turn to
12 the second page of that, you can see on Table 2 our
13 estimates of the harvest in each community by species in
14 2001 and our total harvest in Norton Sound that year was
15 about 71,000 salmon and Port Clarence about 8,000. If you
16 turn to the next sheet, Figure 1, you can see how that
17 harvest compares with the previous years back to '94. It's
18 the second lowest total salmon harvest on record for Norton
19 Sound and Port Clarence. The lowest being in 1999. The
20 rest of this packet just has additional detail on this
21 harvest by community, by gear type and I won't go over that
22 at this time, but if there are questions about it, we can
23 attempt to address those.

24

25 I'm going to turn this over now to Gary
26 Todd and let him summarize some of the biological and
27 commercial information for Norton Sound and Port Clarence.

28

29 MR. KOBUK: Before we get to him. When
30 they come to St. Michael to my house I always tell them I
31 do my subsistence fishing on the Yukon because I help my
32 wife's mom fish because she's an elder, so we just give
33 them how much we catch from there. I wondering if they're
34 adding it to the Norton Sound or if they're adding it to
35 the Yukon. Because that's where we go put fish away, is
36 mainly to help her mom. We put some away for her and
37 enough for ourselves, too.

38

39 MR. MAGDANZ: My understanding is that if
40 information about location is provided and the fish are
41 harvested outside of the management area, then they would
42 not be included in this list. Susan Georgette would go
43 through each of these surveys and exclude fish that were
44 harvested outside the area. Now, whether she provides that
45 information to the Yukon people, I don't know.

46

47 MR. KOBUK: Because I've seen her write
48 down when I tell her how many or I let her talk to my wife.
49 It was a lady that was doing it this fall.

50

00121

1 MR. MAGDANZ: I could have Susan look at
2 that specific survey. The key would be if she, the
3 surveyor, understood that you were telling her it was from
4 the Yukon and if she wrote that on the survey and I don't
5 know if she did in that particular case.

6
7 MR. KOBUK: That was my only question.

8
9 MR. TODD: Mr. Johnson, on the weir at
10 Unalakleet, I talked to Charlie. He said where we were
11 looking was Sorenson's camp.

12
13 MR. LEAN: Saren's.

14
15 MR. TODD: Saren's camp. And one thing
16 there could be a problem with water velocity problems in a
17 normal year. That's a fairly heavy debris-laden river.
18 Like Charlie said, they had done sonar counts there, but
19 they had trouble apportioning the sonar counts to fish, but
20 it doesn't tell you what species it is, so they had
21 problems apportioning it and that's why I believe they're
22 not using sonar there anymore. Most of the sonar camps
23 they run a fish wheel too and then they get the species
24 apportionment from the fish wheel catch to go back to the
25 sonar counts to determine how many fish of each species
26 come through.

27
28 One problem with that is the weir is too far up the
29 river for effective, timely management if they want to use
30 it for opening or closing a fishery, but it would be usable
31 for probably most of the salmon counts. Like I said, there
32 could be spawning going on below there that we don't know.
33 That could be determined through radio telemetry or some
34 other means to determine where the peak of the spawning is
35 and what proportion would be spawning below that area.

36
37 What we're looking at is putting in like a
38 floating weir that will handle higher water velocity than
39 the standard solid weirs and we're looking at putting one
40 in the Pilgrim River this coming summer operated by
41 Kawerak. It is a test weir for the local area and then
42 bringing people from the other communities to see the
43 floating weir. You can drive a boat over it. Jet units go
44 over it better than a prop, but you can go upstream and
45 downstream over it because there has been concern that
46 people couldn't go past the weir if we had a weir across
47 the river.

48
49 MR. JOHNSON: How far up the
50 (indiscernible)....

00122

1 MR. TODD: About five to seven miles below
2 where the hot springs come into the river there and it's an
3 area that they believe that there is very little chum
4 spawning activity occurring below that, that most of it is
5 actually upstream of the tower site. The tower has been
6 operated several years by Kawerak.

7
8 MR. JOHNSON: I'm asking how far -- I'm not
9 familiar with the Pilgrim, but I'm just trying to -- when
10 you say that you're doing the standard for counting, how
11 far up the Pilgrim River is the counting tower when you say
12 to have a timely manner of runs or management?

13
14 MR. TODD: There's no commercial fishing,
15 in essence, in Port Clarence district, so it would not be
16 used for management decisions. It's used for escapement
17 numbers.

18
19 MR. JOHNSON: But it did have an effect on
20 the Agiapuk River because of the location of the weir at
21 the Pilgrim not seeing any coho return early. That's why
22 I'm wondering what the distance is from the mouth to the
23 counting site and if any other -- before they close that
24 other river.

25
26 MR. TODD: They were low coho returns to
27 the whole area here and they didn't know if they were late
28 or if it was low and so it was a precautionary measure, is
29 why they closed the subsistence fishing and the Pilgrim
30 never did get very many cohos this year. Nome River we did
31 get some cohos towards the later part there that brought it
32 up, but some of the other rivers the coho returns were very
33 low this year. In fact, the Nome river was the only local
34 area river that was open to sportfishing for coho salmon
35 this summer.

36
37 MR. JOHNSON: I guess the other thing I'm
38 trying to co-relate, it seems like the majority of the
39 spawning, to me anyway, I'm not a biologist, I've only
40 lived there all my life, occurs farther up than maybe some
41 of the areas that you looked at at the lower end of the
42 Unalakleet and that's kind of why I always think the fish
43 kind of go way up there and spawn. That's where we see the
44 majority of them. They kind of hang out in between. I
45 think that was what we were trying to target, was to find
46 out the escapement or how much is actually going up there
47 to get a good run number.

48
49 MR. TODD: I believe that's correct.
50

00123

1 MR. JOHNSON: Thank you.

2

3 MR. TODD: Madame Chair and Council. I was
4 just going to give a brief summary of the commercial
5 fisheries in Norton Sound this summer and of the
6 escapements to the rivers. 2002 commercial salmon fishery
7 is the poorest on record. Part of the reason, it's like
8 the rest of the state, low fish prices. There were not
9 buyers. There was one buyer this summer for that. Golovin
10 and Elim subdistricts there was a processor going to
11 purchase fish there and he had equipment problems, so he
12 couldn't make it there in time. Weak chinook and chum runs
13 in eastern Norton Sound is part of the reason and below
14 average coho salmon returns to most of the rivers. All the
15 fishing times in areas were set by emergency order this
16 summer. The value to the fishers in 2002 was \$2,941. It
17 was very low participation this summer also.

18

19 CHAIRWOMAN CROSS: Well, that takes one
20 chair off, the commercial fisher chair off.

21

22 MR. TODD: By district, the 2001 Board of
23 Fisheries meeting, the Nome 1 subdistrict commercial
24 fishing for chum salmon was closed and it cannot open back
25 up until the chum salmon has met Tier I subsistence needs
26 for four consecutive years and commercial salmon harvest
27 because of low surpluses of pink and coho salmon in the
28 Nome subdistrict. Chum salmon runs to rivers west of Cape
29 Nome were poor. It was restricted to Tier II fishers east
30 of Cape Nome in marine waters until early July. Like I
31 said, in the Golovin Bay subdistrict 2, there was no buyer
32 available this summer and there was no commercial coho
33 season because of a weak run. Subdistrict 3, Moses Point,
34 has been experiencing below average runs, chum salmon runs,
35 despite conservation actions that have occurred over the
36 last 10 years. The Quinniat tower escapement this year
37 were all above average except for coho salmon. Norton Bay
38 subdistrict 4, no commercial salmon fishing because of lack
39 of a buyer and marginal salmon runs again. Subdistricts 5
40 and 6, Unalakleet and Shaktoolik, that's been managed by
41 emergency order and that's based on the Department's test
42 net that they run in the Unalakleet River and by survey and
43 subsistence fishermen to get the time when the fish are in
44 the river and the strength of the runs. The chinook salmon
45 run was weak this year. It was below average and the chum
46 run, although not as weak as the chinook salmon, there were
47 no directed commercial periods towards the chinook or the
48 chum salmon this year. The season was closed early on the
49 cohos because of low returns.

50

00124

1 Escapements into the rivers, the Department
2 operates enumeration escapements and Kawerak also operates
3 them in cooperation with the Department. Unalakleet IRA
4 operated the North River tower this summer and they were
5 partially funded through Norton Sound Economic Development
6 and Bering Sea Fisherman's Association. The net catches
7 for Unalakleet, the king salmon, were 47 percent below
8 average. Chum salmon were five percent below average and
9 pink salmon were 20 percent above average and cohos were 37
10 percent above. But that could be a fact of the low
11 commercial fishing that occurred there.

12
13 Like I said, the North River tower was
14 operated by the Unalakleet IRA. This year it's been in
15 operation since 1996. It's the second highest year for
16 kings. No, fifth for kings, second highest year for pink,
17 fourth for chums and seventh worst for coho, but they
18 haven't operated the weirs later. The Norton Sound
19 Initiative has paid to operate all accounting projects
20 through the middle of September so we can get most of the
21 coho salmon enumerated into the rivers instead of like
22 August 15th or end of August like they had been in the
23 past.

24
25 Mekoriuk tower was operated by Fish & Game
26 with assistance from Norton Sound Economic Development. It
27 was the fifth highest number of chums and the second
28 highest for pinks and it was the highest for kings and that
29 has been operated for 20 years on the Quinniat tower.

30
31 Niukluk tower was operated by the
32 Department with assistance from Norton Sound Economic
33 Development. It was the highest for kings this year, the
34 fourth for pinks, seventh for chum and third highest year
35 for coho.

36
37 Eldorado River tower was operated by
38 Kawerak with funding support through Norton Sound Economic
39 Development and the Bering Sea Fisherman's Association.
40 2002 was the second lowest for kings and chum salmon and
41 the pink count was the second highest.

42
43 The Nome River weir was operated by the
44 Department with assistance from Norton Sound Economic
45 Development. It had a weir there since 1996. Before that
46 it was a tower and this was the sixth highest for kings,
47 although they only had seven king salmon in there. It's
48 not a king salmon major river, fifth for pinks and ninth
49 for chums.

50

00125

1 The Snake River tower was operated by
2 Kawerak with funding support through NSEDC and Bering Sea
3 Fisherman's Association and it's been operated since 1995
4 and it was the fifth highest year for kings, chums and
5 pinks.

6
7 The Pilgrim River tower was operated by
8 Kawerak and its operated for three years and the counts in
9 2002 were the lowest of all the three years that it's been
10 operated. We conducted this summer a new project on the
11 Fish River drainage. We radio tagged chum salmon to time
12 their spawning in the tributaries of the Fish River
13 drainage and count how many of the radio-tagged chum salmon
14 go up the Niukluk because we have a tower there and we're
15 going to try to estimate a population of chum salmon in the
16 Fish River drainage based on the proportion that went up
17 the Niukluk drainage. Any questions?

18
19 MR. JOHNSON: Maybe just on the king salmon
20 harvest. Even though there were five fish that were taken,
21 if I'm correct there were no targeted king salmon openings
22 for the Norton Sound area.

23
24 MR. TODD: No.

25
26 MR. JOHNSON: And it's written here that
27 sportfish proceeded without management actions and catches
28 were reported to have been average, do you know what
29 average is?

30
31 MR. TODD: For sport?

32
33 MR. JOHNSON: Yeah.

34
35 MR. TODD: The local Nome subdistrict is
36 closed by emergency order for chum salmon before the chum
37 salmon even show up in the area because of anticipated low
38 returns. The Nome River was the only river open to sport
39 fishing for coho salmon. I don't know what the average is.

40
41 MR. JOHNSON: I'm sorry, Gary, I know
42 you're not Fred and I don't know, Jim, if Fred gave us any
43 information.

44
45 MR. MAGDANZ: He didn't and I don't know
46 how he would estimate sport catches to be average in-season
47 unless they did some in-season surveys and perhaps that's
48 how they got them, but I'm not aware of how they did that.

49
50 MR. JOHNSON: I mean here again we see we

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1 have a commercial fishery that does not operate, we have a
2 commercial sportfish, I don't know, the majority of
3 sportfishing to me is commercial anyway because most rural
4 residents are catching lower harvest instead of using a net
5 by rod and reel, but that's another subject. And we fail
6 to show -- another reason for communication within the
7 Departments, Sportfish Division and commercial fisheries
8 and subsistence, to have that information sharing so at
9 least when we come to meetings and stuff that if somebody
10 couldn't make it that the information could be there for
11 us.

12

13 MR. TODD: Fred was planning on being here
14 today, but he is at Kotzebue trying to finish up some last
15 season survey work up there on char. He is planning on
16 being here tomorrow for the regional planning team meeting
17 if he doesn't get weathered in Kotzebue this evening.

18

19 MR. JOHNSON: Thank you.

20

21 CHAIRWOMAN CROSS: Thank you, guys. E,
22 written reports, informational items for the Council.
23 Barb.

24

25 MS. ARMSTRONG: Those are the ones that we
26 gave out during the meeting.

27

28 CHAIRWOMAN CROSS: Oh, okay. Then we'll
29 move on to 2002 annual report issues. Barb.

30

31 MS. ARMSTRONG: For the 2002 annual report
32 issues, so far I gathered eight items under 170 studies on
33 Unalakleet River, 2 22(A) moose, 3 22(E) caribou, 4 RAC
34 make-up and size of Council, and number 5, keep Stebbins
35 and St. Michael informed or included of what is going on in
36 Y-K, i.e. proposals on fish and wildlife, number 6, meeting
37 at Unalakleet with BLM to focus on its fisheries, to hear
38 from the residents, number 7, use of ATVs on tundra,
39 Stebbins, St. Michael area with guides, number 8, more
40 communication between the agencies and State and residents.
41 Those are the eight issues that I've collected during our
42 meeting today. If there are any more, if you would let me
43 know.

44

45 MR. KOBUK: On that ATV, that's for the
46 Golsovia River. That's where all that is taking place.

47

48 MS. ARMSTRONG: Golsovia River. Thank you.
49 Those are the items that I have. When I drop off your
50 annual report, sometime soon later I put it before you and

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1 send it out to you and then you can make your edits and
2 corrections on the letter itself before it goes before the
3 Staff Committee.

4

5 CHAIRWOMAN CROSS: I think you touched on
6 all of them. Thank you, Barbara.

7

8 MR. MENDENHALL: I appreciate you mailing
9 out notices like that, written reports and stuff, and I do
10 read them.

11

12 CHAIRWOMAN CROSS: Okay. We'll move on to
13 other new business, Mr. Boyd's letter.

14

15 MR. JENNINGS: Madame Chair. Tim Jennings.
16 I can abbreviate this briefing and see if you have
17 questions. Under Tab I in your Council book on page 159 is
18 a copy of Mr. Boyd's letter. It addresses the topic of
19 Regional Council meetings. Also, there is a summary on
20 page 157 of considerations in scheduling of meetings. On
21 page 158 there is a summary of the team overlaps to avoid
22 in meetings because we have team members who serve more
23 than one region. On Seward Peninsula, we also need to
24 avoid scheduling with Southcentral because we have a
25 Southcentral team member also on the Seward Pen team. And
26 then I'll end briefly, unless you have questions, with Mr.
27 Boyd's letter was written primarily with some other
28 Councils in mind. This was not, in his mind, an issue with
29 this region. You typically hold your meetings in Nome.
30 There is access for the public, there has not been any
31 issues that have been raised for us regarding Seward Pen
32 meetings. So, Mr. Boyd wanted me to convey that to you
33 that the letter -- I can give you additional context for
34 his letter if you'd like, however it was not geared toward
35 any concerns regarding Seward Peninsula Council meetings.
36 I'll stop there and see if there are any questions.

37

38 CHAIRWOMAN CROSS: Pat.

39

40 MS. McCLENAHAN: May I add for this region
41 that there's also a potential conflict with the Bristol Bay
42 meeting.

43

44 MR. JENNINGS: That's right. Pat also
45 serves the Bristol Bay Council as the Staff anthropologist.

46

47 MR. JOHNSON: Madame Chair. Out of all the
48 organizations here, is there normally more that come and
49 participate when you're saying that others want to go to
50 the meetings but can't make it because of the rural or

00128

1 smaller community or something?

2

3 MR. JENNINGS: Madame Chair and Mr.
4 Johnson. No, not for this region. That is an issue in
5 some other regions because of scheduling conflicts where we
6 had agency, staff and public wanting to be at all three
7 meetings. As it turned out, the Western and Eastern
8 Interior Council meetings ended up combining meetings in
9 Fairbanks because of -- Ida, do you know if it was a
10 weather issue getting to Holy Cross? Oh, excuse me, there
11 was a death in the community of Holy Cross, so they asked
12 that the Western Interior meeting not be held in the
13 village at this time. So they held their meeting in
14 Fairbanks and combined it with Eastern and Western and a
15 lot of the issues that were generated that Mr. Boyd had
16 concerns about came from the scheduling of those three
17 meetings in the same week where we had key agency staff
18 that really needed to be at three different places in one
19 week, so that was primarily where the concerns were raised.
20 None of them arose from Seward Pen.

21

22 MR. MENDENHALL: Madame Chair. I agree
23 with the meeting windows that are being proposed, except I
24 don't want it to conflict with AFN scheduling.

25

26 MR. JENNINGS: The other thing I needed to
27 mention, Madame Chair, is that this is the first time where
28 we're asking Councils to forecast out two meetings in
29 advance. So we have calendars before you showing the
30 winter meeting schedules that Barb handed out. I think
31 they're separate pieces of paper before you that show the
32 Council meeting window for February 18 through March 21
33 that shows those Councils that have already scheduled.
34 Then also for next fall, September through October of '03.
35 This will give us and the other agencies a better idea in
36 advance if there are issues that might come up for that
37 meeting a year out from now and we could come back at the
38 winter meeting and discuss if there's any problematic areas
39 and try to resolve them.

40

41 CHAIRWOMAN CROSS: We already have issue
42 with the meetings all scheduled. The month of March is
43 Iditarod. Good luck in finding hotel rooms and good luck
44 in finding a meeting room for that week. One of the things
45 that we wanted to do and we had some brief discussions with
46 it is I don't think the week of March 9th is going to work
47 for us. It's Iditarod time in Nome and everybody has got
48 to keep that in mind. That's when the mushers come in.
49 Nome is totally packed. There's basketball games going on,
50 tournaments and I don't think you'll even find a meeting

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1 room and I don't think you'll find hotel rooms. So we'll
2 either find an alternate place and you'll have the same
3 problem with Unalakleet because they're on the Iditarod
4 Trail. Instead of having to have a meeting in Anchorage,
5 I would prefer that we move the calendar up and have the
6 meeting somewhere in February because I don't think it's
7 going to work for us and that's the only weeks left here.

8

9 MR. JENNINGS: So the tail end of the
10 window there, the week of March 17th is still Iditarod?

11

12 CHAIRWOMAN CROSS: I think basketball
13 tournaments are still going on.

14

15 MR. JOHNSON: Madame Chair. Does Pete or
16 somebody know when the Iditarod actually starts this year?
17 Is it the 1st?

18

19 MS. ARMSTRONG: It's always the first
20 Saturday.

21

22 MR. JOHNSON: Saturday. So that would be
23 the 1st in.....

24

25 CHAIRWOMAN CROSS: And there's still a lot
26 of people because they wait for the last musher to come in,
27 so I think we'll have a difficult time. And it's so hard
28 on people to travel from the village during that time
29 because so many people come here for basketball tournament
30 that all our villages participate in and planes are real
31 full. That's why we always try to have it, you know,
32 towards the end of February. I mean it's unfortunate we
33 were the last ones to have the meeting because March has
34 always been a -- unless we have it in some small village.

35

36 MR. JOHNSON: Well, actually like March 3
37 or 4, a Monday or a Tuesday and I guess we don't really
38 conflict with Anchorage according to this summary of
39 overlaps to avoid -- March 3 or 4 probably could happen in
40 Unalakleet because Iditarod is just starting off and
41 everybody is not there. We do have the Brown's Lodge. It
42 probably has about 10 rooms and another one that has eight,
43 or it might have more than 10, they might hold 20. And we
44 have facilities for meeting places at that time also. But
45 that is the.....

46

47 MS. ARMSTRONG: Or do you want to meet the
48 week before, like February 13 and 14, Thursday and Friday.

49

50 CHAIRWOMAN CROSS: What do you think?

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1 MR. JOHNSON: Are we scheduling right now?

2

3 CHAIRWOMAN CROSS: Well, we might as well
4 while we're on that subject, I think, establish time and
5 place of the next meeting, just do it now since we're in
6 discussion with it. But I wanted to point out that March
7 is a very poor time for us that live in this region because
8 of Iditarod. I mean there's just too many people here and
9 it's hard to find a place. Especially that week, when
10 that's -- that's when the mushers are coming in.

11

12 MR. JENNINGS: I wonder if we could check
13 and see if there's ability the week of March 17th or if
14 that's still a bad week to you?

15

16 CHAIRWOMAN CROSS: I think the basketball
17 tournament is still going on.

18

19 MR. JOHNSON: Madame Chair, I'd like to
20 make a motion that we schedule the March meeting for March
21 4 and 5 in Unalakleet.

22

23 MR. MENDENHALL: I should warn you that
24 this place is usually booked up solid, this hotel. All the
25 hotels are booked up solid there in that week of....

26

27 CHAIRWOMAN CROSS: Perry, there's a motion.

28

29 MR. MENDENHALL:March.

30

31 MR. JOHNSON: There's a motion on the
32 floor.

33

34 MR. MENDENHALL: I know. I know there's a
35 motion but what I'm -- I'm discussing the motion.

36

37 MR. JOHNSON: Well, you have to wait for a
38 second.

39

40 CHAIRWOMAN CROSS: But there's no second.

41

42 MR. JOHNSON: Well, I second the motion for
43 purpose of discussion.

44

45 CHAIRWOMAN CROSS: Okay, now you can.....

46

47 MR. SAVETILIK: I'll second it.

48

49 MR. MENDENHALL: The proposal is to meet
50 during that 3rd and 4th, somewhere in there? What was

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1 the.....

2

3 MR. JOHNSON: 4th and 5th.

4

5 MR. MENDENHALL: Yeah. You know, we got
6 the best information, you can walk downstairs.....

7

8 CHAIRWOMAN CROSS: 4th and 5th, you mean?

9

10 MR. JOHNSON: For Unalakleet.

11

12 CHAIRWOMAN CROSS: 4th and 5th in
13 Unalakleet.

14

15 MR. MENDENHALL: Somebody could walk down
16 there and see if they're booked -- see how booked they are.

17

18 MR. JOHNSON: Perry.

19

20 CHAIRWOMAN CROSS: Perry, we're talking
21 about the 4th and 5th in Unalakleet.

22

23 MR. MENDENHALL: Oh, in Unalakleet?

24

25 CHAIRWOMAN CROSS: Uh-huh.

26

27 MR. MENDENHALL: We have problems there,
28 too. Well, is there a problem with the lodge being
29 overbooked, too at that time?

30

31 CHAIRWOMAN CROSS: Not during that.....

32

33 MR. JOHNSON: That early on in March it
34 wouldn't be. They don't show up until the frontrunners get
35 there, maybe a day or two before.

36

37 MR. MENDENHALL: Snowmachiners coming in
38 and, you know, the Iron Dog.

39

40 MR. JOHNSON: And if we book earlier, you
41 know, it won't be a problem at all.

42

43 CHAIRWOMAN CROSS: Yeah, that's another
44 thing that happens to us in March is the snowmachine race.

45

46 MR. JENNINGS: The Iron Dog, okay.

47

48 CHAIRWOMAN CROSS: Yeah, the Iron Dog.
49 There won't be any conflict with Southcentral?

50

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1 MR. JENNINGS: That's what I wanted to
2 mention, Madame Chair, is there is one Staff member that
3 has a conflict and that's our wildlife biologist, serves
4 both this Council and Southcentral and that's our new
5 wildlife biologist Chuck Ardizzone.

6
7 MR. JOHNSON: I mean just given the window
8 and knowing that anything after, probably the 5th is a bad
9 time for either Nome or Unalakleet in March.

10
11 CHAIRWOMAN CROSS: I would say if we move
12 it up into February -- the week of February 13th, is that
13 the 13th?

14
15 MS. ARMSTRONG: The 13th is a Thursday.

16
17 CHAIRWOMAN CROSS: Okay, what's the Monday
18 then?

19
20 MS. ARMSTRONG: Monday is the 10th.

21
22 CHAIRWOMAN CROSS: How about 11 and 12,
23 February 11 and 12?

24
25 (Pause)

26
27 CHAIRWOMAN CROSS: Yoo-Hoo, how about
28 February 11 and 12?

29
30 MR. JOHNSON: That would work if it would
31 work for all the agencies.

32
33 MR. MENDENHALL: In Unalakleet?

34
35 MR. JOHNSON: It would be nice to have you
36 guys come over.

37
38 MR. MENDENHALL: Where would it be on the
39 11th and 12th?

40
41 CHAIRWOMAN CROSS: We're picking the.....

42
43 MR. MENDENHALL: Because that's about the
44 time Iditarod banquet, all the media is here and.....

45
46 CHAIRWOMAN CROSS: No, this is February.

47
48 MR. MENDENHALL: Oh, February up here, you
49 guys switched again, uh.

50

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1 CHAIRWOMAN CROSS: So do we want it in Nome
2 or Unalakleet?

3
4 MR. MENDENHALL: What part of the month?

5
6 CHAIRWOMAN CROSS: February. When is
7 elder's conference?

8
9 MR. MENDENHALL: It's usually the last week
10 of February.

11
12 CHAIRWOMAN CROSS: Okay, then we'll be
13 okay, February 11 and 12. And we just need to select a
14 place, is it Nome or Unalakleet?

15
16 MR. MENDENHALL: Isn't there a motion for
17 Unalakleet?

18
19 CHAIRWOMAN CROSS: We had a motion to have
20 the meeting at Unalakleet, you just need to change the
21 dates. All right, change the dates.

22
23 MR. JOHNSON: I'll amend my motion to the
24 11th and 12th.

25
26 CHAIRWOMAN CROSS: Of February?

27
28 MR. JOHNSON: Right.

29
30 CHAIRWOMAN CROSS: At Unalakleet?

31
32 MR. JOHNSON: Right.

33
34 CHAIRWOMAN CROSS: Okay. Is there a second
35 on the motion -- somebody seconded the motion, right?

36
37 MR. SAVETILIK: I seconded the motion, yeah.

38
39 MR. MENDENHALL: 11th and 12th.

40
41 MR. KOBUK: Question.

42
43 CHAIRWOMAN CROSS: All is in favor of the
44 motion to have the meeting in Unalakleet in February 11th
45 and 12th signify by saying aye.

46
47 IN UNISON: Aye.

48
49 CHAIRWOMAN CROSS: All those opposed, same
50 sign.

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1 (No opposing votes)

2

3 CHAIRWOMAN CROSS: Motion carries. And now
4 we've established our meeting and then we can go back to
5 the discussion. We did completely opposite what Mr. Boyd
6 wanted.

7

8 MR. JENNINGS: Madame Chair, did you also
9 want to look at the September and October time frame a year
10 from now?

11

12 MR. MENDENHALL: Usually October 4th and is
13 Bering Strait's annual meeting, October 4th, Saturday.

14

15 CHAIRWOMAN CROSS: Right after Northwest
16 Alaska.

17

18 MR. JOHNSON: Madame Chair, I move to have
19 the fall meeting for 2003 in Nome on September 25th and
20 26th.

21

22 MR. KOBUK: And I'll second that motion.

23

24 MR. SAVETILIK: Question.

25

26 CHAIRWOMAN CROSS: All is in favor signify
27 by saying aye.

28

29 IN UNISON: Aye.

30

31 CHAIRWOMAN CROSS: All those opposed, same
32 sign.

33

34 (No opposing votes)

35

36 CHAIRWOMAN CROSS: Motion carries. So
37 September 25th and 26th in Nome. Okay, that took care of
38 those. We're done. Elmer.

39

40 MR. SEETOT: I had a handout that I said I
41 would give out and made some copies of the trip report for
42 February. I have a report for the Council members present
43 and then those not present. The reason I typed these
44 minutes -- or the trip report is that I'm supposed to
45 represent Brevig Mission/Teller, Wales and Shishmaref for
46 the Western Arctic Caribou Herd Work Group, I'm also on the
47 planning committee. Up to this point we are in the process
48 of accepting written comments for the Western Arctic
49 Caribou Herd draft management plan.

50

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1 Most of the residents or I know that some
2 organizations in the community received the draft
3 management plan, however, the plan was mailed to all the
4 hunters within the region, most of these were pretty much
5 accessed -- the traditional council, the city council or
6 any organization that was on the mailing list. Right now
7 the current deadline is October 31 for written comments for
8 the management plan.

9

10 And pretty much that is all I have for the
11 Western Arctic Caribou Herd draft management plan.

12

13 Since February or since the last meeting we
14 haven't had any meetings. ADF&G resource personnel, other
15 employees are trying to get this plan out to the
16 communities.

17

18 That's all.

19

20 CHAIRWOMAN CROSS: Thanks. Questions or
21 comments for Elmer. Hearing nobody volunteer to ask a
22 question or make a comment. Ida.

23

24 MS. HILDEBRAND: Thank you, Madame
25 Chairman. Ida Hildebrand, BIA Staff Committee member.
26 Information on.....

27

28 CHAIRWOMAN CROSS: You're going a hundred
29 miles a minute slow it down.

30

31 MS. HILDEBRAND: Thank you, Madame Chair I
32 will slow down, I'm trying to be quick and brief but
33 obviously that doesn't work.

34

35 I serve on the Federal/State MOA working
36 group and we are signing various protocols under the
37 umbrella, memorandum of agreement. And one of those
38 protocols is subsistence use amounts. And the person that
39 was supposed to present that information to you wasn't on
40 the agenda and isn't here so I thought I'd just give you
41 the information.

42

43 At the direction of all the Regional
44 Council Chairs, Council members were appointed to the
45 protocol working group, Harry Brower of the North Slope and
46 Gerald Nicholia of Eastern Interior. We've had two
47 meetings and they met with the Yukon Working Group --
48 excuse me, coordinating committee, and what the direction
49 of all the Council Chairs also were directed to limit any
50 work on subsistence use amounts to the Yukon only. And if

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1 the Yukon protocol work then would look at the rest of the
2 state. And they drafted a charge and a draft document that
3 was supposed to have been presented to you but wasn't, but
4 I gave a copy to Barbara to mail out to every one of the
5 Council members here and all we want comments on is do you
6 approve of this charge? Look at the schedule of the time
7 frame at the end of the document and the notes in the
8 appendix that we're using State figures at the beginning
9 point, it's not adopting the State system but it was the
10 beginning of the discussion. If you'd please get back to
11 me as soon as you can with your comments regarding just the
12 charge. If you want to comment, I'd welcome the comments.
13

14 Thank you, Madame Chair.

15

16 CHAIRWOMAN CROSS: Thank you for slowing
17 down. Well, we've already established our time and place
18 of our next meeting so I think next year we're going to
19 have a two day meeting. Does anybody have a....
20

21 MR. SAVETILIK: Madame Chair.

22

23 CHAIRWOMAN CROSS: Go ahead.

24

25 MR. SAVETILIK: I was just going to say I
26 move to adjourn.

27

28 CHAIRWOMAN CROSS: There's a motion to
29 adjourn, is there a second.

30

31 MR. KOBUK: I'll second it.

32

33 CHAIRWOMAN CROSS: All is in favor of
34 adjourning signify by saying aye.

35

36 IN UNISON: Aye.

37

38 CHAIRWOMAN CROSS: All those opposed, same
39 sign.

40

41 (No opposing votes)

42

43 CHAIRWOMAN CROSS: Thank you everybody for
44 attending our meeting. It was a little lengthy but we got
45 done.

46

47 (END OF PROCEEDINGS)

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1 CERTIFICATE

2

3 UNITED STATES OF AMERICA)

4)ss.

5 STATE OF ALASKA)

6

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

10

11 THAT the foregoing pages numbered 02 through 136
12 contain a full, true and correct Transcript of the SEWARD-
13 PENINSULA FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL
14 MEETING, taken electronically by Nathaniel Hile on the 10th
15 day of October 2002, beginning at the hour of 8:40 o'clock
16 a.m. in Nome, Alaska;

17

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

22

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

25

26 DATED at Anchorage, Alaska, this 21st day of
27 October 2002.

28

29

30

31

32 _____
33 Joseph P. Kolasinski
34 Notary Public in and for Alaska
My Commission Expires: 4/17/04