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SEWARD PENINSULA SUBSISTENCE REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING  
UNAQLIKMIUT KATIMMASLIK CENTER  
October 24, 1994  
Unalakleet, Alaska

COUNCIL MEMBERS PRESENT:

Sheldon I. Katchatag, Chairman  
Z. William Barr, Vice Chairman  
Loretta Muktoyuk, Secretary  
Roy P. Otton, Member  
Theodore Katcheak, Member  
George H. Lockwood, Member  
Elmer K. Seetot, Jr., Member

Barbara Armstrong, Coordinator

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ANCHORAGE, ALASKA 99501

P R O C E E D I N G S

1  
2 CHAIRMAN KATCHATAG: Good morning. As the Chairman of  
the Seward Peninsula Subsistence Regional Advisory Council, I  
hereby call this meeting to order.

5  
6 Our agenda is a tentative agenda, and the first order  
of business is the roll call. Madam Secretary, would you  
please call the roll?

9  
10 MS. MUKTOYUK: Sheldon I. Katchatag?

11  
12 CHAIRMAN KATCHATAG: Here.

13  
14 MS. MUKTOYUK: Roy Otton?

15  
16 MR. OTTON: Here.

17  
18 MS. MUKTOYUK: George Lockwood?

19  
20 MR. LOCKWOOD: Here.

21  
22 MS. MUKTOYUK: Bill Barr?

23  
24 MR. BARR: Here.

25  
26 MS. MUKTOYUK: Ted Katcheak?

27  
28 MR. KATCHEAK: Here.

29  
30 MS. MUKTOYUK: Leonard Adams?

31  
32 CHAIRMAN KATCHATAG: He has been replaced by Elmer  
Seetot.

34  
35 MS. MUKTOYUK: Elmer Seetot, Junior?

36  
37 MR. SEETOT: Here.

38  
39 MS. MUKTOYUK: Okay. We have established a quorum,  
no. Chairman.

41  
42 CHAIRMAN KATCHATAG: Thank you, Madam Secretary. For  
the record we have 100% participation by all Council members,  
and therefore by definition, we have a quorum.

45  
46 Item number three on the agenda is a moment of silence  
and invocation, and before that on behalf of the Council I  
would like to direct staff to write a letter of condolence to

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two families and all their extended relations here in Unalakleet, the most recent being the Fred S. Ryan family, and also the Ransom and Annabell family. Ranson and Annabell Bradley family here in Unalakleet. Those of you that are not familiar, they just had a funeral this last week for Fred S. Ryan, Junior, who passed away at the very young age of 34. And also Allan Bradley's funeral was the week before that. And this is a very trying time for the people here in Unalakleet, and I would respectfully ask that staff include in their letter an apology on the part of the Council for this intrusion into their time of sorrow, and that we respectfully request that they try to understand that we do not do this to intrude into their sorrow and their mourning, but that this meeting was scheduled about a month and a half ago, and that we in no way mean to take their sorrow and mourning lightly. And I'll so direct staff to write this letter.

16

17 Having said that, I would ask for a moment of silence for not only these two of our subsistence users, but for all that have passed since our last meeting in March in Shishmaref. It seems that death is making a stomping ground of this area in the last few months, and just make a recommendation to all that in my short life, when death is making his rounds like this, it is my common sense that tells me it's time to hunker down, because we know not when he's going to stomp on us.

25

26 So having said that, I would ask that Mr. Barr give us an invocation, and let us all stand.

28

29 MR. BARR: Our Heavenly Father, we thank you for this day and its many blessings. Bless us as we meet here today, as we gather here at Unalakleet. Bless those that are among us, and lead us so that we may lead a better life, and then that this subsistence issue may lie as it rested. We ask in Thy name, amen.

35

36 CHAIRMAN KATCHATAG: Thank you, Mr. Barr.

37

38 Before we get into the business at hand, I had asked the president of the Native Village of Unalakleet to welcome the Council on behalf of the people of Unalakleet, and at this time I call Mr. Stanton Katchatag, who happens to be my father. Dad?

43

44 MR. STANTON KATCHATAG: Thank you very much, Mr. Chairman. I'd like for two of the fellow subsistence users here, I don't see any other, Chuck Degnan, he's the Bering Straits Coastal Management Director. I think that's his title?

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MR. DEGNAN: That's correct. Thank you.

1  
2 MR. STANTON KATCHATAG: And Jerry Ivanoff, who just  
walked in. He's with the Norton Sound Economic Development  
Council. I'd ask for you to join me as we welcome each one of  
you here. I'm glad you have been able to arrange the meeting  
here in Unalakleet. The only regret that I have is that I wish  
there were more of our people here, but as these two days go  
on, I hope that there will be some more people that will walk  
on.

10  
11 In looking at this last year, I'd like to remind you  
that there are people, what I will call very much silent  
majority, who are interested and have expectations of  
protection of traditional way of life, especially in the out-  
lying villages. This is an on-going lifestyle, as some people  
call it, and it goes year round from one species to the other.  
There really is no vacation time or anything like that when  
you live a life of subsistence. The only time that you can  
have a worthwhile vacation is when the weather does not  
cooperate, and keeps you inside the house.

21  
22 I'd like to welcome you all here for that matter,  
especially my good friend here, John Borbridge, which I have  
known for several years now, and each member of the Federal  
Subsistence Advisory Council there, and the coordinator,  
Barbara. You are all welcome here, and I do hope and pray that  
something will come out that will not disappoint our  
subsistence users, and our people here in the region.

29  
30 Thank you very much and you're very welcome.

31  
32 CHAIRMAN KATCHATAG: Thank you, Mr. President. Dad.

33  
34 Before we get on to the minutes or the transcript of  
our last meeting, I would like to open the floor for any  
additions, deletions or corrections to the agenda.

37  
38 MR. BARR: Mr. Chairman?

39  
40 CHAIRMAN KATCHATAG: Mr. Barr?

41  
42 MR. BARR: I'd like to address the per diem rate of our  
Councilmen here in the meeting. Can we put it somewhere along  
the agenda?

45  
46 CHAIRMAN KATCHATAG: Is there any particular portion of  
the agenda you'd like to address this?

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1 MR. BARR: Maybe under old business, the .....

2 CHAIRMAN KATCHATAG: Old business.

3

4 MR. BARR: Item E?

5

6 CHAIRMAN KATCHATAG: Item E. Hearing no objection, so  
7 moved.

8

9 MR. OTTON: Mr. Chair?

10

11 CHAIRMAN KATCHATAG: Mr. Otton?

12

13 MR. OTTON: On 9, new business, it talks about 2.B --  
14 ~~0#~~ 9.B, there's a C and T in Seward Peninsula by Helen  
15 Armstrong. I was wondering if that would include the C and T  
16 we had talked about for musk ox in our last meeting?

17

18 CHAIRMAN KATCHATAG: That brings up a good question.  
19 ~~A~~ our last meeting we had directed staff to draft a  
20 subsistence hunting management plan for musk ox, and we need to  
21 add that to our agenda. And since it was discussed and  
22 directed of staff, we just -- I recommend that we put it under  
23 old business also, and the tentative suggestion is item F,  
24 subsistence musk ox draft management plan.

25

26 And along those same lines, under 8.F, I would also add  
27 8.F.1, C and T determination. We had also directed staff to  
28 begin the process of seeking a positive C and T determination  
29 for musk ox for the people of the Seward Peninsula Region.

30

31 Is there any objection to either 8.F or 8.F.1? Hearing  
32 none, they are so added to the agenda.

33

34 Do does any of the Council have any other  
35 commendations for changes or additions to our agenda?  
36 Madam Secretary?

37

38 MS. MUKTOYUK: Mr. Chairman, under geographic  
39 representation, I would like the Council to consider adding two  
40 more people onto the Council.

41

42 CHAIRMAN KATCHATAG: For the purposes of clarity, I  
43 would recommend that we make that 7.D.1.a, addition of two  
44 members to the Council. Are there any objections to this  
45 addition? Hearing none, so moved. So ordered.

46

47 Any other additions or corrections?

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We also had directed staff to bring us some statistics and information on migratory birds. And I recommend that we consider the Migratory Bird Treaty Act, and possible amendment, under new business.

4

5 MS. B. ARMSTRONG: 9.F.

6

7 CHAIRMAN KATCHATAG: Pardon?

8

9 MS. B. ARMSTRONG: 9.F.

10

11 CHAIRMAN KATCHATAG: 9.F. Any objection? Hearing  
none, so ordered. 9.F is Migratory Bird Treaty Act.

13

14 And for the record, I would like to inform everyone that is in attendance here that we have forms available. It's called a proposal form, and these will be discussed under item 97D, proposals. What these proposals are are proposals to change the existing subsistence regulations, subsistence management regulations which apply to harvest of fish and wildlife in Alaska on Federal public lands within the areas that are colored on the map. The so-called jurisdiction under the Federal system is shown by the various color codes. And as you can see, outside of the village corporation and regional corporation lands, which are included in the white area as state, private or other lands, the majority of land in this area is under BLM's jurisdiction.

27

28 And I would recommend that under new business, we add item G, a report from BLM on their activities within this area.

30

31 MR. OTTON: As long as there's someone from BLM right now that can do that?

33

34 MS. B. ARMSTRONG: That would be 9.G?

35

36 CHAIRMAN KATCHATAG: 9.G. Do we have BLM staff available?

38

39 MS. B. ARMSTRONG: There should be one here from BLM. Okay. Anne Morkill, yeah.

41

42 CHAIRMAN KATCHATAG: Let the record show that we have Anne -- what's your last name, ma'am?

44

45 MS. B. ARMSTRONG: Morkill. M-o-r-k-i-l-l.

46

47 CHAIRMAN KATCHATAG: That's a dangerous name.

48

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(Laughter)

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CHAIRMAN KATCHATAG: Mr. Ivanoff?

MR. J. IVANOFF: Just for a point of clarification or I'm from the public, and I'm trying to figure out what you guys are all up to, and what issues you're going to be addressing and at what time frame you're going to be addressing them. I'd be interested to know if you're going to put up your agenda, or make the agenda available to, you know, the general public that may walk in that are trying to figure out what this Federal Subsistence Board is doing. And originally, I'd kind of like to know. And if at all possible, you know, maybe just to put an agenda to see where you're at, so that if there's an issue that I might want to talk specifically to, then I may be present at that time, otherwise, I've got to go to work.

CHAIRMAN KATCHATAG: Thank you, Mr. Ivanoff. I appreciate that comment, and it's a very good recommendation, and hearing no objection from the rest of the Council, I'd move that we make sure that we can do that. First of all, I would direct staff to make copies of our tentative agenda with any additions or changes as approved at this meeting available for the general public at the back, and see if we can get a blackboard.

MS. B. ARMSTRONG: Yeah, once we get the -- probably once we get the changes written out, Gloria can go run next door and go type it up, and then we'll have a new one. One with the changes. Once the changes are made.

CHAIRMAN KATCHATAG: Thank you, Mr. Ivanoff.

Any further changes to the tentative agenda?

Our coordinator has brought to my attention -- yes?

MR. ADKISSON: Mr. Chairman?

CHAIRMAN KATCHATAG: Mr. Adkisson?

MR. ADKISSON: At some point, I'm not quite sure where it would fit on your agenda, possibly under the report down near the bottom, but we'd like to give -- the Park Service would like to give a very short report, a briefing on some potential research that we're interested in conducting.

MS. B. ARMSTRONG: Under agency comments.

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MR. ADKISSON: Okay.

1  
2 CHAIRMAN KATCHATAG: Any recommendations,  
3 Madam Coordinator?

4  
5 MS. B. ARMSTRONG: Under agencies comments, National  
6 Park Service.

7  
8 CHAIRMAN KATCHATAG: Okay.

9  
10 MR. TOCKTOO: Item 12.

11  
12 CHAIRMAN KATCHATAG: Item 12. Okay. Thank you, Fred.

13  
14 MS. B. ARMSTRONG: Oh, I'm sorry.

15  
16 CHAIRMAN KATCHATAG: Do we need on agencies comment or  
17 report on all five agencies?

18  
19 MS. B. ARMSTRONG: Not usually, unless they have one.  
20 There's BLM here, Fish and Wildlife Service don't -- you don't  
21 have any? Okay. BLM will probably hers out when she gets on  
22 that wild and scenic river report. Those are the only agencies  
23 here. And there's also John Borbridge from BIA, who is their  
24 representative -- who is here representing the staff committee  
25 of Anchorage and Juneau.

26  
27 MR. DEGNAN: Mr. Chairman?

28  
29 CHAIRMAN KATCHATAG: Yes, Mr. Degnan?

30  
31 MR. DEGNAN: Is there a place for public comment on  
32 our agenda?

33  
34 CHAIRMAN KATCHATAG: I move -- I move that we add  
35 item .....

36  
37 MS. B. ARMSTRONG: Twelve?

38  
39 CHAIRMAN KATCHATAG: Move items ten through 13 down one  
40 and make item ten public comment. Any objection? Hearing  
41 none, so ordered. Item ten will be public comment, and all  
42 those presently items numbered ten through 13 will now be 11  
43 through 14.

44  
45 Any other changes?

46  
47 MR. STANTON KATCHATAG: Mr. Chairman?

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CHAIRMAN KATCHATAG: Mr. Katchatag.

1  
2 MR. STANTON KATCHATAG: I'd like to recommend for the  
3 future anything that involves subsistence and resources  
4 management and regulations in our region, that the population  
5 of the whole region be informed before the changes are enacted  
6 into law.

7  
8 CHAIRMAN KATCHATAG: So noted, Mr. Katchatag.

9  
10 Any further changes or additions to our tentative  
11 agenda? Hearing none, I would entertain a motion to adopt the  
12 tentative agenda.

13  
14 MS. MUKTOYUK: So move.

15  
16 CHAIRMAN KATCHATAG: We have a motion on the floor to  
17 adopt our tentative agenda as amended. Do I hear a second?

18  
19 MR. BARR: Second.

20  
21 CHAIRMAN KATCHATAG: Seconded by Mr. Barr. Any  
22 discussion?

23  
24 MR. KATCHEAK: Question.

25  
26 CHAIRMAN KATCHATAG: The question's been called. All  
27 those in favor of adopting our agenda signify by saying aye?

28  
29 IN UNISON: Aye.

30  
31 CHAIRMAN KATCHATAG: All those opposed, nay?

32  
33 (No opposing responses)

34  
35 CHAIRMAN KATCHATAG: Our agenda is adopted.

36  
37 We will now move back to item four for the minutes and  
38 transcript of our last meeting which was held March 1 and 2 in  
39 Shishmaref, Alaska. Madam Secretary?

40  
41 MS. MUKTOYUK: Mr. Chairman, I did not receive any  
42 manuscripts from the Fish and Wildlife office. I only had  
43 draft minutes, and if I did my draft minutes, the minutes would  
44 not make any sense, so I didn't do them.

45  
46 CHAIRMAN KATCHATAG: What is the wish of the body with  
47 regard to minutes?

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MR. OTTON: Can we -- I understand the minutes could be here today?

2

3 CHAIRMAN KATCHATAG: Yes. Barb, is that correct?

4

5 MS. B. ARMSTRONG: Excuse me?

6

7 CHAIRMAN KATCHATAG: Our minutes will be here sometime today?

9

10 MS. B. ARMSTRONG: Supposedly. I have asked Gloria to call the office this morning to ask for the transcript since none of the Council members here have received any.

13

14 And Northwest Arctic did receive their transcripts, and that's what they judged to be their -- as their minutes, and I was surprised to find out last night that none of these Council for Seward Peninsula had received their transcripts.

18

19 MS. MASCHMEYER: The office has been advised and will Gold Streak them, yes.

21

22 MS. B. ARMSTRONG: Okay. They're going to Gold Streak them if possible.

24

25 CHAIRMAN KATCHATAG: Okay. That's a new one on me. What is the wish of the Board with regard to our minutes and transcripts -- and/or transcripts?

28

29 MS. MUKTOYUK: Mr. Chairman?

30

31 CHAIRMAN KATCHATAG: Madam Secretary?

32

33 MS. MUKTOYUK: I would like to suggest that we table the minutes until we have our next meeting.

35

36 CHAIRMAN KATCHATAG: We have a motion on the floor to table our minutes until such time as we -- until the next meeting?

39

40 MS. MUKTOYUK: Uh-huh (affirmative).

41

42 MR. BARR: Second.

43

44 MR. OTTON: Well, hold. When's the next meeting, tomorrow morning? This afternoon? We can the minutes today, you know. What happens in the minutes might .....

47

48 MS. MUKTOYUK: We have to read the manuscripts, 'cause

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I can't .....

1

2 CHAIRMAN KATCHATAG: It could be the transcripts.

3

4 MR. OTTON: Oh, that's true.

5

6 MS. B. ARMSTRONG: For this time, however, you can just  
use the transcript as the minutes, since they weren't sent to  
you ahead of time for you to be able -- that's what Northwest  
Arctic did, because at that time their secretary at the time  
didn't ask for a reappointment or anything at that. That would  
be the -- for minutes. And it would be up to your Council if  
they will them as to be the minutes.

13

14 MS. MUKTOYUK: Then I withdraw my motion.

15

16 CHAIRMAN KATCHATAG: Madam Secretary withdraws her  
motion to table our minutes, transcript, until the next  
meeting. What is the wish of the body with regard to our  
minutes and transcripts, which will be Gold Streaked to us as  
soon as possible?

21

22 MR. BARR: Mr. Chairman?

23

24 CHAIRMAN KATCHATAG: Mr. Barr?

25

26 MR. BARR: Let's see what the airlines will do. If  
they're here, we'll go ahead and read them. If they're not,  
we'll table them until our next meeting.

29

30 CHAIRMAN KATCHATAG: We have a motion on the floor  
to .....

32

33 MR. BARR: So move.

34

35 CHAIRMAN KATCHATAG: ..... table our approval of our  
minutes and/or transcripts until such time as they're delivered  
by the airlines, and if they are not delivered by the time  
we're done with this meeting, that we table them until our next  
meeting. Do I hear a second?

40

41 MR. KATCHEAK: Second.

42

43 CHAIRMAN KATCHATAG: Seconded. Any discussion?

44

45 MR. SEETOT: Mr. Chairman, being new to the Federal  
Advisory Board, I would like to know what transpired, you know,  
from the last Board meeting minutes. I am very new to this  
Board, and to go ahead into a discussion of what -- these

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issues here that affect, you know, the whole region now, I would like, you know, to know what happened at the last meeting, since our representative did not report, or I wasn't present at that meeting due to circumstances.

4

CHAIRMAN KATCHATAG: Let the record reflect that Mr. Seetot is newly appointed to the Council, and that he is very right in his contention that he needs to know what went on at our last meeting in order to be able to participate as he should in this meeting.

10

MR. BARR: Mr. Chairman?

12

CHAIRMAN KATCHATAG: Mr. Barr?

14

MR. BARR: I made a motion to -- if the minutes come in today or tomorrow, we'll go ahead and read them, you know, and then if not, to table them until our next meeting, and there was a second to that, and I'm just, you know, wondering .....

19

CHAIRMAN KATCHATAG: Yeah.

21

MR. BARR: ..... if the staff will make an effort to get our minutes up here. But if they don't, then in the meantime the staff can probably send them out to each Board member, and then -- so we can review as to what went on at that time.

27

CHAIRMAN KATCHATAG: Thank you, Mr. Barr. Any further discussion? Hearing none, I ask for the question on tabling the minutes until such time as they're delivered.

31

MR. BARR: Question.

33

CHAIRMAN KATCHATAG: The question's been called. All those in favor of tabling the minutes -- and/or approving the minutes of our last meeting signify by saying aye?

37

IN UNISON: Aye.

39

CHAIRMAN KATCHATAG: All those opposed, nay?

41

(No opposing responses)

43

CHAIRMAN KATCHATAG: Let the record show that we have tabled our minutes until such time as they are delivered.

46

Moving on to item six, I moved that one, the first part that a little further up the agenda, so at this time, I

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would like to introduce the Council, beginning with the vice chairman to my left, Mr. Roy Otton of Koyuk; Madam Secretary, Ms. Loretta Muktoyuk from King Island Community; and the Unalakleet rep, Mr. George Lockwood. Starting from my far right, Mr. Z. William Barr, Shishmaref; Mr. Ted Katcheak, Stebbins; and on behalf of the Council, I would like to welcome Mr. Elmer Seetot, Junior, of .....

7

8 MR. SEETOT: Brevig Mission.

9

10 CHAIRMAN KATCHATAG: ..... Brevig Mission onto our Council. Welcome aboard.

12

13 At this time I would like to introduce our coordinator, Ms. Barbara Armstrong of Kotzebue, and ask her to introduce the staff that are present.

16

17 MS. B. ARMSTRONG: Thank you. First off, since Gloria is leaving, I'd like to introduce her first. She's the person that works in publishing?

20

21 MS. MASCHMEYER: Yeah, Subsistence Management, in the Public Involvement Branch as a publications specialist.

23

24 MS. B. ARMSTRONG: Okay. And there's my immediate supervisor currently is Sue Detwiler, and I keep forgetting your name?

27

28 MS. MASON: Rachel Mason.

29

30 MS. B. ARMSTRONG: Rachel Mason. She's the anthropologist taking Helen Armstrong's place currently. And there's Steve Kovach, who is your biologist for this meeting. And there's Bill Knauer, who works with the regulations. He's a regulation specialist. And last, but not least, is John Borbridge, who is a member of the staff committee. Okay. And then there's -- you know Ken Adkisson from the National Park Service there.

38

39 MR. OTTON: No, we don't know him.

40

41 (Laughter)

42

43 MS. B. ARMSTRONG: And Fred Tocktoo. And Anne Morkill from BLM. And that lady there?

45

46 MS. HOGAN: My name is Mimi Hogan, I'm with Fish and Wildlife Service. I'm in the Migratory Birds Division.

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MS. B. ARMSTRONG: Okay. You're reporting for the migratory birds. Okay. And your court reporter is .....

2  
3 (Laughter)

4  
5 MS. DOWNING: Meredith.

6  
7 MS. B. ARMSTRONG: Meredith. Meredith Downing. I'm  
8 sorry.

9  
10 CHAIRMAN KATCHATAG: Thank you, Ms. Armstrong. Any  
11 other guests that need to be introduced?

12  
13 MR. BARR: Stanton Katchatag.

14  
15 CHAIRMAN KATCHATAG: Thank you, Mr. Barr. For the  
16 record we have .....

17  
18 MR. BARR: Jerry Ivanoff.

19  
20 CHAIRMAN KATCHATAG: .....

21 Mr. Stanton Katchatag,  
22 president of the Native Village of Unalakleet, and Mr. Jerry  
23 Ivanoff, representing himself.

24 Before we go on to the nomination and elections of  
25 officers, I see that our coffee machine is done, and I recess  
26 for coffee.

27  
28 (Off record)

29  
30 (On record)

31  
32 CHAIRMAN KATCHATAG: Call the meeting back to order.  
33 All Council members are present.

34  
35 We are now down to item seven, nominations and  
36 elections of officers. I hereby open the floor to nominations  
37 for chairman of the Seward Peninsula Subsistence Regional  
38 Advisory Council.

39  
40 MR. OTTON: Mr. Chairman?

41  
42 CHAIRMAN KATCHATAG: Mr. Otton?

43  
44 MR. OTTON: I nominate Sheldon Katchatag for chair.

45  
46 CHAIRMAN KATCHATAG: I have been nominated. Are there  
47 any other nominations?

48  
49  
50

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1 MR. BARR: Mr. Chairman, I move that nominations be  
2 closed.

3 MR. KATCHEAK: Second.  
4

5 CHAIRMAN KATCHATAG: We have a motion and ask unanimous  
6 acclaim. Any objections? So ordered. I have been re-elected  
7 as chairman of the Seward Peninsula Subsistence Regional  
8 Advisory Council.

9  
10 The floor is now open to nominations for vice chair.

11  
12 MR. OTTON: Mr. Chairman?

13  
14 CHAIRMAN KATCHATAG: Mr. Otton?

15  
16 MR. OTTON: I nominate Z. William Barr.

17  
18 CHAIRMAN KATCHATAG: We have Mr. Barr nominated. Are  
19 there other -- any other nominations?

20  
21 MR. KATCHEAK: I move to close nominations and for  
22 unanimous consent.

23  
24 CHAIRMAN KATCHATAG: We have a motion to close  
25 nominations and ask unanimous consent. Are there any  
26 objections? Hearing none, so ordered. Congratulations,  
27 Mr. Barr.

28  
29 MR. BARR: Thank you.

30  
31 CHAIRMAN KATCHATAG: The floor is now open for  
32 nominations for secretary.

33  
34 MR. BARR: Mr. Chairman, I nominate Loretta Sinock -- I  
35 mean, Loretta Willard -- I mean, .....

36  
37 MR. OTTON: Muktoyuk.

38  
39 (Laughter)

40  
41 CHAIRMAN KATCHATAG: We have a motion -- we have a  
42 nomination of Loretta Muktoyuk .....

43  
44 MR. BARR: Muktoyuk, Sinock, everything.

45  
46 CHAIRMAN KATCHATAG: Loretta Sinock Willard Muktoyuk.  
47 Let the record show it's Loretta Muktoyuk. Any other  
48 nominations for secretary?

49  
50

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1 MR. SEETOT: Mr. Chairman, move to close the  
2 nominations.

3

4 CHAIRMAN KATCHATAG: We have -- nominations have been  
5 closed. I hereby ask unanimous consent. Any objection?  
6 Hearing none, so ordered. Congratulations, Madam Secretary.

7

8 Item 7.D, discussion of the 1995 expiring seats, and  
9 one of the handouts given to all the Council members is this  
10 sheet here, which shows for Region Seven that seats D and E.  
11 D, George Lockwood, Unalakleet, and E, Roy Otton, Koyuk, expire  
12 next year. And that anyone wishing to apply for appointment to  
13 those seats may obtain an application. It's a single page  
14 application for nominations. And those generally are available  
15 from the Regional Coordinator, and/or the Office of Subsistence  
16 Management of the U.S. Fish and Wildlife Service.

17

18 I guess it's only appropriate at this time to ask  
19 whether Mr. Lockwood and Mr. Otton will be applying to be  
20 reappointed, starting with Mr. Lockwood? Will you be applying  
21 for reappointment to the Council?

22

23 MR. LOCKWOOD: I was thinking about it. I will.

24

25 CHAIRMAN KATCHATAG: You have a good year to think  
26 about it.

27

28 MR. LOCKWOOD: Yeah.

29

30 CHAIRMAN KATCHATAG: Mr. Otton?

31

32 MR. OTTON: Yeah, likewise I've been thinking about it,  
33 and my heart would love to, but like you said, we've got one  
34 year to think about it.

35

36 CHAIRMAN KATCHATAG: Thank you, Mr. Otton.

37

38 MR. STANTON KATCHATAG: I'll volunteer to think for  
39 you, Roy.

40

41 (Laughter)

42

43 MR. OTTON: Don't you always?

44

45 CHAIRMAN KATCHATAG: The latest handout shows the  
46 Regional Council member appointment or reappointment process.  
47 A draft effective the 17th of October, 1994. And I'll briefly  
48 run through the process. The process is started on the 1st of

49

50

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December. A letter sent to Regional Councils and a news release given on the 1st and 2nd of December. The application period according to this runs from 12/1/94 until 2/28/95. And the application review process is finalized by the 31st of January. The field panels are selected between the 1st and the 5th of February. The applications are processed between the 5th of February and the 3rd of March. A list is provided to the Regional Councils on the 8th of March, and also to the field panel. The field panel reviews the applications between the 8th of March and the 14th of April. And the field panels meet to review between the 10th of April -- oh, correct me. 10th of March and the 14th of April. The panel results sent to the Division Chief for consolidation between -- on the 20th of April. The Staff Committee reviews the panel results as sent by the Division Chief between the 24th of April and the 19th of May. And somewhere out of the flow chart it says that between the 26th of May -- or on the 26th of May, they begin the Secretarial packet preparation, and it's completed on the 23rd of June. From the Staff Committee review it's sent to the Federal Subsistence Board for their review between the 30th of May and the 16th of June. And the Federal Subsistence Board makes its recommendation between the -- on the 19th of June. This is sent to Washington, D.C., to the Secretary of Interior who makes appointments on the 26th of June. The Secretary of Interior reviews the Federal Subsistence Board recommendation between the 30th of June and the 31st of August. And the Secretary appoints the new members to the Council on the 1st of September, 1995.

28

29 Any questions?

30

31 MR. OTTON: Yes.

32

33 CHAIRMAN KATCHATAG: Mr. Otton?

34

35 MR. OTTON: Who selects the field panels and who are they usually?

36

37 CHAIRMAN KATCHATAG: Mr. Knauer?

38

39 MR. KNAUER: Thank you, Mr. Chairman. The field panels are a representative -- a single representative from each of the Federal land managing agencies represented in that region, and they are selected by the agency themselves. They -- that field panel is the group that does the initial review of the applications and they consult with regional leaders and organizations and the references that are listed.

40

41 MR. OTTON: Okay. Like for our region, who would they

42

43

44

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be? Or who have they been? I see a couple of guys that might be the field panel for our region, is that right? You two?

2

3 MR. ADKISSON: Last time it was Fred and the BLM guy in Nome, Norm Messenger. I think that was all.

5

6 MR. OTTON: Uh-huh. Well, you stated that they would usually consult regional organizations and -- before they make a selection?

9

10 MR. KNAUER: They're -- they don't -- they actually don't make a selection. They .....

12

13 MR. OTTON: Uh-huh. Make recommendations?

14

15 MR. KNAUER: They make a recommendation to the Staff Committee.

17

18 MR. OTTON: Yes. Well, I would recommend whoever is on the field panels consult with the tribal or native organizations in our regions that has to affect with subsistence, like probably maybe Kawerak, or our regional nonprofit, or Western Alaska Tribal Council. And our president for Kawerak here is .....

24

25 MR. STANTON KATCHATAG: The chairman.

26

27 MR. OTTON: The chairman, yeah. The chairman. So, you know, that's a recommendation.

29

30 MR. KNAUER: That is the practice, and we will be doing that.

32

33 CHAIRMAN KATCHATAG: Any other questions for Mr. Knauer? Thank you, Mr. Knauer.

35

36 Any other questions regarding item 7.D?

37

38 MR. SEETOT: Mr. Chairman?

39

40 CHAIRMAN KATCHATAG: Mr. Seetot?

41

42 MR. SEETOT: When they select the Regional Council member, is this the calendar year that they're talking about?

44

45 CHAIRMAN KATCHATAG: Actually not. Do you have any clarification on the term for each Council member?

47

48 MR. KNAUER: All Council members that are appointed

49

50

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from now on will serve a three-year term, and they normally run from the date of appointment until they are either reappointed or someone else is appointed in their place, but approximately three years.

4

5 The first set of appointments, to achieve a staggering, there were some three-year appointments, some two-year and some one-year. That way the board is not totally replaced at any time, and there is some continuity in there.

9

10 CHAIRMAN KATCHATAG: Does that answer your question?

11

12 MR. SEETOT: Yes. Uh-huh.

13

14 CHAIRMAN KATCHATAG: Thank you, Mr. Knauer.

15

16 Any other discussion?

17

18 MR. STANTON KATCHATAG: I do have one.

19

20 CHAIRMAN KATCHATAG: Mr. Katchatag? Dad, and this is for everybody that would like to say something, when you have the floor, please come up and sit at this table here in front of this mike so that our court reporter can get an accurate transcript. Thank you.

25

26 MR. STANTON KATCHATAG: Thank you, Mr. Chairman. My concern is in part with applications. Is that sufficient time, 28 days?

29

30 CHAIRMAN KATCHATAG: What item are you looking at?

31

32 MR. OTTON: Right here.

33

34 CHAIRMAN KATCHATAG: Oh, okay. Yeah, I see that.

35

36 MS. B. ARMSTRONG: Application period, 12/1 through 27/28. It's not 15 days. December 1, '94 to February 28, '95.

38

39 CHAIRMAN KATCHATAG: Oh, he's looking at this one here, 40 days to process the applications.

41

42 MS. B. ARMSTRONG: Oh, okay.

43

44 CHAIRMAN KATCHATAG: Any discussion on the matter brought up from the public?

46

47 MR. KNAUER: Mr. Chairman?

48

49

50

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CHAIRMAN KATCHATAG: Mr. Knauer?

1  
2 MR. KNAUER: Just clarification. The application  
3 period for the public and the members that wish to reapply is  
4 64 days, two months. The processing of the applications is  
5 what we have to do, to make copies and make sure they get  
6 listed and distributed. That's what process applications is.

7  
8 CHAIRMAN KATCHATAG: Basically then all you're doing is  
9 compiling all the applications and making a list of all that  
10 applied?

11  
12 MR. KNAUER: Making sure that they're for the right  
13 regions and so on.

14  
15 CHAIRMAN KATCHATAG: Okay.

16  
17 MR. KNAUER: But the critical period for the public is  
18 the application period, which is 64 days, running from December  
19 1st to the end of February.

20  
21 CHAIRMAN KATCHATAG: Does that answer your question?

22  
23 MR. STANTON KATCHATAG: Thank you, Mr. Chairman.

24  
25 CHAIRMAN KATCHATAG: Thank you, Mr. Knauer.

26  
27 MR. KNAUER: Uh-huh.

28  
29 CHAIRMAN KATCHATAG: Any other questions regarding the  
30 1995 -- yes, Loretta?

31  
32 MS. MUKTOYUK: Mr. Chairman, are we going to be sending  
33 a letter of support to Roy Otton and George Lockwood for their  
34 positions, or are we going to wait until a later period?

35  
36 CHAIRMAN KATCHATAG: They have to reapply first.

37  
38 MS. MUKTOYUK: They have to reapply first?

39  
40 CHAIRMAN KATCHATAG: And .....

41  
42 MS. MUKTOYUK: No, I was just going to say that if we  
43 could write a letter of support for them, when and if they turn  
44 in their application.

45  
46 MS. B. ARMSTRONG: Once they -- once -- if I should get  
47 their applications, in the meantime I'll let you guys know, but  
48 they can apply any time after.

49  
50

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1 CHAIRMAN KATCHATAG: So you two have from December 1st  
 until the 28th of February to apply, to reapply. That's longer  
 than 64 days, Bill.

4  
 5 MR. KNAUER: I think that's 64 days, working days, Mr.  
 Chairman.

7  
 8 CHAIRMAN KATCHATAG: Okay.

9  
 10 MR. KNAUER: I think the computer program shows it in  
 working days.

12  
 13 CHAIRMAN KATCHATAG: I was questioning your calendar  
 abilities, Bill.

15  
 16 MR. KNAUER: Frequently in doubt.

17  
 18 CHAIRMAN KATCHATAG: Thank you for that clarification.  
 19 Any other comments on the '95 expiring seats? Hearing none,  
 20 we move on to 7.D.1, geographic representation. Can we have  
 21 some clarification on why there is or is not a geographic  
 22 representation requirement in the Council process? Barb or  
 23 Bill? Anyone but Sue.

24  
 25 (Laughter)

26  
 27 CHAIRMAN KATCHATAG: For off the record.

28  
 29 (Off record)

30  
 31 (On record)

32  
 33 CHAIRMAN KATCHATAG: We're on record again.  
 34 Knauer?

35  
 36 MR. KNAUER: Thank you, Mr. Chairman. When the field  
 panel reviews the applications, there are a number of criteria  
 that they look at, both from the individual standpoint, things  
 such as knowledge of subsistence resources and uses in the  
 area, respect and credibility in the local area, knowledge of  
 the region. And then that's -- those are some of the items  
 that are looked at individually.

43  
 44 And then when they look at the recommendation for the  
 members to be appointed to the Council, they try an -- there  
 are three things that they look at. One is geographical  
 representation. That's the very first thing. They try and  
 achieve some geographical representation.

49  
 50

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1 Ideally, it would be nice if it would be possible to  
 2 have a representative on the Councils from every village.  
 3 There are something like 302 Council -- or villages in the  
 4 State of Alaska, and if we divided that up, just assuming they  
 5 were spread equally, that would be 30 members per Council. Not  
 6 only is that an unwieldy size, but financially we would be  
 7 unable to support a number of meetings that the Councils  
 8 desire. Currently the Councils -- the cost of conducting the  
 9 Council meetings around the State is about one-fourth of the  
 10 total subsistence budget. It costs about \$1 million a year to  
 11 have -- to pay for the Councils, for the chairs of those  
 12 Councils to attend the Federal Subsistence Board meetings, and  
 13 to provide for the coordinators and so on.

14

15 So when -- the first thing that we did try and do, and  
 16 each of the panels tries to do is to look and see that there is  
 17 geographic representation from most of the areas of each  
 18 region. That changes as Council members choose to not reapply  
 19 and others are reappointed. We had a situation just now in  
 20 Southeast where they had pretty good representation, and two of  
 21 the Councils decided to move. Two of the Council members  
 22 decided to move. And so there was additional members from one  
 23 community. But, yes, that is one -- that is the major  
 24 consideration on this.

25

26 CHAIRMAN KATCHATAG: Any other questions regarding  
 27 geographical representation? Any questions for Mr. Knauer?  
 28 Mr. Otton?

29

30 MR. OTTON: Yeah, I was just trying to see where  
 31 everybody came from that are on the present board, and looking  
 32 at our piece of the .....

33

34 MS. B. ARMSTRONG: On the map.

35

36 MR. OTTON: ..... piece of Alaska, it looked like right  
 37 at the moment we've got geographical .....

38

39 MS. B. ARMSTRONG: One here.

40

41 MR. OTTON: Yeah.

42

43 MS. B. ARMSTRONG: Yeah, you have one from Shishmaref,  
 44 you have one from Brevig now, and one from Nome, and one from  
 45 Elm, one from Koyuk, one from Unalakleet and Stebbins. So  
 46 there's your -- you're pretty much covered.

47

48 MR. OTTON: That's .....

49

50

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1 MR. DEGNAN: Except for St. Lawrence Island.  
2  
3 MS. B. ARMSTRONG: They don't -- they said they don't  
4 have any federal lands.  
5  
6 MR. DEGNAN: Oh, that's only for .....  
7  
8 MS. B. ARMSTRONG: Yeah.  
9  
10 MR. DEGNAN: ..... federal land only.  
11  
12 MS. B. ARMSTRONG: Uh-huh (affirmative).  
13  
14 CHAIRMAN KATCHATAG: This Council is for Federal public  
15 lands in Alaska. Well, within this particular region. The  
16 colored areas on this map. And since the people on  
17 St. Lawrence own that entire island, there is no Federal public  
18 land out there.  
19  
20 MR. OTTON: Okay.  
21  
22 MR. DEGNAN: Of course, .....  
23  
24 CHAIRMAN KATCHATAG: Yes?  
25  
26 MR. J. IVANOFF: Since that's all private land, my  
27 understanding is that they own the whole island. Are you  
28 imposing your regulations on them?  
29  
30 CHAIRMAN KATCHATAG: They're -- Federal -- correct me  
31 if I'm wrong, but State lands and private lands are managed  
32 under the State regulations. This Council and the other  
33 Subsistence Advisory Councils only manage the subsistence on  
34 Federal public lands in Alaska, in our case it's those areas  
35 that are colored on this map.  
36  
37 MR. OTTON: Yeah, the yellow and the purple.  
38  
39 CHAIRMAN KATCHATAG: Mr. Degnan?  
40  
41 MR. DEGNAN: Mr. Chairman, who manages offshore in the  
42 Federal waters?  
43  
44 CHAIRMAN KATCHATAG: That's a good question, and to my  
45 to the best of my recollection, the U.S. Fish and Wildlife  
46 Service is charged with regulating subsistence takes of marine  
47 mammals under the Marine Mammal Protection Act.  
48  
49  
50

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Mr. Knauer?

1  
2 MR. KNAUER: That actually is divided between the Fish  
and Wildlife Service and the National Marine Fisheries Service.  
4 The Fish and Wildlife Service is only responsible for polar  
bear, walrus and sea otter. Seals, whales, sea lions are  
6 responsible -- the responsibility of the National Marine  
Fisheries Service.

8  
9 MR. KATCHEAK: That includes the migratory birds?

10  
11 CHAIRMAN KATCHATAG: That's .....

12  
13 MR. KATCHEAK: That includes the migratory birds?

14  
15 MR. KNAUER: Migratory birds are handled by Fish and  
Wildlife Service, but under the Migratory Bird Treaty Act and  
17 subsequent things. They're not under the Federal subsistence  
18 regulations under Title Eight of the Alaska National Interest  
Lands Conservation Act. So Fish and Wildlife Service office  
20 does it, but it's a different division within the agency.

21  
22 CHAIRMAN KATCHATAG: Mr. Katchatag?

23  
24 MR. STANTON KATCHATAG: Yes, my question is how does  
the island population feel about this?

26  
27 CHAIRMAN KATCHATAG: Personally, I have no idea. I  
28 don't know if anybody in the Fish and Wildlife Service has any  
29 idea either, so I'll ask -- defer to Mr. Knauer?

30  
31 MR. KNAUER: I don't know either, Mr. Chairman.

32  
33 CHAIRMAN KATCHATAG: So basically what we're saying is  
34 that because the entire island is viewed as private property  
35 under Federal and State law, that as it stands now, the State  
36 manages both subsistence and nonsubsistence activities on State  
and private land, and the entire island of St. Lawrence  
38 qualifies. So they're totally under state jurisdiction as far  
39 as subsistence regulation. Does that answer your question?

40  
41 MR. DEGNAN: It clarifies it a little bit,  
42 Mr. Chairman.

43  
44 CHAIRMAN KATCHATAG: Yeah.

45  
46 MR. OTTON: I think maybe what you're asking is  
47 probably what's going to come out of the Molly -- what's her  
48 name now?

49  
50

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1 CHAIRMAN KATCHATAG: Katy John?

2

3 MR. OTTON: Yeah, Katy John.

4

5 MR. DEGNAN: Mr. Chairman, there are several concerns  
6 that I have, that the -- historically -- Thank you,  
7 Mr. Chairman, my name is Charles Degnan, I'm the director for  
8 the Bering Straits Coastal Management Plan. I work for the  
9 Bering Straits Coastal Resource Service Area Board.

10

11 One of the concerns that our board has is having local  
12 active participation in things that affect the community. And  
13 all our communities are on the coast, and are heavily dependent  
14 on marine waters and also the lands around the communities. We  
15 recognize tribal councils, village corporations and city  
16 councils under our coastal management plan. Also Kawerak and  
17 the Bering Straits Native Corporation.

18

19 The problem that I see is the fragmentation of local  
20 management of subsistence resources. And in order to make sure  
21 that the local people that have historically lived here, the  
22 indigenous people that have lived here all their lives, that  
23 they have a say on how subsistence resources are managed, and  
24 -- historically the United States Government has fragmented  
25 that, so that there's no real control locally.

26

27 There needs to be some way that your group addresses  
28 the tribal governing bodies. They have the historical  
29 knowledge. They know their hunting areas. And they have  
30 managed their resources historically. It hasn't been until  
31 recent history that there's been a depletion of resources in  
32 this area.

33

34 Our board recommended early on that the tribal  
35 governing bodies have the say in management of subsistence  
36 resources, and that is to include air, land and water.

37

38 Now, the State in itself, in its practices, the State  
39 of Alaska in its practices have been hostile toward local  
40 people, and this is because they primarily import enforcement  
41 people from a different culture and from different areas that  
42 have no tie to this land we call our land. And so as a  
43 concerned individual and a concerned employee of our Coastal  
44 Resource Service Board, these need to be addressed so that  
45 local people will continue their cultural practices, their  
46 harvest practices without interference from an outside source  
47 that we call our government, which I think it's due to lack of  
48 understanding of how local people think and how they are tied

49

50

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to the lands, to sea, and air resources.

1

2 Thank you for the opportunity, Mr. Chairman.

3

4 CHAIRMAN KATCHATAG: Thank you, Mr. Degnan. And I  
5 appreciate your comments, and for the record, what he has said  
6 very succinctly mirrors the proposal that I had originally put  
7 before this body and which they had approved in draft form at  
8 our first meeting in that we the indigenous people of Alaska  
9 and all of us here on this Council sitting here are all members  
10 of so-called native villages, which are recognized in the  
11 Federal Register as federally-recognized tribes.

12

13 And this has brought out a very sticky thorn in the  
14 side of the indigenous people in that we are expected to comply  
15 with regulations, rules and statutes promulgated by both  
16 Federal and State agency staff people, and I think we probably  
17 spend 75% of our time trying to comply with all the regulations  
18 which are applicable, and I've said time and time again if in  
19 fact we are going to be effective as a subsistence advisory  
20 council, directly responsible to the Federal Subsistence Board,  
21 that we have to figure out a way to reduce all the hoops and  
22 requirements which our longest historic and prehistoric  
23 subsistence users have to go through.

24

25 And the sad thing about it is under the Alaska Native  
26 Claims Settlement Act, there's a section in there that states  
27 our all -- let me find the proper passage and I'll read it to  
28 you verbatim. If you look on page 38 of the report of the  
29 designated hunter task force, October 1994, there is a citation  
30 from the Alaska Native Claims Settlement Act. It's from Title  
31 43, subsection 1603, "Declaration of Settlement," item (b), and  
32 states, "All aboriginal titles, if any, and claims of  
33 aboriginal title in Alaska based on use and occupancy,  
34 including submerged land beneath all water areas, both inland  
35 and offshore, and including any aboriginal hunting and fishing  
36 rights that may exist, are hereby extinguished."

37

38 When that act was passed by Congress on December 1971,  
39 for all intents and purposes the human right of Alaska Natives  
40 for hunting and fishing of resources which are annually renewed  
41 in their areas was totally violated. And regardless of how  
42 vehemently or strongly we may protest that fact, that is the  
43 statutes which guides any and all Federal and State agencies in  
44 their determination of how they interact with Alaska's Natives.  
45 So what we have here is a total violation of our human rights  
46 the hands of the Federal Government.

47

48 And if you look on the very next section, section (c),

49

50

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"All claims against the United States, the State and all other persons that are based on claims of aboriginal right, title, use, or occupancy of land or water areas in Alaska, or that are based on any statute or treaty of the United States relating to Native use and occupancy, are hereby extinguished."

5

6 What this says is it absolves the United States from any requirement of any treaty or statute that requires them to respect and abide by the human rights of Alaska's Natives.

9

10 Mr. Degnan?

11

12 MR. DEGNAN: Mr. Chairman, Charles Degnan. Thank you for the opportunity to comment.

14

15 That doesn't prohibit the United States Government from recognizing and taking the advice of local tribes in doing what's good for that local area. In taking a step forward, you've got to use common sense and make sure that today's citizens in this area, primarily Alaska Natives, are recognized for their traditional and customary practices. It does prevent us from doing what's right for local people. Thank you.

22

23 CHAIRMAN KATCHATAG: Thank you, Mr. Degnan.

24 Katchatag?

25

26 MR. STANTON KATCHATAG: Thank you, Mr. Chairman. I have two concerns here.

28

29 One is the Island population. These Island population are a federally recognized tribes. And I am the chairman of the regional nonprofit arm of Bering Straits, and therefore I feel uncomfortable just by looking at the population of St. Lawrence Island out of reach, so to speak, from the Federal Subsistence Advisory Board and their work. And I feel very strongly, although I have not heard anything from the Island people themselves, that this will one day come up. Maybe after I'm gone. Basically my concern about them. How would we feel if we were federally recognized and left out of this Federal program. That's a hard question to ask I think.

40

41 The other comment I'd like to make is of ANCSA. ANCSA as we understand is the law now, but I'd like to remind you that the birth of ANCSA wasn't participated by very many Natives. The birth of the statehood originated with the Tennessee Plan, and so subsistence was not discussed during the process of statehood. That's where the subsistence matters fall in. I feel very strongly that we have been abused. This is -- to me subsistence abuse is what it amounts to. This use

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of subsistence activities that were from -- that we inherit from our ancestors in subsistence gathering, our ancestors depend very much on the weather.

3

4 In today's subsistence matters, these are under remote control. They are decided by both Fish and Wildlife and Alaska Department of Fish and Game, which too often does not agree between themselves, and they blame us, the natives, that we're the issue. We're not the issue. The issue is Department of Fish and Game of the State of Alaska, and Fish and Wildlife Service and all other Government agencies that are organized, and that want to regulate our way of life.

12

13 I just wanted to comment on that. Thank you.

14

15 CHAIRMAN KATCHATAG: Thank you, Mr. Katchatag.

16

17 MR. LOCKWOOD: Mr. Chairman?

18

19 CHAIRMAN KATCHATAG: Mr. Lockwood?

20

21 MR. LOCKWOOD: My main being with the Subsistence Regional Council, Advisory Council, are to see if any of our rights being pushed forward, the way we live. And this here on what we just go through, on this book, let me read part of it, first to kind of see something I'm really looking -- look into, because I'm a Native, and I have a right to say things about our way of living, and I know pretty much about the way we live. It says here, "And any -- including any aboriginal hunting and fishing rights that may exist are hereby extinguished." That's not right to me, because the way we live, it has been passed on to us from thousands of years. Our culture, our traditional way of living, from way back. These kind of words hurt us. I think we need to straighten many things that are written like that in black and white. We've got to come to realize our way of living.

36

37 People who write these kind of writings, they don't know much about our way of living. They just work for Fish and Wildlife, or Federal or whatever. They don't see enough of our way of living.

41

42 We will fight for our subsistence rights. It's not really a subsistence. Our way of living is culture, our addition from many years, even non-Natives come across to this part of the world many years before, and we're still using what they have passed on to us.

47

48 I thought I'd say something about this, and I forget to

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introduce myself. My name is George Lockwood from here in Unalakleet.

2

3 CHAIRMAN KATCHATAG: Thank you, George. Mr. Borbridge?

4

5 MR. BORBRIDGE: Thank you, Mr. Chairman, and members.  
My comments will be contributed for the good of the order and information.

8

9 The provision that was just read and alluded to, referring to the extinguishment of aboriginal hunting and fishing rights, was imposed on the Native people who were lobbying for a just and equitable or fair Alaska Native Claims Settlement Act. Those of us who were there lobbying at the time prior to '71 and in 1971, felt that this provision had nothing to do with the Settlement Act and should not be included.

17

18 Prior to the inclusion of this provision in the final bill, the primary focus was largely on subsistence, on land and on compensation for lands taken and lost. Just again prior to the end of 1971 when we ended with an Alaska Native Claims Settlement Act, two bills were passed, one in the Senate of the United States and the other in the U.S. House. The Senate provision contained very detailed provisions pertaining to subsistence. I mention that, because very often people refer to the final Claims Settlement Act in an effort to determine what the position of the Alaska Native people was on subsistence. And in order to determine and to receive a full appreciation of how high subsistence was as a priority among those who were lobbying on behalf of Alaska Natives prior to and in 1971, it is necessary to refer to that Senate bill.

32

33 Anyway, the Senate bill that included detailed provisions went to conference committee in November and December of 1971, and the House bill did as well. And the conference committee had the task of bringing together those two separate, different kind of bills. The Chairman of the House Interior and Insular Affairs, Congressman and Chairman of the Committee Wayne Aspinall of Colorado, insisted that it was not necessary to have detailed provisions in the Claims Settlement Act in order to protect Native subsistence. He didn't argue that -- against the fact that Natives were living subsistence lifestyle. He did not argue against protecting it. He merely said that it was not necessary to have the detailed provisions included in the final Claims Settlement Act. And as a consequence, he prevailed, and when the conference committee brought the two bills together and produced one bill, they stated in general terms that, firstly, the Secretary of

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the Interior possessed sufficient authority to protect subsistence, and that one example given was that he could close access to lands if necessary that came under Federal jurisdiction in order to protect subsistence hunting rights.

4

5 The conference committee also stated that it was the hope of the conference committee that the Secretary would exercise the authorities that he had, and that the Department of Interior would work with the State of Alaska and that together they would protect the Native subsistence rights. So it's important to notice at this point that there was no one point where someone said, "There are no further subsistence rights." It was acknowledged that they could be protected under then existing law.

14

15 All of us know as a matter of history that following the enactment of ANCSA and the statement of the conference committee, that the Secretary and the State of Alaska working together could protect the Native subsistence rights, that there was a failure to do exactly that, and that as a consequence of the inaction by the Secretary of the Interior and by the State of Alaska, the Native subsistence rights were being steadily eroded and reduced for years thereafter.

23

24 As a consequence, the Native people went back to the Congress and said that the promises of ANCSA were not being realized, and that it was necessary to have their subsistence rights protected in new Federal legislation. And this is the same that what became the Alaska National Interest Lands Conservation Act was being considered by the Congress. The champion of the Alaska Native subsistence cause was Chairman of the House Interior and Insular Affairs Committee, Chairman Morris Udall of Arizona. And he became the prime sponsor of what became Title VIII, which is our subsistence title. And he was the one who said -- who was present when the State of Alaska sought a compromise that resulted in the language that we now see in Title VIII, rural Alaskans rather than Alaska Natives. But he also conceded that if it were not for the Alaska Natives, there wouldn't be a Title VIII. Title VIII was not enacted to protect the rights of non-Natives, although in fact that is what occurred, but rather it began because there was an acknowledgement that the promises in ANCSA were not being realized.

43

44 Title VIII is considered to be derivative of and to flow from ANCSA, and it is considered as an effort to fulfill the unfulfilled promises that were made in ANCSA itself, so there is a thread that flows from one piece of legislation to the other.

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1 I want to emphasize that what I'm offering is not  
 2 offered as a defense of ANCSA, which is by all means, whatever  
 3 else it is, an effort to do justice, it is also clearly an  
 4 imperfect bill. A lot of mistakes, a lot of ambiguity, and a  
 5 lot of litigation caused for Natives as they sought to make  
 6 certain that what ANCSA was intended to do was in fact realized  
 7 by the intended beneficiaries. But rather, it is just to state  
 8 to you that the rights of the Alaska Natives to enjoy  
 9 subsistence are pretty strong and pretty clear, even if it's  
 10 done imperfectly, I just wanted to share with you that those  
 11 that were working on ANCSA originally were looking at  
 12 subsistence as one of the chief priorities.

13

14 And I know that there is debate in Federal ranks, for  
 15 example, about whether Title Eight is Indian Legislation, which  
 16 if the answer is yes would make it very clear that any  
 17 ambiguities as to title or provisions would be resolved in  
 18 favor and benefit of the Alaska Natives. But I -- while there  
 19 is some debate in the Federal ranks, I do want you to know that  
 20 it is very clear that the prime mover of Title VIII, Chairman  
 21 Udall, said flat out that yes, it is, it is Indian Legislation.

22

23 So I hope these comments were helpful, and it was not  
 24 intended to, you know, to try to present a side or anything,  
 25 but just to present it as information that members might  
 26 appreciate.

27

28 CHAIRMAN KATCHATAG: Mr. Otton?

29

30 MR. OTTON: You spoke -- as you were talking, it  
 31 brought up some questions. I don't know if you could answer  
 32 them, but you stated that Morris Udall had said that, yes, the  
 33 legislation is for Alaska Natives, but then yet they put in  
 34 rural preference instead of Native preference. So if it was  
 35 for the Natives, why was not the word "Native" preference  
 36 instead of rural preference put in?

37

38 MR. BORBRIDGE: The committee, Mr. Chairman, right at  
 39 the last, which is to say the committee that was considering  
 40 ANILCA and considering Title VIII, decided to respond to the  
 41 pleas of the Governor of the State, and the Governor of the  
 42 State was seeking compromise wording, and in effect I think the  
 43 Governor, if I recall his reasoning correctly, was seeking a  
 44 broader terminology that would also include the non-Natives who  
 45 practiced a lifestyle similar to that of the Natives and who  
 46 were located in rural areas.

47

48 It was really up to the last year or so that it was

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being approached solely in terms of a native preference, and then it was the result of a compromise, and at the urging of the Governor.

3

4 MR. OTTON: I've got another question. Okay. George was talking about how the hunting and fishing rights that may exist are hereby extinguished, and I think you tried to give a reason why, but why were they put on there? I mean, why was it put in the ANCSA law that aboriginal rights are extinguished?

9

10 MR. BORBRIDGE: It was put in there, and giving my opinion, you know, as part of the answer, I think that it was put in there because there was, and when I say a mistaken notion by Congressmen, I felt then and I still feel it today, that it was a mistaken notion by them that they were giving us something, and therefore they were trying to balance that giving with a taking.

17

18 MR. OTTON: In order to get the cookie, we've got to give up something.

20

21 MR. BORBRIDGE: I'm afraid that -- Yes. And what we reminded them was that we were not asking to be given anything. We were already on the land, we were already using the land, we were exercising dominion over it, we were practicing a lifestyle from time immemorial that hadn't ended, so it had always been ours, so we contended they weren't giving us anything. They were just confirming our right to lands that we and our ancestors had always occupied. But they still insisted that, "Well, if you're going to get all of this," meaning the land and compensation, "then you won't need this any more," meaning the aboriginal rights. I think it was faulty reasoning, but the Congress exercised its will, and they included that provision, even though we Natives who were out there opposed it unanimously.

35

36 MR. KATCHEAK: Mr. Chairman?

37

38 CHAIRMAN KATCHATAG: Mr. Katcheak?

39

40 MR. KATCHEAK: I have a question for John. All aright. Hearing all that, I'd like to know if these section (b) and section (c) are still in the ANCSA Act? Are they still in the Act that they -- the aboriginal claims or titles and claims are still extinguished .....

45

46 MR. BORBRIDGE: Uh-huh.

47

48 MR. KATCHEAK: ..... in that Act? Now, if that's the

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case, I'm wondering, 20 years from now the Federal Subsistence Advisory Council will probably change or if there -- if there was some type of change of policy by Secretary of the Interior that it's no longer needed, now if the section of ANCSA is still there, and it had not been deleted, I'm thinking the Congress will go back and say, "Well, you guys are no longer living in a subsistence lifestyle, so why should we continue you hunting and fishing?" So I'm worried that 20 years from now we're no longer in our -- practicing our hunting and fishing rights, that will become a reality. But .....

10

11 MR. BORBRIDGE: There was .....

12

13 MR. KATCHEAK: ..... was that the intent of the Congress, to abolish that right?

14

15  
16 MR. BORBRIDGE: Mr. Chairman, I think that you're really being very far-sighted in considering how best we can continue to maintain our lifestyle and to protect it. And you've correctly focused on the need to continue to emphasize the importance of the lifestyle being practiced among our people. I know in looking at the Settlement Act itself, there's a lot of attention focused on the people who went to Washington, but the reason the people that went to Washington could successfully fight for land, it is because there were people in the villages who were actually using the land. And neither Congress nor anyone else could say that the lands had been abandoned.

27

28  
29 And the whole nature of aboriginal rights to land is really a reflection of subsistence lifestyle. To prove aboriginal title to lands, we go back and we show how the people still use it and live that lifestyle.

31

32  
33  
34 And I think you're absolutely right, that we don't know what could happen if people were to abandon their lifestyle, but we'd like to think that just as we today practice a lifestyle that has always been a part of our heritage, that those in the future will as well.

37

38  
39  
40 MR. KATCHEAK: I'm thinking, my question in my mind is what can we do now that would protect that right to continue on either to abolish that section totally, and -- or with -- I understand that to change the Act of Congress takes a lot of -- a majority of the Congress or a major undertaking to change any of the language. But I'm thinking to protect us, we need to do something to delete this section so we already have ANILCA -- the ANILCA Act which would basically protect our rights, and since ANCSA is not meant to handle our situation, go ahead and

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delete that and ANILCA will be the law to protect Native rights.

2

3 MR. BORBRIDGE: Uh-huh. Uh-huh.

4

5 MR. KATCHEAK: Where ANCSA is made primarily for the corporate entity of the Native people or .....

7

8 MR. BORBRIDGE: Except that ANCSA intended that as you read what the conference committee had, that produced the final ANCSA bill, it is clear that they intended that subsistence should be protected. They agreed there was a subsistence lifestyle and a subsistence right that should be protected. It's just that it didn't happen, and that's why we ended up with Title VIII.

15

16 I would point out as means of encouragement that it's very significant that when we look at Title VIII, that really it's the provisions of Title VIII establishing this and other regional advisory councils that brought the Secretary of the Interior to the State to meet with the Native leadership. And when we think about the fact that one of the specific things that brought him to the State was to express his approval for the nominations to the membership on the Council, that what we see here is a reaffirmation of the importance and the priority given to the preservation and the rights of the people to preserve their subsistence lifestyle.

27

28 And so the encouraging thing as I see it personally is that you have momentum right now, because the national legislation has had -- we've had meetings with the -- between Congress -- not Congress, I'm sorry, the President and Vice President with tribal organizations, the follow-up listening conference, and we've also had the memo by the President of the government-to-government relationship.

35

36 I'm not suggesting that you here are representing -- are a tribal entity, but rather you have people who are members of tribal entities, and I'm sure that the Secretary realized that this would occur as well. So that in terms of having the ears of the Secretary, after he had come up to meet with Native people in Dillingham, I think that there's no question that you have momentum at the present time in terms of your ability to help protect the lifestyle.

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45 CHAIRMAN KATCHATAG: Mr. Otton?

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47 MR. OTTON: Yeah, I don't know if this is a question or just a comment. I am the Chief of our tribe, tribal

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government, and something like this, aboriginal hunting and fishing rights that may exist are extinguished, as far as I know, and as far as I in talking with our elder people at the time when it happened, our tribal governments were not consulted to say that because of the land claims, they will take away their aboriginal, you know, hunting and fishing rights. So, you know, it's -- to us in our tribal governments, we don't really -- I don't think we have a -- we don't really acknowledge, you know, ANCSA. So, you know, it seemed like what Ted was asking, that might be a way to go. Maybe the tribal governments can come up and support and say, "Yeah, well, we don't, you know, look at ANCSA as being a fair settlement, because we weren't consulted," and we maintain we've still got aboriginal hunting and fishing rights.

14

15 MR. BORBRIDGE: Uh-huh. Yeah, Mr. Chairman, I'd be the last to argue against assertion of rights to do things that you believe are a part of what it means to be a tribe and to continue to exist as a tribe. And whatever is said in the law, there -- a lot of times tribes will still insist that they have certain rights, and that is important.

21

22 And we also realize, too, that Congress makes reference to its plenary power, which is the power to legislate over Native American and Alaska Native matters. And they do have that power, and so they did have the power to enact a Claims Settlement Act, and the truth was it could have been enacted in our absence, except that we insisted, those of us who were here, that in the spirit of fairness and justice, and in the 29 in reflection of the more enlightened times that we live in, that we just didn't feel that the Congress would impose an unfair settlement on us. So I think there -- in order to get the oil out, quite frankly, there would have been a settlement of some kind that would evolved and become law. So it was a question of making it as acceptable as possible.

35

36 Mr. Chairman, as I've offered opinions and so on, I don't want to suggest to members at all that either what I have 38 say was the final word or there are other opinions are not 39 important, but rather to try to respond to the questions as 40 best as I could, and realize that the best answer I would give 41 might be very well lacking in some additional information.

42

43 CHAIRMAN KATCHATAG: Thank you, Mr. Borbridge. I 44 appreciate your insight, and I'm sure everybody on the Council 45es. I think we'll give it about ten minutes to digest and 46hen we shall reconvene. Take a ten-minute recess.

47

48 MR. BORBRIDGE: Thank you, Mr. Chairman.

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1 (Off record)

2

3 (On record)

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5 CHAIRMAN KATCHATAG: We're back in order. We're still, I believe, on 7.B.1, Review of Geographical Representation, and we went a little further than expected I guess, but it's all pertinent. So at this time I would turn the floor over to a member of the public, Mr. Jerry Ivanoff.

10

11 MR. J. IVANOFF: Thank you, Mr. Chairman. Congratulations on your reappointment to the Federal Subsistence Board, and I .....

14

15 CHAIRMAN KATCHATAG: Council.

16

17 MR. J. IVANOFF: ..... I hope that all of you are in there for the duration, because I think we need a little bit of continuity in the management of our resources. And if we get somebody that's in there for a half year and then taken out every half a year, then we'll have to be training that person every half year, we have to teach them the policies and the direction that you as a Federal Subsistence Board have taken to protect our rights.

25

26 My name is Jerry Ivanoff. Born and raised here in Unalakleet, 41 years, and I'm still here, and they're going to bury me here.

29

30 I have heard the perceptions of Mr. Borbridge of what the Federal Government and the State of Alaska perceived as what ANCSA meant to them, and every time I hear the perception of somebody else's perception of ANCSA or anything that pertains to we as Natives, I always hear of them giving us things. You know, they give us this and they give us that. I'd like to offer my perception of ANCSA, my perception of subsistence.

38

39 My perception of ANCSA is, land, 40 million acres of land. They extinguish our aboriginal title or rights, the fishing and hunting rights just by the power of the pen, you know. Ben Franklin was right, that pen is really powerful. But when it comes to land, you know, there's 328 -- 368 million acres of land in the State of Alaska. They keep saying they give us 40 million acres of land. I don't see it as giving us 40 million acres of land. My perception of ANCSA is that they stole 328 million acres of land through the power of the pen. They didn't give us 40 million, they took the other 328 million

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right out from under our feet.

1

2           When you're talking money, you're looking at \$962.5  
 3 billion, not even \$1 billion of land -- or money that was for  
 4 that land that they took away, just so that they can get at the  
 5 bil. You multiply that oil two million barrels a day times 365  
 6 days in the year times 20 years, I come up to an astronomical  
 7 number of over \$100 billion, so when you say the perception is  
 8 that they give us this one billion -- or \$962,500,000.00 of  
 9 money, they didn't give us nothing. And my -- I hope  
 10 Mr. Babbitt is hearing this, because my perception of this  
 11 matter is you didn't give me, you know, that money, you took  
 12 the other 99 billion acres (sic) of it through legislation.

13

14           And that's my perception of ANCSA.

15

16           My perception of subsistence. Subsistence is us. It's  
 17 my life, it's my people, it's us. It's how we've gotten to  
 18 this point, the way we eat, what we eat, how we feed ourselves,  
 19 how -- basically everything to make us survive to get to this  
 20 point. We're the only one. We had no telephone, we had no  
 21 television. You know, we didn't have no stores to buy our  
 22 food, so we had to go out there and get our food from the land  
 23 and the waters that provided it to us, and that's it.  
 24 Subsistence is us. It's our boat, it's our life, it's us.  
 25 Subsistence is us. You take away the Native people in Alaska,  
 26 and you won't need a definition for subsistence anyway, because  
 27 there is no Native people in Alaska if they extinguish our  
 28 rights.

29

30           What is subsistence? Subsistence is our boat, our  
 31 life, and it's me and it's you. And I'm glad that you, the  
 32 Federal Subsistence Council, are part of us, you know. I mean,  
 33 I'm glad that they are trying to get, you know, the perception  
 34 of Native people in stuff that affects Native lives, and I'm  
 35 I commend you for sitting on this Board and continuing your  
 36 work. And I give you any encouragement you might need to  
 37 continue.

38

39           But subsistence is our boat, our life, and it's us. We  
 40 should be the captain of this boat. We shouldn't have  
 41 regulations coming from the top down. Government --  
 42 President Clinton shouldn't tell me how to catch a walrus and  
 43 what parts to save, what parts not to save. The U.S. Fish and  
 44 Wildlife shouldn't have this power. ADF&G shouldn't have this  
 45 power. We have that power, you know, when we're talking  
 46 sovereign people. I mean, they took this away. We should be  
 47 the captain of the boat for subsistence. We should steer this  
 48 boat where -- whichever way that we need it, and you guys are

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our steerers. You guys are the people that are -- you're our pilots, you know, and you're taking -- you know, when Sheldon's asleep, then somebody else is taking shift, you know, so that Boat is not going to run aground like Bligh Reef, you know, Exxon Valdez. We want that subsistence boat to stay afloat forever. Steer this boat where -- to meet the goals set out by our people, and you guys are our people, you know, so basically you're our voice.

8

9 But I'd just like to sensitize the Board and sensitize the State of Alaska, and sensitize the U.S. Federal Government as to protection of one Native person. I'm just one person here, and I'd just like to commend you for the work that you're doing, but also to remind you that subsistence belongs to us. You take away subsistence from the Native people, and you've got no Native people. It's our boat, so you guys are the -- you guys got to tell these guys which way we're going to steer that boat. Do we want to go on Bligh Reef, or do we want to keep that boat afloat forever? Thank you.

19

20 CHAIRMAN KATCHATAG: Thank you, Jerry. Very expressive demonstration of the importance of subsistence, not only for ourselves, but hopefully to those agency people that are present. I've strived in every way I know how to try to show you the perspective of the Native people, and how important we hold this right to be able to continue to practice the customs and traditions that we have been taught in the proper harvesting, processing, handling of our renewable resources. It's not something that we do because it just happens to be one of the buzz words that's going across the nation. It's not because we're a part of a Green Party or any of those superfluous types of reasons which seem to drive those people that are not indigenous.

33

34 When something is as important as our resources are to us, you do everything that you can to not only protect and preserve that culture, that tradition, that right to the resource, but you do everything that you can to make sure that your children and your children's children do not have to continually fight to do what they have been taught.

40

41 And I thank you, Mr. Ivanoff. As I said, that's a very succinct, clear statement as to the importance of subsistence to the indigenous people here. I share my roots here with Jerry. I'm originally from here. I've been living in Elim for the last ten years, but you can't take customs and traditions out of a people and say, "Well, now you have to live by these regulations." So, thank you, Mr. Ivanoff.

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Any further discussion on 7.D.1, Review of Geographic Representation? Hearing none, we move on to 7.D.1.a, suggested addition of two members to the Council. Do we have a motion to that effect? What is the wish of the Council?

4

5 MS. MUKTOYUK: So move.

6

7 MR. BARR: Mr. Chairman, I move that we .....

8

9 MS. B. ARMSTRONG: You'd amend the charter. You'd have  
10 amend our charter. Changing your charter.

11

12 MR. BARR: Designate two more people into our Council  
13 and make it nine people.

14

15 CHAIRMAN KATCHATAG: Before we go, proceed on this,  
16 please look on item .....

17

18 MS. B. ARMSTRONG: It's this here.

19

20 CHAIRMAN KATCHATAG: The tab two of your -- oh, you  
21 don't have a manual?

22

23 MS. B. ARMSTRONG: Yeah, they don't have a manual.

24

25 MR. OTTON: Just the handout.

26

27 CHAIRMAN KATCHATAG: Okay.

28

29 MS. B. ARMSTRONG: They just have a handout.

30

31 CHAIRMAN KATCHATAG: Okay. The handout is the Charter,  
32 United States Department of the Interior, Charter, Seward  
33 Peninsula Subsistence Regional Advisory Council. And if we  
34 want, .....

35

36 MS. B. ARMSTRONG: Number nine.

37

38 CHAIRMAN KATCHATAG: Number nine states, "Membership.  
39 The Council's membership shall be as follows: Seven members  
40 who shall be knowledgeable and experienced in matters relating  
41 to subsistence uses of fish and wildlife and are rural  
42 residents of the region represented by the Council."

43

44 Which by the way, I don't think we ever approved this  
45 Charter, have we, Barb?

46

47 MS. B. ARMSTRONG: Not yet, I don't think so. It would  
48 be that -- in your -- next on your transcript (indiscernible).

49

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1 CHAIRMAN KATCHATAG: Say again?

2

3 MS. B. ARMSTRONG: It should be in this afternoon,  
4 hopefully.

5

6 CHAIRMAN KATCHATAG: Oh, okay. But I -- if I remember  
7 correctly, at our last meeting we deferred any action on the  
8 charter.

9

10 MS. B. ARMSTRONG: Oh, that's right. You did, yeah.

11

12 CHAIRMAN KATCHATAG: Because we were having some pretty  
13 heated discussions with the affected agency. And is there a  
14 charter on our agenda?

15

16 MS. B. ARMSTRONG: It's -- no, it isn't. But then this  
17 was changed -- you would have to discuss that under the  
18 suggested addition of two members to Council, and that would  
19 have to do with your charter.

20

21 CHAIRMAN KATCHATAG: Right.

22

23 MS. B. ARMSTRONG: Do it in reference with your  
24 charter. It's -- you can make some changes, I think it's every  
25 two years, Bill, on your charter? And Bill can answer your  
26 questions regarding your charter.

27

28 CHAIRMAN KATCHATAG: Is there a certain year? In other  
29 words, is there an even or an odd year in which you can amend  
30 your charter? Mr. Knauer?

31

32 MR. KNAUER: Yes, Mr. Chairman. The Council can  
33 recommend changes in the charter, but they cannot make changes.  
34 They can recommend that, for example, the size of the Council  
35 be changed. But it is the Secretary that actually makes the --  
36 that approves the charter. He is the one that charters the  
37 Council, and as a result he's the one that does this, based on  
38 the recommendations of the Council and the recommendation of  
39 the Board.

40

41 As far as the timing goes, the charters expire every  
42 two years on the 2nd of December, and that's -- that relates to  
43 the enabling legislation, which in this case was ANILCA, which  
44 passed, you know, December 2nd, 1980, so every two -- every two  
45 years, even-numbered years is when this charter is up for  
46 renewal.

47

48 It was -- the first charter was started in '92, and

49

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signed by the Secretary, and so this year being '94, it was resubmitted to him with some changes that various Councils had recommended, and I don't have a signed copy in front of me, but it is before him for signature now. It may have already been signed. I don't know.

5

6 So the next time when it would be up for renewal and amending would be in 1996.

8

9 CHAIRMAN KATCHATAG: You mean all the suggested to this particular charter have already gone in? Is that .....

11

12 MR. KNAUER: Yes, sir.

13

14 CHAIRMAN KATCHATAG: And we have no input into that for this year?

16

17 MR. KNAUER: All of the Councils were provided copies for review and requested that they place it on their agenda at the previous Council meetings. Most of the Councils only elected to make one recommended change, and that related to removal of members. Most Councils -- the previous version said that this was -- this was down on the last page under removal of members, it had previously said "If a Council member appointed under paragraph nine misses three consecutive regularly scheduled meetings, the Chair of the Federal Subsistence Board may recommend." Most Councils said that three meetings was actually about a year and a half, or half of the term, and they would recommend that that be changed to two. That's permissive. The Federal Subsistence Board does not have to recommend, nor does a Regional Council have to ask the Federal Subsistence Board to make a recommendation, but they felt that having the word "two" in there as opposed to "three" was more appropriate.

34

35 And there were I think two charters where there was a shifting of appointment authority for subsistence resource commissions. They felt it was more appropriate for another Council to make an appointment than one of the Councils, so they did revise it there.

40

41 And those, I believe, were the only changes that the Federal Subsistence Board recommended to the Secretary for the second -- coming year.

44

45 MR. KATCHEAK: Mr. Chairman, I have a question.

46

47 CHAIRMAN KATCHATAG: Mr. Katcheak?

48

49

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MR. KATCHEAK: Yes, I have a question. You miss three consecutive meetings, now in some cases there are board members or council members miss two meetings and attend a third one. How do you deal with that .....

4

MR. KNAUER: Again, it .....

6

MR. KATCHEAK: ..... to be consistent, you know, to stay on?

9

MR. KNAUER: It's recommended that weather conditions sometimes prevent an individual from attending. There are other valid reasons. And it is not a situation where after two or three after three it's automatic that they're off. It's only based upon the recommendation of the Council asking the Board to recommend to the Secretary. So it's not a hard and fast. If this Council feels that Joe Blow has missed two meetings just because he didn't want to come, they could ask .....

18

MR. KATCHEAK: But attends the third one.

20

MR. KNAUER: And attended the third one, they might feel that he is not doing an adequate job representing the people in the area. Likewise, they might find that Mary Smith, who also could not attend, but she got the staff -- you know, she minutes of the meeting and she distributed them to the people, and she sent in correspondence from the local people, maybe she was doing a very good job trying to represent the people, even though she hadn't attended. So it's pretty much at the .....

30

MR. KATCHEAK: Discretion.

32

MR. KNAUER: ..... discretion of the Council. And that's why the word is "may" in there rather than "shall" or "will".

36

CHAIRMAN KATCHATAG: Mr. Otton?

38

MR. OTTON: Yeah. Here we're talking about the suggestion of adding two members. If I get you right, if we make a suggestion to add two members, it won't come up until 1996?

43

MR. KNAUER: That's correct.

45

MR. OTTON: Okay. And I know it's one of our duties, because it says so here, provide recommendations on establishment and membership of Federal local advisory

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committees. That would mean, you know, we can make suggestions to add on two more and stuff like that?

2

3 MR. KNAUER: The committees that it's referring to primarily are the -- under the State system, there were the Regional councils and then there were local advisory committees. The Federal Subsistence Program did a review during the environmental impact statement process of the State Regional councils and the State local advisory committee system. They determined that -- during that review that the State regional councils did not appear to be fulfilling the mandates of Title VIII of ANILCA, therefore that's why the Federal Regional Councils were established. The ten.

13

14 They likewise reviewed all the local advisory committees and felt that with some exceptions, they were pretty much representing the local people and were doing the jobs that they had been tasked with under Title VIII. And so the Federal Government did not replace those, but indicated that those were to remain in place, and the Regional Councils and the Federal Subsistence Board would be able to use input from those local advisory committees.

22

23 What that segment says is that if in your region one of the local advisory committees is not doing an adequate job, or you do not feel there is adequate representation, you could recommend to the Federal Subsistence Board that they establish separate Federal local advisory committee. Or additional ones, more than one.

29

30 MS. MUKTOYUK: Why couldn't the Board wait until the last possible minute for the other Regional Councils to give their input on this charter instead of giving it -- usually we get deadlines that we have to meet at least two weeks prior to, and for us that live in the rural area, it's not fair for us. It's always -- the consideration is always for the urban people, and sometimes we don't get no notices, you know, prior to two weeks before the deadline, sometimes two days, three days. And so we're not given equal opportunity like you folks are always saying that we have equal opportunity, but we don't, not in rural Alaska. It's something you people have to start considering before you start sending these notices out two weeks before the deadline.

43

44 CHAIRMAN KATCHATAG: Any other comments or questions for Mr. Knauer? Mr. Knauer, do you have anything else? Thank you.

47

48 MR. KNAUER: No. As soon as the signed copies are

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available, we'll be providing them to each of the Council members for your council book, so you'll have it on hand.

2

3 CHAIRMAN KATCHATAG: What is the wish of the Board -- Council, excuse me.

5

6 MS. MUKTOYUK: The deadline is already gone. There's nothing .....

8

9 MR. OTTON: Well, we can make a .....

10

11 MS. MUKTOYUK: ..... for us to recommend.

12

13 MR. OTTON: ..... suggestion and see what happens, I suppose, down the line.

15

16 CHAIRMAN KATCHATAG: Well, you know, if you want more representation, you might as well -- this is the first chance we've had to discuss the charter, and its composition. If you feel that it's necessary to increase the membership, then why don't we proceed?

21

22 MR. OTTON: Well, you know, I read this page two, number seven, as it says, "provide recommendations on establishment and membership of Federal local advisory committees," and this Federal local advisory committee as it's stated, is talking about us.

27

28 CHAIRMAN KATCHATAG: No, it's not about us, it's the one below us. We're the Regional Advisory Committee. That's dealing with the local advisory committee.

31

32 MR. OTTON: Well, you know, it's talking about the -- like Norton Sound .....

34

35 CHAIRMAN KATCHATAG: Uh-huh.

36

37 MR. OTTON: ..... for the State.

38

39 CHAIRMAN KATCHATAG: Uh-huh.

40

41 MR. OTTON: I thought they were a State committee.

42

43 CHAIRMAN KATCHATAG: They are.

44

45 MR. OTTON: Well, why didn't it say the State committees?

47

48 CHAIRMAN KATCHATAG: That's -- as he said, in case the

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Federal Government determines that the State local advisory committees are not providing the forum or the input for local people, then we would establish a Federal local advisory committee and the membership of that we have the ability to recommend.

5

6 MR. OTTON: Okay. I see.

7

8 CHAIRMAN KATCHATAG: So we could make a recommendation that the Council membership be increased to nine or whatever, but that won't -- as he said, that won't take effect until '96. Right?

12

13 MR. OTTON: And we would have to have like a good reason, right?

15

16 CHAIRMAN KATCHATAG: Right.

17

18 MR. OTTON: Get more reasons.

19

20 MR. KNAUER: Yes, Mr. Chair, that's exactly correct. I think it -- before the Federal Subsistence Board would forward that recommendation, they'd want some pretty good justification that for some reason you felt that there wasn't adequate representation or whatever, because every time you add members, you increase costs, and when you increase costs, if you do that with every Regional Council in the State, then you reduce maybe the opportunities that you might have for meetings, and so -- but you're absolutely right, you would need justification.

29

30 But now would be an appropriate time, or as you said, it's -- it would be approximately two years before it comes up again. You could think on it and see how it works this year, the process. When it's time to start the process for renewing the charter the second time, as happened in February, it will be an agenda item for you. You will be requested to look at it. There will probably be between now and then additional items that have come up, that we seen the things you may want to discuss, so you can either do it now, or you can keep it essentially on the back burner, and in mind for later.

40

41 MR. OTTON: Well, as of to this point, if I recall what you were saying earlier, you know, you're not saying that no other region has made any recommendations to up their membership in the local -- their local committees?

45

46 MR. KNAUER: The Kodiak/Aleutians thought about it, and they determined that if the Federal Government ends up with fisheries management, then they feel it's very important to

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increase membership, because the -- they have a situation very similar to yours in St. Lawrence Island where most of the Aleutian Islands, although it's federal land, most of the species, the subsistence species they're dependent upon, are marine mammals and migratory birds. They're not under the purview of this program. And fisheries. And so only if we took over the navigable waters would they want additional membership.

8

9 Southeast talked about the potential also of adding two members, but they were very concerned about the increased cost, because they have 13 members down there. That's a very populous region. And they essentially suspended discussion on that, because of concern for cost and concern for being able to have a quorum.

15

16 Just a little background. When I worked on developing the initial recommendations for Council size, I spoke with the then State coordinators, I spoke with the corporation leaders in each region, I spoke with the Federal and State managers in each region, and came up with a composite. And I asked them two questions: I asked them what size of council do you think would adequately represent your region? And secondly, what size of council could adequately operate in your region? In other words, due to weather and due to political harmonies, do you think could best function. And I spoke to probably half a dozen or more leaders in each region. Basing it primarily on the corporation and association leaders, the Native leaders, because I felt that they knew the regions the best. And that's why each region may have a different number, anywhere from seven to 13, and that's how that came about. That's just historical information for you.

32

33 CHAIRMAN KATCHATAG: Loretta?

34

35 MS. MUKTOYUK: Well, the reason why I suggest that we added two more is because we are heavy users for subsistence in the Bering Straits region compared to Southeast area, and they do have more representation than we do. That was a reason why I suggested that we add two more from this region. Because we do a lot more subsistence hunting and fishing than Southeast and the other regions do. And I felt like we weren't given enough representation for seven members.

43

44 MR. OTTON: I know talking with Fred here before, I believe you're on this nominating panel, and you mentioned to me something about your panel was to have talked about it's probably better for a more geographic representation to have a higher number on our committee right here?

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1 MR. TOCKTOO: Yeah, Mr. Chairman, maybe I could add a  
 2 little bit on that to clarify some of the need to add a couple  
 3 more people for this panel. I think it would definitely  
 4 increase the amount of concerns coming from the subsistence of  
 5 Region Seven to add at least two more people to cover almost  
 6 all of the subsistence issues and needs of this Council. And  
 7 we would -- I think by adding a couple more people would  
 8 definitely cover all the major -- majority of the subsistence  
 9 users in those villages there. And when you're stuck with  
 10 seven, and you've got a large number of people, I can see about  
 11 21 villages within a large area that's being covered, and most  
 12 of it is -- or all of it is basically based on subsistence,  
 13 then I do feel that an additional two more people would  
 14 definitely cover all the subsistence needs and issues that are  
 15 being represented or talked about within this meeting.

16

17 MR. KATCHEAK: Mr. Chairman?

18

19 CHAIRMAN KATCHATAG: Mr. Katcheak?

20

21 MR. KATCHEAK: I'd like to -- a suggestion that I have  
 22 in mind, and I'm not sure if it the -- one is to explore the  
 23 possibility to get a person from probably Kawerak that they  
 24 already have that type of funding already, that is a tribal  
 25 organization, would have some money, funds to probably fund one  
 26 person. That might be an idea, since they represent each of  
 27 the villages in the region. I would think that they would have  
 28 some money for that one person to become a Council member. And  
 29 I don't know how the other -- this eight -- what we're -- seven  
 30 ninth member, I don't know how that person would be funded  
 31 -- I'm thinking we could approach Kawerak, if they could  
 32 sponsor one person that would become a member of our Council,  
 33 we would then eliminate the question of funds, how do -- where  
 34 do you funds to seek additional members.

35

36 CHAIRMAN KATCHATAG: I think Mr. Knauer is more  
 37 appropriate for answering that particular suggestion. Did you  
 38 understand his suggestion that the regional nonprofit fund a  
 39 member to be a part of the Council? Mr. Knauer?

40

41 MR. KNAUER: We would have to go back and check with  
 42 our solicitor on that, because this Council is established not  
 43 only under the auspices of ANILCA, but also operates under the  
 44 Federal Advisory Committee Act. There is actually legislation  
 45 that governs the operation of Federal advisory committees  
 46 governmentwide, and I don't know whether legally we could do  
 47 that or not. It is certainly something that we could  
 48 investigate.

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1 CHAIRMAN KATCHATAG: Mr. Otton?

2

3 MR. OTTON: Yeah. I've got an opinion to say if we ask  
4- if it was -- if we do in fact recommend that we add two  
more, I don't think money should be a problem or come into play  
with our decision, because, you know, we just have to get rid  
of somebody from staff so that they could pay for somebody, you  
know. Because I think there must -- they -- you know, like you  
make it sound like, boy, we're living on a shoestring, you  
know, and just to get two more people and two meetings  
shouldn't all add up to quite a bit, you know. So I don't  
think we should consider where we're going to find the money.

13

14 MS. MUKTOYUK: It's there, but just need to find it.

15

16 MS. DETWILER: I have a comment. Sue Detwiler.

17

18 I think that the major consideration wouldn't be the  
money. The major consideration would be the rationale for  
adding two members. And if I were you, when I submitted my  
recommendation for adding members, I would focus on why you  
needed those two members, not on the money.

23

24 MR. OTTON: Uh-huh.

25

26 CHAIRMAN KATCHATAG: Thank you, Ms. Detwiler. I  
appreciate that. Mr. Seetot?

28

29 MR. SEETOT: Mr. Chairman, as you can see on the map  
there are many acres of BLM administered land in the eastern  
Norton Sound. Is that enough representation on the Federal  
Subsistence Board for them to get all the issues, you know,  
that involve subsistence. Also around the Seward Peninsula,  
there are some color-coded maps (ph) that I am aware of that  
lie within Brevig Mission. Is there enough representation? Or  
do I know all the issues that effect subsistence regulation.

37

38 If money is a problem, why do we have, you know, many  
agencies, you know, that give us information, you know, that  
would get us in dealing with these regulations. I think that  
we should look into the possibility of having more  
representation due to the fact that there is a lot of land  
being regulated by this -- or not regulated, but that we would  
have an advisory council. Is there a need for more  
representation? Is that your -- was that what you were asking  
for from the Federal Advisory Board. I think that it would be  
some justification that there is a lot of land in the eastern  
Norton Sound that is being administered by the Bureau of Land

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Management, and other agencies within our area.

1

2 MR. KNAUER: That's the very type of information that  
would be necessary, the type of justification.

4

5 MS. B. ARMSTRONG: Wouldn't it be where if the  
Council's justification should be very important to the -- to  
Babbitt, because this Council as we started to hear, when they  
first began, is that they're supposed to have the power to have  
9- to make any changes or any recommendations that should be  
10- listened to. So I guess any kind of justification that the  
Council put on on paper (ph) on adding two more councils if  
they so choose to would be really heavily weighed by Babbitt,  
and money should be of no problem. So if you guys can just  
think of a justification to adding two more council, you should  
choose to, and do it and ask for it.

16

17 CHAIRMAN KATCHATAG: Thank you, Barb. What is the wish  
of the Council? The Chair would entertain a motion regarding  
the suggested addition of two members to the Council.

20

21 MR. OTTON: Can the Chair do that?

22

23 CHAIRMAN KATCHATAG: I can entertain any motion that I  
want.

25

26 MR. OTTON: I'll second the motion.

27

28 CHAIRMAN KATCHATAG: No, I'm entertaining a motion,  
that means I am waiting for a motion from the rest of the  
Council.

31

32 MR. OTTON: Your baby. I'll second you.

33

34 MS. MUKTOYUK: So move.

35

36 MR. OTTON: Second.

37

38 CHAIRMAN KATCHATAG: Madam Secretary, what are you  
moving?

40

41 MS. MUKTOYUK: I make a motion to make recommendations  
to Bruce Babbitt to add two more Council members to  
Northwest .....

44

45 MR. OTTON: No, Norton -- Seward Peninsula.

46

47 MS. MUKTOYUK: Seward Peninsula Federal Subsistence  
Council.

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1 CHAIRMAN KATCHATAG: We have a motion before us to make  
 2 a recommendation to the Secretary of the Interior to increase  
 3 the size of the Seward Peninsula Subsistence Regional Advisory  
 4 Council from seven members to nine members. Do I hear a  
 5 second?

6

7 MR. OTTON: Second.

8

9 CHAIRMAN KATCHATAG: Seconded. Discussion?

10

11 MR. BARR: Question.

12

13 CHAIRMAN KATCHATAG: Before the question is  
 14 entertained, I suggest that we enter into discussion to justify  
 15 our recommendations to the Secretary so that he does not view  
 16 this as just a frivolous exercise on our part to increase our  
 17 circle of friends.

18

19 MR. ADKISSON: Mr. Chairman?

20

21 CHAIRMAN KATCHATAG: Mr. Adkisson?

22

23 MR. AdKISSON: If we're having discussion, may I make a  
 24 couple of comments?

25

26 CHAIRMAN KATCHATAG: Sure. Please state your name and  
 27 your position for the record?

28

29 MR. ADKISSON: My name is Ken Adkisson. I live in  
 30 Nome, and I work for the National Park Service for the Bering  
 31 Band Bridge National Preserve. And what I would like to do is  
 32 make a few comments for consideration by the Regional Council  
 33 related basically to two things: geographic representation and  
 34 size of the Council group.

35

36 First, on representation, especially that of the island  
 37 groups, a number of comments have been made at many other  
 38 previous hearings and meetings, and also this morning as to  
 39 inclusion of some of these peoples. What I would like to add  
 40 to the record is that as things now exist in the Bering Strait  
 41 region, many of the island people either hunt with relatives  
 42 and friends on the mainland, or they share products back and  
 43 forth. This has gone on for generation after generation. And  
 44 whether they are direct or indirect users of the resource, they  
 45 will have a vital stake in the outcome of management decisions  
 46 related to those resources.

47

48 Secondly, in regards to Nome, the size of Nome, we have

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probably 1500 to 2,000 Native people living in Nome. It makes it the single largest Native community on the Peninsula. It's also a very diverse community. It's not just the Nome Native Community, it's made up of a number of subcommunities. There are people who still trace their ancestry back and many of their relationships to Wales, to Shishmaref, the King Island people, and that there are growing segments of St. Lawrence Islanders who now reside permanently in Nome, and make utilization of the resources in that area. I would suggest to the Council that because of the size of that, possibly one representative from the Nome area is not adequate, and that it needs perhaps at least one or two more from the Nome area to try to represent that diversity of opinion.

13

14 Regarding the further composition of it, I think at least I can speak for the Park Service and the panel members, we're under some pressure from our agency to, when we look at panel nominees, to try to ensure that we get representatives who are direct users of Park resources. Well, as you can see, we're basically talking in our case really the northern part of the Seward Peninsula. That puts us under some pressure, you know, to make our recommendations. A larger size would ease that burden I think on us.

23

24 And as far as the size of the panel goes, or the Council goes, and the cost, from day one I think in the very earliest public meetings and hearings and environmental assessment hearings in Nome, I can remember Matthew Iya saying that he thought the size of the Council ought to be larger. I think many of the Federal agency representatives said that they thought the Seward Peninsula Council could afford to be larger. I think representatives from Kawerak said it was. And basically when we talked about the size and the cost, I think people were willing to settle for seven as a start and try. I think if times change, and people feel that, you know, the Council should be increased, I think that should be brought forward.

37

38 Like other people, I think the cost I think should be secondary to it. And I really wonder what the total cost of supporting the per diem of a few additional council members is compared to what the bureaucracy cost of maintaining the support system for it is in Anchorage.

43

44 Thank you. Those are my comments for your consideration.

46

47 CHAIRMAN KATCHATAG: Thank you, Mr. Adkisson. I appreciate your comments, and they reflect my sentiments pretty

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closely in that I have felt that the majority of both Federal and State budgets are there primarily for the benefit of the Non-Native community, and I look upon them as merely being a disguised welfare state masquerading as a Federal and State service provider.

5

6 And having made those particular comments public as my particular feelings with regard to those particular subjects, I may -- I will entertain -- or I will rule that we are hereby broken for lunch. We'll return by 1:15.

10

11 (Off record)

12

13 (On record)

14

15 CHAIRMAN KATCHATAG: Excuse me, gentlemen, this elder would like to say a few words before we break. Mr. John Auliye.

18

19 MR. AULIYE: I am 94 years old. Old fisherman. And 20m here -- the only thing -- the reason why, as some of you know, they have no rights (ph). Game warden, only one. And for a little while, these folks have been silent. And I don't work to an eight-hour day with my son-in-law. I see Japanese boats hide from (ph) St. (ph) Michael, hiding behind so St. Michael would not see it. Japanese is a fisherman. Good fishermen. He know the tides. And that game warden don't know about the tides. Say that. And then when I come back, I heard complaint that this fellow got 20,000 pound (ph), so from then on I tell game warden I was going down, you know, he's a small guy, he wouldn't lick me. And I told him, you sleep, but the Japanese is good fisherman, and doesn't -- and you sleep. You don't know about fishing, you are the game warden. Good man, but you watch my people pretty close, and you never watch the Japanese. That night he never sleep. He go out and catch those boats. No more Japanese in Alaska.

36

37 CHAIRMAN KATCHATAG: Thank you, John.

38

39 MR. AULIYE: And second one, now people always be in Anchorage. I watch my people. I never go to school. I'd like to see the schools here educate. Not like me. I learn from white people how to talk a little bit of English. And then natives hardly complain. They hardly complain. And then a couple of years ago that school over in Elim they had a teacher. The principle, he hired his relative. In (undiscernible) I find out. And so we've got to watch school teachers for our children. And then that guy actually went to Christmas come buy electric lights. No good. Everybody got

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the lights over in Elim. That's why I tell you Natives hardly complain. I tell you the truth. The clinic, got to watch those school teachers, White man, that's no good. They don't 3- I've seen White people, but they have no right (ph), but even they -- they want the rights (ph) so I do wish they would understand. That principal, got to watch whoever hire, maybe the little guy got to kind of watch whoever hire school teacher. Each village from here, we've got to watch who hire the school teacher. I wanted to bring that up to the Councils in Anchorage, so they could watch the -- some of the Natives say that's okay, good enough for a school teacher, I see that. I want to educate. Not like me. Got to have education for living around Alaska.

13

14 That's all I have. Got to wash. I wash my body as much as I could. I don't want to take the bumps off my body. When I find out smoke, I quit. No good for running. I said I was through. It's no good for running. I have good team so I could run with my team. If you watch your body and we can't (Indiscernible) go and watch. Beside that for good helper. Thank you.

21

22 CHAIRMAN KATCHATAG: Thank you, John. Break for lunch until 1:30.

24

25 (Off record)

26

27 (On record)

28

29 CHAIRMAN KATCHATAG: Call the Council back to order, and before we go too far, under new business, number 9.A, Council information exchange I would like to add A.1, the Native liaison position, and originally we were supposed to hear from Mr. Pospahala on this. I believe Sue Detwiler will be providing us information on this position? Thank you. So bearing no objection, 9.A is amended to add A.1, Native liaison, and we'll have information on that at that time.

37

38 Moving back to our agenda, we are now at 7.D.1, and we were in the process of discussing a recommendation that the membership of the Seward Peninsula Subsistence Regional Advisory Council be expanded to nine members from seven, and we were in the process of detailing proper justification for that. And we're in that phase of discussion right now. And the floor is open.

45

46 While we're waiting for the Council, Barb, could you possibly give us some considerations for justification on expanding the make up of the Council from seven to nine? Some

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things that might be -- some factors that might be considered as being relevant?

2

3 MS. B. ARMSTRONG: Well, to start off, you would have to figure out how many villages there are in Seward Peninsula that this Council represents, and where villages are now being currently represented in each area. Then you would have to decide where, depending on who all applies from what area during this -- during this next application, there would be -- the panel must, like we did one in the Northwest Arctic. I didn't participate in that, but then the panel went to their regional council chairs and vice chairs and discussed the applicants with them, and then it would be up to you to suggest to see what areas in your -- in the Seward Peninsula that needs to be represented by this Council. That would be one part of the justification. If there are anything else that you would like to add, Bob or Sue?

17

18 MS. DETWILER: Yeah, I would add for the Council's consideration, just to point back to Mr. Adkisson's comments, and some other comments that were made about people in Nome perhaps needing an additional representative, and people from the Island who also come in and use resources on Federal Subsistence lands with some of their relatives. And the Council's responsibility is to represent subsistence uses, so you might want to make the pitch that those subsistence uses aren't being adequately represented by the number of people that you have on your Council at the time.

28

29 MS. B. ARMSTRONG: I have a question for Ken. If he -- since right now currently Nome has -- is represented by Loretta Muktooyuk, will you state why you need another representative from Nome? If that other person -- if there should be two more people that come on, we can use those for other villages. There are other villages in the eastern part that they might need to pick up somebody like from even from Shaktoolik, .....

36

37 MR. ADKISSON: Yeah, I think .....

38

39 MS. B. ARMSTRONG: ..... and one from the islands, or two from the islands, whichever way they want to work on it.

41

42 MR. ADKISSON: As far as Nome went, I think the basic reasoning of Fred and I, we had discussed this quite a bit, was that unless -- you know, because of the diversity of Nome's Native community, and the fact that there are a lot of Non-Native still eligible subsistence users, that some diversity within the Nome community might be desirable. We thought that maybe, you know, the King Island subsistence use

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might be a more localized and specialized kind of use based a lot on their own lands and the areas around it, and that because other people, you know, spend a lot more time out in some of the river drainages and stuff north of Nome, and out in some of the areas further east, especially the Solomon and Council area, that maybe some diversity would be desirable.

6

7 CHAIRMAN KATCHATAG: Are there any particular subsistence uses or resources which fall under our jurisdiction, but which are not being adequately represented to anybody's knowledge? The two that have been brought up so far, those people from the island communities that impact mainland resources, and also the diversity and size of the Nome population, both Native and non-Native.

14

15 That's one thing that I had a question regarding not only the charter, but also the appointment process. If you look at the charter, it doesn't make any particular requirement that there be a geographic or any other type of representative or any criteria to meet. As you can see on page two of the charter, under nine, the Council members -- "The Council's membership shall be as follows: Seven members who shall be knowledgeable and experienced in matters relating to subsistence uses of fish and wildlife, and are rural residents of the region represented by the Council." There is no requirement there for either a geographic or a per capita representation. And I'm wondering if we're overstepping our bounds in making requirements for additional membership based on geographic representation and/or population representation. In other words, there's nothing here that says each member shall represent 250 people, or anything to that effect.

31

32 The one concern that I have personally is that even though I am a lifetime subsistence user of the resources in my particular area, even though I personally range over an area from Klikitarik down in the south all the way to Cape Darby in the north, I still do not know with any degree of certainty how close or how far off my particular subsistence uses compared to other regions. And I made that point in Shishmaref, that even though I could tell that it was probably a tough place to live subsistence lifestyle, I could not honestly and truthfully say that I know how tough or how hard it is. I just know that it's tough. So I really don't feel that personally I could represent Shishmaref. I know I couldn't personally represent the island people, because I don't know how tough it is out there, even though generally speaking I know it must be tough. So they do things out there that I am not aware of or cognizant of, so .....

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Do we go on a population basis? The charter doesn't require it. Do we go on a geographical representation? The charter doesn't require that either. But the fact, the case can be made based on the fact that each individual area has characteristics that are unique, that you can make the case that each village should be represented, unless there, as in the case of Brevig and Teller, you know, they're like, what, ten or 12 miles apart.

8

9 MR. SEETOT: Six miles.

10

11 CHAIRMAN KATCHATAG: Six miles. Okay. Thank you. See, expertise right there. He knows the difference exactly to the mile how far apart they are, and I only have a general idea. And that makes my point. He is familiar with Brevig Mission and Teller, and yet if you look at the difference, Wales is not represented, and they're directly impacted by the Bering Land Bridge, or they should be. You would think they would be. So technically you could say that Wales has very good case for representation, because those people learn to walk a different way, just because of the wind. You ask anybody in Nome. You can tell somebody from Wales, because they're the ones that's always walking at a slant.

23

24 (Laughter)

25

26 CHAIRMAN KATCHATAG: And, you know, there's -- the rest of us basically I -- I can only speak with -- from my experience, ten years of experience of living in Elim, and yet I still do not think that I could adequately represent all the uses that they have in their customs and traditions. But they have enough confidence in me that I could represent them generally.

33

34 So that's basically where we're at on this move to increase the membership of our Council from seven to nine. What criteria do we base it on, and do we say we know that there is a need, please expand us from seven to nine, or do you want specific examples?

39

40 Mr. Borbridge?

41

42 MR. BORBRIDGE: Yeah, Mr. Chairman, as I comment, I see Mr. Knauer who's also been very much involved in the charter and steps leading to the development of the Councils.

45

46 But it strikes me that the power of the Council is the ability to assess how effectively it is able to proceed to discharge its duties as laid out in duties of the Council in

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the charter, initiating, reviewing, and evaluating proposals. And the question is, as you assess this, are you able to adequately do this for the entire area? Or would it make a difference to you if the number on the Council were increased? And if you had representation from areas not currently represented, even though as a matter of fact each of you actually represents all of the people in the whole area, and as you continue down providing a forum for the expression of opinion and recommendations and so on. The question really before the Council is do you feel again that this particular duty is being adequately discharged by the Council, or do you feel that you need further input, further explanation by someone personally who has had personal experience with subsistence uses within the area in one of the communities not currently represented. Again, the focus should not be so much on the community being represented, but someone from that community having that specific experience that they contribute to the Council.

18

19 So I would suggest, and it appears to me, that if the Council assesses its performance and concludes that as the result of its activity up to this point that its performance would be greatly enhanced, and the well-being and representation of the subsistence uses addressed even more effectively with people from other communities, or having other additional subsistence experiences, then it seems to me it's well within the power of this Council to say that we conclude that it is important and necessary that we add membership, if that should be where the Council comes out, because we need the added membership in order to adequately perform the duties of the Council as outlined in your charter.

31

32 And I know that largely this is what different ones of you are saying, and I guess I wanted to come forward to suggest that as you develop your rationale, if you decide to go ahead on this basis, and I'm not sure which way you're going to go, that it's always good to look at the words in here, and you can use those in your explanation or rationale or justification.

38

39 CHAIRMAN KATCHATAG: Thank you, Mr. Borbridge. In light of that particular information, if you look under duties of the council, number four, we're asked to prepare an annual report to the Secretary containing the following information, and you see we are required to identify current and anticipated subsistence uses, current and anticipated subsistence needs, a strategy, and then policies, standards, guidelines and regulations to implement strategy.

47

48 I really question whether or not we could accurately do

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(a) and (b) properly if we have areas within our jurisdiction for which we don't have input. The area from Nome to Elim is rather large, and there are three communities there.

3

4 MR. OTTON: Actually four. There's Solomon, Council, White Mountain and Golovin.

6

7 CHAIRMAN KATCHATAG: Okay. Four. For which there is no representation other than what interaction that they might have with me in Elim or Loretta in Muktoyuk -- Muktoyuk in Nome. And as we said earlier, Savoonga and Gambell have no representation whatsoever, due to the fact that all their lands are considered either private or -- in this case private, but in any other place it would be either private or State land.

14

15 In considering the fact that we have never been given any information as to what kind of finances we have at our disposal, we don't know what resources that we have to gather this kind of information, there is no indication as to who is going to provide us with this information. Do we ask the State Department of Fish and Game, do we ask the Fish and Wildlife Service, do we ask the Park Service, or do we ask them all and then do we ask Staff to compile this information? So in that regard I would say that there are areas which need more representation, and I would venture a guess that Shaktoolik would be more than willing to ask that they be considered for a seat, because they are impacted by, as you can see, all the BLM land around them. And I'll leave it at that.

28

29 What's the wish of the Council?

30

31 MR. OTTON: I suppose we've been having some pretty good discussion as to why we should get a couple more seats, and then about the only other reason why we shouldn't is because of money, and it's -- as I stated earlier, it -- money should not be a factor into our considering two more people, because they will find money I'm supposing down the road, you know. So it would be my -- whatever we -- if it comes down to a vote, I will vote for adding two.

39

40 CHAIRMAN KATCHATAG: Any discussion? Any further discussion?

42

43 MS. MUKTOYUK: Mr. Chairman?

44

45 CHAIRMAN KATCHATAG: Loretta?

46

47 MS. MUKTOYUK: I would like to see someone from  
48 Lawrence Island be seated on this Council, because they do

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hunt for migratory birds, and then there probably will be some fishing issues that will affect the Island also in the future.

2

3 CHAIRMAN KATCHATAG: Thank you.

4

5 MR. ADKISSON: Mr. Chairman?

6

7 CHAIRMAN KATCHATAG: Mr. Adkisson?

8

9 MR. ADKISSON: My name is Ken Adkisson, and I'd like to offer one more comment on the question of the Board representation. This is an actual example that happened a couple, three years ago, really before the creation of this Council. And at that time there were several moose proposals put in for the Unit 22, basically focusing on Subunit 22(D). One was submitted by the Village of Wales, one was submitted by the Mary's Igloo organization, and one by Kawerak. And each of those proposals dealt with largely season adjustment in the harvest of moose, except for the Kawerak one which wanted a much more broad and liberal bull I think harvest and season.

20

21 There was very little biological impact related to the Mary's Igloo or the Wales request. Most of it had to do with adjustment to cultural patterns and needs. There was no group like this to really bring forward a unified approach, and I think largely as a consequence of that, those proposals went before the Federal system, and simply people threw up their hands and weren't sure who wanted quite what, and thought that the three proposals were contradictory, and as such did nothing with them. And so they didn't go anywhere.

30

31 And I don't know whether this Council could solve problems like that, but it sure seems like it would be the avenue to bring these things forward, work them out, and present a unified approach to the Federal Board.

35

36 Thank you.

37

38 CHAIRMAN KATCHATAG: Thank you, Mr. Adkisson. You make a very good point.

40

41 Any further discussion? Hearing none, the Board -- the Chair would entertain a motion regarding the wish of the Council as to our justification?

44

45 MR. BARR: Mr. Chairman, there was a motion on the floor and it was seconded, and we're under discussion .....

47

48 CHAIRMAN KATCHATAG: Right.

49

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1 MR. BARR: ..... I think before we break for lunch.  
2  
3 CHAIRMAN KATCHATAG: Right. I have been corrected, and  
4 a point of order.  
5  
6 MR. BARR: Call for the question.  
7  
8 CHAIRMAN KATCHATAG: The question's been called on the  
9 motion. All those in favor of the motion to increase Council  
10 membership from seven to nine signify by saying aye?  
11  
12 IN UNISON: Aye.  
13  
14 CHAIRMAN KATCHATAG: All those opposed, nay?  
15  
16 (No opposing responses)  
17  
18 CHAIRMAN KATCHATAG: Motion passes.  
19  
20 Moving on to item 8, old business. Mr. Otton?  
21  
22 MR. OTTON: Yeah, I guess we just passed to make it  
23 from seven to nine, but from where, like Loretta stated, she  
24 would wish to see someone from the Island and your dad also  
25 mentioned something like that. So what direction will it be,  
26 if we're to get from seven to nine, where will they come from?  
27  
28 CHAIRMAN KATCHATAG: That's up to you and your  
29 commendation and your justification. It's up to the Council.  
30 Mr. Knauer?  
31  
32 MR. KNAUER: Yes, Mr. Chairman. In this region, as in  
33 all the regions, none of the seats are identified to any  
34 specific community or any specific area within the region. The  
35 only guidance that the -- both FACA, the Federal Advisory  
36 Committee Act, and the solicitors have provided is that there  
37 should be wide geographic representation, wide diversity of  
38 interest, both ethnic diversity and user diversity, and  
39 therefore that is -- those are the guidelines that the Board in  
40 their recommendations have proceeded on. They have not tied  
41 any seat to a particular community, because each of you  
42 represents the entire region, although you have knowledge of  
43 specific areas within the region.  
44  
45 MS. MUKTOYUK: We can still recommend. We could still  
46 recommend that the two seats be filled from certain areas as a  
47 Council.  
48  
49  
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CHAIRMAN KATCHATAG: We'd have to modify our charter I believe, because as Mr. Knauer just mentioned, there is no area specific or in other words, each person's seat is not tied to any specific area. And we would have to modify our Council system in order to change that, and I'm not sure if that's exactly what we want. What is the wish of the Council?

6

7 MR. BARR: Mr. Chairman, wouldn't we have to amend this charter or whatever?

9

10 CHAIRMAN KATCHATAG: Yes. And that wouldn't take effect until 1996 anyway.

12

13 MR. BARR: Yeah.

14

15 MR. KATCHEAK: Who -- Mr. Chairman, I guess to .....

16

17 CHAIRMAN KATCHATAG: Mr. Katcheak?

18

19 MR. KATCHEAK: ..... make a suggestion that since it's already a general language, I can't see why we couldn't just leave it at that there and then designate, once we get those two seats, if we get those two seats, we can designate someone from St. Lawrence Island and someone from somewhere else. Otherwise, if we make it specific, someone from St. Michael might make an objection that -- I'm in the Council for several years and they want somebody else.

27

28 CHAIRMAN KATCHATAG: That's a good point. Personally I would recommend that we leave our motion as passed as is, and that throws it into the arena of the Federal subsistence Board to make a recommendation one way or the other with regard to our recommendation. And if it passes them, that they agree with us that our Council should be expanded from seven to nine, then we will have more input into exactly who and where we want to be represented at that time. Does that make sense to the Council?

37

38 MR. OTTON: Fine with me.

39

40 CHAIRMAN KATCHATAG: Bill?

41

42 MR. BARR: Yeah.

43

44 CHAIRMAN KATCHATAG: Ted?

45

46 MR. KATCHEAK: Fine.

47

48 MR. OTTON: Ee-ee.

49

50

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1 CHAIRMAN KATCHATAG: So we'll leave item 7.D as is in  
 2 that we've voted to increase the Council from seven to nine.  
 3 And that that puts it in the bailiwick of the Federal  
 4 Subsistence Board.

5  
 6 Moving on to old business, item 8. Item 8.A,  
 7 orientation of new members. Madam Coordinator, will you  
 8 orientate Mr. Seetot for us, please?

9  
 10 (Laughter)

11  
 12 MR. BARR: I guess he's pretty well orientated already.

13  
 14 MS. B. ARMSTRONG: Yeah, he's .....

15  
 16 CHAIRMAN KATCHATAG: No, you're supposed to tell him,  
 17 "Elmer, you're facing west."

18  
 19 Basically, Mr. Seetot, you and I are the new members,  
 20 and I am a reappointed member, so this basically is the  
 21 informational material which guides as you've seen we're  
 22 discussing the charter. And this was developed with the help  
 23 of Mr. Knauer, and as soon as it's approved, we'll -- he'll  
 24 give us that information.

25  
 26 If you look further back, it gets into the roles and  
 27 responsibilities of the Regional Advisory Council, and the  
 28 Federal Subsistence Management Program. And it shows you a map  
 29 of our area, which is basically this map. And the only areas  
 30 which we have authority over are the Federal public lands,  
 31 those that are colored. The white colored lands as they're  
 32 shown, they don't say so on this map, but they do on the other.  
 33 And it's State, private or other lands. All the lands marked  
 34 in white. And I don't know what "other" would be, but I do  
 35 know what State and private are. For the purposes of both the  
 36 Federal Subsistence Advisory Program and State law, village  
 37 corporation and regional corporation lands are considered  
 38 private land, and therefore fall under State jurisdiction.  
 39 State subsistence regulations apply. Okay?

40  
 41 MR. SEETOT: Okay.

42  
 43 MS. B. ARMSTRONG: Your operating manual is under one.  
 44 I think under one.

45  
 46 CHAIRMAN KATCHATAG: Okay.

47  
 48 MS. B. ARMSTRONG: And then .....

49  
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1 CHAIRMAN KATCHATAG: If you look under tab one of your  
 2 Book -- the only reason that the rest of the Council haven't  
 3 been given a book like this is because they've already been  
 4 orientated -- has the operations -- final draft, operations  
 5 manual.

6

7 The staff committees. If you look on page 11, it shows  
 8 who's all on the staff committee, and the solicitor. For the  
 9 record, Richard S. Pospahala, he's the chair of the staff  
 10 committee. He's with U.S. Fish and Wildlife Service. Norm  
 11 House with the Forest Service. John Borbridge, Bureau of  
 12 Indian Affairs. Tom Boyd, Bureau of Land Management. John  
 13 Hiscok, National Park Service. And legal counsel for the  
 14 staff committee is Gavin Frost.

15

16 MR. KNAUER: Mr. Chairman?

17

18 CHAIRMAN KATCHATAG: Mr. Knauer?

19

20 MR. KNAUER: There are two corrections to that that  
 21 will be made when it comes out final. Mr. Lou Waller is now  
 22 the staff committee representative for the Park Service, and  
 23 Mr. Keith Goltz is now the solicitor that's advising the staff  
 24 committee. Mr. Frost left.

25

26 CHAIRMAN KATCHATAG: What was the counsel?

27

28 MR. KNAUER: Keith Goltz, G-o-l-t-z.

29

30 CHAIRMAN KATCHATAG: And just for my personal  
 31 information, where has Mr. Frost gone?

32

33 MR. KNAUER: He went to Billings, Montana, and will be  
 34 advising -- working with BIA -- the BIA office there.

35

36 CHAIRMAN KATCHATAG: Interesting. Any other changes?

37

38 MR. KNAUER: There are some changes on the organization  
 39 chart, but we'll be putting in a new organization chart also in  
 40 that document.

41

42 CHAIRMAN KATCHATAG: Okay.

43

44 (Whispered discussion between Chairman Katchatag and  
 45 Mr. Otton regarding signature on document)

46

47 CHAIRMAN KATCHATAG: Basically you have an operations  
 48 manual there that outlines how the Federal Subsistence Regional

49

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Advisory Council is to operate.

1

2 And tab number three gives you Title VIII, which is  
 3 ANILCA, part of Public Law 96-47, and it's shown as Title VIII,  
 4 which deals with subsistence. And this is the law that  
 5 authorizes our Council.

6

7 And this also in tab four is the record of the decision  
 8 which resulted in subsistence management for public lands in  
 9 Alaska. This is more or less an explanation of how the Federal  
 10 Subsistence Board came about.

11

12 Table five is -- tab five is the Code of Federal  
 13 Regulations dealing with the Forest Service and Fish and  
 14 Wildlife Service, which are basically mirror, just different  
 15 sections, because they deal with different departments. The  
 16 Forest Service comes under the Department of Agriculture and  
 17 the Fish and Wildlife Service comes under Department of the  
 18 Interior. But because both of them have responsibilities  
 19 dealing with subsistence in Alaska, because the Forest Service  
 20 manages the forests, the national forests, Fish and Wildlife  
 21 Service manages the land resources and the fish on Federal  
 22 lands. That you have those two departments.

23

24 And I suppose this is the latest rules and regulations  
 25 published on the 15th of July, 1994, the latest changes in  
 26 the regulations.

27

28 MR. KNAUER: Mr. Chair, that's the latest information  
 29 on the development of customary and traditional determinations.  
 30 The actual latest one that was published -- you've got two.  
 31 The Subpart D, in other words the annual regulations were June  
 32 of '94, and then the proposed rule for the next year was  
 33 published September 2, '94.

34

35 CHAIRMAN KATCHATAG: Where do we find them?

36

37 MR. KNAUER: Since I don't have your book, I'm not sure  
 38 what tab it would be under.

39

40 MR. OTTON: This one here?

41

42 MR. KNAUER: The September 2, '94, I do know is in the  
 43 handout, if you have it. Under the "Dear Reader".

44

45 CHAIRMAN KATCHATAG: Oh, okay. That's on the next  
 46 page.

47

48 MR. OTTON: What is this, tab six?

49

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1 CHAIRMAN KATCHATAG: Yeah. Tab six. Do you find it?

2

3 MR. SEETOT: Uh-huh.

4

5 CHAIRMAN KATCHATAG: And five pages back. Basically  
6 the same thing, but .....

7

8 These are the regulations which we propose changes for,  
9 is it not?

10

11 MR. KNAUER: That is correct.

12

13 CHAIRMAN KATCHATAG: The ones which will take effect in  
14 94/96? The regulations that apply to subsistence on Federal  
15 public lands in Alaska were already approved and, correct me if  
16 I'm wrong, they go from July 1st, 1994, till June 30, 1995?

17

18 MR. KNAUER: That is correct.

19

20 CHAIRMAN KATCHATAG: And our proposals for -- which we  
21 will be considering under new business deal with those proposed  
22 rules that we just mentioned. These are the ones that we  
23 propose to change, if we propose to change any of them.

24

25 And this green book is the subsistence management  
26 regulations for the harvest of fish and wildlife on Federal  
27 public lands in Alaska, effective July 1, 1994 to June 30,  
28 1995. Those are the regulations that are in effect now.

29

30 And if you look on page -- tab seven, I don't know what  
31 the difference -- this must be the final rule on the  
32 regulations that we were just talking about. Right. Subpart  
33 B, 1994/1995 subsistence taking. These are the regulations  
34 here from which they made these -- this is the record from  
35 which they made these regulations.

36

37 And tab eight, I'm not sure how familiar you are with  
38 parliamentary procedure, but this is handbook put out by the  
39 Alaska Cooperative Extension Service, University of Alaska,  
40 Fairbanks, which gives you an idea on proper parliamentary  
41 procedure.

42

43 And tab nine gives you a listing of all the ten Federal  
44 Subsistence Regional Advisory Councils as of the September '94  
45 appointments. And we're in Region Seven, and you and I were  
46 the ones that were appointed.

47

48 And the next page after that is the Federal Subsistence

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Board. As you can see, Willie Hensley is the chairman, and there are the various agency heads which serve as the Board at present. Tom Allen, State Director, BLM. Bob Barbee, Regional Director, National Park Service. Niles Cesar, Area Director, BIA. Phil Janik, Regional Forester, USDA Forest Service. and Dave Allen, Acting Regional Director, U.S. Fish and Wildlife Service.

7

8 And again following that, there's the staff committee, Solicitor, and there is a change of Keith Goltz, Office of the Solicitor, Tom Boyd, Lou Waller, National Park Service, John Brbridge, BIA, Norm House, Forest Service, and Richard Pospahala, Acting Regional Director, Subsistence.

13

14 And following that is a list of the Regional Advisory Council coordinators, and Barb Armstrong is the coordinator for Regions 7, 8 and 10. And we're 7.

17

18 Did someone leave the system?

19

20 MR. KNAUER: Yes, Mr. Chairman. David James in Fairbanks switched and went over to the Refuge, so that position is currently vacant, although Vince Mathews is working in there right now to help out those two Councils.

24

25 CHAIRMAN KATCHATAG: He's acting, right?

26

27 MR. KNAUER: Yes.

28

29 CHAIRMAN KATCHATAG: And -- thank you.

30

31 As you can see, all the regional coordinators work for the U.S. Fish and Wildlife Service except for Carol Jorgensen, who works for the U.S. Forest Service. And the reason is the U.S. Forest Service has a lot of national forest down in Southeast. Okay.

36

37 And there you can see on the next page, Fish and Wildlife Service, Region 7, Office of Subsistence Management, and there's everybody that's working on staff. I guess.

40

41 Any questions? There is no tab ten. And I would recommend that you read as much of this as you can, and if you have any questions, you can call Barbara at her 800 number, and I believe she'll make sure you have that information available.

45

46 MR. SEETOT: Thank you.

47

48 CHAIRMAN KATCHATAG: Are there any questions,

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Mr. Seetot?

1

2

MR. SEETOT: No questions.

3

4

CHAIRMAN KATCHATAG: Thank you. That concludes our orientation of our new member.

6

7

We now move on to item 8.B, the April 1994 Federal Subsistence Board meeting by me, your Chair.

9

10

I attended along with my vice chair who was included for an informal meeting which we had with the Federal Subsistence Board on the Sunday before they met in session, and we more or less discussed the over-all Federal subsistence management plan for Alaska, and how it's been impacting each area. And the changes which we were -- we would think of asking of the Federal Subsistence Board.

17

18

At the conclusion of our informal meeting, the Federal Subsistence Board then began meeting the following day for their official deliberations. And at the time we only had one official change proposal, and that was submitted by Roy Otton and .....

23

24

MR. OTTON: Ted.

25

26

CHAIRMAN KATCHATAG: ..... Ted Katcheak, and that was to allow the use of motor-driven snow machines and boats in the hunting of caribou and moose. And the justification was that this was a common practice which was on-going among local subsistence hunters. And all they wanted to do was to make sure that a local custom and common practice was not viewed as a violation of the law, so what basically they were trying to do was to change the law to make a long-standing practice legal. So we brought that before the Federal Subsistence Board. And the one concern that they had, I believe that the one that did not act on was allowing the shooting of a moose from a boat?

38

39

MR. OTTON: Uh-huh.

40

41

CHAIRMAN KATCHATAG: But they did allow the shooting of caribou from a boat?

43

44

MR. OTTON: And from a snow machine.

45

46

CHAIRMAN KATCHATAG: And also moose and caribou from a snow machine as long as it was at a stop. And this is in consideration of the fact that under all recognized principles

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of scientific resource management that you do not allow any kind of harassment or herding of resources using motorized vehicles. So that was the only change they made, was that they did not allow moose hunting from a boat unless it was stopped, but that you could shoot moose and caribou from a snow machine, as long as it was stopped, and that you could shoot caribou from a boat, as long as you were not operating your motor at the time. So we got three-quarters of our proposal through.

8

9 MR. OTTON: If I may add?

10

11 CHAIRMAN KATCHATAG: Sure, Mr. Otton?

12

13 MR. OTTON: So it all boils down to is that it is still  
14 legal to shoot a moose from a boat, and the only way to make  
15 legal is to jump into the water or hit the beach and jump  
16 out of the boat to shoot a moose. You know, that -- what we're  
17 I think we're attempting to do was to make -- like what he  
18 said, make an illegal legal, which we didn't quite get done. I  
19 couldn't follow their reasoning why, you know. My brain  
20 capacity to think beyond -- from their reasoning is I can't  
21 understand them, you know. That's about it.

22

23 CHAIRMAN KATCHATAG: Any other questions regarding the  
24 Federal Subsistence Board meeting in April? Anybody?

25

26 One last comment on the Federal Subsistence Board  
27 meeting. It -- one of the things that came out there was the  
28 feeling of relief among just about everybody that testified  
29 before the Federal Subsistence Board that we finally had some  
30 relevant means of impacting the regulations and laws which  
31 govern subsistence use of resources through the Council system.  
32 And one thing that I really want to bring to the attention of  
33 not only the Council, but everybody here is that the Council  
34 actually bent over further backwards than the Councils did to  
35 make sure that we did not unfairly or without due process  
36 impact the ability or the opportunity of subsistence users to  
37 harvest that resource. And I really can't say how much of a  
38 breath of fresh air it was in comparison to the State  
39 subsistence regulatory system, because they really had some  
40 healthy debate on the changes that we had approved in our  
41 Council regarding the cutting down of the moose harvest over  
42 here in 22(D), and they felt that we were unduly impacting the  
43 opportunity for subsistence harvest of moose without first  
44 making sure that other user groups, such as sport hunters, were  
45 hit down first. In other words, they were more or less  
46 correcting us in our operations by saying, "Okay. If in fact  
47 you're going to cut down on subsistence harvest of a resource,  
48 you better make sure you go in there and recommend that your

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commercial or your sport harvest of that resource is cut down first before you -- before you cut down the opportunity for subsistence."

3

4 So I really -- even though they didn't pass all of Mr. Otton's and Mr. Katcheak's proposal, they did pass three-quarters of it, and I really have some hope for the fact that they're willing to listen and as long as we can fall within the guidelines of Title VIII, that they're willing to implement our recommendations. So compared to what we had under the State system, at least we have a chance. So that concludes my report on the April '94 Federal Subsistence Board meeting.

12

13 For your information of those on the Council and the public here, the Chairman of each Regional Advisory Council acts as an advisor to the Federal Subsistence Board on each particular region, our region being the Seward Peninsula area. So in that regard, they are more than willing to listen to us and they make sure that we comment on the official actions of our Council with regard to each proposal change, and we try to as accurately as possible reflect deliberations of the Council.

21

22 Any other questions?

23

24 Moving on to item 8.C, report of the Chair, Vice Chair. Mr. Otton, perhaps you have some comments that you would like to bring forth?

27

28 MR. OTTON: We're talking about the draft proposal? Well, that's why I'm a co-chair, and let the Chair do all the speaking, and he has spoken.

31

32 CHAIRMAN KATCHATAG: Thank you, Mr. Otton.

33

34 MR. OTTON: Or I was. I'm a has-been.

35

36 (Laughter)

37

38 CHAIRMAN KATCHATAG: That was your own doing.

39

40 Moving on to item 8.D, the draft proposal. For the benefit of those that were not present at our first meeting in Nome, this draft proposal was for the tribal management of subsistence resources of -- by subsistence tribal members. We had deferred acting on this draft proposal until such time as we had gotten any input from any of the affected villages, and I'm sorry to say at this time that as far as I know, and, Barb, correct me if I'm wrong, that we have not gotten any response from any of the villages. I did get a letter from Loretta I

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think, and also St. Michaels, and basically they endorse the draft proposals, but those are the only two that I remember getting any kind of correspondence from.

3

4 And we did discuss tribal management of subsistence by tribal memberships at our Designated Hunter Task Force, and I will get into that when we get that report in item 9.C, Designated Hunter Report.

8

9 But I'm not sure what exactly the problem is, but if you look at the map, the only villages that are really impacted by Federal public lands are Shishmaref, Brevig Mission and Teller spottedly, and Koyuk, Shaktoolik, and Unalakleet. Mr. Michael and Stebbins probably, because I'm sure you guys do hunt within the colored areas.

15

16 MR. KATCHEAK: Yes, we do.

17

18 CHAIRMAN KATCHATAG: And I have yet to hear anything from any of those villages as to what they wanted to do with that proposal, so the only thing I can do is let it sit.

21

22 MR. OTTON: Mr. Chair?

23

24 CHAIRMAN KATCHATAG: Mr. Otton?

25

26 MR. OTTON: We discussed this proposal before in one of our Council meetings, and I believe we had you flown in to discuss that. And then so it's like our villages are aware of what we're talking about, but -- and then we also -- I belong to a subsistence committee for our region, operating out of Kawerak, our non-profit. And it was our recommendation that probably the most -- the village that would benefit the most on something like this would be Shishmaref, because they're all surrounded by Federal lands, and that was our recommendation, that if Shishmaref was to be like the guinea pig to get the ball rolling, then, you know, whatever they do, the footwork that needs to be done for doing something like that, then the best of the villages in our region would follow suit after, you know, we use Shishmaref. I don't know what Shishmaref is going to do about that. But it was our recommendation that we go ahead and we -- we have had a guy by the name of Jim Shwarber from the Native American Fish and Wildlife Society at the meeting, and he indicated a willingness and a hope that maybe something like that would actually happen, you know, but it's the -- who knows what the situation is now, you know.

46

47 CHAIRMAN KATCHATAG: Thank you, Mr. Otton. I appreciate that perspective. And it also highlights the fact

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or the need for communication between staff such as those that might be serving in the field panel and the regional nonprofit with regard to information. I think a lot of it is the fact that the villages want more information before they jump on something like this, even though on the face of it, it appears to be in their best interest. And that's the trouble that we're having is that, number one, we don't know what kind of resources we have available to fulfill our mandate, and number two, we don't know who's responsible for making sure that this information gets out.

10

11 All of us here on the Council serve on appointment by the Secretary of the Interior, but none of us are compensated for our time for which we serve doing this, and there's a limit to which your volunteer efforts can be expended before you start depriving your other activities. So I think we need to set some kind of guideline for being able to put out information within the U.S. Fish and Wildlife Service basically for Council business.

19

20 We had asked the villages for information, but if they need information back, you know, it's got to be a two-way street, and if we don't know what resources we have available, you know, we don't know how to access that. So there has to be some information that -- communication between the staff and the Council so that we know how we're going to get this information out and deal with the responses.

27

28 MR. BARR: Mr. Chairman?

29

30 CHAIRMAN KATCHATAG: Mr. Barr?

31

32 MR. BARR: For the benefit of Roy Otton's comments, we are -- you know, that land you see, that's our withdrawal area. That white land up there that you see, that's Shishmaref here, and that withdrawal is our land. It's our village corporation land. And to the National Park Service, we -- first we said we wanted the hot springs back, give them back to us, because they're ours by, you know, -- from time immemorial that we use them for various things. They use them from Kotzebue also and from Deering, from all over the place, you know, and so we want them back so we can manage it, and they said, no, we can't do that. They said they designated that park, you know, you can see where the category are in that land withdrawal, you know, that Park Service. We told them we wanted that back, but they said, "No, we won't give it back to you." And so we finally agreed to -- or we finally said that we will have use of that hot springs any time we need them, you know, so they said, "Sure, you can go ahead and use them as

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long as you want to, you know," but yet they put an oil stove up in a cabin, and I guess we hollered so much about that that they put a wood stove in one end and the oil stove in the other, you know. And then they don't provide no -- they said they'll -- they didn't say that they will provide it, but they said they -- "You've got to bring oil stove up there -- oil -- fuel oil up there to heat the stove if you want to use the oil stove," and, you know, things like that that go on and on in our backs, you know. They tell us these things, you know, that 9- the changes that they made. We -- they don't tell us, and then yet we go up there and find out, you know, that they put the oil heater up there and we've got to bring our own stove oil up there to heat them up, you know. So they finally put a wood stove in one end of the building, and so that's okay.

14

15 And -- but, you know, things like this that go on and on. And they're putting more restrictions on the hot springs there, of course. You know, we don't throw things around, or throw our dump outside, you know, and, you know, things like this that go on and on. And, boy, they've built everything up there. I mean, they just practically go in there and own everything.

22

23 And another thing that we requested was you keep our winter trails open between Deering and Shishmaref, because this 25 our route that we go through when we go caribou hunting, over to Deering and Buckland, between Buckland and Deering, you know, and they said, "Sure, we'll keep that open," you know, but how long will that be? I don't know, you know.

29

30 And another thing we requested was you keep that trail open, that winter trail open between Brevig and Shishmaref, because people go back and forth there as soon as the -- a little later on, you know, this next month -- I mean, December and into May, the middle of May, you know. So, they said, "Sure, we'll keep that open, you know," and so things like this that we're questioning to the National Park Service.

37

38 And that's the reason why you didn't hear from us I guess is because, you know, we're trying to keep on top of the Park Service. They do things, you know, in our back, you know. The minute we turn around, they do something to the hot springs or whatever, you know. And then they put regulations on them, you know, and said, "You've got to take your own trash out," and all this, you know. I don't know why they're doing that, but they said that's their land.

46

47 Now -- right now we're fighting to get our old airport back. The village corporation is fighting Maritime people, you

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know, they -- first the National Park Service got ahold of that airport. They said that was theirs, and then pretty soon they said that's Maritime, you know, where the seagulls and things lay eggs, you know. And they said that's who's got it now. And this month when we went over to Anchorage, we -- I had to go over there a day early, you know, to meet with various people, you know, and we had a heck of a time trying to get that airport back, and I think we're going to get it back eventually, but it will take time.

9

10 So these are the things that go on and on all the time with the Park Service, and that's the reason why you don't hear from us, I guess, and I'll talk to my -- to the Council, both councils back home and the corporation board again when I get back.

15

16 CHAIRMAN KATCHATAG: Thank you, Mr. Barr.  
 17 Mr. Adkisson, do you have any comments in regard to what  
 18 Mr. Barr has brought up?

19

20 MR. ADKISSON: Only that this is -- there are some long-standing and on-going concerns, and hopefully these will be addressed and resolved to people's mutual satisfaction.

23

24 As far as the Serpentine area goes, there's a long history of the claims for that and why and how the legal decisions went. The result of them is though that the Park Service still as of now is the owner of that land. We've had a number of superintendents come and go, and there have been a number of discussions of how to better improve involvement and local management efforts with the springs, including formation of a local advisory committee from Serpentine -- or a local committee to work with the Park Service on it, and hopefully something will come out of that, and our new superintendent, and we'll get some of that reserved.

35

36 I really don't think there's any problem with the trails. We're still talking about some sorts of joint efforts to work to mark some of the trails, and, you know, I really don't -- I don't think the trails really are going to be an issue.

41

42 The airport, I don't even know about the airport and what's involved there, the old airport. I don't know why the Park Service would have had interest in that, or where that came from.

46

47 But I do recognize that there are some, you know, serious concerns with the hot springs, and that, you know,

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we're still working on them.

1

2 MR. BARR: Another thing, Mr. Chairman, we opposed that  
3 road that they're planning on building from Nome to the hot  
4 springs, you know. We flatly oppose it. That Teller -- or the  
5 Taylor highway I guess is what they call it.

6

7 MR. OTTON: The road goes all the way to Taylor now?

8

9 MR. BARR: Yeah. From Taylor to hot springs I guess  
10 they want to make a road in there.

11

12 MR. ADKISSON: Just a point of comment on that, that's  
13 a State RS2477 issue. The State is pushing a right-of-way of a  
14 road from essentially Nome to Serpentine Hot Springs, and  
15 actually if you look at their -- the State master plan, on into  
16 Shishmaref. That is not a Park Service idea. In fact, we've  
17 basically done whatever we could to, you know, you oppose that  
18 project.

19

20 CHAIRMAN KATCHATAG: Before you leave, Mr. Adkisson,  
21 you're saying that the National Park Service opposes that road  
22 going on into Shishmaref. I don't see how they could get it to  
23 Shishmaref unless you guys approve it.

24

25 MR. ADKISSON: That's -- well, the issue basically I  
26 guess -- the issue here is that back in the old days of the  
27 mining laws back in the 1800s, there was a provision in Federal  
28 law that allowed states or territories or whatever to basically  
29 establish claims for roads and right-of-ways, and that was  
30 repealed a number of years ago when the Bureau of Land  
31 Management went through some legal reorganization, and a new  
32 like Organic (ph) Act, and the State is currently trying to  
33 push a large number of these throughout the State, and the one  
34 from the -- basically what they're trying to do is essentially  
35 make a road that extends from Nome to about half way up the  
36 Peninsula and it's -- and take it on in from there to  
37 Serpentine Hot Springs and then on in to -- eventually to  
38 Shishmaref. And that's only one of their plans. But those are  
39 all tied up now in Federal proposed rule making by BLM related  
40 to the RS2477 issues, and I don't know where they're going to  
41 go.

42

43 But I do know that there -- you know, most of the  
44 villages, Wales, Shishmaref, Deering, have all come out in  
45 opposition of development of a road into the Springs. We're  
46 not at all interested in developing a road into the Springs.  
47 In fact, our general management plans says -- basically calls  
48 for no such development. What the legal outcome of the State's

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efforts and lawsuits and so forth are going to be, I don't know, but, you know, we're not -- we're not in favor of a road development into there.

3

4 CHAIRMAN KATCHATAG: Thank you, Mr. Adkisson.  
Mr. Otton?

6

7 MR. OTTON: Yeah. It's my understanding that the National Park Service is willing and able to do like what they call a co-management agreement with Native entities, is that right?

11

12 MR. ADKISSON: That's kind of a tough one, I guess, and maybe we -- I don't know if we want to talk about that now or talk about that later as to what degree. I think there are a number of individuals in the Park Service that are very interested in seeing how that would go. I don't know if I could speak on behalf of the total agency as to how far .....

18

19 MR. OTTON: I mean, you know, it's written in law or something that it could happen? It's a possibility?

21

22 MR. ADKISSON: Well, there's a provision in ANILCA which is the Federal law that talks about cooperative agreements and cooperative efforts and how people -- and different agencies interpret ANILCA differently. Later when we get to the agenda and talk about some proposed research that the preserve is interested in doing, we'll kind of talk about what we're trying to do here and now to foster maybe some cooperative research efforts that we hope would down the road lead to some level of cooperative management.

31

32 MR. OTTON: Yeah.

33

34 MR. ADKISSON: We'll talk more about that I guess, but 35 and Don Calloway may be able to talk more about his experience in the regional office working in those areas, but I can't really speak for the agency as far as what its stands on cooperative management are going to be. We have a brand new regional director coming in, and I think it's going to take a while to brief him and get him up to speed on what a lot of the Alaskan issues are and what his position would be. I think it's the only way to go, but then, you know, that's my personal opinion, it's not an agency opinion.

44

45 MR. OTTON: Well, if it's like possible, and, you know, 46 -- and then having the tribal governments having a government-to-government relationship with the Federal Government, and then all the agencies are directed to, you

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know, go that route, then it seems like, you know, after a while you're going to talk about a proposal the National Park Service wants to do, but then we're talking about from our Tribal government perspective what we would like to see done, meaning co-management, but then you say, you know, somebody don't like it, another one like it, personally I like it. You know, that's not really -- it don't seem to me like the National Park Service got a clear direct- -- I mean, you know, that you're mandated to what the Executive Order or whatever that was signed not too long ago, but personally you say that's the way to go, but then, you know, there's somebody else in the National Park Service that don't like it, or don't want to see it happen, you know, and I don't know, I .....

13

14 MR. ADKISSON: Well, I'd like to tell you .....

15

16 MR. OTTON: What else can I say?

17

18 MR. ADKISSON: Not much, and that's probably a pretty accurate presentation of it, you know. I'd like to say there's a better world, and that -- but that's not the case. But I would say that, you know, there's a lot of discussion in the Park Service right now, and different people are trying to interpret ANILCA in different -- within different frameworks and for different agendas, and, you know, internally we're still thrashing around a lot, and all the battles haven't been won yet. We can't even get -- we can't even get the regional office to come out with a -- haven't been for over two years, to come out with a vision statement and a policy related to subsistence.

30

31 MR. OTTON: Okay. Just one more question. Is there anywhere in the State of Alaska where National Park Service is working with any kind of a village entity for management of fish and game?

35

36 MR. ADKISSON: Don? Maybe Don could address that. Don Calloway maybe from actual perspective of some places where the Park Service may have entered into some kind of cooperative agreements.

40

41 MR. CALLOWAY: I don't think in terms of cooperative management. I don't know of any. Do you, Sue?

43

44 MR. OTTON: Not cooperative management. Co-management.

45

46 MR. CALLOWAY: Well, this .....

47

48 MR. ADKISSON: Well, I -- yeah, I think we're a long

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way from talking about co-management. I mean, there are people we can't even get to sit down at the table and talk cooperative management, let alone co-management.

3

4 MS. DETWILER: I do have .....

5

6 CHAIRMAN KATCHATAG: Ms. Detwiler?

7

8 MS. DETWILER: I might be able to add something here. The stand that the agencies, or at least Fish and Wildlife Service, the one taken so far is that in terms of Title VIII of ANILCA, the statute only expressly delegates management authority to the Secretary of the Interior. It doesn't authorize the agencies to redelegate that management authority to any other entities. And that's -- you know, they -- that's the statute that they're working under.

16

17 MR. CALLOWAY: Let me point out one project the National Park Service is trying to do in the NANA region. We've gone in under the Subsistence Division and talked to all the major entities. NANA, Maniiliq, the communities and so forth, to try to identify some issues where we could work together on a cooperative management issue. And we've finished that phase of it, and what we'd like to do next is to actually take one issue and to implement a cooperative management initiative, and there are several issues that have been suggested by the people in the region, and by the Park Service. So the Park Service is taking some steps to work with cooperative management.

29

30 As to co-management, that's a whole other step, although as Trevor (ph) Johnson pointed out in a meeting we had at Kawerak, they view co-management as an intermediate step.

33

34 MS. MUKTOYUK: Mr. Chairman?

35

36 CHAIRMAN KATCHATAG: Ms. Muktoyuk?

37

38 MS. MUKTOYUK: I would like to Ken Adkisson, and I don't know who you are?

40

41 MR. CALLOWAY: Don Calloway.

42

43 MS. MUKTOYUK: But if and when you ever decide to have meetings with two or three villages, you should make it a regional meeting. That way everybody knows in the Bering Straits region what your activities are. Instead of just having two or three villages that attend your meetings, have a regionalwide meeting.

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1 MR. CALLOWAY: That's one of the reasons we're here  
today.

3

4 MS. MUKTOYUK: But I mean, if you had a regional  
meeting, you would have at least 18 to 21 villages attend the  
meeting, and they would more likely voice their concerns or  
suggestions in the future.

8

9 CHAIRMAN KATCHATAG: Thank you, Loretta. On that note,  
let's take about a 15-minute break, and before we do, I just  
want to let you know that Mr. Chuck Degnan has provided some  
odas back here for us, and they're compliments of Mr. Chuck  
Degnan. So we're having a break. Fifteen minutes.

14

15 (Off record)

16

17 (On record)

18

19 CHAIRMAN KATCHATAG: Call the meeting back to order.

20

21 Correct me if I'm wrong, we're on item 8.D.1 and 2.  
And more or less that you call it naivete I guess on my part  
with regard to how I expected this over-all subsistence  
advisory council system and the Federal Subsistence Board to  
operate, but it appears that there are agendas both known and  
unknown which are being followed, and for which no provision  
has been made for the indigenous people. So I leave it up to  
the wish of the Council as to how they wish to deal with the  
draft proposal. I don't think any of them have it there before  
them, but it was deferred until this meeting. I would  
entertain any motion by the Council.

32

33 MR. OTTON: I for one would not like to see what -- all  
the work, what has gone into this proposal just be swept under  
the floor, but I would like to see that maybe be kept open so  
that, you know, -- I'm pretty sure there might be some villages  
that would go through the route as drawn out in the proposal.

38

39 CHAIRMAN KATCHATAG: I appreciate that, Mr. Otton, and  
also in my report on the Designated Hunter Task Force, there is  
in that report an option called the tribal management option,  
and we will discuss that again at that particular time.

43

44 So my recommendation, and I would entertain a motion to  
that effect is that we table any action on the draft proposal  
at this time. And I would entertain such a motion.

47

48 MR. OTTON: I'll so move.

49

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1 CHAIRMAN KATCHATAG: We have a motion on the floor to  
 2 table the draft proposal until further information and/or  
 3 action by the affected tribal governments. Do I hear a second?

4  
 5 MR. LOCKWOOD: Second.

6  
 7 CHAIRMAN KATCHATAG: Seconded. Discussion?

8  
 9 MR. KATCHEAK: Question.

10  
 11 CHAIRMAN KATCHATAG: The question's been called. All  
 12 those in favor of the motion, signify by saying aye?

13  
 14 IN UNISON: Aye.

15  
 16 CHAIRMAN KATCHATAG: Those opposed, nay?

17  
 18 (No opposing responses)

19  
 20 CHAIRMAN KATCHATAG: The motion carries. We'll move on  
 21 to item 8.E, review and discussion of per diem rates.  
 22 Mr. Barr, it was that your request that we included this  
 23 particular item.

24  
 25 MR. BARR: Yeah. Okay. Thank you, Mr. Chairman. You  
 26 know, this is a Federal advisory board, and, you know, ever  
 27 since I've been on this Board, I've only got one check I guess  
 28 from you people, and I remember going over that expense sheet  
 29 that I had sent to the Advisory Council -- or the -- to  
 30 Anchorage, and they had crossed out a lot of my cab fares, you  
 31 know. I can't walk too good any more, and that's the reason  
 32 why I take cabs all the time, and they crossed out every one of  
 33 them, except going to the airport I guess was the only one that  
 34 they paid for. And at that time I think they -- all we were  
 35 getting, \$42.00 or \$48.00 per meeting, and didn't, you know,  
 36 pay for our room or board, and I thought that was a little too  
 37 low, you know, and .....

38  
 39 And then we had a meeting at Shishmaref, and I told  
 40 these guys that I have found homes for you people, and I said,  
 41 "Some will let you stay free, but I told them that you guys are  
 42 under per diem," and I assumed they were under per diem, you  
 43 know. But all said they weren't, you know, so I'm just  
 44 wondering, you know, where did all that money go that was  
 45 supposed to be proposed for these -- for us, you know. And  
 46 that meeting, you know, I went to that at my own leisure, you  
 47 know. I finally find out later, you know, that I was under my  
 48 own leisure to a meeting, you know. Here I was supposed to get

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per diem for that, you know, but it's in my home town. I didn't mind that too much, but I was feeling sorry for these guys here. How come they didn't get no per diem for that meeting? And I don't know if that got resolved later or not, you know.

5

6 And another time -- this time I heard, you know, through the grapevine, that they're paying \$85.00 down at the lodge for our room only. And I thought that was a little too steep for, you know, for a town this size, you know, but that's my own assumption.

11

12 And then I receive a check from Barbara here for \$20.00, so when I calculate it out, I've been gone since Sunday, Monday, Tuesday, Wednesday, that's four days. So that's \$30.00 a day that I'm getting. You know, I'm just wondering where all this money going, you know. I mean, I know the Federal position, you know, that this Federal pays to the other board members 150-some dollars a day, and I don't know how much it is here, 140 or something, you know, a day. And that way we could take care of our own room that we stay in down there at the lodge, but yet I only got \$30.00 and they're paying for my room, so I don't know where all the money's going, you know, and that's what I want to have cleared out at this time is where is our money going, and who determines that they pay that much to the lodging outfit, you know? I mean, they must have a special rate down there, you know. I mean, not a special rate, but a regular rate, you know, that they pay. Maybe it's \$85.00 a day, I don't know. I'm just throwing this out around the table.

30

31 MS. B. ARMSTRONG: Who from our agency can answer to Bill's question? You can, Sue?

33

34 MS. DETWILER: Well, I can start out, and Bill, since Bill's had worked in this arena much longer than I have, can correct me or make any additions. But I don't know the specific circumstances that you were in. I don't know what happened with the cab money, and I don't know whether you were paid enough per diem for every day that you were at a meeting, but the policy is that the Council members, if they're coming to a community or to Anchorage on Council business, we cover their expenses for Council-related activities. We cover the lodging, and we cover enough to pay for meals every day. We don't cover, you know, things for personal business like taking cabs to, you know, Nordstrom's or Big Ray's or wherever, but we want to make sure that your legitimate expenses are covered when you come in to represent the Council.

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And I'm not quite sure how it worked out here. I think there's different ways that the coordinators have made the payment arrangements with the lodges here. I don't know if we made an arrangement with the lodge here to pay through a travel 4- through an invoice -- you don't know?

5

6 MS. B. ARMSTRONG: I don't know. I haven't been 7 involved. And usually when I was a State coordinator, I took 8 care of the per diem, I took care of the travel. At this 9 position right here, I don't know -- I do not handle the per 10 diem, I do not handle the travel, so I don't have any 11 information as to how all this is taken care of. All I know is 12 that I sent the Council names in to Gena and they set up their 13 travels with a travel agency in Anchorage, and then there are 14 the ones that are set up through a P.O. over at the travel 15 lodge.

16

17 And other than that with per diem, Bill, you said it's 18 about 63 a day? Should have been 63 a day for this area for 19 the meal (ph) two area?

20

21 MR. BARR: I don't know.

22

23 MR. KNAUER: The Federal Government operates on what's 24 called "lodging plus." And what that means is there is a rate 25 for each area, the maximum for lodging, and then there's -- the 26 plus is your meals and incidental expenses. And in Alaska high 27 cost communities may have an individual rate, and then the, 28 note, "rest of Alaska" will have a single rate, and it's set 29 by the General Services Administration. It's governmentwide. 30 And, for example, if you're under a purchase order for this 31 community for your lodging, that covers your lodging, and then 32 you would get a meals and incidentals rate of \$48.00 a day.

33

34 Now, the check or the cash advance you got is only part 35 of that. You have to then file a voucher after your trip and 36 Uncle sends you a check for the rest. Or if you in fact for 37 some reason weren't here the entire meeting and weren't 38 entitled to everything, they may ask you for some of it back. 39 But if you're here for the entire meeting, that's usually not 40 the case.

41

42 Taxis, like from the airport to your lodging and back 43 the airport are on top of that rate.

44

45 If you're not paying -- if there is not a purchase 46 order and you're actually paying for your lodging here, you're 47 authorized \$63.00 and you still have the -- you're authorized 48 to 63. It's actual expense up to. And then 48 for meals

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and incidental expenses.

1

2 If you go into Anchorage, it's a different rate. If  
3 you go into Fairbanks, it's a different rate. I think Nome is  
4 probably a different rate. But it is a set -- there's a set  
5 amount, and it makes no difference whether it's a Council  
6 member, an agency person. It's the same. It's governmentwide.

7

8 MS. MUKTOYUK: Will all of our -- will all our expenses  
9 be covered for this meeting? That's one thing I want to make  
10 sure, because last time we didn't -- we didn't even have a darn  
11 thing when we went to Shishmaref, and Bill Barr, like he said,  
12 that we had to pay our hostess so much for -- per night, and  
13 then we had to get an I.O.U. from them so we could get the  
14 check from you to pay them.

15

16 MR. KNAUER: Under Federal travel, you have to submit a  
17 lodging receipt to get reimbursed for lodging. It's not just  
18 an automatic, in this case \$111.00 a day.. If I don't have a  
19 lodging receipt, in other words, if I were to stay with a  
20 friend here in town and it didn't cost me anything, I don't get  
21 the lodging amount. I only get the \$48.00.

22

23 MS. MUKTOYUK: And then you look at that \$48.00 and  
24 we're travelling here to Unalakleet, when you eat in a  
25 restaurant, it's a little bit more expensive than it is in  
26 Nome, or in Anchorage. There is .....

27

28 MR. KNAUER: Like I said, there .....

29

30 MS. MUKTOYUK: ..... a great big difference.

31

32 MR. KNAUER: ..... are different rates in each  
33 community. The \$48.00 for meals and incidental expenses is the  
34 rate for Unalakleet. I don't know what it is for in Anchorage.

35

36 MS. DETWILER: So my question is then, were you or were  
37 you not reimbursed for your hotel, or your lodging at  
38 Shishmaref?

39

40 MS. MUKTOYUK: We got the .....

41

42 MS. B. ARMSTRONG: Eventually some of them did, but it  
43 took forever. It took a long time to get these guys reimbursed  
44 for their trip to Shishmaref last year, because they sent their  
45 papers in, or they sent their forms in and it just took a long  
46 time to get their reimbursement, get their hostess paid and  
47 host paid in Shishmaref. This is the first time, this is the  
48 first meeting that I received the per diem checks way ahead of

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time. And then this meeting was set up as of like July, and the financial people in Anchorage had enough time to send their 2- those checks early on. And the only two new people were Mike Sheldon and Mr. Seetot, and then they put it and requested earlier, but the checks they received were cut October 13, and that's cutting it too short for the meetings that they set up Mike months ago. So that needs to .....

7

8 MR. KNAUER: Part of the problem is when we have -- the Federal Government's calendar -- not calendar, fiscal year starts October 1 and the finance offices won't cut or obligate monies in the next fiscal year from the past, so that's why the checks on that were cut later, I'm sure. Now, in February that won't be much problem. And you'll notice I asked all of you to sign that form? That's so we can get that form, which is the request for advance in plenty of time to get the money back for you for your next meeting.

17

18 MR. BARR: another factor that you can take into consideration is, you know, if I only knew Sheldon's phone number, I would have called him and got excused, you know, for this meeting, because, you know, my brother was hounding me, he's bedridden now, and my brother was hounding me to go out, go up 18 miles and go get some fish, you know, because he wants to eat fish, and these are his last days, you know, and I had to get somebody else to go out and fish in my place. He said he went up there Saturday and come back yesterday, and so, you know, I had to do this, you know, but, you know, we've got other things that we can do also, you know, and this meeting come by and we had to go to it. We're obligated to go to it, but yet there's somebody else, you know, back home that tells you to -- like I said, he's bedridden, and he wants to eat some fish, you know, and so I only knew Sheldon's phone number, I would have called him, you know, and got excused. But I didn't know it.

35

36 MS. DETWILER: Well, I would comment .....

37

38 CHAIRMAN KATCHATAG: For the record, my phone number is 890-2268, and it's only about 20 days old.

40

41 MS. B. ARMSTRONG: And then, Bill, you could .....

42

43 MR. BARR: 890.....

44

45 MS. B. ARMSTRONG: ..... then you could have called me.

46

47 MR. BARR: ..... 2268?

48

49

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CHAIRMAN KATCHATAG: Yes. If you ever want a Mark Air Express reservation, give me a call.

2

3 MR. KNAUER: If any folks do have individual questions about their voucher or why something was allowed or disallowed, please contact our administrative officer, Gina Martinez.

6

7 MS. B. ARMSTRONG: Gina's going to be gone .....

8

9 CHAIRMAN KATCHATAG: You know, that's another thing. I'm hearing a lot of things from that office. For these two meetings over this summer, this Designated Hunter Task Force, I went ahead in, and I took part in the meetings, because I think it's important. And yet under the State Unemployment regulations, because I had travelled away from my village and gone to Anchorage for this meeting, they disallowed me a week's worth of unemployment. And when you're unemployed, you can't even -- you can't afford that kind of thing. And yet I put in a request as a legitimate expense, because going to that meeting cost me that, that's an expense that I had to eat. In other words, my kids were deprived of a certain amount of normal nourishment, because the State unemployment system said, "Okay. You went to Anchorage for a meeting. I'm sorry, you weren't there looking for a job. Your benefits for that week are disallowed." So I put in a request as a legitimate expense to Fish and Wildlife Service, and I have yet to hear from Fish and Wildlife Service as to whether or not I ever -- I was allowed or disallowed or nothing.

28

29 MR. KNAUER: Off the record, tell them you went to look for a job.

31

32 CHAIRMAN KATCHATAG: On the record. I have an employee of the Federal Government here telling me to make a false presentation.

35

36 (Laughter)

37

38 MR. BARR: And, you know, when I go and asked these people back home last winter, you know, to lodge these guys, I went to, you know, the good people. And, of course, money talks back home, you know. I mean, any place where you go now money talks, you know. You've got to have bucks in order to stay in a place, you know, or whatever, you know, and that's the reason why I asked those people back home to, you know, if you would take one person or two persons in, and I told them, "They'll give you, you know, a little money just for sleeping," and so -- and for eating, you know. I don't know. They didn't say nothing to me, but one of them mentioned to me I guess some

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time ago that they didn't get paid yet, so I'm just wondering about that, you know.

2

3 MR. KNAUER: Please contact our office at the 800  
4 number if you have any questions. Talk to either our  
5 administrative officer, Gina Martinez -- she is leaving. She  
6 will be replaced. She'll be leaving week after next -- or next  
7 week. But the other person is Terry Wilde, T-e-r-r-y, it's a  
8 male.

9

10 MS. B. ARMSTRONG: And the other thing you guys can do  
11 is if you can get to a copy machine, make copies of your  
12 vouchers that you sent in and send to me. And then that way we  
13 can have them here and your complaints will be legit, you will  
14 have copies here at the office, and to see. And then if they  
15 sent those forms back to you, make copies of them again before  
16 you send them in. That way you guys will have copies of the  
17 pages that you guys sent in first, and see what was taken off  
18 and why, and they need to be justified why they are taken off.

19

20 CHAIRMAN KATCHATAG: I want word sent back to that  
21 administrative officer over there in Anchorage, that if in fact  
22 they have something that they need to talk to me about, that  
23 they be a person about it and talk to me about it rather than  
24 trying to lay it on Barb or trying to run it through the  
25 system. I've given them phone numbers, I've given them fax  
26 numbers, and I have get to receive any kind of information on  
27 why or why not my expense of losing my unemployment benefits  
28 for two weeks here have not been allowed. You know, it's not  
29 professional from my perspective. And I try to be professional  
30 about everything that I do when I'm on official business, and I  
31 expect that kind of treatment from the people that I deal with.  
32 And it's disheartening when I hear that word is going around  
33 in the administrative office that they're not going to allow me  
34 this because of that, then yet I don't hear it. You know,  
35 that's not very professional. So I'd appreciate word getting  
36 back to the appropriate people back in the office that, you  
37 know, if they have something for me, give me a call. And .....

38

39 MR. KNAUER: That's a very appropriate thing. For --  
40 just for general information, all of our travel claims are done  
41 down in Denver at the Denver Finance Center. Yours, ours, the  
42 whole region's. All of the Fish and Wildlife Service's are.

43

44 And regarding a statement Mr. Barr made, we certainly  
45 don't expect you folks to go into a village, be it Shishmaref,  
46 Galakleet, Anchorage or wherever, and mooch off of friends.  
47 We certainly feel that you're due to be lodged in suitable  
48 accommodations, be it a motel, a hotel, or a bed and breakfast,

49

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or with friends, and pay a reasonable amount, or have it be on a purchase order, whichever. And the only thing is that because it is Federal Government, and there are certain accounting procedures that you and we have to follow, we have to submit a lodging -- a receipt. And so if you help out the folks that you stay with, you know, just ask them to give you a receipt for whatever amount you contribute, and then that can be turned in, and that is acceptable. So that way it's not out of your pocket, but you're not mooching off of them either.

9

10 MR. KATCHEAK: At that time, the only reason why I didn't feel so bad was I was able to write my personal -- a personal check to the couple that I stayed with, so when I left, I didn't feel so bad for this, but for the other members, I think they didn't have money, so they -- when they left that is they didn't pay their mission (ph) or didn't -- something was missing. Held back.

17

18 MS. MUKTOYUK: And when something like that happens, it's embarrassing.

20

21 CHAIRMAN KATCHATAG: George?

22

23 MR. LOCKWOOD: Yeah, I want to say something about these per diem, too. When we go to Shishmaref, when we get there, what's his name, Bill, brought us to town from airport, and then I -- he put me on -- in one of the homes. And then I was wondering on that first night, I didn't know or find how much I was supposed to pay wherever I stopped (ph), and then there's no -- when I even travel from other outfits, they give me -- they always tell me to take cab or whoever bring me to town, and then when I'm going home, from town to airport. Most of the time it's five bucks. And I was kind of puzzled. Just before we left, on the last night, I finally asked at our meeting, how much is our per diem for staying with these folks. I had some -- I didn't know just who say, \$25.00 a day. And then so I paid that. After I come home. And then I sent him a money order, and then later on I receive a bill from the office down at Fish and Wildlife. I owe \$30.00 or something. So I made out a \$30.00 money order for something. I don't know. I'm not kicking about it, but I see I was short. I'm pretty sure it's for my plane. And I don't mind paying as long as it's payment for what I owe.

43

44 I think it would be good if that office down there, whoever making payments for these travel and per diem to know where we're going to stay, each one of us, and write down so much a day for that home. And then from airport to that home, and then from that home to airport, just like other outfits

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that I work for, give me some money for that. It should be -- it's something that makes you wonder what to do when you don't know these things in black and white in a sheet. I think it should be squared out that way. We wouldn't have much trouble with them. That's just my idea. I'm not kicking about paying extra for someone else, but it should -- it was my mistake. I don't mind it.

7

8 MS. MASCHMEYER: Mr. Chairman, I'd like to say something off the record regarding this issue.

10

11 CHAIRMAN KATCHATAG: Madam Recorder, please turn off your equipment.

13

14 (Off record)

15

16 (On record)

17

18 CHAIRMAN KATCHATAG: Barb?

19

20 MS. B. ARMSTRONG: Yeah. When I was the coordinator for the State, we had our meetings a lot in the villages, and I took care of the Councils. I knew how much -- exactly how much spending money they were going to have. I knew their per diem. I knew where they were going to be at. I knew which house they were going to be at. And I informed them with a letter telling them where they're going to be, who they're going to be staying with at the villages. But as of right now, I have no control over that whatsoever. I'm not informed of where anyone is going to stay, and when I do try to ask, I am told, "Well, the fare is paid. They're going to be there," but then I never really know where anyone is going to stay, so I am really misinformed in this position that I am working under you, and I'm getting very discouraged at the present time, because of not getting any actions for the Council members, and I feel like that I'm not doing what I'm supposed to be doing, and what the Council really needs to be informed about what is actually going on.

38

39 And it's going to take time for us to learn to work with each other, but also the Federal employees need to synthesize (ph) with these people, with my people, and with us. You need to learn to work with us and for us, or it has to work both ways. Otherwise it's just not working out. And these Council members that you are working with are no dummies, and they're starting to feel this and know this, so it sure would help a lot if you would start listening to their complaints and know how their feelings are on these matters.

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Thank you, Sheldon.

1

2 CHAIRMAN KATCHATAG: Thank you, Barb.

3

4 I'm really getting the sense that these Councils, our  
Council, all ten Councils and the regional coordinators are, if  
you will, token Indians, and it's really frustrating when I've  
come to this position with the attitude that I am trying to do  
the best not only for myself, but my family, my extended  
family, and my communities, and the other communities in this  
area.

11

12 I made -- you know, I've been complaining about per  
diem from the very first day, because I was having problems  
with it, and I was only saved by the very fact that I had  
friends in every place that we've been meeting. And three  
meetings in a row complaining about the same old thing seems  
like the same old status quo. All we get is lip service  
saying, "Yeah, we'll talk to them, and, yeah, we'll do better  
next time," and the next time it comes around and it's the same  
old thing.

21

22 Of all the people that I've worked with where I've been  
given per diem, this is the only organization that I've come  
across recently that treats me like -- and it makes me feel  
like I'm back in Mount Edgecumbe again. In other words, we're  
being herded. "You can stay at this hotel only, and here's  
\$100.00, and if you need more, well, you'll have to get it from  
somewhere else and send me a bill."

29

30 I operate under the premise that I'll do the best that  
I can, and I'll be as professional in my execution of my  
duties, and I expect to be treated that way. But as you can  
see by the complaints of the people -- the other -- my fellow  
Council members, like I said, I feel like I'm back in boarding  
school again, operating under the BIA. And I don't like that.  
And it's really frustrating to try to do your best for  
something that is so vital to the people that you live with,  
and be treated like this.

39

40 And I don't know if I'm going to stick with this, even  
though I've been just reappointed for three years. It's -- you  
can only take so much frustration in any given avenue that you  
take, you know. It's taking its toll, believe me.

44

45 So I think for the time being, first of all, I am going  
to ask that the Council move with me on this and I am going to  
request that we get a financial report from staff. I want to  
see a budget. I want to see a year-to-date expense report, and

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I want to see a balance of budget report at our next meeting, and I want to see where in fact all of this supposedly \$100,000.00 a year that I've seen bandied about in this Handbook, see where it all goes. And it's -- as I said, I don't know what resources I have available as the chair to be able to fulfill the mandates that's required. Do I have -- I've been given a calling card, which I've only used on two occasions. I don't know what over expenses that I can incur. It's pretty frustrating. And it's discouraging in that this is something that's vital to the people that are affected.

10

I'd like to see any one of you try to live in this kind of a situation without benefit of a bank account, or a salary, and with that kind of uncertainty. I'm sure you wouldn't tolerate it very long. And something's got to change.

15

MS. DEGNAN: Mr. Chairman?

17

CHAIRMAN KATCHATAG: Yes?

19

MS. DEGNAN: May I just speak to this issue as a private citizen?

22

CHAIRMAN KATCHATAG: Sure. Please state your name for the record.

25

MS. DEGNAN: My name is Francis Degnan, and I live in Unalakleet. I'm a resident, life-long resident here.

28

I serve on a regional board that's elected by the people, the State, and we have similar duties and you're entitled -- what you're going through. And our current budget is \$96,000.00 for the year, and that's for this region only, and we have a seven-man board, and we have a staff of one and a half persons. And we have found it very difficult to hold meetings that we try to hold in every community within our region. That's 17 communities. And we've come down to where we can only meet once a year in a given community, because of the cost for travel and for lodging and for just operations. So we have one and a half persons for staff, we have \$96,000.00 a year for operation, and we meet once together in body, in person in an assembled meeting, and the rest is done by telephone. And we do not feel that is adequate.

43

But in the very beginning we had a budget of \$250,000.00 for the year, and that encompassed two and a half staff persons, and that allowed us to go to every village in this region to get input on a plan that we felt that it was important for them to develop the basis and to have that plan

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be a plan of the people rather than a plan of the board.

1

2           And I view that group as the same mission that you  
3 have. So I feel that if you say your budget is \$100,000.00 for  
4 the year, if that's your budget, it certainly isn't adequate,  
5 and I feel that you really should get control of your budget,  
6 and to ask for an increase so that you can respond to the  
7 community that you're supposed to be serving.

8

9           Thank you.

10

11           CHAIRMAN KATCHATAG: Thank you, Ms. Degnan. We  
12 appreciate it.

13

14           Hearing no objection, I have asked for and expect to  
15 receive an operational budget.

16

17           MR. BARR: Do you want that in the form of a motion,  
18 Mr. Chairman?

19

20           CHAIRMAN KATCHATAG: If that is your wish, Mr. Barr, I  
21 would entertain it.

22

23           MR. BARR: I so move, Mr. Chairman.

24

25           CHAIRMAN KATCHATAG: We have a motion on the floor,  
26 request for a financial report with an operational budget, a  
27 year-to-date expenditure and a budget remaining.

28

29           MR. SEETOT: Second.

30

31           CHAIRMAN KATCHATAG: Seconded. Discussion?

32

33           MR. BARR: Question.

34

35           CHAIRMAN KATCHATAG: The question's been called. All  
36 those in favor of the motion signify by saying aye?

37

38           IN UNISON: Aye.

39

40           CHAIRMAN KATCHATAG: All those opposed, nay?

41

42           (No opposing responses)

43

44           CHAIRMAN KATCHATAG: The motion passes unanimously.

45

46           MR. OTTON: Who was the seconder?

47

48           MR. KATCHEAK: Elmer is.

49

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1 MS. MUKTOYUK: Elmer.  
2  
3 MS. B. ARMSTRONG: Who seconded?  
4  
5 CHAIRMAN KATCHATAG: Elmer.  
6  
7 MS. B. ARMSTRONG: Okay.  
8  
9 CHAIRMAN KATCHATAG: Moving on to 8.F. 8.F is a  
~~d~~discussion of the customary traditional determination for musk  
~~d~~oxen.  
12  
13 At our March meeting in Shishmaref, we had asked for  
~~s~~staff to pursue a positive customary and traditional  
~~d~~determination for musk oxen, you know, on the Seward Peninsula.  
16  
17 MR. OTTON: Who was -- Mike Lockhart was the person.  
18  
19 CHAIRMAN KATCHATAG: At the time the chief staff person  
~~w~~as Mr. Mike Lockhart. Do we have a stand-in or a sit-in?  
21  
22 MS. B. ARMSTRONG: Sue Detwiler.  
23  
24 CHAIRMAN KATCHATAG: Sue?  
25  
26 MS. DETWILER: Yeah, I'm temporarily taking over .....  
27  
28 MS. DOWNING: Sue, why don't you come closer?  
29  
30 CHAIRMAN KATCHATAG: Thank you, Madam Recorder.  
31  
32 MS. B. ARMSTRONG: She's the temporary branch chief.  
33  
34 MS. DETWILER: I'm temporarily acting as the division  
~~c~~hief for the section that includes the advisory system, and  
~~I~~am sorry, I was talking to Bill a moment ago when you asked or  
~~w~~ere talking about this issue, so if you could just repeat to  
~~m~~e what the issue was?  
39  
40 CHAIRMAN KATCHATAG: At our March meeting we had  
~~d~~irected staff to seek a customary, a positive customary and  
~~a~~dditional determination from musk oxen on the Seward  
~~P~~eninsula. What is the report on progress, if any?  
44  
45 MS. DETWILER: I don't know. To be honest with you,  
~~t~~his is the first I've heard of it. Maybe Barbara has some  
~~m~~ore information.  
48  
49  
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CHAIRMAN KATCHATAG: Barb?

1

2 MS. B. ARMSTRONG: They asked me -- when they asked me  
3 to write down a list of what the needs or the request of the  
4 Council were, I wrote it all down on paper, and faxed it to  
5 Mike Lockhart, and that was the last I've heard of it. And  
6 when I went down to Anchorage, I brought that up to him again,  
7 and the only main thing that they were concerned about was the  
8 migratory bird report that Dick Pospahala had promised to bring  
9 here, and then I never did hear again on that report that you  
10 guys had asked for Mike Lockhart to bring back to the Anchorage  
11 office to ask to have it written up. So that's as far as that  
12 went.

13

14 MS. DETWILER: So, Mr. Chair, just so -- that I'm  
15 clear, what the Council asked for last time was to have the  
16 customary and traditional use determination for musk ox changed  
17 from a no subsistence determination to a determination that  
18 would allow people with C and T use to hunt musk ox. And then  
19 there was some kind of a report associated with that. Is that  
20 a capsule of what went on?

21

22 CHAIRMAN KATCHATAG: Well, we directed staff to begin  
23 whatever is required to obtain a positive C and T determination  
24 for musk oxen .....

25

26 MS. DETWILER: Uh-huh.

27

28 CHAIRMAN KATCHATAG: ..... on the Seward Peninsula.  
29 And among the reasons cited was the fact that those people, by  
30 allowing those original 35 musk oxen to expand to the latest  
31 number, I think it was 709?

32

33 MR. OTTON: It's going like -- it's got to be about  
34 1400 by now. 1100's probably .....

35

36 MR. ADKISSON: The last count was about 988.

37

38 MR. OTTON: Yeah, but that was last year.

39

40 MR. ADKISSON: That was -- it was what, last -- this  
41 spring I think.

42

43 CHAIRMAN KATCHATAG: So the latest figure is there's a  
44 population of approximately 980 musk oxen on the Seward  
45 Peninsula. And my contention is that the residents of the  
46 Seward Peninsula, by not illegally harvesting those animals  
47 have more or less practiced de facto animal husbandry by  
48 allowing those animals to grow and prosper. That's animal

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husbandry by any definition. If a population grows, and the people that are capable of impacting that resource do not do so, they are practicing animal husbandry, and that was one of the bases which I asked that staff seek a positive customary and traditional determination, that they have more or less practiced animal husbandry by allowing the resource to grow from 35 to 980. So I'm looking for a progress report on whether or not that, you know, where are you on that determination?

9

10 MS. DETWILER: Right. I'll have to call Mike Lockhart down in Denver where he transferred to and find out what he's come up with so far on that, and see if he can send us whatever he has.

14

15 And I know that the Board is going to have to take --  
 16 review customary and traditional use determinations for this region. I know that this July 15th, the Federal Register notice that is in your book that you were talking about this morning lists the process and the set of priorities that -- for Q and T determinations statewide that the Board is going to follow. I don't know where this Seward Peninsula fits in on that list of priorities and schedule. You know, I don't know whether it's high up on the list or not. If you want, you can always -- if the Seward Peninsula is listed at a lower priority, which means it wouldn't -- it's not currently scheduled to last -- or to be addressed by the Board within the next couple of years, you can always ask the Board to review the C and T determination for musk ox sooner.

29

30 So I guess I'll follow up with Mike and see what he has and see where we go from there.

32

33 MR. BARR: Mr. Chairman?

34

35 CHAIRMAN KATCHATAG: Yes, Mr. Barr?

36

37 MR. BARR: The Seward Peninsula where they planted the musk oxen. That's where they're growing. And they're -- they have grown to a large size, you know, and because we're not doing -- I mean the Natives are not hunting them, we're not allowed to hunt them, you know, we expect -- you know, they expect them to grow, and that's what they did, you know, and now they're wondering what they're going to do with them, you know.

45

46 I know the State Game had recommended a proposal for them to consider I think -- when is that meeting going to be?

48

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MR. OTTON: In December.

1  
2 MR. BARR: December? Yeah. A two-week meeting that  
the Game Board is going to -- State Game Board is going to --  
will have a meeting, and then we have sent in a recommendation  
to -- or a proposal to them, you know, to start hunting on the  
north side of -- between Wales and Shishmaref, and on the north  
side of Brevig Mission there, you know. So that's the proposal  
that we have sent.

9  
10 I just got appointed to the State Game Board, you know.  
11 mean, the advisory board, you know, like Mr. Roy Otton  
there. So that's what we did last .....

13  
14 MR. OTTON: Yeah.

15  
16 CHAIRMAN KATCHATAG: Mr. Otton?

17  
18 MR. OTTON: The State Fish and Game had drawn up some  
legal options which we can't actually do under present law  
without having no -- you know, the way it is, and the way it is  
is the Seward Peninsula musk ox herd does not have a customary  
and traditional rating. So one of the options, what the  
advisory committee for the State did was that we opted for  
option one, which says that they need to get a customary and  
additional rating so that the local villages that's been  
fostering the musk oxen can get a crack at the 15 caribou (sic)  
supposedly 15 permits that will be available, you know.

28  
29 The other options would be like to have a general hunt  
where anybody from the whole State would get a crack at the  
is, but, you know, it's our contention that the local people  
should have the first crack at it, and probably the only crack  
at it, because the herd are in their back yard and their  
camping grounds.

35  
36 And it's like we talked about this in the meeting in  
Shishmaref, and we -- like Sheldon said, we directed staff to  
seek a positive C and T, but then we find out just now that  
nothing's been happening. It makes me wonder what the hell are  
we? Are we just sort of a Native figurehead or something, you  
know? And the staff don't follow us by anything what we say,  
you know, it makes me feel kind of cheap, you know. So, I  
mean, you know, what's the use of us dictating or making  
recommendations, and it says so right here, to make  
recommendations concerning customary and traditional use of  
subsistence resources. Well, we directed staff to make the --  
find the materials so that we could make the recommendation,  
you know.

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1 This year the Fish and Game, the Board of Game  
 2 Hearings, they will be considering customary and traditional or  
 3- see, the way we understand it from the state biologist,  
 4 Although there's musk oxen in the past, you know, there have  
 5 been sightings, but we haven't hunted musk oxen as customary  
 6 and traditional ruling, that's because the musk ox that were  
 7 here in the ages past were killed for food for miners that came  
 8 in and invaded the region for minerals. So the local people,  
 9 you know, can't claim a customary and traditional rating as the  
 10 way it's set up. And I believe there's eight steps, eight  
 11 criteria, you know, and according to the State Fish and Game,  
 12 it may be kind of tough. And I understand the Feds, us, you  
 13 guys, have adopted the same criteria or the steps to go after C  
 14 and T, you know, and it seemed like we're in a losing ball  
 15 game, you know.

16

17 Although there could be a ray of hope. I've talked to  
 18 a lawyer that's stated that, well, there's precedent set in  
 19 Kodiak, where the elk that was imported to Kodiak, the people  
 20 down there has a customary and traditional rating for a species  
 21 that was imported. We could use the same reasoning, only we  
 22 would say the musk oxen were already here before they were  
 23 killed off for food for the miners, and they were  
 24 re-introduced. So, you know, that's one good thing, I think.  
 25 And, you know, .....

26

27 CHAIRMAN KATCHATAG: Thank you, Mr. Otton.  
 28 MS. Detwiler?

29

30 MS. DETWILER: Yeah, I'd like to respond to your  
 31 comment about us not following through on that. And that's --  
 32 I apologize for that. That's one of the things that's fallen  
 33 through the cracks, the musk ox report. I will be following up  
 34 on that when I go back.

35

36 And I also have to say that I don't personally do  
 37 business that way. You know, you mentioned that you feel like  
 38 a token, that you give us things to follow up on and we don't  
 39 follow up on them. I don't think that's categorically true. I  
 40 think, you know, unfortunate things -- unfortunately sometimes  
 41 things do fall through the cracks, but we don't make a practice  
 42 of that. I think if you look back at what we've done, we've --  
 43 all of our staff has tried fairly hard to make sure that we  
 44 live up to our responsibilities.

45

46 My next question was when are you anticipating that the  
 47 State is going to open up its season?

48

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MR. OTTON: Well, they will be going through the board cycle, the Board of Game, this coming winter, and then as soon as they vote on it, then, you know, .....

3

4

MS. DETWILER: Uh-huh.

5

6

MR. OTTON: And depending on, like we voted on only one option, and the Fish and Game had -- gave us four options to go with. And like one was where they had a hunt like what they do in Nunavak. They charge some amount of money, like \$500.00 and anybody can get a chance at it. Or else there's a portion where it says only residents hunt.

12

13

And then like the problem with that is like that's what happened in Kaktovik. We were talking with the Chairman of the Federal Subsistence Board that lives in Barter Island. He says that's what they used to do up there, but then they find a lot of sports hunters, the ones that are rich enough to fly to Kaktovik, camp on the airway, and then get in line to submit their name to get a chance at the few permits that are available. And they're finding that there's a lot of discontent in the villages, because they see a lot of residents, you know, and because the way it's set up, you cannot discriminate, you know, against nonresidents over a State resource.

25

26

That's the same situation here. It's a State resource, but, you know, it is the villages that will -- if we do not get 28C and T for musk oxen, both for the Feds and the State side, and then we will have a lot of discontent from the villages in the region, because, you know, they can see these head mounts flying away, you know, and -- well, it just makes for bad politics, both for us and for everybody, you know.

33

34

CHAIRMAN KATCHATAG: Thank you, Mr. Otton.

MS. Muktoyuk?

36

37

MS. MUKTOYUK: I would also like to comment that the native corporations that the musk oxens are on, they have been willing, and they have not charged the State or the Federal Government for grazing permits, like the way the State or the Federal Government would do for your reindeer.

42

43

And also that like Roy and Sheldon were saying, that there should have been a follow up, because that was a commendation that we made on behalf of the Council. And that you employees need to follow up on our requests that we do make, because now you are working for us, and you people shouldn't be undermining our suggestions or what we want done

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for our region. The tables are turned around now, and you folks need to start listening and start following up.

2

3 CHAIRMAN KATCHATAG: Thank you, Ms. Muktoyuk. For the record, Ms. Detwiler, do you or do you not have a progress report to give on C and T determination?

6

7 MS. DETWILER: I don't have a progress report.

8

9 CHAIRMAN KATCHATAG: Thank you. We now turn -- what is the wish of the Board regarding the non-existent C and T determination? Do we pursue this? Do we drop it?

12

13 MR. OTTON: I don't think on behalf of the villages that -- where the musk oxens are near, that we should drop it. It's too important of an issue.

16

17 CHAIRMAN KATCHATAG: I agree, and I would entertain a motion to that effect.

19

20 MR. SEETOT: Mr. Chairman?

21

22 CHAIRMAN KATCHATAG: Mr. Seetot?

23

24 MR. SEETOT: Concerning musk ox, I think that the Department of Fish and Game, you know, one of the State agencies said that they would open the seasons or the bag limits within the affected communities. Brevig Mission has probably the largest concentration within the area of musk oxen. They were transplanted through Port Clarence in 1972, and they have grown over the years, from those first couple birds that, you know, they have travelled. I've seen them as far away as Kougarok there in some of the caribou hunting trips. And I think it should be, you know, to the people that have let these animals grow. We have not disturbed them. They have disturbed our areas where we have picked summer dock, where we have picked berries.

37

38 Due to the Federal and State regulations that was imposed on us, we have complied with the law to the letter, and sometimes right -- I guess, you know, when people get frustrated, that they do things, you know, that they'll kill animals illegal without the knowledge of Fish and Game. Fish and Game to the Native people within our area is that they have not watched what has been going on in our lifestyle, yet we have to say the people have complied with all the rules and regulations, plus or minus a few people, you know, that do break the law. I know that Fish and Game has many regulations concerning emperor geese, brants, Canadian geese that they

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impose on us, but we will still continue to hunt them in a manner that they won't catch us. Why? Because that has been customary and traditional for us to have these games in our diets, that very much please us or, you know, we enjoy, much as people in other cultures, you know, enjoy different food. And how that the State and the Federal agencies work together for the common good of the people instead of different entities trying to get a share out of the Federal dollars or the State dollars that are -- I think that should have belonged to the Native, or to the people that have been here, you know, for a long time.

11

12 CHAIRMAN KATCHATAG: Thank you, Mr. Seetot. I would entertain a motion from anyone on Council directing staff to write up a proposal change regarding musk oxen for a positive customary and traditional determination. Since we cannot apparently rely on staff to fulfill our wishes, I am going to ask that this proposal change be submitted by tomorrow when we are to consider our proposal changes. Or proposals under 9.D. 190 I would entertain such a motion.

20

21 MR. OTTON: I so move.

22

23 CHAIRMAN KATCHATAG: We have a motion on the floor directing staff to draw up a proposal for the change of C and T determination on musk oxen for Seward Peninsula. Do I hear a second?

27

28 MR. LOCKWOOD: Second.

29

30 CHAIRMAN KATCHATAG: Seconded. Discussion?

31

32 MS. MUKTOYUK: Question.

33

34 CHAIRMAN KATCHATAG: The question's been called. All those in favor of the motion, signify by saying aye?

36

37 IN UNISON: Aye.

38

39 CHAIRMAN KATCHATAG: All those opposed, nay?

40

41 (No opposing responses)

42

43 CHAIRMAN KATCHATAG: The motion carries. Ma'am?

44

45 MS. MORKILL: Mr. Chairman, I just want to provide for your information some copies of the final Seward Peninsula Cooperative Management Plan for Musk Oxen. And this does provide some background information in terms of historical

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data, and it also provides the hunting options that Mr. Otton was referring, and if you -- this might be of interest to you to peruse tonight, or over the next several months while you're considering some proposals concerning musk oxen. I'd like to present those.

5

6 I'd like to point out on page two it shows all the signatories to this plan, and this is not only State Fish and Game, but it includes Federal agencies and some of the local Native interests.

10

11 MR. OTTON: You mean collaborators?

12

13 MS. MORKILL: Yes. Cooperators.

14

15 MR. OTTON: Well, I think collaborator is a more appropriate terminology. You don't have the meetings cycle of the Board of Game for when all this is going to happen? I do know some meetings are going to be starting in Soldotna, some in Anchorage, and .....

20

21 MS. MORKILL: I'm not aware of the State system or schedule.

23

24 MR. OTTON: Well, you know, it seems like whatever the State does, so follows the Feds. What I'm kind of worried is that the State of Alaska might not find a customary and traditional rating for musk oxen, and it's been my impression that what I get is that the Feds usually go follow what the State does. Like, example, the eight criteria which is needed for C and T, the Feds adopted the same eight criteria, you know. And .....

32

33 MR. KNAUER: Mr. Chairman?

34

35 CHAIRMAN KATCHATAG: Mr. Knauer?

36

37 MR. KNAUER: I'd like to clarify something for especially the new members and the others. The Federal Government adopted only the C and T determinations of the State that were in effect when the Federal Government took over, but they did not adopt the eight criteria that the State had, nor did they adopt the process. They have not adopted any of the State determinations that have been made since.

44

45 The criteria -- the Federal Government does have eight criteria that they use. They are similar to the State's, but they are not the same. There are some significant differences in emphasis and semantics of those.

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1 The Federal Government is aware that the determinations  
 2 that were adopted from the State when the Federal Government  
 3 took over, the State was still working on many of them. They  
 4 were incomplete. They know that there has been additional data  
 5 added since then. They also know that in certain cases there  
 6 were was some political motivations for making determinations.  
 7 And that's why in the Federal system they are in the process  
 8 of reviewing all of those -- all there is of the State.

9

10 And it would be ideal if we had staff and dollars to  
 11 examine all of them all over the State right now. The July 15  
 12 Federal Register Notice though indicates that because we don't,  
 13 there are certain priorities around the State, and they have  
 14 laid out a process where each of the agencies are working on  
 15 areas, and they have laid out the entire State and indicated  
 16 which areas that they're going to be working on, at least for  
 17 the first couple of years, and then recognizing that there are  
 18 those thereafter. But it's information like you have for the  
 19 musk ox and some of the other areas that they'll be doing.

20

21 Rachel Mason will be able to tell you a little bit more  
 22 later on about the entire C and T process.

23

24 CHAIRMAN KATCHATAG: Thank you, Mr. Knauer. Moving on  
 25 item 8.F.1, Draft Plan for Subsistence Management of Musk  
 26 Oxen. At the same meeting in March in Shishmaref, we had also  
 27 directed staff to draft the same. Is there anyone on staff  
 28 with the same?

29

30 MS. DETWILER: Well, seeing this resounding response  
 31 here, I'll come up and take a seat. The answer is the same.

32

33 And I guess my comment applies not only to this draft  
 34 musk ox plan, but also to the C and T, and that -- the musk ox  
 35 C and T, and the gist of my response is that the content of  
 36 what you're asking the Board to do, both in the musk ox C and T  
 37 and also in this draft management plan, has to come from the  
 38 Council. You know, we -- we're here as administrative staff to  
 39 help you put your documents together, but we need to have the  
 40 content of what it is that you want to say expressed to us so  
 41 that we can -- you know, we can put it on paper. We're not the  
 42 Council. We're not the ones coming up with the ideas. We're  
 43 not the ones that have that customary and traditional use  
 44 information at our fingertips, not are we the ones that have  
 45 the incentive to submit those requests. We need to get that  
 46 information from you.

47

48 MR. OTTON: So if we're to go after a positive C and T

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then we need some -- oh, I don't know what you'd call it. Research. And I have introduced Mike Lockhart to a historian that just came from Washington, D.C. that wrote a book, and said there's a vast storehouse of data concerning any kind of animal in any part of the State of Alaska. So I got -- I introduced this historian to Mike, and he said, well, he's going to be looking for getting a C and T for musk oxen. So if it's up to us to do -- find the material to get a positive C and T, .....

9

10 MS. DETWILER: No. No.

11

12 MR. OTTON: ..... do we got the money to go looking down to getting the information that would make a C and T possible?

15

16 MS. DETWILER: Okay. Let me try and express it a different way. As you know, we have these eight criteria that the Board uses when it makes its customary and traditional use determinations. And there's a lot of that information available. We have -- our staff -- our anthropological staff is devoted to compiling and analyzing that information. It's not simply an overnight job. It takes a long time to gather all of that information and come up with the recommendations for it.

25

26 And what I would suggest as more appropriate for this meeting in the short amount of time that you have, is to send your recommendation to the Board that they place a higher priority on doing a customary and traditional use determination for musk ox. In other words, I don't -- I'm a little apprehensive that what you're asking us to do in the next day as the staff for the Subsistence Office is to come up with an expansive, exhaustive proposal to the Federal Subsistence Board to justify changing the customary and traditional use determinations. And I don't think that's going to fly. You just don't have those resources with us to be able to do that. But I think for a Regional Council meeting, what's more appropriate is to say, "Look, this is an issue that's important to us. These are the reasons why it's important to us," including the fact that the State is going to be addressing this issue in December, and say, "Look, Board, please direct some of your staff to start working on this at a higher priority than what it's currently listed as."

44

45 CHAIRMAN KATCHATAG: What you're telling us is that regardless of what you're asked, you're not going to do it, because you don't know what we want?

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MS. DETWILER: I think I know what you want, but what I'm envisioning is what you're asking for is for us to develop 2- is to somehow develop a letter or a customary and traditional use research report saying, you know, "These are the customary and traditional uses of the people in this area. We want you to change the C and T determination." I -- you know, I don't think we can do that in the next day. I think what we can do is to help you a Council come up with a letter to the Board saying, "This is what we want. We want it sooner than what you're planning on doing it."

10

11 CHAIRMAN KATCHATAG: Today is October the 24th. We made this request on March the 2nd, directing staff to begin this work, and then prepare us a draft C and T determination, and also a draft plan for the management of the resource. You guys have all the expertise. You guys have all the schooling that teaches you fish and wildlife management. And yet you say you can't do a management -- draft management plan, because you don't know what we want? I'm hearing you say that basically you don't really care what we want, because you're not going to give it to us. And you're actually saying on record that you know that at our March meeting, an official meeting of our Council, that we asked for these things, and it's six months later and there's nothing to show for it. Now, is this a demonstration of tokenism or is it not? Because this is reflecting on us as a Council. What authority do we have? If we ask staff to do something, we directed staff. It's in the minutes, is it not, that we directed staff to begin the process of seeking a positive C and T. We directed staff to develop a draft subsistence management plan for musk oxen on the Seward Peninsula. And you come in six and a half months later, seven and a half months later and you say you have nothing for us. Is this a work of a professional staff, people that have been trained in fish and wildlife management? You guys are the Federal Government. You have trillions of dollars of expertise at your -- available at your fingertips, and yet you say you can't do this in seven and a half months. Is that what you're saying? Seven and a half months have passed since March 2nd. Today of October the 24th.

39

40 MS. DETWILER: What I am saying, as I mentioned earlier, was that's now how we do business. If we .....

42

43 CHAIRMAN KATCHATAG: That is how you do business. Don't say it's not, because that's de facto. It's what we have asked for, and seven and a half months later we have nothing to show for it. That's how you do business. If that's not how you do business, then you would have presented it and said, "This is our report."

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1 MR. KNAUER: Mr. Chairman?

2

3 CHAIRMAN KATCHATAG: Mr. Knauer?

4

5 MR. KNAUER: I think Sue has been very up front and  
6 said that she as an individual who just stepped in in an acting  
7 nature is unaware, and she has apologized. Also, I am not  
8 saying that we dropped the ball or we didn't. I think we did.  
9 But also, I would question whether you wish to say that the  
10 hunting of musk ox at the request of this region is more  
11 important than every other request of the other nine regions in  
12 the State. Every request that they make. I don't think that's  
13 what you're trying to tell us. You're trying to tell us that  
14 it is important to you folks, is it not?

15

16 MR. BARR: It's right in our backyard.

17

18 MR. KNAUER: Exactly. But is that to say .....

19

20 MR. BARR: It's in our back yard.

21

22 MR. KNAUER: ..... that it is more important than a C  
23 and T determination for the folks in the Upper Copper River and  
24 Tanana area, which is right in their back yard. Is it more  
25 important than that? I don't know. I don't know that you  
26 could say or they could say either.

27

28 But there are ten regions, all of whom have requests.  
29 We're trying to work and honor everybody's requests and work  
30 together. We hope that we can continue to do that. I believe  
31 that we -- and I apologize, I wasn't here, but I still  
32 apologize, because I think we owe you some information. That  
33 information may be -- maybe our staff down in Anchorage is  
34 aware of it, and is working on it. Rachel Mason just went to  
35 check with some of our staff to find out, the ones that were up  
36 here, what they know.

37

38 We will work to try and find that out, and we will work  
39 with you to try and work on a C and T determination. Whatever  
40 the State does as far as their C and T determination, I can  
41 tell you right now, will have no impact on what the Federal  
42 Subsistence Board does on their C and T determination. I can  
43 guarantee that. If the State says no, or if the State says  
44 yes, that won't make any difference for what the .....

45

46 MS. MUKTOYUK: But it will have an impact on our  
47 people, because if the -- if it goes by the State regulations,  
48 the State is considering of having a \$500.00 fee permit to hunt

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those 15, first 15 musk oxens, and how many of our Native people have \$500.00 to give to the State of Alaska right off hand? There's not too many, .....

3

4 MR. KNAUER: There would not be .....

5

6 MS. MUKTOYUK: ..... because of our high unemployment in this region. There's just not enough jobs for everybody to go around.

9

10 MR. KNAUER: There would not be a fee like that on Federal lands. The folks up in Kaktovik do not have a \$500.00 fee.

13

14 MS. MUKTOYUK: But that is something the State is considering. And that -- and those permits, they would go to sports hunters, and they would go to commercial hunters, and that would leave us people out. And we've been nice enough to say to the State and Federal Government, okay, we'll let you do your thing with the musk oxen, and we'll wait for so many years until the population has increased, and we'll start hunting. We have been nice, and we have been patient. But like one of the elders said one time, we have been nice too long. And I think it's time we started doing something to help our own selves, our own people.

25

26 MR. KNAUER: Might I request that the Council table this until we're able to contact our folks in Anchorage tonight and tomorrow and get some information on what has transpired, so that we can report back to you.

30

31 MR. BARR: Well, I guess you haven't heard the story, you know, the berry pickers this summer were looking for berries. They'd be chased by these musk oxens, you know. They'd come up to them. They'd chase them to the boat. They don't shoot them. But every right they should have shoot them. If I was there, I'm going to shoot the darn thing, and I would skin it, you know. And then I'd have a feast, you know. I mean, that's the only thing that I haven't seen yet is a musk  
39 I have seen them up at Espenberg area. I've been up there  
40 spring time, and I never shoot them though, because they  
41 don't bother me. And, you know, people up and down the coast,  
42 they pick berries this summer, up inland. They said they got  
43 chased by musk oxen. I told them, "Where was your husband?  
44 Why didn't he shoot them," you know. If a musk ox threatened  
45 my family, you know, I'd shoot them right now. And, you know,  
46 don't care whether you've got a season or not, you know. I'd  
47 shoot them right now -- I mean, I've got to protect my family,  
48 you know, and, you know, that's it. And things like this that

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go on and on, you hear all kinds of stories from berry pickers, you know, they tell you about all these things, musk oxen, you know, they're too many now. Too many up there.

3

4 MR. DEGNAN: Mr. Chairman?

5

6 CHAIRMAN KATCHATAG: Mr. Degnan.

7

8 MR. DEGNAN: Thank you, Mr. Chairman. My name is Charles Degnan. I've lived here most of my life. I was born and raised here.

11

12 There's no question that there's a customary and traditional use of musk ox by our ancestors. And I think it's just a technicality that people are dealing with here on whether there is one or not. They're talking importation of musk ox, and it's just a cut-off date. So it's your determination on what it should be, and it's your determination that should come. You know the history. Your tribes know the history. You know the utilization of all species. And I think right now people are just dealing with cut-off dates.

21

22 And we were here long before the United States of America ever thought of coming. We were here before statehood. We're going to remain here, because governing bodies change, and you'll study world history, governing bodies that no longer respond to the desires of the people are changed.

27

28 So, you know, we're looking to you to do your duty, be fair with us, and reflect what we know is true from our own history. Thank you, Mr. Chairman.

31

32 CHAIRMAN KATCHATAG: Thank you, Mr. Degnan.

33

34 MR. OTTON: Well, you know, .....

35

36 CHAIRMAN KATCHATAG: Mr. Otton?

37

38 MR. OTTON: What I'm kind of worried about is mainly this musk oxen plan, we've talked about this plan in our last meeting, and I have attended the last three meetings for the last three years where it was brought up in the Northern Norton Sound Advisory Committee, and then the deadline is coming soon, you know. And more than likely, according to what the Fish and Game biologist says, this -- they won't give us a C and T, you know, because they've got their -- because they just say there probably weren't no -- they can't find no bones or remains. Stuff like that. But they did acknowledge that there's, you know, musk oxen bones within the Koyuk vicinity, and they

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talked to some old man that remembered them from Buckland a long time ago, you know, and -- So just by the fact that they show that musk ox was around, and it's been our contention, and we've told Bob Nelson who was a Fish and Game biologist, that more or less had the most to do with this plan. We told him, well, if there was musk oxen, and because we're opportunistic hunters, if they were there, we sure the heck would have hunted them, you know. And that's plain as day that would have made it a customary and traditional, just because the way we are. We hunt the animals that are available. If there were in fact musk oxen available for us, then, you know, surely we -- it shouldn't be that much of a problem getting a C and T, but according to the State and the biologist, it's going to be a pretty tough one.

14

15 MR. J. IVANOFF: Mr. Chairman?

16

17 CHAIRMAN KATCHATAG: Mr. Ivanoff?

18

19 MR. J. IVANOFF: For the record, my name is Jerry Ivanoff, and I was just listening to the discussion. And in defense of Sue, the young lady from the U.S. Fish and Wildlife Service, I could hear her frustration. As we as a subsistence board or you as the Federal Subsistence Board is asking her to do a customary and traditional determination of musk oxen.

25

26 We can do customary and traditional determinations of most other species that we talk about. When you talk about beluga, seals, moose, caribou, you know, whatever is native to our region. We have customary and traditional uses of those things. But we -- I guess to be realistic, when was the musk ox introduced into Norton Sound? I mean, the reason they don't find no bones in our traditional -- in our -- you know, when they study the archaeology, is because musk ox is a relatively new animal in the Norton Sound region, in the Seward Peninsula region.

36

37 So by asking the young lady here to do a customary and additional determination for us for our subsistence board on the species of animal that we say we use, and we have utilized additionally for thousands of years, I think we're being a little bit fallacious, a little far fetched in asking her in her ability, in her limited knowledge of, you know, our customary and traditional uses, that I kind of agree. I mean, we're way out in left field on this one.

45

46 But, you know, when we talk about customary and traditional uses of beluga, of the birds, of the seals, of the moose or the caribou, you know, we have all that documented.

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Our elders document that, and the archaeologists document that. The reason there isn't such documentation for musk ox is that it's a new -- relatively new thing.

3

4 You know, I'd like to be -- since we're the first ones watching, to guard those numbers to make them grow to 900 and something, I'd like our people to be the first ones to get the first crack at it to feed them, before we start doing \$500.00 sports hunting things on them, you know. Because like Ms. Muktoyuk says, you know, we don't have that kind of money, \$500.00, but, you know, we do have people that are hungry and, you know, if we don't have the customary and traditional use of this game, and they're multiplying in our region, then let's look to the landowners for, you know, I mean, there -- our corporation owned that land up there, the way I see that map. The Federal Government has very little spots right there. Most of that land is owned by the State or private land, you know. Bevilig Mission, Shishmaref, Native corporation land. They should have some right, some say as to who harvests those musk oxen, and who doesn't, because it's your land that the musk oxen are tramping on, you know. It's not the Federal Government. I mean, some of it, but not all of it, you know, so that they shouldn't have full say over who gets to hunt and who doesn't, and, you know, I just think that this Board here should push the Federal and the State people, you know, to feed our people before we open it up to sports hunting. I mean, God, we've given up too much already. I mean, we're just looking to feed our people, and let's keep that in focus.

28

29 When you talk about customary and traditional, I'm not asking this young lady here to do it for me, because I can do it myself, you know. I customary and traditionally hunt beluga. I can document that, you know, my ancestors can, and the archaeologists can do that, too. But when you're talking about musk ox, and it's a relatively new thing, 21st century, you know. We're not talking thousands of years, we're talking hundreds of years maybe at the most, you know. But customary and traditional, there's nobody that should define that but us.

38

39 Thank you.

40

41 CHAIRMAN KATCHATAG: Thank you, Mr. Ivanoff.

42

43 MR. BARR: Mr. Chairman?

44

45 CHAIRMAN KATCHATAG: Mr. Barr.

46

47 MR. BARR: I move that we table this musk oxen until tomorrow, and then go on with our agenda items. Go on to new

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business.

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2 CHAIRMAN KATCHATAG: There's a motion on the floor.

3

4 MR. OTTON: Second.

5

6 CHAIRMAN KATCHATAG: Second. Discussion?

7

8 MR. BARR: Question.

9

10 CHAIRMAN KATCHATAG: The question's been called. All  
those in favor of the motion, signify by saying aye?

11

12 IN UNISON: Aye.

13

14 CHAIRMAN KATCHATAG: Those against, nay?

15

16 (No opposing responses)

17

18 CHAIRMAN KATCHATAG: The motion carries unanimously. I  
move that we take about a ten-minute break. Or I rule that we  
will take a ten-minute break.

19

20 (Off record)

21

22 (On record)

23

24 CHAIRMAN KATCHATAG: Call the meeting back to order.  
Before we recess for the evening, I would like to read into the  
record one letter dated today, October 24th, to the Seward  
Peninsula Federal Advisory Subsistence Council Members.

25

26 "Welcome to Unalakleet and thank you all for holding  
your meeting here. We all appreciate your service and  
commitment to uphold an ageless tradition of life as we as  
indigenous people practice and the non-practitioner labels as  
subsistence".

27

28 "I was born into and raised in the traditional Unalik  
way of life. And I practice and live this way of life with the  
tools and opportunities that are made available to me. I  
believe that this is true for all the other indigenous people  
who live in the villages in the Norton Sound and Seward  
Peninsula region.

29

30 "I can say that every individual that practices and  
uses the traditional and customary way of life strives to be a  
law abiding citizen. But under current laws and regulations,  
that individual cannot supply for the seasonal needs of self,

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family and community. It is because those laws and regulations are formulated and enforced by non-users and non-practitioners of those very laws. And those laws appear to me to be for recreational pursuit of resources.

4

5 "As indigenous peoples, we have our rules and traditions for harvest and utilization of all natural resources that are available in our areas. It has been ingrained into our consciousness that there is a season for harvest and use of every specie of animal and plant life that the Creator has given us. The weather is the greatest factor in the natural pursuit of our lifestyle.

12

13 "When I read the law that created your Council, I see that you are limited as to what you can do. I understand that this is a public process and that I have an opportunity to offer comments. I see that subsistence is even less important than sports hunting and fishing in the eyes of the rulemakers. I submit to you that I would rather have the local indigenous council set the harvest time based on local traditional use patterns and practices.

21

22 "Thank you. Frances Ann Degnan."

23

24 Madam Coordinator, please make sure that's entered in the public record.

26

27 And any announcements from any one before we recess until tomorrow?

29

30 MS. MASCHMEYER: Aren't we scheduled for this evening?

31

32 CHAIRMAN KATCHATAG: Pardon?

33

34 MS. MASCHMEYER: Aren't we scheduled for this evening, seven to nine?

36

37 CHAIRMAN KATCHATAG: As the Chairman, I have gone ahead and decided that we need to get to a period of time to cool off a little bit. So we'll reconvene at -- bright and early at 9:00 o'clock in the morning to continue with the rest of our agenda. See you in the morning.

42

43 (END OF DAY'S PROCEEDINGS)

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3 ) ss.  
STATE OF ALASKA )  
5

6 I, Meredith L. Downing, Notary Public in and for the  
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10 THAT the foregoing pages numbered 02 through 109  
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Kstimmaslik Center, Unalakleet, Alaska;

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

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

23  
24 DATED at Anchorage, Alaska, this 1st day of November,  
1994.

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

33 **S E A L**

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