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6 SEWARD PENINSULA FEDERAL SUBSISTENCE

7 REGIONAL COUNCIL MEETING

8

9 Munaqsri Senior Apartments

10 Nome, Alaska

11 February 26, 2002

12 9:00 o'clock a.m.

13

14

15 COUNCIL MEMBERS PRESENT:

16

17 Grace Cross, Chair

18 Johnson Eningowuk, Vice Chair

19 Leonard Kobuk, Secretary

20 Peter Buck

21 Perry Mendenhall

22 Myron Savetilik

23 Preston Rookok

24 Elmer Seetot, Jr.

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26 Ann Wilkinson, Coordinator

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1 PROCEEDINGS

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3 (Nome, Alaska - 2/26/02)

4

5 (On record)

6

7 CHAIRWOMAN CROSS: Call the Seward
8 Peninsula Federal Subsistence Regional Advisory Council
9 meeting to order. It is now 9:00 o'clock. Roll call and
10 establishing a quorum.

11

12 MR. KOBUK: Johnson Eningowuk.

13

14 MR. ENINGOWUK: Here.

15

16 MR. KOBUK: Grace Cross.

17

18 CHAIRWOMAN CROSS: Here.

19

20 MR. KOBUK: Leonard Kobuk here. William
21 Johnson is sick. Peter Buck is here, but he'll be here
22 later probably. Elmer Seetot.

23

24 MR. SEETOT: Here.

25

26 MR. KOBUK: Myron Savetilik. Is he
27 excused? Preston Rookok is here.

28

29 MR. ROOKOK: Here.

30

31 MR. KOBUK: Oh. I was going to say he'll
32 be here. Perry Mendenhall.

33

34 MR. MENDENHALL: Here.

35

36 MR. KOBUK: We have a quorum established.

37

38 CHAIRWOMAN CROSS: I want to welcome
39 everyone to our meeting today. It's good to see
40 everybody again. So we'll begin by introducing
41 ourselves. We'll start with Elmer.

42

43 MR. SEETOT: Elmer Seetot, Jr., Brevig
44 Mission.

45

46 MR. MENDENHALL: Perry Mendenhall in
47 Nome, Alaska.

48

49 MR. ENINGOWUK: Johnson Eningowuk from
50 Shishmaref.

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1 CHAIRWOMAN CROSS: Grace Cross, Nome.

2

3 MR. KOBUK: Leonard Kobuk, St. Michael.

4 I also represent Stebbins.

5

6 MR. ROOKOK: Preston Rookok, Savoonga.

7

8 CHAIRWOMAN CROSS: Would the people in

9 the audience introduce themselves, too, starting with

10 this side.

11

12 MR. PARKER: Dave Parker, fish biologist

13 for BLM in Fairbanks.

14

15 MR. KNAUER: Bill Knauer, policy and

16 regulations with the Office of Subsistence Management in

17 Anchorage.

18

19 MR. RABINOWITCH: Sandy Rabinowitch with

20 National Park Service and the Staff Committee of the

21 Federal Subsistence Board.

22

23 MS. COLE: Jeanie Cole with the BLM,

24 wildlife biologist in Fairbanks.

25

26 MR. ADKISSON: Ken Adkisson, National

27 Park Service, Western Arctic National Park Lands.

28

29 MR. SNOWER: Mike Snower, wildlife

30 biologist, National Park Service in Kotzebue.

31

32 MR. MAGDANZ: Good morning. Jim Magdanz,

33 ADF&G, Subsistence in Kotzebue.

34

35 MS. SEE: Marianne See, Fish & Game,

36 Division of Subsistence in Anchorage.

37

38 MS. PERSONS: Kate Persons, Fish & Game,

39 wildlife biologist in Nome.

40

41 MS. McCLENAHAN: Pat McClenahan, staff

42 anthropologist, Office of Subsistence Management.

43

44 MS. DEWHURST: Donna Dewhurst, wildlife

45 biologist, Office of Subsistence.

46

47 MS. WILKINSON: Ann Wilkinson,

48 Subsistence Management.

49

50 MR. ASHENFELTER: Roy Ashenfelter

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1 representing Northern Norton Sound Advisory Commission.

2

3 MR. LEAN: Charlie Lean with the National
4 Park Service, fisheries and subsistence, here in Nome.

5

6 MR. FRIED: Steve Fried, Fish & Wildlife
7 Service, Office of Subsistence Management in Anchorage.
8 I'm a fisheries biologist.

9

10 MR. UBERUAGA: Richard Uberuaga,
11 Subsistence Office in Anchorage, Fish & Wildlife Service.

12

13 MS. GOTTLIEB: I'm Judy Gottlieb with the
14 National Park Service and I'm a Federal Subsistence Board
15 member.

16

17 MR. MENARD: Jim Menard. I'm an area
18 manager for Fish & Game, Fisheries Division here in Nome.

19

20 CHAIRWOMAN CROSS: I welcome everybody to
21 our meeting. And that's Fred Tocktoo. I think he was
22 the only one that didn't introduce himself. I will now
23 come to the review and adoption of the agenda. Is there
24 any additions to the agenda that anybody wanted to put
25 on?

26

27 MR. MENDENHALL: Madame Chair, move for
28 adoption of the minutes with one exception, that public
29 testimony be kept open until the end.

30

31 CHAIRWOMAN CROSS: Sure.

32

33 MR. MENDENHALL: Just in case some people
34 walk in tomorrow.

35

36 CHAIRWOMAN CROSS: There's a motion on
37 the floor to adopt the agenda.

38

39 MR. KOBUK: I'll second it.

40

41 CHAIRWOMAN CROSS: The motion has been
42 seconded. The question has been called. All those in
43 favor signify by stating aye.

44

45 IN UNISON: Aye.

46

47 CHAIRWOMAN CROSS: All those opposed,
48 same sign.

49

50 (No opposing votes)

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1 CHAIRWOMAN CROSS: Motion carries. Now
2 we come to our Council reports. We'll start with Elmer
3 again. And village concerns. I'm sorry. I skipped a
4 portion we need to review and adopt the minutes of our
5 last meeting, which is in Tab B.

6

7 MR. SEETOT: Move.

8

9 MR. MENDENHALL: I'll second it for
10 purpose of discussion.

11

12 MR. KOBUK: So is there any changes? I'm
13 new to being secretary, so I may need some help here. Is
14 there any corrections that need to be done in the old
15 minutes?

16

17 CHAIRWOMAN CROSS: On page 2 on village
18 reports, Mr. Kobuk reported that last summer there was a
19 meeting at St. Michael with OMS NPS staff. Perhaps we
20 should add and Chairwoman Cross.

21

22 MR. KOBUK: So I just go page by page?

23

24 CHAIRWOMAN CROSS: Yeah.

25

26 MR. KOBUK: Is there any corrections on
27 page 3? Hearing none. How about page 4? Page 5? Page
28 6? Let me know if I'm going too fast. Page 7? Page 8?
29 Page 9? Page 10? Page 11? Page 12? Page 13? Page 14?
30 Page 15? Page 16? Page 17? Page 18? Page 19? Page
31 20? Page 21? Page 22? And the last page, 23?

32

33 MR. MENDENHALL: Mr. Secretary. There
34 would be a need to -- there's some acronyms like EO and
35 some of them that doesn't make sense to normal readers
36 because it only appears a short time. Like on page 11 it
37 says state emergency orders. It should be in parentheses
38 EO and then that will make it easier for people to refer
39 back to when they see EO. As well with halibut, there
40 was one on -- I forget what page it was. They mention a
41 national pacific whatever, a long name, and then they
42 made a reference to that. That should be with
43 parentheses NPF and then it could be initially -- because
44 those are terms that people hardly know or understand. I
45 think when we want our people to read these minutes,
46 they'll be able to adjust their thought. So there should
47 be some clarification on that, like EO and -- I'm trying
48 to find the one on halibut. Page 7. Okay. Halibut
49 jurisdiction. It says National -- that should have been
50 made bold face with -- and then you've got in the second

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1 paragraph NPFMC. That should be followed right in
2 parentheses so they can refer back to that. That would
3 help with the reading and also for some of us up here
4 that are not used to terminology identification or code.
5 It's good to spell it out when it's first introduced and
6 then probably referenced to as what they have in the rest
7 of the document, but it's only rarely that EO is
8 different, like it would be equal opportunity instead of
9 emergency order.

10

11 CHAIRWOMAN CROSS: Thank you, Perry. I
12 agree with you. Just in the first reference of each
13 acronym. There was a motion on the floor to adopt the
14 minutes of our last meeting. It was seconded. So all
15 those in favor signify by stating aye.

16

17 IN UNISON: Aye.

18

19 CHAIRWOMAN CROSS: All those opposed same
20 sign.

21

22 (No opposing votes)

23

24 CHAIRWOMAN CROSS: Motion carries. Okay.
25 We'll move on to Council reports and we'll start with
26 Elmer. Council concerns, if there are any, from the
27 villages.

28

29 MR. SEETOT: Thank you, Madame Chair.
30 Since that last meeting we really haven't harvested
31 muskox on Federal land, except for maybe State land. I
32 went on a caribou trip where the caribou were a little
33 closer on the western portion than in previous years.
34 The caribou are still pretty much in the same general
35 area around the Mt. Bendelaben range. I have attended
36 two Western Arctic Caribou Herd Planning Committee
37 meetings and also one working group meeting, which
38 hopefully I will provide a report at the end of this
39 session. Hopefully tomorrow. That's all I have. Thank
40 you.

41

42 CHAIRWOMAN CROSS: Thank you. Perry.

43

44 MR. MENDENHALL: Somewhere on the streets
45 of Nome somebody mentioned that we're dealing with
46 commercial fishing or whatever within some rivers and I
47 thought we were just dealing with subsistence issues.
48 I'd like for the public to be aware that I don't think we
49 deal with commercial issues at all because it's a
50 different world than what we're supposed to be dealing

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1 with. So that's a concern, I think, of the Nome area.
2 In reference to when our subsistence fish is very low in
3 our area, too, I'm wondering why we're dealing with
4 commercialization of fish.

5
6 I think the other issue is one of our
7 senators of the State has made reference to extinguishing
8 tribal, the term tribal organizations in Juneau as of
9 this month, February, and created waves to where AFN is
10 having to -- just flew down to Washington one of their
11 officials to contest that move by Rep. Halford from
12 Anchorage and I think that is important that our tribal
13 groups don't want to be extinguished because we are
14 defined in the back of the ANCSA law itself as tribes and
15 also Native organizations. So I think that's going to be
16 an issue of one person trying to take it upon himself to
17 extinguish 200 and some villages. That's one issue.

18
19 The other issue is just on the State
20 statutes dealing with soil and water conservation, Alaska
21 soil and water conservation districts in Alaska. There's
22 12 districts, of which most of them are on the road
23 system, 11 of them. The one that's not on the road
24 system is Anvik area. The new director of Alaska Soil
25 and Water Conservation, Art Wiener, is trying to enroll
26 Bush Alaska on the non-road system to set up -- like St.
27 Lawrence could set up their own soil and water
28 conservation districts. So you could set up local
29 control policies for your own land for soil and water
30 because that's under the State statute 410 made in 1936
31 and I think villages like Gambell, Savoonga, Nome are
32 being left out of policy-making decisions for controlling
33 our own conservation efforts.

34
35 It's to encourage local -- for producers
36 on the land, could be fish, berries, they're defining
37 that. They finally defined in 1998 their minutes to
38 include subsistence to be cooperators for soil and water
39 and I think it's a door opening thing where Bush Alaska
40 is kind of included in that process by the State. It
41 covers the whole state, not just the road systems and
42 agriculture. So they are looking toward including Bush
43 Alaska.

44
45 In fact, they're going to be holding an
46 annual meeting in October in Nome and I'd like to
47 encourage people to attend that, if possible, from the
48 villages. Gold miners, subsistence users, economic
49 development projects locally in our area, region, and
50 that would help us police policies for our own soil and

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1 water.

2

3 There's going to be a Reindeer Herders'
4 Association this March. I heard Rosa Fostik (ph) is
5 involved with that. The Federal National Conservation
6 Resource Committee will also be on that agenda and Alaska
7 Soil and Water State department will be hopefully on
8 their agenda to make their presentation known, so the
9 citizens of rural Alaska, Kotzebue, Barrow and Bethel
10 area would be involved. So they'll be making a
11 presentation there.

12

13 I think that's quite important to us for
14 one simple fact. It does touch on subsistence resources
15 that we are looking at on Federal land, but as well as on
16 the State. We are hoping to make use of that democratic
17 process that's in the State statutes. That would also
18 help with the Subsistence Division. Alaska Department of
19 Fish & Game needs to coordinate their efforts with that
20 department as well for the simple reason it has soil and
21 water policies regarding subsistence game and fish.

22

23 CHAIRWOMAN CROSS: Thank you, Perry.
24 Johnson.

25

26 MR. MENDENHALL: I had more, but I can
27 cut it short.

28

29 CHAIRWOMAN CROSS: Thank you, Perry.
30

31 MR. ENINGOWUK: Madame Chair.
32 Shishmaref. I've been busy working, but there hasn't
33 been too much activity yet. Spring is coming, so
34 activity of subsistence hunting will really start at that
35 time. The weather hasn't been too good. I don't know if
36 any muskox have been taken from Shishmaref. Of course,
37 our moose season closed real early. We're pretty
38 fortunate that when we do our spring hunt, we put food
39 away for the year. I don't really have anything to
40 report.

41

42 CHAIRWOMAN CROSS: Thank you. Leonard.
43

44 MR. KOBUK: The main concerns that St.
45 Michael and Stebbins had is mainly the proposal that I
46 submitted, but I'll get into that later. The other thing
47 was caribou and our moose. Since the caribou didn't come
48 around this year, they stayed way up above Unalakleet, a
49 lot of the hunters in both villages have been going out
50 looking for moose, but they didn't see -- I only heard

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1 about two or three people catching. They're kind of
2 wondering where all our game has gone. Another thing
3 was, since the caribou didn't come around, just recently,
4 about two to three weeks ago, seven of our reindeer were
5 killed again by hunters from down in the village of
6 Alakanuk. That situation, I guess, is going to be
7 handled by the IRA because it was the St. Michael IRA
8 reindeer herd that they had killed. So that's been most
9 of the village concerns. Like I say, mostly trying to
10 protect the small streams and creeks that we have in our
11 region. That's all I have.

12

13 CHAIRWOMAN CROSS: Thank you, Leonard.
14 Preston.

15

16 MR. ROOKOK: We usually don't have any
17 concerns from St. Lawrence Island, but I think we have a
18 concern now regarding what you call -- we read it and we
19 watch it on TV now that the offshore oil exploration is
20 out. I think it's going to affect all of us when it does
21 happen in this arctic region. Subsistence hunters and
22 whatnot, fishermen and everything. I think we're going
23 to be affected by it if they go ahead and do that. The
24 impact of the noise is going to come in. The migratory
25 route of certain animals, mammals, are going to be
26 changed and the marine world out there. It's going to be
27 totally different.

28

29 Our concern from Savoonga is -- I think
30 we are against offshore oil exploration due to the fact
31 of potential oil spills, increasing vessel traffic,
32 decline of air and water quality, increased noise. It's
33 also going to affect social and culture impacts, not only
34 on St. Lawrence Island, but in Alaska for sure.
35 Migratory routes of halibut and salmon and crab.
36 Everything is going to be impacted by this. I don't know
37 if it's accurate to bring this up here in this meeting,
38 but that's a village concern from St. Lawrence Island.

39 Despite the concerns of our communities,
40 oil and gas exploration activity are going to continue
41 because of national interest and I think we need to be
42 prepared somewhere. We already have no more fish in your
43 river, so we don't want to end up having no more fish in
44 our rivers, too, because of a possible oil spill. I
45 haven't seen any real oil spill clean-ups. I don't think
46 Prince William Sound has come back yet, animal-wise and
47 whatnot, after that tanker had a big oil spill. It
48 impacted a lot of marine life. Maybe that's part of the
49 reason why Mr. Mendenhall's rivers have no more fish. I
50 think we need to look into offshore exploration somehow

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1 furthermore. That's all I have, Madame Chair.

2

3 CHAIRWOMAN CROSS: Thank you very much.

4

5 MR. ENINGOWUK: Madame Chair. I think
6 this is one concern that probably affects all of us. At
7 home, I work in the hourly wage system. I start at 8:00
8 this morning and I don't get off till 5:00 during the
9 day, and I work like \$30 an hour. Here I'm losing that
10 much money just to be in this meeting. I guess that's a
11 concern that should be in the minutes. We do spend a lot
12 of time attending these meetings. There are a lot of
13 people in here that are salaried people. They get paid
14 by salary. I wish I was paid by salary, too, and could
15 afford to attend these meetings. I'm sure the whole
16 state -- there are council members that get away from
17 their jobs and feel subsistence is important to them.
18 You know, this is what we lose every time we go to a
19 council meeting. I think that the Subsistence Council
20 should recognize this. It's very unfortunate. I'm going
21 to be here for two days and that's a whole week's pay for
22 me. Thank you.

23

24 CHAIRWOMAN CROSS: I agree with you.
25 It's the same situation that we've always discussed
26 before pertaining to compensation that we seem to be
27 having a hard time trying to get it resolved one way or
28 another. When I come to these meetings, I go on annual
29 leave. Every meeting that I go to that's related to the
30 RAC I take annual leave. So I think that people should
31 continue to work on the issue of compensation for the
32 councils. Anybody else have anything to say?

33

34 MR. KOBUK: Madame Chair. Yeah, I agree
35 with what they are both saying because just recently I
36 got hired working in a State school and that is a really
37 good-paying job and having to come here and sacrifice the
38 amount of money that I would have made to pay bills. I
39 think CCU needs to be fixed so that things can work
40 better for us. It's not easy having to leave our good
41 jobs or having to leave the village when we could do some
42 subsistence hunting. I thank Johnson for bringing that
43 subject up because that was one of the concerns I had.

44

45 CHAIRWOMAN CROSS: Thank you, Leonard.
46 Perry.

47

48 MR. MENDENHALL: I just came back from
49 Juneau and Anchorage where gas is like \$1.89 a gallon. I
50 know in the villages oil and gas are like over \$3 a

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1 gallon. You folks don't have economic development
2 projects like they have in the urban centers and I feel
3 for that. I show my concern for their efforts because
4 they do have a family that would help them also subsist
5 and their efforts if they were compensated a little. In
6 the Nome area, I know we have other avenues of work and
7 things that we can do as well as subsist.

8

9 CHAIRWOMAN CROSS: Thank you. I'm moving
10 along to the chair's report. The minutes of the regional
11 council chair's meeting is in Tab C. I'm not going to go
12 into them because they're very big minutes, but the issue
13 we were just talking about, compensation, is an issue
14 that is statewide. Just about every council brings up
15 the issue of compensation during every meeting.

16

17 The other one I wanted to discuss was to
18 better represent salmon matters in dealing with world
19 entities and countries. That's on our agenda also.
20 We'll discuss that later on. That's the one that came
21 from -- it's a resolution that was presented to us by the
22 Yukon RACs. And delegation of Federal Subsistence Board.
23 This came on because there are some councils that had
24 only like three members left and there were no
25 appointments made. They just felt that they couldn't
26 address any issues because appointments were made
27 untimely. Like the Eastern Interior had only three
28 members when they had their RAC meeting. So hopefully
29 something like that will never happen again.

30

31 Pretty much everything that was discussed
32 in the minutes was brought up again and we discussed that
33 with the Federal Subsistence Board in the chair's
34 meeting, which occurred the next day, and all these were
35 brought up to the Federal Subsistence Board meeting. The
36 issue that I was going to discuss with you was the only
37 proposal that we had, was Proposal 44, and we stuck that
38 back in the agenda because although we managed to knock
39 down 94 communities from the small streams and rivers
40 that Leonard was concerned about, Kotlik was also
41 included. Originally, our proposal was turned down and
42 then had to do some quick talking in order to get it down
43 to at least three communities. But it's still a concern
44 in St. Michael and Stebbins, so we will be discussing
45 that at length tomorrow. I think it's on tomorrow's
46 agenda.

47

48 Now the 805C letter, it's also there.
49 It's on page 9. It discusses what the -- it's pretty
50 much self-explanatory, so I'm not really going to go into

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1 that again. Like I said, the Proposal 44 will be
2 discussed again by us at length. That's it.

3

4 Like Perry said earlier, the public
5 testimony portion of our meeting will be ongoing and we
6 welcome people to participate in that and we will keep it
7 open until the meeting adjourns. Number 9, wildlife
8 proposal for Council review and recommendation to the
9 Federal Subsistence Board. I think we should take a
10 little break here before we go into it because those are
11 going to be lengthy. Do you want to take a little break
12 first before we go into it? We've got two people we're
13 going to hear from. Do you want to hear from Lana Harris
14 and Roy Ashenfelter before we go on a little break or do
15 we want to wait until we're done? We'll take a little
16 break.

17

18 (Off record)

19

20 (On record)

21

22 CHAIRWOMAN CROSS: Call our meeting back
23 to order.

24

25 MR. MENDENHALL: Madame Chair, I would
26 like to make further comment on the comment made earlier
27 regarding compensation. I think we tried the Secretary
28 of Interior twice and we got a negative answer. I think
29 for our 200 villages that are doing such work, not only
30 on this board, but other Federal boards they may be on,
31 that we would have AFN also put forth the resolution
32 regarding compensation for village volunteer activities
33 on such boards as this.

34

35 I think maybe in our case maybe Kawerak
36 would be able to write such a resolution on behalf of
37 people that serve on such boards. Not only just this
38 board, but tribal and other Federal boards that they are
39 on. Roy, would you bring this message back to Kawerak?
40 I was asking that Kawerak draft up a resolution to our
41 legislators, Young, Stevens and Murkowski, I think those
42 are the three, on behalf of the villages for time they
43 cannot get compensation for. It would be from Kawerak on
44 behalf of the villages that would like their time to be
45 honored with honorarium. For the simple reason that
46 we're helping 50 to 80 \$100,000 employees do their work,
47 on their behalf, without them having to go to the
48 villages or hunt or fish on our land. We make their job
49 easier and we're not getting compensated as they are. I
50 think that's a proper way of looking at it.

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1 The other thing is that we do need -- the
2 Secretary of Interior is having to abide by his law and
3 order and cannot change it, but we write to Murkowski,
4 Stevens and Young, if Young is there to vote, he missed a
5 lot of meetings there to vote, so we need to have that
6 addressed by our legislators on a Federal level.

7
8 CHAIRWOMAN CROSS: Thank you, Perry.

9
10 MR. MENDENHALL: And I think we need for
11 you to go back to your villages and do the same, I mean
12 people on this board, so that we can make it known to our
13 legislators that there's a crying need for that. Our
14 leadership is spread pretty thin. I don't think we only
15 serve on this board. We serve on other boards on State
16 level as well. I belong on some State boards and we
17 don't get compensated either for their work that we do in
18 setting policy.

19
20 CHAIRWOMAN CROSS: Thank you, Perry.
21 What I hear Perry saying, instead of appealing to the
22 Secretary of the Interior, we best start getting support
23 from other political entities to get better compensated
24 for being volunteers.

25
26 MR. MENDENHALL: Those organizations make
27 noise for us to Murkowski, Young and Stevens because
28 they're the only ones that could change the law to where
29 this can happen.

30
31 CHAIRWOMAN CROSS: Thank you, Perry.

32
33 MR. ROOKOK: Madame Chair, I guess that's
34 why there is a lack of applicants going to Seward Pen
35 Advisory Council. I'm sure those people that take
36 applicants from this region know that there's hardly any
37 interest in this advisory council in this region. Maybe
38 that's because of compensation itself. I don't know.
39 Maybe there would be more interest. I know for a fact
40 this is a very important thing to our region here, the
41 council itself.

42
43 CHAIRWOMAN CROSS: Thank you. We'll now
44 call Lana Harris. She's with the Nome Convention and
45 Visitor's Bureau. Good morning, Lana.

46
47 MS. HARRIS: Good morning and thank you
48 for having me. I'm here representing the Nome Convention
49 and Visitor's Bureau. I'm the secretary of the visitor's
50 bureau. The director is out of town and asked me to

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1 represent her, so I thank you for this time.

2

3 I'm here to talk to you and assure you
4 that the visitors we're bringing into the villages and
5 into Nome and into the area are not in conflict with your
6 uses. Our visitors that we bring in are very interested
7 in the general culture of Alaska and they're here because
8 they're interested. So visitation is not an exclusive
9 thing for this area and we support traditional
10 subsistence activities in the visitor's center and our
11 visitor's understand them. What we all need to do is
12 keep educating people on why things are done here as
13 they're done. But we have heard no conflicts, we have
14 heard no comments from our visitors. They're very
15 understanding of what's going on out in the country and
16 why it's going on, so we don't believe that these uses
17 are exclusive.

18

19 We believe that our visitors are here for
20 one use, you are out in the field for another use, but
21 they are not excluding each other. So we want to be on
22 the record of agreeing with your reasons for doing your
23 subsistence activities and that our visitors are brought
24 in for monetary reasons into the community, but they are
25 not going to conflict with your subsistence activities.
26 The time is different. We find that our visitation is
27 mostly between the beginning of June and the end of
28 August. When the muskox meetings were held and we all
29 talked about the timing and the openings, those worked
30 out beautifully. The cooperation was really beneficial
31 for us all. The visitors got to see the muskox. People
32 who were hunting, if they were going out, got to where
33 the animals were at the time they needed to be. So we
34 really appreciate the spirit of cooperation. We want to
35 keep in that spirit.

36

37 This cooperation can extend to other
38 issues. Any time we have what could potentially be a
39 confusion or a conflict, as long as we keep talking,
40 that's all the visitor center wants to do, is just keep
41 talking to you. If you have any concerns, you can call
42 us. If we have any concerns, we can call one of you
43 because we know our representatives.

44

45 There are some new upcoming uses we may
46 not foresee. There may be some new changes in what
47 tourism wants and maybe we can't foresee those, but if we
48 keep the communication open and we keep benefitting from
49 each other's knowledge, then I think we'll be fine. I
50 know there's a move out there to take helicopters into

00015

1 the national park, into Serpentine. Our visitors are
2 interested in Serpentine. Maybe some day that will
3 happen. We know, because of our cooperation with you all
4 and other agencies, that it will happen once we have all
5 had input and once we have all been able to schedule
6 things and we'd be able to say we need this for this time
7 and the visitors are going to be somewhere else for
8 another time. So I think as long as we stay cooperative
9 and we keep in communication, we're in business.

10

11 We've had an incredible amount of
12 visitors interested in Nome. We market Nome as the real
13 Alaska and we market Nome as a place you want to come up.
14 Come on up, we've got great places to be and see. Both
15 cultures are here and everyone that we get, the visitors
16 we're getting now are interested in learning and they're
17 interested in being part of the world. I haven't heard
18 anyone being judgmental of hunting or fishing.

19

20 Quite often the visitors will come in and
21 they will ask if they can take a picture because, you
22 have to admit, a fish rack is not exactly something that
23 these guys may see all the time at home and sometimes
24 they may be a little intrusive, but that is an unintended
25 rudeness on their part. Kind of generally, I'd like to
26 apologize for people who maybe do not understand the
27 Inupiat values.

28

29 But, again, our cooperation and our
30 working together has been really beneficial for all of us
31 and I thank you for your time. Are there any questions
32 or comments?

33

34 MR. MENDENHALL: I'd just like to say
35 thank you for those comments. We live a different kind
36 of lifestyle than most normal people down in the Lower 48
37 and I would, again, stress the education of our lifestyle
38 to those people is important. Thank you.

39

40 MS. HARRIS: Thank you. That's one of
41 the things we appreciate, is the fact that we can educate
42 visitors that the world is not like their back yard in
43 Des Moines.

44

45 MR. MENDENHALL: I imagine that you
46 promote bed and breakfast that the villages have as well.

47

48 MS. HARRIS: Yes, we do. If they give us
49 information on what's offered, we promote that as well.

50 We send out packets of information. Bering Strait

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1 Economic Development bought the whole back page of the
2 Visitor Guide that is coming out.

3

4 CHAIRWOMAN CROSS: I, for one,
5 appreciate Nome Visitor's Center and I thank you for
6 coming and talking to us. Is there any more comments or
7 questions for Lana?

8

9 MR. MENDENHALL: I thank you for sending
10 out the information I requested of you to other people.

11

12 MS. HARRIS: Oh, you're welcome.

13

14 CHAIRWOMAN CROSS: Roy Ashenfelter.
15 Northern Norton Sound Advisory Council.

16

17 MR. ASHENFELTER: Thank you, Madame
18 Chair. Just a quick comment on Perry's request for
19 Kawerak to find a way to assist in compensation. My
20 suggestion would be the Seward Peninsula Regional
21 Advisory Council draft a letter, explain all your
22 concerns, send it to the Kawerak administration,
23 executive board for Kawerak, and that would be the proper
24 way to address the issue that you have concerns for in
25 regards to compensation.

26

27 MR. KOBUK: Thank you.

28

29 MR. ASHENFELTER: Comments I'd like to
30 speak on, obviously as chair of the Norton Sound Advisory
31 Committee. I'll read from a letter that we drafted on
32 behalf of our committee to the Seward Peninsula Regional
33 Advisory Council. The Northern Norton Sound Advisory
34 Committee met on January 15th and discussed SPRAC
35 proposals. We would like the SPRAC to reconsider the
36 antlerless moose season in portions 22D (Kougarok,
37 Kuzitrin and Pilgrim Rivers). We feel this would cause a
38 serious problem in a population that is already on the
39 decline. The NNSAC has supported a winter season in past
40 years in the Agiapuk River area to provide for winter
41 snowmobile access for residents of Teller and Brevig
42 Mission. We would also suggest that Nome area hunters
43 have historically and traditionally gathered moose in
44 areas throughout Unit 22D.

45

46 Last year, the Alaska Board of Game made
47 significant changes to the moose seasons in many areas of
48 Unit 22. The vast majority of these changes were
49 recommended by the NNSAC. We felt that with the caribou
50 coming into the Unit, it would be less painful to make

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1 changes now than to wait until a crisis occurred. We are
2 distressed at the varying seasons between the State and
3 Federal system. This has caused confusion for
4 subsistence hunters in the field and jurisdiction and
5 enforcement problems on Federal and State managed lands.
6 We feel it is the best interest of all residents and
7 subsistence users if the State and Federal seasons and
8 bag limits were aligned. Thank you for the opportunity
9 to comment. I signed it as chairman for the Northern
10 Norton Sound Advisory Committee and that's the letter I
11 redrafted for the Seward Peninsula Advisory Council.

12

13 MR. MENDENHALL: Could we get a copy of
14 that?

15

16 MR. ASHENFELTER: Yes. I'd be glad to
17 make copies.

18

19 CHAIRWOMAN CROSS: I thank you for your
20 comments. We'll be addressing those issues. If you
21 would give us a copy of the letter before the end of the
22 day, we would really appreciate it, before we go at least
23 to that portion of the proposal.

24

25 MR. ASHENFELTER: Certainly. I'll be
26 glad to do that.

27

28 CHAIRWOMAN CROSS: Any questions or
29 comments from the Council members?

30

31 MR. MENDENHALL: Since this is public
32 testimony and has to deal with a proposal of a sort, we
33 may want to add it, after we get a copy of it, to our
34 agenda because we only meet twice a year. If you get a
35 copy of it, we may be able to put it in the proposal
36 section for us to act on if this Council wants to deal
37 with it. Immediately rather than September.

38

39 CHAIRWOMAN CROSS: It's in the agenda
40 right now. The proposal he's referring to is on the
41 agenda.

42

43 MR. ASHENFELTER: I believe it's Proposal
44 34.

45

46 CHAIRWOMAN CROSS: Uh-huh, it's Proposal
47 34. So we'll be dealing with it today.

48

49 MR. MENDENHALL: But we need a copy of
50 his comments to that.

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1 CHAIRWOMAN CROSS: Thanks, Roy. I
2 appreciate it.

3

4 MR. ASHENFELTER: Thank you.

5

6 CHAIRWOMAN CROSS: Now we'll get into the
7 portion of the wildlife proposal for Council review and
8 recommendation to the Federal Subsistence Board. Is it
9 Donna?

10

11 MS. DEWHURST: Yes. Madame Chair, I
12 would like to take them slightly out of order and deal
13 with Proposal 34 and 35 first while we're all fresh and
14 get those out of the way.

15

16 CHAIRWOMAN CROSS: I think I'd like to
17 get a copy of this letter first before we deal with 34.

18

19 MS. DEWHURST: Are we going to be able to
20 get one today?

21

22 MR. ASHENFELTER: Yes. I'll get copies
23 right now.

24

25 CHAIRWOMAN CROSS: Maybe you can do 35
26 then. Is that the one that's going to be out of order?
27 Which one were you saying out of order?

28

29 MS. DEWHURST: I wanted to do 34 and 35
30 first because those are the most complicated ones we're
31 going to be dealing with and I thought it would be good
32 to do while everybody is fresh.

33

34 CHAIRWOMAN CROSS: I'd like to have that
35 letter in hand first.

36

37 MS. McCLENAHAN: Madame Chair, may I do
38 Proposal 36 then? Hopefully it will be very
39 straightforward.

40

41 CHAIRWOMAN CROSS: Sure.

42

43 MS. McCLENAHAN: Thank you, Madame Chair.
44 Proposal 36 can be found on page 83. I'm Pat McClenahan,
45 staff anthropologist. It's under Tab E, I believe. No,
46 Tab D. Sorry.

47

48 CHAIRWOMAN CROSS: Under Tab D, page 83.

49

50 MS. McCLENAHAN: Proposal 02-36 was

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1 submitted by former Seward Peninsula Subsistence Regional
2 Advisory Council member Toby Anungazuk, Jr. on behalf of
3 the Native Village of Wales. This proposal would
4 establish and set in place in permanent regulations a
5 ceremonial harvest of one muskox and one bull moose for
6 use at the Kingikmiut Festival.

7
8 There's no prior temporary or permanent
9 regulation for this proposal. The proposed Federal
10 regulation can be found on page 83. The taking of one
11 moose (bull) and one muskox by the residents of Wales is
12 allowed for the celebration of the Kingikmiut Dance
13 Festival under the terms of a Federal registration
14 permit. Permits will be issued to individuals only at
15 the request of the Native Village of Wales. The harvest
16 will occur between November 15 and December 31 in Unit 22
17 for moose and Unit 22(E) for muskox.

18
19 The effects of the proposal would be that
20 the proposed ceremonial harvest would provide subsistence
21 users in the Unit 22(E) communities an opportunity to
22 share meat as part of participating in a traditional
23 ceremonial practice that they have been unable to
24 participate in the past 57 years. No significant
25 negative effect is anticipated on the muskox or moose
26 populations as a result of this proposed harvest.

27
28 The preliminary conclusion is to support
29 the proposal. That concludes my comments, Madame Chair.

30
31 CHAIRWOMAN CROSS: Any comments or
32 questions?

33
34 MR. ENINGOWUK: I would support the
35 proposal because it's a request for sharing of
36 subsistence food with a lot of our own people. We do
37 that anyway when we do our subsistence hunting, but it's
38 a proposal that I like the idea of sharing moose or
39 muskox with a lot of our own people.

40
41 CHAIRWOMAN CROSS: Thank you.

42
43 MR. MENDENHALL: I'll second the motion
44 for purpose of discussion.

45
46 CHAIRWOMAN CROSS: Did you make a motion?
47 Do you want to make a motion?

48
49 MR. MENDENHALL: Then I make the motion
50 for purpose of discussion for Proposal 36 in the positive

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1 sense.

2

3 CHAIRWOMAN CROSS: A motion made in
4 support of the motion.

5

6 UNKNOWN SPEAKER: I'll second it.

7

8 CHAIRWOMAN CROSS: And seconded.

9

10 MR. MENDENHALL: Madame Chair, I support
11 it for the simple reason that it is meeting the needs of
12 the village and our culture and past practices have been
13 known to be diminished in that area due to religious
14 persecution. Unless you belong to that church, you can't
15 have any activity like this. It's bringing back our
16 cultural values and traditional ways of sharing.

17

18 CHAIRWOMAN CROSS: Anything further?

19

20 MS. McCLENAHAN: That's all I have,
21 Madame Chair.

22

23 MR. SEETOT: Madame Chair.

24

25 CHAIRWOMAN CROSS: Go ahead.

26

27 MR. SEETOT: You said the harvest will
28 occur between November 15th and December 31. Is that
29 within one calendar? I thought that they had the
30 festival in the springtime. Wouldn't November 15 and
31 December 31 be pretty much like the State and Federal
32 regulations are right now?

33

34 MS. McCLENAHAN: I believe it's within
35 the existing season that they're proposing. They're not
36 proposing a new season.

37

38 MR. SEETOT: So my understanding is that
39 they will harvest when muskox and moose -- by permits
40 only and then it's my understanding that they will store
41 the meat until such time.

42

43 MS. McCLENAHAN: That was my
44 understanding, too.

45

46 MR. SEETOT: Okay. Thank you.

47

48 CHAIRWOMAN CROSS: Ken.

49

50 MR. ADKISSON: Ken Adkisson, Park Service

00021

1 Subsistence Program Coordinator for Western Arctic
2 National Park Lands. I'd like to make a couple comments
3 on this proposal and maybe clarify a couple things and
4 raise one issue for you to consider that, unfortunately,
5 I apologize, I didn't catch sooner. I think the purpose
6 of this proposal will allow us to operate outside the
7 normal permitting system through sort of a designated
8 hunter system where the community can designate a hunter,
9 so it would actually provide an additional permit, as it
10 were, possibly into the community. In that sense, it
11 operates independently of the standard process that we
12 use.

13

14 The glitch or whatever that perhaps is
15 there in the proposal is the cooperators have set the
16 official cow harvest period from January 1st to March
17 15th and that was set after considerable discussion and
18 the cooperators basically felt that they would rather
19 lose a pregnant cow carrying a fetus than it would risk
20 orphaning a younger calf by inadvertently shooting its
21 mother, so they held off the cow season to make sure that
22 the calves were relatively independent or could survive
23 on their own by that time within the group.

24

25 This proposal is suggesting or would
26 request that the harvest take place during what the
27 cooperators set up as a bulls-only harvest.
28 Unfortunately, Toby is not here, but you may want to
29 discuss that at this point because I think we'll be
30 raising that question perhaps to the Board for May and to
31 the Interagency Staff Committee. It might be more simple
32 at this point to simply put one bull muskox in there the
33 way you've done with moose. Thank you.

34

35 CHAIRWOMAN CROSS: Thank you, Ken.

36

37 MR. MENDENHALL: You mean one full muskox
38 with calf?

39

40 MR. ADKISSON: One bull muskox.

41

42 MR. MENDENHALL: Oh, one bull. Okay.

43

44 CHAIRWOMAN CROSS: Instead of one muskox.

45

46 MR. ADKISSON: That's my recommendation,
47 but, unfortunately, Toby is not here to speak on behalf
48 of Wales.

49

50 MR. ENINGOWUK: Madame Chair, Ken. This

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1 should be different than getting a permit or allowing
2 somebody to harvest either one moose or one muskox or
3 both. I'm not sure. I think the muskox population is
4 healthy. However, the moose is a little different story.
5 I still like to propose it because it's a sharing of a
6 resource that we're used to. My question to you then, I
7 think it's out of the normal to get a permit and would
8 that be allowable under the system?

9

10 MR. ADKISSON: I guess I personally have
11 no problem with that, given this proposal, but I do
12 believe there have been some comments suggesting that
13 this proposal ought to be expanded to additional
14 villages. If we go that route, then it really raises
15 questions about the level of cow potential, cow harvest
16 and what the cooperators and what the agencies have
17 brought in, too, so that's why I raised the question.

18

19 Now, this individual proposal and one
20 cow, you know, I agree with you, it's not going to make
21 that much of a difference. Because of the nature of the
22 proposal and ceremonial use, I've got sort of mixed
23 feelings on it, but from an agency point of view, we are
24 committed to the muskox and cooperator process and
25 coordination and cooperation with ADF&G and BLM and
26 others. Were this to in some way expand and expand the
27 cow harvest, I think we'd be almost compelled to come
28 back at that point and do something. You know, either
29 modify the whole thing through the cooperators or do
30 something else. It just kind of makes it cleaner is all
31 right now.

32

33 MR. MENDENHALL: Madame Chair, I support
34 this proposal as it's presented for the simple reason
35 it's a start and it can be modified later if there needs
36 to be any future changes. Just the fact that it's being
37 acknowledged at this level and, like Ken said, can be
38 expanded to other villages.

39

40 CHAIRWOMAN CROSS: Anything further, Ken?

41

42 MR. ADKISSON: No. Thank you for the
43 discussion.

44

45 CHAIRWOMAN CROSS: Alaska Department of
46 Fish & Game comments? Good morning, Kate.

47

48 MS. PERSONS: Well, I was prepared to
49 come up here and say that the Department totally
50 supported this proposal. I actually hadn't caught that,

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1 the inconsistency with the one muskox and our current cow
2 season. But the State does support this proposal and we
3 don't feel that it would jeopardize the population of
4 either moose or muskox, but it would be cleaner to allow
5 the harvest of one bull muskox rather than one muskox
6 during this period of time.

7

8 CHAIRWOMAN CROSS: The number that's
9 taken of the moose, will that be counted as a limited
10 amount? The one bull moose, is that going to be counted
11 as one of the....

12

13 MS. PERSONS: No, because currently the
14 moose season opens August 1 and it closes at the end of
15 December and any number of people can get permits.
16 There's no limit to the number of moose that can be
17 taken. There's no quota in Unit 22(E).

18

19 CHAIRWOMAN CROSS: Okay. Any questions
20 for Kate or comments? Other Agency comments?

21

22 MR. ENINGOWUK: Madame Chair. I've just
23 got a question for maybe Kate. How does the village of
24 Wales report this taking of one muskox or one moose if
25 they're allowed to do so?

26

27 MS. PERSONS: That would be a question
28 for Ken, I guess, because this would be under the Federal
29 season rather than the State season.

30

31 MR. ENINGOWUK: I think my comment would
32 stem from whether they did get one muskox or if they got
33 one moose, if the hunt was successful or not.

34

35 MR. ADKISSON: Johnson, Ken Adkisson.
36 These would be Federal permits and they would only apply
37 on Federal public lands. Actually, in almost both cases,
38 it would increase the opportunity a little bit. Whether
39 that would realistically -- those permits would be
40 filled, I think, is another question because the
41 community has in the past, for example, in muskoxen
42 hunts, because of the spacial distribution of the animals
43 at that period of time have had difficulties in filling
44 some of their Federal permits. This would just give one
45 individual another shot at an animal and that's good, I
46 think, for that purpose that they're asking. Whether
47 they would really have much of a chance of doing that or
48 whatever. The permit would require reporting to the Park
49 Service, to the superintendent.

50

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1 MR. MENDENHALL: Ken, instead of another
2 person, you're referring to the community, right?

3

4 MR. ADKISSON: Basically, yeah. The
5 community would -- for example, the IRA, since this is
6 for ceremonial purposes, would designate who is going who
7 is going to hunt under it.

8

9 MR. ENINGOWUK: So, for 22(E), that would
10 say we can get this many muskox, plus one more?

11

12 MR. ADKISSON: Basically.

13

14 CHAIRWOMAN CROSS: Bill.

15

16 MR. KNAUER: Good morning, Madame Chair,
17 Council members. Bill Knauer. Any time there is a
18 quota, a ceremonial harvest does count against that
19 overall harvest quota in an area because the quota is
20 established for the conservation of that resource. So,
21 if there's a quota of, we'll say, 50 animals, then if
22 there's one taken in the ceremonial harvest, the
23 remaining quota would be 49. Correspondingly, if there's
24 a quota of 25 and one taken for a ceremonial harvest,
25 then the remaining quota would go to one less. So it's
26 not an additional number of animals, but it's an
27 additional opportunity for a community. Thank you.

28

29 MR. MENDENHALL: Madame Chair. The other
30 thing is we don't always fulfill all the quotas in the
31 first place, so I don't see there's any real problem or
32 question to debate this any further because we don't
33 fulfill that quota any given year we had this program,
34 right, Ken?

35

36 MR. ADKISSON: This is the first one of
37 these that I know that we've done Federally up here.

38

39 MR. MENDENHALL: What I was referring to,
40 we never fulfilled the muskox quota at all.

41

42 MR. ADKISSON: Oh, no. It's generally
43 run about a third to two-thirds of the harvest.

44

45 MR. MENDENHALL: So I don't see any real
46 problem to discuss this.

47

48 MR. KNAUER: I concur, Perry. Your
49 assessment is very accurate.

50

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1 CHAIRWOMAN CROSS: Any other Agency
2 comments? Fish & Game Advisory Committee comments?
3 None. Are there public comments? Any public testimony?
4

5 MR. MENDENHALL: Question.
6

7 CHAIRWOMAN CROSS: There was a motion
8 earlier. The question has been called. All those in
9 favor of this motion say aye.
10

11 MR. MENDENHALL: I do want to acknowledge
12 the fact that the church did have a lot to play in Wales
13 for doing away with cultural traditional activities, such
14 as festivities such as this, the dancing and practices
15 that they had culturally. I personally know of people --
16 in fact, most of my relatives are from Wales/Shishmaref
17 area and I lived in Wales and I've been there for one
18 year approximately and my mother has been there a while,
19 for a number of years, four years about, so we know of
20 stories of that aspect, that there has been a religious
21 prosecution to do away with cultural activities and
22 festivities.
23

24 CHAIRWOMAN CROSS: Is there further
25 Council comments on this?
26

27 MR. ENINGOWUK: Madame Chair. This
28 proposal, to my understanding, is a proposal that if we
29 support it, we support it to the Federal Subsistence
30 Board. Is that correct? We don't make this legal, but
31 it's a proposal to the Federal.....
32

33 CHAIRWOMAN CROSS: To be addressed by
34 them, yeah.
35

36 MR. MENDENHALL: Call for question.
37

38 CHAIRWOMAN CROSS: Does anybody want to
39 discuss the issue of muskox versus bull?
40

41 MR. MENDENHALL: We can take a
42 recommendation, I think, but I don't see Wales in defense
43 here of their proposal. I would like to see it as it is.
44 It can be modified later if it's a problem, but right now
45 it stands as is, but Wales is not here to defend their
46 proposal. I'm kind of looking to perhaps adopting it and
47 perhaps next year review it and make it -- if Wales
48 agreed to it to be a bull, next year it can be a bull if
49 they want.
50

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1 MR. ENINGOWUK: Madame Chair. At the
2 request of -- maybe we should change that one muskox to
3 one bull muskox as commented by Kate, to modify the
4 motion. Do I need to make that motion? I would amend
5 the motion to change one bull muskox instead of one
6 muskox.

7

8 CHAIRWOMAN CROSS: Comments from the rest
9 of the Council?

10

11 MR. ROOKOK: I'd like to support the
12 proposal as is. Just like Perry said, Wales is not here
13 to -- if it's not a problem with the agencies, I think we
14 should leave it as is until we get feedback or something
15 from Wales. We can easily probably change the wording
16 next year if it's appropriate for Wales to one bull
17 muskox.

18

19 CHAIRWOMAN CROSS: Ken Adkisson. How
20 much discussion was made when the wording of this
21 proposal was designed?

22

23 MR. ADKISSON: Madame Chair, Council
24 members. Ken Adkisson. Actually, I think that point was
25 just inadvertently overlooked. I don't recall much
26 discussion at all about that. You know, it might be
27 worth making a telephone call to Wales and talk to Toby.
28 I'm perfectly comfortable with leaving the proposal as is
29 and would be glad to do some follow-up with Toby before
30 the Staff Committee and before the May board meeting.

31

32 As Johnson pointed out, I mean, as the
33 proposal is, and we're only talking about one animal, I
34 mean that's not going to have a significant impact or
35 probably any noticeable impact at all on the population.
36 It's just a matter of consistency and laying the
37 groundwork if there are other proposals. If there are
38 other proposals down the road, we can deal with those in
39 order, too, in time. It could go either way, I guess.

40

41 I would hesitate to take any action,
42 especially up to the board level, if the proposal was
43 modified without any additional input from Wales. We
44 would be very uncomfortable with doing that. So, without
45 that input, we would not probably take a position on the
46 proposal at all that way other than support it.

47

48 CHAIRWOMAN CROSS: Thank you, Ken.

49

50 MR. MENDENHALL: Madame Chair. It seems

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1 that this information already went out to some of the
2 Federal Subsistence Board members. They may see that
3 change and they may have difficulty and discuss it again
4 and it may be defeated, it may not be, I don't know, at
5 that level. So I'm kind of for the proposal as is unless
6 you hear something different from Wales.

7

8 CHAIRWOMAN CROSS: Johnson.

9

10 MR. ENINGOWUK: Thank you, Madame Chair.
11 I presume my motion to amend the main motion dies to lack
12 of second. Thank you.

13

14 CHAIRWOMAN CROSS: Okay. Are we ready to
15 vote on the issue? All those in favor of the proposal
16 signify by stating aye.

17

18 IN UNISON: Aye.

19

20 CHAIRWOMAN CROSS: All those opposed same
21 sign.

22

23 (No opposing votes)

24

25 CHAIRWOMAN CROSS: Motion carries. Here
26 comes the letters.

27

28 MS. DEWHURST: The Proposal 34 starts on
29 page 36, but my discussion will start on page 43. This
30 proposal is the one we spent a lot of time discussing at
31 the fall meeting when we had a special action we had to
32 hash out and then we had to design the original full
33 proposal. I'm not going to go over a lot of the details.
34 We spent many, many hours doing that in the fall. So I'm
35 going to try to cut to the chase on this one and
36 concentrate on the areas where there are discrepancies.

37

38 For the most part, we're lined up all on
39 the board between the State and us and the user groups
40 and most things are lining up fairly nicely, but there
41 are about four items where things don't line up. I
42 thought the simplest way to deal with this very complex
43 proposal is just to concentrate on the areas where there
44 are discrepancies, then take those one at a time and let
45 you discuss those and then once all those are dealt with,
46 then you could deal with that as one big motion. Take it
47 one piece at a time and keep it simple is basically the
48 idea because this is a very complex proposal and we could
49 easily get bogged down on it again for a number of hours
50 and I don't think we really need to because most of the

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1 things we're lined up on. There's just a couple of
2 items.

3

4 MR. MENDENHALL: One question. You have
5 highlighted, bold print. The bold prints are the
6 changes?

7

8 MS. DEWHURST: Don't pay any attention to
9 those. Those are what our administrative staff require
10 us to do, but it doesn't help in understanding this
11 proposal.

12

13 MR. MENDENHALL: That's confusing there,
14 we've got bold and then some.....

15

16 MS. DEWHURST: Yeah, I know. I tried to
17 argue to do it differently and that's what I was told was
18 the format and it confuses the issue. So, basically,
19 Perry, don't pay any attention to those. I'll try to
20 highlight what we need to be talking about.

21

22 On page 43, the first two sections, which
23 is Unit 22(B), west of the Darby and east of the Darby,
24 we're totally lined up, so we don't need to deal with
25 those. We're lined up with the State, we're lined up
26 pretty much with the user groups. I think everything is
27 fine. We've hashed that out in the fall. I'm basically
28 going to skip that section because I think we're pretty
29 much set up there. As you remember, we went through a
30 lot of iterations on that last fall, but I think we're
31 good there.

32

33 The first area to concentrate on is Unit
34 22(D), that portion within the Kougarok, Kuzitrin and
35 Pilgrim River drainages. It's about a third of the way
36 down on page 43. This is one section where we're not
37 lined up and this is one of the things that was brought
38 up by Roy in his letter. That's what he's talking about,
39 is the fact that we don't line up in this section.

40

41 The two main issues here and on several
42 of these we don't line up, but there's two issues. One
43 is the bull cow issue on the harvest and the other one is
44 the dates. On this one, we'll deal first with -- in the
45 original proposal, which was primarily proposed by Perry,
46 he requested that this hunt, the August through September
47 hunt, would be a one moose versus one bull. That's the
48 first issue where there's some contention that we need to
49 discuss.

50

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1 The Staff recommendation is to go back to
2 one bull, which is basically what Roy was recommending
3 with their letter. The reason we recommend to not go to
4 one moose is to protect the cows. That area had a 35
5 percent decline in total numbers since 1988 and the main
6 reason for that decline is low calf survival. So,
7 basically, every calf counts and the only way you're
8 going to get calves is if you have cows. So every time
9 you take a cow you're losing calves. So the main concern
10 there is to try to protect the cows in that area.

11
12 Based on that, the Staff recommendation
13 is to switch and instead of the one moose, which what was
14 what originally was in the proposal your Council made, to
15 go to one bull for that portion 22(D) within the
16 Kougarok, Kuzitrin and Pilgrim River drainages. So
17 that's the first issue basically that we need to discuss
18 and decide on. Once we get past that, we can deal with
19 the dates issue, which is a separate issue.

20
21 MR. ENINGOWUK: Madame Chair. A question
22 for Roy. It's my understanding that in your letter you
23 support the taking of one bull moose instead of one
24 antlerless moose. Is that my understanding?

25
26 MR. ASHENFELTER: Yes, that's the gist of
27 the letter.

28
29 MR. MENDENHALL: One concern I have, too,
30 is in talking with people in Nome, going after bulls is a
31 question of breeding stock. People tend to go for
32 trophies or whatever and I'm just questioning the fact of
33 going after trophy moose when they are, indeed, the
34 breeding bulls that go out and gather all their cows and
35 impregnate them, so I'm kind of leery about doing away
36 with the breeding bull.

37
38 MS. DEWHURST: Presently, the bull/cow
39 ratio is good in that area. I mean it's good enough.
40 Taking bulls is not an issue. The issue is the cows at
41 this point. The limiting factor in this area seems to be
42 calf survival, so that's where every cow counts because
43 they're the source of the calves. The bulls don't seem
44 to be a limiting factor at this point. There's plenty of
45 bulls in the bull/cow ratio. Plus, one bull can service
46 a fair number of cows when it comes to moose.

47
48 MR. ENINGOWUK: Trophy is not a
49 subsistence lifestyle. We don't hunt moose for a trophy
50 itself, we hunt moose for the meat, so maybe we should

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1 leave Nome out.

2

3 MR. MENDENHALL: I defend my statement
4 because hunters were asking about -- they like to get the
5 big bulls and that kind of stuff. That's why it's
6 mentioned. But I mentioned for preservation of the big
7 bulls for purposes of breeding because those kind of big
8 animals we like to get to reproduce for the moose.
9 That's why I mentioned it. Subsistencely, we like four
10 year olds and five year olds, too. I mean most of our
11 hunters do. We don't normally go after the big ones
12 anyway.

13

14 CHAIRWOMAN CROSS: Elmer, do you want to
15 say something?

16

17 MR. SEETOT: Donna, you mentioned that
18 every cow has a calf. I don't think that's every cow. I
19 think that there are females out there that are barren.
20 Just like every discussion on preservation of the
21 species, that there's just only one species that is
22 pretty much hunted and that's the bull or the male
23 portion of the species. How do we know as a community,
24 as biologist, as elders, that there might be animals out
25 there that are not in the best of health and yet we try
26 to protect one section all along. Is that good
27 management of just taking bulls only or do you find it
28 necessary to regulate the taking of cows in every
29 species?

30

31 The cows or the bulls that are being
32 harvested are possibly the larger ones. From my
33 understanding, that's what the females go after, the
34 largest of the species. Most of our hunts are pretty
35 much for the subsistence use of the meat. I think we, as
36 a group, do very little sport hunting of certain animals.

37

38

39 Going to the Norton Sound Advisory
40 Council, there is very little Federal land that is in
41 question. The majority of Federal land is what's in the
42 Agiapuk drainage. Even that area is not used very
43 heavily by the residents of Teller or Brevig. Nome has a
44 road system that they use to their advantage for the
45 harvesting of moose, for the harvesting of caribou and
46 other species. Nome has a large population. I think
47 they have a right to hunt in our areas, as to the state
48 of Alaska, but you have to take in mind that certain
49 regulations are for certain portions of that area. State
50 is pretty much responsible for the areas that are not

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1 controlled by the Federal government. Federal government
2 agencies have a limited number of acreage of land in
3 22(D). That was one of the concerns.

4
5 Why do the biologists say that taking of
6 a certain sex will increase the population of the herd.
7 What we might not know is that some might harbor disease
8 or something that would deter the growth of the
9 population. Thank you.

10
11 MS. DEWHURST: I'll start with this, but
12 I have a hunch Kate will want to add to it. It's
13 standard practice with management of moose, actually
14 caribou too, several of the species, the large game
15 species, we look at what the limiting factors are when
16 the population is going down, which seems to be what it's
17 doing right now. In many cases, it's the calf survival.
18 The calves have to make it to add to the population.
19 Whether it's predators, health of the calves, it can be a
20 whole lot of things, but if the calves aren't surviving
21 -- and it's not even so much that. It's how many calves
22 are being produced. You have to have a healthy cow. In
23 some cases, the cow might produce twins. If she's not
24 that healthy, she might produce a single.

25
26 You are correct, Elmer, in that not every
27 cow has a calf. Unfortunately, most hunters don't have
28 x-ray vision and they don't know that, so there's a
29 gamble there when you shoot a cow. It may have one or
30 more calves in it or it may not. What we're saying right
31 now is the only way to see that population start going
32 back up is to protect all those potential calves at this
33 point. There is a quota system for the bulls and it is
34 reduced from what the prior bull harvest has been, so
35 that is one protection in place for the bulls. Right now
36 the limiting factor seems to be the calves and,
37 indirectly, the cows. So that's where we really -- in
38 wildlife management, in the traditional sense, usually
39 that's the first move we make when a population is going
40 downhill, is to say we can still provide some harvest
41 opportunity, but we want to try to protect the cows.

42
43 MR. MENDENHALL: We argued this a lot
44 last fall, like you said, and I'm in defense of having a
45 stand as is for those villages over in that area for the
46 simple reason that gas is a lot, meat costs a lot. When
47 they do go out and they don't see the bull, but they see
48 a cow without any calves they see they can have, we would
49 force them to go out another five or ten times just to go
50 look for that bull instead of having success when they do

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1 see a moose and I see that being detrimental to the
2 village people that have no economy and they are
3 subsisting totally off the land.

4

5 There are no jobs out that way and I
6 don't foresee anything coming of that job-wise unless we
7 go further into oil and shore and gas development or
8 mining activities because that's a mineral-rich area up
9 that way. We have no programs in that foreseeable five
10 to ten years, so I see problems when they are on welfare
11 and I see problems when they go out there once and they
12 want to get meat for their kids so they can go to school.
13 I see a problem there. Not only in that. Like he said,
14 there are some cows that are barren.

15

16 But I think we need to be proactive for
17 Native subsistence activity and what was argued last
18 September. So I feel uneasy when we revisit a question
19 in that aspect again in regards to this because we
20 basically -- like Elmer said, there's very few Federal
21 lands in that area near Teller. They have to go far by
22 snowmachine. Last fall, when I was going -- like you
23 said, we're on the road system. I saw a lot more
24 outsiders with four-wheelers going out and about onto
25 land to hunt moose and caribou when it opened and we
26 hardly see any local people going out that time of year
27 when the season was open for a short time. So we had
28 more outsiders out there, I think, equally trying to
29 access moose and caribou. I've been out there a number
30 of times looking for moose myself.

31

32 CHAIRWOMAN CROSS: I think, for
33 clarification purposes, we are talking about Kougarok,
34 Kuzitrin and Pilgrim River drainages. I think, when we
35 talked about it last year and we discussed it with
36 villages of Brevig and Teller, both of them said that
37 that area was predominantly a Nome hunting area. Kate.

38

39 MS. PERSONS: Thank you. I just have a
40 couple things I wanted to say to address both Perry and
41 Elmer's comments. You have to look at why a population
42 is declining to try and figure out whether it's
43 appropriate or not to be harvesting cows. If you think
44 the problem is habitat, that there's too many moose, then
45 it's really appropriate to harvest cows and probably in
46 this area 10 years ago when the population declined by 35
47 percent, it was because there were too many moose for the
48 habitat and probably more cows should have been harvested
49 at that time to bring the population level down. But now
50 that we have fewer moose out there, we don't think that

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1 the problem is habitat. We haven't done any studies in
2 that area, but we think the problem is similar to what we
3 documented in western 22(B) where calves were being born.
4 It wasn't that the calves weren't being born, but they
5 weren't surviving and we believe that was because of
6 predation. We really feel that in the Kuzitrin drainage
7 it's very important to maximize the number of calves that
8 are produced and you do that by protecting cows.
9

10 I'd also like to say that in this area
11 there is, in fact, a bull/cow ratio problem. The
12 bull/cow ratio is down to 15 bulls per 100 cows and
13 that's a lot lower than our management goal. Our
14 management goal is 30 bulls per 100 cows and that, as
15 Donna said, is why we put this quota on, to reduce the
16 overall harvest of bulls. Another thing that's happened
17 is the board eliminated the non-resident harvest in this
18 area. Non-residents previously were required to take
19 bulls with 50-inch racks, so that whole element now is
20 gone. They're not going to be harvesting from this area.
21 So these big bulls that they were taking are not going to
22 be taken and the overall bull harvest is going to be less
23 to try and address this cow/bull ratio problem. Thank
24 you.

25
26 MR. MENDENHALL: I do have a question.
27 You hit the problem right on the nail regarding
28 predation. There's been strong talk in the Nome area
29 about too much young bears going after the cows because
30 they're easy. Not only that, the wolves come up with the
31 caribou, so they would have access to the calves that are
32 there. When we do discuss this, there's no mention of
33 what predator program you folks have on both the Federal
34 and the State regarding how to reduce the predators other
35 than human. Yeah, we, as human, we meet, but the bears
36 and wolves, they don't meet, they just take. You have
37 not shown any program yet as to predator control. Bears
38 going after calves and wolves as well. We're so tunnel
39 vision when we come to these meetings. We don't discuss
40 the other aspects that are happening. We only do it from
41 the human part. We need to look at predator control
42 along with these types of programs. Do you have any
43 comments on that?

44
45 CHAIRWOMAN CROSS: I have a quick
46 question for Roy. During your meeting, did you get any
47 kind of public sentiment on this?

48
49 MR. ASHENFELTER: Yes. We were speaking
50 of having a different season in regards to the decline of

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1 moose in Unit 22(D). We talk about Federal user. We
2 were just trying to get a definition of that a few
3 minutes ago in all of Unit 22 and all of Nome. So you're
4 not limiting it to Brevig and Teller only here, anybody
5 who lives in the Nome area and Unit 22 can go up and get
6 a moose. Like you mentioned earlier, some of the
7 comments were we all go up and hunt up there. There's
8 more resident Nome hunters than there are non-resident
9 hunters in Unit 22(D).

10

11 CHAIRWOMAN CROSS: Kate.

12

13 MS. PERSONS: Thank you. I just wanted
14 to answer Perry's question about what's being done about
15 predator control. At the same board meeting where these
16 new moose regulations were passed, the board passed every
17 single proposal that dealt with liberalization of bear
18 regulations in Unit 22. Starting this spring, the bag
19 limit will be one bull a year. There was an increase in
20 the number of permits for the non-resident bear hunters
21 in 22(D) and (E). The season will now open August 1st
22 instead of September 1st, so there are a number of
23 changes that we expect will dramatically increase bear
24 harvest.

25

26 MR. ENINGOWUK: Kate, I have a question.
27 We're dealing with this on Federal lands and we're
28 talking about a little piece of land that are Federally-
29 owned. probably are on State lands. My understanding
30 the support from the Advisory Committee is to say one
31 bull and not an antlerless moose. So, 22(D) amended
32 would be one moose.

33

34 MS. DEWHURST: That's correct. The
35 places where the staff is recommending to go to one bull
36 is this portion of 22(D), Kougarok, Kuzitrin and Pilgrim
37 for the fall hunt and then there is one other spot and
38 that is the winter hunt in the Tisuk River drainage in
39 Canyon Creek, a portion of 22(D). That was originally
40 proposed to be a one moose. Those are the two places the
41 Federal Subsistence staff is recommending to go to one
42 bull. Otherwise, the one moose in 22(D) remainder, we're
43 not opposing that and that does jive with what the State
44 has as far as the hunt. So that isn't a question. It's
45 just that these two portions of 22(D), the Kuzitrin
46 portion and then the Tisuk River Canyon Creek portion in
47 the winter hunt. Under the original proposal, it was one
48 moose and staff is recommending to change that to one
49 bull.

50

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1 CHAIRWOMAN CROSS: What I'm hearing the
2 staff to be saying and Kate is -- what I'm understanding
3 people to be saying is that at this point, because of so
4 many unknowns, that we should take the most conservative
5 approach to this problem. Both the State and the Federal
6 staff seem to be in agreement that the most conservative
7 way we can do it is not to take any cows. It's just to
8 take the bulls at this time until maybe at some unknown
9 date we get a better view as to what's happening.

10
11 MR. MENDENHALL: When we were addressing
12 these, these were under executive order for that short
13 term, you know, from August 1 to whatever. That's the
14 warmest part of the year where, if you catch a moose,
15 that meat would turn before you even drive it into Nome
16 for cooling. I think that's why we were shooting for
17 September 1, in the cooler part of the season. I think
18 even with Teller and Brevig being involved in the Federal
19 land, you look where their proposed area of travel is
20 going to be in question for them to bring their meat into
21 the village, back to their village. The date is not a
22 question, just the bull part, right?

23
24 MS. DEWHURST: We'll get to the dates
25 later. We're dealing with that as a separate issue.
26 Right now we're just dealing with the bull/cow issue.

27
28 MR. MENDENHALL: The bull and cow, okay.
29 I just wanted to have that clarified here because no
30 mention was made on the date. Thank you.

31
32 CHAIRWOMAN CROSS: I think at this point
33 we should take a little break.

34
35 MR. ENINGOWUK: I think when we come
36 back, we're done with the bull issue, that we can come
37 back to dates after a break.

38
39 MR. MENDENHALL: Let's resolve this bull
40 session and then come back to the date.

41
42 CHAIRWOMAN CROSS: Okay. I have a
43 tendency to agree with Northern Norton Sound Advisory
44 Council that we should limit this hunt to one bull at
45 this time until some time in the future if the moose
46 population starts changing. I'd like to see it in line
47 with the State in terms of one bull.

48
49 MR. MENDENHALL: One question on why we
50 were going for one moose is because there's a short

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1 window on the executive order. That's the problem. We
2 have a short window of hunting. They're expending their
3 boat money to go up during that August season. That's
4 the only mode of transportation. I think this issue here
5 -- I don't know if Elmer agreed.....

6

7 CHAIRWOMAN CROSS: Perry, I want to ask
8 you a question. Who are you referring as they? Who are
9 they?

10

11 MR. MENDENHALL: Brevig and Teller. The
12 only mode of transportation during executive order for
13 that two weeks, remember it was only like a 10-day window
14 during that warm season, and I think because of that
15 short season that's when the cow issue was brought up to
16 make sure that they do come back with meat without having
17 to go out 10 times to look for a bull.

18

19 CHAIRWOMAN CROSS: My understanding last
20 year when we were taking public testimony from Teller and
21 Brevig area, it was made clear to me that the area we're
22 talking about is normally not their hunting area. They
23 referred to it as Nome's hunting area. American River is
24 where, I think around that area, they were talking about
25 where they hunted the most versus way up in Kuzitrin,
26 Kougarok and Pilgrim. Elmer, do you have any comments to
27 that?

28

29 MR. SEETOT: All I want was just any
30 studies done on the interaction between moose and muskox
31 because I think you heard from past meetings that muskox
32 are possibly considered predators by the moose or by the
33 caribou. Since the muskox was introduced to the Seward
34 Peninsula, what effect did it have on the other species
35 that feed on primarily the same type of vegetation? I
36 think that's one of the things that would go in line with
37 what Perry was saying for predators. All we talk about
38 is just regulatory. What causes these species to go up
39 and down other than their normal cycle?

40

41 MS. PERSONS: That's a good question,
42 Elmer, and certainly the interaction between all these
43 different species is interesting and there's an awful lot
44 we don't know. There are no studies looking at the
45 effect of muskox on the moose population. Their dietary
46 habits are quite different. They don't really compete at
47 very many times of the year for the same food resources.
48 There is some overlap during certain seasons.

49

50 With moose, they've been here for quite a

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1 long time now and they expanded into new habitat very
2 rapidly and they peaked about 15 years ago and have since
3 declined. We're still watching muskox move in to virgin
4 habitat and they have yet to peak. Habitat factors
5 haven't yet started to limit muskox growth. One thing
6 that is pretty clear is that moose are getting hit by
7 predators and muskox thus far have been pretty immune to
8 the effects of predation and that's something that's
9 probably going to change and we are seeing it change a
10 little bit.

11

12 We know about some predation by bears,
13 but it doesn't seem to be happening here yet as much as
14 it is happening up in the eastern Canadian arctic where
15 bulls really do apparently have quite an impact on the
16 muskox population and bulls are long-lived smart animals
17 and they learn to take advantage of new food resources
18 and we more and more are probably going to see that
19 effect on muskox here, too. I'm not going to say that
20 there's no effect on moose by muskox. We really don't
21 know. It's an interesting question, but I don't think
22 it's fair to blame them for the decline that we're seeing
23 in moose right now.

24

25 CHAIRWOMAN CROSS: I still would like to
26 see this Council take the most conservative approach to
27 this issue. If I remember correctly, this whole problem
28 -- actually, the State emergency order was the one that
29 established the one bull when this whole problem started
30 and that meeting was held in Nome. There were many
31 people that attended that meeting, including myself and
32 Perry, and the sentiment in that meeting was -- that's
33 where that one bull came in from, the meeting in Nome,
34 affecting the Nome area.

35

36 MR. MENDENHALL: If you look at page 34,
37 we're still within the numbers of Alaska Department of
38 Fish & Game, so I don't see it's much of an issue because
39 we're abiding by their numbers.

40

41 CHAIRWOMAN CROSS: I know, but I think
42 until we get better answers as to what's happening with
43 that moose population, I think we should take the most
44 conservative approach.

45

46 MS. PERSONS: I'd just like to point out
47 that the State went to a one bull bag limit back in 1997
48 when it was first really recognized that there was a
49 population problem in the Kuzitrin drainage. That's when
50 the antlerless season in that area was closed, so it's

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1 been many years now that the State has had a bulls only
2 bag limit.

3

4 MS. DEWHURST: And to add a correction,
5 Perry's comment that we would still be within the State
6 quota, no, we wouldn't. Even though it says these
7 numbers, say 42 moose, 48 moose, it was assumed they were
8 bull only hunts, so it could just as easily say 48 bulls.
9 That's just a language thing. But the intention of the
10 State was X number of bulls only. For the quota not to
11 include cows. So, actually, if we included cows, Kate
12 may have to rethink the quota because it might make a
13 change in how she decides how many animals are taken.

14

15 MR. MENDENHALL: The way that you've
16 written it up here, 22(D) is closed to moose except by
17 Federally-qualified subsistence users, so it's not going
18 to be overrun by non-Federal subsistence users and
19 there's very little land that's in there to say that.
20 That's already defined on Federal land. It's going to be
21 recognized by Federally-qualified subsistence users.
22 It's not going to be open to State, per se. That's what
23 it says, Federal public land are closed to the taking of
24 moose except by Federally-qualified subsistence users.
25 That's what we're dealing with at this Federal level.

26

27 We already have our -- the combined may
28 not exceed 33 moose and we really dropped down. I argued
29 for more moose, but you folks argued for less moose, so
30 you got your 33 moose. There's very little Federal land
31 that would be impacted. So people from Nome would have
32 to show their Federal permit that they are subsistence
33 users. That's something that needs to be looked at. We
34 already defined it. It's going to be Federally-qualified
35 subsistence users. We already have two systems. I think
36 it's going to be probably -- that's what the paper says
37 that you have before us in the book. I think that the
38 numbers will be determined already by Alaska Fish & Game.
39 We already agreed to that.

40

41 Over here it said the same thing, Tisuk
42 and Canyon, they're going to be by Federally-qualified
43 subsistence users. I'm going by what's written here.
44 That's conservative. I was trying to argue for more.
45 Federal lands closed to the taking of moose is set by --
46 it keeps going on, 22(E) and all that. We are entrusted
47 to do the Federal land situation. Are the people from
48 Nome going to go walk up to where they give out permits
49 for qualified subsistence users or do we have to write to
50 the Anchorage office and say I'm a Federally-qualified

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1 subsistence user, therefore I want a permit on Federal
2 land?

3

4 CHAIRWOMAN CROSS: Perry.

5

6 MR. MENDENHALL: That's what I'm -- sure,
7 that's conservative. We have really cut down from the
8 numbers that I was wanting to.

9

10 CHAIRWOMAN CROSS: I think we fully
11 understand that. The issue right now before us, I think,
12 is the word bull, whether or not we should leave one
13 moose or make it into a bull moose.

14

15 MR. MENDENHALL: Who is going to hand out
16 these Federally-qualified subsistence users permits for
17 that one bull? That's the other question.

18

19 MS. DEWHURST: I think I can answer
20 Perry's question. A couple of things. We will not have
21 separate permits under the Federal system unless the hunt
22 strongly deviates from the State. We have no need to do
23 that. We will just be working with a cooperative quota
24 with the State, so when X number of animals are taken, no
25 matter who takes them, whether it's a State user or a
26 Federal user, they still count against the quota. When
27 the quota is taken, the hunt is over. So we are under a
28 cooperative quota with the State. We don't have separate
29 Federal permits. As far as the local users go, when
30 we've looked at the harvest, and it is in the analysis,
31 if you go back under the harvest section, a good majority
32 of the harvest has been by the local users.

33

34 MR. KNAUER: It is a separate Federal,
35 but it is a combined quota.

36

37 MS. DEWHURST: My mistake. Bill was
38 pointing out to me that we are proposing to have Federal
39 registration permits, so we will have separate permits.
40 Getting back to my train of thought. When we looked at
41 the harvest, we have examined the harvest and a large
42 percentage of the harvest is by local people, i.e.
43 Federally-qualified users. Even the amount they have
44 harvested, if you just took that portion alone, exceeds
45 what the present population can sustain, so everybody
46 needs to take cuts is the bottom line. It's not just the
47 outside. The State has already cut out the outside
48 hunters. What we're saying is that's still not enough.
49 We need to cut the harvest back even more. Saying it's
50 limited to Federally-qualified users really doesn't limit

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1 the harvest because most of the harvest has been
2 traditionally by local Federally-qualified users, so
3 we're really not limiting it at all to say it's
4 Federally-qualified users.

5
6 MR. MENDENHALL: Your top advisor said
7 that there are going to be Federal permits. How would
8 somebody from Nome get such a permit?

9
10 MS. DEWHURST: You'd contact either the
11 Park Service or our office or whoever to get one and
12 there will be unlimited.

13
14 MR. MENDENHALL: I know that. That's
15 moot what we're discussing here on Federal land.

16
17 CHAIRWOMAN CROSS: I think that once we
18 set up a proposal and there's going to be licenses or
19 whatever, permits issued, I don't think -- I think it
20 would be resolved by the staff as to where we'll get
21 them.

22
23 MS. DEWHURST: The purpose of the permits
24 is just a reporting purpose, so that we have some
25 function that people report their harvest. That's the
26 only purpose of the permit.

27
28 MR. MENDENHALL: So traditional users
29 would get those permits, is that correct? Is that the
30 way it's defined? I'm having an issue with that Federal
31 permit.

32
33 MS. DEWHURST: The Federal permit right
34 now would go to any resident of 22, so any Seward
35 Peninsula resident would get one. Now, when we get to
36 Proposal 35, which is the next proposal, that's a
37 separate issue where it may be limited to certain
38 villages, but that's a different proposal.

39
40 MR. MENDENHALL: Residency, you mean.

41
42 MS. DEWHURST: Right.

43
44 MR. MENDENHALL: You're looking at
45 residency as.....

46
47 MS. DEWHURST: Currently, under this
48 proposal, we're not dealing with that issue and anybody
49 who is a resident of the Seward Peninsula.....

50

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1 MR. MENDENHALL: The proposal does State
2 that.

3
4 CHAIRWOMAN CROSS: My recommendation
5 would be let's deal with one section at a time instead of
6 jumping into other proposals. At this time, I think we
7 should take a little break and then come back to the
8 issue of bull when we get back.

9
10 (Off record)

11
12 (On record)

13
14 MR. ENINGOWUK: Madame Chair. At this
15 time I would like to move that we support Proposal 34 as
16 written with the dates. I think the issue of dates is
17 good, looking at our depressed moose population. There
18 were no real written comments to this proposal. I move
19 that we support this Proposal 34.

20
21 CHAIRWOMAN CROSS: Which one are you
22 talking about? The one as written on page 43 as one
23 bull?

24
25 MR. ENINGOWUK: As submitted. I have no
26 problem with it. I move that we support Proposal 34. Is
27 there a second?

28
29 CHAIRWOMAN CROSS: So you're talking
30 about like on page 34?

31
32 MR. ENINGOWUK: Page 43.

33
34 MR. MENDENHALL: I'll second the motion
35 for purpose of discussion.

36
37 MR. ENINGOWUK: Question.

38
39 CHAIRWOMAN CROSS: Could somebody read me
40 the original proposal?

41
42 MS. DEWHURST: The original proposal is
43 on page 34 and also 36. It's in a couple different
44 places.

45
46 MR. MENDENHALL: I thought you were
47 looking at page 43.

48
49 MS. DEWHURST: That is the modified
50 proposal. His motion, I believe, was to support the

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1 original proposal as written.

2

3 CHAIRWOMAN CROSS: Unit 22(D).

4

5 MS. DEWHURST: So there are date
6 discrepancies we haven't even got to yet. We haven't
7 discussed yet. Then there's the moose cow/bull issue.

8

9 MR. MENDENHALL: Madame Chair, Donna.
10 Your preliminary conclusion is to support the proposal
11 with modification is on page 43 and 44.

12

13 MS. DEWHURST: Correct. We haven't
14 gotten to the date issue because I was trying to keep it
15 at one thing at a time, so we haven't even started in on
16 the dates because there were some date changes in the
17 modifications.

18

19 MR. MENDENHALL: So you want us to still
20 discuss 34.

21

22 MS. DEWHURST: We're trying to keep it
23 simple.

24

25 MR. MENDENHALL: I thought we were
26 looking at the total proposal. That's why I was talking
27 in the manner that I was because I thought we were
28 dealing with the proposal period, not just one issue at a
29 time within the proposal. I was corrected by staff that
30 we're looking at one little issue within each proposal.
31 I'm not used to that kind of a microscopic thing. I'm
32 looking at the total proposal. I'm sorry.

33

34 MS. DEWHURST: I was just trying to keep
35 it simple because it's a very complex proposal and we're
36 going to just concentrate on -- there's only like three
37 issues and the first was the bull/cow issue and there's
38 two other date issues and that's the only discrepancy, so
39 I was going to try and just concentrate on what those
40 were and then you could make a decision.

41

42 CHAIRWOMAN CROSS: I'd like to see some
43 discussion on that issue before we act on the motion.

44

45 MR. ENINGOWUK: Was there a specific
46 problem with the dates that perhaps you might want to
47 bring?

48

49 MS. DEWHURST: Yes.

50

00043

1 CHAIRWOMAN CROSS: So let's move on to
2 the date issues right now and then just sort of table the
3 motion.

4
5 MS. DEWHURST: If you're ready to discuss
6 the dates, the same areas where we had the discrepancy
7 between the bull/cow issue, which was 22(D) Kougarok,
8 Kuzitrin and Pilgrim, and also 22(D) Tisuk River, Canyon
9 Creek, those two portions have the same date issue. This
10 is the first date issue. The change in the staff
11 modification, the first change was -- originally, in
12 Perry's original motion, the original proposal, the
13 starting date was September 1. The staff moved the
14 starting date back to August 20 basically because this is
15 a quota hunt. First come, first serve, and it didn't
16 seem fair to say Federal people couldn't start until
17 September 1 to work against that quota and the State
18 hunters could start 10 days earlier. So we wanted to
19 make it fair since it's a first come, first serve sort of
20 hunt, to have everybody start at the same time. And it
21 didn't seem fair to penalize the Federal hunters by
22 making them have to wait before they could start hunting.
23 So it just made sense to move the starting date back to
24 August 20 so we're lined up with the State as far as
25 everybody starts on the same day. So that's why the
26 staff recommended that date change.

27
28 Now, the closing date we did not
29 recommend a change. The closing date originally proposed
30 was September 30. The staff recommended to keep that
31 despite the fact that it does not line up with the State.
32 The State recommended to go to September 14. That's the
33 way their hunt is. The reason we did not recommend a
34 change to go to September 14 and line up was, there
35 again, because we're dealing with a quota system, the
36 closing date doesn't really matter. If the quota is met
37 on a certain date, the entire hunt shuts down. So if our
38 hunt lasts a little bit longer than the State's, it's
39 only going to happen if the quota hasn't been met. If
40 the quota hasn't been met, it's not a big deal, so we're
41 not dealing with a potential overharvest. The quota will
42 be the ultimate thing on how many moose are taken. The
43 dates are kind of a secondary issue. That's why really
44 nobody is that concerned about the dates. The staff
45 recommendation on those two areas was August 20 through
46 September 30, that change. That's those two areas.

47
48 On the winter hunt in the Tisuk/Canyon
49 Creek portion, we have a discrepancy with the State. Our
50 hunt is in December. The proposed State hunt is in

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1 January. I don't know if this is an issue or not. We
2 didn't change it because we weren't sure how strong
3 people felt about it. The December dates came from the
4 testimony we received -- I believe the elderly gentleman
5 was from Brevig or from Teller. Teller. He was the one
6 that requested a December hunt, so that's where the
7 original December dates came from. Again, we're under a
8 quota system, so the only thing it could potentially do
9 is cut off the State hunt. If the quota is met by the
10 end of December, there might not be a State hunt. But
11 that is a discrepancy between the State and the Federal
12 system as far as dates.

13

14 At this time, we're not recommending to
15 change it to go to January, but it's up to you folks
16 whether or not -- how you feel. If you don't feel that
17 strongly, then I'd say let's line up with the State, but
18 that is another issue.

19

20 MR. MENDENHALL: I have no problem with
21 those dates.

22

23 CHAIRWOMAN CROSS: So we need to change
24 our motion then because the motion is on the original
25 proposal, which has one moose and different dates.

26

27 MS. DEWHURST: Yeah. There is one more
28 date discrepancy.

29

30 CHAIRWOMAN CROSS: I think that one of
31 the things we should do that may help everybody, if
32 somebody would write down up there the issues that we're
33 having. One moose versus a one bull and then the dates.

34

35 MR. MENDENHALL: I've been going back and
36 forth from 34 to 43 to make a comparison. After looking
37 at the final draft of modification recommended by staff,
38 I have no problem.

39

40 CHAIRWOMAN CROSS: So, do you want
41 to....

42

43 MR. MENDENHALL: Regardless of what the
44 outcome is, I'm going to go with the staff proposed
45 modification on their Proposal 34, what they recommend in
46 the back on page 43. I already did my comparison between
47 the two.

48

49 CHAIRWOMAN CROSS: So, do you want to
50 change your motion to support the staff recommendation?

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1 MR. ENINGOWUK: I withdraw my motion if
2 that's okay with the second.

3
4 MR. MENDENHALL: I withdraw it, but Donna
5 needed to do one more issue.

6
7 MS. DEWHURST: Yeah. The only other
8 issue, and this may or may not be an issue, is in 22(D)
9 remainder, which is basically the American Creek area.
10 The State has closed -- they basically have a similar
11 season to us, except they have a closed period from
12 September 15th through the 30th their hunt is closed. We
13 did not put that closure window in our original proposal.
14 Actually, this whole area wasn't in the original proposal
15 because at the time we didn't think there'd be any
16 changes made, but when the Board of Game met in the fall,
17 that was one of the things they did. They closed this
18 window and I think Kate could probably explain what their
19 thinking was behind it, but the question is whether or
20 not we want to close that window or not worry about it.

21
22 MS. PERSONS: The reason that the board
23 took that action is they were concerned that when the
24 season for moose closed in the rest of 22(D), that
25 hunters would be displaced into the American and Agiapuk
26 River drainages. Right now that area doesn't get very
27 much hunting pressure at all. It's primarily the area
28 where Brevig and Teller people hunt. There are a few
29 people from Nome that have a long history of going there,
30 but really very few. So there hasn't been enough hunting
31 pressure in that area to make us concerned about the
32 population. If that's the only area that's open at the
33 end of September, the board was concerned that we might
34 see a shift of many Nome hunters into this
35 American/Agiapuk River area, so they closed the season
36 for two weeks at the end of September to prevent an
37 increase in hunters from other areas.

38
39 MS. DEWHURST: And the reason the staff
40 didn't support that and opted to stay just as a wide-open
41 season is because, under our proposal, we are not closing
42 September 15th or 14th. We're going through the end of
43 September. So, basically, all our hunts are going to be
44 open till the end of September anyway. So, under the
45 Federal system, we wouldn't have that issue of only one
46 area being open, we'd have several areas being open
47 during that time period. So that was the thinking there.
48 If we went with the September 30 dates, which we have on
49 the other areas, we would have several area options open
50 under the Federal system. We wouldn't be concentrating

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1 folks there.

2

3 MR. MENDENHALL: Madame Chair. I think
4 this is in defense of the testimony given by Teller
5 people, the elders from Teller, and it's not being taken
6 away from them. They had testified here extensively
7 before us and it's honoring their request and I see no
8 problem and I hereby make a motion for approval of
9 Proposal 34 as recommended by staff with modification.
10 If that's no problem with anybody else, I so move.

11

12 MR. ENINGOWUK: Second the motion.

13

14 CHAIRWOMAN CROSS: Perry made a motion to
15 support the staff recommendations on Proposal 34. It's
16 been seconded. Is there a question?

17

18 MR. MENDENHALL: And that's with the
19 modification.

20

21 MR. SEETOT: I think with the September
22 15th to September 30 closing date weather should be taken
23 into consideration because I think access to American
24 River is restricted during the month of September at
25 times when freeze-up does come early. The American
26 empties into the Agiapuk and that's the way you can go by
27 the river, is to the Agiapuk and into the American.
28 Different years, it does freeze as early as the second
29 week of September. The only way to have access would
30 possibly be by aircraft and that might even be
31 restricted. Weather does play a major factor.

32 One, you pretty much have the fall
33 storms, fall winds, and then also the weather is going to
34 be cold for the Agiapuk River to freeze up. It has
35 prevented us from going up the river in late September,
36 so that should be also -- you know, other considerations
37 that weren't considered at the time they put this
38 proposal. Weather and freeze-up plays a big factor in
39 when we harvest our animals during particular harvest
40 periods.

41

42 MR. ROOKOK: Questions?

43

44 CHAIRWOMAN CROSS: The question has been
45 called. All those in favor of Perry's motion signify by
46 stating aye.

47

48 IN UNISON: Aye.

49

50 CHAIRWOMAN CROSS: All those opposed same

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1 sign.

2

3 (No opposing votes)

4

5 CHAIRWOMAN CROSS: Motion carries. Did
6 we get the right pictures here?

7

8 MS. DEWHURST: I think I understand what
9 you voted on, so that would cover 34. So now we're on
10 35.

11

12 MR. MENDENHALL: I make a motion for a
13 recess until 1:00 to beat the lunch crowd. We're so
14 close to noon and I know this one is going to take
15 discussion.

16

17 CHAIRWOMAN CROSS: I'm in favor of your
18 proposal to recess at this time. Is 1:00 appropriate for
19 us? Okay. We'll return at 1:00. We might as well close
20 for lunch.

21

22 (Off record)

23

24 (Mr. Savetilik and Mr. Buck now present)

25

26 (On record)

27

28 CHAIRWOMAN CROSS: I'm going to call the
29 meeting back to order. It's 1:15 now. I also want to
30 welcome Myron Savetilik and Peter Buck here. We missed
31 you guys this morning. Ann reminded me to tell everybody
32 who has not signed in to please sign in over there. We
33 are now going to be -- is that Proposal 35?

34

35 MS. McCLENAHAN: Yes.

36

37 MR. MENDENHALL: Madame Chair, I make a
38 motion for approval of the modified proposal that's been
39 presented by staff, page 74, 75 and 76, for the purpose
40 of discussing the proposed changes to page 52, 53 and 54,
41 for purpose of discussion. I would like that seconded,
42 if possible.

43

44 MR. SAVETILIK: I second.

45

46 MS. McCLENAHAN: Madame Chair. May I
47 give my presentation?

48

49 MR. MENDENHALL: Right. Now we can
50 discuss this legally.

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1 MS. McCLENAHAN: Thank you, Madame Chair.
2 My name is Pat McClenahan, staff anthropologist. The
3 proposal submitted by the Seward Peninsula Subsistence
4 Regional Advisory Council contains three requests. The
5 first is to set in place the moose regulation recently
6 requested by special action and approved by the board.
7 It restricts the January moose harvest in Unit 22(B) west
8 of the Darby Mountains to the Unit 22(B) west communities
9 of Golovin and White Mountain.

10
11 The second is a request for Unit 22(D).
12 It requests that on Federally-administered lands in the
13 Kougarok, Kuzitrin and Pilgrim River drainages within
14 Unit 22(D) the moose harvest be restricted to the rural
15 residents of Unit 22(D) for the September 1st through
16 31st hunt only.

17
18 The third is also a request for Unit
19 22(D). It's a request for restricting moose hunting to
20 the rural residents of Unit 22(D) on Federal lands in
21 Unit 22(D) lying west of the Tisuk River drainage and
22 Canyon Creek where the December 1st through 31st hunt
23 only.

24
25 The rural residents of Unit 22 have a
26 positive, customary and traditional use finding for moose
27 in Unit 22(B) and 22(D). Because this is a request to
28 choose among qualified subsistence users, I developed a
29 Section 804 analysis, which addresses three criteria.

30
31 The three criteria are customary and
32 direct dependents upon the population as a mainstay of
33 livelihood, local residency, that is nearness to the
34 resource and availability of alternative resources. For
35 Unit 22(B), this is the same as it was in our recent
36 special and all we're doing here today is reaffirming the
37 decision that you made the last time and that the board
38 recently passed. The conclusion remains to support the
39 proposal. Good documentation exists for the rural
40 residents of White Mountain and Golovin, that they are
41 the primary users of the moose in Unit 22(B) west of the
42 Darby Mountains, that they live closest to the resource
43 and that they are heavily reliant on this resource.

44
45 With regard to the analysis, the effect
46 of the proposal and recommendation for Unit 22(D). The
47 request restricting hunting on Federal lands west of the
48 Tisuk River drainage and Canyon Creek should have little
49 effect on subsistence users other than those residing in
50 Unit 22(C). It may provide enhanced opportunities for

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1 the residents of Unit 22(D).

2

3 The conclusion is to support this portion
4 of the proposal. However, the request to restrict
5 hunting during the September 1st through 31st hunt in the
6 Kougarak, Kuzitrin and Pilgrim River drainages to the
7 residents of Unit 22(D) will have an adverse effect on
8 the qualified subsistence users residing in Unit 22(C).
9 Fifty-seven percent of the moose taken by Nome residents
10 were taken in Unit 22(D) between 1983 and the present.

11

12 The upper and lower Kuzitrin River
13 drainages and the Pilgrim River drainage are primary use
14 areas for Nome. Thirty-seven percent of the moose taken
15 in Unit 22(D) during the same time period were taken in
16 the September hunting season in those drainages. The
17 conclusion is to support this portion of the proposal
18 with modification. Specified for the Tisuk, Kougarak,
19 Kuzitrin and Pilgrim River drainages within Unit 22(D)
20 for the fall and winter hunts that the moose harvest be
21 restricted to the rural residents of Unit 22(D) and the
22 rural residents of Unit 22(C).

23

24 Even though many Nome residents have
25 access to cash income, some do not, and many Nome
26 residents are traditional subsistence users. Moose is an
27 important primary subsistence resource for Nome
28 residents. Access for the rural residents of these two
29 units is easy. Harvest records indicate that this is a
30 primary use area for the rural residents of Unit 22(D)
31 and 22(C).

32

33 At the same time, there's an obvious
34 concern for moose populations in Unit 22(D). This
35 proposed regulation change, if set in place, may not
36 address fully the issue and other measures may be needed
37 in the future. Thank you, Madame Chair.

38

39 CHAIRWOMAN CROSS: Thank you. Any
40 questions for her? Alaska Department of Fish & Game.

41

42 MR. MAGDANZ: Madame Chair, members of
43 the Council, thank you. My name is Jim Magdanz with
44 ADF&G Subsistence. Our comments are on page 80 of your
45 book. I wanted to briefly correct for the record one
46 item in our comments that reflects my own lack of
47 understanding of how the Federal system handles resource
48 shortages and Ken Adkisson has explained to me some of
49 the things that Pat has just gone through in the 804
50 analysis. I understand now that it is not changed for

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1 the C&T determination. That remains the same. So our
2 comments are incorrect in suggesting that that was the
3 case. The 804 proposal is different or the procedure is
4 different than the State's Tier 2 process.

5
6 We were concerned about how the original
7 proposal was drafted because it excluded residents of
8 Nome from 22(D) and we support the modifications that are
9 proposed. We think the modifications reflect the hunt
10 histories for residents of Nome and we concur with the
11 staff. Madame Chair, that concludes my comments.

12
13 CHAIRWOMAN CROSS: Thank you, Jim. Any
14 questions for Jim? Other agency comments.

15
16 MS. COLE: Jeanie Cole, Bureau of Land
17 Management. I just wanted to request a clarification
18 from Pat on 22(B). The recommendation says residents of
19 Unit 22(B), whereas the proposal was residents of White
20 Mountain and Golovin and I was wondering if that's being
21 changed.

22
23 MS. McCLENAHAN: It should probably
24 reflect the same language, White Mountain and Golovin.
25 It did in the special action, as I recall. We specified
26 White Mountain and Golovin. Those are the only two
27 communities in that area. We'll see to that change if
28 that's all right with everyone.

29
30 MS. COLE: Okay. Thank you. BLM does
31 support the proposal by staff.

32
33 CHAIRWOMAN CROSS: Fish & Game Advisory
34 Committee comments? Summary of written public comments.
35 Is there any public testimony? Regional Council
36 deliberation, recommendation and justification. Perry,
37 you had moved to support these.....

38
39 MR. MENDENHALL: As modified on page 74,
40 75 and 76.

41
42 CHAIRWOMAN CROSS: And somebody seconded.

43
44 MR. SAVETILIK: I did, yeah.

45
46 CHAIRWOMAN CROSS: Is there any more
47 discussion?

48
49 MR. MENDENHALL: Question.

50

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1 CHAIRWOMAN CROSS: The question has been
2 called. All those in favor of the motion signify by
3 stating aye.

4

5 IN UNISON: Aye.

6

7 CHAIRWOMAN CROSS: All those opposed same
8 sign.

9

10 (No opposing votes)

11

12 CHAIRWOMAN CROSS: Motion carries.

13

14 MS. DEWHURST: This proposal has already
15 gone to North Slope. That's the only council it's gone
16 to so far, so you're the second council to deal with it,
17 but it will be going to all the councils for comment. It
18 is Proposal 01. It was submitted by Craig Fleener of
19 Fort Yukon. It's to request that black and brown bears
20 be classified as furbearers. It's confusing to say,
21 well, so what. Well, what that would do if we classified
22 them as furbearers is two things.

23

24 One would be it would allow leg hold
25 traps to be used. Right now leg hold traps are illegal
26 to catch bears. So it would allow leg hold traps. The
27 other thing, which is a more critical item, is it would
28 allow the sale of bear parts. So we're talking hides,
29 claws, gall bladders, whatever, the sale of bear parts.
30 That's the more controversial aspect of classifying them
31 as furbearers. Basically, that's the gist of the
32 proposal that he's making.

33

34 Historically, right now, on the State
35 side, the only thing legal is articles of handicraft made
36 by the fur of black bears. Other than that, everything
37 else as far as commercial sale of bear parts is illegal
38 in the state. It has a long history. The prohibition on
39 brown bear sales goes back to the '20s. Black bears were
40 legal to sell up till about '71 and then in '71 the laws
41 were changed. There's a very strong black market within
42 the state right now on bear parts, primarily gall
43 bladders sold to Asia. It's big bucks. And also claws.
44 Claws are another big sale item. That's one of the
45 concerns of a lot of folks, is if this proposal went
46 through, it would promote further the black market
47 industry. It would also create, of course, a legal
48 industry, but it can be a problem in certain portions.
49 We've had some parts of the state where a number of bears
50 have been killed just for gall bladders or just for claws

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1 or whatever, so these bears aren't being used by any
2 means in the normal subsistence tradition. They're being
3 targeted almost worse than trophy hunters. I mean when
4 they're shooting animals and just taking a gall bladder
5 out.

6
7 The idea behind the proposal originally
8 by Craig was he was thinking more in terms of his area,
9 Fort Yukon, Eastern Interior, and he was thinking
10 primarily black bears and he was thinking in terms of, he
11 thought, if they allowed the sale of bear parts, that it
12 would promote more of his local people to harvest bears
13 and the idea of knocking down the predators. That was
14 his original intention. The problem was, when he made
15 this a statewide proposal, it got very complex. When we
16 start talking black bears and brown bears and talking all
17 the regions of the state and the complications between
18 Federal law and State law became a very complex issue.

19
20 If you read through the proposal, he
21 gives a very thorough explanation of all the aspects.
22 From one side of the coin, you know, bears in this area
23 and many other areas are revered and you don't talk about
24 them, so the idea of making a commercial market for bears
25 really goes against a lot of cultures in this state, the
26 idea of making a commercial sale of bear parts and bears.
27 That's one aspect.

28
29 The other aspect and the bigger one is if
30 we would make this legal on the Federal side and it's not
31 legal on the State side, it gets really complicated as
32 far as how you can sell and not sell and that sort of
33 thing. So the bottom line was the staff recommendation
34 on this, mainly due to the complexity of the issue, was
35 for Craig to then follow through and basically oppose the
36 proposal, recommend to Craig that he takes this to the
37 State Board of Game, where it would be a better venue for
38 this proposal if he still wants to pursue it.

39
40 We're opposing the proposal, but the one
41 thing we did want to do is align current Federal and
42 State regulations. Currently you can sell handicraft
43 articles made from the fur of black bears under State
44 regulation and you cannot under Federal subsistence
45 regulations, so that was the one thing we are
46 recommending to change in Federal regulations, is to
47 legalize the sale of black bear fur handicrafts so that
48 we would line up with the current State regulations, but
49 oppose all the rest of it and recommend that if he wants
50 to pursue it, he contacts the State Board of Game. Are

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1 there any questions?

2

3 MR. MENDENHALL: Since when are we -- are
4 you paying attention to western Canada and all fur
5 actions in Canada?

6

7 MS. DEWHURST: He was trying to be very
8 thorough, so he was looking at all the different places
9 and Lower 48 and Canada and he was just trying to do a
10 very thorough job.

11

12 MR. MENDENHALL: There's a film made by
13 the university called Tales of the Raven that tells how
14 the Athapaskans in that area treat the hunting of black
15 bear with a very religious aspect. For purpose of
16 discussion, I make a motion for Proposal 01 as is, but
17 that doesn't mean I'm for it, if you know what I mean.
18 So I'm making a motion for purpose of discussion. We're
19 discussing Proposal 01. We need it on the minutes. So I
20 recommend it be seconded for purpose of discussion only.

21

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

23

24 MS. DEWHURST: Just to let you know, the
25 North Slope is the only council that's addressed this
26 before your council and they went through a lot of
27 discussion. Just mainly I think to try to understand
28 what all the ramifications were, but they ended up
29 supporting the staff conclusion, was their
30 recommendation. They're the only ones that have
31 addressed this so far.

32

33 MR. MENDENHALL: Who is Craig?

34

35 MS. DEWHURST: He's actual a council
36 member from -- I believe he's from Interior Council.

37

38 MR. MENDENHALL: Is it tribal?

39

40 MS. DEWHURST: No, he's on the Regional
41 Advisory Council for Eastern Interior. He's just like
42 your council. He's on that council. He currently is out
43 of pocket though. We can't get further information from
44 him because he's in the National Guard and he's tied up
45 in all the National Guard stuff and out of the country, I
46 believe, right now.

47

48 CHAIRWOMAN CROSS: Leonard.

49

50 MR. KOBUK: I have a question. That

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1 would only be for black bear, not brown bear?

2

3 MS. DEWHURST: The handicrafts thing
4 would be black bear only because that's the only thing
5 that's legal under State law, so we would just be lining
6 up with current State law, which is currently more
7 liberal than our Federal regulations. So, yes, that one
8 aspect would be black bear handicrafts only.

9

10 CHAIRWOMAN CROSS: Any further questions.

11

12 Department of Fish & Game comments.

13

14 MS. PERSONS: The Department does not
15 support designating black and brown bears as fur bears
16 basically for all the reasons that Donna just explained.
17 We would support though aligning the regulations
18 pertaining to the use of black bear with the State
19 regulations. Thank you.

20

21 CHAIRWOMAN CROSS: Other agency comments.
22 I haven't seen anybody jump up and down so. Fish and
23 Game Advisory comment. Does somebody have written public
24 comments?

25

26 MS. WILKINSON: Madame Chairman, we have
27 two. One is from Mr. Glen Alsworth Sr. of Port Alsworth.
28 He states that he's in favor of adopting the new wording
29 changing the regulation. He believes that any time a
30 subsistence user can derive more benefit from a legally
31 taken subsistence resource the better.

32

33 The second comment is the Director of the
34 Alaska Department of Public Safety who wrote that they
35 believe allowing the sale of bear parts will increase
36 illegal take and waste of bears; will make the black
37 market problem worse; will go against the North American
38 trend to restrict sale and it is not consistent with
39 customary and traditional practices. Therefore the
40 Department of Public Safety is opposed to Proposal 1.
41 And that's all.

42

43 CHAIRWOMAN CROSS: Thank you. Region
44 Council deliberation, recommendation and justification.

45

46 MR. MENDENHALL: Madame Chair, I'm taking
47 affront that the -- that last comment going against it
48 saying that it's not traditional and culturally accepted.
49 I don't see it's their term to determine that. I think
50 it's we and our sector not the enforcement. So that's

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1 one testimony that I don't want to -- would not
2 acknowledge that it's taken -- the enforcement agency
3 making a determination whether it's cultural and
4 traditional and historical. So that -- and I think I
5 would vote against until we come onto clearer things from
6 other parts of the Athabascan nation along the Yukon,
7 like this Fort Yukon. I think there's got to be other
8 comments from those other areas. Like from Mitch
9 Demientieff, Nenana and those other -- Copper Valley and
10 -- they hold black bear hunting pretty sacred.

11

12 CHAIRWOMAN CROSS: Any other comment.

13

14 MR. SEETOT: What was that letter that
15 Ann mentioned? Was that a State agency?

16

17 MS. DEWHURST: The one that was against
18 them.....

19

20 MR. MENDENHALL: Yeah, the one that was
21 against.

22

23 MS. DEWHURST: Yeah, that was by the --
24 it was a member of the State Troopers, basically.
25 Representing the Troopers.

26

27 MR. SEETOT: And the new regulations that
28 are in effect right now is that they relaxed harvest of
29 bears, you know, within Unit 22. I don't think there
30 will be an increase in, you know, illegal activity, it
31 just might be that they would be more inclined to report,
32 you know, the harvest of bear either for subsistence
33 purposes or for other purposes to ADF&G in 22.

34

35 MS. DEWHURST: I think you're referring
36 to Proposal 33, which we'll get to. That's.....

37

38 MR. SEETOT: No, no, I think the ADF&G or
39 the State of Alaska has relaxed restrictions on taking of
40 bear in 22. And I would not see an increase in, I guess,
41 illegal activity other than just see more products being
42 sold to persons, you know, that were sold in the black
43 market. Gallbladders, paw claws, stuff like that. I
44 think that some of the -- parts are being sold would at
45 least be more in open than stuff that we don't know
46 about.

47

48 MR. MENDENHALL: Like the gizzards and --
49 what do they call it? I call for question.

50

00056

1 CHAIRWOMAN CROSS: Question has been.....

2

3 MR. MENDENHALL: If there's no other
4 comments from the members. I mean, I didn't.....

5

6 CHAIRWOMAN CROSS: Your original motion
7 was for discussion only.

8

9 MR. MENDENHALL: Right. That's the.....

10

11 CHAIRWOMAN CROSS: So are we going to be
12 in support of anything in here or should we just wait and
13 see what.....

14

15 MR. MENDENHALL: If we vote no that
16 proposal does not pass. That's what I'm saying. I said
17 I'd do it for purpose of discussion only then when we do
18 vote, there's an understanding that if you vote no we
19 won't support this proposal. If we vote yes then that
20 showing.....

21

22 CHAIRWOMAN CROSS: I think it has very
23 little impact within our region.....

24

25 MR. MENDENHALL: We have to.....

26

27 CHAIRWOMAN CROSS:because it
28 pertains to black bear.

29

30 MR. MENDENHALL: Right. We don't have 20
31 black bears in that region.

32

33 MS. DEWHURST: It can also include brown
34 bears.

35

36 CHAIRWOMAN CROSS: Did I miss the picture
37 somewhere?

38

39 MS. DEWHURST: Yeah, the sale -- if this
40 proposal passed, it's for the sale of both black bear and
41 brown bear parts. The original proposal.

42

43 CHAIRWOMAN CROSS: But I thought the
44 recommendation was.....

45

46 MS. DEWHURST: The recommendation --
47 you're right. The recommendation only pertains -- the
48 Staff recommendation only pertains to black bear
49 handicrafts.

50

00057

1 CHAIRWOMAN CROSS: Just to align it with
2 the State.
3 And then since it's not legal at this time to sell any
4 part of brown bears, right?

5
6 MS. DEWHURST: Right.

7
8 CHAIRWOMAN CROSS: Within the State and
9 to legalize it within the Federal government would be
10 contrary to.

11
12 MR. MENDENHALL: I would vote no for the
13 simple reason I never heard from any other of the
14 Indian/Athabaskan area where it's impacted from and
15 coming from. I think we need more knowledge of that
16 aspect and.....

17
18 CHAIRWOMAN CROSS: Then I'll ask for.....

19
20 MR. MENDENHALL: To make it statewide.

21
22 CHAIRWOMAN CROSS: Okay, then I'll ask
23 for a vote right now. All those in favor of the motion
24 signify by stating aye.

25
26 (No audible response)

27
28 CHAIRWOMAN CROSS: All opposed, same
29 sign.

30
31 IN UNISON: Aye.

32
33 CHAIRWOMAN CROSS: But I think that.....

34
35 DONNA: I missed what the motion was, I'm
36 sorry. I must have.....

37
38 CHAIRWOMAN CROSS: Well, Perry had made a
39 motion to support the original proposal. We just voted
40 it down. I think that I agree with the Staff Committee
41 recommendation that the sale of black bear should be --
42 that should become in line with the State. Black bear
43 products.

44
45 Any more discussion.

46
47 MR. MENDENHALL: I made my motion in
48 reference to page 13, which is oppose the proposal.
49 That's what we just voted on. We have to make the motion
50 positive for the proposal but we can vote -- we have to

00058

1 vote it down.

2 CHAIRWOMAN CROSS: Okay.

3

4 MR. MENDENHALL: That's what I -- that's
5 the whole intent to my motion. Maybe the Federal Staff
6 had to take a course in Robert's Rules of Order.

7

8 CHAIRWOMAN CROSS: Donna, are we moving
9 on now?

10

11 MS. DEWHURST: Are you clear on it, Ann?
12 Because you're the one that's going to have to report it.

13

14 MS. WILKINSON: Right. Yeah, when you're
15 making a motion it is always for discussion. You don't
16 need to say we're making a motion for discussion. Just
17 say we're making a motion to do this or that and if you
18 want to just -- you should make the motion to say what
19 you want it to say.

20

21 MR. MENDENHALL: I did that. I said I
22 voted for the motion, for the motion, for the motion.....

23

24 MS. WILKINSON: So that's what they're
25 going on.

26

27 MR. MENDENHALL: For purpose of
28 discussion though but I did that too so we could get it
29 on the floor and legally on the minutes.

30

31 MS. WILKINSON: So.....

32

33 CHAIRWOMAN CROSS: Okay, let's get back
34 to the meeting and discuss that at some other time.
35 We're moving on to another proposal I guess.

36

37 MS. DEWHURST: As long as -- so you're
38 clear what they both -- they passed.

39

40 MS. WILKINSON: From what I understood,
41 they voted it down. No, they voted no but what I
42 understand from the motion -- Madame Chair, what I
43 understand from the motion and the book was that we voted
44 not to support this proposal.

45

46 MS. DEWHURST: Right.

47

48 MR. MENDENHALL: Right.

49

50 MS. DEWHURST: In any way shape -- and

00059

1 then also not to support the Staff recommendation to
2 legalize.....

3

4 MS. WILKINSON: Yeah.

5

6 MS. DEWHURST: Okay.

7

8 CHAIRWOMAN CROSS: I just said that. I
9 just made recommendation that we.....

10

11 MR. MENDENHALL: The motion is in regard
12 to 13 -- (indiscernible) is separate.

13

14 CHAIRWOMAN CROSS: I just gave you my
15 personal opinion that I was in support of that.

16

17 MR. SEETOT: 13 is the Staff's
18 recommendation.

19

20 MS. DEWHURST: Yeah that's what's
21 confusing us. So did you guys support -- you guys just
22 opposed the proposal totally. What about the aspect of
23 legalizing the black bear handicraft parts? Are you
24 going to rule on that separately or.....

25

26 MR. MENDENHALL: No, we just totally
27 opposed up right now.

28

29 MS. DEWHURST: Okay.

30

31 MR. MENDENHALL: I said until we hear
32 from the other.....

33

34 MS. DEWHURST: I'm just trying to
35 clarify.

36

37 CHAIRWOMAN CROSS: And we didn't discuss
38 the Staff Committee I don't think. The proposal we
39 opposed but the Staff Committee recommendation, we didn't
40 discuss it.

41

42 MR. MENDENHALL: Right, but it's kind of
43 moot now when we already called for question and voted on
44 it against it, period.

45

46 CHAIRWOMAN CROSS: So we're not going to
47 discuss the Staff Committee recommendation.

48

49 MR. MENDENHALL: It passed. I mean not
50 passed, opposed.

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1 CHAIRWOMAN CROSS: No, it wasn't in an
2 opposition to the Staff Committee recommendation. The
3 proposal was in opposition to the proposal. We voted --
4 we said we don't support the proposal. We didn't discuss
5 the Staff Committee recommendation.

6
7 MR. MENDENHALL: You already had,
8 according to 127, what we had gone through, they already
9 did their discussion on that proposal.

10
11 CHAIRWOMAN CROSS: No, I was just talking
12 about the Staff Committee recommendation.

13
14 MR. MENDENHALL: Madame Chair, I
15 clarified myself earlier. I said I'm voting for the
16 proposal. When you vote opposed you're supporting -- on
17 page number 13 -- as a preliminary conclusion. I said
18 that a number of times during the discussion.

19
20 MS. DEWHURST: But the preliminary
21 conclusion involves more than just opposing the proposal.

22
23 MR. MENDENHALL: Right but we opposed the
24 proposal as -- but we, I figure we needed more
25 information regarding the other parts of the -- about
26 bear parts and whatever. So we're not involved with
27 selling bear parts up in this part of the world yet.

28
29 MS. DEWHURST: So you're just not dealing
30 with that issue. Okay.

31
32 MR. MENDENHALL: So what you just told
33 me.....

34
35 CHAIRWOMAN CROSS: So the rest of the
36 Council agree that we oppose the proposal however we
37 didn't make any comments on the Staff Committee
38 recommendation. We have no position on it. The Staff
39 Committee recommendation is, on page 13 under preliminary
40 conclusion.

41
42 MS. DEWHURST: Basically if what Perry
43 said would follow through, the sale of handicraft
44 articles from the fur of black bears is currently legal
45 under State laws but it is not legal under Federal
46 subsistence law. So you could do it under State law but
47 presently you wouldn't be -- so it would be status quo.
48 That's what would be the end result.

49
50 MR. MENDENHALL: The discussion, even in

00061

1 there in the last paragraph, says black bear. It does
2 not say grizzly at all.

3

4 CHAIRWOMAN CROSS: Okay, is it the wishes
5 of the Council that we do not address the Staff Committee
6 recommendation?

7

8 MR. MENDENHALL: Which we already opposed
9 anyway.

10

11 CHAIRWOMAN CROSS: But we didn't oppose
12 the Staff Committee recommendation as far as I'm
13 concerned. We voted on the proposal.

14

15 MR. MENDENHALL: Right. The proposal in
16 there addresses all of the selling of bear parts. You
17 know, it's there. You can look on page two. And that
18 proposes all proposed -- all the way down to Fort Yukon.

19

20 CHAIRWOMAN CROSS: But that's what we
21 opposed but I was just discussing the Staff Committee
22 recommendation. Do we want to discuss that or we just
23 don't want to address it? How does the rest of the
24 Council feel about it?

25

26 (No audible responses)

27

28 CHAIRWOMAN CROSS: I guess we're not
29 going to discuss it.

30

31 MS. DEWHURST: Okay, the next proposal
32 would be proposal 33. It starts on page 21 but I
33 wouldn't pay much attention to page 21 because I see the
34 executive summary is wrong. So I would ignore page 21
35 and go on. Go to page 29. This is a fairly
36 straightforward proposal. All we're trying to do is line
37 up Federal regulations with the new changes the Alaska
38 Board of Game recently made for brown bear harvest. As
39 Kate mentioned, they liberalized brown bear harvest
40 considerably in the Seward Peninsula. And for us to line
41 up with those changes, that's what this proposal does.
42 So we would line up exactly with the new State
43 regulations. It would vastly simplify our existing
44 regulations. Most of the Seward Peninsula would go to a
45 one bear, by State registration permit, August 1 through
46 May 31st. And the only exception would be C, which we
47 just have a really tiny portion in C but for that really
48 tiny portion, we line up with the State season. But, you
49 know, if you look on the map and you try to find that
50 little tiny portion, you can't even find it. It's a

00062

1 little tiny square in the upper corner of C.

2

3 There's a clarification that it should be
4 August 1 through October 31 on C.

5

6 CHAIRWOMAN CROSS: August?

7

8 MS. DEWHURST: August. Instead of
9 September 1 it should be August 1 and that must be a typo
10 because we are intending to line up with the State.

11

12 MR. SEETOT: Madame Chair, I move to
13 support proposal 33 on page 29.

14

15 MR. MENDENHALL: I'll second it.

16

17 MR. KOBUK: Question.

18

19 MR. ENINGOWUK: Not yet. I guess the
20 motion would be to -- with modification, is that my
21 understanding?

22

23 MR. SEETOT: Yeah, I was going with what
24 is on page 28, support the proposal with modification.
25 Federal seasons. Dates of State regulations for 22(C) and
26 then the proposed regulation (indiscernible - away from
27 microphone)

28

29 MR. MENDENHALL: Call for the question.

30

31 CHAIRWOMAN CROSS: All in favor of the
32 motion, signify by stating aye.

33

34 IN UNISON: Aye.

35

36 CHAIRWOMAN CROSS: All those opposed,
37 same sign.

38

39 (No opposing votes)

40

41 CHAIRWOMAN CROSS: Motion carries.

42

43 MS. DEWHURST: Okay, the last we'll deal
44 with -- wildlife proposals -- is proposal 37. I'd
45 recommend going to page 101.

46

47 CHAIRWOMAN CROSS: 101?

48

49 MS. DEWHURST: Yeah, in the same section.
50 Tail end of it. Skipping over -- 101.

00063

1 CHAIRWOMAN CROSS: Oh, okay.

2

3 MS. DEWHURST: Cut to the chase.

4

5 CHAIRWOMAN CROSS: That's a easy one.

6 It's a easy one.

7

8 MS. DEWHURST: This proposal was made --
9 this is muskox -- and this is covering the whole muskox
10 hunt that we have on the Seward peninsula and overlaps
11 into 23 with the Buckland deering area. Basically what
12 we're doing is we're doing is we're taking out the
13 numbers we originally had. So those of you that have
14 been in this for a while, we've gone through a lot of
15 iterations. We had percentages, then we had hard numbers
16 and we've gone back and forth a bunch of times. We're
17 trying to simplify the system basically and just say that
18 the superintendent of Western Arctic National Parklands
19 working with the State Fish and Game and BLM and the
20 muskox cooperators would set the harvest quotas each year
21 based on the surveys.

22

23 So basically what we're trying to do is
24 delegate down to the local level the decision tree so we
25 don't have to keep going to the Federal Subsistence Board
26 every time we want to tweak numbers and change a
27 percentage and change -- you know, which we do a lot. We
28 end up doing it almost every year. And so that was the
29 idea behind the proposal. The Staff modification just
30 clarifies some of the language, is really all it does.
31 It tried to be more specific, spelling out that the
32 superintendent would indeed work with the muskox
33 cooperator's group and all the other various groups.
34 That he wouldn't just do it for spur of the moment. So
35 the idea is that the superintendent working with all
36 these entities would, on an annual basis, set the quotas.
37 And that is working with the State also because it's a
38 joint hunt. So that's really the only aspect to this and
39 we just took all the hard numbers out of the actual
40 proposal.

41

42 So there would be hard numbers presented
43 every year but they would be as per the announcement of
44 the superintendent. The superintendent, once a year,
45 would say how many animals can be taken in the various
46 units. And it would be done with press releases and all
47 that good stuff. So the idea was to allow delegation of
48 these decisions down to the local level. And that
49 concludes our analysis.

50

00064

1 MR. MENDENHALL: Madame Chair, I make a
2 motion for approving the preliminary conclusions on pages
3 101, 102. And because it's made up by the Seward
4 Peninsula muskox cooperator's group and also in
5 consultation of BLM, Alaska Department of Fish and Game,
6 I have no argument. I so move.

7
8 MR. KOBUK: I'll second that motion.

9
10 CHAIRWOMAN CROSS: Discussions. Does
11 ADG&F have anything to say on this?

12
13 MS. PERSONS: I was hoping you wouldn't
14 ask.

15
16 MS. DEWHURST: Keep in mind that we get
17 different levels of comments from Fish and Game. Some of
18 the comments come from Juneau and some of the comments
19 come from local folks and sometimes they don't jive. So
20 just keep that in mind.

21
22 MS. PERSONS: Well the Department feels
23 that the combined Federal/State quota should remain in
24 the regulation. And that while we understand that
25 flexibility in responding to changes in the muskox
26 population is desirable, we feel that the regulations
27 should reflect the guidelines that are developed by the
28 cooperator's group. And that these muskox hunts are high
29 profile and they are under public scrutiny. And that
30 it's important that the Board of Game and the Federal
31 Subsistence Board oversee and authorize changes that are
32 made to these hunts that are recommended by the
33 cooperators. And we also recommend removing the language
34 stating that the superintendent of the Western Arctic
35 National Parklands will announce annual quotas and
36 closures. Superintendents already have authority to
37 limit harvests and closed seasons on Park Service lands.
38 And this language isn't needed and it gives the
39 impression of disrupting the balance between the agencies
40 and the cooperator's group. Thank you.

41
42 CHAIRWOMAN CROSS: Donna.

43
44 MS. DEWHURST: Like I said, those
45 comments came from Juneau.

46
47 CHAIRWOMAN CROSS: Other agency comments.
48 Ken.

49
50 MR. ADKISSON: Ken Adkisson, subsistence

00065

1 coordinator for Western Arctic National Parklands,
2 National Park Service. I think also I can speak for
3 Jeanie Cole and BLM. We are committed to working through
4 the muskoxen cooperator process. And I'd just like to,
5 you know, reassure the State that we will continue that
6 process and we will continue coordinating closely with
7 ADF&G and the other Federal agencies involved. So
8 regardless of what the wording says in this proposal, you
9 know, business will continue as usual. It will simply
10 give us the flexibility to respond better to local needs
11 and conditions. But we will continue to maintain those
12 close relationships with the State. Thank you.

13

14 CHAIRWOMAN CROSS: Thank you. Fish and
15 Game Advisory Committee comments? A summary of written
16 public comments? Any public testimony? Nothing.
17 Regional Council deliberation, recommendation,
18 justification.

19

20 MR. SEETOT: I think I would kind of
21 support what is in the preliminary conclusion. One is
22 that there is not set numbers for the population of
23 muskox in all the units. I think that they will put a
24 number when a certain capacity of species is in a certain
25 area.

26

27 Unit 22(E) wants a cap on the population
28 of muskox. The rest of 22 want to see an increase of
29 muskox in their area so that some of these sub-units can
30 harvest these animals. If you just put a number every
31 year, I think what some of the agencies are saying that
32 they would have to keep going to the Federal Subsistence
33 Board whenever the numbers change for that regulatory
34 year. Only if a certain percentage or a certain
35 population level is reached, then can they put the
36 numbers in so that they be consistent year in, year out.

37

38

39 But with 22(E) wanting to limit the
40 population of muskox in their sub-unit, all the rest of
41 22 is trying to get, you know, muskox populations up, I
42 would kind of go with the modification that, you know, no
43 numbers be put in until they determine by population in
44 each sub-unit.

45

46 MR. MENDENHALL: Is that your motion?

47

48 MR. SEETOT: No, it's just my comment
49 that I would just go along with the modification that
50 they have that done. Annual harvest quotas and season

00066

1 close be made by a superintendent of the West Arctic
2 National Parklands instead of just doing it -- when they
3 reach a certain number then they could either increase or
4 decrease that number as presently is right now. Thank
5 you.

6

7 MR. ENINGOWUK: Madame Chair, I would
8 support this because it brings the management process
9 back to us. Back to people that make up the cooperator's
10 group. And I think it's a good group and we get guidance
11 from Gillam (ph) and Fish and Game and the parks. So I
12 would support it.

13

14 CHAIRWOMAN CROSS: Elmer.

15

16 MR. SEETOT: I forgot to ask National
17 Park Service, they opened the cow season for muskox in
18 our area. Has a quota been reached to date? No, the
19 reason I'm asking was that we had a concern that the
20 harvest of muskoxen would go toward the harvest of
21 females right from the start however I don't think that's
22 a situation I understand right now. I'm just kind of
23 curious because when we harvest species during the rut
24 season for any species, you know, we would just kind of
25 leave the bulls alone until such time that they become
26 edible, during the cold season or late, late toward the
27 spring. So I was just kind of curious to see if there
28 was any cow harvest on Federal land now as proposed by
29 the action last year.

30

31 MR. ADKISSON: We respect, Elmer, to the
32 cow harvest, no. In fact, we don't have any reported
33 Federal harvest at all at this point, I don't believe.
34 There's been -- again, you know what it's like with the
35 weather conditions and everything. We're fully expecting
36 most of the harvest activity to take place within the
37 last two weeks of the season. And so we'll probably be
38 spending the last two weeks with a lot of personal
39 contact with Federal hunters to make sure they report in
40 and so forth. Because we do have some concern about
41 exceeding the allowable cow harvest, you know, with the
42 hunting activity really compressed into the latter.
43 You'd probably have to ask Kate if she has any reports of
44 State cow harvests but I don't believe so yet.

45

46 We have, in talking with, like some of
47 the hunters up at Shishmaref, they have expressed a
48 definite interest in delaying their hunting activities so
49 that they could target cows because they're really
50 interested in seeing how the meat compares to the bulls

00067

1 that they've been harvesting. So it's a situation that
2 we're trying to watch very closely.

3

4 MR. SAVETILIK: I just got a comment to
5 make on the muskox also. I'm from Shaktoolik and we've
6 been seeing muskox off and on in our area too. And I'm
7 just wondering if our area would be included if we went
8 ahead and got this resolution -- or get this passed to
9 where we also can hunt them too -- by permits.

10

11 MR. ADKISSON: Madame Chair, Council
12 members, if I could respond to that question. Currently
13 there is no open season in 22(A) for muskox in either
14 State or federally. I also believe that on the Federal
15 side of the equation, there has not been a customary and
16 traditional use determination made for residents of
17 22(A). What that basically means is, if and when a
18 season would open, if there was not a C&T determination
19 made that Federal hunt would be open to all rural
20 Alaskans. If and when the muskoxen increase in
21 sufficient numbers to provide a hunt in 22(A) -- and it's
22 fully the intent, I think, of the cooperators and the
23 people from 22(A) who have participated in the
24 cooperator's meeting to continue to see the population of
25 animals expand both in their numbers and range.

26

27 And it is hoped that one day hunters in
28 22(A) would be able to harvest muskoxen both under the
29 State and, if necessary, Federal programs. But we're not
30 there yet and, as I say, there is no open season
31 currently and no C&T determination. But I think if the
32 current trends in muskoxen growth and distribution
33 continue, it's very likely that some day down the road,
34 hopefully in the not too distant future, maybe there will
35 be harvest opportunities for those residents.

36

37 I would also point out, and Kate can
38 correct me if I'm wrong but, given the current -- under
39 the State Tier II system -- someone from a village in
40 22(A) could apply for a State Tier II permit that would
41 allow them to harvest muskoxen under the State program in
42 any of the other Tier II hunts that are currently open.
43 So that would allow them to say, hunt with relatives or
44 whatever if they had an opening to hunt in B or D or E,
45 for example. And I'll be glad to try to answer questions
46 if there are questions related to that.

47

48 MR. KOBUK: I have a question and it's
49 for Myron. These muskox you see, do you see them on the
50 State land or on the Federal or BLM land, I think.

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1 MR. SAVETILIK: They were on State land.

2

3 MR. KOBUK: So what's the position of the
4 State? Can a person, like in 22(A), get a -- what he was
5 talking about. I forgot. Tier II.

6

7 MS. PERSONS: Currently there is no State
8 hunt or Federal hunt for muskox in 22(A). But as Ken
9 said, you are eligible to apply to hunt in any of these
10 other units. As more muskox move in to Unit 22(A), I
11 mean there certainly is the potential to open a hunt
12 there. We've never done a census, looking at the number
13 of muskox in 22(A). We are doing a muskox census this
14 spring but I have to be perfectly honest that we're not
15 going to be censusing 22(A). We don't even have enough
16 money to do all of 22(B). But, I mean, as we hear more
17 and more reports, I'd be really interested in talking to
18 you about where you've been seeing these muskox. And,
19 you know, it might be that even though we don't do a full
20 fledged census there, it would be interesting to go and
21 look at some of these areas where people have been seeing
22 muskox and see how many are there and whether they're
23 mixed bull and cow groups or just bulls. And, I mean, it
24 is something to be keeping track of and certainly when
25 the population reaches a certain level -- in 22(B), it
26 was about 200 animals before we authorized a hunt there.
27 But it is certainly a possibility in the future.

28

29 CHAIRWOMAN CROSS: I have a question. I
30 will let Ken talk first.

31

32 MR. ADKISSON: Madame Chair, Council
33 members, Ken Adkisson again. One more comment along
34 those lines. We'd also be very interested in what the
35 sex and composition of those animals are that are being
36 seen in 22(A) because the general pattern of muskoxen is
37 to disperse outward, often first by males either
38 individually or small groups. And a lot of times these
39 may not stay very long in an area. But ultimately, if
40 the population continues to grow, those are often joined
41 or they will get females and go back to quality habitat.
42 And so that's basically what happened in 22(B). For may
43 years we saw muskoxen but it wasn't considered sufficient
44 a number enough to hunt and by and large they were males.
45 And we didn't want to retard the ultimate expansion into
46 B by prematurely hunting. But recently they have been
47 joined by females and so there now are reproductive
48 groups in B and they're likely to stay there and continue
49 expand.

50

00069

1 CHAIRWOMAN CROSS: My question is, you
2 were talking about having not sufficient monies to do a
3 census. Does NPS help with that or.....

4
5 MS. PERSONS: Yes, they do and in the
6 past BLM has helped as well but these year they're
7 putting their money into a moose census to help us out in
8 22(B). Yeah, we have great cooperation with the
9 agencies.

10
11 CHAIRWOMAN CROSS: I was just curious.

12
13 MR. ADKISSON: And Fish and Wildlife
14 Service OSM has helped occasionally in the past.

15
16 MR. SEETOT: I think the census should be
17 coordinated in a way that you use observers on the
18 ground, you know, the slope hunters to at least minimize
19 the cost of flying around and trying to say there's a
20 certain group -- or we'll fly the whole area just to find
21 the muskox. I think if you get reports from local
22 people, observers, that you can pretty much go from area
23 to another and then get a census done without really
24 using up the money for census surveys.

25
26 MR. ADKISSON: Basically ADF&G
27 coordinates the surveys and maybe that question would be
28 better addressed to Kate. I think, you know, there are
29 issues involved and while it may seem terribly expensive
30 to do, it provides certain benefits to do it in one shot
31 in a narrowly defined time frame by aircraft. But I
32 think what you're suggesting especially might be kind of
33 interesting like over in 22(A), I mean if we can't afford
34 a full survey. But that's something, I think, that would
35 require further discussion with residents and ADF&G.

36
37 CHAIRWOMAN CROSS: Any further comments?

38
39
40 MR. ENINGOWUK: Madame Chair, I'm
41 presuming the motion, again, reads with modification?

42
43 CHAIRWOMAN CROSS: You're presuming what?

44
45 MR. ENINGOWUK: Was there a motion
46 already?

47
48 CHAIRWOMAN CROSS: Yeah.

49
50 MR. ENINGOWUK: And it's with that

00070

1 modification?

2

3 CHAIRWOMAN CROSS: It was with
4 modification, okay. And it's been seconded. Is there a
5 question?

6

7 IN UNISON: Question.

8

9 CHAIRWOMAN CROSS: All those in favor of
10 the motion signify by stating aye.

11

12 IN UNISON: Aye.

13

14 CHAIRWOMAN CROSS: All those opposed,
15 same sign.

16

17 (No opposing votes)

18

19 CHAIRWOMAN CROSS: Motion carries.

20

21 UNIDENTIFIED SPEAKER: Can we take a
22 little break?

23

24 (Off record)

25

26 (On record)

27

28 CHAIRWOMAN CROSS: I'm going to call the
29 meeting back to order. And for your information, Preston
30 is temporarily gone from the meeting. He'll be right
31 back.

32

UNIDENTIFIED SPEAKER: Who?

33

34 CHAIRWOMAN CROSS: Preston. He needed to
35 go sign something. He'll be right back.

36

37 MS. McCLENAHAN: I'm waiting for Leonard.

38

39 CHAIRWOMAN CROSS: He's right over there
40 by the coffee. You want to wait for him?

41

42 MS. McCLENAHAN: Madame Chair, Leonard.

43 This has to do with Saint Michael and Stebbins mostly.

44 So do you feel comfortable with my starting or do you

45 want me to wait? Okay.

46

47 MR. KOBUK: (Indiscernible - away from
48 microphone)

49

50 MS. McCLENAHAN: Okay.

00071

1 MR. MENDENHALL: Madame Chair, I make a
2 motion for approval of proposal 28(A) as modified by --
3 for caribou in Unit 18 as recommended by staff.

4
5 MR. SAVETILIK: I second that motion.

6
7 MS. McCLENAHAN: Madame Chair, I don't
8 know if this is out of order but I'm going to do 28(B)
9 first so if -- do you want to do the same motion for
10 28(B)?

11
12 MR. MENDENHALL: Were we following the
13 agenda?

14
15 MS. McCLENAHAN: We're going to do 28(B)
16 first because it's background for 28(A).

17
18 MR. MENDENHALL: Okay, I'll withdraw that
19 and make it 28(B), season and harvest limits set by staff
20 for Unit 18.

21
22 MR. SAVETILIK: And that's a second.

23
24 MS. McCLENAHAN: Madame Chairman, I'm Pat
25 McClenahan, Staff Anthropologist. This is a crossover
26 proposal from Unit 18. The Unit 22 communities of Saint
27 Michael and Stebbins have a positive customary and
28 traditional use determination for Unit 18 caribou. This
29 -- I'm sorry, these are handouts to you. They were not
30 in your book. They should be in two parts. A small
31 bunch of papers and then a bigger bunch of papers. The
32 small one is the one we're addressing first and it's the
33 season and bag limit. That's what we'll do first.
34 Proposal 28(A) and (B) were submitted by the Native
35 village of Quinhagak. 28(B) requests a regulatory
36 declassification of the Kilbuck caribou heard in Unit 18.
37 Proposal 28(B) requests a change in regulations to get
38 rid of language that's specific to the Kilbuck caribou
39 herd because it now appears that the Kilbuck herd and the
40 Mulchatna herd have joined and they're unable to tell
41 them apart. This makes herd based management impossible.

42
43 28(B) also requests an August 1st to
44 March 31st season for caribou in Unit 18 south of the
45 Yukon River with a harvest limit of five caribou per
46 season. The effect of this proposal would be to increase
47 harvest opportunity for Federally qualified users. And
48 it would align State and Federal regulations. Federally
49 qualified subsistence users would have the opportunity to
50 harvest any caribou during the proposed season and to

00072

1 harvest bull caribou before the rut. Our preliminary
2 conclusion for 28(B) is to support the proposal with
3 modifications. We'd like to add the language, all edible
4 meat from caribou harvested prior to October 1st, south
5 of the Yukon River, must remain on the bones of the front
6 quarters and hind quarters until the meat is removed from
7 the field or is processed for human consumption.

8

9 Madame Chairman, that concludes my
10 remarks for 28(B).

11

12 MR. MENDENHALL: It should be noted that
13 Unalakleet people intermarry with those people from down
14 that way and a lot of our Unalakleet residents are
15 related. Same with Shaktoolik and Saint Michael. But it
16 would be a friendly support for this, proposal 28(A) and
17 also for 28(B). And they got good documentation like
18 their once upon a time story in there.

19

20 MR. KOBUK: No, I don't have any
21 comments. I guess I'm in agreement with this proposal
22 and I'm pretty sure the village of Saint Michael and
23 Stebbins would like it too.

24

25 MS. McCLENAHAN: Would you like me to
26 talk about 28(A) and then you can vote on both of them at
27 once?

28

29 CHAIRWOMAN CROSS: Uh-huh (affirmative).

30

31 MS. McCLENAHAN: Okay.

32

33 CHAIRWOMAN CROSS: Why don't you just add
34 (A) and (B) to your.....

35

36 MR. MENDENHALL: We already did.....

37

38 CHAIRWOMAN CROSS: Okay.

39

40 MS. McCLENAHAN: Madame Chair, proposal
41 WP 02-28(A) asks to revise the customary and traditional
42 use determination for caribou in Unit 18. It would do
43 away with using an individual caribou herd as a basis for
44 the customary and traditional use determination and it
45 would use instead the resource use area descriptions.
46 The proposed Federal regulation in on page four of your
47 handout. The proposal will have no effect on the
48 communities of Saint Michael and Stebbins except that
49 they will be able to use all of Unit 18 instead of just
50 Unit 18 north of the Yukon River. Preliminary conclusion

00073

1 is to support the proposal with modification to add
2 Manokotak and lower Kalskag to the regulation. That
3 concludes my remarks for proposal 22(A).

4

5 MR. MENDENHALL: On page 40 I noticed a
6 word oops on page 40 of your documentation. What's.....

7

8 MS. McCLENAHAN: I'm not sure. Madame
9 Chair, this wasn't my proposal. I'm not sure what she
10 intended there but I will ask when I get back. Laura
11 Jergensen prepared this analysis and I'll direct your
12 question to her.

13

14 MR. KNAUER: It was supposed to be over
15 here, it was a cutting and pasting problem.

16

17 MS. McCLENAHAN: Okay. Apparently there
18 was a cut and paste problem. I'll direct that to her.

19

20 CHAIRWOMAN CROSS: Does Department have
21 any comments?

22

23 MR. MENDENHALL: So I just look at it as
24 a friendly support to Unit 18 because in turn you might
25 ask them for support in our area.

26

27 CHAIRWOMAN CROSS: I was just wondering
28 if the Department had any comments.

29

30 (No audible response)

31

32 CHAIRWOMAN CROSS: Is there a question?
33 Call for question. Any more questions or comments from
34 anybody?

35

36 (No audible response)

37

38 CHAIRWOMAN CROSS: So we're ready to
39 vote.

40

41 MR. MENDENHALL: Question.

42

43 CHAIRWOMAN CROSS: Good. All those in
44 favor of the motion signify by stating aye.

45

46 IN UNISON: Aye.

47

48 CHAIRWOMAN CROSS: All those opposed same
49 sign.

50

00074

1 (No opposing votes)

2

3 CHAIRWOMAN CROSS: Motion carries. Bill
4 Knauer.

5

6 MR. MENDENHALL: There was two proposals,
7 (A) and (B).

8

9 MR. KNAUER: Madame Chair, was that for
10 as modified by Staff?

11

12 MR. MENDENHALL: Yes.

13

14 MR. KNAUER: Thank you.

15

16 MR. MENDENHALL: But there was two
17 proposals, (A) and (B), that we.....

18

19 CHAIRWOMAN CROSS: I thought we were
20 voting on both.

21

22 MR. MENDENHALL: But we made two separate
23 motions.

24

25 CHAIRWOMAN CROSS: Okay, we'll go ahead
26 and vote for the.....

27

28 MR. MENDENHALL: It's set up on the
29 agenda as two separate proposals.

30

31 CHAIRWOMAN CROSS: Yes.

32

33 MS. WILKINSON: There was only one motion
34 and that was with 28(B).

35

36 MR. MENDENHALL: There was two. There
37 were two. First there was one made for (A), then she
38 requested (B) and we did that one too.

39

40 MS. WILKINSON: You said instead of.

41

42 MR. MENDENHALL: So which motion do you
43 have on record that we voted for?

44

45 MS. WILKINSON: 28(B).

46

47 MR. MENDENHALL: Okay, I make a motion
48 for proposal 28(A) then.

49

50 UNIDENTIFIED SPEAKER: And I second that

00075

1 motion.

2

3 CHAIRWOMAN CROSS: As modified?

4

5 UNIDENTIFIED SPEAKER: Yeah.

6

7 MR. MENDENHALL: Question.

8

9 CHAIRWOMAN CROSS: All those in -- go
10 ahead.

11

12 MR. MENDENHALL: Again with
13 modifications?

14

15 CHAIRWOMAN CROSS: Yeah, that's what I --
16 he knows what I asked. All those in favor of 28(A),
17 signify by stating aye.

18

19 IN UNISON: Aye.

20

21 CHAIRWOMAN CROSS: All those opposed,
22 same sign.

23

24 (No opposing votes)

25

26 CHAIRWOMAN CROSS: Motion carries. So
27 does that end all our proposals? Follow proposal at 01-
28 44.

29

30 MR. MENDENHALL: What page is it on?

31

32 CHAIRWOMAN CROSS: That's the -- we were
33 going to be discussing proposal 44 that was submitted by
34 Leonard Kobuk. There was 90 something communities that
35 used to have C&T for their small streams around their
36 region. It was taken up in front of the Federal
37 Subsistence Board. Ninety-four of the communities were
38 removed however Kotlik was included, which St. Michael
39 and Stebbins are opposing. Ann, do you want to help with
40 this one or.....

41

42 MS. WILKINSON: Bill can.

43

44 CHAIRWOMAN CROSS: Oh, Bill can. I'm
45 sorry. Bill Knauer.

46

47 MR. KNAUER: I just brought up some
48 reference materials for myself. I'll be glad to try and
49 help you on this. One thing that I wanted to put up here
50 on the flip chart, the decision that the Federal

00076

1 Subsistence Board made in December related to a customary
2 and traditional use determination. That's which
3 communities have traditionally harvested that resource in
4 the area, irrespective of a stock status. In other
5 words, just which communities have traditionally
6 harvested there. And there was documentation to show
7 that the communities of Stebbins, St. Michael and Kotlik
8 had traditionally harvested in that area. Now it's my
9 understanding that there is a concern about the stock and
10 its ability to support harvest by those three
11 communities. That in and of itself is not related to
12 C&T. That is related to the 804 process and that comes
13 from section 804 of ANILCA. And in that case, the 804
14 process talks about who among the qualified users can
15 harvest during times of shortage.

16 And it's based on the customary and
17 direct dependance upon the population as a main stay of
18 livelihood, local residency and the availability of
19 alternative resources. You have just recently made a
20 recommendation on a proposal that utilized the 804
21 process. And that related to Unit 22 moose where you
22 restricted the harvest of moose to the communities of
23 White Mountain and Golovin even though all the residents
24 of Unit 22 were qualified. That's not to say that the
25 other folks haven't harvested in that area but what
26 you've said is there is a population shortage of moose
27 and that those communities are closer, have a greater
28 direct dependence and less availability of alternative
29 resources. So I'll stop there and let you ask any
30 questions.

31
32 CHAIRWOMAN CROSS: So the key words are
33 -- at the time -- is shortage. 804 only applies at the
34 times of shortage.

35
36 MR. KNAUER: Right. That's my wording.
37 The actual wording says when it is necessary to restrict
38 the subsistence taking in order to protect the continued
39 viability of such populations or to continue subsistence
40 uses, the Board shall establish a priority among Alaska
41 rural residents after considering the recommendation. So
42 what that means is, in times of a population shortage.

43
44 MR. MENDENHALL: Madame Chair, in past
45 history, during territorial times and even in
46 traditional, if there's a shortage of game, our people
47 would have to move with the game -- in essence nomadic.
48 We go where the game is. And it may mean long, long
49 trips, even up to Kotzebue area to get caribou in this
50 time of shortage. We have stories of that from our area

00077

1 of our ancestors. And along with the land selection
2 during -- on ANSCA land, like Nome and -- they chose land
3 around where they traditionally, by having each year,
4 have caps. That's based on our land selection. In time
5 of shortage, we do have legacies of the moving and
6 hunting. So you're wanting to define that. Even now,
7 like some villages will go beyond their ANCSA land and
8 even their regional land to go into hunting. And I --
9 when that caribou doesn't come, they usually go where the
10 caribou is or used to be.

11

12 CHAIRWOMAN CROSS: Leonard. Anyway, the
13 reason you wanted to bring proposal 44 back again is
14 because people of St. Michael and Stebbins are still
15 unhappy with the result that came out from the Federal
16 Subsistence Board and he'll explain.

17

18 MR. KOBUK: My name is Leonard Kobuk. I
19 represent St. Michael and Stebbins. When I first
20 submitted a proposal and we went against -- the first
21 proposal said that Pikmiktalik River, which in our own
22 opinion is not a river because a river defined is waters
23 that is navigatable both in high and low tide whereas
24 Pikmiktalik is more like Ship Creek. If the tide drops,
25 you cannot go -- you can go to a certain point and then
26 after that, when the tide is low, you can't travel
27 anymore. The concerns that the village of St. Michael
28 and Stebbins, first they were trying to say it was
29 connected to the Yukon and now they inserted Andreafsky
30 in the proposal. In my proposal I stated that
31 Pikmiktalik River is a river by itself. And I have some
32 letters here that I would like to read to the Board. And
33 these are copies that were made. The first one comes
34 from the Native village of St. Michael.

35

36 To the Federal Subsistence Board. And
37 it's from the Elders Committee of St. Michael.
38 Subsistence boundary and term changes. To whom it may
39 concern, this is a letter to support original proposal
40 FP02-44 that Leonard Kobuk submitted at your last
41 meeting, dated September 25th and 26th, 2001. We had a
42 meeting there in St. Michael with Federal Subsistence
43 staff and they wanted -- the reason they wanted to make
44 it just exclusive to the only two villages -- and this is
45 the concerns of the Elders. First of all, we the Elders
46 Committee of St. Michael strongly disagree with the
47 modified FP02-44 proposal stating that the Andreafsky
48 River connects to Pikmiktalik River, because it does not.
49 We know that the Pikmiktalik River lies closely to the
50 Andreafsky River but it is in no way shape or form

00078

1 connected to the Pikmiktalik River. It is in fact
2 separated by a hill. The Elders say you have to go over
3 a large hill to go down into the Andraefsky -- to get to
4 the Andraefsky part.

5
6 Having stated this, we would like to
7 clarify the actual characteristics of the Pikmiktalik
8 River so that there will be not be any further
9 misunderstanding in the future. Our suggestion is to
10 change the name from Pikmiktalik River to either
11 Pikmiktalik Creek or stream. Particularly for the
12 following reason: to travel the full length of the
13 Pikmiktalik River is accessible only when the tide is
14 high. However, when the tide is low one can only go so
15 far before having to go back down to the mouth of the
16 river or wait until the tide comes in again. Last but
17 not least we continue to support that the people of both
18 Stebbins and St. Michael have exclusive rights to subsist
19 the Pikmiktalik and Unukok (ph) rivers. We would like to
20 see reasonable standards set to keep these rivers
21 protected so that the traditional foods that we strictly
22 use for subsistence will be sustained for future -- for
23 generations to come.

24
25 We'd like to thank you for your time and
26 hope that the Board will consider these suggestions that
27 the people of St. Michael and Stebbins have traditionally
28 subsisted in the nearby rivers ever since we can
29 remember. And it's signed by the Elders, Carl Otten,
30 Bernadette Tom, Christine Washington, Rita Oyoumik,
31 Elvira Otten, Natala Karen, Eliza Karen, Clifford Tom,
32 Gabriel Miumik (ph), Chairman. And the other Elder I do
33 not see signed is -- I can't remember his English
34 name.....

35
36 MR. MENDENHALL: Leonard, do you make
37 that as a motion?

38
39 MR. KOBUK: I still have more to read
40 concerning this. And the other one is from the Native
41 village of St. Michael. Proposal FP02-44, Federal
42 Subsistence Board. And this comes from the IRA Council.
43 This letter is to clarify our proposal FP02-44 as
44 originally proposed for customary and traditional use by
45 the villages of Stebbins and St. Michael. The St.
46 Michael IRA Council wants exclusive use for salmon and
47 all fresh water fish species in the specified rivers
48 listed in the original proposal. The rivers are not in
49 any shape or form connected to the Andraefsky or Yukon
50 River. The rivers originally listed are drainages from --

00079

1 there's a typo in here. From to a creeks and no one can
2 go through them all the way to the hills because the
3 river originally listed are more like creeks except for
4 the big and little canal river. A map is enclosed for
5 viewing by the Board to show the rivers originally listed
6 in the proposal. And I brought the map, it's here.

7

8 The exclusive use by the villages of
9 Stebbins and St. Michael is strongly encouraged because
10 the residential boat villages have witnessed commercial
11 fishermen from Kotlik using the specific Pikmiktalik
12 River for commercial fishing there in the commercial
13 fishing season from that area. The residents of Kotlik
14 also have their own rivers where they have used for
15 salmon and all fresh water fish species and have used
16 them over the years. The only use the residents of
17 Kotlik would use the rivers originally listed in the
18 proposal is when harvesting for seasonal wild berries.
19 These are why we strongly encourage the Board to
20 reconsider, is that the villages of Stebbins and St.
21 Michael original proposal for exclusive use for salmon
22 and all fresh water fish species in the specified rivers.
23 Sincerely, Pius Washington, IRA Village Council
24 President.

25

26 And the other one is from the Stebbins
27 Community Association IRA Council, Stebbins, Alaska. To
28 the Seward Peninsula Subsistence Regional Advisory
29 Council from Morris L. NASHANUK (ph) Sr., President and
30 CEO. Proposal FP02-44. Respected gentlemen and ladies
31 of the Subsistence Regional Advisory Council. I would
32 like to thank you on behalf of the tribe members,
33 residents, for supporting proposal 44, Stebbins and St.
34 Michael submitted during your meeting of September 25th
35 and 26th. After reviewing your last meeting minutes, I
36 find it personally hard to accept some reports,
37 especially analysis and recommendations to influence the
38 decision making representatives. From my prospective
39 view, any wide angle from Norton Sound, Port Clarence
40 area to the Yukon northern area justified a need of the
41 '94 committees as reported. Yet again, the report states
42 24 communities within a 150 mile radius of the
43 Pikmiktalik River. The report does not clearly identify
44 the communities in question other than Kotlik.

45

46 And again, these issues began where needs
47 of the customary and traditional originated. The
48 arguments based on the unknown numbers of resources
49 entering into the Pikmiktalik River are a threat to the
50 very existence of the resources. The current potential

00080

1 concern is due to over-fishing by methods other than
2 traditional ways of using nets. Weekenders use rod and
3 reel, intercepts enough salmon migration into the river
4 by commercial fishermen who illegally set nets near the
5 mouth of the river prior to the Lower Yukon salmon
6 opening. Another is caused by ever increasing traffic.
7 Bigger outboard boats and erosion of the river
8 embankments caused by wakes created by overpowered
9 skiffs. If we can correct the mean and methods on salmon
10 is harvested by incorporating restrictions. I think we
11 can measure viable solutions by addressing the concerns
12 to the Council and revamp the alternative solutions
13 adopted by the Council.

14

15 And then I have a last letter from the
16 St. Michael Native Corporation, St. Michael. Federal
17 Subsistence Board, Anchorage, Alaska. Sub-proposal
18 submitted by Leonard Kobuk. To whoever this may concern.
19 The St. Michael Native Corporation is in support of
20 Leonard Kobuk's proposal. The Píkmíktalik River is in
21 actuality a small navigatable creek during the high water
22 at tide times. The creek has been used for subsistence
23 fishing regions since time and memorial by the St.
24 Michael and Stebbins people. If any more people from
25 other areas start using the area for fishing, the salmon
26 will soon get depleted. Our future children will no
27 longer be able to use the creek for subsistence purposes.
28 The so-called river is not in any way connected to the
29 Andreafsky or the Yukon rivers as per our Elders and map
30 that Leonard has with him. Thank you, Susan Horn,
31 President, St. Michael Native Corporation.

32

33 And I've given these to Ann, she has them
34 on file. And it's my own -- and this is going to be in
35 my own point of view. When we first started having our
36 Federal Subsistence meeting in Anchorage, the Feds said
37 they would support the villages and help the villages in
38 protecting the subsistence way of life. This little --
39 this Píkmíktalik River, which is more like a creek or a
40 stream, inviting one more other village to come and to
41 fish, especially in a time when they are closing down the
42 commercial fishing in the Yukon River, it has impacted
43 the river in ways that only the villages of St. Michael
44 and Stebbins know because they fish there year-round.
45 And that's in the early spring until late fall. And I
46 find it kind of hard that the Feds would allow or go
47 against the concerns of the villages. And this is my own
48 point of view. If the Federal government wants to
49 include Kotlik in the fish that go up that river, then I
50 think the Feds should be held liable and so does the

00081

1 village of Kotlik since it was submitted, the opposition
2 came from the corporation. And if there's no more fish
3 in that river then the Feds should feed the people of
4 both villages during the winter. Because if there's no
5 more fish there will be no more fish. And that's my own
6 opinion. And that's all I have to say.

7

8 MR. MENDENHALL: Madame Chair. I looked
9 at the minutes that you referred to and I see on proposal
10 44 on page five, six and seven where there was
11 deliberation and there was written comments. And on page
12 seven the motion carried unanimously to support the
13 proposal as submitted by Mr. Kobuk and that's what you
14 submitted. But we -- it passed and then you -- are you
15 saying that those documentations are.....

16

17 CHAIRWOMAN CROSS: No, it was taken in
18 front of the Federal Subsistence Board meeting and they
19 removed 94 communities. The decision of the Federal
20 Subsistence Board was they removed 94 communities that
21 had C&T use however left Stebbins, St. Michael and Kotlik
22 as the users of those small streams. What Stebbins and
23 St. Michael wanted was exclusive use to Stebbins and St.
24 Michael. But the Federal Subsistence Board also kept
25 Kotlik as one of the C&T users.

26

27 MR. MENDENHALL: It seems that they
28 progressed from 94 being dismissed and then by keeping
29 three, that's quite a -- three out of 94 communities, you
30 know, I think that's damn good.

31

32 MR. KNAUER: Yes, Madame Chairman and
33 Leonard. The Board, in that decision, made a customary
34 and traditional use determination. They looked at the
35 testimony of individuals. They looked at the
36 recommendations of the Council. They also looked at all
37 of the literature from previous information and they
38 talked to other folks. And they made the determination
39 of who has traditionally used the resource. The letters
40 that Mr. Kobuk is reading relate to the 804 process,
41 which is, if there is a shortage, who among the users, in
42 other words, who among the three communities should be
43 using the resources in times of shortage. Right now is
44 the appropriate time to submit a proposal related to the
45 804 process that would say, if I can paraphrase what Mr.
46 Kobuk has presented there, that of the three communities,
47 Stebbins and St. Michael are the only communities,
48 because of the shortage, that should be allowed to use
49 this resource now. And like I said, now is the time to
50 submit a proposal in that regard related to 804. It does

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1 not change the C&T because there is good documentation
2 that folks from Kotlik have used it in the past. But
3 with the shortage, I'm hearing that the folks in Stebbins
4 and St. Michael believe that they are more dependent on
5 it than the folks from Kotlik and that the resource
6 cannot support all three communities.

7

8 MR. KOBUK: I have a comment, Madame
9 Chair. With all the rivers that they have there in the
10 Yukon and these two villages having these two main little
11 streams that the fish go up to spawn, to try to include
12 another village into that stream, we're just asking for
13 that river to be fished down. That is the main concern
14 of the village and that's -- it's never been really used
15 much by the Kotlik people until the problem -- the
16 situation that occurred in the Yukon with the fish
17 dwindling. Then that's when more traffic has been than
18 it has ever been before. And like it was stated in the
19 letters both from the IRAs and the corporation, even
20 though there was a boundary where the commercial
21 fishermen couldn't go beyond yet they were going beyond
22 it and getting away with fishing there at the mouth. And
23 then our concern is, if the State couldn't enforce what
24 was supposed to be enforced then the Feds aren't going to
25 be there because they don't -- because for whatever
26 reasons it may be money -- how will they know when the
27 fish in river is getting few or is about to be depleted?
28 That is the main concern of both villages because
29 Stebbins and St. Michael people, they camp there, like I
30 said, from spring until fall time. Then they move back
31 to the villages. We just want to protect where we've
32 always done our fishing.

33

34 CHAIRWOMAN CROSS: I think what he's
35 saying is to avoid a 80 -- times of shortage. To avoid a
36 time when there will be a time of shortage. That this
37 issue needs to be addressed. Perhaps not to wait when
38 there are not enough fish in the river to sustain three
39 communities but address it in a way where the problem
40 doesn't escalate to the point where there's -- the fish
41 stocks in those small streams are depleted. Is that what
42 I'm hearing from you? I'm not sure if 804 is the answer.
43 I mean, doesn't that only kick in when there's times of
44 shortage?

45

46 MR. KOBUK: Madame Chair, Stebbins has
47 submitted a proposal for a fish test and I don't know
48 when that's going to happen. We would like to see this
49 test done right away so that we can know exactly what
50 kind of fish goes into Pikmiktalik River and how much

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1 goes in there.

2

3 MS. McCLENAHAN: Madame Chair, as far as
4 I understand it, after working with Fisheries Information
5 Services, there is a study plan coming up this spring.
6 Isn't that true -- or summer? That will be helpful. But
7 you need not wait to have this 804, you can submit that
8 now to us. We can help you write it. It can go forward
9 in this regular cycle.

10

11 MR. MENDENHALL: But -- yeah, Madame
12 Chair. I also believe there's been some surveys done by
13 Kawerak and also by State Fish and Game in the late
14 seventies regarding going to surveys on those three
15 villages and they should have documentation as to their
16 C&T. And I think agencies here and the Federal
17 Subsistence Board have to live by those documentations
18 and it governs that. But as far as we voted, took our
19 vote on this proposal 44 and supported you
20 wholeheartedly. What they've done there, on management
21 level, is look at C&T. The 80 -- what process? 804
22 process. But anyway, there's documentation done in the
23 seventies of these communities both by court and also by
24 Fish and Game. And I remember Charlie being involved in
25 that part long ago. Is that right, Charlie Lean?

26

27 MS. McCLENAHAN: Madame Chair.

28

29 CHAIRWOMAN CROSS: Yes.

30

31 MS. McCLENAHAN: We have used those data.
32 We've gotten the data from everyone and we've included it
33 in our analysis however that doesn't address -- we have
34 not addressed this 804 situation and we can do that.

35

36 CHAIRWOMAN CROSS: So you want to meet
37 with him and do a proposal later?

38

39 MS. McCLENAHAN: If that's okay with you.

40

41 CHAIRWOMAN CROSS: So he'll meet with the
42 Staff later and they'll help him with the proposal.

43

44 MR. MENDENHALL: So in essence, we'll
45 wait until we get documentation for -- this spring right
46 -- and we can revisit it again.

47

48 CHAIRWOMAN CROSS: No, he's going to
49 submit an 804 proposal, the Staff is going to help him.
50 Okay, call for proposals to change Federal subsistence

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1 fisheries regulation -- and it looks like you got one
2 already that's going to be in the works.

3

4 In Tab E there's a how to change fishery
5 subsistence -- how to change the Federal Subsistence
6 Fisheries regulations, general information and a proposal
7 form and who to contact. Information on people to
8 contact and information in there. Is anybody going to be
9 addressing these or it's just for informational purposes?
10 Just for information, okay. Any questions on those
11 forms? No.

12

13 Twelve, resolution regarding high seas
14 salmon by-catch, Tab F. And that's the one that was
15 submitted by Eastern Interior. Is anybody going to be
16 addressing this?

17

18 (No audible response)

19

20 CHAIRWOMAN CROSS: So that's for inform --
21 does anybody have any questions?

22

23 UNIDENTIFIED SPEAKER: It's for
24 discussion amongst your Council, if you'd like to discuss
25 further.

26

27 CHAIRWOMAN CROSS: Is there any
28 discussion on this or do you guys want to read it?

29

30 MR. MENDENHALL: I believe that the
31 Alaska Department Fish Board is dealing with those --
32 North Pacific Fishery Management Council. That's my
33 understanding; is that correct? Anybody from State?

34

35 (No audible response)

36

37 CHAIRWOMAN CROSS: Should we move on then
38 to Tab -- to customary trade or does anybody have any
39 comments on this? Then we'll move on to customary trade.
40 Bill Knauer.

41

42 MR. MENDENHALL: FYI.

43

44 CHAIRWOMAN CROSS: Tab G.

45

46 MR. KNAUER: Madame Chair, Council
47 members. Again, good afternoon. My name is Bill Knauer.
48 In your Council books at Tab G are the materials on
49 customary trade. Here you'll find the general briefing
50 that was prepared for the regional councils summarizing

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1 the actions that were taken by the Federal Subsistence
2 Board in developing the proposed rule addressing
3 customary trade. Today we're asking for your input and
4 recommendations on the proposed customary trade
5 regulatory changes. My presentation will cover five
6 different areas. A general history and background of why
7 the issue of customary trade is before you. A summary of
8 the Board actions taken during their December meeting. A
9 summary of the tribal consultation that has come thus far
10 and is scheduled to continue. An estimated schedule of
11 events working towards a final rule. The importance of
12 your input and a discussion of a proposed regulatory
13 language.

14

15 Title VIII of ANILCA specifically
16 identifies customary trade as a recognized part of
17 subsistence uses. The customary trade is defined as the
18 cash sale of fish and wildlife resources to support
19 personal or family needs as long as it does not
20 constitute a significant commercial enterprise. The
21 distinction between the terms customary trade and barter,
22 which was also provided for in Title VIII, is that
23 customary trade is the exchange of subsistence resources
24 for cash while barter is defined as the exchange of
25 subsistence resources for something other than cash.
26 While the exchange of subsistence resources of customary
27 trade may actually involve fish, shellfish or wildlife
28 resources, the proposed rule that we are discussing today
29 only covers the exchange of fishery sources.

30

31 In late 2000, the Board established a
32 customary trade task force composed of the
33 representatives of the 10 regional councils, fishery
34 biologists, enforcement personnel, anthropologists and
35 others. Your Chair was the Council representative from
36 this Council on this task force. The task force was
37 charged with developing draft regulatory language
38 defining the intent of customary trade. And in
39 developing the language, the task force identified three
40 types of customary trade. Transactions between rural
41 residents, transactions between rural residents and
42 others where others is defined as commercial entities
43 other than fishery businesses and individuals other than
44 rural residents. And thirdly, transactions with fishery
45 businesses.

46

47 As you will recall, preliminary draft
48 language was developed by the task force and then
49 circulated for your review during your last fall cycle.
50 It was also set for review to the 229 federally

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1 recognized tribes and put out for general public review.
2 The task force met one more time after that to consider
3 all of the comments that were received and they
4 eventually developed draft language that was presented to
5 the Board on December 12th as Option 1 of six different
6 options for Board consideration. Those six options are
7 summarized very briefly at page two and behind Tab G.

8

9 During the review of the task force
10 recommendations by the Council, seven of the 10 councils
11 made specific regional recommendations. Your regional
12 council recommendation, along with the others, can be
13 found at Tab G, page 12. Excuse me, that's page 11. And
14 you'll notice in the Norton Sound-Port Clarence area,
15 your recommendation was not to place a limit on the
16 exchange between rural residents and others. Some of the
17 regional councils recommended that a monetary cap for the
18 exchange of salmon between rural residents and others in
19 the amount of \$1,000 be placed.

20

21 The regional councils generally agreed
22 with the cap but some suggested regional needs and
23 differences that would have -- that the cap was too high
24 and others thought it was too low. Some council members
25 expressed concern that allowing sales in areas
26 experiencing subsistence shortages and limited fishing
27 opportunities like has occurred recently in the Yukon and
28 Kuskokwim Rivers, was inappropriate. Some councils were
29 also concerned that the draft language restricted barter
30 between rural residents and others. During their
31 December 2001 meeting, the Federal Subsistence Board took
32 action to start the process of refining Federal
33 regulations for customary trade. The Board considered
34 the six options for a proposed rule regarding customary
35 trade. Those options in detail can be found starting at
36 page 8.

37

38 After hearing the report of the task
39 force and the six options and comments and
40 recommendations from the council chairs, the Alaska
41 Department of Fish and Game, the Department of
42 Environmental Conservation and other members of the
43 public, the Board decided to implement Option 5 which is
44 to initiate a formal rule making process with a proposed
45 rule. Option 5 supports in part the recommendation of
46 the customary trade task force and the regional councils
47 by allowing unlimited customary trade between rural
48 residents and prohibiting customary trade or barter with
49 fishery businesses. Because most customary trade among
50 rural subsistence users occurs between local users and

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1 involves only small amounts of fish, the Board does not
2 believe that this rule will create an incentive for
3 additional harvest of resources nor will result in
4 additional fish being sold in the commercial markets.

5
6 Likewise, nothing in this proposed rule
7 would displace, supersede or preempt State or Federal
8 food and health safety laws and regulations governing the
9 processing, handling or sale of fish. During the
10 development of this proposed rule and the draft language
11 submitted by the task force, the Board initiated tribal
12 consultation with the 229 federally recognized tribes.
13 The consultation was conducted pursuant to the Department
14 of the Interior Alaska policy on government to government
15 relations with Alaska tribes. They will be continuing
16 this consultation during the comment period that's before
17 us now. Tribal consultation has also initiated, in very
18 close cooperation with the Alaska Intertribal Council.
19 The Board believes that the proposed rule could have a
20 substantial effect on federally recognized tribes and
21 encourages those tribes to submit their comments on the
22 proposed rule.

23
24 The Board's estimated schedule is, for
25 the public comment period to end, probably sometime in
26 April. I say probably because there has been a delay in
27 the publication of the proposed rule. In fact it will
28 actually appear in the Federal register tomorrow. And
29 hopefully the Board will then make a decision hopefully
30 sometime in May or June. And under the schedule that
31 they have put out, hope to have a rule effective by July
32 1st. This proposed rule is now before you and the other
33 councils for further input prior to implementation of a
34 final rule. The Board is asking for your comments on
35 this proposed rule, on the six options that they
36 considered and on the regional recommendations.

37
38 It's also important to understand that
39 because this rule would appear in sub-part (D), it is
40 open to annual review. So if we -- the Board adopts
41 something this year and then for some reason there are
42 concerns that it needs to be modified, it would be available
43 for review and modification by proposals each year
44 thereafter. Just as seasons and harvest limits are.
45 What I would like to do is take a look at the proposed
46 rule as it will be published in the Federal register on
47 page 5. You'll see that there are three sections.
48 Section 11, which talks about transactions between rural
49 residents. Section 12, which talks about transactions
50 between rural residents and others. And then Section 13,

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1 which is transactions with fishery businesses.

2

3 In previous discussions with the councils
4 and with the task force, there was general consensus on
5 Sections 11 and Section 13. There was agreement with
6 those. I would certainly welcome comments on those but I
7 would suggest that you focus your concern and comments on
8 Section 12 and on the regional council recommendations.
9 Madame Chair, that concludes my briefing and I'm
10 available for any questions as you deliberate and
11 formulate your Council input. Thank you.

12

13 CHAIRWOMAN CROSS: So they stuck the
14 words significant commercial enterprise back right in,
15 huh? Twelve.

16

17 MR. KNAUER: Yes, the Board, since there
18 were a lot of comments during the December meeting about
19 all of the regional limits, that those -- there were
20 comments that the councils hadn't had a full opportunity
21 to review those and also the option for either a permit
22 or a record keeping that the Board, at least for the
23 proposed rule, would put this in. Now if the councils,
24 as a group, come back and say we really like the regional
25 differences, we think there should be either a permit or
26 a record keeping requirement, the Board might go that
27 way. But that will depend upon how the recommendations
28 from the councils come.

29

30 CHAIRWOMAN CROSS: I thought the reason
31 why they were studying this was because there was no
32 definition of significant commercial enterprise.

33

34 MR. KNAUER: The Board is concerned that
35 that is a failing of this and they would hope that the
36 councils would come up with something but until they do,
37 essentially that's the status quo in there right now.
38 But they would like to see something from the councils in
39 that regard.

40

41 MR. MENDENHALL: Madame Chair, in our
42 minutes we do make that recommendation that there be no
43 dollar amounts. And since this is a first time of
44 exercising of the C&T in this regard, I feel quite
45 comfortable with the way it's presented. And I think
46 each region recognize each regional difference and I like
47 that concept rather than us trying to bawl out North
48 Slope, we don't know anything about North Slope or
49 Kotzebue. So I don't want them to be bawling us out for
50 things we do in our region. So I think -- I like this

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1 local control concept where we look at it ourselves and
2 deal with it internally in region. And I think we have
3 that capability to do that even through our Native
4 organizations that we work with.

5
6 And the fact that a lot of the land and
7 waters encompasses that -- in our region are around some
8 of the land selection of ANSCA corporations and on the
9 regional level. So there are some land policies within
10 some of the village corporations and I feel comfortable
11 with us looking at it and dealing with it. There are
12 other tasks like this but I like this the way it's
13 presented right now because it's not constrictive -- or
14 too restrictive but it's still saying significant. But
15 we need to look at it another time and see if it is
16 detrimental. But right now if we're getting off the
17 ground, I feel comfortable with it. Because some of our
18 areas outside of -- in other parts in our region may deal
19 with it more than we do. So I don't want to restrict
20 that until we definitely get some hassles about it in the
21 future.

22
23 CHAIRWOMAN CROSS: What I do note from
24 attending all the customary trade task force meetings,
25 I'd rather see it on the -- you know, if any limitations
26 or any kind of dollar limitation is going to be made that
27 it be done region by region. There is need in some
28 regions to do that and they've expressed that need. That
29 there should be dollar limits to how much subsistence
30 fish can be sold and each part of Alaska had something
31 different to say. Like us, it's probably more the
32 quantity, the number of fish that we trade for versus the
33 amount of money you could make because of our limited
34 fisheries. But that's not an issue right now because I
35 have never heard of any fish and game violation that
36 pertains to subsistence caught fish being sold within our
37 region. But apparently in other parts of Alaska it is
38 happening and there was expressed -- that's why some of
39 the regions had \$1,000 cap. Yukon River thought that the
40 \$1,000 cap was too large because it was going to
41 encourage people to begin to sell subsistence caught
42 fish. There are many, many concerns regarding the money
43 portion. So Perry is right. I'd rather see the money
44 portion or limitation portion be left to the regions.

45
46 MR. MENDENHALL: I agree with you, I just
47 don't want any money mentioned at all and just say leave
48 it at the barter or trade situation. And even like you
49 said, region by region. And I think we should stay out
50 of other regions' business. They have their own business

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1 and we have our own business in our own region. And it's
2 subsistence basically and I don't see it needs a cap on
3 anything. So I'm kind of comfortable with this type of
4 thing and we know that unless it constitutes significant
5 commercial enterprise and that without any dollar amount,
6 that's great. Because we do trade a lot in our region
7 for berries, for muktuk, skins, from village to village
8 and outside to our relatives in other parts of Alaska.
9

10 MR. KNAUER: Madame Chair and Perry.

11

12 CHAIRWOMAN CROSS: Yes.

13

14 MR. KNAUER: I would point out that this
15 does not include barter. We're not talking barter here.
16 We're not talking about trading for berries, muktuk or
17 anything else. What I'm hearing is that you sort of like
18 the Option 4 that's on page 10 where there are regional
19 differences and your region does not place a limit on it.
20 Is this what I'm hearing you say, Perry and Madame Chair?
21

22 MR. MENDENHALL: That is correct. That's
23 what my stance.

24

25 CHAIRWOMAN CROSS: And this ADG&F or
26 somebody -- people involving with fisheries has problems.
27 I never heard of that being a problem whatsoever in terms
28 of money.

29

30 MR. MENDENHALL: I know that when we set
31 policy on this level, on the policy level, the
32 enforcement agencies tend to go overboard when they try
33 to interpret it themselves. And I don't want to give
34 them any more ammunition to go into a tent or a cabin and
35 say you had done something illegal to my people or my
36 relatives in this region. And right now I don't want any
37 connotation on dollar amounts.

38

39 CHAIRWOMAN CROSS: Is everybody
40 comfortable with Option 4? Supporting Option 4 where
41 they would be regional limitations if we make that
42 recommendation. If there is going to be any money
43 limitations then that should be determined regionally. I
44 think we're comfortable with that option.

45

46 MR. KNAUER: Madame Chair, it would be
47 very helpful to the Board to have a formal motion on each
48 of the three sections that you see in front of you.

49 There is very little objections that have been heard on
50 Sections 11 and Section 13. And what your discussion is

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1 on right now is, how Section 12 should be and I'm hearing
2 that you like Option 4 for Section 12. But you may, just
3 so that the Board is very clear on what the
4 recommendation of this Council is, I would suggest that
5 you deal with each of those in a separate motion.

6
7 MR. MENDENHALL: I make a motion for
8 support of C-11.

9
10 UNIDENTIFIED SPEAKER: I second.

11
12 CHAIRWOMAN CROSS: There's a motion on
13 the floor to support C-11.

14
15 MR. MENDENHALL: And with the thing
16 though saying traditional transaction instead of
17 transaction it will be traditional transaction so we have
18 a leg to stand on in the future when our kids are going
19 from high school into art instead. They'll be able to go
20 back to our records.

21
22 MR. KOBUK: Question.

23
24 CHAIRWOMAN CROSS: The question has been
25 called. All those in favor, signify by stating aye.

26
27 IN UNISON: Aye.

28
29 CHAIRWOMAN CROSS: All those opposed,
30 same sign.

31
32 MR. MENDENHALL: Now you noted that
33 traditional transaction?

34
35 MR. MAGDANZ: Madame Chair, Jim Magdanz.
36 The State does have some comments about customary trade
37 and our perspective on it. I didn't know if that would
38 be useful to provide before you actually reached some
39 recommendations for yourself or whether -- at what point
40 you wanted the State's comments on this.

41
42 CHAIRWOMAN CROSS: We'll hear your
43 comments.

44
45 MR. MAGDANZ: Madame Chair, Jim Magdanz
46 with the Division of Subsistence and thanks for the
47 opportunity to comment on the question of how customary
48 trade should be handled in Federal regulations. The
49 State law includes customary trade in the definition of
50 subsistence and the boards of fisheries and game have

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1 provided for customary trade on a proposal by proposal,
2 case by case basis. And we view customary trade as an
3 ongoing customary and traditional subsistence use.
4 However, very few customary trade proposals have ever
5 come before the State boards. And I think most of us
6 would agree that without appropriate regulation of
7 customary trade, in some situations, there is the
8 potential for subsistence harvest to be diverted to
9 quasi-commercial markets for profit. And a high profile
10 incident involving an abuse of customary trade could
11 severely undermine public support for ANILCA Title VIII
12 subsistence protections. One case that comes to mind is
13 the herring roe in Southeast Alaska about 10 years ago.
14

15 So we think it's particularly important
16 that customary trade issues be carefully evaluated and
17 addressed on a case by case basis. And the reason is
18 simply that customary trade practices are different
19 across Alaska. As different as the underlying culture
20 and geography are different. And one size cannot
21 possibly fit all. And attempting to develop sort of a
22 blanket limit or a statewide allowance ignores the
23 tremendous diversity of trade that occurs among Alaska
24 Native cultures. That's what I'm hearing this group say
25 today. I think we're in agreement on that point.
26

27 We applaud the work that this customary
28 trade task force has put into developing the language and
29 we note that the language should be very carefully chosen
30 regarding the potential for significant cash sales and
31 increased subsistence harvest of salmon and possibly
32 other fish species.
33

34 But we do believe that these problems can
35 be avoided and that ongoing patterns of customary trade
36 can be protected. And to reach those goals we have
37 several recommendations. One, that we think regulations
38 should be developed on a region specific customary and
39 traditional practices. Two, that in order to protect
40 vulnerable salmon stocks in particular, a household cap
41 on either the number of pounds -- number or pounds of
42 fish traded is necessary and appropriate. And we think
43 that the regulation should apply to the amount of the
44 resource harvested rather than a dollar value. A number
45 of fish or a poundage of fish rather than dollars.
46 Because a focus on the amount of the resource emphasizes
47 our interest and your interest in the resource rather
48 than the monetary value. The impact of a harvest, if you
49 say people can take 500 salmon or whatever, would be
50 stable over time regardless of market fluctuations. But

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1 a dollar value would make your fishery very responsive to
2 market fluctuations. A sudden increase in the value of
3 Chinook salmon, for example, could cause a significant
4 increase in customary trade.

5
6 The mechanism is needed to determine the
7 effect of the new regulations on the use of the resource.
8 We need to know, you need to know, if new customary and
9 trade regulations simply accommodate a practice that's
10 continuing or if they provide an incentive to increase
11 the subsistence harvest. And finally, our final point on
12 factors to consider is that we would encourage every
13 effort to be made to achieve consistency between State
14 and Federal regulations. In conclusion, while the
15 Department supports development and clarification of
16 Federal regulations addressing customary trade, a region
17 or sub-region level of understanding of Alaska Native and
18 other rural customary trade practices should be the basis
19 upon which future regulatory proposals are drafted. We
20 will prepare some formal comments about the proposed
21 rule, which is yet to be published. But in the meantime,
22 we appreciate the opportunity to hear from you and from
23 other RACs on this issue. And thanks again for your
24 opportunity.

25
26 CHAIRWOMAN CROSS: And thank you and I'm
27 sorry I overlooked you. I didn't know you had any
28 comments to make. Does anybody else have any comments to
29 make on the subject? I don't see anybody jump up and
30 down so, thank you.

31
32 MR. MENDENHALL: I make a motion -- oops,
33 go ahead.

34
35 MR. KNAUER: Madame Chair, I've got one
36 point that I neglected to make and I think it is
37 important that the Council be aware that this would -- if
38 you look at your map, this would only -- the Federal
39 regulations would really only apply to the Federal waters
40 down there south of the Stebbins area. In other words,
41 on the northern portion of the Yukon-Delta refuge that's
42 in pink. And in the Bering Land Bridge portion up in the
43 northern part of your region. So it's -- the Federal
44 regulations would not apply throughout the region. And
45 so that is something to consider. The other thing I
46 might mention is that on Section 12, which is coming up,
47 the regional option can be used with that wording that's
48 there. We'd have to just do a little tweaking. But you
49 can do the regional option with the way it is in there
50 right now. That would provide the regional flexibility

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1 that I think you folks may be looking for. Thank you.

2

3 MR. MENDENHALL: Madame Chair.

4

5 CHAIRWOMAN CROSS: Thank you.

6

7 MR. MENDENHALL: I make a -- he asked for
8 a proposal -- I mean a motion. So I make motion to
9 support 12 with the addition that it be a regional
10 decision regarding the traditional transaction between a
11 rural resident and others. That modification.

12

13 MR. SAVETILIK: I second.

14

15 MR. KOBUK: Question.

16

17 CHAIRWOMAN CROSS: All those in favor of
18 the motion, signify by stating aye.

19

20 IN UNISON: Aye.

21

22 CHAIRWOMAN CROSS: All those opposed,
23 same sign.

24

25 (No opposing votes)

26

27 CHAIRWOMAN CROSS: Motion carries.

28

29 MR. MENDENHALL: I also make a motion for
30 support of number 13. Since we only deal with
31 subsistence, this kind of puts it hard line that no
32 purchase by fishery business. But I know that some
33 villages, like Anika, buys fish to be sold in other
34 villages that don't have that kind of fish. So I'm kind
35 of mixed right there and I need comments and help from
36 the other members here.

37

38 MR. KOBUK: I know our store -- Anika's
39 store in St. Michael and I don't know if the Stebbins
40 does it but they probably do. They sell dry fish that
41 the Yukon people bring because the residents of St.
42 Michael like the oily fish. Or either that or even white
43 fish or chi fish.

44

45 CHAIRWOMAN CROSS: Before we go into
46 further discussion, let's have -- it appears to me, it
47 says, if you are required to be licensed as a fisheries
48 business under Alaska Statute, AS 43.75.011. I don't
49 think that that includes stores.

50

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1 MR. KNAUER: No, it does not. That's
2 generally your fish processors and fish buyers and so on.
3

4 MR. MENDENHALL: I'm just wondering if
5 we're putting at risk some of -- like Anika, a Native run
6 store enterprise that buys and sells fish between
7 villages in a region.
8

9 CHAIRWOMAN CROSS: Actually Perry, that
10 was really -- that was one of the subjects that was very
11 hot during the customary trade meetings and this is the
12 reason why it changed to -- it used to be for businesses.
13 Then at some point in time it was changed to just fishery
14 businesses. Charlie.
15

16 MR. LEAN: I'm Charlie Lean with the Park
17 Service. I think where this has the most application is
18 at Unalakleet where we have a wild and scenic river,
19 federally managed location and a fish buying station
20 right there in town. So that would be an application
21 where this would occur.
22

23 CHAIRWOMAN CROSS: And Charlie, you're
24 not aware of any such problems anyway, huh? In terms of
25 subsistence fish being sold to those fisheries?
26

27 MR. LEAN: It's happened in the past and
28 I know of a couple of cases that were made. It was
29 illegal activity and I think it would still be considered
30 such.
31

32 CHAIRWOMAN CROSS: Thank you, Charlie.
33 Perry, does that answer your question or your concern?
34

35 MR. MENDENHALL: I don't know if we're
36 doing our people in this region a disservice. I think
37 there's need to be a little bit more legal consultation
38 regarding this. It could even be from Kawerak or it
39 could even be from our own villages -- village tribal
40 councils. And Anika as well because they do buy, like
41 Teller fish for sale in some villages.
42

43 CHAIRWOMAN CROSS: Well, actually Perry,
44 when we were doing the -- on the customary and trade
45 meeting, I had access to Kawerak lawyers. I was one of
46 those individuals that was allowed by Loretta to call the
47 Kawerak lawyers every time something came up that I
48 either had problems with or didn't quite understand or
49 had the thought that there were other implications. So
50 this definition came a long ways from the time that the

00096

1 customary task force first met.

2

3 MR. MENDENHALL: It says no purchase by
4 fishery businesses so I don't see them being a fishery
5 business. It's just a store.

6

7 MR. LEAN: I think the consideration here
8 is a person currently if they're selling fish to the
9 commercial fish buyer and they catch their fish in the
10 river, they're fishing outside the commercial district.
11 And so in the past, you were busted if you did such a
12 thing. The concern here I think is if a person, during
13 the commercial opening, went up river and fished and came
14 down and said, no, this is subsistence fish. I got it up
15 river. And sold it to the fish buyer. They want to
16 continue the same enforcement they've had in the past.
17 And so it's to prevent an abuse of a situation that's now
18 status quo. They don't want to change anything that way.
19 And I think that's what this particular part of the
20 regulation is about.

21

22 CHAIRWOMAN CROSS: I think one of the
23 reasons, like I said, that fisheries businesses --
24 licensed fisheries business under the statutes was
25 written was to avoid problems like people selling a small
26 amount to Anika stores or something like that. That's
27 the reason why -- it used to be for businesses and then
28 we did a lot of discussion and then this is why it came
29 as a protection measure.

30

31 MR. MENDENHALL: You know, on the streets
32 of Nome, they didn't like subsistence going commercial.
33 So I support this no purchase by fishery business.

34

35 CHAIRWOMAN CROSS: And you make a motion
36 in support of it?

37

38 MR. MENDENHALL: Yes.

39

40 CHAIRWOMAN CROSS: Is there a second?

41

42 UNIDENTIFIED SPEAKER: I second.

43

44 CHAIRWOMAN CROSS: All in favor of the
45 motion, signify by stating aye.

46

47 IN UNISON: Aye.

48

49 CHAIRWOMAN CROSS: All opposed, same

50 sign.

00097

1 (No opposing votes)

2

3 CHAIRWOMAN CROSS: Motion carries.

4

5 MR. MENDENHALL: Are you satisfied?

6

7 UNIDENTIFIED SPEAKER: Thank you.

8

9 CHAIRWOMAN CROSS: Okay, now we're on

10 number 14, review annual report. The drafted annual

11 report. It's in Tab H. Is there something we need to

12 add on our annual report or is this annual report okay?

13

14 MR. MENDENHALL: Madame Chair, I make a

15 motion for acceptance of the annual report to be

16 submitted to the Federal Subsistence Board.

17

18 CHAIRWOMAN CROSS: Is there a second?

19

20 MR. KOBUK: I second.

21

22 CHAIRWOMAN CROSS: Discussion.

23

24 UNIDENTIFIED SPEAKER: Question.

25

26 CHAIRWOMAN CROSS: Question has been

27 called. All those in support in of the motion, signify

28 by stating aye.

29

30 IN UNISON: Aye.

31

32 CHAIRWOMAN CROSS: All those opposed,

33 same sign.

34

35 (No opposing votes)

36

37 CHAIRWOMAN CROSS: Motion carries. Now

38 we're down to agency reports. Excuse me, I keep turning

39 this on and off. Should we take a little break first?

40 Yeah, let's take a little break first.

41

42 (Off record)

43

44 (On record)

45

46 CHAIRWOMAN CROSS: Okay, I'm going to

47 call the meeting back. I'm calling the meeting back to

48 order. We're down to agency reports now. Office of

49 Subsistence Management, Federal/State coordination, Bill

50 Knauer.

00098

1 MR. KNAUER: Good afternoon again, Madame
2 Chairman. Bill Knauer. In your council books at Tab I,
3 page 1 there is an information sheet on Federal/State
4 coordination. I would like to summarize some of the
5 information for you here. This is informational only.
6 There is no action that is needed by your council. For
7 the benefit of any new Council members or members of the
8 audience that are not familiar with the Federal/State
9 coordination that has been going on over the past few
10 year, there was an interim Federal/State memorandum of
11 agreement that was agreed to in April of 2000 by the
12 Commissioner of the Alaska Department of Fish and Game,
13 the Chair of the Alaska Board of Fisheries, the Chair of
14 the Alaska Board of Game and the members of the Federal
15 Subsistence Board. Those individuals, by the way, are
16 sometimes referred as the MOA signatories. The purpose
17 of that MOA was to establish guidelines for coordination
18 between the Federal agencies and the Alaska Department of
19 Fish and in managing subsistence use of fish and wildlife
20 resources on Federal public lands in Alaska.

21

22 A working group consisting of
23 representatives of the five Federal agencies and the
24 Alaska Department of Fish and Game, divisions of sport
25 fish, commercial fish, subsistence, board support and
26 wildlife conservation has been meeting on a regular basis
27 to develop protocols which will describe how the agencies
28 will work to accomplish their common goals. There are
29 currently a list of six protocols that have been
30 identified as important in the coordination process. One
31 relates to subsistence management information sharing.
32 There has been a first draft completed and it is
33 approximately ready for signatures. There is Yukon River
34 draining subsistence salmon fishery management protocol.
35 The final draft has been completed and it is now ready
36 for signatures.

37

38 In regulatory coordination, committees
39 have been established and they are shooting for
40 completion sometime in late 2003. And a briefing paper
41 on that is included here in Tab I for you. There is a
42 fisheries regulatory management planning group. The MOA
43 group is currently in the processes of developing a
44 charge of instruction for that group. Likewise for a
45 statewide in-season subsistence fishery management group.
46 The MOA working group is in the process of developing
47 that charge also. And there is a protocol related to
48 subsistence use amounts. They held their first meeting
49 on February 7th and there is a single sheet handout that
50 there was not time to include in your book that I passed

00099

1 out to you earlier today and is available for other
2 members back on the handout table.

3

4 Council members are a very important part
5 of our protocol development process and continued Council
6 participation has been encouraged. The Office of
7 Subsistence Management has also provided additional funds
8 to the State in the year 2002 for liaison and Staff
9 support to enhance coordination and cooperation between
10 the State and Federal agencies.

11

12 That concludes my briefing, Madame Chair,
13 however there are representatives of the State here today
14 and if they have any statements they wish to add or
15 questions that you might have for them I'm sure they'd be
16 glad to answer them. Thank you.

17

18 CHAIRWOMAN CROSS: I have a question. In
19 the game regulatory, is that the one when originally met
20 we were assigning people and Elmer was in the game
21 regulatory. Is that the one that you're talking about?

22

23 MR. KNAUER: I think that's correct.

24

25 CHAIRWOMAN CROSS: And that's the one you
26 said that was going to be meeting when?

27

28 MR. KNAUER: That one is scheduled, I
29 think, for late completion in -- or for completion in
30 late 2003. That's an ongoing effort right now.

31

32 CHAIRWOMAN CROSS: Okay, thank you. Does
33 somebody from the State want to say anything about this?
34 I guess not. Any comments from the Council members?

35

36 MR. SEETOT: So all the protocols are
37 still in draft form? Is that the way I understand it?

38

39 MR. KNAUER: Pretty much. There have
40 been, for the past, I think, two years, a Yukon River
41 protocol that has been drafted and then operated under
42 and they're working to get a final one based on their
43 experiences over the past two years. But the Yukon River
44 fishery, the in-season actions have been extremely well
45 coordinated between the users and the Alaska Department
46 of Fish and Game and the Office of Subsistence Management
47 and the Councils. The Councils have been playing a very
48 large part in that in-season operation.

49

50 CHAIRWOMAN CROSS: Further comments or

00100

1 questions for Mr. Knauer? Well thank you, Mr. Knauer.
2 Statewide rural determination methodology contract. Pat
3 McClenahan. Excuse me.

4

5 MS. McCLENAHAN: Thank you, Madame Chair.
6 Your briefing can be found at Tab I on page 5. The
7 method used to determine if a community is rural or non-
8 rural was developed in 1991. These methods were used as
9 the basis for the initial rural and non-rural
10 determinations that were made at that time. Since then,
11 there have been a number of concerns raised about these
12 methods. The latest was in the reconsideration for the
13 Kenai Peninsula finding in 2001. All rural and non-rural
14 determinations are reviewed by the Board every 10 years.
15 To prepare for the next 10 year evaluation and to
16 evaluate the concerns that have been expressed, the Board
17 directed the Office of Subsistence Management to contract
18 an independent group to evaluate the methods. In
19 September 2001, the Office of Subsistence Management
20 awarded a competitively bid contract to the University of
21 Alaska, Anchorage, the institute of social and economic
22 research there. And there's a completion date of June
23 2002. The contract is going forward. A comprehensive
24 review of existing literature is complete and they've had
25 two focus group meetings so far.

26

27 A public review will take place during
28 the scheduled fall 2002 Regional Advisory Council
29 meetings. And a Board decision on the rural
30 determination methodology is expected in late 2002.
31 Finally, the methodology for 2000 census data and other
32 criteria are expected to be applied for a final statewide
33 rural/non-rural determination in 2003. That concludes my
34 remarks, Madame Chair.

35

36 CHAIRWOMAN CROSS: Any questions or
37 comments? Thank you, Pat. Fisheries resource monitoring
38 program. Steve Fried.

39

40 MR. KNAUER: Madame Chair, he's on the
41 phone right now. If you don't mind, I could go ahead and
42 provide you the briefing on Council membership balance in
43 the meantime.

44

45 Good afternoon again. Bill Knauer,
46 Subsistence Management. Again, the purpose of this
47 briefing is for informational purposes only and does not
48 require an action by your Council.

49

50 Recently we received a letter from Deputy

00101

1 Secretary of the Interior, Mr. Steven Griles concerning
2 membership balance on Regional Advisory Councils. Mr.
3 Griles requested that we review our procedures for
4 recommending Council members to insure that we are
5 complying with the Federal Advisory Committee Act, also
6 known as FACA, regarding Council membership balance and
7 representation of all effected user groups. That is,
8 subsistence, sport, commercial, urban, rural, Native and
9 non-Native. A copy of this letter with a transmittal
10 letter from the Chair of the Federal Subsistence Board
11 was sent to all Council members. I also provided an
12 additional copy in case you didn't have it this morning
13 and there is copies for other folks back on the handout
14 table.

15

16 Nationwide there is an ongoing general
17 review of FACA committees and membership balance also.
18 We realize that the letter from Mr. Griles may raise some
19 concerns for you however we want to reassure you that we
20 welcome the opportunity to review these administrative
21 procedures and processes for Council member appointments.
22 As the Chair indicated in his transmittal letter to you,
23 we believe that we have a solid record and that we are
24 complying with both the spirit and the intent of ANILCA
25 and FACA. A committee of board members or their
26 designees has been established by the Chair to undertake
27 a review of the nominations process, including the
28 selection process. The guiding principles for this
29 membership balance committee efforts include number 1,
30 subsistence management and goals of ANILCA Title VIII as
31 the primary focus in our procedures to insure membership
32 balance on the councils.

33

34 Number two is to promote selection of
35 Council members among those who will work constructively
36 to uphold the Title VIII mandate.

37

38 And three, recognize that there are
39 several interests that are directly effected by the
40 Federal Subsistence Program and that these interests
41 should be provided an opportunity to be directly involved
42 in the subsistence management process. The committee
43 will provide recommendations back to the full board. And
44 after review by the Board, recommendations will be
45 forwarded to Deputy Secretary Griles. We will keep your
46 councils informed as this review process proceeds.

47

48 Madame Chair, that concludes my briefing.

49 I would be more than happy to answer any questions.

50

00102

1 CHAIRWOMAN CROSS: Thank you, Bill.

2

3 MR. KNAUER: Thank you.

4

5 CHAIRWOMAN CROSS: Is Steve back now?

6 Fisheries resource monitoring program. Steve Fried,

7 right?

8

9 MR. FRIED: That's correct. Thank you,

10 Madame Chair and members of the Council. What I'd like

11 to discuss today is for informational purposes only.

12 There's no action needed by the Council. It concerns the

13 fisheries resource monitoring program that funds studies

14 that support Federal Subsistence Fisheries Management.

15 Some of the supporting documentation is within the

16 Council books and there's some that are separate

17 handouts. The first thing is the 2003 call for study

18 proposals. That is within the book under Tab I on page

19 seven. Essentially the only thing I can tell the Council

20 at this point is that the call for study proposals

21 already went out. And actually the deadline for

22 proposals was February 15th, so all should have been

23 received. I haven't really looked at all the proposals

24 that have come in yet. I had noted that there are three

25 for the Arctic Kotzebue/Norton Sound region. It includes

26 one harvest monitoring TEK study, which would be a

27 continuation of a study that was funded in 2002. And

28 then there's two stock status programs, one for the North

29 Slope and another one, I believe, for the Kotzebue area.

30 So I don't think I've seen any proposals yet unless I

31 haven't seen all the ones that were sent in yet for this

32 particular area.

33

34 And as far as the schedule goes, they'll

35 be reviewed; we'll have the meeting with the technical

36 review committee and they'll make recommendations and

37 contact the proposers for whom they would like to see

38 more detailed investigation plans. And those

39 investigation plans would then be due on July 1. And so

40 the next time the Council meets in either September or

41 October, we will have recommendations on which studies

42 the technical review committee have recommended for

43 funding. And that's about all I have to say about that

44 topic unless anyone on the Council has any questions on

45 the call for 2003 study proposals.

46

47 Okay, the next thing I was going to bring

48 to the Council's attention is the status of studies that

49 have already been funded in 2000 and 2001. And that is a

50 separate handout, it's not in the books. Basically the

00103

1 title of the handout is about the same. It's status of
2 2000/2001 fisheries resource monitoring program studies
3 for this region. And it's fairly short and it shows all
4 the studies that have been funded, which ones have been
5 completed and reports are available for them and also how
6 we're doing on the studies that are still ongoing. In
7 general, unless anybody has specific questions, there's
8 like a short paragraph on the last two pages of this
9 three page handout that gives the status. There's been
10 good progress in achieving the objectives of all the
11 studies that are ongoing. There have been some problems,
12 which is not unexpected. Some of them have been due to
13 weather, some of them have been due to staffing/personnel
14 problems. They're all being worked on. They're being
15 solved. None of them have really effected the eventual
16 successful completion of these studies. And so this is
17 just for information for the Council.

18

19 And I wasn't going to go through one by
20 one and discuss these but if anybody has any questions
21 about them, I'm here to answer those.

22

23 MR. MENDENHALL: The one in the grayling,
24 that's in Norton Sound, right? Isn't that grayling --
25 study going on?

26

27 MR. FRIED: There was a proposal that was
28 sent in for 2002 to study grayling around the Point Hope
29 area. The technical review committee wanted to see a
30 detailed investigation plan on that and none were sent
31 in. Office of Subsistence Management tried to contact
32 the proposers several times and they were out of town.
33 So that study basically in 2002 did not get any further
34 consideration because there was no -- no investigation
35 plan was submitted so there will be no -- it wasn't
36 funded in 2002.

37

38 MR. MENDENHALL: Because I had somebody
39 come up to me before and talk about it. So I need
40 another proposal, I guess.

41

42 MR. FRIED: I'm not -- like I said, I've
43 seen three proposals for 2003 and I didn't see a grayling
44 proposal in there. It doesn't mean that they haven't
45 resubmitted, I just haven't noticed it because they are
46 still filing them. But I'm not aware of anybody
47 submitting one for 2003. So if they're still interested
48 in doing that work, I guess we'll be looking at the 2004
49 study proposal calendar for that one. And as I said,
50 we're always happy to help people with those proposals if

00104

1 they'll call us and let us know.

2

3 And also, I can talk about partners next
4 and that's going to, I think, help people with proposals
5 also. Okay the next topic was on the partners program --
6 the partners of fisheries monitoring program. And if you
7 recall, this program would provide money to regional,
8 local organizations to actually hire professional staff
9 in either fisheries or anthropology to assist them in
10 carrying out the fisheries monitoring program. And the
11 call for proposals for these has already gone out. The
12 proposals have been received. There was a review panel
13 of various agency people that has been put together to
14 review the proposals and it's my understanding that they
15 will be making a final decision on which ones to fund in
16 about another week or so.

17

18 So I can't really tell you how many
19 positions there will be at this time or where they're
20 going to be because I haven't seen them. They've been
21 under lock and key because the contracting offices wanted
22 to make sure that there were no problems with anybody
23 trying to file some complaints about the way this was
24 done because we do look at this as a very important part
25 of the monitoring program. We want to make sure that it
26 gets going. And hopefully we'll have people in place by
27 this summer to do that. And along with the professional
28 full time position dedicated to the monitoring program
29 that will be hired, there's also provisions in these
30 grants or contracts -- actually I think they're going to
31 be agreements to the successful applicants for a summer
32 student intern to work with this person. So we're
33 looking forward to it. I think this is going to help the
34 program quite a bit.

35

36 And if there are no questions about that
37 topic I could move along to the regional issues and
38 information needs. There is something in the book under
39 Tab I. It's the very last one. I noticed there's some
40 paging problems in there but it's basically right after
41 the -- there's another page 7 in there and it's after the
42 call for study proposal 2003. If you kind flip to about
43 the fourth or fifth page there's that issues and
44 information needs update. There's also a handout and
45 it's titled long term planning and it has a graph on the
46 front. And basically what this is, is that we've gotten
47 comments back from several of the councils with a bit of
48 concern about whether or not the funding for these
49 fisheries resource monitoring program studies has really
50 been focused enough on the issues within each region.

00105

1 And they'd like to make sure that, you know, five or 10
2 years down the road that we actually have tried to
3 provide answers to a lot of the information needs that
4 have been identified and not just, you know, willy nilly
5 spending money that really hasn't been focused or well
6 thought out.

7

8 And this long term planning document is
9 sort of a beginning to take a look to see how the program
10 has been done. There's a background here, that graph in
11 the front with the bars basically shows how the money is
12 being -- how it has been spent and how it will be spent.
13 You can see that in 2003 there's not a lot of money left
14 that hasn't been used either for the partners program or
15 to continue studies that were funded in 2001 and 2002 for
16 new studies. So there won't be a lot of new study starts
17 in 2003. But in 2004 there's going to be quite a bit of
18 money that's not allocated to either continuing studies
19 or other things to use for new studies. And so we
20 thought it would be a good time to start planning for
21 what -- how best to start spending the money in 2004 and
22 beyond.

23

24 And if you turn to page 3 of the handout,
25 there's five questions that are listed that we've come up
26 with that we thought if we could find answers to them it
27 would be very helpful to help us in our long term
28 planning of that. And you know, they're just simple
29 questions. One is, how well have the funded studies
30 addressed the Council's issues and information needs.
31 Have the most important and information needs already
32 been identified or are there some that were missing.

33

34 Three is which issues and information
35 needs require continued collection of long term data
36 sets. In other words, right now the Subsistence Board
37 has limited funding for any study to three years. We
38 have several studies that weirs, towers, harvest
39 monitoring studies that are really most useful if we have
40 a long term data set. But, you know, there's some
41 question about whether how much of the money available to
42 the fishery resource monitoring program do we want to use
43 for continuing studies and how much do we want to hold
44 over for new studies. So that's something to take a look
45 at.

46

47 Fourth, are there any matching or
48 alternative funding source to consider, you know, for our
49 studies. In other words, if there's a continuing study,
50 maybe we can offset some of the costs of that study with

00106

1 other new funding programs or some other funding programs
2 that are already out there.

3

4 And the fifth one, which I'm really not
5 going -- really going to answer in this report, is what
6 results have been obtained from the funded studies and
7 how have they been used. What we're doing is planning to
8 present this in more detail during the fall meeting. But
9 if we can answer these questions we can identify the most
10 important issues to address. We can build a framework to
11 balance these long term commitments, what the funding
12 needs for new studies. And then we can develop some
13 strategies to try to make our funds go further by either
14 matching them or leveraging them with funds from other
15 places.

16

17 Well as far as the answer to the first
18 question is, how has funded studies addressed the needs
19 within this region and area, I think they've done a
20 pretty good job actually. If you turn to page 4, what
21 I've done is list the different studies that have already
22 been funded so you can see the different sort of
23 information types and where within this big region, you
24 know, the studies have been funded. And on five I tried
25 to summarize page 4 to see that these studies seem to
26 focus on five issues. Now salmon assessments,
27 subsistence harvest monitoring in Norton Sound seems to
28 be a pretty important issue. There's different issues in
29 other places. Out of North Slope and Kotzebue, char and
30 whitefish assessment is more important. In Northwest
31 Arctic we've done a lot of traditional ecological
32 knowledge studies. And generally statewide/regionwide
33 there's been an evaluation and improvement of the methods
34 that have been used to monitor subsistence harvest. And
35 there have efforts to improve the way in which the
36 information collected is saved and also made available to
37 people that need it.

38

39 There are a few issues that weren't
40 addressed or haven't been addressed yet. I listed --
41 these seem to be four main areas. One is the effects of
42 sport fishing catch and release practices on subsistence
43 resources and fisheries. Another one is the effects of
44 salmon harvest in marine waters. A third one would be
45 coastal ecology and subsistence use of marine fishes such
46 as herring and tom cod. And then the fourth one that
47 seems to come up quite a bit within this area is water
48 quality and contaminants effects on subsistence fisheries
49 resources. And given the direction we've gotten from the
50 Subsistence Board, it would appear that while item one,

00107

1 you know, effects of sports fishing might be something
2 that we could fund out of this program. The other three
3 are either totally or somewhat out of the realm of what
4 the Subsistence Board would like to see the money being
5 used for. And so we start to need -- you know, if these
6 are important, we need to look at other sources of
7 funding to help us answer some of these questions. It's
8 not that they're not important questions, it's just that
9 there's not an unlimited amount of money available and
10 the Subsistence Board would like to focus this on things
11 that are directly applicable to Federal fisheries
12 management.

13
14 The next question is, you know, have we
15 identified the most important needs. And I actually
16 think that the Councils have been pretty successful in
17 doing that since they have been speaking to the villages
18 and the local residents to see what needs need to be
19 addressed. And what really needs to be done is to take
20 the list that we already have and try to prioritize it so
21 that we've got the most important ones there. And also
22 to add anything that we might have missed and things that
23 might come up in the future that might be important. I
24 try to take an initial stab at doing this on pages six
25 and seven. Now these aren't prioritized but they're kind
26 of grouped by fish specie groups and also by the
27 subsistence harvest monitoring type programs in
28 traditional ecological knowledge. And I don't really
29 need to go into this in any detail except to just have
30 the councils start to look at these and hopefully in the
31 fall meetings we could have a better discussion or maybe
32 in between that there can be a subcommittee drawn up to
33 start working on this to make sure that we do have a good
34 list and we do know where we're going in the future and
35 we are hitting all the important things.

36
37 And the other thing to keep in mind is
38 this business about what issues and information needs
39 need long term data sets. And as I mentioned before,
40 there are several things that do need to be monitored
41 more than three years. And keeping this in mind, the
42 councils need to help us decide which ones are the most
43 important and which ones we really should be funding for
44 more than three years. And within this region, things
45 like do we have good long term data sets for salmon
46 spawning in Unalakleet and the Pikmiktalik River. You
47 know we're just getting a start on Pikmiktalik just even
48 looking for good sites as to where to count salmon and
49 whether or not a weir would be better than a counting
50 tower. But once that's determined and a proposal was put

00108

1 in and it was passed, it would be right now just for
2 three years and then three years we'd be looking at maybe
3 three more years or maybe we should be making a longer
4 term commitment on studies like that because three years
5 of data is nice but it's not really all that useful when
6 you start to do some of the stock assessment work that
7 needs to be done. So there's things like that that need
8 to be thought about.

9

10 I started looking around to see if there
11 are any places that we could do a match or alternate
12 funding sources to consider and I came up with three new
13 programs that would effect this area. One is the Norton
14 Sound salmon research and restoration fund which I'm sure
15 that all or most of you are already familiar with. And
16 that's going to be used to develop and implement a
17 research and restoration program from Norton Sound salmon
18 stocks. So this is a possibility to maybe match funds
19 for studies that might be of use for both programs. The
20 other two programs are really more based on high seas
21 marine studies. One of those is being administered by
22 the North Pacific Research Board and this is going to be
23 a long term studies on fishes and ecosystems of the North
24 Pacific, the Bering Sea and the Arctic Ocean. The nice
25 thing about this program here is it's working off of
26 interest from money that's being set aside. So it's not
27 like they have to go back to Congress every year to ask
28 for a new appropriation. This money will be there every
29 year because it's an interest bearing account. Like I
30 said, this might be a way to answer some questions about
31 salmon or other fishes in the marine environment on the
32 high seas.

33

34 The third one is a program that's going
35 to be operated by the North Pacific Anadromous Fish
36 commission and it's an international organization.
37 They're going to be conducting what they call the Bering
38 Aleutian salmon international survey. And they're going
39 to focus on salmon on the high seas and get some more
40 information on distribution, abundance, age, maturity,
41 maybe stock identification in North Pacific waters. And
42 this is, as I said before, some important information
43 that's really needed for some of the salmon stock in this
44 region but that's sort of out of reach of the programs we
45 have available to us right now. So it might be that
46 there might be some way we can help each other out.
47 Maybe if they're tagging salmon on the high seas we can
48 provide money to recover them in fresh waters. Or if
49 they need some spawning stock samples to do genetics work
50 then maybe we can fund things like that to help them out.

00109

1 So these are just things to keep in mind to help our
2 program and to make the money go farther.

3

4 So basically in general we've tried to
5 fund studies that address all the issues and information
6 needs that the councils and local residents have
7 identified. We've been pretty successful in doing that.
8 There's some issues that haven't been addressed either
9 because they are outside of the scope of the study or we
10 just haven't gotten proposals that speak to them. I
11 think we've identified probably most of the most
12 important issues. There might be a few out there that
13 still need to be addressed and put on the list. And I
14 just think that everybody needs to take a look at the
15 list, make sure all those issues are there. Try to
16 prioritize them, which is something that hasn't been
17 done. And then give some thought to which types of
18 studies need to be collected long term. Which are the
19 important ones that need to be done. And how much money
20 needs to be set aside for issues that might come up in
21 the future. I guess that's about all I've got to say
22 about it at this point except for the fact that I'd like
23 to talk about this some more come this fall's meeting.
24 And I think this would be very useful to make a focus
25 call for 2004 proposals to make sure the money is getting
26 used in the proper way and being of the most use. And
27 that's all I have right now unless there's some more
28 questions.

29

30 MR. MENDENHALL: In Salmon Lake area,
31 somebody's been saying they put fertilizer. Is that
32 State or Federal? I don't know who was doing that to
33 help with the salmon fish population.

34

35 MR. FRIED: It could be State and Federal
36 agencies. I don't think there's....

37

38 MR. MENDENHALL: I don't know which
39 agency is involved with that but I heard that they're
40 putting fertilizer or something into the Salmon Lake
41 area.

42

43 MR. FRIED: Okay, it wouldn't be through
44 this program because the Federal Subsistence Board
45 already told us that they don't want to fund that stuff.

46

47 MR. MENDENHALL: I didn't know who was
48 involved there and that's one of things I think, you
49 know, we like to encourage. How can we have salmon
50 streams kind of -- restoration of the salmon streams.

00110

1 And I didn't hear that in your report, that's why I asked
2 that question. But I think your conclusions in your
3 report and summary was good.

4

5 MR. FRIED: Okay, the Federal Subsistence
6 Board specifically told us, I think it was the last
7 meeting they had during December -- I think it's in this
8 report somewhere -- that were three areas they didn't
9 want to use this money for. Now one of them was salmon
10 restoration and propagation and enhancement. They said
11 they thought there were other opportunities to do that
12 and at this point they didn't want to see those types of
13 studies funded from the fisheries resource monitoring
14 program.

15

16 MR. MENDENHALL: You mean habitat
17 restoration but.....

18

19 MR. FRIED: That too. Habitat
20 restoration and purchasing critical habitat. They
21 thought there were other programs out there that would do
22 a better job and had more money and so they didn't want
23 to see that. The other thing was contaminants and water
24 quality. And I guess we can help to direct people to
25 these other programs where they might seek funding but
26 the Subsistence Board has directed us to not consider
27 those types of programs for funding at this point.

28

29 MR. SEETOT: All right. You mentioned
30 water quality and contaminant issues that should not have
31 been funded. Other sources, have they been contacted and
32 identified or can we request them to help with the
33 studies? Because I think contamination effects around
34 the food chain have an effect on the salmon and then also
35 on the human population. Because as it goes up along the
36 food chain the health and welfare of the people is pretty
37 much not in jeopardy but there are concerns about
38 contaminants -- what's in the Bering Sea -- concerning
39 fish stocks, marine mammals. And then if something can
40 be done or if there is a request for studies like that,
41 can other agencies be contacted to help us understand
42 what effect it would have.

43

44 MR. FRIED: Yeah, there are other
45 agencies that do that and it's -- Perry, you want to say
46 something before I jump in?

47

48 MR. MENDENHALL: Yeah, on support, the
49 Alaska Soil and Water Conservation Board is directed
50 under the Alaska State Statutes 410. They are to be

00111

1 developing districts in rural Alaska for water testing
2 and soil testing. And the National Conservation office
3 here that recently has been opened last fall, is going
4 into the soil testing phase at this time, this coming
5 summer. But Alaska Soil and Water Conservation Board has
6 that and they also are able -- for every dollar that they
7 get from the State, they create two or three dollars more
8 through grants and proposals. I can give you an address
9 to contact on that. But there's a concern in Western
10 Alaska, Northwest Arctic Borough is also considering a
11 conservation district up there.

12

13 MR. FRIED: Yeah, there's no doubt that
14 that's an important issue, I mean you know, it's just
15 something the Subsistence Board decided not to fund but
16 US Fish and Wildlife Service has an ecological services
17 division and they fund some contaminant studies so they'd
18 be another good one to contact.

19

20 MR. MENDENHALL: But we try to work in
21 conjunction with State and Federal so -- they have the
22 same concerns. Also Anchorage district is trying to set
23 up a little water committee for setting policies for the
24 whole state without our input. So they try to create
25 another layer when we already have on the statutes Alaska
26 Soil and Water Conservation Board. So that's the group
27 that we can work with in that area. Since we got mostly
28 State waters and rivers.

29

30 MR. FRIED: And also I think like State
31 of Alaska, Department of Environmental Conservation, DEC,
32 might be another organization to contact that would at
33 least come out and maybe do some testing. I know they do
34 drinking water and things like that. I'm not sure -- and
35 they do a lot of the inspections on commercial fish
36 plants and things. I think they probably might also do
37 that too.

38

39 MR. MENDENHALL: And politically in
40 Juneau right now, they want to tax every well \$50. At
41 this moment as we speak there's a bill on the --
42 everybody would have to be taxed. Like if you have a
43 well on your land, you get taxed 50 bucks. Or you use
44 river water, you get taxed 50 bucks. That's how --
45 they're so low on funds on the State level, legislators
46 are trying to propose that and there's big oppositions
47 from bush Alaska legislators. So that, I mean, that's
48 what they're looking at right now. And that's why it's
49 important that we set up our own conservation districts
50 on soil and water.

00112

1 CHAIRWOMAN CROSS: Elmer.

2

3 MR. SEETOT: With everything going on
4 right now in the world, notice that most of the money is
5 spent on the military. Do you think that when you
6 propose to the Federal government that you will be able
7 to get the money that you asked for to fund these
8 studies? Because they're saying that they're going to
9 cost at least 30 billion just for military alone. Where
10 does that leave the other agencies to kind of go for
11 their share that they think they're entitled to?

12

13 MR. FRIED: I mean, that's a good
14 question. It just depends on your thing. I haven't
15 heard that this program was in jeopardy. I haven't heard
16 that it's going to get any more money but people seem to
17 feel pretty comfortable that we're at least going to get
18 the money we had. So, I mean, we're looking out for the
19 future for this program, it's a little bit over seven
20 million dollars for the fisheries resource monitoring
21 program. And out of that, a little over a million
22 dollars is going to go to partners. So we're looking at
23 about six million dollars or so a year going towards
24 studies. But yeah, I can't tell you that we're going to
25 be able to get that same amount of money every year but I
26 haven't heard anything different yet.

27

28 MR. SEETOT: Also for the monitoring
29 program phase, would this council or the Regional
30 Advisory Council get copies of their studies to see why
31 certain fish go away from certain streams because of
32 something else or is that just for the areas that they
33 studied? That's their report. Or can this report be
34 shared to other areas within the state?

35

36 MR. FRIED: Oh, are you talking about the
37 reports that are generated from the actual studies?

38

39 MR. SEETOT: Yes. Yes.

40

41 MR. FRIED: Oh yeah, they're all public
42 information and -- yeah, I would hope that they would get
43 pretty widely distributed. Like I said, there haven't
44 been all that many studies that are finished yet but we
45 do have some reports. And I know we send them out to the
46 libraries and if people want to request them, we'd send
47 them to people that request them. And we're also hoping
48 to post some of that on the internet but we've got a
49 little internet problem right now. We're not connected
50 yet. So that one is going to take a while. But yeah,

00113

1 the reports are going to be readily available and the
2 information should be useable.

3

4 MR. MENDENHALL: Weren't some monies put
5 aside so that you would have an interagency computer data
6 networking so you won't be duplicating dollars --
7 expenditures in the projects? Has that been done? I
8 think we've put that before the Federal Subsistence Board
9 level.

10

11 MR. FRIED: There's actually a draft
12 memorandum of agreement between the State and Federal
13 governments for information sharing. And it hasn't been
14 approved yet but I know they're both working towards it.
15 We actually hired a person that's a database specialist
16 to make sure the information we're collecting from these
17 studies is basically protected and made available to
18 people that need it. And he's working pretty closely
19 with some people within the State organizations. So
20 yeah, that's something that's very important to us
21 because there's no use spending all this money on the
22 studies and not having information available for use. I
23 mean, that's the purpose of the monitoring program.

24

25 MR. MENDENHALL: It seems like our
26 resources have been studied to death but we never get any
27 information back. And then there's triplicates. Every
28 time we have a meeting in the village or in Nome, as soon
29 as we get through with one issue like fish, another
30 person comes in and wants to do the same thing again,
31 fish. So I mean it's a danger, I think, of no
32 coordination being done.

33

34 MR. FRIED: Yeah, we are working with the
35 commercial fisheries division. Specifically, we've
36 funded some studies there. And they're actually going
37 through and doing a cataloging of all the data they have
38 on salmon -- escapement salmon harvest, both commercial
39 and subsistence -- any of the age and size data they've
40 got. And the idea there is, then they'll know what they
41 have, we can get it into a format and put it into a
42 database so it's readily useable. And we are working
43 with some of the other divisions in Department of Fish
44 and Game, you know, along those same lines to get
45 databases going so we don't duplicate efforts and any
46 information that is out there is available for everybody.
47 Because some of it's on a database, some of it's in
48 somebody's notebook, some of it's in a spreadsheet on a
49 computer. So it's not going to be an easy task but we're
50 going down that road to try to get that done.

00114

1 CHAIRWOMAN CROSS: Well, thank you very
2 much.

3
4 MR. FRIED: You're certainly welcome.
5 Thank you.

6
7 CHAIRWOMAN CROSS: Bureau of Land
8 Management, Dave Parker.

9
10 MR. PARKER: Good afternoon Madame Chair
11 and Council members. Yes, I am Dave Parker with BLM.
12 I'm going to make a short little presentation here to
13 you. It's a couple of minutes, informational only and no
14 action is required. I spoke to you last September at the
15 meeting about -- I wanted to propose funding for a
16 project to count salmon in Fish River through the Office
17 of Subsistence Management. Unfortunately that couldn't
18 be funded through that. Essentially you need a Federal
19 conservation unit in the area. The land there is BLM
20 land but it's not a Federal conservation unit. But the
21 good news is that I'm now developing a challenge cost
22 year project with Fish and Game and Norton Sound Economic
23 Development Corporation. I will allow us to count in the
24 Fish River drainage up at Boston Creek. We're planning
25 on starting that project in 2003 and we'll count all
26 summer. Count pinks and chums and coho and king. And
27 that will allow a paired study with the Niukluk (ph) and
28 Boston Creek. We can look and see if there's any
29 consistent changes going on. If increases are happening
30 in both streams or decreases in both streams. And so
31 that will be happening in 2003.

32
33 Perry just brought up the Salmon Lake
34 fertilization and I just -- I could tell you a little
35 about that. That was a challenge cost year project
36 developed by Joe Webb and Charlie Lean back in 1997, was
37 the start of the fertilization. There's been five years
38 of that and I was able to extend the project one year so
39 there will be fertilization again this year. Gary Todd
40 has been doing the studies on that and the smolts are
41 getting larger, swimming out, which was the major focus
42 of the results. So we'll see if, after this year, if it
43 still requires more fertilization, we'll pursue other
44 funding options to try to continue that. And we're also
45 counting out a glacial lake again this year, count the
46 sockeyes going back there.

47
48 I did become Joe Webb three weeks ago. I
49 was hired as Joe's position. My position that I just
50 vacated will be hired also and although it will be

00115

1 stationed in Fairbanks, I'm pretty confident that I'll be
2 able to get that person to work out here on projects we
3 have out here on the Seward Peninsula. Also for BLM
4 housekeeping, we are going to be hiring two natural
5 resource specialists here in Nome. That has gone through
6 our personnel department in Anchorage and those
7 announcements should come out any time. They'll both be
8 stationed here. One would be a range focus and the other
9 would be recreation kind of deal. So we got rid of Norm,
10 Norm moved down and retired and now we'll -- that's a
11 terrible way to say that, isn't it? But we're getting
12 two new people coming so.

13

14 And I think that's pretty much it. Yeah,
15 if you have any questions for me I'd be delighted to
16 answer them.

17

18 CHAIRWOMAN CROSS: Thank you very much.

19

20 MR. MENDENHALL: We have a lot of BLM
21 lands so a lot of those are a set format now. I mean
22 there's no questions, no need of -- regarding BLM land
23 here in our region. You know where they are -- they're
24 here I guess.

25

26 MR. PARKER: Right. Nulato Hills,
27 there's a lot of BLM land there. And it certainly will
28 be a focus if we need to go in there and do some habitat
29 studies or who knows, you might end up counting
30 operations on the Inklutluk (ph) or Ungaluk (ph). Yeah,
31 the BLM doesn't have a lot of land in the Fish River
32 drainage or something, it's mostly State selected but we
33 do have some land up around there in Boston Creek so.
34 The land around the glacial lakes should be -- is
35 probably going to be conveyed very soon to the Bering
36 Strait Native Corporation but the land around Salmon Lake
37 will probably remain BLM public land.

38

39 CHAIRWOMAN CROSS: Elmer.

40

41 MR. SEETOT: What are the requirements
42 for regulating fish resources in waters? I know that
43 around Brevig we do have BLM land. From what I heard
44 earlier, pretty much around the Unalakleet land, the
45 Bering Land you said that the fishery resources will be
46 managed by US and Fish Wildlife. What are the
47 requirements if the US government wanted to regulate
48 fishery stocks in our area, even though it doesn't
49 include all the waters? Is there a criteria that you
50 need before you try to regulate resources?

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1 MR. PARKER: Yeah, I'm not exactly sure.
2 I think that some of the State fellows here -- Jim might
3 have some answers to that. Essentially the fish
4 populations are managed by the State and we, the Federal
5 land managers are -- you know, we'll look at populations,
6 count the numbers but mainly we're looking at the habitat
7 and trying to maintain the habitat. And little seine
8 areas which have been mined, we try to rehab it -- get it
9 back to good condition. But the exact regulations, I
10 don't know. I don't know.

11
12 CHAIRWOMAN CROSS: Well thank you, Dave.

13
14 MR. PARKER: Thank you.

15
16 CHAIRWOMAN CROSS: Alaska Department of
17 Fish and Game.

18
19 MS. PERSONS: Thank you, Madame Chair.
20 Council members. I've just got a couple of things I
21 wanted to mention. I passed out a summary of the
22 regulations changes that were made by the Board of Game
23 last fall. And they pertain to caribou, moose, bear and
24 muskox -- and beaver in Unit 22. And I'm not going to go
25 through them but I just want to point out that you do
26 have that list and if you have any questions about them,
27 ask me or give me a call.

28
29 Next week we're starting a moose census
30 of Unit 22(D) with the help of Jeanie Cole from BLM. And
31 as soon as we're done with that, we'll roll into a census
32 of muskox on the Seward Peninsula. And then when we're
33 done with that, for the first time we're going to do
34 composition work on muskox. And we'll be surveying the
35 groups of muskox that we find during the census and get
36 age and sex composition of the population for the first
37 time. There are a couple changes in the State muskox
38 hunt this year. The Board of Game this winter changed
39 the Tier II scoring procedures. And one of the changes
40 will effect scoring of applications here on the Seward
41 Peninsula muskox hunts. And they eliminated one of the
42 questions, question 16, that asks about what percentage
43 of the meat that your household harvested came from
44 muskox. That's just not going to be asked any more for
45 applicants for muskox hunts in Unit 22 and 23. And
46 that's to get away from this situation that we've had
47 since the beginning where the individuals that got lucky
48 the first time and got a permit, those households keep
49 getting the permits year after year. And so this is an
50 attempt by the board to try and spread opportunity around

00117

1 a little better.

2

3 And then the other change is that instead
4 of requiring destruction of the trophy value, if the
5 muskox skull is removed from the hunt area in which it's
6 taken, it would only need to be destroyed if it's removed
7 from the game management unit. So it still would be
8 required if the skull is removed from Unit 22 but people
9 can bring them back to their homes if they hunt them in a
10 sub-unit that's different from where they live. And then
11 the final thing I wanted to mention is that we have a
12 cooperative project -- it's
13 Wildlife Division, Subsistence Division and Kawerak --
14 and we have been doing big game harvest surveys in a
15 handful of villages each year. And this spring we'll be
16 visiting Stebbins and St. Michael, Unalakleet and Golovin
17 and asking about harvest of moose, caribou, muskox, wolf,
18 wolverine and brown bear. That's all I've got.

19

20 CHAIRWOMAN CROSS: Thank you, Kate. Oh,
21 you've got a question.

22

23 MR. KOBUK: Yes, have you done any moose
24 surveys yet up in our region in 22(A)? Because I have
25 some concerns that may be -- especially since the caribou
26 didn't show up this year, I'm pretty sure our moose is
27 going to deplete.

28

29 MS. PERSONS: Yeah thanks, that's a good
30 question and I have some real concerns about moose over
31 there too. We're not doing a census there this year.
32 Two years ago when we attempted to do a census, first we
33 got weathered out and then there was a fuel spill in
34 Unalakleet and we couldn't get fuel for the planes and we
35 had to bag it. But we're going to try again next year
36 and Jeff Denton with BLM has said that they will help
37 fund that census next year. And I'm hoping that we'll
38 have information about the population the next time we go
39 to the Board of Game in 2003. So a year from this spring
40 we will try again.

41

42 MR. KOBUK: And I have another concern.
43 You wouldn't happen to know the reason why the caribou
44 didn't go beyond Unalakleet this year, would you?

45

46 MS. PERSONS: Well I wish I did. And I
47 don't think anybody really understands exactly why
48 caribou do what they do. But yeah, they sure -- this is
49 the second time now I think in the last three years that
50 they have not wintered in the Nulato Hills. And it is a

00118

1 very different pattern and no, we really don't know why
2 they didn't go there this year. Maybe they knew it was
3 going to be lots of snow this winter. I don't know but
4 they made that decision not to go there long before the
5 snow fell. So I don't know.

6

7 MR. KOBUK: Well what the people were
8 saying I guess because of lack of snow up north this way,
9 that was the reason why the caribou decided to stay away.
10 It was easier to feed than coming down towards our way
11 where we had a lot more snow this year than we've ever
12 had for centuries. That was what -- people were just
13 wondering, thought I would ask anyway.

14

15 MS. PERSONS: Yeah, you know, maybe
16 because there isn't a lot of snow up north where they are
17 and from the reports I've been hearing are that the
18 caribou up in the Kotzebue area are in really good shape
19 this winter. Lots of fat. Yeah, there's not lots of
20 snow there and they've got -- life's good there for them
21 right now.

22

23 CHAIRWOMAN CROSS: Myron.

24

25 MR. SAVETILIK: I'll probably add
26 something to that. In the previous years that the
27 caribou has been traveling, there's a few Elders that
28 said that if there was any game that's in the area or
29 they need to let them pass first before -- let the first
30 bunch pass so that they'll continue going down. And
31 that's what some of the Elders were saying and usually we
32 try and let that first bunch pass through so the next
33 bunch would pick up their trail and lead them to where
34 they need to go. And it's always been true. I've seen
35 it. Thanks.

36

37 CHAIRWOMAN CROSS: Elmer.

38

39 MR. SEETOT: When you see conditions like
40 this, are they written down, you know, weather-wise there
41 wasn't enough snow during this certain year so we're
42 thinking that the caribou stayed up because they had --
43 are those written down in ADF&G files or at least kind of
44 pinpoint the reason why they kind of do what they do?

45

46 MS. PERSONS: Yeah, we have these reports
47 that we write every other year on each species and we
48 include observations like that in the reports. They're
49 called management reports and we try to document our
50 observations about weather conditions and other

00119

1 environmental conditions that may effect what we're
2 seeing.

3

4 MR. SEETOT: Another question. Between --
5 caribou and reindeer herders association maintains that
6 the reindeer on free ranging land are property of the
7 reindeer owners. What's the definition of caribou under
8 State regulations and do they carry weight against the
9 reindeer herders? Because I hear all the time that
10 you're supposed to report reindeer that you accidently
11 shoot. The herders are not really taking care of the
12 reindeer, they're just roaming on their own. And they
13 said that whenever we accidently shoot reindeer that
14 we're supposed to report that to the reindeer herders
15 association. Is that a long standing practice that the
16 State of Alaska is going to side with the reindeer
17 herders because that's a form of economy for certain
18 people. You have 15 or you had 17 reindeer herders
19 within the Seward Peninsula versus the population of
20 Seward Peninsula that want either reindeer or through
21 caribou. Now are we going to support the reindeer
22 herders? Even though it is not an issue concerning
23 Federal land it just a matter of who owns the reindeer
24 and then when do they stop becoming reindeer to the
25 herder. Because in past years or what I heard, the
26 standing order was that you had to be with the herd every
27 two weeks or that you had to see them within every two
28 weeks in order for them to be in your possession. Or
29 possession, you know, ownership. Now it's just they're
30 pretty much mingling with the caribou herd. That's one
31 of our big concerns that reindeer herders won't see
32 beyond that, that reindeer are just property of the
33 herders. How can they be when they've been free roaming
34 since they took off?

35

36 MS. PERSONS: That's a really good
37 question, Elmer, and it's difficult to answer. And I
38 don't really know the legal answer to some of your
39 questions and I don't think until somebody goes to court
40 probably anybody will really know. But there are
41 designated reindeer ranges and so as long as the reindeer
42 are on their designated range, they are certainly private
43 property. But once they're mixed with caribou and they
44 leave the reindeer range, they probably are legally
45 caribou. Jeanie, do you have anything to add on this?

46

47 MR. MENDENHALL: With Sitnusuaq land --
48 to a local reindeer herder -- we allowed them to graze on
49 our land but they have to pay a range fee to Sitnusuaq.
50 Or in another instance is to donate land to tribal

00120

1 entities like Nome Eskimo XYZ and -- for certain
2 occasions. And we -- that's part of the payment for
3 grazing on Sitnusuaq ANCSA land. So there's agreements
4 between corporation use -- they just don't have -- they
5 don't own that land outright or else we would say, move
6 out off of our land, we're not getting the benefits of
7 it. But we do have that agreement and we have -- on the
8 way to Washington DC we had that -- they've been paying
9 every year. Of course, they've been back a little
10 because -- they haven't done it in the past year but
11 that's for us to deal with through Sitnusuaq. So there
12 are agreements like that regarding reindeer herders use
13 of tribal lands -- I mean ANCSA lands.

14

15 MS. PERSONS: I guess I could add that
16 I'm not aware of any case where somebody has accidentally
17 killed a reindeer and then been prosecuted for it.

18

19 CHAIRWOMAN CROSS: Ken, you had something
20 to add.

21

22 MR. ADKISSON: Yes. Ken Adkisson,
23 National Park Service. You really should probably be
24 directing these questions to Rose Fosnik (ph) of the
25 reindeer herders but I will share with you my impressions
26 of some comments and things that were developed at a
27 caribou/reindeer conflict meeting in Shishmaref.
28 Basically a caribou is a caribou unless it actually
29 intermingles with the reindeer herd on its range. At
30 which point the herder can consider it a reindeer I
31 guess. On the converse, the herders should mark their
32 reindeer and those are private property. And even if the
33 reindeer runs off and mixes with caribou and leaves its
34 range, it is still considered private property, even if
35 it goes from the Seward Peninsula to the North Slope.
36 But I think the herders association recognizes sometimes
37 that it's difficult to tell, maybe an animal or whatever,
38 and that those animals do occasionally get harvested and
39 I think it's more of a courtesy thing that they would
40 like it reported. That you know, where and when you took
41 one of these animals. And like Kate said, I don't think
42 of any case anybody's ever been prosecuted for one like
43 that. But there is no sort of statute of limitations
44 when a private property reindeer becomes a caribou. It
45 doesn't -- as long as it's marked and identifiable to the
46 herder, it's still private property regardless of where
47 it's found. Now what happens when they -- you know if
48 they interbreed and the fawns from that -- I guess, you
49 know, I mean who knows. I'm assuming if it's not marked
50 and it's in with caribou, you could probably consider it

00121

1 caribou.

2

3 MR. MENDENHALL: One of my relatives,
4 like in Deering, the Carmen herd. First time in many
5 years there's no Carmens in Deering. Carmen lost their
6 herd to the caribou. It's gone. I mean, they
7 intermingled with the caribou. They went with the
8 caribou. And he took care of his deer, you know, like he
9 should but the caribou took off. This is the first time
10 in known history that we don't even have a Carmen in
11 Deering. So there's a loss of a herd. And there's
12 traditional ways of knowing what is reindeer and what is
13 caribou. If you butchered them -- caribou has dark meat
14 and reindeer has bright red meat. So we do have ways of
15 telling that. Plus when you look at this you can tell
16 which is caribou and reindeer if you've been around them
17 long enough. But that's the way I was taught and when I
18 was growing up, they used to say don't shoot any reindeer
19 because you may be shot by a reindeer herder. They had
20 that much jurisdiction when I was growing up. So when we
21 saw one we didn't shoot because we didn't know where that
22 herder was or is. So that's traditionally the way I --
23 around Nome we were brought up.

24

25 CHAIRWOMAN CROSS: Anything further.

26

27 MR. SEETOT: Adding to Ken Adkisson's
28 comment was that I guess I need to contact reindeer
29 herders association. I think reindeer herders
30 association still has that one side approach that it's
31 still private property whether it's still private
32 property whether it's on a range or not. And that's
33 where -- you know, I'm not too -- not happy but you know
34 I just feel uneasy about that situation. Because if that
35 was still private property you could have, you know,
36 within his or her range to be considered private
37 property.

38

39 CHAIRWOMAN CROSS: Leonard.

40

41 MR. KOBUK: For Stebbins and St. Michael,
42 their thinking or their way of thought is that once a
43 reindeer becomes wild, it can't be herded. It's
44 considered a wild reindeer. So usually the herders at
45 home will tell all their hunters if they can't control
46 the reindeers then -- just so they won't take the rest of
47 the reindeer away, they always let people -- other
48 hunters kill the reindeer because -- but right now the
49 problems that the IRAs are facing, even Teddy Kasok (ph),
50 he has his own personal reindeer that was given to him.

00122

1 It costs a lot of money to use a snow machine. The
2 amount of parts and sometimes the IRAs can't afford to --
3 they don't pay very good that's why in some cases it's
4 hard for them to get someone that will go out and round
5 up their reindeer. So in the -- Stebbins IRA is trying
6 to get -- lease the land from St. Michael corporation but
7 they want to do a land study first. Because where they
8 have their reindeer corral last -- when they did their
9 dehorning and stuff, a lot of the fawns got killed. So
10 they're thinking of starting a reindeer farm like Teller
11 has. Not only a reindeer farm but also fish processing.
12

13

14 MR. MENDENHALL: I heard that the
15 reindeer herders association annual meeting is coming up
16 March 18th, 19th and 20th so you know, that would your
17 place of information to get....

18

19 CHAIRWOMAN CROSS: Anything further from
20 the State.

21

22 MR. MENARD: Madame Chair, Jim Menard,
23 Commercial Fisheries. Manage Norton Sound and Kotzebue.
24 There's not too much Federal waters that come down here
25 in this area. The only place I've had any sort of
26 subsistence restrictions have been in the Nome
27 subdistrict. Can tell you coming up at commercial
28 fisheries is we are going to hire a regional research --
29 or a area research biologist. That has been one of the
30 things lacking up here for a long time. And I know
31 Charlie Lean has worked hard to get that. We're two
32 areas actually, Norton Sound and Kotzebue, and we were
33 the only area in the state, really, that didn't have a
34 research biologist. And, you know, Charlie has done it
35 for so long but my first year last summer, about
36 midsummer, I had cerebral numbness after all this
37 information coming in. So I'd just like to tell you
38 we're looking forward to a new position up here to help
39 us out. And I'll be available for any questions.
40

41

42 MR. MENDENHALL: I would like to thank
43 the fish that was donated from Kotzebue to the Nome area.
44 That was given to our loss of fish here. They gave at
45 least, I think, two or three chums per family.

46

47 MR. MENARD: Okay, yeah I don't know.
48 Was that fish that was purchased by Norton Sound Seafoods
49 within the state? Okay.

50

CHAIRWOMAN CROSS: If there isn't anymore

00123

1 questions I thank both of you. We might as well finish.
2 We just have Ken Adkisson and then we establish place and
3 time of our next meeting.

4

5 MR. ADKISSON: Madame Chair. Council
6 members. Ken Adkisson. I believe you have a copy of my
7 written remarks for your booklet. I'd like to just bring
8 your attention to one error in those remarks. If you'll
9 look down about halfway down on the first page, line 9 of
10 the second paragraph, you'll see the date 1993. That's
11 an error and that should read 2003. Like some of the
12 other reports that you've had, this is basically
13 informational only at this stage and doesn't require any
14 action on the Council. But some of you may have seen a
15 Park Service newsletter that was put out that mentioned
16 two issues of potential concern that could effect
17 subsistence and I just want to take this opportunity to
18 bring those to your attention a little more and provide
19 you with some background information at this point.

20

21 The two issues are commercially guided
22 sport hunting in Bering Land Bridge National Preserve.
23 And there's a history behind all of that and you can find
24 that in the section under commercially guided sport
25 hunting in the report. The other one is commercial
26 helicopter operations within the preserve. And if you
27 look at that down in the second area, you'll find
28 information on that. Let me just say that, for example,
29 we recently in our government consultations, government
30 to government consultation process, for example, with the
31 Shishmaref IRA Council, they expressed a number of
32 concerns on both those issues. Requested the Park
33 Service hold public meetings and consult with a wider
34 range of the community. So in both of those cases, both
35 those issue there are some complex legal, regulatory
36 policy issues and resource management and protection
37 concerns. And I'll just say that the Park Service is not
38 going to take any final action on either one of those two
39 issues any time in the very near future but we're going
40 to deal with them as part of a larger planning process.

41

42 The commercially guided sport hunting
43 will be conducting scoping meetings in the communities,
44 working with the guides. Go through a process to develop
45 a commercial services contract and probably, if we do
46 issue permits or contracts, the soonest that we could do
47 those would probably be the fall of 2003. With the
48 helicopters we'll probably be looking at that as part of
49 a broader access issue related to the development of a
50 management plan for Serpentine Hot Springs as well as

00124

1 possibly back country use planning for the preserves. So
2 that's basically what -- you know, and I'd say stay tuned
3 and you'll have other opportunities to comment. And
4 undoubtedly as we go through this process we'll be back
5 consulting with and informing the RAC on the progress of
6 these two issues. But nothing is going to happen
7 tomorrow.

8

9 CHAIRWOMAN CROSS: Any questions for Ken?
10 Or comments? Thank you, Ken.

11

12 MR. MENDENHALL: Are these guides from
13 Kotzebue only or Nome?

14

15 MR. ADKISSON: There's a process. I
16 mean, to be a guide and operate in a park you have to
17 jump through sort of a series of hoops. First of all,
18 you have to be registered with the State. Secondly you
19 have to be registered for a specific guide hunt area.
20 And there's probably only a handful that really relate to
21 the park here. With have more of an issue with this up
22 in the Kotzebue area, in the no Noatak National Preserve.
23 But for Bering Land Bridge, I know of only one active
24 guide right now that uses 22(D) and E and maybe Kate has
25 other information. But that's Brian Simpson and he does
26 want to get into the Bering Land Bridge National
27 Preserve.

28

29 MR. MENDENHALL: I often wondered what
30 that plane was flying over me for. Up in that part of
31 the world.

32

33 CHAIRWOMAN CROSS: I had asked Ann if we
34 had any new business and she told me we did not unless
35 you want to bring some up.

36

37 MR. SEETOT: Madame Chair, I would like
38 to request to present my report on the Western Arctic
39 Caribou Herd Planning Committee and Working Group.

40

41 CHAIRWOMAN CROSS: Sure, go ahead.

42

43 MR. SEETOT: We had a planning group
44 meeting in Anchorage October 22, 23. We're still trying
45 to wrap up the proposed management plan with the Western
46 Arctic Caribou Herd. A lot of issues were presented and
47 discussed at October 22 -- we still had not finalized a
48 draft management plan for the Western Arctic Caribou
49 Herd. We recognize that predators on the Western Arctic
50 Caribou Herd was necessary if it was managed on a

00125

1 sustainable level. It may be desirable to try to
2 influence the predator animals such as bear and the wolf
3 in response to the caribou management policies. Many of
4 these issues that we talked about were pretty much issues
5 statewide but we're more technical with our responses to
6 the Western Arctic Caribou Herd. And as before, the
7 ADF&G paid for the travel, paid for the room and board.
8 The draft management plan was also presented to the Board
9 of Game meeting November 2. Representative from the
10 Audobon Society, a subsistence hunter, a guide, presented
11 the draft management plan to the Board and I think it was
12 received pretty well.

13

14 We had a working group meeting December
15 11 and 12. The working group has representatives from
16 communities and areas that are within the range of our
17 Western Arctic caribou herd. At that meeting, Kotzebue,
18 Kobuk, our Wainwright representatives were -- voted in as
19 chairs for their areas. Sally Custer from Shugnak was
20 alternate for (indiscernible - snowmachine noise) has no
21 alternate. Darla Jenno from Elim was alternate for the
22 Southern Seward Peninsula region. I was to request from
23 the Northern Seward Peninsula committees an alternate for
24 me. I'm representing Brevig, Teller, Shishmaref and
25 Wales and they asked me to communicate with these
26 communities to see if an alternate was selected from
27 either one those communities.

28

29 A lot of time was time trying to get the
30 proposed language on some of the issues that were
31 presented on the draft plan. We had to deal with all
32 user groups. We're instructed not to leave any group out
33 or to favor any group within our discretion. One of the
34 more important things that was presented was a speaker
35 from the University of Alaska, Dr. David Pine, was a
36 noted expert on reindeer and caribou. There was a lot of
37 information that I either heard or knew. Information was
38 presented that I thought would be helpful to either the
39 consumers of caribou or also to reindeer. We're still
40 having -- we have had issues like the Seward Peninsula
41 Region Area Council that we are not compensated for being
42 on the committee. So that's something that we have been
43 trying to work on with the State of Alaska.

44

45 I do have written reports for October and
46 December meetings. I went to the January or recently the
47 February meeting that we had, I think, a final planning
48 committee meeting to finalized the population management
49 numbers. We had a hard time trying to put a number on --
50 when the population reaches a certain level then when do

00126

1 the State of Alaska, Federal government take action on
2 caribou. What we are trying to present is trying to have
3 a management plan in place before any crisis come along.
4 Our Chairman, Mr. Ballard stated that the Western Arctic
5 Caribou Herd Working Group is not a regulatory or a
6 enforcement organization. It's just that we were trying
7 to address the issues that would come along if the
8 population of caribou went below a certain level. We
9 have another working group meeting in February and as
10 soon as I get my written report I will present it to --
11 or I will submit it to the this committee.

12

13 That's all I have.

14

15 CHAIRWOMAN CROSS: Anybody else got
16 anything to report? Perry.

17

18 MR. MENDENHALL: I've been appointed by
19 the Governor of Alaska to represent Alaska Soil and Water
20 Conservation Board on undeveloped areas, unorganized
21 borough. And some of our members, five member board,
22 represent all of Alaska. And they went to a national
23 conference and they found that there was a group calling
24 themselves Alaska Conservation District. And yet they
25 had not authority and they were attending this national
26 conference. And they had a booth set up and they were
27 giving misinformation about Alaska. And some of our
28 Board members -- three of our Board members took turns to
29 go down to that booth and confront everyone that was
30 asking information on Alaska that that information that
31 they were handing out was wrong. And they have interest
32 in giving some information that was against any
33 activities on ANWAR or any parts of rural Alaska. So
34 there was great concern about our group and our State
35 authorized board. And the Department of -- let's see,
36 DEC, is basically an enforcement agency only. It does
37 not set policy like the Alaska Soil and Water
38 Conservation District Board is to. So DEC of the State
39 cannot set policies. They can only enforce what we
40 develop on soil and water.

41

42 So even on the internet, my brother that
43 works in Houston sent me information about Alaska. The
44 misinformation that they give on how we do our
45 subsistence hunting and how we live off fish, you know,
46 and game. They have a lot of misinformation there, using
47 against our people in Alaska on the internet. And they
48 discuss it openly as if it was gospel truth. For
49 example, one man went camping in rural Alaska. To him,
50 he only stayed like seven days and then he made a gospel

00127

1 thing that he knows everything there was about
2 subsistence hunting and how wasteful things were without
3 knowing that some animals do die naturally and that's
4 what he found. You know, when they go across the rivers
5 some of them drowned. And he thinks that things of this
6 nature, on the internet, we're no longer within our
7 closed region. We're open to the world like some of the
8 reports have said that. And I think that we need to take
9 proactive stance where we are and say, policy -- we set
10 the policy on Federal land. And we need to take the --
11 look at it strongly and see how we can make it help our
12 people. And then we'll probably -- putting on the
13 internet would help because then people from outside, the
14 Lower 48 that have access to website can find our
15 truthfully what we do and what we try to protect on our
16 fish and game.

17

18 And I think that's a big concern or else
19 we're going to let the internet and decisions being made
20 away from Alaska. Outside of Alaska. People claiming to
21 be Alaskans that are not. And I think that's a strong
22 warning to us because they could influence what we do in
23 our region without us even knowing it.

24

25 CHAIRWOMAN CROSS: Thank you, Perry, for
26 that information. Our fall calendar, it begins in
27 September 15th and ended October 19th.

28

29 MS. WILKINSON: Madame Chairman, I
30 received a call from Peggy Fox and she said that the
31 dates have been changed on that calendar. It now opens
32 September 9th and goes to October 11th.

33

34 CHAIRWOMAN CROSS: September 9th, October
35 11th.

36

37 MS. WILKINSON: September 9th is a
38 Monday.

39

40 CHAIRWOMAN CROSS: I know I'm in another
41 conference on the week of October 2nd -- 2nd, 3rd and 4th
42 I'm in another conference. Does anybody else have any
43 conflicts with any of those other dates?

44

45 UNIDENTIFIED SPEAKER: What date you
46 said?

47

48 CHAIRWOMAN CROSS: October 2nd, 3rd and
49 4th I'm elsewhere. Do we know when the Elder's
50 conference is going to be next year? Not yet, huh? They

00128

1 didn't set a date?

2

3 MR. MENDENHALL: It's normally the last
4 week of February.

5

6 CHAIRWOMAN CROSS: Oh, sorry. I'm
7 looking at September. Sorry, I'm just tired. What other
8 -- are all these dates open to us or somebody selected
9 dates already?

10

11 MR. MENDENHALL: We've got to make first
12 dibbs. September 20 -- the week of September 20th might
13 be good.

14

15 UNIDENTIFIED SPEAKER: 2,3 and 4 is fine.

16

17 CHAIRWOMAN CROSS: What?

18

19 UNIDENTIFIED SPEAKER: 2,3 and 4 is fine.

20

21 CHAIRWOMAN CROSS: 2, 3 and 4 I'm in
22 another conference. I'm away.

23

24 MR. MENDENHALL: Oh, you are?

25

26 CHAIRWOMAN CROSS: Yeah.

27

28 MR. ENINGOWUK: It seems like there's a
29 Bering Straits Regional Corporation meeting sometime in
30 October too. The first part of October before AFN.

31

32 CHAIRWOMAN CROSS: Should we go about the
33 second week of September? The week of September 16th?

34

35 MR. MENDENHALL: Don't forget we got
36 moose hunt.

37

38 CHAIRWOMAN CROSS: Well, isn't moose
39 hunting closed by then?

40

41 MR. MENDENHALL: What season did we set?
42 The window of opportunity is there. We've got to take
43 advantage of our moose hunt, you know. I mean, I know
44 it's open until the 31st but.....

45

46 CHAIRWOMAN CROSS: Okay, well then let's
47 go for October 7th. Is that okay with everybody? The
48 week of October 7th. Do we want this like in the later
49 part of the week again, Thursday and Friday? How about
50 October 10 and 11?

00129

1 MR. SAVETILIK: Sounds good.

2

3 CHAIRWOMAN CROSS: That sounds good.

4

5 MR. MENDENHALL: Done deal.

6

7 CHAIRWOMAN CROSS: October 10 and 11 will
8 be. And we need to select a place. Are we having it in
9 Nome again or do we want to move it elsewhere? Seattle?
10 Should we have it in Nome again? I guess we'll have it
11 in Nome again. Okay, now I want to thank.....

12

13 UNIDENTIFIED SPEAKER: The meeting will
14 be in another place than here.

15

16 CHAIRWOMAN CROSS: Yeah, they'll have to
17 find another meeting place. Well I want to thank
18 everybody for attending the meeting and I want to thank
19 the Council for being all here once again doing a very
20 good job. And I'm sorry to disappoint the out-of-towners
21 that you have only one day of meeting but we are done.
22 I'm adjourning the meeting right now.

23

24 (Meeting adjourned)

25

26 (END OF PROCEEDINGS)

00130

1 CERTIFICATE

2

3 UNITED STATES OF AMERICA)

4)ss.

5 STATE OF ALASKA)

6

7 I, Joseph P. Kolasinski, Notary Public in and for
8 the state of Alaska and reporter of Computer Matrix, do
9 hereby certify:

10

11 THAT the foregoing pages numbered 02 through 129
12 contain a full, true and correct Transcript of the
13 SEWARD-PENINSULA FEDERAL SUBSISTENCE REGIONAL ADVISORY
14 COUNCIL MEETING, taken electronically by Nathaniel Hile
15 on the 26th day of February 2002, beginning at the hour
16 of 9:00 o'clock a.m. at the Munaqsri Senior Apartments
17 Meeting Room, Nome, Alaska;

18

19 THAT the transcript is a true and correct
20 transcript requested to be transcribed and thereafter
21 transcribed by under my direction and reduced to print to
22 the best of our knowledge and ability;

23

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

26

27 DATED at Anchorage, Alaska, this 6th day of March
28 2002.

29

30

31

32

33

34

35

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 4/17/04