

1 NORTHWEST ARCTIC FEDERAL SUBSISTENCE  
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3 REGIONAL ADVISORY COUNCIL MEETING  
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5 PUBLIC MEETING  
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7 VOLUME I  
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9  
10 Northwest Arctic Heritage Center  
11 Kotzebue, Alaska  
12 March 25, 2014  
13 9:15 a.m.  
14  
15  
16  
17 COUNCIL MEMBERS PRESENT:  
18  
19 Enoch Shiedt, Chair  
20 Percy Ballot  
21 Verne Cleveland  
22 Michael Kramer  
23 Hannah Loon  
24 Walter Sampson  
25 Raymond Stoney  
26  
27  
28 Regional Council Coordinator, Carl Johnson (Acting)  
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P R O C E E D I N G S

(Kotzebue, Alaska - 3/25/2014)

(On record)

CHAIRMAN SHIEDT: Good morning, all.  
Attamuk here, Enoch Shiedt. And I'll call the meeting  
to order. It's March 25 at 9:15 a.m.

Welcome all. And this meeting is now  
in order. Welcome and introductions, starting with --  
my name is Attamuk Shiedt, Enoch Shiedt, from Kotzebue.

Are you picking me up now? Good  
morning, are you picking me up? Okay. I'll start  
over.

Good morning, Attamuk here, Enoch  
Shiedt from Kotzebue. I'll call this meeting to order  
at 9:15 this morning, and we'll make roll call starting  
with Percy.

MR. BALLOT: It's me.

CHAIRMAN SHIEDT: Yeah, hit your  
button, please.

MR. BALLOT: Percy Ballot, Buckland.

CHAIRMAN SHIEDT: Hannah Loon, Selawik.

MR. STONEY: Raymond Stoney from Kiana.

MR. CLEVELAND: Verne Cleveland,  
Noorvik.

CHAIRMAN SHIEDT: I know it could be  
heard on the mic, but in the audience, you could  
introduce yourself, please.

(Microphone not on)

MS. YUHAS: Jennifer Yuhas with the  
Alaska Department of Fish and Game, Fairbanks.

MR. CRAWFORD: Drew Crawford, Alaska  
Department of Fish and Game in Anchorage.

MS. OKADA: This is Marcy Okada

1 National Park Service in Fairbanks.

2

3 MR. BROOKS: Good morning, Mr. Chair.  
4 My name is Jeff Brooks, and I'm from Anchorage with the  
5 Office of Subsistence Management. It's a pleasure to  
6 be here today. Thank you for holding the meeting. And  
7 I look forward to working with you and the Council.

8

9 Thank you.

10

11 CHAIRMAN SHIEDT: Okay. Thank you.  
12 Maybe, Carl, to make it simpler, maybe you could  
13 introduce everyone since they don't all have to get up  
14 to the mic.

15

16 MR. JOHNSON: Well, actually what we  
17 can do, Mr. Chair, is I'll just turn this mic on, and  
18 then people can just stand up and then, you know, speak  
19 loudly from where they're at, and then we'll be able to  
20 hear everyone.

21

22 CHAIRMAN SHIEDT: Okay.

23

24 MS. PETRIVELLI: Pat Petrivelli, Bureau  
25 of Indian Affairs, Anchorage.

26

27 MS. GEORGETTE: Susan Georgette, U.S.  
28 Fish and Wildlife Service, Kotzebue.

29

30 MS. MORAN: Tina Moran, Fish and  
31 Wildlife Service here in Kotzebue.

32

33 MS. DAGGETT: Carmen Daggett,  
34 Department of Fish and Game here Kotzebue, Board  
35 Support Section.

36

37 MR. LORRIGAN: Jack Lorrigan, Native  
38 Liaison, Office of Subsistence Management, Anchorage.

39

40 MR. CEBRIAN: Merben Cebrian, BLM,  
41 Anchorage.

42

43 MS. MONIGOLD: Karmen Monigold,  
44 Kotzebue Sound Advisory Committee.

45

46 MS. SWEENEY: Brittany Sweeney, Fish  
47 and Wildlife, Kotzebue.

48

49 MS. HUNTINGTON: Good morning. I'm Joy  
50 Huntington, Koyukon Athabascan from the Interior, and

1 today I'm here representing the Alaska Industrial  
2 Development and Export Authority from Fairbanks. I'm  
3 very proud to also say that yesterday I got an Inupiat  
4 name, and it's Ukuski (ph) which means one who talks.

5  
6 (Laughter)

7  
8 MS. HUNTINGTON: So I'll try to keep my  
9 talking at a minimum today, but I still have to keep  
10 earning my name though, so you might hear more than you  
11 need to, but thank you.

12  
13 MS. TUTTELL: Maryellen Tuttell, DOWL  
14 HKM here representing the Alaska Industrial Development  
15 and Export Authority.

16  
17 CHAIRMAN SHIEDT: Yeah, go ahead,  
18 Walter.

19  
20 MR. SAMPSON: Good morning. (in  
21 Inupiaq) I don't know if I'm legal or not, but I know  
22 my term's up. Would someone know when those terms are  
23 up?

24  
25 MR. JOHNSON: Yes, Mr. Chair. Your  
26 still good through early December. So your term  
27 expires December 2nd of this year, so you're good for  
28 this meeting and the next one.

29  
30 MR. SAMPSON: Good enough. Thank you  
31 very much.

32  
33 CHAIRMAN SHIEDT: Okay. We'll go to  
34 the agenda. We need to change the date from February  
35 to today's date on this here, on this date here. Any  
36 modifications need to be done in the agenda. Everybody  
37 have a chance to look at it this morning.

38  
39 And Carl handed me one, the Federal  
40 wanted to make some changes on the agenda. So, Carl,  
41 we'll start with you.

42  
43 MR. JOHNSON: Certainly. Thank you, Mr.  
44 Chair. And for the record, Carl Johnson, Office of  
45 Subsistence Management.

46  
47 Some requests to modify, to add  
48 essentially some reports to the report area of the  
49 agenda. One would be a presentation on the Ambler  
50 Industrial access road, and that would be Maryellen

1 Tuttell who just introduced herself. And then we also  
2 have a report that we could put at any point for the  
3 Council's agreement, the U.S. Fish and Wildlife  
4 Service, Selawik National Wildlife Refuge report. And  
5 then also -- and that will be Brittany Sweeney will  
6 preset that. And then for a BLM update, Dave Parker  
7 plans to join via teleconference. And those would be  
8 for agency reports.

9

10 Then for new business, the Native  
11 Village of Kotzebue has expressed an interest in  
12 discussing the recent action by the Board of Game on  
13 Proposal 177. You have information about that in your  
14 folders as well as there are also handouts for the  
15 public over here on the table. And that should be on  
16 Proposal 177. It's regarding the taking of game using  
17 snowmachines. And that recently passed. So there is a  
18 possibility of, you know, discussing that, and then  
19 introducing a special action request.

20

21 And so that would be under new  
22 business, and then the other ones would be under agency  
23 reports. And then as far as to what order to put them,  
24 there has been a request for the Ambler Industrial  
25 Access Road presentation that they be first under  
26 agency reports. And then we could fit in the other  
27 agencies, other Federal agencies after OSM and National  
28 Park Service, so then we could do -- so we'd do OSM,  
29 Park Service, and then we could do Selawik and then  
30 BLM. And then go to ADF&G after that.

31

32 CHAIRMAN SHIEDT: Yeah. Okay. Thank  
33 you, Carl. You said Maryellen have to leave tonight.  
34 So maybe we could put her under agency, top under  
35 agency reports. They're with an agency, right?

36

37 MS. TUTTELL: Well, AIDEA is a State  
38 corporation, yeah.

39

40 CHAIRMAN SHIEDT: Okay. Now, I hate to  
41 feel that we had a quorum, and Michael Kramer just  
42 walked in. Michael Kramer is here. Good morning,  
43 Michael.

44

45 MR. KRAMER: Good morning.

46

47 CHAIRMAN SHIEDT: Maybe we could move  
48 Maryellen Tuttell under the agency reports whenever we  
49 get to it today, if it's okay with everyone here, with  
50 the Board.

1 (No comments)

2

3 CHAIRMAN SHIEDT: If not, is there  
4 anyone else from the Board want to make some changes  
5 for the agenda.

6

7 MR. SAMPSON: Mr. Chairman. The only  
8 thing is in regards to reports, I think we ought to  
9 limit some of the reports to a limited time. Sometimes  
10 people get too winded, and by the time a report is  
11 done, you're fairly confused in regards to exactly what  
12 the presentation was all about. So a highlighted type  
13 of a report would an ideal thing on giving reports.

14

15 CHAIRMAN SHIEDT: Yeah. I think Walter  
16 is right on that. Now that I think, he's right on that  
17 one. Sometimes you get a little too far, and maybe you  
18 could just go down real basic in what the goal and what  
19 are the end, do your final report, do your final  
20 standing report, and good about it. So it would be  
21 nice. And that way, due to our limit, and due to most  
22 of us are volunteering our time, those from here in  
23 Kotzebue. So that would be okay.

24

25 MR. JOHNSON: Mr. Chair.

26

27 CHAIRMAN SHIEDT: Yeah, go ahead.

28

29 MR. JOHNSON: Yes. That's a very  
30 prudent idea, and we discussed this at OSM. It has  
31 been a problem with other Councils as well, so we've  
32 set, as you'll note under agency reports, it says 10  
33 minutes unless otherwise indicated. So that's for the  
34 presenters to know that they have 10 minutes for their  
35 initial presentation, and, of course, you want to allow  
36 the Council as much time as it needs to ask questions,  
37 but that puts them on notice as to what their time  
38 limit it.

39

40 Thank you, Mr. Chair.

41

42 CHAIRMAN SHIEDT: Okay. Is there  
43 anything else from the Board here that need to be  
44 added.

45

46 I have one that I'd like to add. Our  
47 terms, whether we have anything to say with Congress or  
48 not, our terms are three years. It's way too short,  
49 the way things fly here in Alaska. And we run into  
50 that problem this fall. It proves that we need to have

1 probably three -- at least five to six-year terms here,  
2 because we have so few volunteers from the villages  
3 here, even in Kotzebue, that it's hard for us. And if  
4 our terms is up, who is going to represent our villages  
5 to hear what we have to say on subsistence issues, and  
6 what we have.

7

8 Because due to the global warming,  
9 there's a big issue going on. There's a lot of  
10 problems that's going to come up.

11

12 And we need to start thinking of  
13 younger generation to take over, because we're all  
14 getting quite old, and we need to retire pretty quick.  
15 We have only a few young ones here.

16

17 So I think we need to consider that.

18

19 Go ahead, Hannah.

20

21 MS. LOON: I was also thinking about  
22 that, Mr. Chairman, that we should also have alternates  
23 in case somebody is unable to go, like Calvin. We  
24 should have alternates.

25

26 Thank you.

27

28 CHAIRMAN SHIEDT: Yeah. That's well  
29 taken. Should have an alternate in the village, but  
30 it's up to the villages who they want to have in  
31 alternate, because I have a strong feeling that our  
32 representatives should come from each region: Upper  
33 Kobuk, Lower Kobuk, Noatak, Buckland and Deering, and  
34 Kotzebue, and have a couple extra seats at large, that  
35 way -- because Kotzebue is so huge, Northwest Alaska is  
36 so huge that we need to represent, yet we're different  
37 a little bit in our subsistence how we do things.

38

39 So, yeah, Hannah's right. We need to  
40 have alternate, or maybe the person could pick an  
41 alternate from the village with the village approval,  
42 city or the IRAs from the villages.

43

44 So I think we need to worry about that,  
45 our terms, because my term, Walter's term is going to  
46 come up pretty quick. And if we get approved, we could  
47 be in it again. There's things we need to do. I had  
48 to cancel a couple of things, because I was supposed to  
49 be in Anchorage, and I changed it. It was no big deal,  
50 but these are things that do come up. You know, you

1 guys got to learn to accommodate us. We need to be on  
2 part of lists besides your list here. Because are the  
3 ones that represent our region.

4

5 Thank you.

6

7 Anybody else.

8

9 Go ahead, Raymond.

10

11 MR. STONEY: Thank you, Mr. Chairman.  
12 I'll follow up on your statement about the term  
13 situation and appointment. For some reason, I guess it  
14 wasn't your fault, maybe it was the Congress, you know,  
15 for reappointment, that it took four months. And that  
16 was very, very confusing. And a guy wanted to be in  
17 that, and all I -- because like for myself, I got  
18 interviewed twice with the same questions, you know,  
19 four months ago. I think that doesn't -- I wasn't very  
20 comfortable, because somebody was not doing their work  
21 like they're supposed to on timely manner. So I just  
22 have to -- I don't know how you'd say that, but they  
23 have to do the appointment on a timely matter, and not  
24 three or four months late, you know. That's something  
25 that maybe the Secretary would hear about it.

26

27 MR. BALLOT: Mr. Chairman.

28

29 CHAIRMAN SHIEDT: Yeah, go ahead,  
30 Percy.

31

32 MR. BALLOT: Yeah. We're here because  
33 we want to be here. And I agree we need longer terms.  
34 I'm already currently filling out again. What I was  
35 wondering is that we have nominations on the agenda.  
36 Is that something we could try to introduce to the  
37 application packet of extending the terms.

38

39 CHAIRMAN SHIEDT: Do you want to get  
40 that, Carl.

41

42 MR. JOHNSON: Yes, Mr. Chair. Actually  
43 the things that the Council is discussing right now are  
44 things I planned in the discussion of the nominations  
45 portion on the agenda. And these are things that other  
46 Councils have expressed.

47

48 And actually you'll note that in your  
49 packet there's a letter from the Western Interior  
50 Council specifically about the last appointments. They

1 wrote it to the Secretary last year, and then they  
2 wrote again this year, expressing their displeasure  
3 about the late appointments. And that's two years in a  
4 row now.

5  
6 So these will all be good things that  
7 we could talk about in greater detail under that  
8 nominations item on the agenda.

9  
10 Thank you, Mr. Chair.

11  
12 CHAIRMAN SHIEDT: Yeah, Carl, I think a  
13 letter need to come right from the Board here. I think  
14 your agency need to write one up to say it, because our  
15 terms when they do come up -- and the other confusing  
16 part is the questioners are pretty much saying, in just  
17 different wording a little bit, and it gets confusing.  
18 And I think when our terms are up, we need to make  
19 copies, and that way we could see how we wrote it up,  
20 because we might write it up completely different, you  
21 know, different times, because it gets confusing. And  
22 I'm not alone in my office.

23  
24 You'll be after Raymond, Walter.

25  
26 Go ahead, Raymond.

27  
28 MR. STONEY: Thank you, Mr. Chairman.

29  
30 One more thing that I said it before,  
31 I'll say it again. On a meeting like this, it's a  
32 very, very important issue for Northwest Alaska, you  
33 know, for Federal Subsistence Board. So anyway there  
34 should be somebody from the Board attending our meeting  
35 here today, because I say that two times before. That  
36 somebody should be here, you know, a Board member,  
37 listening to our complaints, our statements, or  
38 whatever we have to say. But it should be brought up  
39 again that we'd like to see somebody from the  
40 Subsistence Board on our meetings.

41  
42 Thank you, Mr. Chairman.

43  
44 CHAIRMAN SHIEDT: Thank you, Raymond.

45  
46 Go ahead, Walter.

47  
48 MR. SAMPSON: Thank you very much, Mr.  
49 Chairman.

50

1                   We need to understand and recognize the  
2 beast that we're dealing with. Excuse the term, but  
3 we're dealing with the Federal system. We thought all  
4 along sometimes back by converting over into the  
5 Federal system, that Federal system would provide and  
6 reinforce rural preference. But it does not. I have  
7 to say that.

8  
9                   If you take a look at what and how the  
10 Federal system is set up, early on as we start as a  
11 commission or as a Regional Advisory Council, what  
12 we're doing is not by-passing the regional office.  
13 It's not going to the Department of Interior. Regional  
14 office is making those decisions for the department.

15  
16                   One prime example, the Kobuk Valley  
17 Commission put together a hunting plan. That hunting  
18 plan that was put together was shelved at the regional  
19 office. It did not go to the Department of Interior  
20 like it should. And it sat on the department's -- or  
21 regional office shelf for a number of years. We  
22 inquire about, what's the latest with our hunting plan?  
23 We have not heard is the response.

24  
25                   And that's why I say that what we try  
26 to do today is not working because of that reason.

27  
28                   And the other reason is Federal system  
29 will coordinate their efforts with the State of Alaska.  
30 For those employees that migrated into the Federal  
31 system, don't be offended by my comments. I'm not  
32 saying you're the problem. That system that the State  
33 of Alaska has is a system that's broken. That is  
34 slowly being taken over to the Federal system. As long  
35 as that system is transferred over to the Federal  
36 system, we're going to continue to bark, we're going to  
37 continue to fight. When we're dealing with the issues  
38 at the village level, where the impacts are, we're  
39 going to continue to have those problems. It's not  
40 going to get fixed.

41  
42                   If you take a look at the makeup of the  
43 Board, what's the makeup of the Board? How many  
44 representatives do you have from the villages? The  
45 State sits on that Board, even though it doesn't have a  
46 vote, but it influences Board members from their level.  
47 Remember, the Board members who sit on the Federal  
48 Board periodically will cycle. You get a new director  
49 for BLM or a new director for the State -- or for the  
50 Park Service. These folks are new. They come from

1 south somewhere and doesn't understand the way of life  
2 of a village in rural Alaska. But yet they sit to make  
3 decisions on how our life would be at the rural level.  
4 That's the crux of the problem.

5  
6 We can pout, we can raise issues. But  
7 sometimes we're not listened to. As long as that  
8 continues, things are not going to get better. Things  
9 are going to get even worse than what they are.

10  
11 If you look at how the BLM works its  
12 way through, for several years we continued to have the  
13 problem on the Squirrel River where there's BLM land.  
14 We pouted about BLM not having a plan to address those  
15 things. Finally just within a year or two, they  
16 finally said, well, we do need to put together a plan.

17  
18 As far as planning process is  
19 concerned, that process also has to change. You don't  
20 come in with the plans for people. You come into the  
21 region to listen to people, to get their input into  
22 that process so they can be part owners of that plan,  
23 not just the Federal agency. Remember, they're the  
24 Federal agencies as well, too. You're the trustees of  
25 these Federal lands. People who live off the land  
26 sometimes are set aside, and say we're it, we're going  
27 to manage these things. I'm sorry to say, that's the  
28 wrong approach to managing lands. Too often people  
29 don't have a say on things. Too often decisions are  
30 made somewhere else. That has an impact on the way of  
31 life of people.

32  
33 I'm sorry the way I'm taking the  
34 approach on this, but after listening to some of the  
35 members, some of the issues that are being brought to  
36 the table, that's the reason why we're not getting what  
37 we ask for sometimes.

38  
39 If we are going to be effective in what  
40 we do, then the Federal system needs to be part of our  
41 dialogue, and ask, what can we do together as partners  
42 to address those things? How can we be more effective  
43 in what we do, in managing Federal lands within this  
44 region. Remember this region, there's what, 85 percent  
45 Federal lands in this region. Maybe more. Only 2  
46 million acres of State land are within this region.  
47 The other 18, 19 million are Federal lands, besides 2.3  
48 million acres of corporation lands. So we're well  
49 within Federal lands. And there's got to be a better  
50 way to managing these things.

1                   A good prime example is look at  
2 Beringia. Beringia office is in Nome. Some of the  
3 Federal lands are parks and monuments within the region  
4 are imported within Beringia. Bering Land Bridge on  
5 the other side, very little of it is within Seward  
6 Peninsula, but yet they're dealing with Russian side  
7 from Nome side. There's something wrong with that  
8 system.

9  
10                   Politically, maybe that's what it is.  
11 Politics. But those politics have an impact on the way  
12 of life for the people of this region.

13  
14                   As long as it's continued in that  
15 direction that it's going, guaranteed what you do and  
16 how you do things in this region are going to be  
17 impacted, more so to those that are trying to put food  
18 on the table. That's why I'm raising these issues. I  
19 might have another year on this Board, but I guarantee  
20 you I ain't going to be quiet. As long as it impacts  
21 on our people, as long as I can speak, it's going to  
22 continue to come up.

23  
24                   But as Federal agency, remember, we're  
25 part of the Federal system. Work with us. Learn to  
26 work with us. Ask the very questions that will impact  
27 way of life. When plans are going to be done, take  
28 them out to the villages for their input.

29  
30                   With that, Mr. Chairman, Thank you.

31  
32                   CHAIRMAN SHIEDT: Thank you, Walter.

33  
34                   Since we're on this here, I will concur  
35 with Walter that we need to come up and we need to go  
36 represented on the final say-so how the agencies decide  
37 how we harvest our animals.

38  
39                   I'll give you an example, the Congress  
40 tried to come up with -- for the migratory bird, they  
41 gave us four choices for the non-profits to choose on  
42 migratory birds. I disagreed with it, and we came up  
43 with a model which was endorsed by Congress. It took a  
44 few years to put together.

45  
46                   But if we work on it, I think we'll  
47 come up with our own model here how we should do  
48 things. We'll come up, and it could be endorsed and  
49 could be that -- I'll give that as an example. It  
50 works, but we have to work on it.

1                   Walter's right. We're getting nowhere  
2 on a lot of things.

3  
4                   So I think what we need to do is go  
5 back to the agenda, and these things need to be  
6 considered heavily on how we harvest in our region.  
7 Because due to things that are happening to our  
8 caribou, the Park Service need to protect us under  
9 ANILCA on our subsistence for caribou big time. Need  
10 the proposal, then you guys need to protect us, because  
11 the State don't really.

12  
13                   Like Walter say, we have more land that  
14 the State does, the Federal land. Why should we worry  
15 about the State regulations? We should worry how our  
16 people should harvest in our lands, and their  
17 regulations should come right from this Board here, not  
18 the agencies that never set foot on our lands and hunt  
19 in our region.

20  
21                   And I believe completely that it should  
22 come from here, because the State is not here, yet  
23 they always say we need to get close to State  
24 regulations as possible. I think we need to reverse  
25 that thinking and let the State come to us and say they  
26 need to have regulation. Because a lot of times the  
27 State come up with something, we're illegal. And we  
28 need to -- and something need to be done.

29  
30                   I think we're really getting out of our  
31 agenda here, but these things are important and they  
32 need to be heard.

33  
34                   So if anyone else from the Board would  
35 like to comment on this.

36  
37                   (No comments)

38  
39                   CHAIRMAN SHIEDT: Go ahead, Carl.

40  
41                   MR. JOHNSON: Yes. Mr. Chair. I  
42 forgot there's one other item to go under new business,  
43 and this would actually be the first item, because it  
44 will tie in with the last discussion under old  
45 business, which is the briefing on Fisheries Resource  
46 Monitoring Program. So the first item under new  
47 business should be developing your priority information  
48 needs, which would be, you know, the Council telling  
49 OSM what it considers to be its priority fisheries  
50 research needs for this area. And then that helps us

1 to develop a foundation for identifying research that  
2 would benefit this region.

3

4 Thank you, Mr. Chair.

5

6 CHAIRMAN SHIEDT: Thank you, Carl.

7

8 Anyone else on this topic right now.

9

10 MR. BALLOT: Mr. Chairman.

11

12 CHAIRMAN SHIEDT: Go ahead, Percy.

13

14 MR. BALLOT: I'd like to approve the  
15 agenda as amended.

16

17 CHAIRMAN SHIEDT: As amended, Percy?

18

19 MR. BALLOT: Uh-huh. (Affirmative)

20

21 CHAIRMAN SHIEDT: So on what category  
22 are we going to put some of these, under old business  
23 or the new business so I could go down the line. Or  
24 we'll just add them, write into the new business later  
25 on.

26

27 Go ahead, Carl.

28

29 MR. JOHNSON: So, Mr. Chair, what I'll  
30 do is I'll go over it for the record, but I'll also  
31 print out a clean, updated copy of this agenda for the  
32 Council and for the public.

33

34 The first order under new business will  
35 be the priority information needs, then followed by the  
36 discussion on Board of Game Proposal 177. The rest of  
37 new business will appear as it currently does. And  
38 then under agency reports, we'll do the AIDEA report  
39 first on the Ambler Industrial District, followed by  
40 OSM and National Park Service, then the Selawik  
41 National Wildlife Refuge report, then the BLM update,  
42 and then the rest of the discussion will go -- the rest  
43 of the meeting will go as it is currently in your  
44 printed agenda.

45

46 But again I'll -- I've got your  
47 original draft agenda, I'll make these additions, and  
48 I'll print out a new one for the Council.

49

50 Thank you, Mr. Chair.

1 CHAIRMAN SHIEDT: Okay. Yeah, thank  
2 you, Carl.  
3  
4 And so Percy moved to adopt the agenda  
5 as amended. Any second.  
6  
7 MR. SAMPSON: Second.  
8  
9 CHAIRMAN SHIEDT: Seconded by Walter.  
10 Question.  
11  
12 MS. LOON: Question.  
13  
14 CHAIRMAN SHIEDT: Question been called  
15 for. All in favor say aye. All say aye.  
16  
17 IN UNISON: Aye.  
18  
19 (No opposing votes)  
20  
21 CHAIRMAN SHIEDT: Sorry, I was reading  
22 at the same time. I didn't know if we were on  
23 something here.  
24  
25 Okay. We'll go to the minutes for the  
26 last meeting, number 3. I'll give you a minute to  
27 review it.  
28  
29 MR. BALLOT: Mr. Chairman.  
30  
31 CHAIRMAN SHIEDT: Yeah, go ahead,  
32 Percy.  
33  
34 MR. BALLOT: We've had these in our  
35 email and stuff, and the packet's been mailed, so I  
36 move to approve the August 21 and 22 fall meeting  
37 minutes, 2013.  
38  
39 CHAIRMAN SHIEDT: Okay. Percy  
40 requested to accept the minutes from the last meeting.  
41 Any second.  
42  
43 MR. SAMPSON: Second.  
44  
45 CHAIRMAN SHIEDT: Seconded by Walter.  
46 Question.  
47  
48 MR. CLEVELAND: I call for the  
49 question.  
50

1 CHAIRMAN SHIEDT: The question has been  
2 called for. All in favor.

3  
4 IN UNISON: Aye.

5  
6 (No opposing votes)

7  
8 CHAIRMAN SHIEDT: Okay. Thank you.  
9 Okay. Council members report. Who want to start  
10 first.

11  
12 Michael.

13  
14 MR. KRAMER: Welcome everybody. It's  
15 good to be back in here again. You know, waiting for  
16 government to finally get off their butts and get  
17 things rolling to get me back in here. I'm back in  
18 here now for another three-year term.

19  
20 It's been a very good year, a very warm  
21 year for this region. Trapping's been pretty slow.  
22 Hunting's been fairly good. Everybody's been doing  
23 pretty good on their subsistence, so I haven't gotten  
24 any complaints or any things brought up to me, other  
25 than last fall, you know, about the aircraft up the  
26 Noatak River. That's a never-ending subject, and  
27 probably never will end until we either extend the  
28 corridor for controlled use area, but until that comes.  
29 I haven't really heard anything else, any other  
30 complaints.

31  
32 I know when this Ambler road thing  
33 comes up, I'm going to have a lot to say on that.

34  
35 I still have yet to, you know, find out  
36 what the population of our caribou herd is, and  
37 hopefully we'll find that out today, because that's a  
38 big subject that needs to be brought up on a yearly  
39 basis with us.

40  
41 As for the wolves and wolverines and  
42 caribou, I also hold a seat on the State, and we  
43 approved that. And it was good to see that approved,  
44 but I think we need to, you know, change the wording.  
45 We did on our side, we changed it to for animals,  
46 furbearers. That way it includes everything that, you  
47 know, we go after for subsistence, you know, for fur  
48 use, whether it be otters, fox, you know. But we just  
49 need to be able to adjust the rules and regulations to  
50 -- especially when there's such a high amount of bears,

1 wolves, you know, I think there -- it needs to be  
2 lenient on those animals that has such high numbers,  
3 and they're such a threat to humans out there, you  
4 know, living the subsistence way of life.

5  
6 I'm pretty sure that, you know, within  
7 the next several years, if we don't do anything about  
8 this, then there's going to be a lot more grizzly bears  
9 that are going to get shot and shoved, you know,  
10 underneath the tundra, or dropped off out in the middle  
11 of the ocean or out in the middle of the river. You  
12 know, I'd prefer they be at least reported.

13  
14 Other than that, it's good to be back  
15 here, and that's all I have.

16  
17 CHAIRMAN SHIEDT: Thank you, Michael.

18  
19 Verne.

20  
21 MR. CLEVELAND: (in Inupiaq) We had  
22 some pretty weird weather this last fall. But a lot of  
23 moose. And the caribou were late coming in last fall.  
24 but once they got in, boy, there were a lot of hunters  
25 out there, I mean, catching caribou. A lot of wolves,  
26 a lot of bears like Mike said.

27  
28 And the reports from up Kobuk, within  
29 one hour, he said he counted something like 40 bears  
30 above Kobuk, in the Kobuk. Within one hour boating.  
31 40 bears on the beach. And I said, man, that's a lot  
32 of bears. I think the regulation should be changed,  
33 like at least two bears, grizzly bears. What happened,  
34 we don't know. We could maybe work on that.

35  
36 But other than that, like I say, we had  
37 some weird weather. It was 60 above in January, and  
38 riding around on snowmachines in t-shirts, so that was  
39 pretty cool I think.

40  
41 But other than that, that's all I've  
42 got.

43  
44 Thank you.

45  
46 CHAIRMAN SHIEDT: Yeah. Thank you,  
47 Verne.

48  
49 Go ahead, Raymond.

50

1 MR. STONEY: Thank you, Mr. Chairman.  
2 I had a little bit, but I know they're not going to be  
3 very strong to you, because this winter we had a very  
4 mild winter, and we enjoyed that. Just like  
5 summertime, the upper 40s almost all winter. And we  
6 don't have any caribou at all.

7  
8 But we've got a lot of wolves. It's  
9 well over 100. When it's not going to your -- between  
10 your houses, like 10, 15 of them, that's a very  
11 dangerous animal in town. We have to chase them away.  
12 Otherwise we not get caught yet by the Fish and  
13 Wildlife officer. There's so many wolves, nobody's  
14 going out.

15  
16 Now, on this proposal that came out,  
17 that 177, it says it will be effective July 1. Why did  
18 the State enforce an individual two weeks ago for  
19 chasing a wolverine, before it come effective law. Why  
20 do they do that? Because it's not law yet. And the  
21 guy that got caught, he said he didn't know there was a  
22 law written, who made that law? When it came to the  
23 public? It wasn't publicized, that proposal. That's  
24 why the individual got caught. I certainly hope the  
25 Federal people is not doing that to our people, because  
26 right now that -- like I said, I'll say it again, the  
27 wolf is so much dangerous, we're going to have to chase  
28 them away, even though we go to jail for it. That's  
29 something we should strongly remember and now. Now  
30 this proposal be effective July 1 I guess to hunt the  
31 wolves and wolverine, probably caribou, too.

32  
33 So I'd like to find out, Mr. Chairman,  
34 why the State is enforcing this proposal before it  
35 become law.

36  
37 Thank you, Mr. Chairman.

38  
39 CHAIRMAN SHIEDT: Thank you, Raymond.

40  
41 Go ahead, Hannah.

42  
43 MS. LOON: (In Inupiaq)

44  
45 CHAIRMAN SHIEDT: Thank you, Hannah.  
46 Do you want me to translate, or you will?

47  
48 MS. LOON: You will.

49  
50 CHAIRMAN SHIEDT: Okay. Hannah

1 stressed that this fall that they were getting  
2 whitefish, and it was so warm that they were spoiling,  
3 and they couldn't put anything away. And it was so  
4 warm that all the whitefish they were getting, just  
5 from the warm weather, they were getting spoiled and  
6 they were being cooked, which I know do happen.

7  
8                   And there was no snow during this fall  
9 that they hardly get any caribou with snowmachine. It  
10 was hard on the machines, hard on their equipment.  
11 They wouldn't go out, because it's so costly to get a  
12 snowmachine, they didn't want to break their  
13 snowmachine so they get. But they were breaking down a  
14 lot due to -- that was the tundra was bad this year.  
15 We know we have no snow, and they hardly even get any  
16 caribou falltime. And the hills had no snow.

17  
18                   And also this fall basically the same  
19 thing as spring. That the fish was spoiling when they  
20 were trying to make it, and they couldn't put any fish  
21 away in the freezer, because they were full of meat,  
22 because Natives can't (indiscernible) their meat, they  
23 fill up their freezer as much as possible with caribou.  
24 And it takes a lot for us to have freezers plugged in.  
25 Because I know when I lived in Noatak, when you plug in  
26 the freezers, your light bill will be \$400 easily per  
27 month. And when you're on limited income, that's  
28 pretty hard, just trying to make it, and just trying to  
29 live on our food is really hard on us.

30  
31                   So is there anything else I forgot,  
32 Hannah, or I missed.

33  
34                   MS. LOON: That part about not having  
35 enough snow was during the wintertime. Yeah, and fall.

36  
37                   Thank you.

38  
39                   CHAIRMAN SHIEDT: Thank you, Hannah. I  
40 think it is in our language, these are important to  
41 give our report, because we say it better in our  
42 language than we say it in English. There's a lot of  
43 things I missed on what she said. But it's different.  
44 I hear what you're saying, and yet you guys when you  
45 say it in your language, our terms are completely  
46 different. That's the way we are raised and the way we  
47 are in the villages.

48  
49                   So thank you, Hannah.

50

1                               Go ahead, Walter.

2

3                               MR. SAMPSON: (In Inupiaq) First of  
4 all, I want to thank Hannah for speaking the Inupiaq  
5 language. Sometimes when you speak your language, what  
6 you try to express is more meaningful to each one of us  
7 than trying to use the English language. Especially  
8 when you're not highly educated. I still do a lot of  
9 village talk, a sort of broken language type. And I  
10 thank her for using the Inupiak language to address the  
11 issues that she brought to the table.

12

13                               I think what is being addressed is just  
14 the tip of the iceberg. There's many things, there are  
15 a lot of issues that needs to be reinforced.

16

17                               A good prime example is ANILCA. Why is  
18 that ANILCA is not being enforced. The State of Alaska  
19 laws didn't quite -- or don't quite work. Why is it  
20 that the Federal system doesn't enforce new Federal  
21 laws that they should come out with? Basically what  
22 the Feds did is they rubberstamped the State of  
23 Alaska's existing laws. Some of those laws that didn't  
24 work. And I think that's important time. There's got  
25 to be a relook at the provisions of Title VIII of  
26 ANILCA. The funny part is that you see that the State  
27 of Alaska enforcing those law within Federal lands.

28

29                               The kid that got cited for chasing a  
30 wolverine within Federal lands. The State of Alaska  
31 cited him. But yet the Federal system is saying, we're  
32 the managers. I don't know what kind of management  
33 this Federal system has, but it needs to be fixed.

34

35                               The issue in regards to the problems  
36 that exist, we listen to what's happening with weather.  
37 Because of that very problem, caribou comes in late in  
38 the falltime. I'm sure caribou's going to be here,  
39 moving north here pretty quick. Just right around the  
40 corner.

41

42                               But yet during the fall hunt we have a  
43 lot of problems with the competition with the  
44 sportshunters. A lot of horns go through with very  
45 little bit of meat being taken out. But yet you don't  
46 hear wanton waste issues for those types of hunt.

47

48                               I remember a state representative here  
49 was leaving for Anchorage. And he was behind an  
50 individual that as packing his stuff to Alaska Airlines

1 to leave. On his way in to Alaska Airline he set a  
2 little black plastic bag on the side of the door.  
3 Right in front of the door. Left it there. Went in to  
4 check in. He checked his luggage in. And didn't  
5 bother with the bag that he left out there. And that  
6 was a bag of meat that he left, just right outside the  
7 door.

8

9 If that meat is taken care of out in  
10 the field, properly taken care of, and be taken in to a  
11 closest community, I'm sure a lot of our people in the  
12 village level would utilize that meat, as long as it's  
13 edible. As long as it's good. But sometimes that meat  
14 that is brought to the villages, it's really slime meat  
15 that is brought to the village. Why it get that way?  
16 Because they keep those things in black plastic bags.  
17 And that's bad meat really for consumption.

18

19 And that is one of our biggest problems  
20 in this region is the competition with interest groups  
21 falltime. But yet to the State, it's never been really  
22 resolved. And it will continue this coming fall. And  
23 we will get the same story, we're working on a plan.

24

25 I know village folks have been having  
26 some meetings with the Federal folks in regards to  
27 those very issues. I know many times in Kiana that  
28 very issue has been talked about with no resolution to  
29 this point.

30

31 And that's the type of Federal  
32 management that we deal with. The Federal Board needs  
33 to put their doggone foot down and say enough is  
34 enough. There's got to be a way to stop that and say,  
35 we're going to manage the resource.

36

37 Look where the State of Alaska has  
38 taken us today. Katie John case. The State of Alaska  
39 has certainly taken that case now. If the courts  
40 overturn that, then what's next. It's going to be that  
41 much harder for life for folks at the rural level.

42

43 There is a purpose behind ANILCA that  
44 Congress passed. But that purpose is not being  
45 reinforced by those managers. Supposedly it's a  
46 Federal law. And it's something that certainly needs  
47 to be looked at.

48

49 I spoke of the Board system that deals  
50 with those very issues where people are having some

1 problems today in regards to putting food on the table,  
2 especially widowed women with large families. They're  
3 having a much harder time than a lot of others that  
4 have the ability to go and take. But yet there's a lot  
5 of wanton waste that occurs.

6  
7 A lot of wanton waste sometimes get  
8 reinforced when it's close to the village. And it  
9 makes it look like that the village is doing that. And  
10 it's sad to see that it happens that way.

11  
12 If somebody thinks that I'm making up  
13 stories, look at the facts sometimes. Go to a village  
14 and ask, and they'll tell you. These are the facts  
15 that I'm bringing to the table.

16  
17 We've been silent too long. Not silent  
18 in a way that we want to be heard. We've been talking  
19 about these very issues, but talking to a brick wall  
20 that don't hear.

21  
22 I apologize for being harsh, for taking  
23 these things in this way. But facts don't lie. Way of  
24 life is being impacted. We're going to have a good  
25 discussion here in regards to the State law that was  
26 passed, and I'm looking forward to that discussion.

27  
28 With that, Mr. Chairman, thank you very  
29 much.

30  
31 CHAIRMAN SHIEDT: Thank you, Walter.

32  
33 Go ahead, Percy.

34  
35 MR. BALLOT: Yeah, Mr. Chairman. I'll  
36 make mine short.

37  
38 I'm really glad to see that we're going  
39 to be talking about hunting on snowgoes and that  
40 resolution that's going to be in. We like Kotzebue  
41 also included other game, because sooner or later  
42 they'll be fining us with something else. I already  
43 know that. But turning the snowgoes off and stuff like  
44 that, you know, we all know we're in a boat or  
45 something, you turn it off, there's shallow water or  
46 flotsam, and there's some issues with that. But at  
47 least it's a start.

48  
49 We're having our celebration of life  
50 March 28, 29, 30. And we talk with kids about

1 survival, weather changes, weather patterns, safety.  
2 And we share anything they want to know with the kids  
3 during the day. We have dog races and we also have  
4 inspiration and things like that. So we have a lot of  
5 group -- it's a fun week. It's kind of a prevention  
6 thing, just getting together with the kids annually.  
7 Next year, we're hopeful we'll see some agencies there  
8 that might want to give a little part of what they do,  
9 or share in their proposals or something down there,  
10 down the line.

11  
12                   We had snow problems, too, just like  
13 the other villages. Warm. We've been getting a lot of  
14 wolves and caribou. This year, even though it's been  
15 pretty. Like you go to Selawik Hills, a lot of people  
16 come home with nothing. It's good our prices for gas  
17 isn't as high as the whole region just about, so people  
18 ben hunting.

19  
20                   Our muskox, we found out that a lot of  
21 them went to other places versus Buckland or Deering  
22 for the State hunt. I don't know how the information  
23 sharing or the outsourcing was when they were giving  
24 out permits back in November, but we were lucky to have  
25 one guy, so we're kind of concerned.

26  
27                   Buckland had and Deering had the idea  
28 years ago to grow the herd, and at the same time hunt.  
29 But lately it seems like the permits are going to  
30 places other than Buckland and Deering, and so we're  
31 kind of concerned, and thinking about looking at the  
32 Federal side of hunting.

33  
34                   And there was a BLM running around  
35 earlier this year. We haven't heard a report of what  
36 they've been doing. I think they've been going to old  
37 village sites or old sites. We've asked and we haven't  
38 seen a report on what did they do, what did they find.

39  
40                   And we're seeing a lot more regional  
41 hunters this year. Which is fine. We try to stake our  
42 trails so that we don't have to go out as much as do  
43 different people. But all in all everybody that goes  
44 over there and gets something.

45  
46                   And I think that was -- oh, yeah, we  
47 did find a coyote this year. So I don't know what  
48 they're doing in our area, but they're starting to move  
49 around there, too. Like I say, new things are coming.  
50 We don't exactly like them, so if anybody seen coyote,

1 knock them down. We like our wolves and wolverine. We  
2 don't want no coyotes around.

3

4 That's it. Mr. Chairman.

5

6 CHAIRMAN SHIEDT: Thank you, Percy. I  
7 know what you're saying about coyote. The first coyote  
8 I see is mid 50s when we were dog team from Noatak to  
9 Kiana. So they've been around, and I know they do get  
10 some once in a while. We don't like them. Cabella  
11 like them, to make them look good when they're selling  
12 their parkas.

13

14 Anyhow, for my report, I'd say this  
15 fall was a good hunt for some people, but it was late.  
16 Like Verne said and everybody said here. Hunt was  
17 late. They were almost -- they were getting close to  
18 being stink when they finally come in, and they cross  
19 at Kiana, and I mean that there was boats up there, and  
20 which everybody need to, due to high price of gas.

21

22 And since I'm with the caribou, I would  
23 like to say, I think what we need to do under ANILCA,  
24 we need to starting at Noatak this year protect our  
25 harvest of caribou. And we need to go after them to  
26 say, hey, we have a right to hunt caribou, and caribou  
27 are declining. And I think as individuals we need to  
28 go through Noatak or Kotzebue IRA to file a suit and  
29 say, ANILCA, protect our hunting rights on our caribou,  
30 because we are caribou people, I'll tell you that right  
31 now. Northwest Alaska are caribou people. Without  
32 caribou, we would not make. We do live on fish, but  
33 not heavily as caribou.

34

35 And Walter and everybody's right.  
36 Sporthunters, when they come to town, they leave with a  
37 lot of antlers. And I would say if you want to find  
38 out how much antlers is being taken versus how much  
39 meat is being taken, they would gladly cite the hunters  
40 for wanton waste. Because most of the time when they  
41 try to give out the caribou, they're spoiled. I think  
42 what we need to do, what the Park Service, Noatak  
43 Preserve, Selawik Wildlife Refuge, Bering Land Bridge  
44 need to proposal together that if they do hunt caribou,  
45 they need to be able to take it to town. Because when  
46 it's early, they need to be in town within three days,  
47 otherwise they get funny, and that's waste. And if we  
48 Natives do it, we'll get cited if we try to dump it out  
49 in our dumpsters or to the dogs, because we're wasting.  
50 We always be targeted by the State in different places

1 as Natives. And yet the other guys, they hardly get  
2 cited, because I've seen it. And I always walk the  
3 town falltime.

4  
5 I'll give you the same report I gave  
6 every year. A guy takes clients to Cutler, and they  
7 were there, and I figured they were going to be there  
8 close to Labor Day, so I went up toward lagoon, and I  
9 walked, and I act stupid again, talk to them. And they  
10 were bragging to me that they're from Florida and  
11 Tennessee, these guys get together, they go Cutler, and  
12 they inflatable boats, a little motor, and they have  
13 two workers just to work for them. And they said they  
14 do hunt caribou. And I was told by the guy that take  
15 them up, he said, they haul gas, they haul all their  
16 stuff and they stay for about two weeks. I could give  
17 the name, I said the name a few years ago, but this  
18 year I'm not going to, because he asked me. He don't  
19 fly any more. He do, but he's -- and when he see men,  
20 he said, Attamuk, (in Inupiaq), like you do before and  
21 you get information. Would be better offer to get the  
22 information from the hunters themselves. And I did.  
23 And they're doing the same thing year after year.

24  
25 And what they're doing is diverting the  
26 caribou that is getting -- because Cutler, if you go  
27 over the mountains, just -- it goes right to Ambler.  
28 We all know that. And that's the trouble we're having  
29 here. And that's where we're have a problem. Because  
30 it would be nice if the hunters say, we'll hunt, but  
31 we'll give you the meat. I know it takes extra time  
32 and labor, but if they bring it to the closest village,  
33 maybe we would complain less. And the meat is not  
34 being spoiled and not being wasted.

35  
36 And that under ANILCA, I need the Park  
37 Service, I need -- they need to protect us on our  
38 hunting, because they're going down, caribou count is  
39 going down. That's what we heard from Jim. He gave a  
40 report to us, and we need to worry about it, because if  
41 they keep declining, we are going to hurt. Because  
42 when I used to work at Maniilaq, when Susan and I did  
43 surveys, average take per family 14 caribou per year.  
44 That sound lots, but it's not really lots, not the way  
45 we share with the people from out of town. If one  
46 village don't get it -- I remember a few years ago,  
47 when they never get caribou at Kivalina and Noatak, I  
48 sent caribou to Kivalina and Noatak, because they  
49 wanted it, because it -- and hunters from Noatak were  
50 going all the way to Ambler. Lot of drift. But

1 Natives don't know mileage. They will hunt just to put  
2 food on the table, because it's so hard to go without  
3 caribou.

4

5                   And I think what we need to do, we need  
6 the Federal -- we need to have out concerns, issues.  
7 When the Federal say under OSM you'll go only so far  
8 and it stops there, and they will come up how OSM  
9 should be written, how the regulation be written. I  
10 think that need to stop. I think it need to come right  
11 from us, and we need -- Alaska is so large that we need  
12 to have a representative, especially Northwest Alaska,  
13 where a lot of Federal lands is right there. I think  
14 someone need to sit in the table when they're doing a  
15 proposal and they're doing how we should harvest. Yet  
16 the ones that make the regulations and to worry about  
17 our harvesting, they're not really from our region.  
18 They don't know how we do it, and how much we take in  
19 on our resources just to make it year by year.

20

21                   It's a recycle year, and year after  
22 year we go through a recycle. Caribou come, we start  
23 craving for fresh caribou. Fish start coming, our body  
24 will crave for it. Being a Native, I do, especially  
25 when the birds are coming. March, April come, I start  
26 craving for birds. Eat it once, our bodies shuts up,  
27 and say you have it this year, you don't have to worry  
28 about it. The same thing with fish. Berries come  
29 around, we do the same thing.

30

31                   I think what they need to do is  
32 understand that we Natives even we're in the western  
33 world now, we still depend heavily on our resources,  
34 and we will not go without it. And I will fight for  
35 it. I'm almost 70, and I've been harvesting since I  
36 was 9 by dog team. And I'm proud to do it, and I will  
37 gladly do it. But I need to, because my grandkids  
38 can't live without -- my grandson, he wanted to go out  
39 and go -- I think we should go out. I said, it's  
40 really hard this year due to there's no snow out there.  
41 Really hard on our snowmachines, you know. And I'm  
42 proud for him, because there's other people that have  
43 grannies and they have kids and they want to do their  
44 thing, they want to be Natives, and I'm proud that they  
45 should be able to do what we've been doing when we were  
46 growing up in the different times.

47

48                   If anybody else don't have to say  
49 anything on this. Go ahead, Raymond. We'll go on  
50 break after.

1 MR. STONEY: Thank you, Mr. Chairman.

2

3 On the comments, and we all know that  
4 the caribou is declining. We'll it's not rapidly, but  
5 they continue to decline. Now we see the problem is  
6 already beginning, just like in the Wulik, that's  
7 Kivalina area, and the Noatak Valley. It's been  
8 hurting those people, because the caribou were thin  
9 again this year, and they extended the date to  
10 September, I believe -- I think it was September 20,  
11 you know, for non-resident hunters.

12

13 Of course, you know, that caribou  
14 working group when they put that technical issue for  
15 managing the caribou, they put a technical proposal in  
16 there, if the caribou start declining, that's when the  
17 limit begins. Otherwise, I don't know how many permits  
18 they issued last for the Squirrel, the Wulik, and  
19 Noatak. I don't know how many hunters were up there,  
20 but it's time to limit those non-resident hunters in  
21 those two areas -- three areas, Kivalina area and the  
22 Noatak and the Squirrel River.

23

24 I imagine you've got information on how  
25 many permits were issued for those three agencies. The  
26 time has come to limit those hunters. Cut them in half  
27 or so.

28

29 CHAIRMAN SHIEDT: Yeah. I think the  
30 agency will give a report on how many permits they do  
31 hand out for the BLM, Park Service.

32

33 And I forgot to mention that Percy's  
34 right on the muskox, that the permitting go to the same  
35 people over and over every year. I think what we need  
36 to do is we need -- Carl, we need to have a proposal  
37 that come here to change, that when they -- for muskox,  
38 they need to put it on a hat. That way the same person  
39 under grandfather rights won't be able to harvest  
40 muskox every year. I know some people do it over and  
41 over. But there's others, and our youngsters need to  
42 start -- you know, if they get lucky. If they get  
43 lucky on a draw, and whoever have interest in  
44 harvesting muskox in the Federal land that it's open,  
45 they should be do it. I know it was closed last year  
46 under emergency, because someone killed some muskox  
47 towards Kivalina and Point Hope. So I think that need  
48 to be addressed then.

49

50 So with that, I think we need to go on

1 a break for 15 minutes.

2

3 Thank you.

4

5 (Off record)

6

7 (On record)

8

9 CHAIRMAN SHIEDT: Okay. We'll call the  
10 meeting back to order at 10:45 a.m.

11

12 Okay. We're on Councils' report. Now  
13 we'll go to public and tribal comments on non-agenda  
14 items. Go ahead, Carl, do you have any.

15

16 MR. JOHNSON: First, Mr. Chair, I have  
17 not yet received any slips from anybody requesting to  
18 make a presentation or talk about any issue for the  
19 Council.

20

21 And then just two quick administrative  
22 items. Council members, you now have before you the  
23 revised agenda as approved earlier. There are also  
24 copies available here on the table for everybody who's  
25 sitting in the audience.

26

27 And then, two, is a reminder to those  
28 who are attending, please make sure to sign in on the  
29 sign-in sheet, and print legibly, or the court reporter  
30 will get creative.

31

32 Thank you.

33

34 CHAIRMAN SHIEDT: Yeah, I see you made  
35 some changes. Okay. Even the date's correct. Okay.  
36 Thank you.

37

38 Thank you, Carl.

39

40 Okay. So there was nobody under public  
41 and public. Anyone from the -- we have a right to call  
42 the audience, right, if they have any comments.  
43 Public. Yeah. It say public.

44

45 MR. JOHNSON: Certainly. It's always a  
46 good idea, even if there's nobody here in the room who  
47 has anything to say, to ask if there's anybody on the  
48 conference call, if they want to make a comment at this  
49 time.

50

1 Thank you, Mr. Chair.  
2  
3 CHAIRMAN SHIEDT: Okay. You guys heard  
4 Carl. Anyone from the public would like to say under  
5 public and tribal comments.  
6  
7 (No comments)  
8  
9 CHAIRMAN SHIEDT: Calvin, are you on?  
10  
11 (No comments)  
12  
13 CHAIRMAN SHIEDT: Hello, radio land out  
14 in Deering. Calvin, are you on?  
15  
16 (No comments)  
17  
18 CHAIRMAN SHIEDT: I guess not. Okay.  
19 He'll probably get on later on. Okay.  
20  
21 We'll go back to old business. Under  
22 old business we have wildlife regulatory proposals.  
23  
24 Go ahead, Carl. Anything on that.  
25  
26 MR. JOHNSON: And for this one, Mr.  
27 Chair, I'll pass it over to Chris McKee from OSM, and  
28 Pat Petrivelli who also may have some supporting  
29 information for the Council.  
30  
31 Thank you, Mr. Chair.  
32  
33 MR. McKEE: This is Chris McKee with  
34 OSM here in Anchorage. Can you guys hear me okay?  
35  
36 CHAIRMAN SHIEDT: Yes.  
37  
38 MR. McKEE: Okay. Good morning, Mr.  
39 Chair. Members of the Council. I think what I'll do  
40 is just kind of quickly outline what I'm going to do  
41 here.  
42  
43 I'm going start, I'm going to kind of  
44 introduce the proposal, talk a little bit about the  
45 biology and the harvest history, and then kind of give  
46 our preliminary conclusion. And then I'm going to hand  
47 it over to I believe Rachel Mason with the Park Service  
48 who wrote the .804 analysis for this proposal is on  
49 line, and she will kind of give a general introduction  
50 into the .804 process and then talk about the .804

1 analysis for this proposal.

2

3                   So I'm hoping that the Council booklet  
4 that I'm looking at has the same page numbering that  
5 you folks have. According to mine, the proposal starts  
6 on Page 9 of your booklet.

7

8                   And Proposal 14-41 was submitted by the  
9 National Park Service, and requests that the season and  
10 harvest limit for muskox in Unit 23 Southwest be  
11 changed to eliminate the cow hunt, and create a  
12 continuous season from the 1st of August to March 15th.  
13 In addition it requests that language be added to  
14 authorize Federal managers to restrict the number of  
15 Federal permits to be issues.

16

17                   The proponent states that there are  
18 emerging conservation concerns regarding muskox in this  
19 area and on the Seward Peninsula as a whole that have  
20 led to significant changes in the hunt management. And  
21 these changes are likely to persist into the  
22 foreseeable future.

23

24                   They also state that current  
25 regulations are no longer -- not longer reflect the  
26 actual hunt requirements as they've been changed  
27 numerous times through State emergency orders and  
28 Federal special actions.

29

30                   And finally the proponent believes that  
31 the proposed changes are needed to reduce confusion  
32 among users and improve management flexibility.

33

34                   Now, within Unit 23 Southwest, muskox  
35 numbers have varied between 1995 and 2011. The  
36 population fluctuated between count periods, but  
37 overall may be relatively stable, and the variability  
38 that we've see recently in populations counts may be a  
39 result of movement of animals between 23 Southwest and  
40 22B, 22D, and 22E.

41

42                   However, there has been a decrease in  
43 the number of mature bulls and yearlings throughout the  
44 Seward Peninsula, including 23 Southwest. Recently  
45 completed population estimates in 2012 show that there  
46 was a decline of almost 25 percent for the species on  
47 the Seward Peninsula as a whole between 2010 and 2012.  
48 Further research has suggested that the selective  
49 harvest of mature bulls on the peninsula may be a  
50 driver of reduced population growth, and that annual

1 harvest should be restricted to less than 10 percent of  
2 the estimated number of mature bulls.

3  
4                   Until 1998, the harvest of muskox in  
5 Unit 23 Southwest was strictly from Federally-qualified  
6 users. Harvest under State Tier II permits -- excuse  
7 me, State Tier II permits was allowed beginning in  
8 1998. The harvest increased between '95 and 2009, but  
9 declined in recent years along with the number of  
10 permits being issued, and along with the harvest quota  
11 as well.

12  
13                   There was a marked increase in harvest  
14 from 2007 to 2009 due to the implementation of a State  
15 Tier I permit system, which did not limit the number  
16 the number of permits that were issued. The emergency  
17 orders closing the muskox hunt in 23 Southwest have  
18 been issued several times since 2008, and during the  
19 2008/2009 -- excuse me, 2011/2012 regulatory year, the  
20 hunt was closed two months early.

21  
22                   In April 2012 it was announced that the  
23 State Seward Peninsula muskox hunt would be available  
24 only by State Tier II permits only.

25  
26                   Now, you can see the OSM preliminary  
27 conclusion I believe on Page 19 and 20 of your meeting  
28 booklet. And the OSM preliminary conclusion is to  
29 support this proposal with modification to delete the  
30 regulatory language found in the Unit 23 muskox  
31 regulations, and delegate authority to close the  
32 season, determine annual quotas and the number of  
33 permits to be issued via delegation of authority  
34 letter. And the regulatory language you can see there  
35 on -- I believe it kind of ends on Page 19 and goes  
36 through to Page 20.

37  
38                   So what are we looking at here? We've  
39 had significant decline in the population as I  
40 mentioned since 2012. Although the numbers in 23  
41 Southwest appear to stable, we do have some issues with  
42 decreasing number of bulls and yearlings. And the  
43 State management and the permit structure has changed  
44 in response to these declining numbers.

45  
46                   Elimination of the cow harvest and  
47 limiting the number of permits will help rebuild the  
48 muskox population on the Seward Peninsula through  
49 proper management of the population in 23 Southwest,  
50 and prevent over-harvest.

1                   The creation of a delegation of  
2 authority letter for the Federal land manager will help  
3 clarify regulations, and allow for hunt management  
4 flexibility through in-season adjustment of hunt  
5 parameters.

6  
7                   And then, finally, eliminating the  
8 language specifying the use of a State Tier II permit  
9 will allow managers to adjust hunt parameters without  
10 the need to make adjustments through the regulatory  
11 process.

12  
13                   Now, that's all I have on my end.  
14 Another important component of this analysis is .804.  
15 So I'll hand it over to Rachel to discuss the specifics  
16 of that.

17  
18                   So that's all I have.

19  
20                   MS. MASON: Okay. Thanks, Chris. This  
21 is Rachel. Good morning, everybody.

22  
23                   SEVERAL COUNCIL MEMBERS: Good morning.

24  
25                   MS. MASON: And first I'll just talk  
26 generally about the Section .804 process. It's  
27 undertaken when it's necessary to restrict the taking  
28 of fish and wildlife for subsistence in order either to  
29 -- in order both to protect the populations, and also  
30 to continue subsistence uses. So the process is meant  
31 to determine whether one group of eligible subsistence  
32 users is more eligible than others.

33  
34                   And so the three criteria that are used  
35 in a Section .804 analysis are: One is customary and  
36 direct dependence on the populations as a mainstay of  
37 livelihood. Two is local residency. And three is the  
38 availability of alternative resources. So in the  
39 analysis we went through each one of those criteria.

40  
41                   In the case of this proposal, the  
42 Section .804 process was initiated because there was a  
43 concern about the number of muskoxen, and also the  
44 relatively large number of subsistence users that have  
45 C&T to harvest muskoxen in Unit 23 Southwest.

46  
47                   So there were several other muskoxen  
48 .804 analyses, and compared to the other ones, this one  
49 was relatively straight forward. The two communities  
50 in the customary and traditional use determination are

1 Buckland and Deering. And as far as the first  
2 criterion for Section .804, customary and direct  
3 dependence on the populations as a mainstay of  
4 livelihood, it's clear that the residents of Buckland  
5 and Deering depend on a variety of wild resources. And  
6 in both communities there is extensive sharing and  
7 distribution among families, and so it would be  
8 impossible within communities to determine which  
9 individuals are most dependent on the resources.

10

11 In terms of the second factor, local  
12 residency, both of the villages, Buckland and Deering,  
13 are located in Unit 23 Southwest, which is the hunt  
14 area. They are in equal proximity to the resource.  
15 They're equally situated in order to hunt muskoxen.

16

17 And the third is the availability of  
18 alternative resources. And in Buckland and in Deering,  
19 local residents depend on a variety of resources as a  
20 regular pattern of subsistence harvesting.

21

22 Muskox was introduced in 1970, and  
23 since then it's been -- it was reintroduced in 1970,  
24 and since then it's been harvested regularly. It's not  
25 a major source of food compared to other subsistence  
26 resources, but it has become important for some  
27 families. And there are few harvest opportunities for  
28 muskoxen other than in Unit 23 Southwest for these two  
29 villages.

30

31 If they're unable to hunt muskoxen,  
32 they do have other alternative resources in sea  
33 mammals, land mammals, and other fish and birds. But  
34 as far as muskoxen, this is their main source of it.

35

36 So the summary of the .804 analysis is  
37 that the two villages of Buckland and Deering are  
38 equally situated regarding hunting muskoxen in Unit 23  
39 Southwest. And it's not possible to separate out a  
40 group that is more eligible than others. So the  
41 permits will need to be distributed among subsistence  
42 users in those two villages.

43

44 And so the recommendation is to consult  
45 with the communities as to how they wish to distribute  
46 the permits.

47

48 So that's about it for the .804  
49 analysis.

50

1 CHAIRMAN SHIEDT: Okay. Thank you.  
2 Are we open for questions now.

3  
4 MR. BALLOT: Mr. Chairman.

5  
6 CHAIRMAN SHIEDT: Go ahead, Percy.

7  
8 MR. BALLOT: I'd like to make a comment  
9 on what she said. It's not just with some families. I  
10 mean, we share everything, so a lot more than just some  
11 families. Really muskox, it's a change of diet. We're  
12 getting used to it.

13  
14 The other thing was I was wondering why  
15 when you look on 14 at Table 1, muskox history, the  
16 quota and the permits had grown, yet in 2000, the year  
17 2000 was peak, and you could see the muskox going down.  
18 While they were going down, we were still giving out  
19 more permits. I'm just wondering how the management  
20 decisionmaking when the permits are going out, that you  
21 decide that was -- that's why we're in the crunch right  
22 now, is that you gave too many permits out. Whoever  
23 come up with the cow to bull ratio, isn't there a fast  
24 way to say, hey, we need to consider what we're doing  
25 before we give so much permits out?

26  
27 And like I mentioned earlier, we're  
28 concerned about the permits going to the State side to  
29 people other than Buckland and Deering.

30  
31 And I'm really glad we're going to be  
32 considering hopefully a Federal hunt.

33  
34 That being said, I think however we're  
35 looking at managing, we've got to do better than what  
36 we're doing, because we -- way back in '72 or whenever  
37 we started, we were planning to grow this herd, that's  
38 Buckland and Deering's idea, we want to. And how many  
39 years we've got down to where there's a concern on the  
40 population. And this harvest here, I would have liked  
41 to have seen the numbers during the years of they put  
42 on this graph.

43  
44 Otherwise that's it, Mr. Chairman.

45  
46 CHAIRMAN SHIEDT: Thank you.

47  
48 Rachel or Chris want to answer that, on  
49 what was asked.

50

1 MR. McKEE: I'm sorry, Mr. Chair. I  
2 couldn't really understand what the question was.

3  
4 CHAIRMAN SHIEDT: You want to restate  
5 your question.

6  
7 MR. BALLOT: Yeah. The question was,  
8 when you look at your harvest and your permits that you  
9 give out, you had a big -- you gave out a lot. But  
10 when you look at the muskox populations in '92 to 2011,  
11 they were continue with declining in 2000. Yet in 2007  
12 and on, we were still giving more permits that we were  
13 giving in the past. I'm just wondering how you come up  
14 with.....

15  
16 MR. McKEE: Well, the majority of  
17 the.....

18  
19 MR. BALLOT: .....management is coming  
20 up with how much permits you're going to give away.

21  
22 MR. McKEE: Well, as you can see, there  
23 haven't been a lot of Federal permits issued since  
24 2009, so the majority of the permits that were issued  
25 during the time period you were just speaking of were  
26 on the State side. So the Federal side of things,  
27 there hasn't been a lot of activity within the last few  
28 years, although in 2012 you can see there were 8  
29 permits issued on our side, and 4 Tier II permits  
30 issued.

31  
32 This table I should also say is not  
33 completely updated. We still do have some information  
34 coming in from the latest harvest season, but you an  
35 see the majority of those permits that you were  
36 speaking of have been on the -- many of them have been  
37 on the State side of things.

38  
39 I don't really know if that helps to  
40 answer your question or not.

41  
42 MS. MASON: This is Rachel. I would  
43 like to defer to Ken Adkisson to talk about the  
44 distribution of permits.

45  
46 MR. McKEE: I don't know if Ken's still  
47 on line or not. I know he was having some  
48 problems.....

49  
50 MR. ADKISSON: Yes, I am. Yeah, I am.

1 CHAIRMAN SHIEDT: Go ahead, Ken.

2

3 MR. ADKISSON: Okay. To the Council  
4 through the Chair. Historically, and I'm talking about  
5 since about 1995 with the first Federal Hunt, up until  
6 about 2008, the way that the number of permits was  
7 developed was based on a percentage of the total number  
8 of animals in the hunt area. And almost universally it  
9 was two or three percent of the total animals in the  
10 hunt area that gave you the allowable harvest. And  
11 initially the permits were equalled to the allowable  
12 harvest, because the allowable harvest in the first two  
13 years was fairly low, and we were really concerned  
14 about over-harvest.

15

16 Well, as we built up a hunt history,  
17 you know, we began to see success or lack of success,  
18 which suggested that we could compensate for hunter  
19 success or lack of success by increasing the number of  
20 percentages.

21

22 At the same time -- of permits. But at  
23 the same time the population for a good number of years  
24 was growing at an average annual growth of about 14 to  
25 18 percent a year. So the population was increasing.  
26 And conditions were such that, you know, we could  
27 increase the number of permits. Later on towards 2008,  
28 '10 in there, the population probably peaked and began  
29 to decline.

30

31 But at one time, like in 2008, the  
32 Buckland/Deering allowable harvest was based on 8  
33 percent of the total population of animals in the hunt  
34 area with about 50 percent of that allowable as cows.  
35 And what that yielded was a number and allowable  
36 harvest of around 16 animals.

37

38 And in that time, at that peak in 2008  
39 is when it looked like the overall population was such  
40 that the State was sort of kind of nudged into Tier I,  
41 which basically took the ap off the number of permits.  
42 And that's when we really began I think to see some  
43 significant problems emerging as harvest went up and  
44 the number of permits available was up. And that  
45 really was sort of I think the beginning of the real  
46 change in 23 Southwest. And it came very quickly.

47

48 And it's been pointed out, currently,  
49 you know, the problem isn't so much the number of  
50 animals in the hunt area, which appears to fluctuate.

1 Chris said, you know, it may be stable. The problem is  
2 we don't really know, because we don't have any way of  
3 measuring the influx of animals from the outside, and  
4 how often and how large the groups are that move  
5 between the boundary lines, especially where you have  
6 ridges and drainages separating them. So between 23  
7 Southwest and E or 23 Southwest and D and so forth.  
8 We also know that the animals are expanding their range  
9 in 23 Southwest to the east and the northeast  
10 especially. But overall the population has kind of  
11 fluctuated.

12  
13 The real biological concern has been  
14 primarily with the bull/cow ratios which have been in a  
15 pretty steady decline, and also in the recruitment as  
16 reflected in the short yearling. And let me just sort  
17 of give you some bull/cow ratios to consider for 23  
18 Southwest. In 2002 it was 46 mature bulls per 100  
19 cows. In 2008 it was 32 per 100. In 2009 it was 22.  
20 In 2010 it was 19. I don't have the 2012 figures at  
21 hand.

22  
23 So with the decline in population  
24 overall on the Seward Pen and especially the declines  
25 in bull/cow ratios and the declines in short yearlings  
26 per 100 cows, reflecting recruitment, the whole hunt  
27 strategy was revamped. And what we wound up having to  
28 go to was no longer a percentage of the animals in the  
29 hunt area, but rather a percentage of the mature bills  
30 in the hunt area. And that resulted in a significant  
31 reduction in allowable harvest. And so in 2012 that  
32 was a total of four animals. That's the way it was in  
33 '13 for the 13/14 hunt year.

34  
35 And unfortunately we had a population  
36 estimate survey planned for this spring that we're in  
37 now, as well as composition work, which would give us  
38 an updated data set going into 2014/15 hunt year.  
39 Unfortunately the weather was not cooperative. There  
40 was very little snow cover when the survey was  
41 scheduled for, and sightability of the animals was  
42 extremely poor. And the result of all that was that  
43 the interagency survey was canceled for this year. And  
44 that means we're not getting new data, so we're using  
45 the same data we had in 2012.

46  
47 I've been talking to ADF&G about, you  
48 know, when the plans are, how we're going to fit in  
49 additional survey work down the road, and frankly  
50 everybody is so swamped with trying to do moose

1 surveys, other muskox surveys, various things that, you  
2 know, that's not been resolved. So the crux of it is  
3 we're stuck with the 2012 data, the low bull/cow  
4 ratios, the low number of mature bulls in the  
5 population in that area, and we're stuck with an  
6 allowable harvest of four.

7  
8                   Numbers of permits is a little  
9 different. I think we have a fudge factor in 23  
10 Southwest. We kind of worked following the guidelines  
11 of the muskoxen cooperators, which last met, by the  
12 way, in 2008, before the real declines were obvious.  
13 But basically working off the cooperators and working  
14 with ADF&G, and ADF&G is pressured by their publication  
15 dates and things to when they have to announce their  
16 number of permits available for like their Tier II  
17 system. And we haven't been able to get on a really  
18 synchronous cycle as to how to work with that yet, but  
19 we're moving towards that direction.

20  
21                   But the crux of it was ADF&G issues  
22 through the Tier II system the number of number permits  
23 to equally allowable harvest, and then the Federal  
24 system can issue approximately about 33 percent above  
25 that level in terms of Federal permits. And we can  
26 sort of tinker with those a little bit in each hunt  
27 area. What that sort of means for 23 Southwest and  
28 Buckland and Deering is that the allowable harvest is  
29 for -- and let me just give you the results of the 2013  
30 hunt.

31  
32                   The Tier II system resulted in four  
33 initial permits. Remember equals the allowable  
34 harvest. All four of those permits went to Buckland.  
35 Then there was a request because of an animal in  
36 Deering that was caught in a fishnet and some other  
37 issues with it, that somehow the State issued an  
38 additional permit in Deering to take that animal, which  
39 was harvested.

40  
41                   We were still concerned about over-  
42 harvest, and we didn't issue any Federal permits in '13  
43 to see how it shook out. Well, the way it shook out  
44 was I think the total harvest was still only about two  
45 animals, which suggests that, you know, people were  
46 unable to use the permits that they had.

47  
48                   So as we go into the 2014 year, which  
49 is what we're looking at now, which opens August 1,  
50 again the State issued four permits. However, the Tier

1 II system had very different results this year. One  
2 permit went to Buckland, three permits wound up in  
3 Kotzebue. And what I have continuously since day 1,  
4 and Walter can remember this from going around to the  
5 villages as, you know, we're trying to deal with the  
6 Federal system questions of whether we were going to,  
7 you know, run joint hunts with the State and so forth,  
8 I've always said as long as the permit -- you know, as  
9 long as people are getting an opportunity in the  
10 villages, fine. You know, work with the State, work  
11 with both systems, you know, because it's best for the  
12 animals and the users in the long run to make dual  
13 management work, and cooperative management with shared  
14 harvest quotas.

15

16 But I always said, too, to the villages  
17 that if it's not working, you know, we'll need to fix  
18 it. And here's an example of where I think the Tier II  
19 system failed Federally-eligible users.

20

21 So what I'm proposing to do, and I have  
22 worked this through ADF&G, so I don't think we're going  
23 to have a lot of problems with it, I'm suggesting we  
24 issue about four permits for this coming hunt year in  
25 23 Southwest, and work with Buckland and Deering to see  
26 how they get distributed. And we haven't really had  
27 those conversations in detail with Buckland and  
28 Deering, so I don't know really for sure how they  
29 prefer to divvy those up. In the past they've always  
30 kind of liked to share equally between the two  
31 communities, but that's an issue we need to talk about  
32 before the hunt opens with those two communities.

33

34 Down in the other parts of Unit 22  
35 where we have a lot larger -- where Nome is involved  
36 and we have more communities that have C&T, and it was  
37 impossible to -- .804 failed to distinguish between all  
38 these folks we're probably going to be forced into  
39 drawing hunts in parts of 22.

40

41 We could do a drawing hunt with  
42 Buckland and Deering, but I don't know if it's  
43 necessary, and I don't know if it would result in the  
44 people who really want to use the permits and would  
45 really try to use them getting them. But I think as  
46 long as the communities are happy with whatever we work  
47 out, I think we can work with those two communities and  
48 come up with a good system for getting those Federal  
49 permits out.

50

1                               And then we'll just have to see where  
2 the population data and the comp work goes the next  
3 time we do surveys.

4  
5                               I hope that helps and isn't too  
6 confusing, but if you have any questions, feel free to  
7 ask.

8  
9                               CHAIRMAN SHIEDT: Okay. Thank you,  
10 Ken. Before I get to Walter and Raymond, I wanted to  
11 say something, too.

12  
13                              On your Tier II hunt, when you do your  
14 permitting, I think to make it fair to the villages and  
15 you said there was four to Kotzebue and one to the  
16 villages, I think what you need to do is worry, because  
17 Buckland or Deering, if they're going to hunt, harvest  
18 muskox, they need -- you need to worry about for Unit  
19 23 toward Buckland and Deering where they've got  
20 muskox, I think you need to worry about that hunt. If  
21 you're going to give one for Kotzebue, you need to  
22 worry about Kotzebue section and break it down, because  
23 the Tier II hunt -- I think the way you do it, do you  
24 use it under grandfather rights, Ken, or not?

25  
26                              MR. ADKISSON: Well, you know, the  
27 State has its own system in Tier II, which as I  
28 understand still favors people who have had permits in  
29 the past and successfully hunted. On the Federal side,  
30 I would say, you know, we probably have a little more  
31 flexibility, and we've often worked with the  
32 communities as to how they wanted to do that. And  
33 those communities that really wanted to spread the  
34 opportunity around, we've been more than willing to  
35 work with them on that. And various ways we could do  
36 that is one permit per household. If you got a permit  
37 this year, you're not eligible next year. And as long  
38 as the communities are willing to, you know, live with  
39 that, and we've followed their suggestions, and there  
40 aren't people in the community that are unhappy and  
41 complaining about it, I think it works great.

42  
43                              You know, if you really read Section  
44 .804, you'll find out that not only are they talking  
45 about separating communities out, but they're also  
46 talking about separating down to the individual hunter  
47 level. And, you know, we've tried to avoid pitting one  
48 village against another, like Buckland, Deering,  
49 Shishmaref, Wales, and above all, we're really not  
50 interested in pitting one member of a community against

1 another member. You know, we've just always tried to  
2 work with the villages as to how they want the thing  
3 run. And as long as it's legal, we've tried to  
4 accommodate that. And we will continue to do so.

5  
6 In cases like Kotzebue, I'd also point  
7 out that there is the TX 106 muskoxen hunt in the  
8 Buckland/Deering area, and there's also the TX 107 hunt  
9 north and west of the Noatak River. And Kotzebue  
10 residents are eligible for that Tier II hunt as well.

11  
12 You know, it doesn't bother me I guess  
13 to put permits into Buckland and Deering.

14  
15 CHAIRMAN SHIEDT: Okay. I'll follow up  
16 later.

17  
18 Go ahead, Walter. You'll be after him.

19  
20 MR. SAMPSON: Thank you very much, Ken.  
21 I guess more than anything I'm confused now. That's a  
22 pretty winded explanation and answer.

23  
24 If you remember the issue in regards to  
25 ANILCA, ANILCA does not require customary and  
26 traditional determination. It was that the customary  
27 and traditional use regulations were adopted by the  
28 State of Alaska, which the Federal system adopted.  
29 That is part of a problem. The State came out with  
30 eight criterias for determining customary and  
31 traditional management of resources. And if you'll  
32 remember, the Board initially adopted the State's  
33 customary and traditional use criterias and renamed  
34 them factors.

35  
36 I think these are some of the issues  
37 that need to be put on the table for a good discussion,  
38 because the requirements that the State has in regards  
39 to Tier I/Tier II hunts. These are some of the things  
40 that the State put in place, basically restricting  
41 hunts at some point, but yet allow other hunters to go  
42 in to do their hunt. And I think there's got to be  
43 some good discussions in regards to the very issues  
44 that you talked about.

45  
46 And the statement that you made that it  
47 doesn't bother you whether the hunts are done or  
48 not.....

49  
50 MR. ADKISSON: No, that's not what I

1 said. I said.....

2

3 MR. SAMPSON: .....it bothers me. It's  
4 a way.....

5

6 MR. ADKISSON: .....it doesn't bother  
7 me to put Federal.....

8

9 MR. SAMPSON: .....of life that people  
10 that are being.....

11

12 MR. ADKISSON: .....permits into the  
13 communities to ensure their opportunity.

14

15 MR. SAMPSON: Let me finish. Let me  
16 finish. It bothers me when managers from the Federal  
17 side of the picture make those kinds of statement. But  
18 yet you place a restriction on some hunts, and on the  
19 other hand you open up hunts for other interests as  
20 well.

21

22 The winded answer that you gave  
23 certainly to me was confusing. Just imagine a 60-year-  
24 old in Buckland trying to determine whether he or she  
25 is legal to hunt when they get that type of a winded  
26 explanation.

27

28 I think in order to address what is  
29 required and needed is a plan that you folks need to  
30 work with on addressing the hunts. Because you're  
31 mixing two things here. One, you're talking about  
32 Federal management on one hand, and you have State  
33 lands that the State has within parts of Seward  
34 Peninsula. That's why those are integrated into  
35 Federal management. It's clear. I mean, how State  
36 wants its management in regards to those resources and  
37 how it will make a determination in regards to who can  
38 take what, where, and how. And the Federal system  
39 adopts that when ANILCA provides for Federal  
40 management, but yet you are dependent on the State of  
41 Alaska to manage these things, and are dependent on  
42 their regulations to take the resource, even methods  
43 and means. And I think that's where part of the  
44 problem is. You need to take a look ANILCA say and how  
45 it should be -- how management needs to be done within  
46 Federal lands.

47

48 Now I'm confusing myself with my talk,  
49 too.

50

1 MR. ADKISSON: Well, Councilman  
2 Sampson, and through the Chair. I mean, let me just  
3 see if I can help clarify something a little bit.

4  
5 I mean, what I described to you was the  
6 management scenario by where we get to the number of  
7 permits. And I realize it is complex. But, you know,  
8 the animals don't recognize the geographic boundaries  
9 that much. They sure don't recognized the political  
10 boundaries. And with the land, you know, patchwork  
11 land situation that we have in some of these hunt  
12 areas, and the movement of the animals, it's really  
13 critical that, you know, for the better management of  
14 the animals as well as the best opportunity for the  
15 users, that, you know, we run integrated hunts with the  
16 State.

17  
18 I mean, for years it's been really  
19 known by lot of the villagers that, you know, right  
20 around their communities where there are muskoxen,  
21 there, you know, are animals. And our Federal permits  
22 are no good on those lands. So they're only real  
23 option for taking those animals close to home is the  
24 State system. Okay. To get to the Federal lands, they  
25 have to travel further, it's more costly. But, you  
26 know what, we've always worked with the State, and we  
27 recognize their permits, so the best of all possible  
28 worlds, if you're a Federal user in one of those  
29 communities, is to have a State, you know, permit,  
30 because you can use that for any animal on both State  
31 and Federal lands as long as you're Federally-eligible.  
32 Unfortunately, the reverse doesn't work that way.

33  
34 The second thing is, if we don't  
35 integrate quotas and things, and we've had this kind of  
36 crop up in the Buckland -- or especially around perhaps  
37 Deering where people would fly into the community, it's  
38 a State airport. You're not dealing with same-day-  
39 airborne, and other big game use of airplane issues.  
40 And shoot animals right near the airport on State  
41 permits. And we have no control over that.

42  
43 And if we don't share quotas and things  
44 and work this system, believe me in the wrong run it's  
45 not going to work very well for the communities,  
46 because they'll often times be out competed.

47  
48 You know, for your 60-year-old that has  
49 some issues with the language and other things, believe  
50 me, we're sensitive to that. And, you know, we'll

1 explain to the people where they can hunt, what they  
2 can hunt, and what they need to hunt in terms of  
3 licenses. So, you know, we're committed to making  
4 their part of it as understandable as we can.

5  
6 What I've described to you is all the  
7 junk and surrounding stuff that goes into just figuring  
8 out what the allowable harvest is and how many permits  
9 we're going to issue. Once we get that management  
10 thing out of the way, you know, we'll make the rest of  
11 the hunt just as simple as we can for the people.

12  
13 And, you know, dual management's not  
14 going to go away. The animals are still going to move  
15 across political boundaries, you know. And so, I mean  
16 we -- this year, for example, in 22E there was a total  
17 allowable harvest of 10.  
18 The State issued 10 Tier I permits in Shishmaref and  
19 Wales. We went in and issued another two Federal  
20 permits in Shishmaref, which by the way got filled by  
21 Shishmaref residents, left two permits with the IRA in  
22 Wales and nobody took them, because it was too far to  
23 go to Federal public lands. So, I mean, that's the  
24 kind of thing you face.

25  
26 And so, you know, we'll continue to  
27 work with the State. We'll work within the guidelines.  
28 If we can afford to put another cooperators meeting  
29 together, you know, it's probably about time that we  
30 did that, revamp the overall management plan and talked  
31 about some of these other allocation issues. But, you  
32 know, the system is where it is, and where we find  
33 ourselves.

34  
35 And, you know, I would agree with you,  
36 Mr. Sampson, about, you know, at the beginning of the  
37 Federal program the Feds just basically absorbed  
38 entirely the State regulation booklet, but I'd also  
39 point out that over the years Federal regulations have  
40 diverged quite significantly from State regulations in  
41 some cases as we've modified it.

42  
43 In terms of the .804, and the C&T  
44 processes, yeah, it's a big topic right now. After a  
45 lot of discussion, the Seward Pen RAC voted to keep the  
46 C&T process the way it is, because they saw value in  
47 it. And what I would point out is the C&T  
48 process is workable. It is a good shorthand for  
49 separating out larger groups of users, and it's worked  
50 pretty well. Is it perfect? Does it work in all

1 cases? No.

2

3 But I can also assure you that having  
4 watched the .804 for Unit 22, that system doesn't work  
5 very well either. And, you know, I would really be  
6 afraid of having to gauge every hunt that we manage by  
7 an .804 process, because looking at the Seward Pen, I  
8 would say it didn't work very well. It couldn't  
9 distinguish between Nome and places like Golovin. And  
10 so, you know, what happens to Golovin? Golovin gets  
11 out-competed by Nome. It's that simple.

12

13 So none of these things are really 100  
14 percent good, but they're not all bad either. There  
15 are elements, and you use what you can to get the best  
16 deal you can for the local users. And I've always said  
17 local resources for local users that need them, and I  
18 would stand by that. So that's kind of where we're  
19 trying to move the hunt, at least the Federal hunt.  
20 And I would say the State's been pretty cooperative in  
21 trying to work with that system on muskoxen at least,  
22 at least in that hunt area.

23

24 That's about it.

25

26 MR. BALLOT: Yeah. Mr. Chairman. I'm  
27 going to support this proposal. I .....

28

29 CHAIRMAN SHIEDT: Hold it, Percy.  
30 Raymond was next.

31

32 MR. BALLOT: Oh, sorry.

33

34 MR. STONEY: No, no, not me.

35

36 CHAIRMAN SHIEDT: Raymond, go ahead.  
37 You're not? Okay.

38

39 Go ahead, Percy.

40

41 MR. BALLOT: Okay. Yeah, I was just  
42 going to say I was going to support this proposal. And  
43 I wanted to make it clear that we weren't -- I wasn't  
44 questioning this proposal, or the Federal side of it.  
45 I bring it out because of the data that was in here,  
46 the issues I was questioning. In the past, when we  
47 started, we were going very well, even though we  
48 weren't getting successful or not, doing the Federal  
49 side. Then because we were right by State lands, we  
50 went to Tier I/Tier II process. But over the years

1 we're getting them, but now we're not getting them as  
2 much. And we feel that we'd be more comfortable going  
3 on the Federal side.

4

5           The other thing is that we've grown to  
6 know some of these animals now. There herds usually  
7 always stay right where they're at, wherever they're  
8 staying at. And during the winter, dead of the winter,  
9 they move up to the hills or to the top of the  
10 mountains. So they don't move that far. I guess it's  
11 the timing of when they do the population check. It's  
12 got to be done more toward the middle of the winter  
13 versus, you know, like now. We understand there was  
14 hardly any snow this year.

15

16           But the only time the herd expands or  
17 moves is when the older bulls know that there's some  
18 young buck coming around trying to take over. And so  
19 they kick them out and they go find their own family.

20

21           So we just want to know -- we're going  
22 to lean toward how it could work. We've worked in the  
23 past in two different ways of how we allowed the  
24 Federal permits to go. And it had worked in the past.  
25 Ken could elaborate to that. We went to a drawing  
26 system, we went through an IRA pick, and stuff like  
27 that. And we've always worked over the years very well  
28 with Deering.

29

30           CHAIRMAN SHIEDT: Thank you, Percy.

31

32           Go ahead, Hannah.

33

34           MR. ADKISSON: Yeah. Councilman  
35 Ballot, through the Chair. You know, when we, and you  
36 probably remember this, when we started the hunt and  
37 went with the State hunt, trying to work them together,  
38 it was about three-fourths of -- the communities of  
39 Buckland/Deering went about three-fourths Federal  
40 permits and about one-fourth State permits. What  
41 people found out was that a lot of animals were located  
42 on State lands that were easier to hunt, and over the  
43 years the communities supported shifting that around to  
44 where right before the end we wound up, there were  
45 about three-fourths State permits issued and about one-  
46 quarter or 25 percent Federal permits issued.

47

48           Now we could revisit that, and would be  
49 willing to revisit that. And in discussions I've had  
50 with ADF&G staff, they would be willing to talk about

1 allocating permits between the State and Federal  
2 system, though they might and we might like some more  
3 input from the cooperators. And then the other  
4 requirement is we've got to have the data and be able  
5 to, you know, figure out the number of permits, and  
6 have these kind of discussions with ADF&G to meet their  
7 publishing, you know, cycle, and their deadlines. So  
8 it's been more that we've still been knee jerking this  
9 the last couple years than really being able to get  
10 ahead of the ball and have these kind of discussions to  
11 fine-tune some of this. But, you know, all of that's  
12 possible, and it's all on the table.

13

14 And I really do want to see some  
15 biological data, new biological data to see if we can  
16 look at that Buckland/Deering area especially, given  
17 what we know about animal movements and things, and see  
18 if there's not a way we can sort of build back a little  
19 bit of that allowable harvest. But, you know, we need  
20 to get the population estimate work done, and the  
21 composition work done.

22

23 CHAIRMAN SHIEDT: Okay. Thank you,  
24 Ken.

25

26 Hannah.

27

28 MR. ADKISSON: You're welcome.

29

30 MS. LOON: Thank you, Mr. Chairman.  
31 (In Inupiaq) Especially the complex and political.  
32 (In Inupiaq) Mr. Chairman.

33

34 CHAIRMAN SHIEDT: Thank you, Hannah.

35

36 At this time I'm going to ask Walter to  
37 translate it for us, please for the audience.

38

39 MR. SAMPSON: Mr. Chairman. I think  
40 this is crucial information, that I didn't take any  
41 notes when she talks. The Federal system needs to come  
42 out with a translator, just like you would hire a  
43 consultant to do other things. That individual ought  
44 to have that opportunity to get paid to do the  
45 translation.

46

47 What Hannah brought out to the table is  
48 critical information. And it's something that we need  
49 to consider. And I think I'll leave it at that. It's  
50 a system that can get a translator to translate the

1 very words that Hannah brought to the table.

2

3 CHAIRMAN SHIEDT: Thank you, Walter.

4

5 Yeah, the system get confusing, and all  
6 I want to know if Buckland and Deering get a permit to  
7 hunt muskox, how far do they have to go to the Federal  
8 lands just to harvest their muskox, Ken.

9

10 MR. ADKISSON: Mr. Chair. Ken  
11 Adkisson, Park Service.

12

13 It varies. Most of the Federal lands  
14 are really actually a lot further from the village.  
15 Percy could tell you -- Councilman Ballot could tell  
16 you probably more exactly about Buckland, but, you  
17 know, my recollection is most of the Federal lands are  
18 further up the river system a fair piece from the south  
19 of the of community there.

20

21 In the case of Deering, the Bering Land  
22 Bridge National Preserve, there's a corner of it along  
23 the coast that starts fairly close to Deering. The  
24 other parts of it are, you know, considerably further.  
25 You know, I know that there are hunters in the  
26 community that, you know, go that far trapping and  
27 other things, but those may be the smaller percentage  
28 of the hunters in the community.

29

30 So, you know, it varies. If they can  
31 get out by boat, they can get animals, you know,  
32 probably earlier in the season. Other than that, it's,  
33 you know, wait until freeze up and perhaps adequate  
34 snow cover or whatever to facilitate, you know, winter.

35

36

37 The problem that we've had is like  
38 that, that, you know, under the older systems with like  
39 the Tier I, people could come in and shoot animals  
40 right off the State-managed lands near the airport, and  
41 there goes your quota. And you can't run similar  
42 quotas on the Federal side, because then you run the  
43 risk of over-harvest on the animals, you know. And it  
44 doesn't do any good to, you know, try to suck up the  
45 whole harvest again, because at some point people don't  
46 have to play with you, and they're got their own lands,  
47 and so, you know, it's just a difficult thing.

48

49 And all I could say is I think, you  
50 know, that the Seward Pen muskoxen hunt still stands

1 probably as one of the really I think excellent  
2 examples of making dual management work in the State.  
3 And I've been really pleased to work with ADF&G Staff  
4 over the years here in the Unit 22 area, and up in Unit  
5 23, to try to make all these things work. And, you  
6 know, I think we're going to continue that history if  
7 we can.

8

9 CHAIRMAN SHIEDT: Okay. Thanks, Ken.  
10 The simple reason why I asked that, earlier someone  
11 stated that muskox was tangled with nets, and they had  
12 to shoot it. And they had to get permit just to  
13 harvest it. I think under this situation, just like  
14 wolves in town, in other village, or bears in town,  
15 under emergency they shouldn't have to get a permit  
16 just to shoot that muskox. Maybe we got lucky, the  
17 people in deering got lucky that muskox get caught in  
18 the net instead of running over a child. I think under  
19 situations like this, this should be considered -- this  
20 should be when you shouldn't even waste time getting a  
21 permit from the Park Service, Bering Land Bridge, just  
22 to shoot that muskox when it's in middle of town caught  
23 in a net. I would rather see that muskox shot than a  
24 kid hurt, because that's a youngster that's going to  
25 live his life forever.

26

27 And I think we're getting -- well, we  
28 are getting tired, Ken. And some of these answers are  
29 getting a little bit too long, and they're getting  
30 confusing. I think what we need to do is start over on  
31 these muskox from day one where we could understand it,  
32 and our permitting system, because you said it get  
33 confusing with the State and the Federal land due to  
34 how many muskox could be caught within a year. Yet  
35 Chris mentioned that there was a lot of bulls ratio and  
36 the bulls are going to die. If the bulls are high in  
37 numbers, then we need to harvest them. They're going  
38 to die anyhow. Ken. So these things they need to  
39 consider.

40

41 MR. ADKISSON: Mr. Chair. I don't  
42 think Chris said that. I think he acknowledged the low  
43 bull/cow ratios for that population.

44

45 But let me just point out on the thing  
46 about -- you know, there is still a thing as a DLP or  
47 defense of life, but, you know, the Park's -- that  
48 animal at Deering that was caught in the net was  
49 actually taken on a State permit. And the Federal  
50 Government, the Park Service, for example, we don't

1 have any authority to issue permits for State-managed  
2 lands, so, you know, there's nothing we could have done  
3 about that animal, even if we would have wanted to.  
4 And, you know, we've had similar discussions though  
5 were allotments that are surrounded immediately by park  
6 lands, and the way to deal with kind of nuisance and  
7 odd animals and stuff. And, you know, it is, it's a  
8 thorny question, and I don't have all the answers to  
9 it, but.....

10

CHAIRMAN SHIEDT: Hey, Ken.

11

12  
13 MR. ADKISSON: .....to keep working  
14 with it and see what you can do.

15

16 CHAIRMAN SHIEDT: Under emergency,  
17 under the safety of the villages, we shouldn't even  
18 consider the State hunt or Federal hunt. I think that  
19 just for the safety of the village, it should be  
20 harvested and be gone and forget it. That's just the  
21 way I feel about. Because I would rather see  
22 (indiscernible - simultaneous voices), Ken.....

23

24 MR. ADKISSON: Yeah, I sympathize with  
25 you. We've had these with bears and other things, and  
26 I could tell you is, we don't have -- we have  
27 absolutely no authority to address any kind of take of  
28 animal on State-managed lands.

29

CHAIRMAN SHIEDT: Because there.....

30

31  
32 MR. ADKISSON: And that includes Native  
33 corporation lands and village lands, so, you know.....

34

35 CHAIRMAN SHIEDT: Okay. We see more  
36 muskox than that.

37

38 MR. ADKISSON: .....that's a problem  
39 that has to be worked through on the State side of the  
40 equation. And I know like with bears and things, you  
41 know, I know that there's currently ongoing discussions  
42 and legislation to allow VPSOs to be armed, and perhaps  
43 VPSOs -- you know, I've had these kind of conversations  
44 with Member Stoney about, you know, maybe VPSOs could  
45 be trained in some animal control, and play a roll in  
46 this. But those are issues that are just going to have  
47 to be worked out down the road. It has almost really,  
48 outside of numbers, very little to do with, you know,  
49 the kind of hunting that we're currently authorized to  
50 manage unfortunately.

1 CHAIRMAN SHIEDT: Thank you, Ken.  
2  
3 Go ahead, Percy.  
4  
5 MR. BALLOT: Yeah. Ken, so how soon can  
6 we work on continuing the Federal permits for Buckland  
7 and Deering for 2014?  
8  
9 MR. ADKISSON: We can probably just do  
10 it through teleconference with your IRAs.  
11  
12 MR. BALLOT: Thank you.  
13  
14 CHAIRMAN SHIEDT: Okay. I think we  
15 need to go on lunch now, everybody. What time do you  
16 guys want to come back?  
17  
18 You got anything, Carl.  
19  
20 MR. JOHNSON: Well, yes, Mr. Chair.  
21 I'm wondering if the Council was going to proceed with  
22 moving to support this proposal.  
23  
24 CHAIRMAN SHIEDT: I think everybody's  
25 confused with all so many different answers. I'm  
26 confused of where I'm going to sit on this proposal.  
27  
28 MR. BALLOT: Mr. Chairman.  
29  
30 CHAIRMAN SHIEDT: Go ahead, Percy.  
31  
32 MR. BALLOT: This is kind of a  
33 Buckland/Deering proposal. We've looked at it. I was  
34 just considering about the data. It's going to be --  
35 it's a process that will allow the population to rise  
36 in the future, so I was going to just move to support  
37 Proposal 14-41 if I may.  
38  
39 CHAIRMAN SHIEDT: Okay. Percy put a  
40 proposal to support WP-14-41.  
41  
42 MR. JOHNSON: Mr. Chair.  
43  
44 CHAIRMAN SHIEDT: Is there a second.  
45 Go ahead.  
46  
47 MR. JOHNSON: Well, before the Council  
48 actually makes the motion, well, there's a certain  
49 procedure to follow. It's on the back of hour card,  
50 and you also have it on your yellow card there in front

1 of you.

2

3 So since you've already received the  
4 presentation of the analysis from Staff, the next step  
5 would be to -- we'll go to step number 2 and then, you  
6 know follow that.

7

8 Thank you, Mr. Chair.

9

10 MR. BALLOT: I pull my motion.

11

12 CHAIRMAN SHIEDT: Okay. I think we  
13 heard quite a bit on tribes and ANILCA on this here,  
14 for the proposal for number 2. I heard we heard  
15 enough.

16

17 Anyone from the audience. Yeah, go  
18 ahead.

19

20 MR. LORRIGAN: Good morning, Mr.  
21 Chairman. My name is Jack Lorrigan. I'm the Native  
22 liaison for the Office of Subsistence Management.

23

24 And for the record, the Federal  
25 Subsistence Board put out an invitation for  
26 consultations on these proposals o the afternoon of  
27 February 11th. We only had one individual call int,  
28 and that was Mr. Ballot representing Buckland. So jut  
29 for the record that consultations were offered on  
30 these, and he's here representing himself.

31

32 Mr. Chairman.

33

34 CHAIRMAN SHIEDT: Thank you. Go ahead,  
35 Walter. I think we need to go on lunch. I think we're  
36 all confused.

37

38 MR. SAMPSON: Thank you very much for  
39 our information.

40

41 There's a difference between  
42 consultation over a telephone and talking to the people  
43 at the village level to get their viewpoints. That's  
44 why you don't get very many people on a telephone. If  
45 you expect people to understand what's in this  
46 document, you're not going to get anybody to call in to  
47 tell you they object to it, or they have problems with  
48 it. You're not going to get that.

49

50 If you define consultation in a proper

1 way, consultation to me is to go to people who are  
2 being impacted by the very process that the Federal  
3 system is taking them through. You go talk to them in  
4 person, not over the telephone, but in person, and get  
5 their respective views in regards to thoughts that they  
6 may have.

7

8 What happened in Golovin will happen in  
9 Buckland and Deering in the future.

10

11 Thank you.

12

13 CHAIRMAN SHIEDT: Yes, go ahead.

14

15 MR. LORRIGAN: If I may respond, Mr.  
16 Chairman.

17

18 Mr. Sampson, I agree with you 100  
19 percent. We just don't have the budget to get people  
20 out these. I agree with you.

21

22 CHAIRMAN SHIEDT: Shall we just go  
23 through these in a few minutes if possible, and just  
24 finish this.

25

26 I think we're down to advisory group  
27 comments, because I think we had one from the Staff  
28 already. What do you say, Carl.

29

30 (No comments)

31

32 CHAIRMAN SHIEDT: Okay. We're on for  
33 this proposal procedure, I think we're on number 4,  
34 advisory group comments, Regional Advisory, and game  
35 advisory committee, and subsistence resource. Is there  
36 anyone out there form one of these to comment on this.

37

38 MR. CRAWFORD: Mr. Chair. This is Drew  
39 Crawford with Alaska Department of Fish and Game in  
40 Anchorage. Would you like the State's comments on this  
41 proposal. Over.

42

43 CHAIRMAN SHIEDT: Yes. Make it short  
44 and sweet, please.

45

46 \*\* MR. CRAWFORD: Certainly. Regarding Wildlife  
47 Proposal 14-41, the State supports this proposal as  
48 modified by the InterAgency Staff Committee. We also  
49 support the Federal manager determining and restricting  
50 the number of Federal permits.

1                   It's important for both the State and  
2 Federal managers to continue to follow the  
3 recommendation of the Seward Peninsula Muskox  
4 Cooperators Group. Over.

5  
6                   CHAIRMAN SHIEDT: Yeah. Okay. Thank  
7 you. Anyone else out there from the different groups  
8 comments.

9  
10                   (No comments)

11  
12                   CHAIRMAN SHIEDT: I'm rushing it, so  
13 anything on written comments, Carl.

14  
15                   MR. JOHNSON: I do not see any written  
16 comments that are present in the analysis, and also  
17 there have not been any forms submitted here in the  
18 room for public testimony on this. And so I guess we  
19 can just see if anybody on the phone has any public  
20 testimony.

21  
22                   Thank you, Mr. Chair.

23  
24                   CHAIRMAN SHIEDT: Okay. Thank you,  
25 Carl.

26  
27                   I think we're up to 7 now, for motion  
28 to adopt. Go ahead, Percy.

29  
30                   MR. BALLOT: Yeah, Mr. Chairman. Like  
31 I say, I'm in support of this proposal. I think it's a  
32 good thing (indiscernible - mic not on) and it's  
33 within our muskox cooperators plan for Buckland and  
34 Deering. I think it (indiscernible) and it's going to  
35 help. All I was questioning is how come we're kind of  
36 late considering that -- so I'll move to approve  
37 Proposal 14-41.

38  
39                   CHAIRMAN SHIEDT: Okay. Thank you.  
40 Any second.

41  
42                   MR. KRAMER: Second.

43  
44                   CHAIRMAN SHIEDT: Second by Michael.  
45 Question.

46  
47                   MS. LOON: Question.

48  
49                   CHAIRMAN SHIEDT: Question been called  
50 for. All in favor signify by saying aye.

1 IN UNISON: Aye.  
2  
3 CHAIRMAN SHIEDT: Okay. It passed.  
4 So.....  
5  
6 MR. SAMPSON: No, I vote against it.  
7  
8 CHAIRMAN SHIEDT: One against. Okay.  
9 And six in favor, one against.  
10  
11 MR. SAMPSON: Thank you very much, Mr.  
12 Chairman. I'm glad you folks are going through this  
13 process.  
14  
15 Number 1, Mr. Ballot, that this is not  
16 Buckland/ Deering proposal. It's a proposal that was  
17 put together by the Park Service, and that's what it  
18 says right in the first line of the proposal. And  
19 based on my arguments in regards to some of the issues  
20 that are raised, that is the reason why I don't support  
21 this proposal.  
22  
23 Thank you.  
24  
25 CHAIRMAN SHIEDT: Okay. Well taken.  
26  
27 Okay. Anything else. Anything else,  
28 Carl.  
29  
30 MR. JOHNSON: At the call of the Chair,  
31 if you would like to take a break for lunch.  
32  
33 CHAIRMAN SHIEDT: We need to break for  
34 lunch, and we'll be back -- let's make it 1:30. Okay.  
35 I'll see you at 1:30.  
36  
37 (Off record)  
38  
39 (On record)  
40  
41 CHAIRMAN SHIEDT: Okay. Well,  
42 everything's okay now, Carl? Okay. We'll call the  
43 meeting back to order at 1:43.  
44  
45 Okay. We talked about Proposal 14-41,  
46 and it was passed.  
47  
48 Percy, you had something to say about  
49 this proposal?  
50

1 MR. BALLOT: Yeah, Mr. Chairman. After  
2 talking with -- we need to clarify the motion. So I  
3 was just going to move to pull the motion for  
4 supporting 14-41 for now.

5  
6 CHAIRMAN SHIEDT: Okay. If you want to  
7 pull it, and you're going to amend it or.....

8  
9 MR. BALLOT: Move to, yeah, rescind the  
10 motion.

11  
12 CHAIRMAN SHIEDT: So whoever second it  
13 need to.....

14  
15 MS. LOON: Second the motion.

16  
17 CHAIRMAN SHIEDT: I mean, who had  
18 seconded it?

19  
20 REPORTER: Mr. Kramer.

21  
22 CHAIRMAN SHIEDT: Yeah, you seconded  
23 it, so do you agree with what Percy say.

24  
25 MR. KRAMER: Yeah.

26  
27 CHAIRMAN SHIEDT: Okay. Go ahead,  
28 Percy, you want to clarify.

29  
30 MR. BALLOT: Yeah, Mr. Chairman. I  
31 guess I needed to say the whole -- there was a  
32 modification that I neglected. So I would move to  
33 support Proposal 14-41 with modification, which is to  
34 delete Tier II and Federal or State permit on 19 and  
35 also to delete the wording of from annual harvest quota  
36 to BLM, and to determine number of permits to be issued  
37 via delegation of letter only. That's my motion, with  
38 the modification that are with 14-41.

39  
40 MS. LOON: Is that on Page 19, what  
41 you're reading?

42  
43 MR. BALLOT: Yes. Uh-huh. So that  
44 would delete the State Tier II, and it would also  
45 delete the language for the Federal permits be  
46 announced by the superintendent of WANP, by  
47 superintendent.

48  
49 That's my motion.

50

1 CHAIRMAN SHIEDT: Okay. That's the  
2 motion. I'm trying to understand it. Okay. I think  
3 I've got it.  
4  
5 So any second.  
6  
7 MR. KRAMER: Second.  
8  
9 CHAIRMAN SHIEDT: Seconded by Michael.  
10  
11 MR. BALLOT: Discussion, Mr. Chairman,  
12 was that it just make it easier if there are changes  
13 within the -- then it would just be -- eliminating that  
14 language will make it easier to make adjustments to the  
15 regulatory process if I understand.  
16  
17 MR. McKEE: Mr. Chair. This is Chris  
18 McKee at OSM.  
19  
20 CHAIRMAN SHIEDT: Yeah, go ahead.  
21  
22 MR. McKEE: Yeah, from what I  
23 understand, it sounds like the modifications that you  
24 were just talking about are the exact same  
25 modifications in OSM's preliminary conclusion.  
26  
27 CHAIRMAN SHIEDT: What he's saying,  
28 Percy.  
29  
30 MR. BALLOT: Yes. Yes.  
31  
32 MR. McKEE: So you're basically -- what  
33 you're basically saying is you're going to -- you guys  
34 are thinking of just voting with going along with OSM's  
35 modifications then.  
36  
37 MR. BALLOT: Yes, with the proposal.  
38 In the proposal.  
39  
40 MR. McKEE: Okay. Great. Thank you.  
41  
42 MR. BALLOT: Yeah, we moved to support  
43 the proposal itself a while ago, but we neglected to  
44 say the modifications.  
45  
46 MR. McKEE: Great. Thank you for the  
47 clarification.  
48  
49 CHAIRMAN SHIEDT: Okay. It was  
50 seconded. There was discussion on it. Question.

1 MR. CLEVELAND: Call for question.  
2  
3 CHAIRMAN SHIEDT: The question's been  
4 called for. All in favor signify by saying aye.  
5  
6 IN UNISON: Aye.  
7  
8 CHAIRMAN SHIEDT: Walter?  
9  
10 (No opposing votes)  
11  
12 CHAIRMAN SHIEDT: Okay. It passed  
13 unanimously.  
14  
15 Okay. Back to the agenda. Customary  
16 and traditional use determination act. Update by Jeff  
17 Brooks.  
18  
19 MR. BROOKS: Good afternoon, Mr. Chair  
20 and Council. My name is Jeff Brooks, for the record.  
21 I work with the Office of Subsistence Management. I'm  
22 a social scientist there. And I've only worked there  
23 about 10 months. I used to be with refuges. And I'm  
24 very happy to be in Kotzebue today. I'd like to thank  
25 you for inviting us up here to work with you and have  
26 these discussions.  
27  
28 In 2008 and 2009 when I was helping the  
29 Selawik Refuge, and the Northwest Arctic Borough, and  
30 NANA, and the State revise a management plan for the  
31 refuge, Mr. Clyde Ramouth after getting to know me a  
32 little bit gave me an Inupiaq name, Munuk (ph), I  
33 believe it's pronounced Munuk. And it means egg. And  
34 I asked him a couple of times why he named me egg. I  
35 said, is it a good -- am I good egg, a bad egg, an in  
36 between egg? I thought that there was a big long  
37 complicated rationale to why he named me egg. And he  
38 said, no, my oldest brother's is Jeff, too, and that's  
39 his name. He said I reminded him of his brother,  
40 because of my first name, my name Jeff.  
41  
42 And I just wanted to share that with  
43 you a little bit, to show that I'm also interested in  
44 personal relationships up here as opposed to just  
45 business relationships.  
46  
47 And this is not an action item, this  
48 customary and traditional use determination update. It  
49 is an update, and my colleague at the office in  
50 Anchorage, Pippa Kenner, helped prepare some brief

1 talking points.

2

3                   Basically I'd like to tell you where we  
4 are in our review of customary and traditional use  
5 determination process. And the briefing begins on Page  
6 22 of the Council's book. And Mr. Johnson passed out a  
7 two-page document to you as well that primarily covers  
8 Section .804 of ANILCA. It's a two-page document and  
9 it has a table attached at that back which we can talk  
10 about a little bit later.

11

12                   But basically in 2009 the Secretary of  
13 Interior began a review of the Federal Subsistence  
14 Program, and part of that review was to look at  
15 customary and traditional use determinations. One year  
16 later, in 2010, the Secretary asked the Board to review  
17 with the Regional Advisory Council input the customary  
18 and traditional use determination process and present  
19 recommendations for regulatory changes.

20

21                   At the winter meeting in 2011 all 10  
22 Regional Advisory Councils were asked for their  
23 perspectives on customary and traditional use  
24 determinations. Nine of the 10 Councils did not  
25 suggest changes to the process, and their comments are  
26 once again presented to you beginning on Page 26,  
27 Appendix B, of your Council book.

28

29                   One of the main reasons that this is  
30 before you again is that the Southeast Council asked  
31 the other nine Councils to review the customary and  
32 traditional use determination process once again. The  
33 Southeast Council did not support retaining the current  
34 customary and traditional use determination process.  
35 Instead the Southeast Council suggested that when  
36 necessary the Board restrict who can fish, hunt, and  
37 trap for subsistence by applying three criteria found  
38 in Section .804 of ANILCA.

39

40                   And if you look briefly at Page 2 of  
41 that handout from Mr. Johnson with the table on it, Ms.  
42 Petrivelli and myself and some others thought that it  
43 would be a good idea to just lay out very simply, as  
44 simply as we could, a comparison of an .804 analysis  
45 and the C&T use determination analysis.

46

47                   So when thinking about these things and  
48 the questions that the Southeast Council has asked for  
49 you, which I will tell you in one minute, you may use  
50 this table to kind of compare and contrast what the

1 differences are. But for the most part, the function,  
2 the first row, says that an .804 analysis is used to  
3 identify the pool of qualified subsistence users when a  
4 population of fish or wildlife in a particular area is  
5 not sufficient to allow for all qualified subsistence  
6 users to harvest from it.

7  
8 Now, the function of the C&T is  
9 different. Both of these are now based in regulation;  
10 however, the .804 analysis actually in the ANILCA,  
11 whereas the C&T criteria, or factors as we call them,  
12 are not. But they are both in Federal regulation.

13  
14 And you can see that summation in that  
15 table for yourselves.

16  
17 Just so that you know, what the  
18 Southeast Council asked you to consider is whether to  
19 consider is whether to eliminate customary and  
20 traditional determinations, and instead use, when  
21 necessary, ANILCA Section .804 criteria; change the way  
22 that determinations are made by making areawide  
23 customary and traditional use determinations for all  
24 animals, not animal by animal; or make some other  
25 change or something that you feel is appropriate to  
26 your region. And, of course, another alternative is no  
27 change.

28  
29 At your fall meeting, the Council did  
30 not take formal action or make any recommendations on  
31 customary and traditional use. The Council planned to  
32 make a formal recommendation as a body during the  
33 winter 2014 meeting. And your recommendation is  
34 described very briefly beginning at the bottom of Page  
35 30 in the Council book. The recommendations of the  
36 other Councils are also presented there.

37  
38 That's all I have for you today on  
39 customary and traditional use.

40  
41 Thank you, Mr. Chair. If you have  
42 questions, Ms. Petrivelli and myself will gladly try to  
43 answer those.

44  
45 CHAIRMAN SHIEDT: Yeah, go ahead,  
46 Verne. Thanks.

47  
48 MR. CLEVELAND: Can you explain what is  
49 customary and traditional use? Explain it. And can you  
50 (In Inupiaq) after he say it, say it in Eskimo.

1 Thanks.

2

3 CHAIRMAN SHIEDT: Yeah, go ahead.

4

5 MS. PETRIVELLI: Customary and  
6 traditional has a definition in our regulations, but  
7 what the Federal Board has used the customary and  
8 traditional use is in ANILCA it says subsistence uses  
9 are the customary and traditional use of resources for,  
10 and it says, food, and all the different other things.  
11 And as we implement our regulations, the Federal Board  
12 provides for -- is obligated to provide for a  
13 subsistence priority.

14

15 And so when they assumed management of  
16 the program, they adopted the State system of identify  
17 -- or making determinations of customary and  
18 traditional use. The state had made those  
19 determinations because they were managing between  
20 sport, commercial and subsistence uses. So they had a  
21 system where they had their criteria to identify  
22 subsistence uses.

23

24 For the Federal program, the Federal  
25 program identified subsistence on Federal public lands.  
26 That's where their authority is. And their  
27 responsibility ANILCA says is to provide this priority  
28 for rural residents.

29

30 Now as they have this obligation to  
31 identify customary and traditional uses for the  
32 priority, they decided to use a similar one to the  
33 State of Alaska, because it was assumed that that would  
34 -- the State would take back management in a few years.  
35 Of course, that was quite a few years ago.

36

37 And then the Secretary of Interior in  
38 2010 said we need to review this program again and to  
39 see if what we're doing meets the subsistence needs.

40

41 So what the Federal program has done in  
42 making customary and traditional use determinations is  
43 -- and you can see at the bottom of the table, since  
44 1990 the Board has made about 300 customary and  
45 traditional use determinations. And I would say in 95  
46 percent of those they have deferred to the Regional  
47 Advisory Councils. So the Regional Advisory Councils,  
48 like in the .804 determination, you know, when you make  
49 a recommendation for a proposal, then the Board defers  
50 to that, because that's what ANILCA says, that you will

1 -- the Board will defer to the customary and -- or to  
2 the Regional Advisory Council. There is a question  
3 about with customary and traditional use  
4 determinations, because technically they're not taking,  
5 and ANILCA says they're only required to defer to the  
6 Councils on taking regulations, but the Board in 95  
7 percent of the time has deferred to the Regional  
8 Advisory Council recommendations.

9  
10 And that's why the Board is listening  
11 with the Southeast Regional Advisory Council, and  
12 they're questioning how they're made, and they might  
13 develop a regional proposal. But as you can see in the  
14 materials, each region has a different idea of  
15 customary and traditional use and the way it should be  
16 applied, because they look at their subsistence uses in  
17 their regions.

18  
19 But I think there is a regulatory  
20 definition, and I think customary and traditional use,  
21 it's in there, but it's just -- and I could find it  
22 later for you if you want. But it's usually applied as  
23 the local people know it, because that's what the RACs  
24 use to make their determinations.

25  
26 MR. BROOKS: Mr. Chair, may I please  
27 offer some.....

28  
29 CHAIRMAN SHIEDT: Yeah, go ahead.

30  
31 MR. BROOKS: .....additional  
32 information. There is certainly a legal definition to  
33 customary and traditional, and it's probably vague and  
34 not exactly what you asked us to answer. But if you  
35 look at the second column of that table, that pretty  
36 much sums up the legalness of this, and it shows you  
37 what the regulation is. And it is based on these eight  
38 factors that came from the State of Alaska.

39  
40 But to answer your question in sort of  
41 general terms, and oftentimes I do this, I look things  
42 up in the dictionary to get an idea of what these  
43 things really mean. And customary is basically what a  
44 person or a people or a group have done as a custom, as  
45 kind of normal operating procedures. And the word  
46 traditional implies that it's been over a long term and  
47 it's been consistent. And so it goes back generations  
48 in some cases. And that's basically -- you know, it  
49 kind of describes a little bit about how a subsistence  
50 way of life has been for some of the peoples in this

1 State.

2

3 I don't know if that helps, but I'd  
4 just like to offer that as a basic definition.

5

6 MR. CLEVELAND: Then it's only open in  
7 Yukon and Kuskokwim, the customary and traditional --  
8 is that where it is, it's only open in Kuskokwim and  
9 Yukon? Is that what it was last year?

10

11 CHAIRMAN SHIEDT: Yeah, go ahead.

12

13 MS. PETRIVELLI: I think you might be  
14 thinking of customary trade; is that what you're  
15 thinking of?

16

17 MR. CLEVELAND: No, I think it was --  
18 you know, it was in the Fish and Game -- Federal, and  
19 they opened it up, right? For Yukon and Kuskokwim for  
20 customary and traditional use? I think it was last  
21 year.

22

23 CHAIRMAN SHIEDT: No, is that the one  
24 you're talking about where they were trading eggs for  
25 -- I think that's what he's referring to, right?

26

27 MR. CLEVELAND: I can't remember.

28

29 CHAIRMAN SHIEDT: Because it's been a  
30 while, that's why we had a meeting last year, and  
31 everybody's -- we're all trying to remember what's  
32 going on.

33

34 MR. CLEVELAND: So I must be mixed up  
35 then with the other.

36

37 MS. PETRIVELLI: I think there was --  
38 about two years ago there was a proposal that talked  
39 about limiting customary trade just on the Yukon, and  
40 just to those people who had a customary and  
41 traditional use determination for Chinook salmon on the  
42 Yukon.

43

44 CHAIRMAN SHIEDT: Yes.

45

46 MS. PETRIVELLI: But customary and  
47 traditional use determinations are applied in the  
48 Federal program, and actually in the State, they apply  
49 it on a species by species basis. Well, not in your  
50 region, because I think it says -- in your region I

1 think it's fish, you know, all fish for your area.

2

3                   And I looked -- but what we were  
4 talking a few years ago was customary trade. And in  
5 the Federal program, the regulations -- we call that --  
6 that's trade for dollars. And when people trade other  
7 things, that's called barter.

8

9                   But I did find the customary and  
10 traditional use definition in the regulations, and it  
11 just says, customary and traditional use means a long  
12 established, consistent pattern of use incorporating  
13 beliefs and customs which have been transmitted from  
14 generation to generation. This use plays an important  
15 role in the economy of the community.

16

17                   So when the Board, when they first look  
18 at rural residents, and then they look at -- and they  
19 look at customary and traditional use determinations to  
20 identify which of those species are important to  
21 provide a priority for. So like caribou, you know.  
22 And then like for muskox in 22 -- or 23 Southwest, just  
23 two communities had a customary and traditional use  
24 determination for muskox in that area.

25

26                   CHAIRMAN SHIEDT: I think what Verne  
27 was referring to, when our customary -- first customary  
28 trade issues that come up was about 16 years ago or so  
29 where we could trade so much amount for whitefish and  
30 they were trying to determine how much we could legally  
31 trade per family. Is that the one you guys talking  
32 about? Remember, because did that years ago, and we  
33 said it was -- because they were trying to put a limit  
34 how much we could trade on certain fish or animal per  
35 household; is that the one you guys are referring? The  
36 reason why I'm saying this, every time we talk about  
37 something, 50 years ago later we still never solve the  
38 problem. And I think this is what that's -- I think  
39 that's what is back of our find, same thing as Verne  
40 I'm doing, I'm thinking. That's why I had to ask  
41 Walter if that's the one you're talking about.

42

43                   MS. PETRIVELLI: When this Federal  
44 program assumed management of fish from the Feds, and I  
45 think it was around 20, 201, because that's when I  
46 first started working for Fish and Wildlife Service.  
47 And then there was a big workshop. But there was a lot  
48 of discussions about the customary trade, because the  
49 Federal program has the obligation to allow for that.  
50 ANILCA says that that's one of the subsistence uses of

1 subsistence resources is trading it for cash. And  
2 there was a concern that it wasn't defined in  
3 regulations what a significant commercial enterprise  
4 was.

5  
6 And there was a lot of discussions  
7 about the dollar amount that would make what would be a  
8 significant commercial enterprise, and I think the  
9 Federal Board just left it at they would allow for  
10 regional variation. So some regions said \$400, I think  
11 Bristol Bay said 400. I think Cook Inlet region's, the  
12 Southcentral Council for the Prince William Sound.,  
13 they said 500. And that was for salmon. But then if a  
14 region didn't make a dollar amount, then it's just left  
15 without a dollar limit.

16  
17 And then the next effort was that most  
18 recent one on the Yukon limiting, not allowing people  
19 on the Yukon to sell their fish to anyone that doesn't  
20 live in the Yukon area.

21  
22 But in allowing for those regional  
23 variations, and that's just for customary trade  
24 activities. That's just a subsistence use. The  
25 customary and traditional use determinations are made  
26 about people, whether they have access to the resource  
27 or not.

28  
29 MR. CLEVELAND: Attamuk.

30  
31 CHAIRMAN SHIEDT: Yeah, go ahead,  
32 Verne.

33  
34 MR. CLEVELAND: Thank you, Mr. Chair.

35  
36 So I was breaking the law when I was  
37 buying smoked salmon during AFN, when I was buying  
38 smoked salmon from the Mast Pastons (ph), right? I was  
39 breaking the law for buying smoked salmon?

40  
41 MS. PETRIVELLI: Were you buying  
42 Chinook?

43  
44 MR. CLEVELAND: I don't know what it  
45 was, but it tasted good.

46  
47 (Laughter)

48  
49 MS. PETRIVELLI: I think some people  
50 were arrested for selling, they were saying they were

1 selling Chinook and it was chum. But I think  
2 technically it's allowed as long as it's not a  
3 significant commercial enterprise. So if it's not a  
4 significant commercial enterprise, you're not breaking  
5 the law.

6  
7 CHAIRMAN SHIEDT: Yeah, I think if I --  
8 correct me if I'm wrong. I think it's right. I think  
9 at the time we decided it was okay, because we were  
10 just trading for gas, a little bit, and it never turned  
11 out to be a larger amount. And I think we accepted it  
12 as is. And now it's back on the table, because I'm  
13 scared to put any more regulation in place, because we  
14 put a regulation in place, that'll be a way to cite us  
15 and say we are breaking the law. Because today I still  
16 trade. People will say, Attamuk, if you go hunt  
17 caribou for me, I'll buy you gas. It's the same thing  
18 as trading, but they give me gas to go hunt. I give  
19 them the caribou, and I keep some of it. That's really  
20 you know, under probably the Western world, it's really  
21 hard to understand, but that's in our culture, because  
22 we help. The younger want to harvest for us, and we  
23 help them buy gas and buy ammo and stuff like that.

24  
25 And if this come up, and it will be  
26 hard for me to decide and say we need to go at this  
27 level and say we need to put a regulation in place,  
28 because our customary and our trading, it's always in  
29 open We never hide it, because we never try to break  
30 the law. We do it just -- it's all survival. We help  
31 the guy -- because if I go on caribou toward Kiana,  
32 I'll guarantee you, just on gas alone, I will usually  
33 spend a thousand dollar. I'm not talking buy ammo.  
34 I'm not talking the oil for my motor. And I'm not  
35 talking the groceries I take. See, it -- and my time  
36 involved. A few days. And we try to go home early so  
37 our meat won't get funny. And I think that's what's in  
38 back of our minds right now. I think that came up when  
39 you were Chairman, you know, at the time.

40  
41 Yeah, go ahead.

42  
43 MR. BROOKS: Thank you, Mr. Chair.  
44 It's unfortunate that's called customary trade, because  
45 it's confused oftentimes with customary and traditional  
46 use determinations. And what the Southeast Council has  
47 asked you to consider and what part of the review of  
48 the Federal program asked for by the Secretary of  
49 Interior, is it asks the Councils how they feel about  
50 the customary and traditional use determination, which

1 is part of how the Federal government decides who gets  
2 a subsistence priority. So there's the first tier is  
3 you have to be a rural resident. The second tier, the  
4 community would have to a customary and traditional use  
5 determination, a positive one for a species of wildlife  
6 or fish in a certain area. And then to actually figure  
7 that out and make that determination, the main thing  
8 that's relied on are these eight factors that are  
9 listed in the regulation and in this table.

10

11 That's what we're talking about right  
12 now. And this is a discussion, an update. We're not  
13 asking you to make a decision on any regulation  
14 changes. But it's not about trade; it's about how the  
15 Federal government determines subsistence priorities.

16

17 CHAIRMAN SHIEDT: Yeah, go ahead, Carl.

18

19 MR. JOHNSON: And I'll add to this, Mr.  
20 Chair, that the Southeast Council at its recent meeting  
21 in Anchorage did come up with a formal proposal. So I  
22 imagine they will be submitting that through the  
23 regulatory process. So that will give this Council  
24 another time to discuss this issue and determine what's  
25 good for this region on making these kind of  
26 determinations.

27

28 Thank you, Mr. Chair.

29

30 CHAIRMAN SHIEDT: Okay. Thank you.

31

32 Go ahead, Walter.

33

34 MR. SAMPSON: Thank you, Mr. Chairman.

35

36 Thank you for the explanation in  
37 regards to the process that was used to determine C&T.  
38 You know, ANILCA spells it out clearly that, you know,  
39 it does not require customary trade use determinations  
40 be made. Rural preference is in the law. State of  
41 Alaska don't have that rural preference. But yet they  
42 have set some criterias for determining C&T on what the  
43 State wants. So there's something wrong with the  
44 picture there in regards to what the Federal government  
45 said will be in the law, what the State of Alaska says,  
46 no, we will take rural preference out. Everybody is a  
47 subsistence user. So there's -- I do have some  
48 disagreements in regards to how this is being termed.

49

50 Southeast, the makeup of their RAC is

1 different than ours. So their suggestions can be much  
2 different that our thoughts on how we ought to  
3 determine C&T. And that's where I've been coming from  
4 early on in regards to how the State of Alaska came out  
5 with their C&T, based on what they know and what they  
6 want. But ANILCA clearly spelled it, that there will  
7 be rural preference. At this point in time, with  
8 what's happening with Katie John, and it's going to  
9 continue to go in the direction of the State. And I'm  
10 sure that the judge is going to say, well, we're sorry  
11 I hope, that's what he's saying anyway. Sorry, State,  
12 determination or a settlement has been made in regards  
13 to the law in favor of Katie John.

14  
15 We lose that, that's just another  
16 beginning or another process that the State is going to  
17 use to take us through.

18  
19 Thank you.

20  
21 CHAIRMAN SHIEDT: Yeah. Thank you,  
22 Walter.

23  
24 I feel, yeah, that we differ a lot than  
25 the Southeast. We're so far apart. I don't know why we  
26 should have one regulation put in place for the whole  
27 State, because we're so far up north, we're so  
28 different. And the way we've been doing it, and we  
29 still do it today how we trade. We don't trade like  
30 the Western world to deplete the stock. We trade  
31 because we want food on the table, and we rely heavily  
32 on it.

33  
34 I try not to do that at my age, I want  
35 to go out and hunt myself. I try not it, but when  
36 somebody said -- my relative said, I'll buy you gas if  
37 you go out. It's a pleasure for someone to. And we  
38 trade at that level.

39  
40 And it's really hard for me to decide  
41 which way to go on this, because I want to keep it open  
42 as possible and less regulation for us. That way we  
43 won't get cited as Natives if we did something wrong  
44 some place along the line. It might not be someone  
45 from here, but it might be someone from the village  
46 that don't understand the regulation that are in place.  
47 So it's really hard for me to decide. I will probably  
48 be real neutral on this and just leave it just the way  
49 we had it in there. I mean, somebody, if I need  
50 correction, let me understand it. Unless you guys want

1 to talk privately for a while on the and decide.

2

3

Go ahead, Michael.

4

5 MR. KRAMER: You did say that someone  
6 was busted for selling king salmon? You know, any  
7 species that's caught under subsistence is qualified  
8 for customary use and trade. You know, arresting  
9 someone for something that they worked hard to process,  
10 to put a little money in the pocket? As of this world  
11 today, it is very difficult to survive out here. I'm  
12 pretty sure you pay 5.99 for a gallon of milk. Here in  
13 Kotzebue it's 12 bucks. You know, arresting someone  
14 for trying to put money in their pocket to feed their  
15 family at home where things cost two times more than  
16 you pay, somebody needs to get their head in the  
17 wringer and get sent out the door with a pink slip.  
18 Nobody has the right to determine whether someone is  
19 doing something illegal regarding species. We work  
20 hard to fill our freezers, to provide for our family.  
21 Rural reference is people who do not have the  
22 opportunity or the equal opportunity, vehicular,  
23 aircraft, boat, Sno-Go, to go out and get these things.  
24 Any means necessary to provide for your family.

25

26 There's people that are up the river  
27 who don't even have the gas money to go get wood to  
28 heat their house. And what are they burning? Clothes,  
29 to stay warm.

30

31 Who gives them the God-given right to  
32 arrest people for trying to put food and money in their  
33 pocket. That is wrong. And I'm totally against that.

34

35 See, the Federal government and the  
36 State has the opportunity to pull the trigger and put a  
37 bullet in someone's chest and arrest them. Then  
38 saying, hey, did you get this species by subsistence  
39 use? Yeah, I did. How much money have you made?  
40 Simple questions before pulling that trigger and  
41 arresting them and citing them. Making them pay more  
42 money that they are trying to provide for their family.

43

44 You know, this is called subsistence,  
45 you know, OSM, Office of Subsistence Management. We're  
46 here trying to help other families provide for their  
47 families who can't provide for their families.

48

49 And that's all I've got.

50

1                   CHAIRMAN SHIEDT:  Yeah, thank you,  
2 Michael.

3  
4                   Back to my thinking.  I think when they  
5 did wrong somewhere else, you guys are trying to move  
6 to the whole State that all Natives, we do wrong  
7 somewhere.  Sure, eventually it will happen, but not  
8 happen here.  And if something happened wrong some  
9 place like in the Yukon area, why put a regulation in  
10 place where maybe other Natives could get cited for  
11 something, because we don't have the resources -- I  
12 mean, we've got the resources.  We have enough  
13 resources, but we don't deplete our stock just to put  
14 money in our pockets.

15  
16                   I will tell you for Northwest Alaska,  
17 every time there's a decline in animals, even the  
18 sheep, we will abide by the regulation that's put in  
19 place to rebuild the stock.  I remember my grandfather  
20 telling me when I was five years old, he said, (In  
21 Inupiaq), you do this to replace the stock, to rebuild  
22 them.  That way you will have food in the future.  And  
23 we were never taught, and I'm still a great believer in  
24 that, that we never deplete and over-harvest.  I'm  
25 talking about northern Alaska.  Other places probably  
26 they got the same customary.  And they do it.

27  
28                   And like I said, it's hard for me to  
29 vote on this.  I'll be neutral on this here, customary  
30 trade and use, because I will trade for gas to go out,  
31 but I never -- I never go home with 100 caribou.  I go  
32 home with what my boat could load, 7, 9.  That's it.  
33 And that will take me through the winter.

34  
35                   Yeah, go ahead.

36  
37                   MR. BROOKS:  Thank you, Mr. Chairman.  
38 Your point about the region-by-region differences is  
39 very well taken.

40  
41                   And I just want to remind you again,  
42 and for clarification, that we're not asking you about  
43 trading.  And I agree that that is an extremely  
44 important part of a subsistence way of life.  And  
45 that's why customary trade is protected in ANILCA.

46  
47                   But what we're talking about is part of  
48 the regulatory process in how the Federal government  
49 determines who has subsistence priority.  And just so  
50 that you know that people are considering this region-

1 by-region differences. Part of the proposal, the  
2 proposed language to this customary and traditional use  
3 regulation that the Southeast has put forward says that  
4 each region shall have the autonomy to recommend  
5 customary and traditional use determinations specific  
6 to that region. It also says, the Board shall give  
7 deference to recommendations of the appropriate  
8 Regional Advisory Councils.

9

10 So they are thinking about the  
11 differences in the regions.

12

13 Thank you.

14

15 CHAIRMAN SHIEDT: Thank you. Anyone  
16 else from the Council.

17

18 Go ahead, Percy.

19

20 MR. BALLOT: Yeah, Mr. Chairman.

21

22 The factors used for determining  
23 customary trade and use determinations, these eight  
24 factors are by use of patterns of how long and when and  
25 whatever, how much harvest and stuff. ANILCA gives  
26 priority to subsistence hunters, and there are three  
27 factors stating this. Southeast wants us kind of use  
28 those recommendations of population and residency and  
29 alternative resources as I understand. My question was  
30 when do we determine, if we ever -- the Board should  
31 think about that, what when would we decide to use  
32 .804? When there's species that are going out there,  
33 what's going to be the determining factor that, okay,  
34 we're going to use .804.

35

36 MS. PETRIVELLI: The .804 situation  
37 would, just like you did this morning with the muskox  
38 in Unit 23 Southwest. You got the analysis from Staff  
39 people. And I think the determination is made is  
40 whenever there's a need to make a restriction among  
41 subsistence users.

42

43 So that the customary and traditional  
44 use determination, it's just -- the Board just made it  
45 to make a season. So, you know, when they make  
46 regulations, they just did it because the State did it.  
47 When an .804 determination is made, it's when the Board  
48 has to decide among subsistence users which of those  
49 users have a priority.

50

1                   And ANILCA says when you have to decide  
2 among subsistence users, you will decide using  
3 customary and direct dependence upon the resource,  
4 local residency, and availability of alternative  
5 resources. So that's what the law says.

6  
7                   In our regulations we put in those same  
8 three things, and then it also says, and they will --  
9 the Board will consider the recommendation from the  
10 Regional Advisory Council.

11  
12                   So when the analysis was presented to  
13 you, you heard from the biologist why there was a  
14 shortage of muskox, and why there was a need to make  
15 the restriction. And then the anthropologist gave the  
16 data that they had, saying, you know, who has customary  
17 and direct dependance, the local residency and the  
18 availability of alternative resources. So what she  
19 presented was the data that she had available. And  
20 then the Board will listen to your recollection when  
21 they go to the Board meeting in April. And so since  
22 you agreed with what the analysis said, that Buckland  
23 and Deering have equal -- that they're the same, that  
24 whatever resource that -- the limited resource that it  
25 would be divided equally or shared amongst them. That  
26 essentially you take turns. But that is only where  
27 there's a shortage that those -- the .804  
28 determinations are used.

29  
30                   CHAIRMAN SHIEDT: Yeah. Go ahead,  
31 Walter.

32  
33                   MR. SAMPSON: Thank you, Mr. Chairman.  
34 I sort of I guess not too comfortable in regards to  
35 even getting to the point of making a recommendation to  
36 supporting what Southeast wants.

37  
38                   Last year the Council, the Northwest  
39 Arctic Council, Regional Advisory Council did not take  
40 a formal action in making any recommendations on C&T.  
41 We wanted to make sure that that information is  
42 provided to the communities for their input. I don't  
43 know if anybody has gone out to the communities in  
44 regards to getting some input from out communities, and  
45 what their thoughts may be.

46  
47                   What I'm feeling today is that not  
48 tomorrow, but sometime down the road that the system in  
49 itself over time, rural preference will be taken out  
50 from ANILCA, just like State of Alaska. This is a way

1 in to terminate that rural preference. This is so the  
2 people can justify and say that the villages, that the  
3 Regional Advisory Council support these things. That's  
4 why I keep raising the issue in regards to the rural  
5 preference. State being in with the Federal system.  
6 That's exactly the direction we're going.

7

8 And I apologize. I don't mean to  
9 create any hard feelings, but that's the direction  
10 we're going.

11

12 CHAIRMAN SHIEDT: Yeah, Walter. That's  
13 why I'm uncomfortable deciding which way to go.

14

15 And while she was talking, it dawned on  
16 me that last time we were here, I said I would get hold  
17 of the villages on this here, and I have only one  
18 response come to think of it, before I left Maniilaq,  
19 that they were uncomfortable deciding, because they  
20 need to understand more. And they're scared like me in  
21 case they decide the wrong way, they might be cited in  
22 the future. And will have to have regulation in place.

23

24 Our resources here in Northwest Alaska  
25 is pretty much plentiful, and we're okay. If the time  
26 comes we run into hardship, I think that's the time we  
27 should address it. Right now I would just say we  
28 haven't -- I would recommend to the rest of the Board,  
29 they could decide on their own what to do, but I'm  
30 going to recommend that like before we just won't  
31 decide right now, because we're okay with it, you know,  
32 for Northwest Alaska.

33

34 I don't know which way to go yet,  
35 because like I said I had only one response, and the  
36 response was they're scared and they don't know, and  
37 they need to understand it better. That's why we  
38 always want to have meetings in a village. Due to  
39 money problems, you guys always say we can't go to the  
40 village, yet these are the people we're deciding for.  
41 I'm from Kotzebue. I'm deciding. But I'm originally  
42 from Noatak, and I'm not going to -- even I'm  
43 originally from Noatak, I'm not going to decide how  
44 Noatak should go, because I haven't heard from the IRA  
45 or the city.

46

47 Like Walter, I don't know which way to  
48 go. I'm not going to -- I'm just going to be neutral on  
49 this, and I won't say yeah or nay until I understand  
50 really where you guys are going to go with this in the

1 long run.

2

3 Thank you.

4

5 Go ahead, Percy.

6

7 You had something?

8

9 MR. BALLOT: No.

10

11 CHAIRMAN SHIEDT: I thought you raised  
12 your hand.

13

14 Go ahead.

15

16 MR. BROOKS: Thank you, Mr. Chair. I'd  
17 like to ask Carl Johnson if he could just clarify for  
18 the record that we're not asking the RAC to take action  
19 today. And maybe you could, Carl, let them know  
20 exactly what's happening. I mean, the Federal  
21 Subsistence Board meets April 15th, and they will be  
22 doing something, but they won't be anything with it.

23

24 MR. JOHNSON: Mr. Chair. If I may.

25

26 CHAIRMAN SHIEDT: Yeah. Go ahead.

27

28 MR. JOHNSON: So, yes, the notes are  
29 correct. At the fall meeting, you know, all of the  
30 Council was pretty much agreed that they wanted to take  
31 this back to their communities and have discussions.  
32 And if that's the position where the Council is today,  
33 then that's fine. I mean really the idea was to bring  
34 this back to the Councils and give them another  
35 opportunity to discuss it, because the Southeast  
36 Council really felt that the last time this was  
37 reviewed, back in 2010, all of the Councils did not get  
38 a good opportunity to discuss it, that it was kind of  
39 rushed through, there wasn't a good analysis, there  
40 wasn't a good discussion. And they wanted to have a  
41 real discussion with the Councils this time. So this  
42 is actually now the third meeting cycle in a row we've  
43 discussed this. So it means that at least one part of  
44 the Southeast Council's goal has been achieved, and  
45 that is to have a more thorough, more thoughtful  
46 discussion on the current C&T regulations and whether  
47 or not they work.

48

49 And I think I just want to highlight  
50 two, what I see as the main reasons why the Southeast

1 Council wanted to do this again. And, one, they are  
2 concerned just as Council Member Sampson is concerned,  
3 that where these regulations came from in the first  
4 placed, were adopted from State regulations. And that  
5 there is no mention in ANILCA about this process. So  
6 they were dissatisfied with that.

7  
8 And they also felt that the C&T  
9 regulations unnecessarily limited the amount of  
10 subsistence users, because under Title VIII, if you're  
11 a rural resident, you are able to be engaged in  
12 subsistence activity on Federal public lands, period.  
13 No restrictions unless in times of shortage, and that's  
14 where Section .804 comes in. So that was the other  
15 aspect that was behind the Southeast Council's  
16 proposal, the desire to look at this again and have a  
17 broader discussion is that they really felt that the  
18 C&T process made restrictions when they weren't  
19 necessary, when there wasn't a time of shortage.

20  
21 So I think that the Council, the  
22 Southeast Council is probably very pleased, even if  
23 this Council doesn't take any action today, still  
24 pleased to have a much more thorough and thoughtful  
25 discussion about this.

26  
27 Thank you, Mr. Chair.

28  
29 CHAIRMAN SHIEDT: Yeah. Walter, before  
30 I get to you, I remember when this came up when I was  
31 with Maniilaq, I gave it to the Board members from the  
32 villages and they were going to take it back and I was  
33 out the door later. I never hear what's going on,  
34 except when I get a call from one of the villages  
35 saying they were scared to decide which way to decide,  
36 because they wanted to understand it more. And so I  
37 retired, and I went back to Maniilaq and I was forced  
38 to retire again. So I didn't hear no more from the  
39 village or the IRA at Maniilaq Association, from the  
40 board members from the village. Like I said, I heard  
41 one after I left from one of the villages, come to  
42 think of it. And Kivalina said they were scared to  
43 decide, because they don't know which way it was going  
44 to go from there.

45  
46 Go ahead, Walter.

47  
48 MR. SAMPSON: Just a suggestion I guess  
49 in regards to the dialogue here. I would suggest that  
50 the regional office or an agency will bring the issues,

1 the questions out to the communities to get their  
2 respective views on C&T issues, as well as rural  
3 preference issue. Provide us some resources. You  
4 folks contract on many other things. There's no reason  
5 why you can't provide us some resources to bring these  
6 issues out to a village level. When you expect this  
7 very body to take it to their people, with nobody to  
8 come to, to explain, people get confused. Provide us  
9 information to bring these things out so it can be  
10 clear to people exactly what the intent of those things  
11 are.

12

13 Thank you.

14

15 CHAIRMAN SHIEDT: Thank you, Walter.

16

17 Yeah, Walter's right. I think what  
18 Carl and this group need to do is write a letter to our  
19 villages explaining this in layman terms as much as  
20 possible, where the villages could understanding. That  
21 way if they translate it to the elders, they would  
22 understand it, because I know they'll take it back. I  
23 know it's going to take some time, but I think that  
24 would help us decide which way we want to go.

25

26 After we'll take a break.

27

28 Go ahead, Verne.

29

30 MR. CLEVELAND: (In Inupiaq)

31

32 CHAIRMAN SHIEDT: I couldn't quite  
33 understand you.

34

35 MR. CLEVELAND: (In Inupiaq)

36

37 CHAIRMAN SHIEDT: Okay. What he's  
38 asking to do is I translate in our language as much as  
39 possible for them to understand it. And it's going to  
40 be kind of hard for me to translate back in your guys'  
41 language, because yours, I always kind of mixed up.  
42 But he was asking me to translate it.

43

44 So let me think about this a little  
45 bit. Let's go on a 15-minute break and let me see.

46

47 (Off record)

48

49 (On record)

50

1 CHAIRMAN SHIEDT: Okay. Everybody  
2 ready, and you got your aspirins taken care of?

3  
4 (Laughter)

5  
6 CHAIRMAN SHIEDT: Hello. Maybe we'll  
7 call this meeting back to order from this break. What  
8 time is it anyhow? Poor guy got no watch even. Let's  
9 call it 2:55, call this meeting back to order.

10  
11 And before we get to you -- I'll get  
12 back to you, Carl.

13  
14 Go ahead. Oh, I thought that you were  
15 going to say? No.

16  
17 Go ahead.

18  
19 MR. BROOKS: Thank you, Mr. Chair. I  
20 wanted to share with you what the Bristol Bay Regional  
21 Advisory Council did last month when we were talking  
22 about this review of customary and traditional and the  
23 request of the Southeast RAC. And they, like you, feel  
24 that it's very important to get more input from the  
25 tribal councils and the villages. So they decided that  
26 they would make a recommendation to work with the OSM  
27 Staff and their coordinator to write a letter to the  
28 tribal councils and the Bristol Bay Native Association  
29 to formally ask for input, because they asked for input  
30 and didn't get a lot either. Maybe they had one or two  
31 responses like you had. So that's where they left.  
32 That's what they did.

33  
34 CHAIRMAN SHIEDT: Okay. Thank you.  
35 Did you get that, Carl, write a letter to the villages,  
36 both city and the IRA all over Northwest Alaska, and if  
37 you're going to do with the outside, go ahead and bring  
38 it outside, simplest terms, in layman languages that  
39 they would understand in the villages.

40  
41 And we've got a Maniilaq board member  
42 here, and I will say maybe at the Maniilaq board member  
43 he could address this and say, you know, customary  
44 trade and use to be addressed, and we need to hear from  
45 the villages to see what they think about it. And even  
46 other places are asking for directions from their  
47 villages how they want to go.

48  
49 And maybe I'll just leave it there.  
50 I'm getting mixed up again of where I'm trying to go.

1                   Okay. Are we done on this customary  
2 trade and use. And maybe we could just put a motion to  
3 table this until we hear from the villages.

4  
5                   MR. BALLOT: I move to send a letter.

6  
7                   CHAIRMAN SHIEDT: Or move to send a  
8 letter.

9  
10                  MR. BALLOT: As a directive.

11  
12                  CHAIRMAN SHIEDT: Go ahead.

13  
14                  MR. JOHNSON: Mr. Chair. Yes. Thank  
15 you.

16  
17                  Two things. First, you wouldn't need  
18 to table it since it wasn't an action item.

19  
20                  And, second, you don't actually have to  
21 have a motion in order to have a letter sent from the  
22 Council. All you need to do is have a discussion on  
23 the record and state your desire to have a letter sent,  
24 and you've already done that. And I believe I have  
25 clear instructions on what the letter should say and to  
26 where it should go.

27  
28                  So what we'll do is we'll prepare a  
29 letter and then the Chair can then review it and sign  
30 it after the meeting, and then we can send it out to  
31 the desired communities.

32  
33                  MR. BALLOT: So it's going to be to the  
34 tribes and to the Native organizations, Maniilaq, NANA,  
35 the borough, whoever, the elders, whoever has interest  
36 within the region.

37  
38                  CHAIRMAN SHIEDT: Yes.

39  
40                  MR. JOHNSON: Yeah. Mr. Chair.

41  
42                  CHAIRMAN SHIEDT: I think that's the  
43 way it should go.

44  
45                  MR. JOHNSON: Yeah. So it would go to  
46 the city and borough government, tribal governments,  
47 Native organizations, regional organizations, anybody  
48 in the region that the Council would want to reach out  
49 to.

50

1 CHAIRMAN SHIEDT: Okay. So we'll go on  
2 to the next one.

3  
4 Jeff, thanks.

5  
6 Maybe we'd go to the rural -- what was  
7 that lady's name that was going to leave today? I  
8 wonder how long we'll stay with rural determination,  
9 and how long is going to be her.....

10  
11 Yeah, go ahead, Jeff.

12  
13 MR. BROOKS: Mr. Chair, I can make the  
14 rural determination update quite brief, depending on  
15 questions.

16  
17 CHAIRMAN SHIEDT: Probably you'll be  
18 brief, but us?

19  
20 (Laughter)

21  
22 CHAIRMAN SHIEDT: We'll try to  
23 understand it, because rural determination act, you  
24 know, and I will -- because I addressed this before  
25 under migratory bird, Western Arctic Caribou Herd, and  
26 ice seals. And I get a feel from all these in  
27 different meetings when I used to be with Maniilaq.  
28 And thanks to Percy and them, that they used to send me  
29 out, and I understand. And what I heard from the  
30 village and what I will have to say.

31  
32 But if it's not going to take long, go  
33 ahead. We'll just go ahead and do it then. I don't  
34 see her here, so

35  
36 UNIDENTIFIED VOICE: (Indiscernible)

37  
38 CHAIRMAN SHIEDT: What's she going to  
39 get us?

40  
41 (Laughter)

42  
43 CHAIRMAN SHIEDT: Is she bribing us?

44  
45 Okay. Go ahead, Jeff.

46  
47 MR. BROOKS: All right. Thank you, Mr.  
48 Chair. Again my name is Jeff Brooks with the Office of  
49 Subsistence Management.

50

1                   And I just want to give you an update  
2 on where we are with the review of the rural  
3 determination process. And the summary on this begins  
4 on Page 34 of the RAC book, and it shows summaries from  
5 all the RACs on their recommendations or not on rural.  
6 And the public comment period on rural determination  
7 closed in December, and basically the Federal  
8 Subsistence Board asked the public in a Federal  
9 Register notice dated December 31st, 2012, if they  
10 would provide feedback, comments, recommendations on  
11 the criteria and the characteristics that they use to  
12 make rural determinations.

13  
14                   And those included these categories  
15 that people were supposed to comment on. They included  
16 population threshold, rural characteristics,  
17 aggregation of communities, timelines, information  
18 sources. And when we analyzed the comments, we found  
19 we needed an other category for things that didn't fit  
20 in those categories.

21  
22                   And we have a database now. OSM worked  
23 to put all the comments from the RAC meeting  
24 transcripts, from the Regional Advisory Councils, from  
25 public testimony, and from letters that came in from  
26 the public and organizations. And we have about 496  
27 comments total in this database. And as I said, they  
28 are from the Regional Advisory Council meetings, public  
29 testimony, and written comments that came in via  
30 letters. And these have been placed into those areas  
31 that are in the notice, and broken into also  
32 subdimensions.

33  
34                   I can give you an example. For  
35 population thresholds, some of the comments were things  
36 like do not use population thresholds. Others were  
37 increase population thresholds.

38  
39                   But that's where we are right now. I  
40 have performed an analysis on these comments. I've  
41 pulled out all the specific recommendations that people  
42 made to the Federal Subsistence Board. And Thursday  
43 I'm going to present that to the InterAgency Staff  
44 Committee in Anchorage, and then on April 15th I'll  
45 present it to the Federal Subsistence Board.

46  
47                   Thank you.

48  
49                   CHAIRMAN SHIEDT: Thank you. And that  
50 rural determination, and when we had meetings with this

1 in different areas in Anchorage for Western Arctic  
2 Caribou Herd, migratory bird, and ice seals, it was  
3 kind of hard for us, and yet we explained that maybe  
4 the ones that are not connected we need to move it to  
5 the road systems with an exception. I'll get to the  
6 exception later. That are not connected to road system  
7 should be, you know, the village, non-rural level.

8  
9 And the ones in the village, when we  
10 hear the villages, like Kenai and Interior like Galena,  
11 that have Natives, if through anthropology they could  
12 prove that they harvest certain animals, if they could  
13 prove it, they should be considered non-rural if  
14 they're registered with their IRA.

15  
16 I'm just trying to explain what I hear  
17 from these guys, what I hear from the villages.  
18 Because I won't tell the people that are connected to  
19 the road system how they should go. But that's what we  
20 came up with, because I think it's hard for the people  
21 that are connected to the road system to be able to  
22 live as Natives, but we don't have any problems in our  
23 region.

24  
25 And if you want to go outside, I think  
26 Nome will have a problem due to their population level,  
27 and I think -- and they're not connected to the road  
28 system. And there are people that live on subsistence  
29 at Nome, you know. And here we're still safe, you  
30 know, we've got 3500 people, and we'll be non-rural,  
31 and that's the way I feel about it. If we could prove  
32 it, as long as -- like I always stated, as long as our  
33 resources are plentiful, we shouldn't worry about it.  
34 We should be able to do what we've been doing, as long  
35 as we're in compliance with regulation.

36  
37 So I don't know how the other feel  
38 about it here. Anybody else want to say something on  
39 it.

40  
41 You guys getting what I'm saying?  
42 Carl, you look like you're lost.

43  
44 MR. JOHNSON: I wasn't lost about what  
45 the Chair was saying. I was lost about the noise  
46 coming from the teleconference, Mr. Chair.

47  
48 Thank you.

49  
50 CHAIRMAN SHIEDT: Okay. And maybe we

1 need to see who all is out there in the teleconference  
2 out there. We haven't Z's out there, who's sleeping  
3 or not.

4

5 (Laughter)

6

7 CHAIRMAN SHIEDT: Okay. Who's out  
8 there in teleconference that -- who we have here.

9

10 MR. ADKISSON: This is Ken Adkisson  
11 with the Park Service in Nome. My phone's just on mute  
12 just in case we get any of that weird phone stuff.

13

14 MS. YUHAS: Jennifer Yuhas, Alaska  
15 Department of Fish and Game, Fairbanks, also on mute.

16

17 MR. MCKEE: Chris McKee, OSM in  
18 Anchorage.

19

20 MS. HYER: This is Karen Hyer with OSM.

21

22 MR. SHARP: Dan Sharp with BLM.

23

24 MR. CRAWFORD: Drew Crawford, Fish and  
25 Game in Anchorage on mute.

26

27 MS. OKADA: Marcy Okada, National Park  
28 Service in Fairbanks, and I'm also on mute.

29

30 CHAIRMAN SHIEDT: Thank you. I need  
31 someone always need to be mute, too, in here to make  
32 this process go a little bit faster.

33

34 (Laughter)

35

36 CHAIRMAN SHIEDT: Anyhow, thanks.

37

38 I don't know how this Council feel  
39 about rural/non-rural act, and I'd like to hear what  
40 they have to say on this one here.

41

42 (No comments)

43

44 CHAIRMAN SHIEDT: Anyone. If not --  
45 yeah, go ahead, Michael. On this -- go ahead and put  
46 my glasses on. Rural determination process and  
47 preview, rural or non-rural.

48

49 MR. KRAMER: I think that rural  
50 determination should be based upon customary use and

1 trade, as custom meant that we did it in the past.

2

3 As Kenai is now connected to Anchorage,  
4 what was Kenai before it was connected to Anchorage?  
5 It was a rural community. Every community was rural  
6 before they were connected to Anchorage, Fairbanks.

7

8 And it shouldn't be based upon  
9 population. It should be based upon the subsistence  
10 use, you know, the overall subsistence use within that  
11 area. You know, I'm a real stickler. I mean, if you  
12 hear me talk, I guarantee people will listen, because  
13 I'm a real stickler in subsistence lifestyle and  
14 preference.

15

16 It shouldn't be based upon population,  
17 because if it is based upon population, is it based  
18 upon a Native population, or is it based upon overall  
19 population, or is it based upon all subsistence users,  
20 I mean, to which every Alaska resident is a subsistence  
21 user. You know, that's my question.

22

23 And I don't think that -- maybe we  
24 should all be determined as subsistence users within  
25 the State of Alaska, because just as long as it is not  
26 considered, you know, wanton waste and all -- I mean,  
27 wasting the subsistence resources. Then it becomes,  
28 you know, something different.

29

30 That's all I've got.

31

32 CHAIRMAN SHIEDT: Yeah. Thank you.

33

34 Go ahead, Hannah.

35

36 MS. LOON: Thank you, Mr. Chairman.

37

38 About displaced people, I was wondering  
39 about determining rural. What about in Nome, is it a  
40 urban, because I was thinking of the King Islanders  
41 that were displaced and uprooted from their home and  
42 then moved to Nome, and that's a big population of  
43 people over there, and how is that being treated.

44

45 Thank you.

46

47 CHAIRMAN SHIEDT: Anyone could answer  
48 that, because I don't know anything about how they feel  
49 about the guys in island. Yeah, go ahead.

50

1 MS. PETRIVELLI: Nome is currently  
2 considered rural. And I think the only non-rural  
3 places -- there's 10 of them. And it's Anchorage,  
4 Fairbanks, Juneau, Ketchikan, Wasilla/ Palmer area,  
5 Kenai, Homer, Seward, Valdez, and there's one more.  
6 What? Prudhoe Bay. Prudhoe Bay. So those are the  
7 determinations that the Board has made as non-rural.  
8 Everything else in the State is considered rural.

9  
10 And then in the regulations it says  
11 populations under 2500 or less, they assume that those  
12 are rural. And everything above 7,000 are assumed to  
13 not be rural. And that the Board would look at the  
14 ones in between.

15  
16 But when they looked at the ones in  
17 between, they were listening to Congress. And when  
18 Congress passed ANILCA, they said rural Alaska,  
19 including communities such as Dillingham, Bethel, Nome,  
20 Kotzebue, Barrow, and other Native and non-Native  
21 villages, talking about them being rural. So I think  
22 because Congress passes legislation, and Congress said  
23 that the subsistence priority goes to rural residents,  
24 and then the Senate report identified those communities  
25 as rural. What they said as cities were Ketchikan,  
26 Juneau, Anchorage, and Fairbanks.

27  
28 So when the Board made the rural  
29 regulations, they used those two groups to look at  
30 characteristics of non-rural and rural.

31  
32 But as they look at the different  
33 people who live in a community, I don't think anyone  
34 looks -- as long as they're permanent residents of the  
35 community, that's all they look at. I think that's all  
36 -- we don't have any way to distinguish. Just as long  
37 as they live there, we don't ask -- as long as they're  
38 permanent residents.

39  
40 Now, there's a lot of places that have  
41 temporary residents, especially on the Kenai Peninsula  
42 where the Anchorage people have cabins and stuff, but  
43 they don't count those people, because they're just,  
44 you know, going up there. And lodges. You know,  
45 they're not counted. They're seasonal occupancies. So  
46 they just look at permanent residents, and that's  
47 what's looked at in terms of the population of a  
48 community.

49  
50 CHAIRMAN SHIEDT: Yeah. I think the

1 ones in like Kenai, that if they want to be able to  
2 harvest as Natives, I think all they need to do -- I  
3 think what I would say, they need to register with  
4 their IRA that they're Native, and they could prove  
5 that they've been doing. Because through anthropology  
6 they could say, we are subsistence users in the past  
7 until they put the road system and the Western world  
8 move in due to commercial fishing and whatever's  
9 available for jobs, and that's how it usually start,  
10 you know. And that's just the way I feel about it.  
11 Because if they could prove to them that they did it  
12 before as Native, they should be able to do it. That's  
13 for them to decide, and I'm just saying my two cents.  
14 I'm not going to decide for Kenai or any place how they  
15 should go.

16

17 Go ahead, Carl.

18

19 MR. JOHNSON: Thank you, Mr. Chair.  
20 Your regular Council coordinator, Melinda Burke, did  
21 prepare a letter based on this Council's discussion at  
22 the fall meeting. I didn't know if this was in your  
23 supplemental folder, but I just handed out a copy of  
24 that draft letter that she had created that highlights  
25 some of the issues that the Council discussed.

26

27 And at that meeting this Council  
28 essentially tabled action until this meeting to submit  
29 its formal comments. So this letter that Melinda  
30 prepared is that template for providing a comment, and  
31 we can supplement that with the discussion of the  
32 Council today, and if the Council so wishes, then  
33 submit those formal comments to the Board for its  
34 consideration.

35

36 Thank you, Mr. Chair.

37

38 CHAIRMAN SHIEDT: Thank you. So you  
39 guys all see this letter. Now that I see it, I started  
40 to understand where Melinda's coming from. This is  
41 what we said, and, yeah, these numbers, the 11,000,  
42 increase to 11,000 for the preference, that way Nome  
43 could qualify and other places that have over 10,000,  
44 that could qualify for now. If you guys remember it,  
45 that's the one we talked about last time.

46

47 MR. BALLOT: Mr. Chairman.

48

49 CHAIRMAN SHIEDT: Yeah, go ahead,

50 Percy.

1 MR. BALLOT: As I look at this, I too  
2 -- for Buckland, it would always be considered rural  
3 for the longest time. I don't think we'll ever meet  
4 2500 for another 20 years or something. But maybe 30  
5 years.

6  
7 But where people that move to Kotzebue,  
8 that's where I get concerned, when they move to  
9 Kotzebue or to Nome. And a lot of them live off the  
10 land at home, and they'll do that right here, too,  
11 because of job factors and stuff. So I'm kind of  
12 concerned about the population factor as a factor, and  
13 I would consider that -- I know at some point in time  
14 that we would use it.

15  
16 But not having a road, I really support  
17 that. I think that's going to be a good one for a  
18 while.

19  
20 And what Mike said earlier about if  
21 you're rural, considered rural 10 years ago or  
22 something, I think that should be taken into  
23 consideration. It's when we were using subsistence  
24 animals, the resources should be always considered  
25 within the factor of whether you're rural or not,  
26 because we always feel that's what we are when we're  
27 somewhere. We're from the village.

28  
29 That's my two cents.

30  
31 CHAIRMAN SHIEDT: Yeah. Thank you,  
32 Percy.

33  
34 Yeah, I understand on income level,  
35 because when I used to live in the villages, we never  
36 did have money, but we were rich in food, Native food.  
37 And that's the way they still do it today. They might  
38 not have money, but they are rich in food, and that's a  
39 big consideration, completely different for the  
40 Natives.

41  
42 If anybody else have anything to say.  
43 And, Carl, if anybody don't have, maybe we need to  
44 decide to yeah or nay this, or should we put it on how  
45 we want to go about this one here. Yeah, go ahead.

46  
47 MR. JOHNSON: Well, Mr. Chair, the  
48 Council has discussed on the record both at this  
49 meeting and the last meeting what factors it considers  
50 important on the rural review. My recommendation would

1 be that rather -- there's one or two things we could  
2 do. I could revise this letter a little bit based on  
3 your discussions today, but I wouldn't have the  
4 advantage of the transcript.

5  
6 The other option would be that the  
7 Council could move to sent a letter to the Federal  
8 Subsistence Board and adopt all of the Council members'  
9 comments as the comments of the Council between last  
10 meeting and this meeting, and then draft a letter, the  
11 Chair could review it, and then it could go out to the  
12 Federal Subsistence Board.

13  
14 And actually we'll have to be pretty  
15 quick on this since the Board is meeting in three weeks  
16 to discuss this.

17  
18 Thank you, Mr. Chair.

19  
20 CHAIRMAN SHIEDT: Thank you. So I need  
21 to hear from the rest of the Board members how they  
22 want to go. Do we just go ahead and process this  
23 letter just the way it's written or what.

24  
25 Go ahead, Verne.

26  
27 MR. CLEVELAND: Yeah. Before that,  
28 that Ambler Mining District, if they get connected to  
29 the road, would that still be rural or non-rural. That  
30 was my question before on this. If it's connected to  
31 Bettles and it's connected to the highway, is upriver  
32 going to be non-rural, or is it based on -- I'm mixed  
33 up. Based on population?

34  
35 If they open up that mine, you know,  
36 it's going to be a population boom, and everybody's  
37 going to move up for jobs, and it's going to -- the  
38 population's going to go up, because I certainly am  
39 going to move back home. I'm going to move to  
40 Shungnak, you know, if there's job opening. And if  
41 everybody is planning to do that, then the population  
42 goes up. Then what? So you've got to think -- you've  
43 got to look forward and think about that, because if  
44 everybody starts moving up there for jobs and is just a  
45 resident there, then the population goes up, you know.  
46 We might be putting a hook in the wrong place and  
47 catching the wrong fish. So you got to look at it that  
48 from 10, 20 years from now if it happens, you know.

49  
50 Thank you.

1 CHAIRMAN SHIEDT: Thank you, Verne.  
2  
3 So I need help from you, Carl. How you  
4 want us -- do we need to vote on this, or we need  
5 to.....  
6  
7 MR. BALLOT: Mr. Chairman.  
8  
9 CHAIRMAN SHIEDT: Go ahead, Percy.  
10  
11 MR. BALLOT: I would just move that we  
12 draft a letter as a recommendation towards the rural  
13 determination process, as to take our comments from  
14 this meeting to the Federal Subsistence Board.  
15  
16 CHAIRMAN SHIEDT: Yeah. Thank you,  
17 Percy.  
18  
19 Because, yeah, I remember this one  
20 here. I forwarded it to the villages when I was with  
21 Maniilaq, rural determination act, and this is the one  
22 I did not get a feedback on, because by the time I  
23 write this letter, and I send it out, I was out the  
24 door. I was gone at Maniilaq. So if they come in  
25 later, I did not get them. And the guy had a different  
26 computer, so he didn't see -- when I asked him, he  
27 didn't hear nothing about it or they never cc him,  
28 because it was my fault, when I wrote the letter,  
29 because I didn't know I was going out the door and I  
30 didn't cc him. So I didn't hear. So I really can't  
31 say how the villages think about this, and I didn't get  
32 a feedback.  
33  
34 So how do the Council feel, we should  
35 just keep it at non-rural the way we are with these  
36 numbers?  
37  
38 And Melinda in our last meeting that we  
39 said we would increase the number to 11,000, you know.  
40  
41 MR. CLEVELAND: From 7,000?  
42  
43 CHAIRMAN SHIEDT: Yeah. Because some  
44 people, we thought Nome was clearly 7,000. We wanted  
45 to up it so Nome will be -- where they wouldn't be  
46 rural. That was I think -- if I'm wrong, correct me if  
47 I'm wrong somebody. But I think that's what it is at  
48 that time. Remember? That's the numbers we came up  
49 with.  
50

1 MR. BALLOT: Yeah, from the last  
2 meeting. But I was agreeing with Michael there that  
3 populations shouldn't be considered. That's just  
4 coming -- I was following what -- I like that comment,  
5 just thinking about not using population. That way  
6 when we have a problem of population boom up in Ambler,  
7 it won't be a problem for you guys.

8  
9 CHAIRMAN SHIEDT: I understand what  
10 you're saying. You don't want the numbers in there,  
11 you want to leave the numbers out. But if them were  
12 gone, they'd probably put the road system in. They  
13 will be connected to the road system, too, so it's kind  
14 of hard for us if you are thinking of the future. But  
15 for now, I would say just leave it in just the way  
16 Melinda wrote it with a few minor changes into it.

17  
18 Go ahead, Raymond.

19  
20 MR. STONEY: Thank you, Mr. Chairman.  
21 I've got one very question. Like a very simple  
22 question. Now the question has been asked a number of  
23 times now, the haul road from Bettles to Ambler. The  
24 question has been asked, so I do not answer that  
25 question, because I don't know when you start talking  
26 about rural and non-rural. So, of course, the people  
27 know that if the haul road is built from Bettles to  
28 Ambler, it will connect the entire United States. Just  
29 like you said, if they'd be beyond 2500, and that  
30 people will decide, well, whether you want to be rural  
31 or non-rural. That very question. What would happen,  
32 because we all know that most of area, it's in the  
33 Gates of the Arctic, that's public land. There will be  
34 hundreds of people in that area, and mainly on the  
35 villages, too. The question is, we'd like to know  
36 what's going to happen if that haul road is completed  
37 and population came and it just went up sky high.  
38 Maybe you would answer that question, Carl.

39  
40 CHAIRMAN SHIEDT: Yeah, go ahead, Carl.

41  
42 MR. JOHNSON: Thank you, Mr. Chair.

43  
44 Raymond, the question you're asking is  
45 the next phase. So what you want to do for this phase  
46 where we're trying to revise what the rural criteria  
47 are is, anticipate problems like that, and then design  
48 rural criteria that even when things like that do  
49 happen, communities that rely on subsistence foods  
50 still remain rural even when things like that happen.

1                   So then you think of what are the  
2 criteria then that we want the Board to consider to  
3 make sure that even if there is a road that goes in  
4 and connects the mine to the road system and to other  
5 communities, then what can we do, looking ahead, to  
6 design criteria that would still keep communities  
7 rural. So one of the things that some other regions  
8 have suggested is one of the factors you look at in the  
9 rural characteristics factor is whether or not the  
10 population has increased as a result of external  
11 development, not because of something that the  
12 community itself is doing as part of the characteristic  
13 of that community, but outside development, increasing  
14 the population in the area, or creating infrastructure  
15 and roads that connects communities.

16  
17                   So that's kind of one way to look at  
18 that is, you know, you determine what factors that  
19 would be helpful in guiding the Board to make decisions  
20 to where even when those roads are built, the  
21 communities that are currently rural would still stay  
22 rural.

23  
24                   And you'll remember, too, when we talk  
25 about aggregation of communities, it's not just that  
26 they're connected by the road system, but that they  
27 also share schools and share economic -- you know,  
28 people commute from one place to the other for work.  
29 So, you know, it's highly unlikely that you would have,  
30 say, somebody from Seattle commuting to let's say  
31 Buckland. Even if they were technically connected by  
32 the road, that sort of thing wouldn't happen.

33  
34                   CHAIRMAN SHIEDT: Raymond.

35  
36                   MR. STONEY: That's one thing that I've  
37 noticed during the Trans Alaska Pipeline deal. We all  
38 know that when they told us at the Fairbanks meeting  
39 that road was restricted, that's what they told us.  
40 The next thing you know, there will be hundreds of  
41 people up there already.

42  
43                   Now this haul road is going to be built  
44 from Bettles to Ambler. My question is, I imagine there  
45 will be that many people also going back and forth on  
46 that haul road.

47  
48                   Thank you.

49  
50                   CHAIRMAN SHIEDT: Thank you. And you

1 mentioned that North Slope that have over 10,000 in  
2 their population. Somebody mentioned that they will  
3 be, you know, in there.

4  
5 But my deal is this. At Deadhorse  
6 there's so many people, but they're not -- the town was  
7 built after the pipeline, and that North Slope should  
8 be not even considered. That's my personal feeling.  
9 Barrow and other places, that was Barrow, Wainwright,  
10 Point Lay, Point Hope, the other ones are different,  
11 because they were there already in place. But  
12 Deadhorse was put in after the pipeline.

13  
14 So I don't know why that was ever  
15 mentioned in there. That's just the way I feel about  
16 it.

17  
18 Yeah, go ahead, Michael.

19  
20 MR. KRAMER: I think that the rural  
21 preference should be determined pre-December 31st, 1971  
22 when the Alaska Native Claims Settlement Act was  
23 enacted. Because anything decided now could be opened  
24 for change.

25  
26 You know, I -- if they do open that  
27 Ambler Road, I guarantee you there's going to be a lot  
28 of chaos within this region. And there will probably  
29 be a lot of big lawsuits, because they will be  
30 depleting the subsistence lifestyle within this game  
31 management unit, within this region. It's going to get  
32 ugly. I can guarantee it, you know. And some people  
33 think, you know, that there's a village in this region  
34 that sues like crazy. It's probably going to get that  
35 ugly, I guarantee you. If they open that road to  
36 Ambler, there's going to be a lot of rich people within  
37 this region, because they will be depleting our  
38 subsistence way of life for the mighty dollar. I'd  
39 prefer to have a bowl of caribou soup over a NANA  
40 dividend, you know, for the next 40, 50 years.

41  
42 That's why I believe -- and I am  
43 against the Ambler Road project, period. If they're  
44 going to make a road, they need to make it from Ambler  
45 to our deep water port that they plan on building  
46 somewhere here close to Kotzebue.

47  
48 Red Dog Road has already had an impact  
49 on our caribou herd. I've noticed it. Everybody else  
50 has noticed it. It will always have an impact on our

1 caribou herd until one day our caribou herd is gone.  
2 If they build that road to Bettles, our caribou herd is  
3 definitely gone. They might as well just pay us money,  
4 you know, a million dollars a head in the NANA region.  
5 I think that would be pretty good. You know, there'd be  
6 a lot of rich people running around, but we wouldn't  
7 have any caribou, but, you know, all for greediness for  
8 the mighty dollar.

9  
10 That's why I think at least if they  
11 have that road from Ambler to the deep water port, that  
12 is still keeping us rural in a certain way. We're all  
13 staying within this game management unit. We're all  
14 staying within this rural area. We're not connected to  
15 the big cities, you know. And it definitely will  
16 change our status if they ever do make that road to  
17 Ambler, because the rest of us will all be impacted,  
18 because of the fact that there will be boats coming  
19 down from -- Ambler that Noorvik, Kiana, Kotzebue,  
20 Selawik, all these boats coming down and just spreading  
21 like wildfire throughout our region, impacting the  
22 subsistence way of life.

23  
24 That's all I've got.

25  
26 CHAIRMAN SHIEDT: Thank you, Michael.

27  
28 Go ahead, Percy.

29  
30 MR. BALLOT: Yeah. Mr. Chairman.  
31 Nobody seconded my motion, so to move things along, I  
32 think when we look at this letter that we did last time  
33 we met, we made some kind of comments in there, or  
34 suggestions, and I don't know what -- we have two and  
35 five are the same thing, and then meaning no road would  
36 automatically mean that a community is rural. But then  
37 coming down here we've got if we're not, then we'd be  
38 presumed rural. So can we just go through these five  
39 threshold and say whether we want to keep them on in  
40 there in our comments from us, and we'll move along.  
41 And then that will be our comments. Because I think  
42 there's five criteria that are used, that they want to  
43 know what our comments are regarding how they determine  
44 a village or whatever can be determined rural.

45  
46 CHAIRMAN SHIEDT: Yeah. Now that you  
47 mention it, Percy, that number 2, should automatically  
48 deem a community rural. The way I see it, correct me  
49 if I'm wrong, what this one is saying is we will be  
50 considered rural even we have no road system connected

1 to here, number 2. And I think the word she forgot to  
2 add on was non-rural, because we don't want to become  
3 rural. We want to stay non-rural. We want to be able  
4 to harvest animals.

5  
6 MS. PETRIVELLI: Excuse me, Mr. Chair.

7  
8 CHAIRMAN SHIEDT: Go ahead.

9  
10 MS. PETRIVELLI: The rural is -- under  
11 ANILCA, rural residents have the priority, and non-  
12 residents don't.

13  
14 MR. BALLOT: I think what we want to  
15 say is that.....

16  
17 CHAIRMAN SHIEDT: I've got them  
18 backwards?

19  
20 MS. PETRIVELLI: Yes.

21  
22 MR. BALLOT: If we don't have a  
23 road.....

24  
25 CHAIRMAN SHIEDT: I'm getting mixed up.

26  
27 MR. BALLOT: .....we should be  
28 considered rural.

29  
30 CHAIRMAN SHIEDT: Oh, we're considered  
31 rural. Okay. Now I understand it. I just got mixed  
32 up, because I was trying to decide.

33  
34 Yeah, Percy, you're right. Two and  
35 five is basically the same.

36  
37 UNIDENTIFIED VOICE: Want to be non-  
38 rural, right?

39  
40 CHAIRMAN SHIEDT: We want to be rural.

41  
42 MS. LOON: We want to be rural.

43  
44 CHAIRMAN SHIEDT: We want to be rural.  
45 That's where, we want to be rural. Okay. Now I get  
46 it.

47  
48 Yeah, go ahead, Verne.

49  
50 MR. CLEVELAND: Yeah, but they said

1 that, some guys that were here, those three people,  
2 that Ambler mining, the road is not going to be  
3 connected to any communities. I think that's a lot of  
4 B.S. It's already connected to Bornite from Kobuk. I  
5 seen it in one of these templates that that road is not  
6 going to be connected to no communities.

7  
8 CHAIRMAN SHIEDT: Okay. Since you  
9 brought that up. Someone was going to give a report on  
10 that Ambler Road system next, and I think that's when  
11 we will understand it better. And if she's not back, I  
12 keep looking to see if she's ready to give her report  
13 on the Ambler Road, but she's not here.

14  
15 Go ahead, Hannah.

16  
17 MS. LOON: I was going to make a second  
18 to Percy's motion.

19  
20 CHAIRMAN SHIEDT: Okay. Percy, your  
21 motion was seconded.

22  
23 You've got something to say, Carl.

24  
25 MR. JOHNSON: Yes. Thank you, Mr.  
26 Chair. I was just going to say that Percy's suggestion  
27 is a good one. Just go by each item and confirm  
28 whether or not you like it as it is, add something. I  
29 can do it right here. And then that way I can move it  
30 along through the process a lot faster.

31  
32 And then I can also -- I wouldn't worry  
33 about the layout of the content right now. I can  
34 reorganize it so that it's under the headers of the  
35 five different factors. And then as Jeff mentioned,  
36 they've created a new other category, so if there's  
37 anything the Council wants to add that doesn't fit into  
38 those five factors, it can go into the other category,  
39 and I'll just organize it according to that.

40  
41 And I've already stricken number 5,  
42 because it is duplicative of number 2.

43  
44 CHAIRMAN SHIEDT: Okay. Thank you.

45  
46 So I think what we have, a second on  
47 Percy's, right?

48  
49 MS. LOON: Yes.

50

1 CHAIRMAN SHIEDT: Question on this, or  
2 any comments. Any other comments on this here.

3

4 MR. BALLOT: Mr. Chairman.

5

6 CHAIRMAN SHIEDT: Percy.

7

8 MR. BALLOT: I made a motion earlier to  
9 use our comments when we're talking, but nobody  
10 seconded. So that's where it's at. What I was  
11 suggesting now is, because I didn't have a second, that  
12 we just go through these five characteristics and  
13 discuss them and those will be our comments. I dropped  
14 that motion.

15

16 CHAIRMAN SHIEDT: Okay. I've got you  
17 now.

18

19 MR. BALLOT: So that we move along what  
20 we're doing.

21

22 CHAIRMAN SHIEDT: Go ahead, Carl, since  
23 you're going to take notes, do you want to start it  
24 from number 1. Delete two or five, one of them.

25

26 MR. JOHNSON: Thank you, Mr. Chair. So  
27 currently the first one, availability for local  
28 employment. Now, this gets to rural characteristics.  
29 So rural characteristics is one of the five different  
30 criteria. So really what these points go to is rural  
31 characteristics.

32

33 Availability for local employment.  
34 This makes it difficult for families to survive, and  
35 many are forced to spend large amounts of time in more  
36 urban areas of the state to make a living. The  
37 Northwest Arctic Council firmly believes that our  
38 regional people who live in the urban areas should have  
39 the same opportunities for the resources as if they  
40 lived in their village year-round.

41

42 Actually I would put this into the  
43 other category, because this doesn't really get to the  
44 characteristics of the community, but whether or not  
45 certain individuals have been forced to move out of the  
46 community into Anchorage or Fairbanks in order to get  
47 local employment. And this is an issue that has come  
48 up in discussion with other Councils, too, is how do we  
49 still maintain the rural opportunity for those people  
50 when circumstances beyond their control have forced

1 them to move out of their rural community. So I would  
2 again put this under other criteria.

3

4 MR. BALLOT: Mr. Chairman. It doesn't  
5 fit in the -- I know we're talking about aggregation  
6 and the schooling and employment. Aren't they kind of  
7 around the same stuff?

8

9 CHAIRMAN SHIEDT: No, I think what --  
10 if I want to translate a little bit, and correct me if  
11 I'm wrong, Carl. What we're saying here is that people  
12 from the village move to a big town just to get  
13 employment and just to work. And I'm going to add  
14 this, if they're registered to a certain IRA that they  
15 come from the village, they should be able to go back  
16 to their village to harvest as Natives. Right?

17

18 MR. CLEVELAND: Mr. Chair.

19

20 CHAIRMAN SHIEDT: Go ahead, Verne.

21

22 MR. CLEVELAND: Yeah. That's how I  
23 understand it. I thought number 1 would be the people  
24 that are in Anchorage, Fairbanks or Palmer, wherever  
25 they are, they could come back and hunt. Is that what  
26 this was about.

27

28 But that other thing about it's not --  
29 because they don't qualify for low income housing,  
30 that's why they move out. They can't qualify for these  
31 homes. And I've got kids that moved to Palmer, because  
32 they were 100,000 a year, plus, and they can't qualify  
33 for a home, and you've got to -- and if you're going to  
34 build their own home, you've got to get your own  
35 contractor, that's why they, and they, to heck with  
36 this, let's move to Palmer. And it's much cheaper. Is  
37 that's what the problem is, the shortage of homes.  
38 That should be on top.

39

40 But, yeah, I like it. If the people  
41 come back and they could hunt in our area. Is that  
42 what it's about.

43

44 CHAIRMAN SHIEDT: Yeah. If they're  
45 still registered with their local IRA, that's the way I  
46 feel about it.

47

48 MR. BALLOT: I was just wondering,  
49 Carl, when I mentioned earlier, let's go back to the  
50 population threshold and characteristics that are being

1 used, and go from there down, and some of these stuff  
2 there, wherever we threw them in there is fine. But  
3 that way we hit what we're talking about, the  
4 categories of what makes determination for the rural  
5 whatever. And so we'd go with the population threshold  
6 and it would go to the other stuff, aggregation, all  
7 these five things that are being used right now.

8

9 MR. JOHNSON: That works for me, Mr.  
10 Chair. So we'll just proceed in the order of the five  
11 categories.

12

13 And then, first, population threshold.  
14 Currently the letter states that the Council  
15 recommended a presumptive rural threshold be increased  
16 to 11,000. What that means then, currently the  
17 presumptive rural threshold is anything 2500 and below.  
18 And now what that would do is then recommend to  
19 increase that from 2500 to 11,000. So I'll put that  
20 under the first category of population threshold.

21

22 CHAIRMAN SHIEDT: Okay. Yeah, go  
23 ahead, Raymond.

24

25 MR. STONEY: Thank you, Mr. Chairman.  
26 My comment would be that there is a very simple thing.  
27 Now, if they authorize and decide to build a haul road  
28 from Bettles to Ambler, and I imagine, I'm going to say  
29 this, I imagine we'll be forced to determined to be  
30 non-rural. They will try and force it to do that, just  
31 like they did to other areas in the State. So I think  
32 we should prepare something to avoid that, because if  
33 we don't, you know, 15 years from now, I'll be gone.  
34 Ambler will be forced to forced to be non-rural. So  
35 that should be in the letter, that at least mention it  
36 and be prepared for 15 years from now.

37

38 MR. JOHNSON: Mr. Chair. Again that  
39 would be something that I would recommend could go  
40 under that the header of the rural characteristics  
41 category. And that is, for example, rural  
42 characteristics, the Board should consider whether or  
43 not any population increase is as a result of external  
44 development. And then that way, if it is the result of  
45 external development, not the natural growth of the  
46 community, then it would not be factored as part of the  
47 population or aggregation for that community. So I  
48 guess it could be either aggregation or rural  
49 characteristics, and, you know, leave the Board to  
50 figure out where it should fit the best.

1 CHAIRMAN SHIEDT: Okay. Then I'm going  
2 to translate a little a little bit the way I think I'm  
3 understanding. What you're saying is if they connect  
4 us to the road system in the future, that we should  
5 just leave it be, being rural, just the way it is, even  
6 if they connect us to the road later. Is that what  
7 you're saying? And that's the question when we are  
8 talking to I forget who, but I was just talking to  
9 someone, and it just dawned on me that's one of the  
10 questions that was asked to me, and I said, I don't  
11 know how to answer it.

12  
13 MR. JOHNSON: Well, Mr. Chair, what  
14 I've heard from Raymond and other Council members is  
15 the concern isn't necessarily that a road is built, but  
16 whether or not that road would bring in other people  
17 who would then increase the population. Because, you  
18 know, right now whether or not a road connects  
19 communities is not itself a factor that makes it non-  
20 rural. That's just one of several factors they  
21 consider when they're deciding whether or not they  
22 aggregate communities.

23  
24 And again, the aggregation of the  
25 communities is only relevant for determine the  
26 population threshold. So they aggregate them together  
27 to decide which communities do they count to determine  
28 what the population is. So even if you were to  
29 aggregate, you know, eight communities together in the  
30 Northwest Arctic, and they still came to only 3,000  
31 people, it's still way below, if the Board were to take  
32 your recommendation of 11,000, it still would be way  
33 below that 11,000. It would be presumed rural.

34  
35 CHAIRMAN SHIEDT: Okay. Thank you. I  
36 think I've got you now.

37  
38 Go ahead, Verne.

39  
40 MR. CLEVELAND: What about if the work  
41 place itself becomes more than 5, 7,000. Like in  
42 Bornite, what if it becomes more like 7, 8,000 people  
43 at Bornite, then what? Is it going to be just a work  
44 place or.....

45  
46 CHAIRMAN SHIEDT: Your mic.

47  
48 MR. CLEVELAND: Is it going to be the  
49 work place or what, when the population is like, let's  
50 say, 10,000. What are you going to call that? Maybe

1 it's a mining district, Bornite.

2

3 CHAIRMAN SHIEDT: I think I understand  
4 you, Verne. Maybe what you're saying is during the  
5 peak of the summer when the mine is in process and full  
6 swing, they will get over 5 to 11,000. And if they  
7 close for the winter, they'll be below it. I think  
8 what we're trying -- what you're really trying to say,  
9 that summer factor shouldn't be in place, because they  
10 hit over 11,000, is what you're saying. Is that what  
11 I'm seeing? Just the workforce during the summer will  
12 double up, just like in Kotzebue. When there's a lot  
13 of projects here, Kotzebue summertime population will  
14 boom. Right as soon as they're done, we go back down  
15 to our lower level.

16

17 MR. BALLOT: Mr. Chairman.

18

19 CHAIRMAN SHIEDT: Go ahead. She was  
20 first.

21

22 MS. PETRIVELLI: I just want to say,  
23 because when I was working at OSM, I worked on some of  
24 the rural determination stuff, and then the Federal  
25 Board only looks at permanent residents, and so even  
26 when they looked at Prudhoe Bay, there are only three  
27 permanent residents in Prudhoe Bay, even though there's  
28 thousands of people that travel through there. And  
29 what they have is group quarters, and they don't even  
30 have kitchens. I mean, you know, individual kitchens.  
31 And they just have cafeterias. And then they're not  
32 allowed to have guns, personal guns there, you know, as  
33 employees. They have patrols. So the Board looked at  
34 all those factors as to what is -- and the census has  
35 terms for that, and it's called institutional quarters  
36 or group quarters where people live together as a  
37 group, and then they only live there for a temporary  
38 period of time. And they're not called households.

39

40 So when the Board makes a  
41 determination, they look at those things, and they look  
42 at just communities that have households, where there's  
43 families living, where they have kitchens, and it's a  
44 community.

45

46 And so as far as if it's a work place  
47 -- I don't know anything about the Ambler project, and  
48 I think these would be all good questions to ask the  
49 people when they come.

50

1                   But I think if it is just going to be a  
2 work place with temporary quarters, I don't think it  
3 would be counted as a community.

4  
5                   CHAIRMAN SHIEDT:   Okay.   Thank you.

6  
7                   Go ahead, Percy.

8  
9                   MR. BALLOT:   Yeah.   I was just going to  
10 echo what she said is that in order to have population  
11 determination, you have to have a permanent address.  
12 And if you have a permanent address in Ambler, then  
13 that would be counted as your population.   But you  
14 have, for instance, the working people, and they don't  
15 have an address there, then they won't be counted.

16  
17                   CHAIRMAN SHIEDT:   Thank you.

18  
19                   Anyone else.

20  
21                   MR. ADKISSON:   Yeah, this Ken on the  
22 phone.   That's my understanding also for Red Dog up  
23 there in the Kotzebue area.

24  
25                   CHAIRMAN SHIEDT:   Thank you, Ken.

26  
27                   Go ahead, Raymond.

28  
29                   MR. STONEY:   Thank you, Mr. Chairman.  
30 That one thing is that brings, you know, the reason as  
31 to why.....

32  
33                   REPORTER:   Microphone.

34  
35                   MR. STONEY:   .....I ask these  
36 questions.   Of course, we all know that area, it's  
37 Gates of the Arctic, it's open to the public.   All that  
38 land be open to the public, and there will be many,  
39 many, many camps in that area for sportshunters.   And  
40 now they'll probably build their own buildings in that  
41 area, and we shall call them non-residents, even though  
42 they build their business places?   That's the question  
43 I want to ask.

44  
45                   CHAIRMAN SHIEDT:   Okay.   Thank you,  
46 Raymond.

47  
48                   Go ahead, Verne.

49  
50                   MR. CLEVELAND:   Yeah.   I was in the

1 military. And we don't call them guns. We call them  
2 rifles. Guns is for fun.

3

4 That's all I had. Thanks.

5

6 CHAIRMAN SHIEDT: Okay. Anyone else.  
7 Did you get that, Carl, so far. What do you need to go  
8 on with this.

9

10 MR. JOHNSON: Yes, Mr. Chair. I've just  
11 been organizing some of the current discussion, and  
12 also the existing contents of the letter into the five  
13 criteria. And if it please the Council, I can state  
14 what I have. Well, we should probably just, as Percy  
15 suggested, you know, move through the five criteria,  
16 because we're kind of jumping all over the place, and  
17 maybe that will make this a little more organized.

18

19 So right now, for example, for  
20 population threshold, I put the Council recommends that  
21 presumptive rural threshold be increased to 11,000.

22

23 For aggregation of communities, the  
24 current letter says essentially that the idea of  
25 aggregating communities that are not connected to the  
26 road system is confusing. So maybe perhaps the  
27 suggestion would be that automatically there should be  
28 no aggregation if communities are not connected by the  
29 road system. I mean, under the current criteria,  
30 connection by the road system is one of several things  
31 the Board looks at in determining aggregation, but if  
32 the Council wants, you could suggest that it just be  
33 eliminated as one thing, or that aggregation should  
34 only occur if there is connection to the road system.

35

36 CHAIRMAN SHIEDT: Thank you, Carl.

37

38 MR. BALLOT: Mr. Chairman.

39

40 CHAIRMAN SHIEDT: Go ahead.

41

42 MR. BALLOT: Real quick, Carl, when we  
43 said 11,000 earlier, I was supporting Michael's request  
44 not to use population, but since we're moving along  
45 that line, when we said 11,000, 11,000 would be  
46 population over 7,000 is considered non-rural. That  
47 would be the point we're going to, right, on these  
48 three, four bullets, under population threshold?

49

50 MR. JOHNSON: Are you saying then that

1 if -- say again what you were just.....

2

3 MR. BALLOT: You have three bullets how  
4 you decide the three categories of population when  
5 determining your rural determination. One is under  
6 25,000, one is 25,000 to 7,000, and then over 7,000.  
7 We're putting this 11,000 right on the last bullet,  
8 that's where the number would go?

9

10 MR. JOHNSON: Okay. Thank you.  
11 Actually, no. What the 11,000 number would be is to  
12 replace the first bullet. So instead of 2500 and under  
13 would be presumed rural, it would be 11,000 and under  
14 would be presumed rural. And that would be your only  
15 recommendation. It would be up for other -- you know,  
16 up for the ologists and the Board to come up with the  
17 other numbers, if there were going to be any, so maybe  
18 increase, instead of it being 2500 to 7,000, it would  
19 then be 11,000 to, you know, 15,000, and then 15,000  
20 and above would be presumed non-rural. So your only  
21 recommendation would just relate to that first bullet  
22 point of what the population is for presumed rural.

23

24 MR. BALLOT: Thank you. That clarifies  
25 it, and I like how your -- I mean, how it's better than  
26 what I was thinking. And I agree.

27

28 CHAIRMAN SHIEDT: Okay. Anything else,  
29 Carl, on this one here.

30

31 MR. JOHNSON: So under rural  
32 characteristics, from what is in the existing letter, I  
33 pulled five things out. One, no road access should  
34 automatically deem a community rural.

35

36 Two, use more emphasis on spiritual and  
37 cultural importance of fish and wildlife as well as  
38 traditional practices for each community and area.  
39 And, so then that then gets to eliminating -- because  
40 the spirituality and cultural component is mentioned  
41 twice, so I'll just eliminate one of them.

42

43 Next, availability of local employment.

44

45 Another bullet point under rural  
46 characteristics, as an additional criteria to consider  
47 for rural characteristics is median income of  
48 communities.

49

50 And then based out of, you know,

1 today's discussion, I would then add the issue of --  
2 this could get into probably more so aggregation, but  
3 the issue of population increase as a result of  
4 external development should not be considered as part  
5 of a community's population. So even if we take the  
6 issue that Pat was saying about now if it's not a  
7 permanent residence, it wouldn't be counted in a  
8 census. But let's say if you were to have some new  
9 little town develop as a result of a mine, and there  
10 were permanent residents there, then the desire would  
11 be that that is still not aggregated, because it's  
12 still a population increase as a result of external,  
13 you know, development, some other source that has  
14 nothing to do with the communities that already exist.

15

16

17 CHAIRMAN SHIEDT: Okay. I've gotcha.  
18 You got it, Percy. That's a good one. Okay. That's a  
19 good one. Yeah.

20

21 So we're going to take this just under  
22 -- if you rewrite it, under recommendation for now, or  
23 we're going to vote on this.

24

25 MR. JOHNSON: Well, what I can do is --  
26 I mean, that's what I have right now. If there's  
27 anything else the Council would like to add to either  
28 rural characteristics or the other criteria, because  
29 the next one is, you know, information sources. What  
30 sort of information does the Board rely on. Right now  
31 it's the census data as modified by the Alaska  
32 Department of Labor.

33

34 And the other one is the timing of  
35 review, how often this review is done. Currently it's  
36 every 10 years. And several other Councils have  
37 recommended eliminating the 10-year review entirely,  
38 and specifically one Council, the Kodiak/ Aleutians  
39 Council noted that there should only be a review if  
40 there's been a significant increase in population, and  
41 then defining significant increase as 25 percent. So  
42 there wouldn't be a regular review process at all,  
43 unless somebody specifically asked for it.

44

45 So that's just one example of a  
46 suggestion, but again it's up to the Council if you  
47 want to make any other additions to those other,  
48 information sources and timing of review.

49

50 CHAIRMAN SHIEDT: Okay. Yeah, I like

1 your idea that once you put it in place, you don't have  
2 to review it until after so many years, so we won't go  
3 through this headache again, and we'll talk about it  
4 just 10 years from now.

5  
6 Okay.

7  
8 Thank you, Carl.

9  
10 So what's the wish of the board here on  
11 this here. Carl, you'll just take it.....

12  
13 MR. BALLOT: Mr. Chairman. I would  
14 just agree with that. I think that's pretty good.  
15 Unless something happen within the characteristics that  
16 were considered that might affect us, then we'll bring  
17 it up for review. I think that's a good idea. We  
18 won't have to go every 10 years. If something happened  
19 in five years, then we could take it up again. If  
20 something happened in 20 years, then we could take it  
21 up. That might say one of our villages or Kotzebue or  
22 Ambler or something is getting considered non-rural,  
23 when we would work on it.

24  
25 CHAIRMAN SHIEDT: Okay. Thank you.

26  
27 So are we done with this one now.

28  
29 MR. BALLOT: What other information  
30 sources, I would just use that as the census data is  
31 good. That's how population is determined anyway is  
32 whether you have a permanent address.

33  
34 CHAIRMAN SHIEDT: Okay. Did you get  
35 it, Carl. Now move on to the next. Or, what you  
36 wanted us to take. What process. Vote on it or just  
37 leave it just the way you write it.

38  
39 MR. BALLOT: Mr. Chairman.

40  
41 CHAIRMAN SHIEDT: Go ahead.

42  
43 MR. BALLOT: I'll just move that you  
44 take our comments as our comments to the Federal  
45 Subsistence Board as our Northwest Arctic Regional  
46 Subsistence Advisory Council comment in determining the  
47 rural determination process.

48  
49 CHAIRMAN SHIEDT: Okay. Thanks, Percy.  
50 Okay. We'll leave it like that. So we're done with

1 this?

2

3 Go ahead, Carl.

4

5 MR. JOHNSON: Well, Mr. Chair, actually  
6 there is a motion that has been seconded that's on the  
7 table, so procedurally we should vote on that motion  
8 before moving on to the next agenda item. Or we could  
9 table it for further discussion tomorrow if you want to  
10 see an actual draft, but if the Council is satisfied  
11 with its discussion as I've reviewed, then I would  
12 suggest that we just vote on the motion that's on the  
13 table.

14

15 CHAIRMAN SHIEDT: Okay. I'm happy the  
16 way you rewrite it and how we just vote on it I guess  
17 maybe is better. Is that what you think, Percy?

18

19 (No audible answer)

20

21 CHAIRMAN SHIEDT: Okay. Go ahead

22 Verne.

23

24 MR. CLEVELAND: Then I call for  
25 question.

26

27 CHAIRMAN SHIEDT: The questions been  
28 called for. All favor signify by saying aye.

29

30 IN UNISON: Aye.

31

32 CHAIRMAN SHIEDT: Any opposed.

33

34 (No opposing votes)

35

36 CHAIRMAN SHIEDT: No opposed. Okay.

37 It past. Okay.

38

39 Thank you.

40

41 So are we going to hear from the  
42 Ambler? It look like not. Okay. Since we're not  
43 going to hear from her -- she's not here, then she  
44 just.....

45

46 UNIDENTIFIED VOICE: She just walked  
47 in.

48

49 CHAIRMAN SHIEDT: So you have the floor  
50 now on your Ambler.

1                   Go ahead, Carl.  
2  
3                   MR. JOHNSON:  If I might suggest just  
4 five minutes to make sure that we've got the projector  
5 set up, because there's a PowerPoint presentation with  
6 this, so we can have the projector set up and ready to  
7 go, and then she can give her presentation to the  
8 Council.  
9  
10                  CHAIRMAN SHIEDT:  Five minutes it is.  
11 Thanks.  
12  
13                  (Off record)  
14  
15                  (On record)  
16  
17                  CHAIRMAN SHIEDT:  Okay, everybody,  
18 ready.  Maybe we could go to this Ambler district  
19 mining access road.  
20  
21                  (Off record conversations)  
22  
23                  CHAIRMAN SHIEDT:  Yeah, go ahead.  I've  
24 got your name some place.  
25  
26                  MS. TUTTELL:  Maryellen.  
27  
28                  CHAIRMAN SHIEDT:  Maryellen.  I've got  
29 you down.  Oh, yeah, right here.  Tuttell.  
30  
31                  Go ahead, Mary, you have the floor.  
32  
33                  MS. TUTTELL:  Thank you, Mr. Chairman  
34 and members of the committee.  My name is Maryellen  
35 Tuttell and I'm with DOWL HKM, but I'm here  
36 representing the Alaska Industrial development & Export  
37 Authority for their Ambler Mining District industrial  
38 access road.  
39  
40                  I have with me Joy Huntington, who is  
41 the team's community liaison, so she helps us  
42 communicate with the side variety of stakeholders out  
43 there.  Cities, tribes, land owners, and the general  
44 public.  
45  
46                  And I also have John Springstein.  John  
47 is an infrastructure development officer with the  
48 Ambler -- with AIDEA, and he's also AIDEA's key person  
49 on the Ambler Mining District industrial road.  
50

1                   Because we were having some problems  
2 with slide projector, we're just going to walk through  
3 the actual hard copy that's in your packet so that we  
4 can get through the slides in a more timely manner and  
5 have more time for questions and discussion.

6  
7                   So one of the main questions that we  
8 get from people is who is AIDEA and why AIDEA doing  
9 this project. Most of you probably know that this  
10 project was originally taken by the Department of  
11 Transportation and Public Facilities, and they started  
12 doing reconnaissance studies on this project back in  
13 2009/2010. And one of the main things that they heard  
14 as they did the reconnaissance study was concern about  
15 public access and increased pressure on subsistence  
16 resources from people traveling out the road. And so  
17 after hearing that for a few years, the Department of  
18 Transportation took that back to the Governor's Office  
19 as being one of the major concerns. And that was when  
20 the Governor's Office transferred the project to AIDEA,  
21 the Alaska Industrial Development and Export Authority  
22 because AIDEA can work more with the private sector to  
23 do limited access or controlled access roads that are  
24 designed for industrial uses, not designed for the  
25 general public.

26  
27                   And so AIDEA is a public corporation.  
28 It's kind of a half public/half private type situation.  
29 Its mission is to increase job opportunities and  
30 economic development in Alaska, particularly through  
31 development of natural resources.

32  
33                   So AIDEA has the experience of working  
34 with industry on controlled-access roads such as the  
35 Red Dog Road.

36  
37                   And AIDEA took this project over about  
38 eight months ago, and has just started the process of  
39 coming back out to the communities and to the  
40 stakeholders such as yourselves to talk about the  
41 project.

42  
43                   And the idea would be that AIDEA would  
44 take this project through the environmental review  
45 process, and then at some point, once the project is  
46 better defined and it appears that it would be a  
47 project that people would support and that could get  
48 permits, they would then work with private industry to  
49 develop a finance plan to fund the road construction  
50 and get paid back through fees on the users of the

1 road, similar to the Red Dog Road.

2

3                   So the purpose of the project is to  
4 construct road access out to the Ambler Mining District  
5 to support mineral exploration and development in that  
6 area.

7

8                   I'm not going to go over the map. I  
9 think you all know where the Ambler Mining District is.  
10 You're familiar with the fact that the State owns about  
11 -- a patch about 75 miles long of properties there that  
12 include a number of different mineral resources:  
13 copper, silver, lead, gold, and several of the key  
14 deposits out there are the Arctic deposit that Nova  
15 Copper has been investigating; the Bornite deposit that  
16 on NANA land; Smucker which is also a deposit that Teck  
17 Cominco has been looking into; and the Sun deposit.

18

19                   And as these companies have been  
20 investigating these deposits, they have identified the  
21 fact that they're not economically feasible to develop  
22 without having road access. So they've looked at  
23 flying things out. They've looked at other options.  
24 And they mining companies have determined that it's not  
25 economically feasible without a road.

26

27                   So as I mentioned, on the next page it  
28 just talks a little bit about the history of the  
29 project, that DOT started it. DOT did some preliminary  
30 reconnaissance studies looking at routes going from the  
31 Ambler Mining District to the west and routes going to  
32 the east, and evaluated those routes on a number of  
33 different criteria.

34

35                   If you'd flip to the page that has the  
36 analysis of the preliminary corridors, the corridors  
37 were evaluated based on the amount of wetlands that  
38 they impact. The caribou habitat with obviously the  
39 routes going east going east from the district had more  
40 potential to impact caribou than routes going to the  
41 --- or going from the district to the west had more  
42 impact on caribou habitat versus the ones going to the  
43 east. Routes to the east also had lower impacts on  
44 threatened and endangered species.

45

46                   One of the other things we looked at  
47 was the availability of materials, gravel and other  
48 materials, to be able to construct the road, whether  
49 those were available in the corridor.

50

1                   And also how many Federal conservation  
2 units would be impacted by the road. As many people  
3 here have noted, as you head west, there are a lot of  
4 Federal conservation units that would be impacted by a  
5 road to the west versus a road to the east, you still  
6 have to impact the Gates of the Arctic National  
7 Preserve, but under ANILCA there was a provision to  
8 allow an access through the preserve specifically to  
9 the Ambler Mining District.

10  
11                   So based on the studies that the  
12 Department of Transportation did, they identified what  
13 they call the Brooks East Corridor, which is a corridor  
14 that starts near Prospect Creek on the Dalton Highway,  
15 and heads on the existing ice road towards Bettles, and  
16 then heads east along the southern flank of the Brooks  
17 Range through Gates of the Arctic Preserve, and then on  
18 to the Ambler River.

19  
20                   Again, the reasons that DOT identified  
21 this corridor as being the best was it had the least  
22 impact on endangered species and caribou habitat. It  
23 crossed fewer streams and rivers than corridors that  
24 were looked at going either to the southeast or to the  
25 west. Again, it did cross through a conservation unit,  
26 but it was a conservation unit that had a specific  
27 provision to allow this road. And it allowed the  
28 corridor to stay primarily on State lands, although it  
29 does cross again some Federal lands as well as some  
30 Native corporation lands both in the Doyon Region and  
31 in the NANA region.

32  
33                   So I'm going to skip through the tasks  
34 that are currently in progress, and we can come back  
35 and talk about those if people have a question. But I  
36 think what people are probably more interested in is  
37 the community input that we've been receiving on the  
38 project. And as you can imagine, there has been a high  
39 level of interest both in the Doyon Region and the NANA  
40 region on the potential for a road out to the Ambler  
41 Mining District.

42  
43                   The number 1 concern that's been  
44 brought up by every community that we've gone to is the  
45 potential for impacts on subsistence resources. And  
46 again that's both concerns about increased hunting  
47 pressure or fishing pressure on subsistence resources  
48 and also the potential for habitat or other impacts  
49 that could have an impact on the abundance of  
50 subsistence resources.

1                   We have also heard a lot from people  
2 questioning what the benefits would be to the  
3 communities in terms of whether there would be more  
4 employment opportunities, whether there would be any  
5 opportunities to affect the cost of living in some of  
6 the communities using the road for access.

7  
8                   Again, whether or not people, the  
9 general public, and in particular people wanting to go  
10 hunting or fishing, would be allowed to use the word  
11 has been a major issue.

12  
13                   And then the environmental issues  
14 include the potential concerns about use of asbestos,  
15 naturally-occurring asbestos material, and concerns  
16 about the mining that would occur if the mining that  
17 would occur if the road were to go in, and the  
18 potential for acid rock drainage, and other impacts  
19 from the mining operations themselves.

20  
21                   So those are the comments that we've  
22 been hearing from the community. And again the impacts  
23 on subsistence and on access were some of the reasons  
24 why the project then got transferred from the  
25 Department of Transportation to AIDEA, so that there  
26 could be more control over access to help address some  
27 of those concerns.

28  
29                   One of the questions we get a lot when  
30 we talk about the fact that what AIDEA would propose is  
31 a controlled access road. And so we get a lot of  
32 questions about how would that be different than the  
33 Dalton Highway, because the Dalton Highway started out  
34 it was closed to the public, but eventually the State  
35 decided to open the Dalton Highway to the public. And  
36 so a lot of people have asked, you know, will the same  
37 thing happen on this road.

38  
39                   And we do feel that what AIDEA is  
40 proposing is different than the Dalton Highway in that  
41 the Dalton Highway -- the State asked for a public  
42 highway right-of-way from the BLM, and was granted a  
43 State highway right-of-way. And what we are proposing  
44 to ask for from the landowners, from the Native  
45 corporations, and the other land owners is a limited  
46 access right-of-way, so a right-of-way that has  
47 specific uses allowed, and not a public highway right-  
48 of-way.

49  
50                   Another thing that's different is that

1 the Dalton Highway was being managed by the State  
2 Department of Transportation, and the State regulations  
3 state that the Commissioner of the Department of  
4 Transportation has the authority to decide whether a  
5 highway is open or closed if it's a State highway. We  
6 are not proposing a road that would be considered a  
7 State highway, or that would be controlled by the  
8 Commissioner of Transportation. The road would be  
9 owned and operated by a public/private partnership,  
10 which is a group set up through a contract, and they  
11 would own and maintain the road. So the Department of  
12 Transportation Commissioner would not have the  
13 authority to open the road to public access.

14  
15 Finally, the Dalton Highway system was  
16 placed on the Federal Aid Highway System so that  
17 Federal funds could be used to help do maintenance and  
18 repairs. And again this project is not being proposed  
19 as a Federal Aid Highway, and AIDEA is not proposing to  
20 use any Federal funds to construct or to maintain the  
21 highway.

22  
23 Again, AIDEA has the experience working  
24 with private industry to develop the Red Dog Road, and  
25 that is the model that AIDEA is proposing to follow on  
26 this road.

27  
28 So I'm going to skip through again a  
29 couple in the interest of time. And we can come to any  
30 of those that you have questions on when we get to the  
31 question period.

32  
33 But I'll just note that on the proposed  
34 project schedule, our proposal is to submit a permit  
35 application this year, and that permit application  
36 would then start the environmental impact statement  
37 process. And the environmental impact statement  
38 process would then involve the Federal agencies. They  
39 would direct that process, and they would also consider  
40 the ANILCA Title XXI. It would be a dual process, so  
41 there would be the environmental impact statement under  
42 the National Environmental Policy Act that the Corps of  
43 Engineers would likely lead due to the amount of  
44 wetlands being impacted. And then there's the Title  
45 XXI considerations that have to do with crossing  
46 through Gates of the Arctic National Preserve, and the  
47 Park Service would lead that portion of the analysis.

48  
49 So we would propose to submit that  
50 permit application this year, and start that process.

1                   Once the project gets through a draft  
2 environmental impact statement in a few years, and  
3 there's been public comments and we've had a chance to  
4 work with the Federal agencies and the communities and  
5 the stakeholders, at that point, when we get towards  
6 the final environmental impact statement, and we  
7 understand what the project might really look like, at  
8 that point, AIDEA would go out and start forming the  
9 public/private partnership that would then take the  
10 project forward, and developing the finance plan for  
11 the project. So under that schedule, the final design  
12 and permitting would happen around 2018, and  
13 construction could possibly start in 2019.

14  
15                   On the final page I just laid out some  
16 information on the different steps that have to occur  
17 between now and when any project would be approved for  
18 construction. So if you look on the left on the steps  
19 in the development process, the reconnaissance studies  
20 were done by the Department of Transportation. The  
21 AIDEA Board then approved this process that we're doing  
22 right now, which is developing a permit application and  
23 doing an environmental impact statement. Once the  
24 environmental impact statement is complete, then AIDEA  
25 would do a financial analysis to determine if the project  
26 that comes out of the environmental impact statement is  
27 financially feasible, and how to finance the project.  
28 At that point the AIDEA Board would take another vote  
29 as to whether to move forward with the project or not.  
30 And then assuming that they vote to move forward with  
31 the project, then the project would go into final  
32 design and permitting, and then into construction.

33  
34                   So the important thing on the right as  
35 we look at the environmental impact statement, which is  
36 the process that we hope to start this year and that is  
37 once we submit a permit application to the Federal  
38 agencies, they will publish what they call a notice of  
39 intent that basically alerts everyone that they're  
40 going to do the environmental impact statement and  
41 seeks input from the public on the purpose of the  
42 project, different project alternatives, are there  
43 alternatives to building this road that would still  
44 meet the purpose, which is to support the mineral  
45 development in that area.

46  
47                   And based on the input from the public  
48 during the scoping process, then they would do -- they  
49 would identify what alternatives have to be evaluated  
50 in the environmental impact statement. Then the

1 environmental impacts of each of those alternatives  
2 would be studied and documented. That document, the  
3 draft EIS, would then go out to the public for review.  
4 And at that point there would be more public discussion  
5 on the potential impacts, whether the potential impacts  
6 were adequately addressed, whether there were adequate  
7 mitigation measures, whether there are new mitigation  
8 measures that are needed. And then the Federal  
9 agencies would issue the final environmental impact  
10 statement and their record of decision, saying what  
11 project they think, what alternative they think would  
12 be the appropriate alternative to move forward with.

13

14 So there's a long process to go through  
15 here. We're still very early in the process, but we  
16 believe that it's the right time to go ahead and  
17 initiate the environmental review process, get the  
18 Federal agencies involved. The Federal agencies will  
19 then begin the government-to-government consultations  
20 with the tribal entities and the ANCSA corporations,  
21 and that will allow us to work with you and with all  
22 the other stakeholders to identify the potential  
23 alternatives and to identify what the impacts are and  
24 what kind of mitigation might be needed to make sure  
25 that the road meets the need and helps develop the  
26 opportunities that mineral development could provide  
27 for the area, but also protects the subsistence  
28 resources that the area depends on.

29

30 So with that, I will open it up for  
31 questions.

32

33 CHAIRMAN SHIEDT: Go ahead, Raymond.

34 Thank you.

35

36 MS. TUTTELL: Thank you.

37

38 MR. STONEY: Thank you, Mr. Chairman.

39

40 I know there will be a lot of questions  
41 to be asked, you know, for the committee here. My  
42 question would be, of course, we all know that the haul  
43 road, if it was built from Bettles to Bornite, I know  
44 there's a lot of allotments in that area. Now, if you  
45 have to go through the allotment, and that they have to  
46 purchase that entire allotment at what cost.

47

48 MS. TUTTELL: Thank you. Through the  
49 Chair. As the Department of Transportation and AIDEA  
50 have looked at a potential route, one of the things has

1 been to avoid any Native allotments. And so the route  
2 that's currently proposed does not include any Native  
3 allotments. It does include village corporation lands  
4 and regional corporation lands. And the cost would be  
5 determined once a route was identified. The costs  
6 would have to be determined through appraisals. And for  
7 Native allotments, it would have to occur with the  
8 involvement of the Bureau of Indian Affairs as well as  
9 representatives of the Native allottee. So we have not  
10 looked at exact prices yet on any of the right-of-way-  
11 acquisition, but we do recognize that there would be  
12 fees paid to anybody who owns the land, and as was  
13 mentioned earlier, it could be what's considered a  
14 right-of-way where you actually acquire the land, or it  
15 could be easements for 20 years or 30 years where the  
16 property owners continue to own the land, and they just  
17 allow you to use it for a certain amount of time. So  
18 there's still a lot of questions to be answered.

19

20 MR. STONEY: So that haul road would be  
21 from Bettles to Bornite, right? Just to that  
22 destination only, nowhere else? From Bettles to  
23 Bornite?

24

25 MS. TUTTELL: The proposed corridor at  
26 this point would be from Prospect Creek on the Dalton  
27 Highway, up the winter road to Bettles, and then to the  
28 west to the Ambler River just past Bornite.

29

30 CHAIRMAN SHIEDT: Yeah. Are you done,  
31 Raymond.

32

33 MR. STONEY: Yes, sir.

34

35 CHAIRMAN SHIEDT: Okay. Yeah, thank  
36 you. You mentioned a couple of things that just like  
37 the haul road, that it's going to be through  
38 government, the State properly, or whoever come up with  
39 the funds, and yet you said that the road will not be  
40 opened. And that's what they told us with the haul  
41 road and Prudhoe, yet 20 years later it was opened to  
42 the public. And that's my scare I've got really --  
43 I've got to respect which way the Upper Kobuk want to  
44 go about it, but if they ever opened the road, and if  
45 they opened it to the public, there'll be squatters,  
46 land grabbers will find a way to get land near the  
47 road, and probably try to get land next to the road.  
48 That way they could be out in the country and live off  
49 the land and whatever.

50

1                   And the other concern I have is that it  
2 said here that they were going to be narrow roads.  
3 That put a red flag on me right away. If there's  
4 vehicles going to and from, and the road is narrow, I'm  
5 scared there's going to be an accident, because I know  
6 truckers are going to be in a hurry, and they'll say  
7 whoever -- whatever I haul more, that's how I'm going  
8 to make more money. If they're going to haul  
9 equipment, private contractors will rush to and from  
10 and return. All they want to do is line up their  
11 pockets. And that's one of the questions I have on the  
12 road. Because I'm scared that if they ever open it for  
13 caribou, fish, especially the prize fish, sheefish fall  
14 time. They're full of eggs and they're huge and  
15 they're big. And there's trophy hunters will be out  
16 there in a hurry.

17  
18                   So that's one of my real concern about  
19 it is those two things, but I have more what I take  
20 notes, of, but I don't want to get too far, they might  
21 not be able to answer it, and they want have this -- I  
22 know when I used to work with the school district, we  
23 had a hard time getting gravel due to asbestos. We had  
24 a hard time. I had to work hard to get a permit, that  
25 like I stated, I worked for the school district 25  
26 years, maintenance. And we had to get remit, and that  
27 was hard one, because there was so much asbestos, non-  
28 minable asbestos, let's put it that way.

29  
30                   So that's my main concern are those two  
31 for now, the road for safety and opened in the future  
32 for people to come in.

33  
34                   MS. TUTTELL: Yes. Thank you, Mr.  
35 Chair. Again, AIDEA's trying to learn lessons from the  
36 experience of what happened with the Dalton Highway.  
37 And that's why AIDEA is looking at trying to get right-  
38 of-ways that do not allow for public access, so that  
39 someone can't just make a decision to open the road  
40 later.

41  
42                   And in terms of the road width, some of  
43 the things AIDEA's been looking at is the possibility  
44 of making the road a one-way road where all of the  
45 trucks going east have to caravan at one time with  
46 controls on how fast they can go, and caravan back out  
47 at a different time. So there is a balance between  
48 constructing roads that are intended for industrial use  
49 and making sure that the people who drive on those are  
50 educated, similar to again at Red Dog Mine where the

1 people who are going to drive on the road have to go  
2 through specific training on the rules and regulations  
3 for driving on Red Dog Road. And the idea would be to  
4 have a similar program where the commercial drivers on  
5 the road understand the rules and regulations and get  
6 trained on how to operate on that particular road in a  
7 safe manner, and then that there be enforcement of  
8 that, and controls on that so that you don't have  
9 people as you mentioned worrying about now many trips  
10 they can get in back and forth.

11

12 CHAIRMAN SHIEDT: Okay. Thank you.  
13 And the other one I have is the migration of the  
14 caribou once the road is built, because I know there  
15 was impact and it's not admitted by agencies, but they  
16 know it impact the caribou from the port to Red Dog.

17

18 The other one is when I used to go  
19 meeting, the other impact, out of our region, the  
20 elders tell me from Interior when Nome was really into  
21 mining one time, when they build that road, that  
22 caribou never cross for 100 years when they build that  
23 road. And I was told by elders when I was at Nome to  
24 one of the meetings with the elders. I was invited.  
25 And they wanted to know in the future, and that's what  
26 I heard about it, that roads will make an impact from  
27 the migration of the caribou.

28

29 And if they divert our caribou, we're  
30 going to hurt, because they cross through Cutler and  
31 through Ambler to come down this way, and to Selawik,  
32 Buckland and Deering. That's going to be a lot of  
33 impact. We, the people, are going to hurt if they  
34 start migrating different. And if it delay the  
35 migration, and the bulls will be in rut by the time  
36 they decide to cross the road. And that's when we will  
37 hurt. And that's when the Natives on this side that's  
38 not hurt by road, they're going to really complain in  
39 the future. I will tell you that right, they're going  
40 to complain. And if I'm still alive, I will complain.  
41 Don't worry about it. I'll be there. If I'm there.

42

43 So I think that's all I have. Anyone  
44 else here from the Board. Go ahead, Verne.

45

46 MR. CLEVELAND: I helped build the Red  
47 Dog Mine Road from port to Red Dog. And it's no way  
48 you can build a one-lane road, because the trucks going  
49 back and forth. We were hauling ice on tundra, trying  
50 to get that road done. I mean, on nothing, just on

1 Tundra. And that's wear and tear on the equipment.

2

3 But no way, you cannot build a one-lane  
4 road, construct a one-lane road there. It won't  
5 happen. It's got to have two lanes in order to have  
6 your equipment running. You've got to have two lanes.  
7 There is no way you can have a one-lane road, to  
8 construct one, it's not going to happen. You're going  
9 to have two lanes for sure, because of accidents,  
10 that's real high liability. That's one thing.

11

12 And if you have trucks going -- I mean,  
13 hauling ass -- I mean, we don't slow down. We don't  
14 slow down for nothing. I was a truck driver at Red  
15 Dog, and we don't slow down for anybody, and we just  
16 kept going you know.

17

18 Two lane. There's no way on one lane.  
19 It's not going to happen. It's definitely going to be  
20 a two-lane for accident free. I mean, if you get hurt,  
21 the liability's going to go sky rocket. It's not going  
22 to happen. I'll guarantee you that's not going to be a  
23 one-lane road. It's going to be two lane. That's for  
24 sure, because that's how we were going to build Red  
25 Dog. But it's not. It's two lane.

26

27 And I bet the contractors, they're  
28 going to try to get it done before the contract is up,  
29 you know, and that's what happened at Red Dog. The top  
30 two supervisors made a bet, they're going to get it  
31 done before December, by golly we got it done before  
32 December, and guess who won. The guy in Anchorage, he  
33 made the bet, because we were hauling ass on the  
34 tundra. Moving. No road, nothing, but just on tundra.  
35 And just so you guys think about it. It's not going to  
36 be a one-lane road, that's for sure. I guarantee that.

37

38 Thank you.

39

40 CHAIRMAN SHIEDT: In return on that  
41 one-lane road, or you're just going to take and put it  
42 for now.

43

44 MS. TUTTELL: Through the Chair. I  
45 will say that in the permit application, what we've  
46 proposed is proposing a two-lane road as the ultimate  
47 build-out, but there's been a lot of discussion as to  
48 how you would phase that in, and whether you would do  
49 something like a pioneer road first to help get the  
50 construction underway, and then build a one-lane road

1 and operate that for some amount of time until, if  
2 there was enough activity to justify having a two-lane,  
3 then you could expand it to a two-lane road.

4  
5 But right now what we've been talking a  
6 lot about recently is whether you could operate it as a  
7 one-lane road with turn-outs, but also with pilot  
8 vehicles. So in other words, the pilot vehicle would  
9 set the pace for the entire convey of trucks going one  
10 way or the other. And so that's something that we've  
11 been considering as potentially being the best way to  
12 operate the road.

13  
14 MR. CLEVELAND: So if one truck breaks  
15 down, it's going to hold up a whole bunch of trucks  
16 behind him, right?

17  
18 MS. TUTTELL: That is a good point.

19  
20 CHAIRMAN SHIEDT: It do happen. Are  
21 you done, Verne?

22  
23 Go ahead, Raymond, you go

24  
25 MR. STONEY: Thank you, Mr. Chairman.  
26 My question is, now after that road is complete and get  
27 to full operation, you said you said you'll have to  
28 Ambler River and down past Bornite a bit. How are you  
29 going to bring it to the market around the world?

30  
31 MS. TUTTELL: Excuse me, through the  
32 Chair.....

33  
34 MR. STONEY: Where are you going to  
35 bring it and how?

36  
37 MS. TUTTELL: The ore from the mine?

38  
39 MR. STONEY: Yeah.

40  
41 MS. TUTTELL: The idea is that it would  
42 be trucked to the east, to the Dalton Highway, and then  
43 down to a port likely in the Port McKenzie area is  
44 what's currently being proposed, to then be shipped  
45 out.

46  
47 CHAIRMAN SHIEDT: Yeah, go ahead, Mike.

48  
49 MR. KRAMER: You do realize that this  
50 is a real Advisory Council, and we base our decisions

1 on subsistence way of life.

2

3                   You know, right now we're still trying  
4 to get some agencies to admit that Red Dog Road has an  
5 impact on our caribou herd, and it did. We've noticed  
6 it here in Kotzebue. We noticed it big time. And they  
7 say it doesn't happen. We see it all the time.

8

9                   The Lower Noatak, past 10 years, the  
10 decline in caribou travelling through that area in the  
11 prime time of harvesting caribou, there's none. None  
12 to harvest. They're moving off farther east.

13

14                   You know, if you really look at it, the  
15 State of Alaska, there's only one horizontal road  
16 within the State of Alaska right now. Red Dog Mine  
17 Road. Everything is going vertical, north/south. If  
18 we get another road going horizontal across the state,  
19 it's going to make an even bigger impact.

20

21                   Right now our caribou herd is  
22 declining. You know, the preservation of our caribou  
23 herd is more important than the mighty dollar. We've  
24 already noticed the Red Dog Road has had an impact on  
25 our caribou herd.

26

27                   That's why, the only reason why, I  
28 would suggest that they make a road to Kotzebue,  
29 because Kotzebue's looking at possibly making a deep  
30 water port. This way we are keeping the money within  
31 the NANA region, it ain't going anywhere else. Because  
32 who's going to benefit from these minerals. You know,  
33 you need to look at it that way. The economy within  
34 the NANA region is pretty low right now. Businesses  
35 are not keeping up with the cost of living. And the  
36 cost of living is rising, and the income is, you know,  
37 not getting any higher, because businesses can only  
38 maintain a certain amount of income. You know, with  
39 the increase in jobs within the NANA region that if the  
40 road was to remain within the NANA region, you know, it  
41 would benefit Game Management Unit 23.

42

43                   Hopefully a bunch of that money would  
44 go towards, you know, our subsistence resources.  
45 Monitoring. Studying. You know, I mean, to benefit  
46 the people here, you know, not to benefit people in  
47 Fairbanks or other places.

48

49                   I've seen, you know, the impact of Red  
50 Dog Road within the last 10 years, it's impacted a lot.

1 Our caribou herd is declining, and right now we're --  
2 you know, the possibility, we still haven't heard from  
3 Jim Dau as to what our caribou herd population is,  
4 whether it's on the rise or whether it's slowly  
5 declining. I'm pretty sure it's slowly declining,  
6 because, you know, we've lucked out this year with a  
7 pretty mild winter. And, you know, whether that will  
8 benefit our caribou herd this year, don't know. We'll  
9 have to find that out in several years.

10

11                   You know, the protection of our  
12 subsistence resources is a higher priority than the  
13 mighty dollar in my mind.

14

15                   You see all these ladies and gentlemen  
16 here? They're all older than me. I'm the one that's  
17 going to be here 20 years from now with a whole new  
18 flock of people here. And we will still be having our  
19 foot down from now to then. And, you know, anything to  
20 preserve the subsistence way of life within this game  
21 management unit. And I will encourage them.

22

23                   We had several students here from  
24 Kotzebue High School. You know, that's why I prefer  
25 that our Federal subsistence meetings be aired over  
26 KOTZ radio. That way other people can listen and to be  
27 able to understand what it is that we're deciding, you  
28 know, The public has, you know, the right to be able  
29 to listen in as to what we're deciding, and our youth,  
30 because what we're deciding today might, you know, not  
31 benefit our future.

32

33                   You know, that road might mess up with  
34 our rural determination. You never know. The State  
35 might flip the coin and say, oops, they're not rural  
36 any more. And we won't have a say-so in it.

37

38                   But if we look at the possibilities of  
39 keeping this road within the NANA region, then it will  
40 benefit the people. And that's what they need to look  
41 at. You know, the State can go find funds somewhere  
42 else, but when it comes down to benefitting the people  
43 within the State of Alaska, or within this game  
44 management unit, it needs to remain.

45

46                   That's my thought and theory, and I  
47 believe in preservation of the subsistence way of life,  
48 because as we progress throughout the years, you know,  
49 a little at a time is being taken away from us. And if  
50 we take a big step like that, a big chunk might get

1 taken away from us, that we won't have a say or be able  
2 to do anything about it.

3

4                   You know, I'm hoping within the next 20  
5 years I'm still sitting in this seat today. You know,  
6 it's a combination transporters, you know, air traffic.  
7 Now we're looking at road traffic. We've already got  
8 road traffic in Red Dog, you know, that's having an  
9 impact on our subsistence way of life here in Kotzebue,  
10 and villages south of us. Not only that you know,  
11 there is climate. Climate does have a say in a bunch  
12 of it. But it needs to be broadened and be able to be  
13 open to benefit the people within this game management  
14 unit and the subsistence users, because if it's not  
15 going to -- if we're not going to be considered, I  
16 don't think it should ever happen. That's my theory.

17

18                   Thank you.

19

20                   CHAIRMAN SHIEDT: Thank you, Michael.

21

22                   Yeah, I've got a couple more. Since  
23 you brought the radio up, Carl, after we had that last  
24 meeting, the radio, a few days after the meeting, a  
25 week later, less than a week later, did I get called  
26 from the villages that they were happy it was aired.  
27 They understand it, and they hear what we were trying  
28 to say, and I get a lot of input from the villages.  
29 They did call me. And that's good.

30

31                   Okay. Back to the subject. Under  
32 project development steps that you mentioned that your  
33 AIDEA has a board of directors. I've got a simple  
34 question. Is anyone from Northwest Alaska sitting on  
35 the board here, because you're making steps that's  
36 going to impact Northwest Alaska. Is there anyone from  
37 the Native side. I'm not talking someone from NANA.  
38 I'm talking someone away from the corporation, that's  
39 not getting paid from NANA.

40

41                   MS. TUTTELL: Mr. Chair. The AIDEA  
42 board is -- it includes the Commissioner of the  
43 Department of Revenue, the Commissioner of the  
44 Department of Commerce, and then five public members.  
45 I don't believe any of the public members are from the  
46 Northwest. I believe the closest one is from the  
47 Interior, in the Fairbanks area.

48

49                   CHAIRMAN SHIEDT: And yet they're  
50 deciding for our villages, and it's going to impact

1 Northwest Alaska. We don't have someone. I mean,  
2 whether that person do it or not, it would be nice if  
3 they say, we have someone in there. You know what I'm  
4 saying, in the board of directors. So maybe I think  
5 you guys need to decide to put someone in there,  
6 because I could file a suit and say, hey, you didn't  
7 have nobody from Northwest Alaska on theses deciding  
8 factors. We need someone in to hear what you guys have  
9 to say away from here.

10

11 Thank you.

12

13 MS. TUTTELL: Mr. Chair. I would  
14 mention the AIDEA regulations do require that the  
15 communities that are affected have to support the  
16 project. And so where there's an organized borough,  
17 such as the Northwest Arctic Borough, AIDEA would not  
18 be able to go forward with the project if there was not  
19 a resolution of support from the Northwest Arctic  
20 Borough. And in the areas that don't have a borough,  
21 for example, the Interior areas near the Dalton  
22 Highway, the Governor appoints a board that's a  
23 Regional Advisory Committee for that area to determine  
24 whether they're in favor of the project. But AIDEA's  
25 regulations actually require that the communities in  
26 the area where AIDEA's proposing a project do have to  
27 support it. So there will be that input from the local  
28 area into the decision process that the AIDEA Board  
29 takes.

30

31 CHAIRMAN SHIEDT: Okay. Thank you.

32

33 I think you hear that, Verne, that we  
34 need to have someone from the Northwest Arctic Borough,  
35 from the council to -- maybe Reggie and his crew to  
36 say, hey, we need someone from Northwest Alaska.  
37 Verne, I think you hear that.

38

39 You had something, Percy. Go ahead.

40

41 MR. BALLOT: Yeah. Mr. Chairman.

42

43 Thank you for your presentation. And  
44 now we now why Maniilaq say Ambler's going to boom some  
45 day. I guess we're seeing this prophecy come true.

46

47 And I've worked with AIDEA in my little  
48 village buying fuel. We started off with AIDEA's help,  
49 and now we're working AVEC where I think we've got the  
50 cheapest fuel prices in the region, because we provide

1 a service as a non-profit. So we thank you guys for  
2 that.

3

4 My concern is, I'm glad he talked about  
5 the subsistence stuff, and since you've heard all about  
6 that, I just wanted to go toward the health aspect, the  
7 environmental concerns of it. I don't know how you  
8 share the effects of asbestos dust, whether the  
9 outlying communities there will fully understand how  
10 much asbestos when you breath, or whether you get a  
11 breathing mask or how much you're going to have piling  
12 every 10 miles or so when you're building that road.  
13 And you're going to have people going back and forth,  
14 and these people that are working are going to be  
15 breathing this stuff. I don't think I've heard anybody  
16 say, if you breathe this much particles of that dust,  
17 it's going to affect your life in the long run. You're  
18 going to have cancer, because that's what it causes,  
19 life-threatening diseases. So how are you sharing this  
20 information with the folks that are being affected up  
21 the river?

22

23 CHAIRMAN SHIEDT: Thank you, Percy.

24

25 Go ahead.

26

27 MS. TUTTELL: Through the Chair. We  
28 are -- right now we're investigating the potential  
29 minerals -- material sources that are available along  
30 the corridor, and, of course, there is the concern on  
31 the western portion of the corridor about the naturally  
32 occurring asbestos.

33

34 As you're probably aware, the State has  
35 adopted a policy that certain amounts of that can be  
36 used on projects if it's handled correctly, if it's  
37 used in a way that it's either covered over or somehow  
38 stabilized so that it can't be -- it can't create  
39 asbestos in the dust itself.

40

41 And so that's one of the major issues  
42 that would be addressed in the environmental impact  
43 statement is more detail on is there enough material  
44 available that does not have naturally occurring  
45 asbestos. And if naturally occurring asbestos material  
46 is going to be used, what types of measures would be  
47 taken to ensure that the material is stabilized, and  
48 that you're not creating a human health hazard.

49

50 CHAIRMAN SHIEDT: Okay. Go ahead.

1 MR. BALLOT: So are they -- I guess my  
2 question was -- I hear what you're saying, but does the  
3 State or AIDEA is in the process of finding out if you  
4 breathe this much, it's going to affect you, if it's  
5 this much you're okay, or you have to wear a mask. Do  
6 we know or do you know how much of that asbestos dust  
7 or particles that you breathe can be harmful in the  
8 long run? Being on the health board of our region, and  
9 representing our region, I'm not too sure I've heard an  
10 answer yet regarding that. I know there have been  
11 studies, but there's been no real answers about what is  
12 it that might hurt a person that's going to live there,  
13 work there?

14

15 CHAIRMAN SHIEDT: Yeah, go ahead.

16

17 MS. TUTTELL: Yeah. Through the Chair.  
18 I don't have the studies with me. I know there were  
19 some studies done when the State looked at adopting the  
20 policy of allowing the naturally occurring asbestos  
21 materials to be used.

22

23 Part of the environmental impact  
24 statement is a health impact analysis that the State  
25 Department of Health and Human Services would prepare.  
26 And so that would be one of the major issues that they  
27 would look at, and they would gather any existing  
28 information on what are the levels that are present in  
29 the naturally occurring asbestos, what types of levels  
30 then have been detected in the area around the areas  
31 that have used those, and what are the human health  
32 impacts of that. So that should be documented as part  
33 of the human health impact assessment that's part of  
34 the environmental impact statement.

35

36 CHAIRMAN SHIEDT: Yeah. Thank you.  
37 Also, I'll get to you in a minute, Susan.

38

39 Also the OSHA has recommendation on  
40 what kind of respiratory -- what to use, different  
41 kinds for different parts of the dust. And I know a  
42 little bit about it, because I used to be able to  
43 remove asbestos working for the school district. I was  
44 trained to do it, and I had to wear a certain  
45 respiratory, and if it's wet, it's safer -- it's even  
46 safer year. That's for your information. There's a  
47 booklet out about it for certain things, but mostly  
48 it's the company or the outfit that's doing the work  
49 should know more about it for their safety of the  
50 people. That's what I had to do. Through the school

1 district I'm insured until the day I die with the  
2 school district, because I removed asbestos from the  
3 buildings and I ship them out to Seattle. That I know  
4 a little bit about. It is dangerous. A little needle  
5 pin could hurt someone. For the record.

6

7 Go ahead, Susan, you had something.

8

9 MS. GEORGETTE: It's okay for me to ask  
10 a question, Mr. Chair?

11

12 CHAIRMAN SHIEDT: Go ahead, ask your  
13 question.

14

15 MS. GEORGETTE: Yeah. Thank you for  
16 your presentation. I had a question about one thing I  
17 didn't understand, which is the relationship between  
18 the road and the mine. And the reason I ask is partly  
19 because I know that Nova Gold is somehow related to  
20 Nova Copper, and that they ran the Rock Creek mine in  
21 Nome, but it barely opened before it shut down and  
22 people were laid off and all. And so it's not really  
23 clear to me if the road's built without really -- I  
24 mean, it must have to happen a little bit at the same  
25 time, but could we end up with a road and no mine, I  
26 guess, because we can't have a mine with no road, but  
27 it seems like if you actually had the road, but then no  
28 mine and no jobs, where are we? So I was wondering  
29 what that relationship is.

30

31 Thank you.

32

33 CHAIRMAN SHIEDT: Go ahead.

34

35 MS. TUTTELL: Thank you. Through the  
36 Chair. The purpose of this road, as many people have  
37 mentioned, the Ambler Mining District includes a very  
38 large area with a number of different potential  
39 deposits that could be developed over time. And so the  
40 purpose of this road is to provide access so that there  
41 can be more exploration and potentially future  
42 development. The Arctic deposit is one of several  
43 different deposits out there that have been studied  
44 over the years and that are in different phases of  
45 exploration. So although it's true that the mine  
46 cannot be operated in an economically feasible manner  
47 without the road, the purpose of the road is not just  
48 to open the Arctic mine. The purpose of the road is to  
49 promote economic development through exploration and  
50 possible development out in that area.

1                   But as many of you know who have  
2 watched what's been going on out there over the last  
3 several years with the exploration activities, even  
4 without a mine operating, the exploration activities  
5 have resulted in a lot of extra employment and the  
6 mining companies spending money in the area. So there  
7 are benefits to the exploration, even if it doesn't go  
8 as far as becoming an operating mine.

9  
10                   So again the intent would be to take us  
11 through the environmental impact statement, and once  
12 the environmental impact statement is complete and  
13 there's a recommendation as to what the road would look  
14 like where the alignment would be, whether it would be  
15 one lane or two lanes, whether it would have to be  
16 operated in a certain way. At that point AIDEA would  
17 have to decide whether there's a way to finance it and  
18 whether it's financially feasible, given the level of  
19 activity that would be expected in the mineral  
20 district.

21  
22                   So that is how we're looking at it  
23 right now, is we'd like to take a look at what are the  
24 alternatives to provide road access to that entire  
25 area, how could we do that in a way that protects the  
26 subsistence resources, and minimizes other  
27 environmental impacts. And then once we come up with a  
28 project that everyone thinks is the best project, then  
29 we have to look at whether it's financially feasible,  
30 whether there would be enough activity in the region,  
31 not just by Nova Copper, but by other companies to make  
32 it financially feasible to construct and operate the  
33 road.

34  
35                   John, did you want to add anything?  
36 And maybe John can add some to this as he's more the  
37 financial expert than I am.

38  
39                   MR. SPRINGSTEIN: Okay. Yeah. And  
40 through the Chair, we are very early on in the process,  
41 and I wanted to reiterate that, that we are here, you  
42 know, prior to the environmental study being kicked  
43 off, and, you know, years away from a discussion about  
44 the financial feasibility of the project. And I think  
45 kind of following on what Maryellen had mentioned, the  
46 AIDEA board is more focused later stage on that  
47 financial feasibility aspect. But there are a number  
48 of conversations that will need to take place through  
49 the EIS process that involves all of the communities,  
50 and, you know, the government representatives as well.

1 CHAIRMAN SHIEDT: Yeah, go ahead.

2

3 MS. HUNTINGTON: Thank you, Mr. Chair.  
4 I just wanted to add from a community involvement  
5 perspective, we are really going out to the villages a  
6 lot and meeting with the tribes, meeting with the  
7 cities in both regions. So our region on that, my  
8 region on the Interior side, the road would go through  
9 some of our lands, and so folks are really interested  
10 in what kind of security measures will be on the road  
11 to make sure that hunters don't come in and access the  
12 Koyukuk River, that kind of thing. And so we're having  
13 a lot of discussions with the stakeholders, including  
14 you guys.

15

16 Thank you very much for letting us come  
17 speak to you today. I know you've had a full agenda,  
18 but I just want to encourage you really stay involved  
19 in the conversation. As both of my colleagues here  
20 have mentioned, we are early in the process, and as  
21 more information becomes available. We want to get the  
22 discussion going before all of the details are  
23 finalized, because then you can be even more part of  
24 that process of saying, we'd rather it be this way.

25

26 And I encourage Council Member Kramer,  
27 I think your points are very valid, and I encourage you  
28 to, you know, as you're looking at focusing on benefits  
29 being here locally, there's a lot of ways that that can  
30 happen. And by being involved in those discussions,  
31 you know, you can really make sure that there's an  
32 emphasis there.

33

34 I'd like to see benefits also on the  
35 Doyon side. I think we're also struggling with lack of  
36 employment opportunities and things like that. But I  
37 feel like there can be ways where we meet together and  
38 we figure out how this can maybe bring benefits and  
39 manage those risks as a team, you know, kind of across  
40 both regions. So I'd just encourage you to, you know,  
41 talk to your NANA board members and talk to people  
42 about getting really involved in making sure that  
43 benefits, you know, are coming back to you guys.

44

45 But again I'd just encourage you to  
46 stay involved, and hopefully you invite us back some  
47 day. That would be nice, so we can give you updates  
48 and keep you involved of what's happening.

49

50 CHAIRMAN SHIEDT: Thank you.

1                   Go ahead, you have something. Come up  
2 to the mic.

3  
4                   MR. BROOKS: Thank you, Mr. Chair. I  
5 have a question.

6  
7                   First of all, thank you for the  
8 presentation and for coming here today to join us. And  
9 also, you know, I applaud the fact that you've come  
10 early before the NEPA process is started. And this  
11 relates to my question. Could you explain a little bit  
12 more about the timing on the tribal consultation? I  
13 realize that formal government-to-government  
14 consultation with tribes is the responsibility of the  
15 Federal agencies, but what's the timing going to be on  
16 that in relation to the notice of intent, and the  
17 start of the public NEPA process.

18  
19                   MS. TUTTELL: Thank you. Through the  
20 Chair.

21  
22                   MR. BROOKS: Thank you, Mr. Chair.

23  
24                   MS. TUTTELL: Through the Chair. AIDEA  
25 has been going to communities and meeting with the  
26 tribal councils as well as city councils to try and  
27 make sure, as Joy mentioned, that we're talking with  
28 everybody as early as possible so that -- you know, one  
29 of the complaints we over get on a project is that  
30 we've already decided what the project is before we go  
31 out to the public. And then people are providing  
32 comment, but they feel like it's too late in the  
33 process. And so we've made a concerted effort to go  
34 out and do as much consultation and communication with  
35 the communities and the different stakeholders early in  
36 the process, even though we don't know all the answers  
37 right now, so that we can take all of that input in and  
38 come up with the best project possible.

39  
40                   But we do feel at this point it's time  
41 to start the Federal process and bring the Federal  
42 agencies into the process to help us identify what are  
43 the potential alternatives, and what are some of the  
44 mitigation measures that might be needed. And so we  
45 are planning to kick that off through submitting a  
46 permit application to the Federal agencies, at which  
47 point the Federal agencies would issue the notice of  
48 intent. My experience has been that typically the  
49 Federal agencies will then start the government-to-  
50 government consultation as part of the environmental

1 impact statement process, which typically would occur  
2 after the notice of intent is published, because the  
3 notice of intent will give notice to everyone that the  
4 agencies are planning to prepare the environmental  
5 impact statement and will talk about the purpose and  
6 need for the project, and what the scoping process  
7 would be. And then the tribal consultations and  
8 government-to-government consultations will begin as  
9 part of that scoping process.

10

11 Thank you.

12

13 CHAIRMAN SHIEDT: Thank you.

14

15 Go ahead, Michael. You'll be next,  
16 Verne.

17

18 MR. KRAMER: You know, as you did say,  
19 that Doyon would also benefit, but what we need to look  
20 at is we need to look at ways to benefit both. I know  
21 that in the beginning some Nova Copper guy or whoever  
22 he was, or Nova Gold guy, came here and spoke to us,  
23 and he's talking about the road. And, you know, I  
24 immediately shot it down. I don't agree with it.

25

26 But, you know, he did give us two  
27 options. He said a road or a railway, and/or a road to  
28 Northwest Alaska, through Northwest Alaska to our deep  
29 water port. You know, I can see a railway during the  
30 non-critical migration times. And I can see shipping  
31 through our oceans during the critical migration times.  
32 You know, that way it would at least benefit both. And  
33 at least with the railway going east, there still would  
34 be no way that, you know, hunters would be going out on  
35 that railroad to go hunting. Still there would be  
36 security, but, you know, it would benefit both  
37 corporations.

38

39 But if it did have an impact on our  
40 caribou herd, we'd lose out, you know. I mean, the  
41 loss of our caribou herd would really impact our  
42 region. We'd either become reindeer herders, or we'd  
43 have cattle out back. It would definitely impact our  
44 region. Yeah, it would benefit us, you know,  
45 financially, but they need to look at the long run and  
46 subsistence resources.

47

48 Like I stated earlier, I said I'd  
49 rather have a bowl of caribou soup over money.

50

1                   That's all I've got.

2

3                   CHAIRMAN SHIEDT: Thank you, Michael.

4

5                   Go ahead, Verne.

6

7                   MR. CLEVELAND: I'm the very few that  
8 flew over their proposed road. I was helping surveying  
9 that road from Bornite to Bettles. That was a couple  
10 years ago. And I also worked in that area with  
11 different mining companies, core drilling and stuff  
12 like that.

13

14                   And to hear that that copper's the  
15 second best in the world, Susan, they're going to mine  
16 that piece no matter what. If it's the second best  
17 copper in the world sitting right up there, they're  
18 going to get it out, no matter what. And I seen it,  
19 that was about 30 years ago, one guy told me that,  
20 Verne, there's going to be a mine right here. And it's  
21 right there in the map, the one he pointed out. And he  
22 said, there's going to a billion dollar hole right  
23 here. And he was right. And it's going to happen.  
24 Maybe not in our lifetime, but it's going to happen.  
25 And all these roads, all these villages will be  
26 connected for sure. And then it's just going to go  
27 real high.

28

29                   But it's going to happen. It's already  
30 been surveyed, and a lot of creeks, I'll tell you that  
31 between there. But I've been working for mining  
32 companies since 1976 in that area. Different  
33 companies, and we were fighting over land. I mean,  
34 fighting over filing claim. And it became a claim war,  
35 I mean, until NANA came around booted them all out.  
36 Anaconda. So we're seeing it.

37

38                   It's going to happen, I know it will  
39 happen. If it could benefit job for -- right now it  
40 costs \$11 a gallon in Kobuk. If the fuel would go down  
41 \$3 a gallon, you know, that would help.

42

43                   Thank you.

44

45                   CHAIRMAN SHIEDT: Thank you, Verne.

46

47                   Yeah, go ahead and respond.

48

49                   MS. TUTTELL: Through the Chair. I  
50 wanted to address a little bit about Commissioner

1 Kramer's statements. When the Department of  
2 Transportation started the reconnaissance study, they  
3 did look at -- as I mentioned, they looked at routes to  
4 the west and to the east. There were -- and they also  
5 looked at railroad as well as roads, so they looked at  
6 going to the east and connecting to the railroad, or  
7 going to the east, connecting to the road, or going to  
8 the west and connecting to either the Red Dog port, or  
9 a number of other ports. And the analysis of the  
10 railroad was that the costs were so high that it just  
11 was not economically feasible to construct and operate  
12 the railroad and be able to pay that back through tolls  
13 on the mining activity. And similarly roads to the  
14 west, when we compared the impacts on the number of  
15 streams crossed, the number of -- the amount of  
16 wetlands crossed, the amount of heavier used caribou  
17 habitat crossed, as well as the cost of improving a  
18 port to the point where it could accommodate the level  
19 of activity, the State determined that it made more  
20 sense and was more feasible to go to the east.

21

22                   One of the reasons that we're anxious  
23 to get the environmental impact statement started is  
24 that the Federal agencies will relook at that. They  
25 will relook at are here other alternatives that the  
26 State maybe thought weren't good ideas that need to be  
27 relooked at. And part of the environmental impact  
28 statement will be that determination of what is the  
29 reasonable range of feasible alternatives that should  
30 be studied. And so that's an area where you have an  
31 opportunity to provide input to the Federal agencies on  
32 what alternatives you think should be looked at, and  
33 those then would be carried through the environmental  
34 impact statement.

35

36                   Thank you.

37

38                   CHAIRMAN SHIEDT: Thank you.

39

40                   Yeah, go ahead. You'll be next.

41

42                   MR. BROOKS: Thank you, Mr. Chair.

43

44                   Thank you for answering my question,  
45 and I just want to stress that tribal consultation is  
46 kind of a new thing for the agencies, particularly here  
47 in Alaska. And it's very difficult and complex to do.  
48 And I would encourage you as much as possible, as much  
49 as you can, when you're working with your Federal  
50 partners, to advise them that tribal consultation is a

1 formal process between two sovereign governments, and  
2 it should happen well before the publication of the  
3 notice of intent and the public NEPA process. And  
4 that's the way I understand how it is supposed to work,  
5 and we don't always implement it exactly that way. But  
6 it should not be part of NEPA. It's not a public  
7 process. It's two governments talking.

8

9 Thank you.

10

11 CHAIRMAN SHIEDT: Thank you.

12

13 You're going to respond to that?

14

15 Percy, you're next.

16

17 MS. TUTTELL: Okay. Through the Chair.  
18 The Federal agencies have made it clear that they will  
19 not begin working on this project until we've submitted  
20 a permit application to start the process. As you  
21 know, working with the Federal agencies, their work  
22 load is very high, and they are stretched thin. And  
23 they've made it clear that until we actually submit a  
24 permit application, and formally request them to start  
25 analyzing it, then they are not going to start the  
26 process of analyzing.

27

28 So we will encourage them. I think  
29 they take their government-to-government consultation  
30 requirements very seriously, and I believe that as soon  
31 as we apply to them for a permit, that they will start  
32 the process of putting that in place.

33

34 Thank you.

35

36 CHAIRMAN SHIEDT: Okay. Thank you.

37

38 Go ahead, Percy.

39

40 MR. BALLOT: Yeah, Mr. Chairman.

41

42 We have a tribal gathering in December  
43 in Anchorage; they call it BIA Providers. I'm pretty  
44 sure you guys will be there as part of the agenda,  
45 bringing out all these issues that you're bringing up.

46

47 My question was, Mr. Chairman, this 75-  
48 mile long area, that you're going to be going into.  
49 The road's going right alongside that, right? It's  
50 part of the road?

1 MS. TUTTELL: Through the Chair. The  
2 75-mile long area is an area of State mineral claims.  
3 And so again the road is to provide access out into  
4 that general vicinity, but it does not go specifically  
5 to a spot on that outlined area that you see.

6  
7 CHAIRMAN SHIEDT: Okay. Thank you.

8  
9 Go ahead, Hannah.

10  
11 MS. LOON: Thank you, Mr. Chairman. My  
12 question is did both communities -- did both Native  
13 corporations agree or support the Ambler mining  
14 district road? That's my first question.

15  
16 And my second question, did you engage  
17 in tribal council meetings only versus community  
18 gathering with the people in a community?

19  
20 Thank you.

21  
22 MS. HUNTINGTON: Thank you,  
23 Councilwoman Loon. Just to answer your first question,  
24 NANA has come out in support of the EIS starting, and  
25 so their formal position right now is that they want  
26 the EIS to happen. You know, there's obviously a lot  
27 of questions they're hearing from their shareholders.  
28 They are involved in the Bornite site in partnership  
29 with Nova Copper. So that's one of their other levels  
30 of involvement. But in terms of the road project, they  
31 are supporting the EIS.

32  
33 Doyon, Limited has not come out with a  
34 formal position. They have attended several of our  
35 meetings. They're paying close attention. We met with  
36 their president recently -- or our president I guess I  
37 should say. And they're not taking a formal position  
38 yet. So that answers that question.

39  
40 And then the next question is we did  
41 all three. So we gave options for the meeting with the  
42 tribe individually, meeting with the city individually,  
43 or having them together, and then having a community  
44 meeting at night as well. As you know, in this  
45 setting, you get all of the full attention, and you  
46 could ask 20 questions if you want, which I think as  
47 elected leaders in your region, that's your right to,  
48 and you should have all the time in the world. In the  
49 public meeting setting, there is not enough time for  
50 the council members individually to ask as many

1 questions as they want, and it's more almost you want  
2 the public to be able to take the focus and really  
3 share what they're feeling. So we do both. We meet  
4 with as many entities as we can, but we do have -- you  
5 know, by the time we leave the village, they're like,  
6 just go, we're tired of meeting with you already, but  
7 we have meetings in the day and then a large gathering  
8 at night with the whole village where we invite  
9 everybody.

10

11 CHAIRMAN SHIEDT: Thank you. It sounds  
12 like we're pretty much done. And we have another one  
13 from the audience that have a question. Go ahead, come  
14 up to the mic. State your name for the record.

15

16 MS. SWEENEY: Thank you. This is  
17 Brittany Sweeney. And my question is, you encouraged  
18 us to keep informed and engaged, and I want to know  
19 where we can access the information. I've looked on  
20 AIDEA's website before, and I've not seen it, if  
21 there's a meeting schedule or other things. So I'd  
22 like to know how to best engage.

23

24 Thank you.

25

26 CHAIRMAN SHIEDT: Thank you.

27

28 MS. HUNTINGTON: Thank you, Ms.  
29 Sweeney, for that question. And you actually reminded  
30 me of what my last part of my statement was going to  
31 be, that there will be a website. We've been working  
32 on it, focused specifically on this project, making  
33 sure that we have all the information correct. So that  
34 will be published in the next few weeks hopefully,  
35 possibly up to a month or a little bit more. It kind  
36 of depends on how long that process takes. So once  
37 that's published, there will be phone numbers and  
38 schedules and what not.

39

40 We have information in terms of, you  
41 know, our phone numbers. We have cards and things that  
42 we can share for people to contact us directly. At the  
43 borough meetings, that's going to be a level that  
44 people have -- and I feel awkward, because you're  
45 behind me, and I want to talk to everybody. So, you  
46 know, watching the borough meeting. Verne is obviously  
47 a good connection to have there, and Chairman Sampson  
48 on the borough assembly. So those announcements, when  
49 we do our regular updates with them, and are involved  
50 with them, that will be another way that you'll have an

1 opportunity to engage with the project here. So  
2 there's a few different options there, but, you know,  
3 we do go out to the villages and have meetings out  
4 there.

5  
6 But, yeah, soon we'll have a website,  
7 and then things will be -- those lines of  
8 communications will be very much available, easily  
9 found and available.

10  
11 CHAIRMAN SHIEDT: Okay. Thank you.

12  
13 MR. BALLOT: Mr. Chair.

14  
15 CHAIRMAN SHIEDT: Percy.

16  
17 MR. BALLOT: Yeah, just a real quick  
18 one. I'm going to invite you guys to our Maniilaq  
19 board meeting. We represent 12 villages and so we do  
20 health care. We also do environmental, and we also do  
21 tribal government services. I think they would love to  
22 hear you guys, to have them spread the word back to  
23 their villages.

24  
25 MS. HUNTINGTON: Through the Chair.  
26 Thank you very much for that invitation, Councilman  
27 Ballot. And if I could just leave my email and my  
28 phone number with you, and we could communicate on  
29 that, that would be very helpful.

30  
31 Thank you.

32  
33 CHAIRMAN SHIEDT: Thank you. I think  
34 everybody's getting tired. It's that time in the  
35 evening. And I thank you people. And I hope they  
36 understand about that Ambler Road. I know it's going  
37 to happen whether we put our two cents or not, because  
38 I've got a gut feeling it's just a process you guys are  
39 going through, and they're going to build a road anyhow  
40 whether we have our two cents or not in there, because  
41 there's a lot of potential of jobs and a lot of money  
42 to be made for someone. The trouble it I hope NANA  
43 handles it right, that we get more.

44  
45 You're raising your hand, Verne? Go  
46 ahead.

47  
48 MR. CLEVELAND: We'll see you guys in  
49 Ambler, April 17, right? April 17.

50

1 MS. HUNTINGTON: April 17th?  
2  
3 MR. CLEVELAND: Is that when your  
4 meeting in Ambler is, April 17?  
5  
6 MS. TUTTELL: I hadn't heard a specific  
7 date.  
8  
9 MS. HUNTINGTON: We don't have a date  
10 for that one.  
11  
12 MR. CLEVELAND: I heard it.  
13  
14 (Laughter)  
15  
16 MS. TUTTELL: Okay. Thank you for  
17 letting us know.  
18  
19 CHAIRMAN SHIEDT: Go ahead, Michael.  
20  
21 MR. KRAMER: You know, since this  
22 process is going to be a continuing process, you know,  
23 I think that we expect to see you guys at every one of  
24 our subsistence meetings to keep us informed, because  
25 either way we're going to lose out. If we lose our  
26 culture, we lose everything, but we've got the mighty  
27 dollars. You know, if the permit process was in our  
28 hands and we did see violations, you know, and we did  
29 see a dramatic impact on our subsistence way of life,  
30 and we had the authority to pull their permit, to stop  
31 everything, I sure hope we do have that kind of power  
32 one day, because, you know, it's not your guys' freezer  
33 that we're filling, it's ours. It's our kids that  
34 we're feeding. And the cost of a New York steak here  
35 is what, 13.99, that's just one. All of our food that  
36 is brought here is based on the mighty stamp. The cost  
37 of postage. You know, it has to benefit us in a  
38 dramatic way, because if it didn't, why approve it.  
39  
40 Okay. That's all I've got.  
41  
42 CHAIRMAN SHIEDT: Okay. Thank you. I  
43 think we're all tired, and Verne's halfway out the  
44 door. I think I'm going to follow him. We'll adjourn  
45 until tomorrow, and we'll begin with our briefing on  
46 Federal Resource Monitoring Program. Recess until 9:00  
47 a.m.  
48  
49 (Off record)  
50



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C E R T I F I C A T E

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STATE OF ALASKA )

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Salena A. Hile  
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