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1 NORTHWEST ARCTIC SUBSISTENCE REGIONAL ADVISORY COUNCIL
2 PUBLIC MEETING
3 September 9, 1997
4 9:00 a.m.
5 National Guard Armory
6 Noatak, Alaska
7

8 COUNCIL MEMBERS PRESENT:

9
10 Fred Armstrong, Chair
11 Bert Greist, Vice Chair
12 Walter Sampson, Member
13 Percy Ballot, Member
14 W. Ricky Ashby, Member
15
16 Barbara Armstrong, Coordinator

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P R O C E E D I N G S

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(On record - 9:25 a.m.)

CHAIRMAN ARMSTRONG: I'm going to call the meeting of the Northwest Arctic Federal Subsistence -- Arctic Regional Council to order. First of all we'll have a moment of silence in memory of Edgar Ningeulook, who was with the Seward Peninsula Subsistence Advisory Council. He's very dedicated person, and he passed away recently. We'll have a moment of silence at this time.

(Pause - moment of silence)

CHAIRMAN ARMSTRONG: Thank you. Percy Ballot will call the roll.

MR. BALLOT: Yes, Mr. Chair. September 9th, Northwest Arctic Regional Advisory Council, Chairman Fred Armstrong?

CHAIRMAN ARMSTRONG: Here.

MR. BALLOT: Vice Chair Bert Greist?

MR. GREIST: Here.

MR. BALLOT: Secretary Raymond Stoney? Not here. Percy Ballot, here. Walter Sampson?

MR. SAMPSON: Here.

MR. BALLOT: W. Ricky Ashby?

MR. ASHBY: Here.

MR. BALLOT: Stanley Custer, Senior? Not here. Quorum of four.

CHAIRMAN ARMSTRONG: Thank you, Percy. Raymond Stoney and Stanley Custer have called in, so they're excused.....

MR. BALLOT: Five members. I miscounted.

CHAIRMAN ARMSTRONG:so at this time I'd request a motion to excuse them?

MR. GREIST: So move, Mr. Chairman.

MR. SAMPSON: Second.

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1 CHAIRMAN ARMSTRONG: It's been moved and seconded. Any
2 discussion?

3
4 MR. GREIST: Question.

5
6 CHAIRMAN ARMSTRONG: The question's been called for.
7 All those in favor, signify by saying aye?

8
9 IN UNISON: Aye.

10
11 CHAIRMAN ARMSTRONG: All opposed, same sign?

12
13 (No opposing votes.)

14
15 CHAIRMAN ARMSTRONG: Okay. First of all, I'd like to
16 start with our introductions, and perhaps the agencies could go
17 around and give -- at this time and give their name and title,
18 starting with Taylor?

19
20 MR. BRELSFORD: Good morning, everybody. Taylor
21 Brelsford, and I work with the Federal Subsistence Board staff
22 in Anchorage with the regional councils. And I've been trying
23 to come to Noatak for a very long time, so I'm really glad that
24 the meeting was held -- was set for the village.

25
26 MS. DOWNING: I'm Meredith Downing. I'm with R & R
27 Court Reporters, and I'm here to record the meeting.

28
29 MR. RABINOWICH: I'm Sandy Rabinowich with the National
30 Park Service, and I work for the Federal Subsistence Board.

31
32 CHAIRMAN ARMSTRONG: Helen?

33
34 MS. H. ARMSTRONG: I'm Helen Armstrong from the Fish &
35 Wildlife Subsistence Office. I'm the anthropologist who's on
36 the team that deals with the Northwest Arctic.

37
38 MS. DEWHURST: I'm Donna Dewhurst. I'm the biologist
39 on the same team Helen's on.

40
41 CHAIRMAN ARMSTRONG: Go ahead?

42
43 MR. LANE: Wilfred Lane, Land Management, KIC.

44
45 MR. GOODWIN: Willie Goodwin, he's taking my place, so
46 my days are numbered at KIC.

47
48 MR. SHULTS: And I'm Brad Shults, I'm a wildlife
49 biologist for the Park Service in Kotzebue.

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1 MS. DALLE MOLLE: I'm Lois Dalle Molle. I'm with the
2 subsistence program for the Park Service in Kotzebue.

3
4 MS. MEYERS: Randy Meyers, I work for the Bureau of
5 Land Management. I'm a natural resource specialist in
6 Kotzebue.

7
8 MS. BUCKNELL: Susan Bucknell. I've just taken on the
9 Boards position with the State, so I'll be the regional
10 coordinator for the State Fish & Game advisory committees for
11 the arctic region.

12
13 MS. KERR: My name is Leslie Kerr. I'm the refuge
14 manager for Selawik Refuge. My Eskimo name is Mahon. And I
15 live in Kotzebue.

16
17 MR. KUNKEL: I'm Kyran Kunkel, wildlife biologist for
18 the Part Service in Anchorage.

19
20 MS. VESTAL: Pauline Vestal, I'm just one of the
21 villager from Noatak.

22
23 MS. PUNGELIK: I'm Della Pungelik. I'm from Noatak
24 Village, too.

25
26 CHAIRMAN ARMSTRONG: In the back?

27
28 MR. ODEM: I'm Mark Odem, I'm a visitor. I'm an
29 itinerant preacher of the Gospel of Jesus Christ.

30
31 MR. WILSON: (Indiscernible) Mike Wilson.

32
33 MR. W. BOOTH: Wendell Booth, Senior, Noatak, life long
34 natives up here, one of Council members.

35
36 MS. B. ARMSTRONG: IRA (In Inupiat)? IRA?

37
38 MR. W. BOOTH: IRA.

39
40 MR. DONNER: Noah Donner.

41
42 CHAIRMAN ARMSTRONG: Ron?

43
44 MR. MOO: Ron Moo, a Noatak resident.

45
46 MR. PERIN: Robert Perin, Noatak resident.

47
48 MR. FIELDS: Art Fields from Kotzebue. I'm not much of
49 anything.

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1 (Laughter)

2

3 MR. LUTHER: Peter Luther, Noatak resident.

4

5 MS. SAGE: Dolly Sage, Noatak resident, and NANA.

6

7 MS. P. BOOTH: Priscella Booth, Noatak resident. A
8 long time.

9

10 MR. SMITH: Jeff Smith, Seattle resident.

11

12 (Laughter)

13

14 MR. P. BOOTH: Philip Booth, IRA president, Noatak
15 Village.

16

17 CHAIRMAN ARMSTRONG: Okay. Thank you. First of all,
18 I'd like to thank Noatak for hosting this meeting here. And I
19 trust everybody had a good night here.

20

21 Maybe before we begin, I'd like to give a little brief
22 overview of what this counsel does, and why we're here. Many
23 of you will recall that in 1971 ANCSA was passed whereby the
24 created the 13 regional corporations, and the 13 nonprofits.
25 That was the beginning of, you know, a form of federal
26 oversight on lands, but in 1984 I believe it was, ANILCA? Or
27 '86? ANILCA was passed where the federal government made a
28 method for the ease of federal management on federal lands,
29 public lands in Alaska, and it -- that it's broken down into
30 different sections, and like Section 805, which pertains to
31 regional councils, which is us. It's composed of seven members
32 of this region. We're basically represented by a subregion,
33 and your representative for this region is like Ricky Ashby.
34 Percy Ballot represents Buckland/Deering, Bert Greist
35 represents Selawik, Raymond Stoney represents Kiana, and
36 Walt-.....

37

38 MS. B. ARMSTRONG: Kiana and Norvik.

39

40 CHAIRMAN ARMSTRONG: Kiana and Norvik. And Walter and
41 I represent Kotzebue. And.....

42

43 MS. B. ARMSTRONG: Stanley.

44

45 CHAIRMAN ARMSTRONG: Stanley Custer represents the
46 upper Kobuk region.

47

48 We're governed by the Federal Advisory Council Act,
49 which tells us what -- how we are supposed to govern -- run

50 these meetings, we're supposed to take minutes and have public

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1 access where people can come and provide testimony such as
2 we're going to be discussing the CUA today, this morning.

3
4 The Federal Subsistence Board is what -- is the
5 governing body which acts on proposals that either people or
6 companies or agencies submit to them. We're required to
7 provide input on those proposals and to act on, either support
8 or take no action or oppose any proposal. The Federal
9 Subsistence Board is supposed to look at our recommendation
10 very seriously and take that into consideration when they make
11 their decisions. The Chair of the Federal Subsistence Advisory
12 Council, which I am, I sit with the Federal Board in their
13 deliberations and provide input.

14
15 So it's a real strong way of acting on proposals
16 regarding fish and game. And I think it's a lot better
17 atmosphere. They're more receptive to the rural residents, and
18 take that seriously into consideration when they act on
19 proposals.

20
21 That pretty much is a brief overview. We have agendas.
22 I don't know if people have them out, but if you have any
23 questions, just stand up and -- or raise your hands.

24
25 I neglected to have the council introduce themselves,
26 and maybe at this time we'll start with Ricky. Introduce
27 yourself, Ricky?

28
29 MR. ASHBY: Ricky Ashby, Noatak.

30
31 MR. BALLOT: Percy Ballot, Buckland.

32
33 MR. GREIST: Bert Greist, Selawik.

34
35 CHAIRMAN ARMSTRONG: I'm Fred.

36
37 MR. SAMPSON: Walter, Kotzebue.

38
39 CHAIRMAN ARMSTRONG: Okay. So much for that. We'll go
40 into the review and adoption of the agenda. Are there any
41 additions or changes?

42
43 MR. SAMPSON: Mr. Chairman, I'd move adoption of the
44 agenda as is.

45
46 MR. GREIST: Second.

47
48 CHAIRMAN ARMSTRONG: It's been moved and seconded. Any
49 discussion?

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1 MR. BALLOT: Question.

2

3 CHAIRMAN ARMSTRONG: The question's been called for.
4 All those in favor, signify by saying aye?

5

6 IN UNISON: Aye.

7

8 CHAIRMAN ARMSTRONG: All opposed, same sign?

9

10 (No opposing votes.)

11

12 CHAIRMAN ARMSTRONG: Fine Motion passed.

13

14 I forgot one thing. I forgot to introduce my better
15 half, Barb Armstrong. She's the regional coordinator, and
16 takes care of us. And I'm sorry, Barb, I overlooked you.

17

18 (Laughter)

19

20 MS. B. ARMSTRONG: (Indiscernible, laughter)

21

22 (Indiscernible -- simultaneous speech)

23

24 CHAIRMAN ARMSTRONG: I guess I'm taking her for
25 granted.

26

27 UNIDENTIFIED VOICE: You're going to hear that for a
28 few days.

29

30 CHAIRMAN ARMSTRONG: I know.

31

32 We have item six on the agenda, election of officer. I
33 think because we don't have a full quorum, I'd ask the chair to
34 -- I mean, the council that we postpone. We need a motion.

35

36 MR. SAMPSON: Mr. Chairman, I'd move that we defer
37 election of officers until we establish a full quorum.

38

39 MR. BALLOT: Second.

40

41 CHAIRMAN ARMSTRONG: Any discussion? Maybe we can
42 defer this until the winter meetings, and have that on the
43 agenda?

44

45 MR. BALLOT: Yeah.

46

47 MR. GREIST: Uh-hum.

48

49 MR. BALLOT: Question.

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1 CHAIRMAN ARMSTRONG: The question's been called for.
2 All in favor signify by saying aye?

3
4 IN UNISON: Aye.

5
6 CHAIRMAN ARMSTRONG: All opposed, same sign?

7
8 (No opposing votes.)

9
10 CHAIRMAN ARMSTRONG: Motion passes. I need to let the
11 public know that at any time that you guys want to provide
12 input or testimony on the federal subsistence management
13 program, you're free to do so at any time. Just let one of
14 know. Barbara? Pardon?

15
16 MS. B. ARMSTRONG: They can just raise their hand.

17
18 CHAIRMAN ARMSTRONG: Okay. Yeah, just raise your hand
19 and let us know. We want to know how we perform and act, and
20 hope that we can address all your concerns. So that will be
21 open throughout the meeting.

22
23 Item number eight.

24
25 MR. BRELSFORD: Mr. Chairman, the minutes from the last
26 meeting need to be approved by the Council. It would be agenda
27 item number,.....

28
29 MS. B. ARMSTRONG: Five.

30
31 MR. BRELSFORD:five.

32
33 CHAIRMAN ARMSTRONG: Oh, okay.

34
35 MS. B. ARMSTRONG: They're in your notebooks.

36
37 CHAIRMAN ARMSTRONG: Okay. The minutes of February 28
38 meeting.....

39
40 MR. BRELSFORD: Are found in.....

41
42 CHAIRMAN ARMSTRONG:are in the packet?

43
44 MR. BRELSFORD: Yeah.

45
46 CHAIRMAN ARMSTRONG: And I trust everybody's had a
47 chance to review them? We'll need a motion to adopt those
48 minutes?

49

MR. BALLOT: Mr. Chair, I move to adopt our February

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1 28, 1997, meeting minutes.

2

3 MR. GREIST: Second.

4

5 CHAIRMAN ARMSTRONG: It's been moved and seconded. Any
6 discussion?

7

8 MR. GREIST: Question.

9

10 CHAIRMAN ARMSTRONG: The question's been called for.
11 All those in favor signify by saying aye?

12

13 IN UNISON: Aye.

14

15 CHAIRMAN ARMSTRONG: All opposed, same sign?

16

17 (No opposing votes.)

18

19 CHAIRMAN ARMSTRONG: The motion passes.

20

21 Okay. I guess everybody's been waiting for this, item
22 number eight, which is the Noatak CUA or control use area.
23 There has been a proposal, in fact, I think in 1995, for the
24 Noatak controlled use area by -- let me see here. Was that a
25 request by -- by Noatak IRA, expanding the Noatak controlled
26 use area.

27

28 MS. B. ARMSTRONG: The season.

29

30 CHAIRMAN ARMSTRONG: Or the season dates. And also a
31 proposal by the State. Are they.....

32

33 MS. B. ARMSTRONG: Separate. Separate.

34

35 CHAIRMAN ARMSTRONG: Two separate?

36

37 MS. B. ARMSTRONG: Uh-hum. You've got to discuss that
38 first, and put it in a proposal form. This is separate. (In
39 Inupiat)

40

41 MR. P. BOOTH: Most of them are working right now.

42

43 MS. B. ARMSTRONG: Yeah. Okay.

44

45 CHAIRMAN ARMSTRONG: We can discuss that a.....

46

47 MR. P. BOOTH: I round the IRA, but I don't know,
48 there's some of them who are working. They might come later.

49

MS. B. ARMSTRONG: Yeah, okay. (In Inupiat)

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1 MR. P. BOOTH: (Indiscernible)

2
3 CHAIRMAN ARMSTRONG: Okay.

4
5 MS. B. ARMSTRONG: You can discuss this one.

6
7 CHAIRMAN ARMSTRONG: So what's the wish of the council
8 here?

9
10 MS. B. ARMSTRONG: You can probably discuss it first,
11 and then you could explain it to them what it is, and what it's
12 going to do.....

13
14 (Off record simultaneous conversations)

15
16 MS. B. ARMSTRONG:and then that way it will come
17 before you in the fall and then you can decide whether you're
18 going to approve it or not.

19
20 CHAIRMAN ARMSTRONG: Okay. I'm not sure if you guys
21 have copies of this? Proposal 53. That was presented or
22 offered in 1995. The Council decided to defer it until we got
23 more information regarding this, and basically this is changing
24 the season day from August 25 to September 25 to August 1st to
25 October 31st.

26
27 We had a teleconference back in March I think it was
28 with the Noatak IRA Council, and Willie Goodwin of KIC and the
29 agency people regarding this, because we felt that we needed to
30 discuss this and give the pros and cons of why this proposal
31 should or shouldn't go forward.

32
33 One of the dangers of this proposal is that there's
34 three controlled use areas in the State of Alaska. The Board
35 of Game is -- I'm not sure how to say it, but pretty much
36 waiting for any type of action on any of these controlled use
37 areas so that they can either reduce them in size or eliminate
38 them all together. They're being pressured by other users,
39 such as sports and -- sports hunters and other people like that
40 to eliminate them all together, because they feel it's not fair
41 and equal to them.

42
43 The controlled use we feel has been very good in
44 limiting aircraft. Now, this is only for aircraft. It doesn't
45 concern the use of boats or ATVs, which are on State waterways
46 or on State jurisdiction.

47
48 I'd like just to open this up for public discussion at
49 this time, hear from land managers. I'd like to hear KIC's

50 perspective on this, and also Noatak IRA. So maybe Willie

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1 could start off the discussion?

2

3 MS. DOWNING: And I would ask that you come up to the
4 table since there's a microphone there? Thank you.

5

6 CHAIRMAN ARMSTRONG: Thanks.

7

8 MS. DOWNING: And identify yourself.

9

10 MR. GOODWIN: Thank you, Mr. Chairman. My name is
11 Willie Goodwin. I'm from Kotzebue. I -- like I say, my days
12 are numbered at KIC. Wilfred Lane is going to take my place,
13 and I'm in a training process with him to get him up to speed
14 on the issues that confront KIC.

15

16 Mr. Chairman, are we talking about the closure dates?

17

18 CHAIRMAN ARMSTRONG: That's correct.

19

20 MR. GOODWIN: Just the closure dates?

21

22 CHAIRMAN ARMSTRONG: Just the closure dates.

23

24 MR. GOODWIN: The KIC Board met twice on the issue of
25 the controlled use area. They support the controlled use area.
26 They support the closure dates. We had some heated
27 discussions, because some of our shareholders do guide, some
28 have aircraft that they hunt with, but overall the feeling is
29 that the majority of the shareholders use boats to go hunt, or
30 snow machines in the wintertime, but at this time it's boats,
31 so the corporation is in favor of the closure dates, and the
32 existing controlled use area. With that the KIC Corporation
33 would be in favor of this if the Noatak IRA's also in favor.
34 We're standing behind the Noatak IRA on this closure date.

35

36 But when we get to the discussion of the controlled use
37 area, then we have some other comments, too, but I want to
38 point out that all of our lands are open to be used by the --
39 all NANA shareholders, so any land that KIC has can be used for
40 subsistence purposes by Noatak people or anybody, any NANA
41 shareholder. We have that policy in place. So it would affect
42 your use on our lands if the dates or the boundaries are
43 changed that are being discussed.

44

45 Thank you.

46

47 CHAIRMAN ARMSTRONG: Thank you, Willie. Are there any
48 comments from the IRA Council regarding this? Or anybody from
49 the public.

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1 MR. P. BOOTH: (Indiscernible -- simultaneous speech)
2 our boat -- would it come the mouth of the Noatak up to
3 Supluk's (ph)?
4

5 UNIDENTIFIED VOICE: We're talking about dates right
6 now.
7

8 MR. GREIST: We're just talking about 15 miles. It
9 starts 15 miles north of here up to Supluk.
10

11 CHAIRMAN ARMSTRONG: No, no, we're talking about dates.
12

13 UNIDENTIFIED VOICE: Noatak?
14

15 MR. GREIST: We're talking about the dates.
16

17 CHAIRMAN ARMSTRONG: We're talking about the dates,
18 right.
19

20 MR. P. BOOTH: Oh, dates.
21

22 MR. SAMPSON: No, he's asking about the location.
23

24 MR. ASHBY: Yeah.
25

26 MS. B. ARMSTRONG: It's from the mouth of the Noatak up
27 to Supluk.
28

29 MR. P. BOOTH: Would you change that I would think to
30 like north?
31

32 CHAIRMAN ARMSTRONG: No, there's two separate proposals
33 here. There's a State proposal, 26, which concerns the area.
34 Proposal 53 is just dealing with the dates. Noatak IRA Council
35 has submitted a proposal requesting to change the date from
36 August 25 to August 1st, meaning lengthening the time that
37 aircraft is banned from the area. It's not the State's
38 proposal, which is reducing the size of it. So we have to be
39 very clear in understanding that. And it's the area from the
40 mouth of the Noatak up to Supluk.
41

42 MR. P. BOOTH: Well, you know, well, you can travel by
43 boat, when you hunt for subsistence you know, hunt the caribou
44 or -- when you're talking about the Noatak.
45

46 (Indiscernible -- simultaneous speech)
47

48 MR. ASHBY: Mr. Chairman?
49

CHAIRMAN ARMSTRONG: Ricky?

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1 MR. ASHBY: Yeah. It's that we're trying to fix the
2 dates right now, like caribou are a little bit slow. If we
3 never kicked in that right away, this would now makes it to
4 October 31.....

5
6 CHAIRMAN ARMSTRONG: Yeah.

7
8 MR. ASHBY:from August. Sometimes when they do
9 show (ph) up or something, that was -- it's going to be when
10 they show. We tried to (In Inupiat), 'cause as soon as the
11 dates start, they will start using airplanes. It will be open
12 to them.

13
14 CHAIRMAN ARMSTRONG: Wendell?

15
16 MR. W. BOOTH: My language when I talk Eskimo, I'm
17 better, way better than English, so I'll talk Eskimo.

18
19 UNIDENTIFIED VOICE: Someone will translate.

20
21 MR. W. BOOTH: (In Inupiat)

22
23 MS. B. ARMSTRONG: Okay. What Wendell said is that
24 they did that proposal so that it would be fixed to their
25 hunting time. Sometimes the migration of the caribou is that
26 they're all late, and then this date doesn't -- the August 25
27 to September 25 is not good, and then that's why they're trying
28 to change it to August 1st of October 31st.

29
30 CHAIRMAN ARMSTRONG: Okay. I need to point out that,
31 you know, the dates -- we have sort of a conflict, and I want
32 to try to explain that, there's enough time, now -- either a
33 poster or -- of course, I want to listen to what you guys have
34 to say, but our controlled use area is this area here that's
35 shaded. I don't know if you guys can see, but now there's
36 private lands involved. I mean, there's corporation lands, KIC
37 and NANA, and they overlap. Now, we're dealing only with
38 federal lands, which is only a portion of this, and the
39 majority's under state lands. If we change the dates, if we
40 mean for this whole, it would be -- we can only regulate on
41 federal lands, that -- you know, we need to be made aware of
42 that. Only a small portion would be effected, and then there
43 would be inconsistency. The other portion, which is under
44 State jurisdiction would still be August 25 to September 25.
45 We can't change those dates. The State would have to do that.
46 So, you know, you need to be aware that it would affect only a
47 small portion.

48
49 MS. B. ARMSTRONG: (In Inupiat)

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1 CHAIRMAN ARMSTRONG: Willie?

2

3 MR. GOODWIN: I think that that map is wrong. It also
4 effects (In Inupiat). What they have here is the outline of
5 the selections that are not I-C'd (ph) for the village
6 corporations or to NANA. And the federal boundary will go
7 pretty close right by Yagi (ph) where a lot of people in
8 Kotzebue hunt. That's where the boundary for the park is.
9 It's also right here, this part.

10

11 MS. B. ARMSTRONG: So it goes all the way down there?

12

13 MR. GOODWIN: Yes. This portion of the Noatak Preserve
14 would be affected, right here.

15

16 MS. B. ARMSTRONG: Under that.....

17

18 MR. GOODWIN: From village itself (ph) down to about
19 Sueye (ph).

20

21 MS. B. ARMSTRONG: Under National Park Service?

22

23 MR. GOODWIN: Yes. Under the national preserve. So
24 that's why we're supporting what the.....

25

26 CHAIRMAN ARMSTRONG: The dates?

27

28 MR. GOODWIN: Yeah, the dates, because it does affect
29 us here and the park boundaries are in there.

30

31 CHAIRMAN ARMSTRONG: Thanks, Willie, for that
32 clarification. I'm glad you brought that up. Sandy?

33

34 MR. RABINOWICH: I think Willie makes a good point, but
35 let me try to clarify kind of more details on top, too, and,
36 Lois, if I don't get this right, please help me.

37

38 I think Willie's very correct where the Federal Park
39 Service land boundary is, and that if you look at this map, it
40 doesn't appear to be right. What the map shows is where the
41 lands that are not selected or interrimly conveyed. That's the
42 difference between the boundaries. And so the Federal
43 Subsistence Board regulations specifically don't apply within
44 those lands until the jurisdiction is settled.

45

46 CHAIRMAN ARMSTRONG: Settled.

47

48 MR. RABINOWICH: And so again, Willie's correct that
49 the boundary doesn't look right, because the legal boundary

50 does go just where he said, but the jurisdiction of the board

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1 doesn't go to the boundary. It only goes to the lands where
2 the jurisdiction is all settled.

3
4 CHAIRMAN ARMSTRONG: Right.

5
6 MR. RABINOWICH: So hopefully that helps. So it --
7 depending on when those things are settled out, that's when the
8 effect would be to that, up to that line.

9
10 CHAIRMAN ARMSTRONG: Thank you. Lois, did you have
11 something?

12
13 MS. DALLE MOLLE: That's -- it could be even more
14 complicated, depending on (Indiscernible, away from
15 microphone).

16
17 CHAIRMAN ARMSTRONG: Okay. Any more discussion on
18 this? Is the IRA Council in favor of this proposal? On the
19 dates, changing the dates?

20
21 MS. SHERMAN: I'll speak, but I'm.....

22
23 CHAIRMAN ARMSTRONG: Did everybody understand what
24 Sandy Rabinowich said? He's with the Park Service. Philip? I
25 mean, Wendell?

26
27 MR. W. BOOTH: Yeah, if you'd understand, go ahead, and
28 ask questions, that would help us up here. (In Inupiat)

29
30 UNIDENTIFIED VOICE: What does the Park Service do up
31 there? What are their jobs up there?

32
33 MS. B. ARMSTRONG: You'll have to ask the Park Service.
34 They're right here, right behind you.

35
36 (Laughter) (Indiscernible -- simultaneous speech)

37
38 UNIDENTIFIED VOICE: We've got you surrounded.

39
40 UNIDENTIFIED VOICE: Yeah. I want to know.

41
42 MS. B. ARMSTRONG: (In Inupiat)

43
44 UNIDENTIFIED VOICE: (In Inupiat)

45
46 MS. B. ARMSTRONG: (In Inupiat) proposals.

47
48 UNIDENTIFIED VOICE: What do you guys do up there in
49 Park Service?

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1 MS. DALLE MOLLE: Okay. We have the weather (ph) place
2 right up at Bukelle (ph) River, that camp up right there.....

3
4 UNIDENTIFIED VOICE: Yeah.

5
6 MS. DALLE MOLLE:at the mouth of Bukelle River?

7
8 UNIDENTIFIED VOICE: Yeah, we've stayed there. We know
9 that.

10
11 MS. DALLE MOLLE: Okay. Right now there's people up
12 there that are watching the aircraft traffic, that's why
13 they're there, they're counting the aircraft traffic, just
14 because of this controlled use area, to see what's going on up
15 there.

16
17 Other than that, it's an area that's open to sport
18 hunting and subsistence hunting, and the -- there really isn't
19 much going on except just research for the Park Service. We
20 don't control much else up there right now.

21
22 UNIDENTIFIED VOICE: Okay. Thanks.

23
24 CHAIRMAN ARMSTRONG: Okay. More questions? I think
25 Barbara wanted to bring something up?

26
27 MS. B. ARMSTRONG: (In Inupiat)

28
29 CHAIRMAN ARMSTRONG: Any more questions or concerns?
30 Ron?

31
32 MR. MOO: Yeah. Through the years that I've lived here
33 in Noatak, there's so much air traffic and different people's
34 coming to the village and going up river, that a lot of people
35 that live here are unaware of what they're actually doing.
36 They don't communicate with the peoples here. They're unaware
37 when they see people coming and going. And we don't know when
38 they're coming down the river in their canoes and such, what
39 they actually are digging around up there, and taking out. And
40 I know that Noatak natives were -- they're against the so-
41 called sport hunters that are just after the trophies, because
42 the subsistence way of life is not finding trophies.

43
44 CHAIRMAN ARMSTRONG: Any more comments? If not, I'll
45 elevate this to the advisory council level for discussion and
46 action. Any discussion on this? Rick?

47
48 MR. ASHBY: Me, myself, I really favor this, the date
49 change, if we're still on that.

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1 CHAIRMAN ARMSTRONG: Uh-hum.

2

3 MR. ASHBY: Because like I said earlier, you know, it
4 really would be a positive thing for us as the Village of
5 Noatak. The reason this -- we tried to start this earlier,
6 Bill Baily and Buddy Norton, I think those were the guys that
7 really started it off. But when the dates are kind of a little
8 bit too small, there were a lot of airplane traffic a long
9 time, when -- before this one started. And it really stopped
10 traffic that we used to have, because even the night, sometimes
11 they'd go on through, and go back and forth while we're hunting
12 and waiting, and some people that are working, when they go up
13 there, the things would be going back and forth, and that would
14 affect those people that were working. So what this controlled
15 use area go on, it really help us. It's a positive thing for
16 our village. Fixing the dates to October 1 to -- I mean August
17 1 to October 31 should be another positive step of this
18 controlled use area.

19

20 CHAIRMAN ARMSTRONG: Walter?

21

22 MR. SAMPSON: Really a question to the agency, Sandy or
23 somebody from the Park Service. If an individual has a private
24 native allotment, then what does this do to access their
25 private property?

26

27 MR. RABINOWICH: It seems to me that the answer would
28 be nothing.

29

30 MR. SAMPSON: So what you're saying then is.....

31

32 MR. RABINOWICH: No effect.

33

34 MR. SAMPSON: What you're saying then is the individual
35 with airplane can access their native allotment if they wish to
36 do so at any time?

37

38 MR. RABINOWICH: I believe so. Lois, does that make
39 sense to you?

40

41 MS. DALLE MOLLE: Yeah, this only has.....

42

43 MR. RABINOWICH: We'll do this together.

44

45 MS. DALLE MOLLE:to do with hunting. It wouldn't
46 affect going in for berry picking or fishing or anything else.
47 And that's.....

48

49 MR. SAMPSON: What about the native allotment? Does

50 that affect that, too? If the individual has a native

0018

1 allotment and wishes to hunt within the native allotment, does
2 the individual still has that right to do that?

3

4 MS. DALLE MOLLE: That's my understanding.

5

6 MR. SAMPSON: Okay. So this wouldn't prevent an
7 individual to do what's.....

8

9 MR. RABINOWICH: I don't believe so.

10

11 CHAIRMAN ARMSTRONG: I have a question for -- or I'd
12 like to hear comments from the agency people regarding what are
13 the ramifications if we -- if this proposal was adopted by the
14 Council and submitted to the Federal Subsistence Board? What
15 -- are we endangering the CUA by any action that we take?

16

17 MR. RABINOWICH: My -- I don't claim to be an expert on
18 this, but my sense is that the answer to that is a political
19 one more than anything else. And in that, I think as you all
20 know, the Federal Board listens very carefully to what you all
21 recommend, and has a pretty good track record of taking your
22 recommendations and acting on them. So I think there's more
23 than a -- you know, more than a high proba- -- there is a high
24 probability that if you recommend in favor of this, that the
25 Federal Board also would follow, and agree with you.

26

27 As I think you've also said very clearly that the
28 effect of such an action would only be on the lands that -- on
29 this map and this right now are the light color purple, so that
30 it wouldn't affect the lands in and around Noatak. It would
31 only be further, much further up river. And to have an affect
32 around Noatak, you would have to go to the Board of Game,
33 again, as you already said.

34

35 And that's where I think the political part comes in.
36 How the Board of Game would react, I don't know. I can't read
37 their minds any bet- -- you can probably read their minds
38 better than I can.

39

40 You know, the point that Willie brought up, it -- I
41 looked more closely, if you look at the map, there's a skinny
42 black line there and on these that Willie pointed to, and is
43 very correct, that that's the line of the Park Service managed
44 areas. But because the lands that are white are either
45 selected or interimly conveyed by various corporations, they're
46 not under the Federal Board program, they're under the Board of
47 Game. And when the time comes when all that's resolved, and if
48 some of those sort of stay with the Federal Government, then
49 they will be under this program, but when that occurs and which

50 lands they are, I don't know. You know better than I do.

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1 MR. GOODWIN: Right. That's -- as soon as the
2 corporations pull back their over-selections, then -- and the
3 selections are finalized, then they will go under federal
4 control, but.....

5
6 MR. RABINOWICH: Right.

7
8 MR. GOODWIN:KIC selections don't extend that far
9 back so I know it's going to go under federal control at some
10 point in time.

11
12 MR. RABINOWICH: Right.

13
14 MR. GOODWIN: That's why we're in favor of it, because
15 at that point when the jurisdiction changes, then this date
16 will kick in.

17
18 MR. RABINOWICH: Right.

19
20 MR. GOODWIN: But I have a question. If the Federal
21 Subsistence Board act on this proposal, and if the State acts
22 -- does not act on it, on the federal lands it would be October
23 1st -- or August 1st. But there's no danger of losing anything
24 on the federal lands?

25
26 MR. RABINOWICH: Not that I -- not that I'm aware of.

27
28 CHAIRMAN ARMSTRONG: If the State objects, they can ask
29 for a request for reconsideration to the Federal Subsistence
30 Board, and that's occurred. That's a method of trying to, you
31 know, make this.....

32
33 MR. RABINOWICH: The Federal Board.....

34
35 CHAIRMAN ARMSTRONG:compromise.

36
37 MR. RABINOWICH:makes decisions like this as it
38 does all its decisions in open public meetings.

39
40 CHAIRMAN ARMSTRONG: Right.

41
42 MR. RABINOWICH: And again, as you know, the Federal
43 Board tries to have you present, or if you're not able to be
44 present, on teleconference. The State is also always invited
45 to those meetings, as is the public, so anybody can show up and
46 testify, and, of course, you know, that happens.

47
48 CHAIRMAN ARMSTRONG: Bert?

49

MR. GREIST: Could the State apply at a certain time to

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1 the Federal Board, or -- well, I guess in the Game Board
2 meeting, you've got a certain time line to address this
3 question. They'll address it at the next Game Board meeting or
4 within this year,.....

5
6 MR. SAMPSON: In fact.....

7
8 MR. GREIST:of changing the date?

9
10 MR. SAMPSON: Thanks, Bert. As far as the date is
11 concerned, the proposal is what we're going to be acting on,
12 26, controlled use area, and that will be acted on next month
13 in Nome.

14
15 And the -- for those of you that don't know, I sit on
16 the State Game Board, and the Game Board had made quite a bit
17 of change in the way it does its business. In the past, you
18 know and I know that when we wanted to get involved, we had to
19 always have to go to Anchorage or Fairbanks to testify and be
20 part of the process. We have changed that to date to where we
21 have regionalized the meetings. By this I mean we are now
22 holding regional board meetings in some of the regional centers
23 rather than just hold in just Fairbanks/Anchorage. That's why
24 next month we're holding our Game Board meeting in Nome. And
25 hopefully sometime down the road, either in NANA region or up
26 on the Arctic Slope.

27
28 And the process that the Board has been using is
29 getting as many of the invited councils involved in through our
30 process. Even though the State of Alaska has some biologists
31 that would report to the Game Board, if there's some
32 inconsistencies between the biologists and the invited council
33 information, more than likely the Board will rely on the
34 information from the advisory councils, and base their decision
35 on that more than likely. So we have made quite a bit of
36 change in that way, so that way the public will be
37 participating more in the decision-making process.

38
39 One other thing that we want to do is if the original
40 proposals are sent in to the Department, it goes through a
41 Department review. From the Department, it goes through a
42 legal review, and then it becomes a final product which is
43 presented to the Board. In through those two processes, if
44 there's any changes made, or the intents of those proposals are
45 changed, and we know the intents are changed, rather than the
46 Board rubber-stamping the proposals, we'll ask the Department
47 to send it back to where that proposal came from and ask those
48 proposers to review it again. It might take a little bit
49 longer time, but at least if there's going to be a change, we

50 want them to review those changes, too. So that's what we want

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1 to do.

2

3 MR. GREIST: Mr. Chairman?

4

5 CHAIRMAN ARMSTRONG: Bert?

6

7 MR. GREIST: I move that we adopt the proposal as
8 submitted by Noatak of changing the dates from August 25 to
9 September 25, Proposal #23, to the dates August 1 to October 1
10 (sic).

11

12 CHAIRMAN ARMSTRONG: There's a motion on the table. Is
13 there a second?

14

15 MR. BALLOT: Second.

16

17 UNIDENTIFIED VOICE: Mr. Chairman?

18

19 CHAIRMAN ARMSTRONG: Discussion?

20

21 (Whispered conversation)

22

23 CHAIRMAN ARMSTRONG: No, I don't think so.

24

25 MR. SAMPSON: Being ethic?

26

27 CHAIRMAN ARMSTRONG: I don't think so.

28

29 MR. GREIST: I don't think so.

30

31 CHAIRMAN ARMSTRONG: I think you're -- because it's
32 dealing with just the dates. It doesn't have.....

33

34 MR. GREIST: Yeah, you're also (indiscernible).

35

36 CHAIRMAN ARMSTRONG: Any further discussion?

37

38 MR. BALLOT: Question.

39

40 CHAIRMAN ARMSTRONG: The question's been called for.
41 All those in favor of the proposal, or the motion, signify by
42 saying aye?

43

44 IN UNISON: Aye.

45

46 CHAIRMAN ARMSTRONG: All opposed, same sign?

47

48 (No opposing votes.)

49

CHAIRMAN ARMSTRONG: Motion passes. Okay.

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1 MR. BRELSFORD: Mr. Chairman?

2
3 CHAIRMAN ARMSTRONG: Taylor?

4
5 MR. BRELSFORD: Perhaps it would be helpful to clarify.
6 The Council is now recommending to the Federal Subsistence
7 Board the adoption of this proposal, and the Board -- this
8 proposal was submitted some time ago and was tabled,.....

9
10 CHAIRMAN ARMSTRONG: Right.

11
12 MR. BRELSFORD:so it now comes off the table and
13 goes before the Federal Board with a positive recommendation
14 from the Northwest Arctic Regional Council?

15
16 CHAIRMAN ARMSTRONG: Correct.

17
18 MS. B. ARMSTRONG: Uh-hum. (Affirmative)

19
20 CHAIRMAN ARMSTRONG: Thanks for that clarification,
21 Taylor.

22
23 Item B, State Proposal 26. Barb?

24
25 MS. B. ARMSTRONG: (In Inupiat)

26
27 CHAIRMAN ARMSTRONG: Okay. Thanks. She does a better
28 job than me clarifying things.

29
30 MS. B. ARMSTRONG: Thanks.

31
32 CHAIRMAN ARMSTRONG: Okay. Do you guys have Proposal
33 #26? I think we'll go through the same process. I'd like to
34 hear comments from landowners and the public concerning this.
35 This -- Need to clarify now. This is the State proposal, not
36 the Federal Subsistence, so this is dealing with the State Game
37 Board. It does have effect on federal lands, so that's why
38 we're bringing it up for discussion, and I'd like to hear
39 comments first from the public, then the agencies, and then I
40 will elevate it up to the Council level. So the proposal now
41 deals with reducing the size of the CUA, and I'm not sure --
42 perhaps I could get a clarification as to how far -- how much
43 reduction there is, if someone could clarify that? Willie, do
44 you have any.....

45
46 MR. GOODWIN: Do you want me to speak first or.....?

47
48 UNIDENTIFIED VOICE: Sure.

49

CHAIRMAN ARMSTRONG: Yeah. Well, I need to find

0023

1 out.....

2

3 MR. GOODWIN: Okay. The proposal is starting from the
4 end of the Noatak selection, Noatak, NANA lands. Their
5 proposal is to reduce that size. The size right now goes from
6 the mouth of Noatak all the way to Suplin (ph). This proposal
7 is to change it from the end of you guys land to Suplin, and
8 take off the bottom part of the river.

9

10 UNIDENTIFIED VOICE: Taking off that (Indiscernible,
11 away from microphone).

12

13 MS. B. ARMSTRONG: That being like this?

14

15 MR. GOODWIN: Yes.

16

17 MR. BALLOT: Fifteen miles north.

18

19 MR. GOODWIN: All of -- even NANA selections.

20

21 MR. SAMPSON: North of the Village selections?

22

23 MR. GOODWIN: Right at the.....

24

25 MS. B. ARMSTRONG: Right there?

26

27 MR. GOODWIN: Yeah.

28

29 MR. SAMPSON: Yeah.

30

31 MS. B. ARMSTRONG: That's where.....

32

33 MR. GOODWIN: Right there, that's the line there.

34

35 MS. B. ARMSTRONG: And take all this off and start from
36 here to here?

37

38 MR. SAMPSON: Yeah.

39

40 MR. GOODWIN: Yeah.

41

42 MS. B. ARMSTRONG: Oh, okay. (In Inupiat)

43

44 MR. ASHBY: Question?

45

46 CHAIRMAN ARMSTRONG: Go ahead.

47

48 MR. ASHBY: Who all is the writers of the proposal?

49

CHAIRMAN ARMSTRONG: It's -- the writers are Noatak IRA

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1 Council, and I think Wendell had his hand up there.

2

3 MR. W. BOOTH: Yeah. That boundary, what they are
4 proposed right now, (In Inupiat). Thank you.

5

6 CHAIRMAN ARMSTRONG: Okay. Barb?

7

8 MS. B. ARMSTRONG: What Wendell is saying, he said this
9 proposal came about before he came back into the Council, and
10 then he said he's supporting keeping that controlled use area
11 all the way down to the mouth, because of the hunting, even
12 from Kotzebue and down there, they're hunting in the same area,
13 and it helps them.

14

15 CHAIRMAN ARMSTRONG: Willie, KIC's perspective?

16

17 MR. GOODWIN: Thank you, Mr. Chairman, Willie Goodwin.
18 (In Inupiat) We're not too sure where this proposal was coming
19 from. We're kind of puzzled, because we supported the first
20 proposal to enlarge the controlled use area all the way to the
21 mouth of Noatak, which would encompass all of KIC's lands. In
22 fact, the first 50 miles of the Noatak River is KIC's land on
23 both sides. So the KIC Board and the people in Kotzebue
24 supported that, even though like I said, we have members of our
25 -- we have shareholders that guide, shareholders that hunt with
26 airplanes, but we still support the entire area. And we would
27 ask that if there's some real strong reasons why it should be
28 reduced that the IRA Council share that with us. But if
29 there's no reason, like Wendell says, we should keep it the way
30 it is. We should -- we want to keep it the way it is, those of
31 us from Kotzebue and especially KIC, the corporation.

32

33 CHAIRMAN ARMSTRONG: Thank you, Willie. Walter?

34

35 MR. SAMPSON: Let me respond to Willie. I guess I was
36 part of that process, Willie, I have to admit to it. And the
37 way I look at that is that since the natives of KIC and Noatak
38 had made some selections all the way from the mouth of Noatak
39 to about 18 miles above the Village of Noatak, that's all
40 native-selected lands.

41

42 Eventually, the State of Alaska is going to be forced
43 to re-look at the control use area. And if we continue in the
44 manner that we're going, in fact we've been threatened by
45 legislators, legislative folks, that if we don't change the way
46 we do things, they're going to do things for us. And that's
47 exactly what they've been doing. And if we can make that
48 control use area to a smaller area which would extend from the
49 north side of your village selections all the way up Suplin,

50 the chances of being taken out or being challenged sometime

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1 down the road would be less.

2

3 You know, the sportsman group, other interest groups
4 are continuing to push both legislatively, as well as through
5 the Game Board. But like I said, the Game Board I think has
6 made a -- had some -- made quite a bit of change. But the
7 process is that even if the Game Board decide this is what it
8 wants to do, the Legislature can turn around and say, no, we're
9 going to change it and we're going to do it the way we want.
10 So they can make the changes that they want to.

11

12 Right now the delegation of authority is on the Game
13 Board to make recommendations, but there's been some threats
14 already from legislative folks in regards to some of the uses
15 in other areas as well.

16

17 CHAIRMAN ARMSTRONG: Bert?

18

19 MR. GREIST: Mr. Chairman, I'm not too worried about
20 the State legislators or the State of Alaska when it comes to
21 management of federal lands. We're bound to protect
22 subsistence on federal lands under federal lands, and it
23 supersedes and it's above State law, so as far as federal lands
24 go, I don't -- I'm not really afraid of the State.

25

26 But if -- basically this proposal, it would only affect
27 that southern boundary, right? The extent of the State.....

28

29 MR. SAMPSON: Yeah.

30

31 MR. GREIST:jurisdiction? So my thinking is if
32 the Noatak and Kotzebue residents want to keep that controlled
33 use area in, we might as well just go ahead and keep it in as
34 long as we can.

35

36 CHAIRMAN ARMSTRONG: We'll go with.....

37

38 MS. BUCKNELL: I just wanted to add one thing to what
39 Walter said. There's also a lawsuit about the controlled use
40 areas, so even if the Board of Game or the legislators
41 supported them, there's a lawsuit going through the courts
42 right now, and it mentions specifically Noatak and at least one
43 other one. And I don't know what's going on with that, but it
44 is another threat that we don't know (Indiscernible, away from
45 microphone).

46

47 CHAIRMAN ARMSTRONG: Willie?

48

49 MR. GOODWIN: Mr. Chairman, I don't think we should

50 worry about the threat. We have a regulation in place, and

0026

1 until it's challenged, that we can continue with it. If the
2 Game Board feels that they should change it, and I would hope
3 that Walter stands behind the Noatak IRA and Kotzebue residents
4 about keeping it the way it is. So until that comes before us,
5 I think we should just leave it the way it is.

6
7 CHAIRMAN ARMSTRONG: So Walter and then Barbara.

8
9 MR. SAMPSON: Thank you, Willie. I understand that.
10 I'm not saying that I'm opposed to that. I will through
11 deliberations will definitely support that.

12
13 And in regards to what Bert said on the federal lands,
14 you know, as far as, as long as the Noatak is navigable, the
15 State is going to continue to challenge that they have
16 responsibility on the navigable waters. And, you know, that's
17 the argument that they will make.

18
19 So it's again based on what the proposers want to do.
20 If they want to amend it, I mean, that's up to the Council to
21 decide. If they want to change, then they should write a
22 letter to the State of Alaska with an additional change saying
23 that they now after reconsidering the proposal, would like to
24 drop it or whatever.

25
26 CHAIRMAN ARMSTRONG: Barbara, and then I'll get to.....

27
28 MS. B. ARMSTRONG: Yeah, I just -- speaking as a
29 resident, I think that we shouldn't be afraid of the State to
30 try to reduce. Don't tell me segug (ph) too much, you get that
31 controlled use area all the way down to the mouth, and you guys
32 got that. I think you guys shouldn't be the first ones to make
33 a proposal to the State to reduce it. (In Inupiat)

34
35 MS. SHERMAN: Yes, I was wondering if this had been
36 submitted, because I'm speaking for the Council, 'cause the
37 last meeting we had, we called in to put a stop to it, and I'm
38 wondering if any of you -- any of the Board had received that
39 message to put a stop to sending it in, which was -- our last
40 meeting was when?

41
42 CHAIRMAN ARMSTRONG: Alice?

43
44 MS. ADAMS: I work out of the Council -- out of the
45 office of IRA. I called and left a message for Barbara, but
46 she was on family emergency, and I couldn't get through to her,
47 but in their last special meeting last week, the Council were
48 all opposed to Proposal 26,.....

49

CHAIRMAN ARMSTRONG: Okay. So good, it's been.....

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1 MS. ADAMS:so they already -- they do not want --
2 they don't want to reduce down the controlled use area. And
3 they were not sure who was.....

4
5 MS. SHERMAN: A majority of us that were elected in
6 this year are new.

7
8 MS. ADAMS: Are new, yeah.

9
10 CHAIRMAN ARMSTRONG: For your information, I did speak
11 with Jim Dau, the biologist with Fish & Game in Kotzebue, we're
12 intending to discuss the pros and cons of this, and he really
13 was opposed to any action by this, and was hoping the Council
14 would reconsider. And he in fact told me that if the Council
15 reconsiders that, they should work with him in getting the
16 proposal dropped, because he's just as afraid as anybody else
17 about the threat of losing the CUA if the Board even takes it
18 up, you know, for consideration, so that would be the first
19 point of contact would be with Jim Dau in Kotzebue. Rolland?

20
21 MR. R. BOOTH: Yeah, I just want to comment just for
22 the record. I'm Rolland Booth. Well, right now, I'm from
23 Kotzebue, originally from Noatak.

24
25 I was kind of surprised with the proposal myself. I
26 mean, recognizing it come from the IRA Council. I've always
27 respected the IRA's decision, but on this particular one, I was
28 definitely surprised that it originated from the IRA Council,
29 and I would definitely be opposed to any present changes to
30 what presently stands as far as the controlled use area is
31 concerned. And it's something that's very -- well, as
32 presently instituted, I would prefer to keep it like that, as
33 it is, and as much as I respect the IRA Council, and those that
34 are in it, it just kind of taken back out. But having
35 discussed the boundaries from the mouth of the river back
36 (Indiscernible, away from microphone) already trying to take
37 the date from August 1 to October 31, and then to turn around
38 and here's a proposal to get rid of that certain controlled use
39 area, it's just contrary to what -- it contradicts everything
40 that -- everything that exists down there. It just -- I mean,
41 you on one hand change your dates on the controlled use area,
42 and then after you establish a controlled use area dates, you
43 turn right and just take the whole thing out, and what's the
44 deal in thinking about the whole thing? It just contradicts
45 everything. So I would definitely be opposed to that change in
46 the proposal.

47
48 CHAIRMAN ARMSTRONG: Thank you, Rolland. Any more
49 discussion? Susan?

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1 MS. BUCKNELL: Not discussion, but just if Jim Dau's
2 not around, people can talk to me in the office, too.

3
4 CHAIRMAN ARMSTRONG: Okay.

5
6 MS. BUCKNELL: And I've asked Diana Cody, the Board of
7 Game coordinator in, you know, excuse me, Juneau, just
8 yesterday, I asked can the IRA withdraw this proposal if they
9 want, and how to do that, and it sounds like maybe that's what
10 people are trying to do. So I can work with you on that
11 anyway, too.

12
13 MS. B. ARMSTRONG: Yeah, that's directed in with
14 the.....

15
16 MS. BUCKNELL: Same phone number, same.....

17
18 MS. B. ARMSTRONG:with Jim Dau.

19
20 CHAIRMAN ARMSTRONG: Okay. Barbara?

21
22 MS. B. ARMSTRONG: Can you meet with Alice before you
23 leave, Susan? Okay.

24
25 CHAIRMAN ARMSTRONG: Any agency discussion on this?

26
27 MR. P. BOOTH: (Indiscernible -- simultaneous speech)
28 from the Council about changing it.

29
30 CHAIRMAN ARMSTRONG: This proposal or changing their
31 action?

32
33 MR. P. BOOTH: Yeah, changing it.

34
35 CHAIRMAN ARMSTRONG: I don't know.

36
37 MR. P. BOOTH: Because the secretary looked -- she
38 looked for the minutes, you know, and I don't think they find
39 that, have they? So they wanted to find out who.....

40
41 MS. B. ARMSTRONG: Who wrote it?

42
43 MR. P. BOOTH:who it can be, you know. And we
44 looked,.....

45
46 MS. SHERMAN: And we were shocked,.....

47
48 MR. P. BOOTH:and we couldn't find it.

49

MS. SHERMAN:too, ourselves when we got it in our

0029

1 meeting.

2

3 MR. P. BOOTH: We were surprised, you know, when we
4 were told about it.

5

6 MR. ASHBY: Mr. Chairman?

7

8 MS. B. ARMSTRONG: Was it -- I got the copy of it from
9 the Boards Section in Juneau, but it's typewritten. And then
10 down there it says, usually when Noatak IRA submits it, it's
11 usually handwritten, and then with the minutes and stuff when
12 they meet. So that there is nothing to back this up.

13

14 CHAIRMAN ARMSTRONG: Rick?

15

16 MR. ASHBY: Can we just drop this Proposal 26 right
17 now? I think even the village don't even want to hear it, so
18 let's just.....

19

20 MS. B. ARMSTRONG: Yeah.

21

22 MR. SAMPSON: That's the discussion, yeah.

23

24 CHAIRMAN ARMSTRONG: That's the discussion. We want to
25 find out what action to take on this?

26

27 MS. B. ARMSTRONG: You don't need to take action. You
28 just discussed it.

29

30 MR. GREIST: Mr. Chairman?

31

32 MS. B. ARMSTRONG: 'Cause it's a state proposal.

33

34 UNIDENTIFIED VOICE: We could -- kind of a position
35 statement.

36

37 MS. B. ARMSTRONG: Oh, okay.

38

39 CHAIRMAN ARMSTRONG: Yeah, I think we can do one of two
40 things. We could take no action or we could write on it our
41 support -- you know, in support of the IRA's decision, because
42 it does in fact affect federal lands.

43

44 MS. B. ARMSTRONG: Well, that would work, yeah.

45

46 CHAIRMAN ARMSTRONG: Bert, then Percy.

47

48 MR. GREIST: Oh, I was going to make a motion.

49

MR. BALLOT: Well, I was just going to mention that to

0030

1 me it's not a proposal, because it's not signed by the IRA
2 Council.

3

4 CHAIRMAN ARMSTRONG: Even though it's not -- hasn't
5 been signed, it's been published and brought up for action by
6 the Game Board, so it -- regardless of who's the author of
7 this, we still, you know, need to send a message to the State
8 that this proposal should indeed be dropped from consideration.

9

10 MR. SAMPSON: That's what the IRA Council ought to do,
11 is just write that letter to the.....

12

13 CHAIRMAN ARMSTRONG: And then -- and I think we could
14 strengthen that by, you know, writing a letter. I would write
15 a letter in support of their decision.

16

17 MR. GREIST: Mr. Chair?

18

19 CHAIRMAN ARMSTRONG: Bert?

20

21 MR. GREIST: I move that we make a position statement,
22 sending a letter to the Game Board in support of the IRA to
23 oppose State Proposal #26.

24

25 CHAIRMAN ARMSTRONG: Oppose it? Okay.

26

27 MR. GREIST: Yeah.

28

29 CHAIRMAN ARMSTRONG: There's a motion on the floor.

30

31 MR. GREIST: In opposition to it.

32

33 MR. BALLOT: Second.

34

35 CHAIRMAN ARMSTRONG: Seconded. Any discussion on this?
36 Question?

37

38 MR. SAMPSON: Question.

39

40 CHAIRMAN ARMSTRONG: The question's been called for.
41 All those in favor of this, signify by saying aye.

42

43 IN UNISON: Aye.

44

45 CHAIRMAN ARMSTRONG: All opposed, same sign?

46

47 (No opposing votes.)

48

49 MR. SAMPSON: I'll abstain. I will abstain for the

50 purposes of in the event that for some reason it needs action,

0031

1 then it wouldn't prevent me from being part of a process to
2 take action. Otherwise they can ethically take me out to where
3 I wouldn't be involved in discussion or taking action or vote
4 on it.

5
6 CHAIRMAN ARMSTRONG: Susan?

7
8 MS. BUCKNELL: Just that might be real important if
9 Walter is -- removes himself from this vote in delegation, then
10 maybe he could vote on it at the Board of Game when his vote
11 might matter (Indiscernible, away from microphone)

12
13 MR. GREIST: Roll call.

14
15 CHAIRMAN ARMSTRONG: Yeah.

16
17 MS. B. ARMSTRONG: Yeah. Yeah.

18
19 MR. GREIST: Mr. Chair, can we have a roll call?

20
21 CHAIRMAN ARMSTRONG: Roll call vote, please?

22
23 MR. BALLOT: Fred Armstrong, Jr.?

24
25 CHAIRMAN ARMSTRONG: Yes.

26
27 MR. BALLOT: Bert Greist?

28
29 MR. GREIST: Yes.

30
31 MR. BALLOT: Raymond Stoney's absent. Percy Ballot,
32 yes. Walter Sampson?

33
34 MR. SAMPSON: Abstain.

35
36 MR. BALLOT: Abstain. Ricky Ashby?

37
38 MR. ASHBY: Yes.

39
40 MR. BALLOT: Stanley Custer, absent. Four. Unanimous.
41 Or one abstain.

42
43 CHAIRMAN ARMSTRONG: The vote is four in favor of, one
44 abstention. Motion passes.

45
46 At this time we'll take a five minute break, and the
47 agencies will be prepared for their reports after, starting
48 with the Park Service.

49

0032

1 (On record)

2

3 CHAIRMAN ARMSTRONG: Okay. I'll call the meeting back
4 to order. Before we start with the agency reports, Art Fields
5 just requested to have his -- a letter read into the record, so
6 I'll have Barb read it at this time.

7

8 Oh, before we do that, perhaps it would be nice for us
9 to -- we have some students here attending the meeting for a
10 while, and just have you introduce yourself, and perhaps the
11 students could introduce themselves, Stan?

12

13 MR. ANDREW: Okay. Yeah, my name is Stanley Andrew,
14 and this is our high school -- our middle school -- excuse me,
15 middle school science class. And we'll just start over there,
16 and each one of you just stand up and introduce yourselves?

17

18 MR. J. ASHBY: John Ashby, Jr.

19

20 UNIDENTIFIED VOICE: Louder.

21

22 (Laughter)

23

24 MR. J. ASHBY: John Ashby, Jr.

25

26 MR. ADAMS: Adam John Adams.

27

28 MS. JONES: Mary Jones.

29

30 MS. MILLS: Janet Mills.

31

32 MR. BURTON: Tom Burton.

33

34 MR. ANDRESEC: Kevin Andresec (ph).

35

36 MS. _____ : Margery (indiscernible).

37

38 MS. HELEN: Jean Helen (ph).

39

40 MR. BOOTH: James (ph) Booth.

41

42 MS. BOOTH: Marsha Booth.

43

44 MS. PARK: Ellen Park (ph).

45

46 MR. MILLER: James Miller.

47

48 MR. VESTA: Leonard Vesta (ph).

49

CHAIRMAN ARMSTRONG: Okay. I'd like to welcome you and

0033

1 your students here.

2

3 At this time, Art Fields had requested a letter be read
4 into the record, so we'll have Barbara do that at this time.
5 Barb?

6

7 MS. B. ARMSTRONG: Okay. Thanks. Art Fields (In
8 Inupiat). To be read into the record of the Federal
9 Subsistence Advisory Board meeting, Noatak, Alaska. September
10 9/10/1997.

11

12 My name is Arthur Fields, Sr. I am an Inupiat
13 outfitter/big game guide. My base camp is 15 miles north of
14 the Village of Noatak. I am against the controlled use area
15 rule as it currently reads, and against the proposed changes
16 for the following reasons:

17

18 The controlled use area was originally put into effect
19 because Noatak people said that there were too many hunters in
20 Super Cubs on every sandbar on the river, and that Noatak
21 people hunting from boats were afraid they were going to get
22 accidentally shot. So the Game -- so the Fish & Game passed
23 their rule for no flying while big game hunting.

24

25 The result is I am the only guide in the NANA region
26 who can't fly to his base camp, and I am one of only two native
27 guides in the NANA region. I can't deliver gas, I can't drop
28 off bacon or coffee. I can't even fly in and pick up an
29 injured hunter without breaking the law. I am not asking to
30 land on every sandbar. I am only asking that I be allowed to
31 land at my base camp. After all, I have been operating there
32 for 12 years. Why should I be shut out of my camp.

33

34 The law that has been written by the State greatly
35 exceeds the original intent as expressed by Noatak people.

36

37 The Village of Noatak is the biggest base camp on the
38 river. There are airplanes flying in and out all day long.
39 There are generators running, four-wheelers driving around, and
40 still last fall the caribou were plentiful right across the
41 river within sight of the village. The caribou didn't care at
42 all about the noise.

43

44 Maybe if you really want to protect the wilderness and
45 the animals, you should close down the Noatak Airport, shut off
46 the generators, outlaw four-wheelers and outboards, or maybe
47 you should make a controlled use area on the Wulik River so the
48 Kivalina people won't have their caribou frightened away by
49 field drivers (ph) airplanes. And on the Kobuk River, too.

50 Let's give equal treatment to everyone.

0034

1 Speaking of fair treatment, I made my first guiding
2 trip on the Noatak River in 1937 by dog sled. I lived in
3 Noatak for eight years of my life. I've spent many hours on
4 search and rescue missions looking for Noatak people. And then
5 I get closed out of my base camp. Meanwhile, each year I hire
6 Noatak residents to help with my business. All of this does
7 not seem fair to me.

8
9 I agree there needs to be controls on the use of
10 aircraft or big game hunting. I agree that planes landing on
11 every sandbar would likely alter the caribou migration pattern,
12 particularly if they are being harassed. I do not feel that
13 operating airplanes in and out of a fixed base camp would have
14 any noticeable affect on caribou migration.

15
16 As a life-long resident of this region, and an operator
17 at this base camp for 12 years, I feel it is highly unfair for
18 my guiding business to be subject to these restrictions. My
19 base camp operations should have been granted grandfather
20 rights. You should not have the right to take away my
21 livelihood, just as you should not have the right to shut down
22 air travel to the Red Dog Mine, just because you might not like
23 the airplane noise. I am 78 years old. I don't have too many
24 good years left. Why should you place these restrictions on me
25 when I will retire in several years anyway?

26
27 So in conclusion, any change you make of the controlled
28 use area regulations should include granting me grandfather
29 rights to access my base camp by plane. I don't care about
30 landing on other areas inside the five-mile corridor. I just
31 want to be able to use my base camp as all other guides use
32 theirs. During low water periods and after freeze-up, if I
33 can't use an airplane, I have no way at all to move hunters,
34 meat or gear.

35
36 Other guides the same as everybody else. If the Noatak people
37 and the government want to shut down big game hunting, fine.
38 Shut down all the guides, but don't do it to just one with your
39 selective regulations. This unequal treatment begs for a legal
40 challenge. I would hope that legal action is not necessary,
41 and that you will give my concerns careful consideration.

42
43 Respectfully, Art Fields, Sr., Kotzebue. CC, Senator
44 Albert P. Adams, and Representative Reggie Fule (ph). Thank
45 you.

46
47 CHAIRMAN ARMSTRONG: Thank you, Barb. Before we also
48 proceed, I think Helen wanted to make an explanation of.....
49

MS. H. ARMSTRONG: At this time we wanted to open up

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1 the call for proposals to change the regulations in subparts C
2 and D in the reg booklet. And if you'd turn to page 127 in
3 your -- in this blue book, if you pick up one of those, that's
4 the beginning of what the regs are for this region, for Unit
5 23. And you don't have to do this today, but there are some
6 forms up there on the corner of the table by Sandy that say
7 call for proposals, and they give you instructions, and some
8 other information.

9
10 There's a proposal form that needs to be filled out.
11 This is due in our office on October 27th at 4:00 o'clock --
12 5:00 o'clock p.m. on October 24th, I'm sorry. October 24th at
13 5:00 p.m. it needs to be sent to our office, and there's a page
14 that has the address in there.

15
16 The regulations are -- that you can propose to change
17 are any of the seasons, any of the harvest limits, as well as
18 any of the c&t determinations that are in existence. And in
19 the form, you need to explain what it is you want to change,
20 what change you propose, why should the regulation be changed,
21 and then any other information that you might have that would
22 help us in doing the analysis.

23
24 And what would happen after you submit this is then it
25 will be analyzed by our staff, by Donna and myself, and
26 Barbara, and then we will come back to you in the February or
27 the winter meeting, and give that analysis and put it toward
28 the Regional Council for their vote on it.

29
30 If anybody wants to make one today to have the Regional
31 Council talk about it, you can do that as well.

32
33 MS. B. ARMSTRONG: (In Inupiat)

34
35 CHAIRMAN ARMSTRONG: Okay. Thanks, Barbara, Helen.

36
37 At this time we'll start with the agency reports, brief
38 summaries of activities. Would Park Service -- Lois Dalle
39 Molle?

40
41 UNIDENTIFIED VOICE: Short. Short and sweet.

42
43 MS. DALLE MOLLE: Got it.

44
45 CHAIRMAN ARMSTRONG: Ask any questions?

46
47 (Laughter)

48
49 MS. DALLE MOLLE: No, I'm just going to -- Okay. This

50 is Lois Dalle Molle, Park Service. I have just two notes that

0036

1 I wanted to brief you on, and then Brad had something that --
2 information that he's sent out in your packets, and he'll check
3 to see if you have any questions on that.

4
5 But the one item that's on the agenda, the Gates of the
6 Arctic Subsistence Resource Commission, the shee fish
7 resolution, this is one that came up last year if you'll
8 remember, and it was a proposal to study the shee fish
9 production and a concurrent possibility of their recommendation
10 of shutting down the shee fish derby in Kotzebue Sound and
11 Kobuk Lake. That proposal has been rescinded, and in light of
12 additional information that they didn't have at the time that
13 they proposed it, so that is not on the agenda any more for
14 them.

15
16 (Pause - another class arrives)

17
18 MR. SAMPSON: There's more room over here. Back there.

19
20 CHAIRMAN ARMSTRONG: Some more open chairs over there.
21 Okay. Go ahead, Lois.

22
23 MS. DALLE MOLLE: Okay. Also, the resident zone
24 proposal that two subsistence resource commissions for this
25 region have asked of the Park Service to consider the entire
26 NANA resident zone -- or the entire NANA region as the resident
27 zone for an allowance to hunt in Kobuk National Park and
28 Krusenstern National Monument for everybody in the region.
29 That process is almost to completion. It required an
30 environmental assessment. That will be finished on next
31 Friday, and hopefully that will be accepted by the Secretary's
32 office, so we'll keep you posted on that.

33
34 And I guess the only other issue is that this last week
35 the Park Service mailed out to all of the IRAs, the city
36 offices, and maybe a lot of you, this is a 27-page statement
37 that sort of summarizes where the Park Service Subsistence
38 Management Program is right now. This has been sort of being
39 written over the last two to three years. Brad and Walter went
40 down to a meeting two weeks ago to sort of review it first
41 before it was disseminated, and it's out for just looking at,
42 for review by everybody. It's certainly something that will
43 continue to be revised over the coming years, and it's just a
44 statement of how the Park Service looks at its subsistence
45 policy right now, and the issues that we see that need some
46 more work with local input. So that was mailed on last Friday.
47 It should be going to all the villages as we speak.

48
49 Brad had sent some information out on game populations

50 in the unit and I think he is willing to answer any questions

0037

1 on that.

2

3 CHAIRMAN ARMSTRONG: Any questions of Lois before
4 she.....

5

6 MS. DALLE MOLLE: I'm sorry.

7

8 CHAIRMAN ARMSTRONG:steps down? Okay. Brad?

9

10 MR. SHULTS: Hi. I'm Brad Shults, I'm the Park Service
11 biologist in Kotzebue. And I sent you guys a packet out
12 through Barb with something that's nothing new to you. I think
13 you've seen a lot of those tables and pictures and numbers
14 before. Just a summary of information.

15

16 We updated -- I updated some of the plans for moose
17 monitoring this year by all the agencies together in the area.
18 We could just start with that if you had any questions. I
19 think in the area we're planning on doing a Squirrel River
20 census, that's going to be done by the Department of Fish &
21 Game mainly and BLM if I'm not mistaken. I think that's still
22 on the books to be done. The Fish & Wildlife Service is
23 planning on doing a survey, a fall survey on the Tag River.
24 And the Park Service and the Fish & Wildlife are going to work
25 together to get one done in Kobuk area around the Salmon River.
26 And that's a real good comparison for us, because it's real
27 lightly harvested, and it makes for a good comparison to more
28 heavily harvested areas like the Tag and the Noatak.

29

30 But I gave you a table there. It's just a summary of
31 what we've done, and what we're planning on doing. And the
32 second part of that on moose was just the result of those most
33 recent surveys.

34

35 CHAIRMAN ARMSTRONG: That was 1995? The most recent
36 one? Is.....

37

38 MR. SHULTS: For which one?

39

40 CHAIRMAN ARMSTRONG:that the one we're looking
41 at?

42

43 MR. SHULTS: Yeah, that's the summary table. And the
44 only thing I've got to add to that that I got late from Gene
45 Peltola, who's busy being a new dad down in Bethel, so he sent
46 me the results of our spring survey on the Tag. And what we
47 see on the Tag, which is a sort of middle of the road harvested
48 population when you compare it to the Noatak and some
49 unharvested areas like the Middle Kobuk, it's got a fairly high

50 density of moose.

0038

1 It's a spring survey, so we don't get composition on
2 the antler size classes on the bulls. But what we do get is a
3 calf/cow ratio or calf/adult ratio is what it is, because we
4 can't tell cows from bulls. And that ratio's about 24 calves
5 per 100 adults. That's good. That's really highly productive.
6 That's over-winter survival is excellent. If you were to take
7 the bulls out of there, that ratio might go as high as 35 to 40
8 calves per 100 cows. And in comparison, we're seeing 20 calves
9 per 100 cows in the Noatak. So production is very good on the
10 Tag, and the over-winter survival of those calves is good.
11 What the reason for that is, no one really know, but the bottom
12 line is the Tag's a real productive area, and it's not
13 suffering the heavy harvest either that the Noatak is, although
14 it's popular with hunters.

15
16 The plans are to do a fall survey in that same area so
17 we can get a bull/cow ratio, which is indicative of heavy or
18 light harvest, and also a fall calf/cow ratio, which is more
19 indicative of productivity before over-winter mortality.

20
21 If there's any questions on moose, I'd -- as always,
22 you know, your insights are usually better than our numbers,
23 but qualitative observations or anything that you've seen over
24 the past year?

25
26 CHAIRMAN ARMSTRONG: Is this information provided like
27 to the IRA councils and.....

28
29 MS. B. ARMSTRONG: I offered (ph) them a copy.

30
31 CHAIRMAN ARMSTRONG: Okay.

32
33 MR. SHULTS: I haven't -- we don't have a regular
34 basically a mailing list for sending out information. I'm
35 caught in a dilemma of overloading you with information and
36 details as opposed to general summaries, and, you know, I'd
37 like to hear what people want to hear. I mean, I'm a detail,
38 mouthy guy. The most exercised muscles I have are in my mouth,
39 so I give people too much information, I may give you too much
40 paper, too, so -- I mean, whatever people want to see, we can
41 provide. It's trying to boil it down into something
42 meaningful.

43
44 MS. B. ARMSTRONG: (In Inupiat)

45
46 CHAIRMAN ARMSTRONG: Any questions of Brad?

47
48 MR. GREIST: When you do your moose survey, do you do
49 them uniform and at certain times of the year in all the areas?

50 They tend to congregate in certain areas in the wintertime.

0039

1 MR. SHULTS: Right.

2
3 MR. GREIST: And.....

4
5 MR. SHULTS: And we've seen that a lot with wintered
6 moose. We know that they're very susceptible to snow
7 conditions, and they move down on the rivers when there's deep
8 snow, and move up when there's not.

9
10 We try to do fall surveys, because we get the most
11 information during fall surveys. The bulls have their antlers.
12 We get a good idea of productivity before the winters, and we
13 can say, wow, it's going to be a great year next year. We've
14 got a strong cohort going into the winter, that sort of thing.
15 But we're forced by just logistics and cost of trying to spread
16 some into the spring. Spring surveys are good for abundance,
17 but they're not good for the details like are there a lot of
18 large bulls? Are there a lot of small bulls? We just can't
19 tell that. We can't separate them out. So we shoot for fall
20 surveys is the bottom line.

21
22 CHAIRMAN ARMSTRONG: Walter?

23
24 MR. SAMPSON: Thanks, Mr. Chairman. You know, we as
25 parents as well as those of us that are in various supervisory
26 (ph) positions, always have encouraged our students in this
27 nature to get into biology or archaeology or whatever it may
28 be. What's the possibility of an agency when you're doing
29 survey and the sort to get a school involved in doing the
30 survey, to have students actually see? It might not be ten
31 students, it might be a couple of students that would fly with
32 the biologist to show the actual stuff of how surveys are done.
33 What's the chance of getting a program of that nature into the
34 school system?

35
36 MR. SHULTS: The chances are 100 percent, and I think
37 that, you know, I've been pretty lax in the years getting kids
38 involved, because I'm not a great communicator with kids. But
39 we're working towards it, and it's interesting you ask now,
40 because that was the second part of the whole moose discussion
41 is that this year I put specifically about \$15,000 aside to
42 purchase what I think are interesting things to kids and things
43 that they like to get involved with that combine a bunch of
44 disciplines. And I can learn stuff from it biologically, they
45 can learn stuff mathematically, biologically. A lot of neat
46 technology.

47
48 I purchased two satellite radios for moose this year.
49 Those collars I hope to deploy working with Gene, one on the

50 Selawik and one up here at Noatak. That will enable science

0040

1 students like all these guys here to download real time data
2 from their moose that they're tracking on a regular basis.

3
4 The other part of the moose project that we're going to
5 try to expand this year is to try to actually get students out
6 in the field on some of the capture operations, which we've
7 done at Selawik with great success. It's been great, and it's
8 worked out fine. But we'll try to do that in the Noatak this
9 spring.

10
11 And the other thing is to combine some of this
12 technology in the classroom during the school year, because a
13 lot of our activities don't occur during the school year when
14 kids are available to do stuff. But we're making a move
15 towards that, and I think that -- I think that's a very
16 important point, and I'm working -- kicking myself a little
17 harder to get involved in doing that, and I think this will be
18 a good start on the Noatak moose project, and the Selawik moose
19 project to do that. And certainly to get kids more interested
20 in western wildlife management techniques, and -- because
21 they'll have the combination of local traditional knowledge
22 with that, and it will make a much stronger person in a
23 position like mine.

24
25 CHAIRMAN ARMSTRONG: Any more questions? Willie?

26
27 MR. GOODWIN: Come October 1st when you start the clock
28 ticking for regulations, are you going to use this data to
29 determine what kind of regulation you're going to propose as
30 far as big game guiding and hunting?

31
32 MR. SHULTS: Basically my job is to provide the
33 information to this Council, and to anybody that wants it,.....

34
35 MR. GOODWIN: So you're not going to.....

36
37 MR. SHULTS:to formulate.....

38
39 MR. GOODWIN:(Indiscernible -- simultaneous
40 speech) foundation like -- past practice is the biologists for
41 the State always make a recommendation.

42
43 MR. SHULTS: Well, I'm not -- for moose, I'm not making
44 any recommended changes.

45
46 MR. GOODWIN: Well, why are you gathering the
47 information?

48
49 MR. SHULTS: So if I need to make changes, I'll have

50 the information.

0041

1 MR. GOODWIN: Okay.

2

3 MR. SHULTS: And what I'm -- what I've said before to
4 this Council specifically on moose is that we've restricted the
5 season, for example for two weeks, and as we've gotten more
6 information over time, what we -- what I've said to this same
7 council is that to reduce that season any further will not
8 change the population trend in the Noatak moose population.
9 Productivity is the problem. Hunting is not affecting
10 productivity. There's no reason to restrict that use.

11

12 MR. GOODWIN: It surely does when you have bull to cow
13 ratio and all the hunters are taking all the bulls.

14

15 MR. SHULTS: Comparatively, the Noatak at 43 bulls per
16 100 cows, people on the Kenai Peninsula at 20 bulls per 100
17 cows are.....

18

19 (Off record - problem with tape)

20

21 (On record)

22

23 MR. SHULTS:about in terms of a moose population.

24

25 MR. GOODWIN: Well, you've got to understand that even
26 though the bull to cow ratio is much different.....

27

28 (Off record)

29

30 (On record)

31

32 MR. GOODWIN:we have that has an effect on
33 predation, also natural causes, the success of these big moose.
34 Do you have the information?

35

36 MR. SHULTS: We've got mortality information from our
37 radio collard sample. One of the biases with it is, is our
38 collared sample grows older every year. We do know that the
39 Noatak population suffers pretty high over-winter mortality.
40 We can't predict when they're going to have a tough winter.

41

42 MR. GOODWIN: I agree.

43

44 MR. SHULTS: We can see the red flags of when it's
45 happened after the fact, and then we can make recommendations.

46

47 MR. GOODWIN: I guess though what I'm saying is that
48 the comparison that you're trying to make as far as this region
49 is to the other parts of the State are -- I don't know. I have

50 some difficulty with that.

0042

1 MR. SHULTS: Well, I guess I'm not using -- making any
2 comparisons to make any changes.

3
4 CHAIRMAN ARMSTRONG: Bert?

5
6 MR. GREIST: The October 1 deadline mainly has to do
7 with fisheries and not moose.

8
9 Anyway, what's the total number of moose in this
10 region? It's about 7,000?

11
12 MR. SHULTS: We've never really put them -- what we're
13 doing is we're taking a drainage-wide approach to
14 management,.....

15
16 MR. GREIST: And this is.....

17
18 MR. SHULTS:and not trying to put them all
19 together.

20
21 MR. GREIST:not including State lands or all
22 land?

23
24 MR. SHULTS: All lands.

25
26 MR. GREIST: All lands.

27
28 MR. SHULTS: All lands within the drainage, and we're
29 trying to really -- given the federal and state RIF, we're
30 trying to work together to share our resources and get as much
31 information as we can. Now, when we do these surveys, we work
32 together on them. It's not one agency survey. We're doing it
33 really irregardless of land jurisdiction. I spent a
34 considerable amount of time working on the Tag River. That's
35 not anything under the Park Service jurisdiction, but by
36 pooling our resources, we get a lot more work done in a shorter
37 amount of time, and it's much more cost-effective. But I think
38 you can sort of add up some of those surveys and get some
39 estimate of the total population, but the bounds on that are
40 pretty wide.

41
42 CHAIRMAN ARMSTRONG: Any more questions? Thanks, Brad.

43
44 MR. SHULTS: I just have one -- can I jump on one other
45 thing?

46
47 CHAIRMAN ARMSTRONG: Sure.

48
49 MR. SHULTS: I just added the sheep results for this

50 year, for 1997, and I just wanted to briefly mention it. There

0043

1 was a meeting held, an informal meeting that was put together
2 by the Department of Fish & Game in Kotzebue about July 23rd
3 maybe. And there was quite a few people there. I don't
4 actually have the list of all the folks that were there. But
5 the consensus of that meeting, if I can generalize, and if
6 anybody else disagrees, was to keep the sheep season closed
7 both under state and federal regulations.

8
9 We had a huge increase in the numbers of adults we
10 counted in the Baird Mountains this year. And I think -- Ricky
11 knows that what happened was basically some sheep moved in from
12 the east. We had a huge increase that productivity couldn't
13 account for. So sheep move around, you know that. There's
14 been people seeing sheep in places they haven't seen them for
15 years, but the main gist of folks was to keep that closed, and
16 that would certainly be my recommendation, because I think
17 we've got some rocky years ahead of us in terms of numbers.

18
19 CHAIRMAN ARMSTRONG: Is there any action you want from
20 this board?

21
22 MR. SHULTS: No, I don't think there's any action
23 necessary. The season on the federal side is closed, and you
24 don't have to do anything to keep it closed.

25
26 CHAIRMAN ARMSTRONG: Okay. Any questions? Any other
27 questions? Thanks, Brad.

28
29 MR. SHULTS: You bet.

30
31 CHAIRMAN ARMSTRONG: For those that have just come in
32 the building, I welcome you to our Federal Subsistence Advisory
33 Council meeting here. I don't know if we have extra agendas,
34 but we're down to the agency reports. We normally have the
35 different agencies give reports on issues germane to our
36 meetings here.

37
38 Do we have anybody from Fish & Game here? Oh, Susan,
39 are you.....

40
41 MS. BUCKNELL: I really didn't come to make a report at
42 all.

43
44 CHAIRMAN ARMSTRONG: Okay.

45
46 MS. B. ARMSTRONG: She's just here to observe.

47
48 CHAIRMAN ARMSTRONG: Okay.

49

MS. B. ARMSTRONG: Basically I think (Indiscernible,

0044

1 away from microphone). So there's no one here from Fish &
2 Game.

3
4 CHAIRMAN ARMSTRONG: Okay. If not.....

5
6 MS. B. ARMSTRONG: They're the one that been
7 (indiscernible, coughing).

8
9 CHAIRMAN ARMSTRONG: All right.

10
11 MS. B. ARMSTRONG: He was also talking about.....

12
13 CHAIRMAN ARMSTRONG: Yeah, we don't need to mention.

14
15 MS. B. ARMSTRONG: Oh, okay.

16
17 CHAIRMAN ARMSTRONG: BLM, Randy Meyers.

18
19 UNIDENTIFIED VOICE: Randy Dau. Is the record
20 straight, Randy Dau?

21
22 MS. MEYERS: No, it's Randy Meyers. I do have a
23 handout. I didn't have it prepared in time for your packets,
24 but if you could pass this around?

25
26 CHAIRMAN ARMSTRONG: Okay.

27
28 MS. MEYERS: Okay. Basically I just wanted to give a
29 quick overview of some habitat work that BLM did this summer.
30 We went to the Seward Peninsula, and we were looking at lichen
31 ranges, so we were looking at winter habitat important for
32 caribou and reindeer. And we looked at, as part of our range
33 management program, coordinated with two of the herders, Palmer
34 Sagoonik in Shaktoolik, and Merlin Henry in Koyuk. So we met
35 with both of them, and with the helicopter took them out to
36 their ranges, and they showed us on maps where their reindeer
37 had been this year. And we talked about where the caribou had
38 also been on their ranges. And so we took a look at how the
39 lichen was faring in terms of the cover of lichen, the amount
40 of utilization.

41
42 And I've given you some definitions here, just real
43 basic. When we look at utilization of lichen, we're basically
44 just walking out there and looking at how much of the lichen
45 that we see has been disturbed by caribou or reindeer. If it's
46 -- we find drops or we find areas that have been trampled or
47 uprooted, you can find areas where caribou have taken a bite
48 out of the lichen mat, or maybe they've cratered a little bit.
49 So we actually have a set transect and we walk for say 50

50 meters and we're looking to see this, and we take figures down.

0045

1 So you can get an idea on the utilization for a
2 specific area, and then you also look at the cover, the percent
3 cover that lichen would have in a specific area as compared to
4 other plants out there: shrubs and forbs and grasses and
5 sedges.

6
7 So when we did that, we can come up with a few figures,
8 and these are very preliminary. I just drew some things
9 together from our data this summer, but it's not total.

10
11 To just compare these four different sites, areas that
12 we looked at on the two reindeer allotments, and then also in
13 McCarthy's Marsh and Death Valley. And McCarthy's Marsh is in
14 kind of south central Seward Peninsula. It's -- the Bendeleben
15 make a big bow, and then the Darby Mountains are to the east of
16 there, so there's a nice little valley in there that --
17 McCarthy's Marsh is not part of anyone's grazing allotment
18 reindeer-wise, and hasn't seen much caribou use, but this year
19 approximately 90,000 caribou did move a lot further west into
20 the Seward Peninsula than they ever have before. So BLM put
21 out some permanent transects in McCarthy's Marsh which right
22 now has a really excellent amount of lichen that hasn't been
23 much disturbed, and so we're curious just to see if as the herd
24 -- if it stays big and continues to move on to the Seward
25 Peninsula, you know, what will happen to that lichen, so we do
26 have some transects out that will allow us to keep track of
27 that.

28
29 And so the point of this little overview is to the two
30 reindeer grazing areas have -- of course, had use by reindeer
31 long term, but more recently they've seen incursions by
32 caribou, whereas McCarthy's Marsh has had very little use by
33 caribou and then Death Valley has -- which is to the east of
34 McCarthy's Marsh, it has seen some caribou use, light use mid
35 term, not long term. So you can see if you look at those four
36 different sites that the less foraged McCarthy's Marsh and
37 Death Valley has a much higher lichen cover, 48 percent to 70
38 percent. These are the sites that we looked at. Compared to
39 the 24 to 33 percent lichen cover seen on the eastern edge of
40 the Seward Peninsula where the caribou can get at pretty
41 easily, because they've been migrating north/south through that
42 area for a number of years.

43
44 So that was the thrust of that. And then I was.....

45
46 CHAIRMAN ARMSTRONG: Could I ask.....

47
48 MS. MEYERS: Yeah, questions on that?

49

CHAIRMAN ARMSTRONG: Okay. This is on Seward Peninsula

0046

1 lands. What about the land that affect us?

2

3 MS. MEYERS: Right, and I just -- I am giving you that
4 information just as subsistence hunters using the Western
5 Arctic Herd, and thinking about what some of their winter range
6 is looking like. And because BLM has lands in Nulato Hills,
7 Buckland River Valley, and other portions of the Seward
8 Peninsula, and that's where the reindeer are grazing, that's
9 one reason why we've been down there.

10

11 The Squirrel River Valley, we actually haven't done
12 that kind of looking at the Squirrel River Valley, and that
13 would be a good thing to do, and it would certainly be easy
14 enough to do. It's close to home, and so that's our biggest
15 parcel of land, the Squirrel River Valley, which we have not
16 looked at for lichen. It's certainly there, but we haven't
17 done this kinds of surveys. And then also like the Paw (ph)
18 River Flats area is certainly -- caribou go through there. So
19 those would be the two areas of BLM land that we certainly
20 could take a look at.

21

22 CHAIRMAN ARMSTRONG: Uh-hum.

23

24 MS. MEYERS: And there aren't any permanent transects
25 out there now. One reason we started in the Buckland River
26 Valley was BLM in 1981 put out a series of 20 permanent
27 transects, so we went back in '95 to look and see during that
28 14-year period what had happened to the vegetation and to the
29 lichen. So we can certainly expand that process and, you know,
30 start looking a little closer to home.

31

32 And then the second -- you have actually three pages,
33 so the third page is.....

34

35 MS. DOWNING: Randy, don't cover the microphone,
36 please?

37

38 MS. MEYERS: The third page is a field work project
39 that I was not involved with, but Anne Morkill, a wildlife
40 biologist on my team was working with muskox, and I just
41 thought that you folks might be interested in that.

42

43 They basically wanted to look at muskox on the Seward
44 Peninsula, find as many groups as they could, and then, of
45 course, count them, but see the composition, bulls and cows and
46 how many calves. And they wanted to get some baseline
47 information in 1997, because the federal hunt is bulls only, so
48 they wanted to keep track of what's happening to the ratio of
49 male to female and cows. So this is the account of that first

50 year.

0047

1 And I'm just going to read from here. They -- there
2 were some problems. They couldn't spend as long as they wanted
3 in the field because of the fires and the smoke, and the
4 visibility in the Noxapaga area, but they saw a total of 360
5 muskox. They were 23 different groups, and the sizes of the
6 groups ranged from about five animals to 33 animals, and then
7 they also found 29 lone bulls scattered about. And they
8 estimated that comparing cows three years and older to calves,
9 that you had 45 calves per 100 cows three years and older, so
10 that's a pretty good ratio. It sounds like it's a real strong
11 population.

12
13 But she just faxed me this information and then she
14 left. I didn't have a chance to ask her about the bulls in
15 that -- those groups of 23, so I know she's working on a
16 report, and so there will be more information forthcoming on
17 that. Probably the next time we meet, I can give you an update
18 on that.

19
20 So any questions there on muskox?

21
22 CHAIRMAN ARMSTRONG: I have just one. At the Seward
23 Peninsula Muskox Cooperative Management meeting, are
24 representatives from Buckland and Deering going to be able to
25 attend that?

26
27 MS. MEYERS: I don't see why not. I mean, I think they
28 would be encouraged to go.

29
30 CHAIRMAN ARMSTRONG: I think it would be a good idea
31 to.....

32
33 MS. MEYERS: Yeah.

34
35 CHAIRMAN ARMSTRONG:if this information was
36 passed on to their IRAs for them to make plans for them to
37 attend that.

38
39 MS. MEYERS: Sure. Oh, yeah. Yeah.

40
41 CHAIRMAN ARMSTRONG: Any questions of Randy? Thank
42 you, Randy.

43
44 MS. MEYERS: Okay. Thank you.

45
46 CHAIRMAN ARMSTRONG: Okay. Next we have Leslie Kerr
47 with Selawik Wildlife Refuge.

48
49 MS. KERR: Council members, ladies and gentlemen,

50 Noatak students and residents, my name is Leslie Kerr. I'm the

0048

1 refuge manager for Selawik Refuge. We have 2.86 million acres
2 of federal land in Selawik Refuge.

3
4 And I want all of you students to know that you don't
5 have to be a biologist to work for an agency. I have a general
6 natural resources background. And it's a pretty fun job, and I
7 encourage you to work with the agencies and look into careers
8 in land management.

9
10 I have just a few things to talk about. Earlier Brad
11 mentioned that Gene Peltola, Jr., our biologist, just became a
12 dad. He and Jennifer Rich had an 8-pound, 2-ounce baby boy on
13 Saturday, Eugene Raymond Peltola III. So that's the important
14 thing that I have to say.

15
16 And beyond that, I wanted to talk a little bit about
17 what we are doing this fall to monitor hunting use on the Tag
18 River. We have a champ out, we have Wallace Grey from Selawik
19 is working with my deputy, Mark Kepsell, and they're talking to
20 sport hunters on the Tag River, and collecting the -- part of
21 the lower jaw of moose so that we can get the ages of the moose
22 that are harvested there.

23
24 Brad already talked a little bit about the moose
25 populations, so I won't.

26
27 And next week we also hope to have Ralph Raymond, Sr.,
28 from Selawik out on the Selawik River also talking to hunters.
29 So we are trying to keep track of what's going on out there,
30 because as you know, as people have been displaced from other
31 areas, they're starting to find -- they're starting to find
32 places to hunt on lands we manage.

33
34 Since nobody is here from Fish & Game, I was asked to
35 talk a little bit about the Western Arctic Herd co-management
36 proposal, and I'll talk just a very little bit about that.
37 After about a year of discussions and meetings that the State
38 has the lead for, they did make a decision to go ahead and talk
39 more about co-management or cooperative management or whatever
40 it winds up being called in the end. And there is a working
41 group that is being formed. Some of the members have been
42 appointed or established so there are agency representatives
43 from -- I represent the Fish & Wildlife Service, the park
44 superintendent represents the Park Service. The other local
45 representatives that you might know, Walter has been -- is
46 listed as part of the group as a NANA representative. The
47 local co-chair is Pete Schaeffer. Art Ivanoff is involved from
48 Maniilaq. And then there are representatives from the Tanana
49 Chief's Conference, the Arctic Slope Native Association, and

50 Kawerak.

0049

1 One of the major issues that has to be addressed early
2 on, which is one that I'm interested in working with, is the
3 whole idea of how do you have the public involved in these
4 discussions, because the Western Arctic Herd migrates through
5 about a quarter of the state, and there are many people who are
6 affected and interested. And one of the issues is how do you
7 have adequate representations of the various viewpoints from
8 within the native community, because everybody doesn't always
9 agree. And the process of discussing this issue of
10 co-management needs to be fair and it needs to be open, and
11 everybody needs to feel like it really is fair and open.

12
13 So we've had some very, very preliminary discussions
14 just in the smaller group to try to get ideas about how to do
15 that, and the suggestion has been that we -- that this working
16 group contact the regional nonprofit organizations and ask for
17 recommendations of which specific villages this group should
18 travel to to hear what people have to say. And we know we
19 can't go to every village, but if there is a group of villages
20 and one of those villages can be selected, and then we can make
21 sure that people from surrounding villages have an opportunity
22 to come and be heard. So we're trying to put that kind of
23 proposal together based on we will write a letter. The letter
24 will be from the co-chairs to these regional nonprofits.

25
26 And I also want to make sure that if anybody is
27 interested or concerned and wants to contact the group, the
28 formal way to do that will be to contact the co-chairs, and the
29 co-chair for Fish & Game is John Trent who works in Anchorage,
30 and the co-chair locally is Pete Schaeffer who's in Kotzebue.
31 And a letter to either or both of those people saying I want to
32 be involved or from a council we want you to come to our
33 village, those kinds of things would be -- would certainly be
34 welcome.

35
36 I think it's also important that this working group
37 does not include representatives of all the constituencies,
38 like, for example, so far there's nobody officially
39 representing the Federal Subsistence Program on this group.
40 Now,.....

41
42 CHAIRMAN ARMSTRONG: That's the thing that was going to
43 be brought up that this body was not confronted. I kind of
44 noted that.....

45
46 MS. KERR: Invited?

47
48 CHAIRMAN ARMSTRONG:some of the landowners are --
49 representation is missing.

0050

1 MS. KERR: Yes.

2

3 CHAIRMAN ARMSTRONG: And I think that the point you
4 made about not adequately involving the villagers is the one
5 that concerns me, because I think -- you know, they're the
6 principal users, and they should be adequately represented in
7 making any decisions on any type of co-management agreement
8 that's going to occur, because they're the ones who are going
9 to be affected either adversely or on a good note.

10

11 MS. KERR: Uh-hum.

12

13 CHAIRMAN ARMSTRONG: So I think that should be taken
14 into consideration.

15

16 MS. KERR: Yeah. I definitely agree. Yes, Walter?

17

18 MR. SAMPSON: You cooperate, we manage.

19

20 MS. KERR: You sound like George Yaska.

21

22 (Laughter)

23

24 MS. KERR: So I think that there will be -- there will
25 have to be more people I think added to this smaller working
26 group. The difficulty is there are so many people and
27 interests and groups. How do you have a group that you can do
28 anything and still have everybody represented? So there's
29 always going to be that balancing. And there's been
30 recognition and some discussion that, for example, KIC is a
31 major landowner in this region and they're not represented yet.

32

33 The -- another group that is not yet represented is
34 the, you know, the sport hunting group, and I think that the
35 tenor of discussion right now has been that we need -- this
36 group needs to invite them specifically to be involved, and
37 then if they choose not to be involved, they have had the
38 opportunity. But if we don't make sure that they have every
39 opportunity to participate, then they can come in in a year or
40 two and say, well, you never asked us. And that's the thing
41 that's very difficult, is everybody has to have access,
42 everybody has to be able to be involved in they want to be.

43

44 So the next meeting of this working group is scheduled
45 for the end of November, although there may be a teleconference
46 before that about some of these issues. So are there
47 questions?

48

49 MR. BALLOT: Yes, how the working group was formed, we

50 had some concern from our village, because we don't know who

0051

1 appointed that group. And we who are part of the group that
2 made the draft and we weren't consulted with or involved in how
3 this group got appointed or formed or whatever. So there is
4 concern from our village, our area on that.

5
6 MS. KERR: Yeah, I've heard that concern from other
7 people, and to tell you the truth, I don't know how other
8 people were put on this group. I was put on because the Fish &
9 Wildlife Service is a landowner, and so our agency policy is
10 that the local land manager will represent the agency. And so
11 we've heard that. And, you know, if you have concerns, I would
12 say that it would be appropriate to address those concerns to
13 Maniilaq, who worked on that initial draft, and also maybe
14 write a letter to -- from your IRA Council to the co-chairs,
15 John Trent and Pete Schaeffer, and say, well, we have some
16 concerns and this is how we would like to be involved. If you
17 tell them how you want to be involved, then you pretty much --
18 you know, we have to accommodate your wishes.

19
20 CHAIRMAN ARMSTRONG: There was a draft, I don't know
21 what you want to call it, proposal? That was brought before us
22 at our last meeting. Has that changed any yet, or.....

23
24 MS. KERR: Well, what has happened with that draft is
25 the people who work on that, as represented by Art Ivanoff and
26 Pete Schaeffer, have agreed to set that aside, because they
27 came to recognize that they had done a lot of work putting
28 together what they characterized as a tribal perspective, but
29 meanwhile many people had not been involved in that, and didn't
30 understand it, didn't like it, didn't agree with it, hadn't
31 been involved in it. And so they recognized that to say this
32 was going to be -- you know, let's start negotiating based on
33 this, they recognized that they needed to set that aside for
34 now and let everybody else catch up in the discussion about who
35 needs to be involved, how can we address this, what should we
36 be doing, what are the concerns. And so I think that's a
37 positive sign that they've set that aside for now.

38
39 CHAIRMAN ARMSTRONG: I think that was a good move.

40
41 MR. GREIST: I agree.

42
43 MS. KERR: Are there other questions?

44
45 CHAIRMAN ARMSTRONG: Any questions of Leslie from the
46 public?

47
48 MS. KERR: Maybe Barbara wants to translate some of
49 that?

0052

1 CHAIRMAN ARMSTRONG: Thank you, Masone (ph).

2
3 MS. KERR: My pleasure.

4
5 MS. B. ARMSTRONG: (In Inupiat)

6
7 CHAIRMAN ARMSTRONG: Thank you, Barb. Any questions?
8 If not, I'd like to finish number five before noon.

9
10 UNIDENTIFIED VOICE: Thank you for coming.

11
12 CHAIRMAN ARMSTRONG: Yeah, thank you and your students
13 for coming here. While they're moving out, you can get set up,
14 but I'd like to finish item five before noon, and then break
15 for lunch.

16
17 MR. BRELSFORD: Well, I apologize for rustling around
18 during the previous presentation, but I know we're on a quick
19 agenda, and so I wanted to try and prepare the next item.

20
21 Mr. Chairman, we turn now to a set of items that are
22 provided for you from the Federal Board staff, and if you'd
23 like -- I was actually thinking while the kids were still here,
24 the fisheries question, the Katie John law case, might be the
25 priority for them, so that's actually the one I pulled up. Do
26 you want to proceed with the Katie John.....

27
28 CHAIRMAN ARMSTRONG: Sure.

29
30 MR. BRELSFORD:question first, even though.....

31
32 CHAIRMAN ARMSTRONG: Fine.

33
34 MR. BRELSFORD:it's slightly out of agenda? And
35 we do have some handouts on this. For the Council members,
36 it's in your books at tab G I believe it is. That's correct.
37 And for the public, we've got both that one, Sandy, and this if
38 you run out. And this is an update item. And as soon as I
39 remember how to turn it on,.....

40
41 CHAIRMAN ARMSTRONG: Look for the letters O-N.

42
43 MR. BRELSFORD: Look for the end that says on, right.

44
45 CHAIRMAN ARMSTRONG: Taking two.....

46
47 MR. SAMPSON: That one right there.

48
49 CHAIRMAN ARMSTRONG: Taking two college students to

50 turn it on.

0053

1 (Laughter)

2

3 CHAIRMAN ARMSTRONG: Or college graduates.

4

5 (Pause, moving overhead projector)

6

7 (Indiscernible -- simultaneous speech, off record
8 conversations)

9

10 MR. BRELSFORD: So, quickly, what we wanted to provide
11 with you is the current status of the Board's activities in
12 implementing the federal court's decision in the Katie John
13 case. And many of you have heard in the news and on TV and in
14 the Legislature very recently about October 1, that after
15 October 1, 1997, the Federal Government will take over
16 subsistence fisheries. That's the issue. And what we wanted
17 to do is at least quick summary statements, is to try to catch
18 up with a little bit more of the details.

19

20 So most of you are aware that the Federal Ninth Circuit
21 Court of Appeals made a positive decision when they were asked
22 by an Ahtna elder, Katie John, to make sure that she could have
23 subsistence fishing at her traditional fish camp, that that's
24 Lanita's (ph) fish camp. The legal problem is who has
25 jurisdiction over these navigable waters, fresh waters in the
26 river systems. The federal court said the Federal Subsistence
27 Board should have some jurisdiction on these navigable waters.

28

29 So that was what the court said. They said this is the
30 law, now the Government should go out and follow the law. The
31 Congress, the United States Congress came along and said, well,
32 that may be what the court says, but we hold the purse strings.
33 We're in charge of the money. And so the Congress passed what
34 was called a moratorium, and they said you can't spend any
35 money to go out and have a federal subsistence fisheries
36 management program. So it's kind of like a tug-of-war between
37 the court saying go ahead, and the Congress saying, no, you
38 can't do that. You can't spend any money to do that.

39

40 So this moratorium, the one that kind of freezes
41 everything, that moratorium ends on October 1st of this year.
42 October 1st, 1997. So after October 1st, if there's no change,
43 if the moratorium is lifted up, then the Federal Government
44 would proceed.

45

46 So that's kind of the background. The tug-of-war
47 between the courts and the Congress. October 1 is a pretty big
48 day for all of us.

49

Some of this will be a little bit of review for the

0054

1 Council members who have been through this several times with
2 us as each step goes by, but the -- what the Court said is that
3 public lands in the law include waters within the boundaries,
4 and these inland water adjacent to the conservation units. So
5 in the Kotzebue region, that primarily concerns the Selawik
6 Refuge and the Park Service units, Cape Krusenstern, the Noatak
7 Valley. Those are waters, fresh waters, not marine waters, not
8 on the coastline, so fresh waters inside or next to the park
9 and refuge lands would come under the jurisdiction. They would
10 come under federal subsistence fisheries management under the
11 court's order.

12
13 There are some special circumstances in the Forest
14 Service, but that's in Southeast or Chugach, so it wouldn't
15 bother up here.

16
17 There was another aspect of the legal case having to do
18 with selected, but not conveyed lands inside of the
19 conservation units, and some more details about the national
20 forests. This selected but not conveyed lands is actually back
21 to the point that Willie Goodwin was making this morning about
22 NANA selections or village selections that are inside the
23 boundaries of a park unit. Right now those are not under
24 federal jurisdiction. If this legis- -- if this regulation
25 goes to the completion, then those selected lands would
26 actually come under federal jurisdiction up until the time that
27 they pass into full conveyance, into conveyance to the private
28 landowner, to the native corporation.

29
30 So these details are kind of what the court and the
31 regulation, the proposed regulations, say. None of it's in
32 effect yet. This is where things might go if the moratorium in
33 fact lifts up.

34
35 There was a very controversial question in the Katie
36 John case, or in the regulations that are coming from this.
37 What we say here is that the Secretaries retain their authority
38 to restrict hunting, fishing or trapping activities off of
39 federal lands when the Board -- when there's a finding that
40 that's necessary to protect subsistence hunting on the federal
41 lands.

42
43 You guys might have heard the phrase extra-territorial
44 jurisdiction, that if there's something occurring earlier on in
45 the caribou migration path or out in the fisheries migration
46 pathways, and it's preventing subsistence users from their
47 subsistence harvest in the federal lands or the federal waters,
48 then the Federal Government, the Secretary of the Interior, has
49 the legal authority to restrict those activities outside of

50 federal lands in order to protect the subsistence priority on

0055

1 the federal lands or waters. That's an existing authority.
2 The Secretary has to do that. The Federal Board will not make
3 those final decisions. It's going to be elevated to the
4 highest level. It would be done only by the Secretary of
5 Agriculture and Interior. The Board would have a role
6 evaluating. They would receive complaints or problem
7 identification from the villages, and they would evaluate the
8 facts, but the final decisions on this would have to be made by
9 the Secretary of Interior.

10
11 So this is a very controversial area received a lot of
12 criticism in the Katie John early regula- -- this early set of
13 jurisdiction regs called the advanced notice of proposed rule-
14 making. This extra-territorial question got the commercial
15 fishermen and others very exercised (ph) and it's been -- this
16 is kind of what came of it in the proposed regs.

17
18 There are basically two steps of preparation that the
19 Board staff has been working on. One of them is called
20 environmental review, and I think most people have heard of
21 this time and time again. What -- when the Federal Government
22 makes a big change in rules, they have to evaluate the
23 environmental consequences, if it would have any impacts on the
24 wildlife or on the habitat lands, so environmental review is
25 kind of, you know, it's bread and butter in the Federal
26 Government. You always have to do it. That's a planning step.
27 That's a building block before the federal fisheries program
28 could go into effect. So that planning effort, the
29 environmental assessment, this environmental review, that's
30 already been done. The research and the writing was completed,
31 and this environmental assessment is currently on the
32 Secretary's desk in Washington, so there would be no delay in
33 order to meet the environmental review responsibilities. Those
34 are already in the -- on the shelf. So it's the -- that's one
35 of the planning steps that has occurred in the last six months.

36
37 The other planning step is to develop the preliminary
38 regulations, or what called the draft proposed rule, and the
39 Council members may recall that we came before you in the
40 winter meeting with this preliminary draft, the first cut, on
41 proposed hunting and fish- -- pardon me, proposed fishing,
42 subsistence fishing regulations for federal waters. What it
43 says here is that those regulations generally took the State's
44 subsistence fishing regs as a baseline, as a working first
45 approach, and there were some specific changes where the
46 Federal Subsistence Board has made different regulations, or
47 there's specific court guidance.

48
49 One example cited here is that rod and reel under the

50 State system was generally not considered a subsistence harvest

0056

1 technology. Nets and fish traps and so on were subsistence
2 use, but rod and reel was not. The Federal Board treats rod
3 and reel hooking as a subsistence technology, so these
4 regulations do have the changes adopted specifically by the
5 Federal Board over the past few years.

6
7 Another item of very important interest to people in
8 the villages was the question of customary trade, and I think
9 folks here especially know that it's widespread for people in
10 the village to take subsistence fish, even to smoke them and to
11 trade or barter in the village and sometimes with kin members,
12 your kin group members up river. The subsistence priority does
13 actually allow for customary trade, but the definition of
14 customary trade has been kind of controversial. There have
15 been suggestions that it should be -- there should be a dollar
16 amount set, and as long as customary trade is real low level,
17 not a lot, and not up to -- or not above a certain dollar
18 amount, then everything would be fair game.

19
20 The regulations that you'll see when they eventually
21 come out provide for existing customary trade activities in the
22 villages, and they do not impose a specific dollar threshold.
23 Instead, what it says is that customary trade activities should
24 not be a significant commercial enterprise, and it leaves it up
25 to kind of a case-by-case evaluation or even a regional
26 approach. This Council or other individual regional councils
27 may say in our area the boundary line of customary trade and
28 not a significant commercial enterprise, we think you ought to
29 approach it this way. At the present time, the regulations
30 simply refers to not a significant commercial enterprise. It
31 does not at present impose a dollar figure, a dollar threshold.
32 And this was -- these are kind of the high controversy areas
33 that I'm just drawing your attention to.

34
35 So what happens after October 1st? The Legislature's
36 kind of asking a lot of questions about, you know, are there
37 going to be feds on every riverbank, or what really will occur
38 on October 1st? And what I'd like to communicate to you is
39 that some of the planning steps have taken place. If the
40 moratorium is lifted, then the Federal Government will do as
41 the court asks. We will move into federal subsistence
42 fisheries management.

43
44 And the normal steps before anything really changes on
45 the ground are to involve the public in this rule-making
46 process. So far all of this has been staff work. There's
47 really been no public notice, no public meetings. So the next
48 step after October would be to publish the proposed rule, and
49 make that available in the Federal Register. We'd let the

50 public, the wide public know specifically what's on the table,

0057

1 what specific harvest regulations, seasons, all of that would
2 be out for public review. We would receive public comments and
3 conduct hearings. Before you go to the final step, you have to
4 have public hearings, so you, this Council, the NANA region,
5 the North Slope, there will be public hearings. We estimate
6 ten to 20 public hearings would be required for adequate public
7 review of the subsistence fishing regulations.

8
9 The last step is that they are published as a final
10 rule, and that's when they are really becoming active
11 regulations, and they'd go into effect with an effective date
12 in the spring. The fishing regulatory year, the new season in
13 fishing would start in the spring with the new fishing times,
14 when the runs return after March, so if the Governor's Task
15 Force effort, the moratorium, if all of those things kind of
16 don't come to a positive end, then we would start the normal
17 steps of the public involvement in rule making with the goal of
18 actually implementing a federal subsistence fisheries
19 management program next year in the fishing year, next year in
20 the spring.

21
22 So I've tried to kind of rush through that. I hope I
23 haven't been too -- seemed, I don't know, superficial about it.
24 Let me stop and invite questions or, you know, see if this has
25 been helpful in providing the information.

26
27 CHAIRMAN ARMSTRONG: Walter?

28
29 MR. SAMPSON: If feds should take over those fisheries,
30 does this then include the Noatak River, which is the
31 anadromous fish uses anyway, so the feds will take over the
32 control of the waters I guess is what I mean.

33
34 MR. BRELSFORD: From our discussion, looking at the map
35 this morning, it would be the portion of the Noatak River
36 inside the park, so it would be wherever as we go upstream the
37 KIC and village corporation landholdings end, and it enters
38 into federal lands. This Katie John, the court case, says
39 navigable waters inside of federal conservation units, where
40 they flow inside or alongside, if it's on the outside boundary,
41 where they're inside of a federal conservation unit. So it
42 would only be, as I was looking at the map, that upper reaches,
43 perhaps the upper half that's located inside of the park unit.

44
45 Sandy may be able to be more specific with the
46 geography.

47
48 MR. RABINOWICH: Well, I'd just say that if you look
49 closely, you have to get very close to the map, there's a thin

50 black line that shows the boundary.....

0058

1 MR. SAMPSON: Where?

2

3 MR. RABINOWICH:of the Noatak National Preserve.
4 Would you like me to point it?

5

6 MR. SAMPSON: Yeah. Point it out.

7

8 MR. RABINOWICH: Okay.

9

10 MR. BRELSFORD: It's on this, on the reference map,
11 too, Walter.

12

13 MR. SAMPSON: Well, I mean for the folks, too, to see.

14

15 MR. RABINOWICH: It's the same place that Willie
16 pointed out. It's this thin black line, I'll run my finger
17 along it. It moves in and out. So right about here. So in
18 effect the fisheries would extend all the way -- the rules
19 would extend all the way to there. You know, where the main --
20 it looks to me where the main branch of the Noatak actually
21 flows in is right where my finger is. It's right there. But
22 any fisheries that might occur on side channels.

23

24 MR. ASHBY: Maybe by pinaluruks (ph) place are on here,
25 where it will be on the river.

26

27 CHAIRMAN ARMSTRONG: If the feds took over and we have
28 to -- then this body would be responsible for reviewing
29 proposals?

30

31 MS. B. ARMSTRONG: Uh-hum.

32

33 MR. SAMPSON: (Indiscernible -- simultaneous speech)
34 for recommendations, yeah.

35

36 CHAIRMAN ARMSTRONG: And now, you know, that -- I was
37 getting up to the fact that there's different seasons, so would
38 that mean additional meetings for the.....

39

40 MR. BRELSFORD: It's a very important question, and
41 it's one that you all have been I thinking looking ahead on.
42 The workload for the regional councils will obviously grow much
43 greater. At the present time, what we're thinking about, and I
44 think we've had some input from the councils to go this way,
45 don't divide the councils into wildlife councils and fisheries
46 councils. Keep unified so that the same council in each region
47 would work with subsistence fishing and subsistence hunting.

48

49 Probably what we would end up doing is having to have

50 longer meetings, maybe three days instead of two days in the

0059

1 falltime, three days instead of two days in the wintertime.
2 And in the fall meeting you would be starting the regulatory --
3 new proposals for hunting, and they would come back in the
4 winter and go to the spring Board meeting, like we're doing
5 now. The fall meeting on fisheries would be your chance to
6 make final recommendations on fish, and a fisheries board
7 meeting would be in December, in time for the earlier spring
8 regulatory year. So each time, in the fall you would do the
9 first step on wildlife and the last step on fish. In the
10 winter meeting you would do the first step on fish, and the
11 last step on wildlife. The two systems would just be off one
12 step each, so the same council could, you know, do the whole
13 workload, but it may involve more days, more technical
14 information to have to review, and to use the same kind of
15 expertise that you're bringing on the wildlife questions to
16 fisheries. It is going to make a greater workload, a greater
17 burden on the process.

18
19 CHAIRMAN ARMSTRONG: I think, you know, that since we
20 deal with subsistence, that there's no need to change to add
21 other interests. There is a public hearing process that
22 people, sports fishermen, commercial people could then express
23 their concerns. Bert?

24
25 MR. GREIST: Taylor, there was some talk about
26 extending the boundaries of fisheries management to include
27 whole river systems. Is there any development in that area?

28
29 MR. BRELSFORD: I think that -- in fact when the
30 advanced notice of proposed rule making first came out and
31 there were some hearings in the spring and early summer of '96,
32 that was a fairly strong recommendation from the Alaska
33 community statewide, AFN and others. The Office of the
34 Solicitor nationally has made the judgment that that's outside
35 the legal authority under this court case. That when we said
36 they're inside the boundaries, fresh waters in the boundaries
37 of conservation units. That's the maximum extent in the
38 judgment of the Solicitor's Office in Washington. So those --
39 these regulations will not go along with that recommendation
40 from the Alaska native community. They're going to be more
41 narrowly focused.

42
43 CHAIRMAN ARMSTRONG: Willie?

44
45 MR. GOODWIN: When the -- if the feds take over October
46 1st, when would be the soonest time that a proposal can come in
47 to include fisheries in the controlled use area?

48
49 MR. BRELSFORD: The public hearings when the proposed

50 rule would be announced after October 1st, there would be these

0060

1 public hearings. Then there would certainly be an opportunity
2 to comment on those regulations as they are and to identify
3 weaknesses or areas that should be changed or reconsidered.

4
5 I don't think we have a specific guideline from the
6 Board on how much change they're going to take up in December
7 of '97 or January of '98, this first year around. They're
8 trying to kind of get the baseline regs in place once and then
9 we would have the normal cycle of everything's up for
10 discussion. Proposals on all topics are welcomed each year as
11 we go forward. There will be some like limitation on the
12 amount of change that will be entertained in this first year,
13 but by the second year it would be the second way as in the
14 wildlife program. All the proposals are on the table for
15 review and deliberation.

16
17 CHAIRMAN ARMSTRONG: Bert?

18
19 MR. GREIST: Are the Selawik Lake and Kobuk Lake also
20 included then? Ice fishing? Subsistence ice fishing?

21
22 MR. BRELSFORD: Leslie, I'm -- you're going to outrun
23 my local geography, Bert, in a hurry, so.....

24
25 MS. KERR: Well, Selawik is not. Inland Lake would
26 maybe, but Selawik Lake, it's only the refuge on one boundary,
27 so.....

28
29 MR. BRELSFORD: If it's fresh waters flowing adjacent
30 to the boundary of a conservation unit, that's the guideline in
31 the legal language. I'd hesitate to offer you an opinion off
32 the top of my head. If it's adjacent to the boundary, that
33 would seem to come under the guideline.

34
35 MS. KERR: Yeah, here's the boundaries. This is
36 Selawik Lake, this is Inland Lake, and the refuge boundary goes
37 like this.

38
39 MR. BRELSFORD: Yeah. It's this line here.

40
41 MS. KERR: Yeah. But a lot of this is native land,
42 further complicating the situation.

43
44 MR. BRELSFORD: Actually for the -- I'd like to hold
45 off and be sure we give you a precise answer rather than a
46 fumble. Leslie points out that there are native lands inside
47 the refuge boundary in that area.

48
49 And I do want to mention that for the fisheries

50 purposes, in-holdings, waters flowing through in-holdings

0061

1 inside of a park or a refuge, they remain in the federal
2 jurisdiction. In-holdings are treated differently in these
3 fish regs than they are in the wild regs that you guys are all
4 familiar with. In-holdings under wildlife don't come under
5 federal jurisdiction. For the waters and the fisheries
6 purposes, in-holdings, those waters do come under the fisheries
7 jurisdiction when they're inside the refuge or park.

8
9 CHAIRMAN ARMSTRONG: Go ahead, Bert.

10
11 MR. GREIST: I've got one more. I don't want to make
12 it too long, but I know the commercial fishing interest and the
13 sport fishing interest, and the State of Alaska are going to
14 try to derail the federal management of subsistence fisheries.
15 And our take is so small that it's very insignificant, but
16 they're still trying to derail it. Is there any I guess -- I
17 mean, I -- we need some public education as to the over-all
18 take of subsistence take of fish, and yet it shouldn't have
19 that much impact on, you know, commercial and sport fisheries,
20 and yet -- I mean, my question is I guess, are you guys -- will
21 be educating the public as well as you bring out these proposed
22 regs on the amount of take?

23
24 MS. H. ARMSTRONG: Maybe I can answer that. In the
25 environmental assessment, they did emphasize that quite
26 heavily, and I think it's less than one percent. But -- and
27 because of that, it's -- the impact is really, really
28 insignificant.

29
30 MR. MOO: I have a question. It boils down in
31 subsistence if say the feds take over, and each individual
32 community, are they going to have people to monitor each
33 individual when they go out on the river or ocean, and
34 subsistence? And if they get a little too much than they're
35 supposed to have, who's going to monitor them to make sure that
36 they don't get more than what they're supposed to have? I
37 mean, it seems like it's going to be an impossible task,
38 because you've got how many people in each community that's
39 subsistence, and they're going to go out and get what they
40 need, and who's going to stop them? Is there going to be feds
41 all over creation watching these people that they don't take
42 more than they're supposed to have like over in China and
43 Russia where they're allowed so much animal, and then they have
44 to give the food to the government? I mean, how are they going
45 to do this, to monitor each individual when they go out in
46 rural Alaska in subsistence? How are they going to watch
47 everybody?

48
49 UNIDENTIFIED VOICE: Fish wardens.

0062

1 (Laughter)

2

3 UNIDENTIFIED VOICE: You're going to be up higher.....

4

5 MR. BRELSFORD: No, I'd say it starts off a lot earlier
6 than that. I think having a good responsive and effective
7 subsistence management program starts with local councils that
8 help identify the subsistence needs so that the regulations
9 provide for those.....

10

11 MR. MOO: But the native people.....

12

13 MR. BRELSFORD:subsistence needs.

14

15 MR. MOO:from Alaska have always regulated.....

16

17 MR. BRELSFORD: Right.

18

19 MR. MOO:perfect.....

20

21 MR. BRELSFORD: Right.

22

23 MR. MOO:the way they gather their foods and
24 berries, ducks and geese,.....

25

26 MR. BRELSFORD: Right. No, where I was.....

27

28 MR. MOO:everything. They.....

29

30 MR. BRELSFORD:going with that is.....

31

32 MR. MOO:(Indiscernible -- simultaneous speech)

33

34 MR. BRELSFORD:I think we want to have
35 subsistence seasons and harvest limits that provide for
36 traditional needs,.....

37

38 MR. MOO: So why are all.....

39

40 MR. BRELSFORD:and the kind of.....

41

42 MR. MOO:these new laws? They're trying to tell
43 the native peoples how to do this and how to do that. They've
44 been doing this for approximately what, 10,000 years or more?

45

46 MR. BRELSFORD: Uh-hum.

47

48 MR. MOO: What's all with these new laws coming and
49 trying to tell them how to take care of the land, how to hunt

50 their caribou, how to hunt everything else, how to fish? They

0063

1 know what to do.

2

3 MR. BRELSFORD: Let me see if I got your point loud and
4 clear, that native people have traditionally managed
5 themselves,.....

6

7 MR. MOO: Sure.

8

9 MR. BRELSFORD:and that's an ideal circumstance,
10 and it's troublesome to you that that ideal circumstance seems
11 to be breaking down, which is.....

12

13 MR. MOO: What started this,.....

14

15 MR. BRELSFORD:(Indiscernible -- simultaneous
16 speech)

17

18 MR. MOO:you know, that's the cities, the sports
19 hunters.

20

21 MR. BRELSFORD: Right. So you would prefer if we were
22 back in the old circumstance where people self-managed at the
23 local level?

24

25 MR. MOO: Sure.

26

27 MR. BRELSFORD: Okay.

28

29 CHAIRMAN ARMSTRONG: Okay. I think we're at a good
30 stopping point. There's some people that need to catch the
31 school lunches over there. So we'll break until 1:30 and come
32 back with the fisheries. Okay?

33

34 (Off record - 12:10 p.m.)

35

36 (On record - 1:40 p.m.)

37

38 CHAIRMAN ARMSTRONG: I'll call the meeting back to
39 order. We're with Taylor Brelsford on fisheries, and I don't
40 know if you could -- are we done with that, or.....

41

42 MR. BRELSFORD: I think, unless there are any other
43 questions, Mr. Chairman, we pretty well went through the main
44 points.

45

46 CHAIRMAN ARMSTRONG: Okay. So we'll go on to the
47 Federal Board, restructure update.

48

49 MR. BRELSFORD: Okay. Let me walk you through that

50 real quickly. I'll just give you that. That's okay. Let me

0064

1 -- can you help me with the item number in the booklets? There
2 will be.....

3
4 MR. RABINOWICH: Yeah. 5(a), Tab E as in Edward. Tab
5 E.

6
7 MR. BRELSFORD: So this is tab E in the Council members
8 notebooks. I'll be very quick with this.

9
10 At several points in the past few years, the regional
11 council members have suggested various ways of changing the
12 Federal Subsistence Board structure. One suggestion was we
13 would replace the Federal Board, the way it is now, by having
14 the ten chairs of the regional councils serve as the Federal
15 Board. Another idea more recently was to maybe add one chair,
16 one representative from the council chairs to sit alongside the
17 current board. So there were several suggestions from the
18 regional councils.

19
20 And the Board agreed to convene a task force that
21 included some membership from the regional councils to look
22 into this in more detail, so the membership of this working
23 group, this task force was the Chairman Mitch Demientieff, the
24 chair of the Southeast Regional Council, Bill Thomas, the Board
25 member for Forest Service, Jim Caplan, the Board member for
26 Fish & Wildlife, Dave Allen. And again the purpose was to
27 explore options.

28
29 The task force has held one meeting so far, and they
30 looked at the legal framework, like any constraints in laws or
31 regulations. They've looked at the Federal Advisory Committee
32 Act, and the regulations governing the Board structure. They
33 looked at several alternative board structures, and at other
34 examples, kind of comparative examples from other regulatory
35 systems in Alaska.

36
37 They identified kind of the boundaries. There are two,
38 and they're fairly important. You may want to read the
39 materials in your book at some point. We're not making
40 decisions on this today. It's kind of an update on where we're
41 going in the future, but I really do want to draw your
42 attention to these two constraints or the key influences.

43
44 One is the matter of delegating regulatory authority.
45 And in the federal legal system, regulations have to be made by
46 federal employees. You can't delegate out beyond the
47 employees, the federal employees, and still have final
48 decision-making authority. So regulatory authority can only be
49 exercised by federal employees. If you go to a non-employee

50 group, then that would become an advisory group, not a rule-

0065

1 making group. That's like a long-standing rule in federal
2 decision-making. So one of the things is, no matter how this
3 board is structured, we probably don't want to turn it into an
4 advisory board. We want it to be a decision-making board.
5 That's a constraint that will have to be given consideration.

6
7 There are some limits on how many new advisory
8 committees can be formed under the fact of this Federal
9 Advisory Committee Act. This was the -- one of the ideas is to
10 keep government from growing forever. And so if a new
11 committee is formed, or a new set of committees is formed, then
12 some other ones have to be canceled. So you can't just keep
13 adding new advisory committees into the future.

14
15 Those were legal problems that might come up in
16 changing the structure of the Federal Subsistence Board.

17
18 The Board looked at three alternatives, or this task
19 force actually came up with three. One is like no change, just
20 stick with the existing board. There's no problem about
21 delegation. They remain a decision-making board. All of those
22 things, no difficulty.

23
24 The middle range alternative was an existing board with
25 one regional council chair nominated from among the regional
26 council chairs. And it was felt that that option could stand
27 the test of authority to make rules. This could become a rule-
28 making -- this could remain a rule-making board, by having the
29 council chair become an employee for the period of the
30 meetings. There was a work-around so that this could become --
31 this could stay a rule-making board.

32
33 And the third option that the Board has put out for
34 your review is the existing board plus one subsistence user,
35 plus one representative nominated by the Governor. And this is
36 kind of the idea of bringing the user, direct users into the
37 board structure. It's a distinct approach, a different
38 approach from the other two.

39
40 So those are the three alternatives. Your packet has
41 some pros and cons or implications for each of the
42 alternatives. These -- in overview, these are the three
43 options that this task force is circulating around to all of
44 the councils for some comments this fall.

45
46 As far as where things go from here, right now in the
47 fall meetings, this fall of '97, we're going to all ten
48 regional councils with the background material and the three
49 options and soliciting comments. The next step is that the

50 task force, that group, I told you the members a minute ago,

0066

1 they're going to review any input of comments provided by the
2 regional comments, any preference from among the councils for
3 one option or another, or if there's new options that are
4 raised by the councils in these meetings, the task force will
5 evaluate those also.

6
7 And then the final step, the final responsibility of
8 that working group, that task force, is to kind of come up with
9 a recommendation that goes before the board. They're a
10 subcommittee of the Board, so to speak. They don't make a
11 decision. They carry back their advice to the Board.

12
13 So to kind of close, this idea of changing the Board
14 structure started with the regional councils. The Board has
15 taken you up on that. They want to investigate it, and come
16 up with a workable solution to expand or -- maybe expand the
17 membership of the Board. They convened a task force, made some
18 options. They're putting those out for your discussion at this
19 point, and then your input will go back to the task force, and
20 eventually back to the Board.

21
22 I've kind of left aside a lot of the details that are
23 in your packet already, so if you have questions or wanted to
24 delve into it a little further, there are some more specific
25 information.

26
27 CHAIRMAN ARMSTRONG: Walter?

28
29 MR. SAMPSON: Taylor, a couple years ago the regional
30 chairs submitted a resolution to the Department of Interior.
31 Well, actually directed to the Secretary of Interior in regards
32 to a recommendation of getting at least five regional chairs
33 into the Board. Do you know what the response has been? Or
34 what the response was?

35
36 MR. BRELSFORD: To my recollection, there were two
37 regions in their annual reports, and I believe it was North
38 Slope and Northwest Arctic that submitted a recommendation in
39 their annual reports asking for council chairs to be part of
40 the Federal Board. And the replies back at that time were they
41 basically weren't willing to -- there was some -- they were
42 concerned about the legal constraints, that if you -- if the
43 Board was made up of nonfederal employees, they wouldn't be
44 able to make the decisions. That was the answer two years ago.

45
46 Last year, the regional -- the council chairs when you
47 met with the Board members in April, made a revised
48 recommendation for one council chair to sit on the Board. And
49 that's when the Board got kind -- you guys together struck on

50 this idea of a task force to work out the details and come up

0067

1 with a package that is legally sound, and serves the goal of
2 expanding the voice and the representation of subsistence
3 users.

4
5 So I would say this is like phase two. Phase one is
6 the step you're describing. Phase two has been this task
7 force, trying to come up with a compromise that might be more
8 legally workable.

9
10 CHAIRMAN ARMSTRONG: Okay. And if I may add, at our
11 spring meeting of the chairs, the regional chairs, we had a
12 lengthy discussion about the two proposals that were submitted
13 by I think it was Seward Pen and Northwest.

14
15 MR. BRELSFORD: Uh-hum. (Affirmative)

16
17 CHAIRMAN ARMSTRONG: Because it was such a radical
18 change, it wasn't going to be fundamentally accepted. We kind
19 of realized that in discussion. And so we started
20 alternatives, and the alternative was exactly what you have
21 presented, was the fact that we would present a name nominated
22 by the ten chairs, put forth to the Secretary of Interior for
23 appointment, similar to Mitch Demientieff's role, and then he
24 would have voting powers. And the day after that, we met with
25 the Federal Subsistence Board and all the regional chairs, and
26 discussing this, and that's when that task force was put
27 together.

28
29 Is it -- you know, do you guys wish for this council to
30 act on submitting a recommendation or.....

31
32 MR. BRELSFORD: Yes, that's the opportunity. I think
33 basically if there are comments or support for one alternative
34 over another, that would be very helpful input for the task
35 force at this point.

36
37 CHAIRMAN ARMSTRONG: Do we have any feel of what the
38 other regions are -- if you could -- everybody was in
39 agreement, at least the chairs were in agreement that perhaps
40 the first proposal was, like I said, too radical an approach,
41 and they were all receptive to the addition of one regional
42 council nominee. Even, you know, Sheldon agreed that it was
43 probably the more logical approach to take, because we would be
44 fighting an uphill battle. The legal constraints would perhaps
45 drag it out. So we all concurred and agreed that that's the
46 scenario we would present to the Federal Subsistence Board.
47 And, you know, at least that would be my recommendation to this
48 council, to -- but first I want to hear from.....

49

MR. GOODWIN: Yeah, I'm a bit confused. I thought this

0068

1 was the Federal Subsistence Board, and then there's a
2 recommendation by -- for the Governor to nominate one other
3 user group. Wouldn't that be watering down the authority and
4 the actions that the Subsistence Board would be taking? I'm
5 against that third alternative, let me put it that way.

6
7 MR. BRELSFORD: I thought there was a position
8 statement behind the question. Maybe we ought to do the notes,
9 get the public input so a strong statement of opposition to
10 rep- -- to involvement by a Governor's representative.

11
12 MR. GOODWIN: Yes.

13
14 MR. BRELSFORD: Yeah.

15
16 MR. SAMPSON: I think Willie's making a good point
17 there. I mean, you're dealing strictly with federal management
18 so why get a recommendation from the State.

19
20 MR. BRELSFORD: I think some of the thinking by this
21 task force was taking into consideration the Governor's task
22 force and the efforts to reconcile state and federal
23 management. They were thinking about how to get coordination
24 and like working together between the state and federal
25 subsistence programs. But it's one option among several. It's
26 -- the purpose of bringing it out here is to be sure we get
27 home with clear input from the villages, and so your statement
28 of concern and objection about it is -- that's the point of
29 laying them out.

30
31 CHAIRMAN ARMSTRONG: Okay. Now, I should state that
32 also even the Federal Board themselves acknowledged the fact
33 that they were supposed to be in there temporarily, and that
34 because they are employees and have the authority to delegate
35 authority, they didn't pursue this subsistence issue to be on-
36 going in the current management scenario to be as long as it
37 is. So now they do realize they -- perhaps they do need a
38 change in the structure here. So that's why the task force is
39 there. It's just one recommendation.

40
41 I -- again, the second option is the one that the
42 regional chairs did prefer as a starting point. Eventually,
43 you know, we hope to have that changed, you know, instead of
44 the department heads, to have a different structure in place.
45 But we felt that it was easier just to move it in. Bert?

46
47 MR. GREIST: I think if you take a look at the law,
48 ANILCA, the enabling law that created all this, I'm not sure if
49 it went pretty much too far than establishing how it's -- the

50 procedures for establishing a Federal Subsistence Board. I

0069

1 know for a fact that there's supposed to be maximum
2 participation by the native community in how subsistence is
3 managed, and that there should be least adverse impact by that
4 law on subsistence users.

5
6 I would recommend that we take at last -- we take a
7 look at it and spend some time on it some time in the future,
8 perhaps also getting outside counsel to take a look at it,
9 maybe from either Alaska Federation of Natives counsel or NARF
10 (ph) to take a look at what the legal interpretations, you
11 know, imply on the real case. I think we need to spend more
12 time on it, rather than rely on, you know, the regional
13 solicitor who sometimes interpret things on behalf of the
14 agencies rather than -- on behalf of the government rather than
15 the real beneficiary of the law, so I would tend to gravitate
16 toward taking a look at what the other legal interpretations
17 are regarding this area.

18
19 CHAIRMAN ARMSTRONG: You know, if that's the wish of
20 the council, we certainly could pursue that. You know, perhaps
21 communicating with NARF or -- but, yeah, you're right, AFN's
22 attorney.

23
24 MR. BRELSFORD: Sandy, I think that was part of a
25 stronger alternative for subsistence representatives, a second
26 look at the legal constraints.

27
28 CHAIRMAN ARMSTRONG: Or perhaps an independent view.

29
30 MR. BRELSFORD: Independent second look.

31
32 CHAIRMAN ARMSTRONG: Susan?

33
34 MS. BUCKNELL: Who is on the Federal Subsistence Board.
35 I don't even know like how many people or who it is.

36
37 MS. B. ARMSTRONG: I will fax a copy to you.

38
39 MS. BUCKNELL: Oh, okay.

40
41 MR. BRELSFORD: Well, it might be helpful for
42 everybody. We keep talking about the Federal Board, but it's
43 actually five agency heads in Alaska. The head of Park
44 Service, the head of BLM, the head of Forest Service, the head
45 of.....

46
47 CHAIRMAN ARMSTRONG: BIA.

48
49 MR. BRELSFORD:Fish & Wildlife, and the head of

50 BIA, plus one chairman appointed by the Secretary, and that

0070

1 chairman is Mitch Demientieff from Nenana. Some people might
2 know him. So it's a six-member board right now. Where it says
3 existing member, that's six members nowadays. One option would
4 add one, a different option would add two.

5
6 CHAIRMAN ARMSTRONG: So is that the wish of the
7 Council, that we.....

8
9 MR. GREIST: Yeah.

10
11 CHAIRMAN ARMSTRONG:get an independent view of
12 the legal constraints?

13
14 MR. GREIST: Review that area.

15
16 MR. BALLOT: Yeah.

17
18 CHAIRMAN ARMSTRONG: Yeah.

19
20 MS. B. ARMSTRONG: You would write the letter.

21
22 CHAIRMAN ARMSTRONG: Yeah. I'm willing to do that.

23
24 MR. GREIST: Okay.

25
26 CHAIRMAN ARMSTRONG: In fact, we had identified that as
27 an issue in our annual report anyway, the need for independent
28 counsel. I think, you know, issues like this, when we need
29 legal advice, it's -- Percy's in a sense right, that we
30 probably get one view, and it's always good to get a second
31 opinion on everything and anything, especially in the area of
32 subsistence where, you know, it's near and dear to our hearts.

33
34 Taylor?

35
36 MR. BRELSFORD: There was one point along these lines
37 that Mitch asked us to communicate to the councils, basically
38 in his words, he is aware that his appointment as the chair,
39 becoming an employee temporarily for the purposes of serving as
40 the Chair, was breaking new ground in Washington, and was
41 fairly controversial. He was personally very concerned that if
42 we went back -- if the federal program went back to Washington
43 and said, we want nine or ten people appointed as temporary
44 federal employees in order to serve on the Board and so on,
45 that it would rise problems about his appointment. He's pretty
46 concerned about the sensitivity of this matter of temporary
47 appointments in order to serve in a rule-making capacity, and
48 he asked that we explain to the councils that, you know, part
49 of why he has scaled back from a dramatic change in the council

50 structure to supporting a more modest alternative was out of

0071

1 this concern, political judgment that, you know, it was
2 controversial once, and to do it too many times might make it
3 -- might make bigger problems.

4
5 CHAIRMAN ARMSTRONG: Any more comments? Should we have
6 a motion to that effect or --? I would think so. A motion's
7 in order.

8
9 MR. BALLOT: Your directive (ph)

10
11 MR. GREIST: Yeah, thank you, Percy. Mr. Chairman, I
12 move that we request for an outside counsel to take a look at
13 interpreting the statutes that -- or the enabling legislation
14 regarding the issues of the Federal Subsistence Board and what
15 the legal implications are, and then after that we can come
16 forth with our recommendation.

17
18 CHAIRMAN ARMSTRONG: There's a motion on the floor, is
19 there a second?

20
21 MR. BRELSFORD: Bert made the motion.

22
23 MR. BALLOT: Second. Second.

24
25 CHAIRMAN ARMSTRONG: Discussion?

26
27 MR. SAMPSON: Taylor, would.....

28
29 MR. GREIST: As a long-term board member.

30
31 MR. SAMPSON: You just stated that -- what Mitch had
32 told you. By this Council asking for that, would that have any
33 implications on that, too? Or is that a separate issue than
34 what Mitch is -- Mitch's concerns?

35
36 MR. BRELSFORD: Let me kind of think on my feet here.
37 It seems to me that his concerns are what lands in Washington.

38
39 MR. SAMPSON: Okay.

40
41 MR. BRELSFORD: Information gathering by the councils
42 in Alaska right now would seem to me a separate.....

43
44 MR. SAMPSON: Okay.

45
46 MR. BRELSFORD: It doesn't raise the same kind of
47 difficulties as I would see it. I think trying to be sure you
48 have information in the most complete fashion is -- that's your
49 job.

0072

1 MR. SAMPSON: Yeah.

2
3 CHAIRMAN ARMSTRONG: You know, I don't think the
4 issue's going to die. There's too much concern about that, and
5 either way, with restructuring, we'd probably have to get the
6 legislation changed anyway. So it doesn't hurt to get another
7 opinion. I don't think it will affect Mitch's status.

8
9 UNIDENTIFIED VOICE: Question.

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

13
14 IN UNISON: Aye.

15
16 CHAIRMAN ARMSTRONG: All opposed, same sign?

17
18 (No opposing votes.)

19
20 CHAIRMAN ARMSTRONG: Motion passes. Taylor, where are
21 we at?

22
23 MR. BRELSFORD: I think we're now at this item, the
24 State's MOA, an MOA between ADF&G and the Federal Subsistence
25 Board. I think it's -- the wording got changed on the yellow
26 agendas today. In the copy in your pink booklets, it refers to
27 the State Memorandum of Agreement.

28
29 CHAIRMAN ARMSTRONG: Okay. And that's with Sandy?

30
31 MR. BRELSFORD: Sandy would do the presentation on
32 this. And this -- let's see, we've got a handout.

33
34 CHAIRMAN ARMSTRONG: Well, you could finish off what
35 you have first, and then we could go to Sandy.

36
37 MR. BRELSFORD: Okay. If you want. I think the
38 regulatory schedule is the last one that I was scheduled for.

39
40 CHAIRMAN ARMSTRONG: Regulatory and the training
41 materials, orientation?

42
43 MR. BRELSFORD: Okay.

44
45 MR. ASHBY: Mr. Chair?

46
47 CHAIRMAN ARMSTRONG: Ricky?

48
49 MR. ASHBY: I've got one question. You used the word

50 in-holding earlier, and I didn't quite understand your

0073

1 definition that.

2

3 CHAIRMAN ARMSTRONG: That's like native allotments.

4

5 MR. GREIST: Or private lands.

6

7 CHAIRMAN ARMSTRONG: Or private lands in.....

8

9 MR. BALLOT: Any private lands.

10

11 CHAIRMAN ARMSTRONG: Within federal lands.

12

13 MR. BALLOT: Within federal lands.

14

15 MR. ASHBY: Uh-hum.

16

17 MR. SAMPSON: So your native allotment would be an in-
18 holding, within that -- within the federal land.

19

20 MR. GREIST: Mining claims, native allotments.

21

22 MR. BRELSFORD: This item on changes to the regulatory
23 schedule is found in Tab H. And actually I'm trying to
24 remember if we got these in your books before they went in the
25 mail or not? Yes. I think they're inserts.

26

27 (Off record conversations)

28

29 MR. BRELSFORD: This proposal comes before you asking
30 about -- it asks a very simple question. If we change the
31 meeting dates for winter meetings and the Board meeting, would
32 that cause trouble for the members? Are there schedule
33 conflicts that would come up if the winter meetings were held
34 in February and March instead of January and February, and if
35 the Board meeting is held in early May rather than April?

36

37 The reason we're asking you that is to provide some
38 more time for the technical work to be done so that you have
39 better prepared materials in those winter meetings. There are
40 some schedule problems when the wildlife surveys are done late
41 in the fall, trying to get the results put together and into
42 the technical analyses, and out to councils in early January.
43 We've had some slips. We can't get the most current
44 information incorporated under that current schedule sometimes,
45 so this proposal is to move the winter meetings back a month,
46 and the Board meeting back a month. The Board meeting would
47 fall in the first week of May, the winter council meetings
48 would be mid February to mid March. That's the question,
49 that's the request.

0074

1 If -- we need to know if it would like cause trouble to
2 make that change. We think it would be beneficial in terms of
3 quality of the work that's provided to the councils, but before
4 we move ahead on it, we wanted to check signals with you and
5 ask about scheduling of other activities or other key meetings
6 in the regions.

7
8 CHAIRMAN ARMSTRONG: I guess the first thing that comes
9 to mind is with the addition or the potential for discussing
10 fisheries proposals.

11
12 MR. BRELSFORD: Uh-hum.

13
14 CHAIRMAN ARMSTRONG: Would that have an impact on --
15 would that be more favorable for you guys or.....

16
17 MR. BRELSFORD: This change would not change the
18 regulatory year. Like the booklets would still come out July
19 1st and the regulatory year for game, for wildlife would still
20 run July to July. We think that's the best way to mix -- to
21 match with the fisheries season, that one set at a time thing I
22 was mentioning earlier. It seems like this adjustment would
23 actually improve, and it would continue to -- it would add
24 quality to the wildlife regulation work now, and it would not
25 cause any new difficulties in taking on fish.

26
27 At one point, there was a suggestion of having an
28 August 1 start of the regulatory year, kind of changing the
29 whole thing, and we felt that was too radical of a step without
30 having the fisheries cycle in place. So this is really an
31 adjustment within the current regulatory year for wildlife
32 management, a quality improvement, we think. And it does not
33 seem to raise schedule conflicts with the fisheries regulatory
34 year as we're expecting it.

35
36 CHAIRMAN ARMSTRONG: Okay.

37
38 MR. GREIST: Yeah, I like that idea.

39
40 CHAIRMAN ARMSTRONG: Percy, would you have -- Let's
41 see, February.....

42
43 MR. GREIST: They are more complete.

44
45 CHAIRMAN ARMSTRONG: Within February and March
46 we'd.....

47
48 MR. GREIST: Uh-hum.

49

CHAIRMAN ARMSTRONG:schedule meetings.

0075

1 MR. ASHBY: We have a.....

2
3 CHAIRMAN ARMSTRONG: Rick?

4
5 MR. ASHBY: The only thing I think about is quarterly
6 meeting in March. That's when we.....

7
8 CHAIRMAN ARMSTRONG: We could always have it scheduled
9 around it.

10
11 MR. GREIST: Around it, yeah. 'Cause that's around --
12 the quarterly meeting around mid March, and not conflict with
13 that meeting.

14
15 MR. BRELSFORD: Well, you would -- These calendars were
16 the options. Like the first calendar is the existing, the
17 normal year. Meetings would be in late January, early
18 February. The second page has the February/March window. And
19 like, Rick, if you're aware of a regional conflict, when we get
20 to the agenda item of setting your all's winter meeting, we
21 should be sure and pick a week that doesn't bump up against
22 quarterly meetings.

23
24 CHAIRMAN ARMSTRONG: Yeah.

25
26 MR. BALLOT: And these will be the first part of the
27 month and not the latter part of the month.

28
29 CHAIRMAN ARMSTRONG: We could schedule that. Yeah, we
30 could schedule that.

31
32 MR. GREIST: Yeah, we can schedule around those.

33
34 CHAIRMAN ARMSTRONG: So it doesn't appear to.....

35
36 MR. BRELSFORD: Cause any trouble, it's.....

37
38 CHAIRMAN ARMSTRONG: Any problem, yeah.

39
40 MR. BRELSFORD: A plus. Okay. Thanks, Fred.

41
42 CHAIRMAN ARMSTRONG: Warmer, anyway.

43
44 MR. GREIST: It's warmer.

45
46 CHAIRMAN ARMSTRONG: By then. Yeah. Next?

47
48 MR. BRELSFORD: The training material orientation, I'd
49 like to be very brief about that. You should have received in

50 the mail a yellow booklet that was -- it had a yellow cover,

0076

1 and it was called An Overview Orientation to the Regional
2 Council Program. It's about eight pages long. And it says on
3 each page that it is a draft for regional council member
4 review. I saw somebody had one. Ricky, maybe it was you?

5
6 CHAIRMAN ARMSTRONG: I got one.

7
8 MR. BRELSFORD: Here's the cover. The council members,
9 and especially new council members had told us they're getting
10 buried with the big fat book of regulations when they first
11 start, and it's hard to make sense of it. So we were trying to
12 write up some materials that would be a lot easier to kind of
13 get up to speed with the council's responsibilities and the
14 legal structures. So this like introductory booklet is
15 supposed to be the first thing you get. When you get your
16 appointment letter, you get a kind of manageable overview of
17 your responsibilities to the councils, duties and so on.

18
19 There's a little bit thicker book called a manual that
20 will come afterwards. We'll have to send you copies of it.
21 It's being printed this week. And that one has like a copy of
22 ANILCA and some discussion of Section 805 that describes the
23 council's -- the legal responsibilities and so on. It's like a
24 reference book. If you have more detailed questions, you could
25 look them up in there.

26
27 That's the package of training -- or revised training
28 materials. And they're before you now in a draft to mark up.
29 Like when you guys read through them, if you think of comments
30 in the margins, and see something that sounds foolish, or
31 you're thinking about it later, and you say, well, gee, I know
32 they didn't tell me this part, they didn't explain this
33 particular thing. If you think of stuff that's missing, we
34 would like your feedback in the next month or two, marked up in
35 the margins or call us with comments.

36
37 The idea right now is just to try on for size these
38 revised training materials, make sure they're -- they meet the
39 target of being more effective before we spend a lot of money
40 printing them and distributing them in big numbers. So it's
41 basically you guys are like a trial audience, or this time
42 around is like a trial audience.

43
44 The yellow booklet is again the main -- the first thing
45 that a council member would receive, and then this manual of
46 about 50 or so pages. We'll have copies of that in the mail to
47 you later. As we'd like to really encourage you to take a few
48 minutes and read through it and think back to your first couple
49 of council meetings and what things were really hard to figure

50 out, and see if this answer your needs a little bit better, and

0077

1 give us some feedback.

2
3 CHAIRMAN ARMSTRONG: Walter?

4
5 MR. SAMPSON: Mr. Chairman, I think maybe probably the
6 best approach is rather than having to try to get some input
7 from individual council members, you ought to have a session
8 with the council and the council together give their input,
9 what was -- with the thought that -- what?

10
11 CHAIRMAN ARMSTRONG: A work session?

12
13 MR. SAMPSON: A work session, yeah. That way you would
14 have a clear direction from this council as to what they think
15 ought to be in the training material. Rather than having to
16 piecemeal it from.....

17
18 MR. BRELSFORD: One by one?

19
20 MR. SAMPSON: Right. From the council.

21
22 CHAIRMAN ARMSTRONG: I know that there is a task force
23 that's been assigned the responsibility of reviewing this
24 information. And I think that you're right. The process needs
25 to be changed. As soon as you get appointed, you get a 12-inch
26 thick book, excess baggage, right away, and you feel, my God,
27 what did I get myself into. But I think it's more of a user-
28 friendly approach, and it's much more meaningful, and easier to
29 read than, you know, this -- the packet you get right away.

30
31 MR. SAMPSON: Not only that, Fred, I think by allowing
32 the council members as a group to give their input, we'll feel
33 the ownership of the outcome of the product, rather than the
34 agency owning the training material.

35
36 MR. BRELSFORD: Okay. What I've taken down is that the
37 Northwest Arctic Council, I guess if you guys nod in agreement,
38 would like to have a work session together on these materials,
39 rather than just submitting one-by-one comments?

40
41 MR. SAMPSON: Yeah.

42
43 MR. GREIST: It doesn't have to be a long one I don't
44 think. It looks pretty good. One of the glaring missing
45 things though is that maybe an explanation to new members that
46 normally what this regional council recommends to the
47 Subsistence Board generally becomes a regulation anyway, unless
48 it -- three things occur, right?

49

MR. BRELSFORD: Uh-hum. (Affirmative)

0078

1 MR. GREIST: And that's a real glaring thing that's
2 missing in there.

3
4 MR. SAMPSON: I guess by allowing the councils to go
5 through that process, you will also give them an opportunity to
6 have a better understanding of what those things are.

7
8 MR. BRELSFORD: Okay. I was going to say that, you
9 know, by the -- in order to finalize these booklets, they
10 actually have to go in front of the Board for approval, so
11 there's some step down the road with Board oversight or sign-
12 off. But we've have some number of months before we're getting
13 anywhere near there, so I think on the timing of it, it might
14 work out to have a work session either around your winter
15 meeting or maybe even on a special basis. So I'd take your
16 point on its face, that there's a lot of merit in what you say.

17
18 CHAIRMAN ARMSTRONG: So would you guys like to work
19 session a day prior to our winter meeting?

20
21 MR. GREIST: Yes.

22
23 MR. BALLOT: Half a day.

24
25 CHAIRMAN ARMSTRONG: Okay.

26
27 UNIDENTIFIED VOICE: Yep.

28
29 MR. BALLOT: Half a day.

30
31 CHAIRMAN ARMSTRONG: Sure.

32
33 MR. GREIST: Yeah. Great. Let's direct them.

34
35 (Whispered conversation)

36
37 CHAIRMAN ARMSTRONG: Is that it, Taylor?

38
39 MR. BRELSFORD: Let me -- could I check signals with
40 Barb on one item? The compensation memo letter from Mitch to
41 the Secretary, is that going to be part of the charter revision
42 discussion?

43
44 MS. B. ARMSTRONG: I think so.

45
46 MR. BRELSFORD: I think it belongs there, so I'd rather
47 hold that.....

48
49 CHAIRMAN ARMSTRONG: The first letter.....

0079

1 MR. BRELSFORD:one until we get to the charter.

2

3 CHAIRMAN ARMSTRONG:that Mitch wrote about the
4 compensation letter was really a letter that didn't have much
5 weight to it, and I remember that was brought to our meeting.
6 And so that's a revision of that letter?

7

8 MR. BRELSFORD: It's the new letter agreed to with the
9 Chairs in April,.....

10

11 CHAIRMAN ARMSTRONG: Right.

12

13 MR. BRELSFORD:when you guys met and said
14 this.....

15

16 CHAIRMAN ARMSTRONG: Doesn't send.....

17

18 MR. BRELSFORD:you didn't tell our part of the
19 story very well, and Mitch said I agree, I want to re-do
20 it,.....

21

22 CHAIRMAN ARMSTRONG: Yeah. We wanted.....

23

24 MR. BRELSFORD:with this.....

25

26 CHAIRMAN ARMSTRONG:our real concerns.....

27

28 MR. BRELSFORD: Yeah.

29

30 CHAIRMAN ARMSTRONG:to be brought out, and.....

31

32 MR. BRELSFORD: That new letter is in, we have the
33 material to hand out. It kind of belongs with charters,
34 because that's where the terms and conditions of service on the
35 Council are laid out, so with your permission, Mr. Chairman, I
36 would suggest maybe we look at the memorandum of agreement item
37 with Sandy, and then hold the compensation question until we're
38 looking at charters at a whole?

39

40 MS. B. ARMSTRONG: (Indiscernible, away from
41 microphone) the council members. (Indiscernible, away from
42 microphone)

43

44 MR. BRELSFORD: Sandy, I think that needs.....

45

46 CHAIRMAN ARMSTRONG: So we need to go on fast track?
47 Sandy, on the memorandum of agreement, please. And we all have
48 copies of that?

49

MR. RABINOWICH: I don't think they're in your book. I

0080

1 think there's a place holder in.....

2

3 MR. BRELSFORD: It should have come in a special
4 mailing to you.

5

6 MR. RABINOWICH: Yeah.

7

8 MS. B. ARMSTRONG: They told me they would be in the
9 boxes.

10

11 MR. BRELSFORD: They're here.

12

13 MR. RABINOWICH: Again, I'm Sandy Rabinowich with the
14 National Park Service, and I serve on the Federal Board staff
15 committee. I'll try to be very brief and move this quickly
16 with the overheads, and then the material that you've got in
17 your hand, if you've not already read it, you can read it and,
18 you know, have a little more of the meat on the bones.

19

20 In a nutshell, the State of Alaska through Commissioner
21 Frank Rue approached the Federal Board last fall, fall of 1996,
22 and there have been several letters that have been sent back
23 and forth between Commissioner Rue and Dave Allen of the Fish &
24 Wildlife Service. So the initiative here is from the State,
25 just to try to set the ground work. And after an exchange of
26 these letters, as I've mentioned, the Board directed -- the
27 Federal Board directed the staff committee to meet with the
28 State and simply begin some discussion.

29

30 So if I were to summarize and stop now, that really
31 tells the story. The State wrote a letter and said we'd like
32 to sit down and talk, and the Federal Board said, we'll sit
33 down and talk.

34

35 The Board endorses the concept, I'm looking at the
36 overheads now, which kind of cook things down, the Board
37 endorses the concept of improved coordination between the
38 federal program and state program. We certainly all understand
39 the many differences and the pros and cons from all the various
40 political viewpoints. The goal here is not to get into those.
41 The goal is can we improve what's done for the users, okay?
42 Well, probably everybody might state their own goals a little
43 differently, but I think that's where the federal program is
44 coming from, is can we bring an improvement to the federal
45 users? And if we can, then I think the Federal Board will be
46 interested. If the Federal Board doesn't see, you know, some
47 improvement, then I think the Federal Board probably won't be
48 interested. And that's what we're exploring.

49

So a group was formed, four federal, four state people.

0081

1 One of those four federal people, so the one meeting that has
2 been conducted, I've been at, and could tell you however much
3 you would like about it. Go ahead, Taylor, and switch the
4 overheads?

5
6 I think everybody would agree that there's confusion
7 and sometimes conflict between the state reg book that we all
8 know, and the federal reg book that we all know. Just the fact
9 that there's two of them is confusing. So that's one of the
10 things we talked about a little bit.

11
12 The State also believes, and I think there's some
13 belief on the federal side, that information that often starts
14 out in the state system that is used in the federal system,
15 there is sometimes unintentionally used in a way that it might
16 not have been created for originally. And so people on the
17 state side feel that state information is used by federal
18 people and they maybe use it not quite correctly. And that for
19 there, there's an opportunity to improve the analyses that you
20 all get on proposals, to give you better analyses if the
21 information is better understood by the various biologists and
22 then ultimately yourselves and the Federal Board.

23
24 Go ahead and switch onto the next one. And, please,
25 just jump in with questions if I'm moving too fast.

26
27 One of the things -- and these are ideas, coordination
28 ideas, is could the two systems align the cycles better, when
29 the Federal Board meets and when the State Board meets. Could
30 we bring those board cycles into better alignment? You know,
31 right now they're just different and so when you're trying to
32 coordinate an issue, just like your controlled use issue we
33 talked about this morning, you all know that trying to
34 coordinate that through the state and federal program's
35 difficult, because of the timing. It's difficult for other
36 reasons, too, but the timing is one of the difficulties.

37
38 And there's no answers to any of these ideas yet.

39
40 The Fish & Game -- There's quite a strong interest on
41 the State side to bring information from the fish and game
42 advisory committees into these meetings right here, the
43 regional advisory council meetings, and to look for some way to
44 have representation. I'm personally real interested if you all
45 have views on that, and if you think that would help or hurt or
46 maybe not change. In some parts of the state there's good
47 coordination, other parts it's not so good.

48
49 And then another thing, I kind of alluded to it a

50 moment ago, a little bit of real preliminary discussion of

0082

1 could these two books be published as one book with the state
2 laws and the federal laws, you know, side-by-side. Just it's a
3 question, it's a thought. Would that be good, or maybe it
4 wouldn't be good. So we're curious to know your thoughts on
5 those sorts of things.

6
7 CHAIRMAN ARMSTRONG: I think there's got to be a closer
8 alignment of personalities more than anything else.

9
10 (Laughter)

11
12 MR. RABINOWICH: I won't disagree with that.

13
14 CHAIRMAN ARMSTRONG: It's always my idea -- it's my
15 idea, and there is no good attitude I think in some respects,
16 and I think that if there's going to be coordination, that has
17 to be worked out first. If people want to work together,
18 they've got to hash out that.....

19
20 MR. GREIST: Their differences.

21
22 CHAIRMAN ARMSTRONG:aspect of it. There is a
23 significant difference,.....

24
25 MR. GREIST: Right.

26
27 CHAIRMAN ARMSTRONG:because it's basically turf
28 protection.

29
30 MR. RABINOWICH: I hear you loud and clear. One of the
31 things again in terms of coordination that's come forward is
32 that Fish & Game is interested in playing for -- I want to try
33 to choose my words carefully here, but from their view, I think
34 they would like to play an increased role in assisting the
35 federal program, preparing some of these analyses, again having
36 to do with information that starts out in the state system, and
37 then is, you know, picked up and used by the federal program.

38
39 They also would like to have representation at the
40 Federal Board staff committee meetings, and that's something
41 that as a member of that body, I'm interested in your all's
42 thoughts, and a parallel thought that isn't on this chart is
43 that some of the -- well, the four of us on this group have
44 talked about is that if the State were given to the Federal
45 Board staff committee meetings, we've talked about the need to
46 have regional councils having equal access to ensure that
47 there's no, you know, no unequal weighting of representation
48 through the process of information. And the logistics of that
49 is understandably perhaps a little bit complicated, because

50 those meetings tend to occur in Anchorage since most of the

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1 staff committee is, you know, -- works there. But anyway it's
2 just one of the ideas on the table.

3
4 And then the last one, and I can't think of an example
5 in this area, if someone might be able to help me, but in other
6 parts of the state, there's been some notable successes, the
7 state/federal management plans. The 40-Mile Caribou Herd plan
8 would be an example. Mentasta Caribou Herd plan in the Copper
9 Basin area. Kilbuck Caribou in the Y-K Delta. Where state and
10 federal managers at the local level, local field level have
11 worked with local people to come up with management plans for
12 various herds, and then those are brought up to the Board of
13 Game and the Federal Subsistence Board, and basically everybody
14 buys into the locally generated plans, and then try to
15 implement regulations that help implement those plans.

16
17 So anyway there's a pretty strong interest to try to
18 formalize that a little bit more and see if that would, you
19 know, help out in other parts of the state.

20
21 And I think we've got one more overhead after this, but
22 what this really tries to say is, you know, do you all have any
23 ideas or concerns, if anything I've said sounds frightening, it
24 would be really useful to hear it. If there's some things that
25 you think this group shouldn't work toward, I would like to
26 hear that. If there are things that you think we should work
27 toward. You know, and I certainly understand that -- well, I
28 certainly understand you might have comments both directions.
29 There's some things you may not like and maybe some things you
30 do.

31
32 CHAIRMAN ARMSTRONG: Well, you know, personally I would
33 take a cautious approach to this. One, I think we're going to
34 go through a significant transition, because of the addition of
35 fisheries. And, you know, there's a lot of unknowns in that
36 area. The final rule, you know, has yet to be published, and I
37 don't know if I'm optimistic or not that the end result is
38 going to be working together. They might be the only people
39 working together in the state/federal scenario, basically
40 because of the difference in law, with ANILCA, and the current
41 Legislature that is unwilling to -- I don't know what, how you
42 want to say, be -- don't want to be cooperative in trying to
43 find a solution to the subsistence dilemma. It's certainly one
44 we have to keep in mind, so I would be real cautious in this
45 approach here.

46
47 Bert?

48
49 MR. GREIST: I think if you could gear the mission

50 towards improving the state system instead of, you know, trying

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1 to let them cooperate with us, that's what we need. If we
2 could do that, that's the way that we should have, you know.
3 Let them -- even a direct duplication of the system we have
4 right now under the federal level. I mean, if we could do
5 that, then that should be our goal. Otherwise, I think what
6 we're doing is watering down the protections we have of Title
7 VIII and it could be slowing us down to some extent. I'm not
8 sure I -- especially if we have conflicts with the state
9 system, they can -- I wouldn't like to work with the State if
10 we have conflicts with them.

11

12 MR. RABINOWICH: Yeah. One.....

13

14 MR. GOODWIN: Mr. Chairman?

15

16 CHAIRMAN ARMSTRONG: Willie?

17

18 MR. GOODWIN: I think Bert is right. The State now has
19 two avenues in common in any proposal, including by you panel
20 here, and then when it comes before the Federal Subsistence
21 Board. So they have two chances to make it work already, and
22 you want to give them a third chance?

23

24 MR. RABINOWICH: Well, my short answer is that the
25 Federal Board has directed us talk with them about it, I guess
26 the short answer is not necessarily, but the long answer is
27 that the Federal Board is interested in trying to, you know, to
28 improve on a relation that they think would -- could be
29 improved on. But I would also add that I think the federal --
30 and I think I said this originally, the Federal Board is fairly
31 clear that we'll move along cautiously, keep the councils fully
32 informed as we're doing right now, and that the Board I cannot
33 imagine would take action until something's proposed, and then
34 all of the councils weigh in on it and make their
35 recommendations up to the Board.

36

37 CHAIRMAN ARMSTRONG: You know, I can't see no -- a real
38 memorandum of agreement unless there's an end result that is
39 making the standards of subsistence equal, you know, and under
40 -- in the federal scenario we have a rural preference, in the
41 state, you know, they don't. And so, you know, that equal
42 access is what their terminology is. And I think as long as
43 that's there, and they don't try to work to resolve that, then
44 I think this issue is moot, personally, because we're work- --
45 we're dealing with different standards.

46

47 MR. RABINOWICH: Uh-hum.

48

49 CHAIRMAN ARMSTRONG: Let's see now. Willie?

0085

1 MR. GOODWIN: Yeah, the other comment that I'd make is
2 that most of the NANA region is in federal hands. I'd say
3 about 70 percent. And the other percentage of key subsistence
4 areas are either NANA selections or KIC, and we have our
5 policies towards subsistence, regardless of what the state
6 regulations are. We don't allow anybody else to hunt on them.
7 Even though we don't enforce it, they're protected in there.

8
9 MR. RABINOWICH: Understood.

10
11 CHAIRMAN ARMSTRONG: Okay.

12
13 MR. GOODWIN: And then.....

14
15 CHAIRMAN ARMSTRONG: Any more comments?

16
17 MR. GOODWIN: Yeah, the other regions, where they have,
18 you know, mostly state lands, and it would probably work for
19 them, but for this region, it's a different scenario.

20
21 MR. RABINOWICH: Understood. You know, one thing I
22 didn't mention, some of you probably know this, that some years
23 ago when this federal program, you know, came into existence as
24 it now is, there was an early attempt to have a similar
25 memorandum of agreement with the State, and as I understand it,
26 it was before I came into the program, but as I understand it,
27 that that effort simply failed, and there was not a Federal
28 Board, Department agreement worked out. So this is sort of a
29 second try. You know, one might think of it as that, so maybe
30 it will work, maybe it won't work, but it's been tried once and
31 it didn't work. So just a teeny more history.

32
33 CHAIRMAN ARMSTRONG: Well, I think Bert made the, you
34 know, comment that we shouldn't forget, is if it's filtering
35 ANILCA or Title VIII, then we should leave it alone. The
36 protection is there for us, and that's what is sacred to us.
37 And that, you know, co-management is something that we should
38 all strive toward. Right?

39
40 MR. RABINOWICH: Understood.

41
42 MR. SAMPSON: Like what you said, all of what you said
43 is right.

44
45 CHAIRMAN ARMSTRONG: Any other comments? I guess not.
46 (Indiscernible, laughter).

47
48 MS. B. ARMSTRONG: Thanks, Gene.

49

MR. RABINOWICH: Mr. Chairman, I would just add that in

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1 the in between until your next meeting, I would expect we'd
2 give you another update on what's going on at that time. But
3 if any of you, you know, hear anything or just have any
4 questions about this at all, please feel free just to call me,
5 or call any -- you know, call Taylor or Donna or Helen, and,
6 you know, I'll call you back, and I'm quite happy to keep you
7 posted with what's going on.

8
9 CHAIRMAN ARMSTRONG: Okay. Thanks. That's it?

10
11 MR. RABINOWICH: Yes.

12
13 CHAIRMAN ARMSTRONG: Okay. I think there's a misprint
14 here on the council meeting members stipend.

15
16 MS. B. ARMSTRONG: That's one that -- were you speaking
17 on that, Sandy?

18
19 CHAIRMAN ARMSTRONG: No, he was talking about MOA.

20
21 MR. RABINOWICH: Not me.

22
23 MS. B. ARMSTRONG: On the stipends? That's what Taylor
24 told me.

25
26 MR. BRELSFORD: I said the MOA, Barbara.

27
28 MS. B. ARMSTRONG: No, the stipends. Remember, the
29 stipends for the council members?

30
31 MR. BRELSFORD: Boy, I do, and we have the letter.

32
33 MS. B. ARMSTRONG: Okay. Taylor then.

34
35 MR. RABINOWICH: I don't have the checkbook.

36
37 MS. B. ARMSTRONG: I didn't understand that MOA.

38
39 MR. BRELSFORD: Yeah, Sandy's got a big checkbook.

40
41 CHAIRMAN ARMSTRONG: Okay. The thing behind us is the
42 fact that we receive per diem and travel expenses, but a lot of
43 us are working, or some of us don't work, and we have to take
44 time off from our lives to attend these meetings, and some of
45 us have work, have to take leave or leave without pay for that
46 matter regarding -- depending on who we work for, and so we
47 lose compensation. And this issue was brought up by pretty
48 much all the regional councils in the State to try to address
49 this so that people could be adequately compensated for

50 attending meetings such as these. So that concern was brought

0087

1 up to the Federal Subsistence Board, and, Taylor, if you're
2 going to go over the response?

3
4 MR. BRELSFORD: I'd be happy to. Could we try to make
5 sure Alice gets a copy of this, so that she can follow the
6 proceeding?

7
8 UNIDENTIFIED VOICE: Yeah.

9
10 MR. BRELSFORD: Mr. Chairman, the letter in front of
11 you is dated August 27th, so it's quite a recent letter. And
12 this is the letter in which Mitch Demientieff, the chair, makes
13 good on his commitment to you to write a stronger, more
14 forceful letter to the Secretary clarifying and making clear
15 the reason for the Council members request for compensation for
16 lost income basically. More than just the cost of travel, but
17 actually something along the lines of honoraria to make up for
18 income opportunities that you might miss in serving as a
19 council member.

20
21 What the letter says is that this is an update from my
22 earlier memo, that as a result of the discussion with the
23 regional council chairs and the Board, Mitch has agreed to
24 write this supplemental memorandum more fully explaining the
25 rationale for the request. The meeting (sic) goes on to
26 describe the limited income earning opportunities and the
27 hardship that results when members are away from home for many
28 days in a year on council related activities, and particularly
29 if they occur during fishing times of year, things of that
30 sort, it can be a very key period to be away from your work.
31 The high cost of living amplifies the gap, amplifies the
32 consequence for council members.

33
34 The next paragraph on the following page talks about
35 the feelings that might come up when the federal staff are here
36 in their work capacity, under salary, but the local experts are
37 here as volunteers, not receiving compensation, that can lead
38 to a feeling of unequal treatment among the people working
39 together on subsistence management.

40
41 Mitch situates himself as a subsistence user, that he
42 knows this from his direct experience, and concludes by
43 suggesting that the Secretary's got to take this request
44 seriously, that it's a well-founded request on the part of the
45 regional councils.

46
47 Following that, you have a reference copy of the
48 earlier letter, the memo of March 25th, and a briefing
49 statement that was prepared back in January, kind of addressing

50 the technical problems, where in the law would -- you know, is

0088

1 it legally authorized, what are the standards and the kind of
2 guidelines for compensation in this circumstance.

3
4 So that's the complete package. This is before the
5 Secretary for consideration. If the Secretary acts favorably,
6 we would have to amend the charters, the individual charters in
7 the ten regions, establish the terms and conditions of council
8 partici- -- council duties. So that's how it would take effect
9 on the ground. As will come in an agenda item a few minutes
10 from now, the charters are up for renewal in calendar '98, so
11 they will be on the Secretary's desk. If he moves forward
12 positively on this, then the opportunity to make that change
13 comes up soon. And there are some budget things that you would
14 either need to find money within existing budgets or over a
15 longer term get into the appropriations process for additional
16 monies to provide this kind of funding.

17
18 I think the upshot is that Mitch took at very much
19 heart the concerns raised by the council chairs in April, has
20 gone back to the secretary with a firm or strongly worded
21 clarification or elaboration of the reasons, and we'll wait to
22 see what the secretary's action is, and then how the charters
23 will be renewed in calendar '98.

24
25 CHAIRMAN ARMSTRONG: Okay. Any question? Thank you,
26 Taylor.

27
28 Moving on, I'm not -- we're not going to take a break.
29 We're just going to go right on through.

30
31 MR. GREIST: We're almost finished.

32
33 CHAIRMAN ARMSTRONG: And we're almost through, so item
34 D, North Slope Muskox Management Plan. I think Donna's going
35 to give that?

36
37 MS. DEWHURST: It's in attachment I of the books.
38 There isn't a whole lot to say. The North Slope planning group
39 I think met in May and then they met again in July, trying to
40 do more rewrites. There were some conflicts between Kaktovik
41 and Arctic National Wildlife Refuge, that was one of the things
42 they were trying to iron out. Another thing was the wording.

43
44 The main thing, though, was their rewriting it to word
45 it so that they thought it could get through the State Game
46 Board. There were some wording problems that they didn't think
47 the State would swallow very well, so there were some subtle
48 wording changes made. That's probably the biggest changes to
49 try to get this through the Game Board in October.

0089

1 So this is the latest draft. They're hoping it's going
2 to be the final draft of it, and it's going to go to the Game
3 Board in October, and then after that I think it will go off
4 for federal signatures. So hopefully there won't be very many
5 changes after this.

6
7 And there was one stem-off document. There was one
8 proposal made to the Game Board about muskox harvest in 26, I
9 think it's 26(B) and (C) or something like that, going to the
10 State, but it was a stem-off of the harvest plan. And that's
11 pretty much it.

12
13 CHAIRMAN ARMSTRONG: Any questions? Okay. Black bear
14 c&t.

15
16 MS. H. ARMSTRONG: There's not too much to say about
17 it, only that it's a back -- it's a c&t proposal that was
18 tabled, or deferred. It was deferred.

19
20 CHAIRMAN ARMSTRONG: Deferred, right.

21
22 MS. H. ARMSTRONG: Last year, and it will be coming up
23 again this year. We will have the new proposal analysis at the
24 winter meeting. It will be in the proposal book. And I'll be
25 calling people to find out additional information that we might
26 want to put in, unless anybody wants -- I have all that was
27 said at the last meeting, but if there's anything anybody wants
28 to say about black bear use in Unit 23 now that they'd like in
29 the proposal analysis, they could do that.

30
31 CHAIRMAN ARMSTRONG: All right. Barbara?

32
33 MS. B. ARMSTRONG: Yeah, I'll be attending the Western
34 Interior Regional Advisory Council meeting, and I'll be talking
35 to the people from all areas, from the regions there, and then
36 asking to -- try to get more information for Helen.

37
38 CHAIRMAN ARMSTRONG: Okay. The reason we deferred that
39 was to get more information from Western Interior anyway I
40 think. We didn't want to have conflicting information
41 provided. Okay. That was short and sweet.

42
43 We're to Item C, the chair's corner, and I don't have
44 much to say on these items, but what I want to do is give an
45 opportunity for Noatak people to comment on the meeting after
46 it's -- before we close down. But I'll briefly go through what
47 I have to report.

48
49 The annual report was submitted last -- what day was it

50 on?

0090

1 MS. B. ARMSTRONG: It was March.

2

3 CHAIRMAN ARMSTRONG: March of this year, and we
4 identified some issues. I'm trying to figure out what tab it
5 is in?

6

7 MR. BRELSFORD: It's J, Mr. Chairman.

8

9 CHAIRMAN ARMSTRONG: J?

10

11 MR. BRELSFORD: Yeah.

12

13 CHAIRMAN ARMSTRONG: Okay. And one of the issues was
14 the need for an environmental impact statement to be done on
15 fisheries. The response was that an environmental assessment
16 was going to be done on the EIS to see whether or not they need
17 to pursue and gather more information I think on the EIS.
18 That's yet to be determined, correct? And so that is on-going.

19

20 A complete review of the Enforcement Division of Fish &
21 Wildlife needs to be done to avoid conflicts in the future.
22 There has been some problems in that area. Fish & Wildlife
23 Enforcement Division have travelled up to Kotzebue and met with
24 some of us local people to try to iron out different views and
25 to try to see how we can -- they can perform their jobs better
26 without hurting local people. I think that was a positive
27 meeting. Willie was a part of that. I attended that. And I
28 think that was a step in the right direction.

29

30 Cooperative agreements or co-management efforts, that
31 will be an on-going issue. I think there's one, you know, the
32 Western Arctic Caribou Herd is one example of what's trying to
33 occur. But that will be on-going.

34

35 Legal counsels, they say the same thing every year, but
36 I think that we just need to pursue this issue on ourselves and
37 utilize NARF or RurAL CAP's attorney, and, you know, get -- if
38 we don't feel secure with legal advice provided by the
39 Solicitor, then I think we can just do it on our own, so that
40 we will feel comfortable in decisions that we make.

41

42 C&T studies by contracting with tribes, again that's an
43 on-going -- will be an on-going thing. A lot of it's going to
44 probably be expanded, because of the addition of fisheries,
45 too. So more to come on that.

46

47 We need to identify 1997 annual report issues, so if
48 you guys have any, you know, let me know now or if you think of
49 any, give me a call, and, you know, I'll certainly include that

50 in the annual report that we'll be doing.

0091

1 The other item is the regional council charter, the
2 definition of rural. We already took action on that at the
3 last meeting with a motion to keep the term rural in our
4 charter, so I don't think we need to take any action on that.

5
6 The Governor's Task Force proposal,.....

7
8 MR. BRELSFORD: Mr. Chair, I realize we're anxious to
9 conclude the meeting, but the charter -- if I could have a
10 minute on the charter renewal process?

11
12 CHAIRMAN ARMSTRONG: Okay.

13
14 MR. BRELSFORD: I'll be very quick. The whole charter
15 is up for renewal. There are some discussion items in your
16 tab, adding members, for example, changing boundaries. Those
17 are things.....

18
19 CHAIRMAN ARMSTRONG: Right.

20
21 MR. BRELSFORD:that some councils have taken up
22 in charter renewal. This is like the brainstorming stage. So
23 if you have ideas, if we could get them in the table now? The
24 revised charter, or proposal for what your charter should look
25 like will be back in front of you in the wintertime, so you do
26 have another time to look at it in detail.

27
28 There has been an on-going question around the councils
29 about having alternate members so that if a member is absent,
30 there's an alternate I guess appointed by the Secretary to
31 attend in his or her place. You may want to have an opinion
32 about that again. The information packet includes your action
33 from last time on that item.

34
35 Those are the times of things that could also be a part
36 of charter renewal, like the brainstorming now, and could come
37 back to you for final recommendation in the winter meeting.
38 But it is a fairly significant foundation for your work as a
39 council, so I don't want you to feel surprised in February when
40 we're pretty close to the final step of getting the charter
41 back before the Secretary.

42
43 CHAIRMAN ARMSTRONG: Okay. Walter?

44
45 MR. SAMPSON: In regards to the renewal of the charter,
46 prior to that, what is the plan of getting input? Are you
47 planning to go to the communities and asking folks, asking them
48 what they think of how the charter should be written, or are
49 you going to be strictly relying on the council?

0092

1 MR. BRELSFORD: We were consulting the councils at this
2 point, Walter, asking your input in this fashion.

3
4 MR. SAMPSON: Because that charter also affects the
5 livelihoods of the folks, don't you think.....

6
7 MS. B. ARMSTRONG: (Indiscernible, away from
8 microphone)

9
10 MR. SAMPSON: I know it, but what I'm leading to is if
11 we're going to get some input in through the process from folks
12 that it will have an impact on, that was my direction of the
13 leading with the question.

14
15 MR. BRELSFORD: Right. And.....

16
17 MR. SAMPSON: And try to get some input from those
18 folks of what they think.

19
20 MR. GREIST: That's our responsibility.

21
22 CHAIRMAN ARMSTRONG: Yeah.

23
24 MR. SAMPSON: Even though it's our responsibility, what
25 I'm saying is we should at least get some input. We're getting
26 input on other things, is there any reason why we can't get
27 input on the.....

28
29 MS. B. ARMSTRONG: You can do it also (Indiscernible --
30 simultaneous speech) for yourself, and get input from the
31 people if you want.

32
33 CHAIRMAN ARMSTRONG: I think what we can do to
34 accommodate Walter's concern is on the next agenda put a line
35 item for comments or testimony on the changing of our charter.

36
37 MR. GREIST: Charter.

38
39 MR. SAMPSON: I mean, how many.....

40
41 CHAIRMAN ARMSTRONG: It can be addressed.

42
43 MR. SAMPSON: How many people know what the charter is
44 and what does it say.

45
46 MR. BRELSFORD: Point will taken. So at this point the
47 public notice for the winter meeting would highlight the fact
48 that the charter is under review, under renewal? Is that kind
49 of the consensus, Mr. Chair, as far as follow-up action?

0093

1 CHAIRMAN ARMSTRONG: Sure. Yeah. That we'll be taking
2 public testimony on changes.

3
4 MR. BRELSFORD: Okay. I'll make sure that that's part
5 of the public notice.

6
7 CHAIRMAN ARMSTRONG: Was that it on the charter? I
8 think that's what the council needs to do. It's probably
9 inclusive of your work session is to include this as part of
10 the process, and just go through it and see if you guys want
11 any changes, like alternates. I think only four regions didn't
12 want alternates, the others wanted an alternate, the other six.
13 That's a good issue that needs to come up.

14
15 I think the threat of not having a quorum is always
16 there, you know. I don't want to limit the advisory council
17 meetings just to Kotzebue, but to travel out to like Noatak for
18 instance was a good thing, because of the CUA issues that we
19 came to the villages. I think we need to start going to. And
20 there's stuff like that, so.....

21
22 MR. BRELSFORD: Mr. Chairman, maybe let me close this
23 with an offer that if you all decide on some other ideas for
24 public outreach, for public communication about this, if there
25 is a mailing that would add to the understanding of the region
26 or something of that sort, let us know. We'd be happy to do
27 that kind of staff work on.....

28
29 CHAIRMAN ARMSTRONG: Sure.

30
31 MR. BRELSFORD:your behalf. I'll take away the
32 charge to be sure the public notice in the winter meeting
33 highlights this, but if other ideas come forward and you want,
34 you know, a packet or a mailing or a note in the newspaper or,
35 I don't know, something on talk radio, with public radio, there
36 are lots of ways in which this kind of outreach and
37 consultation with the public could occur.

38
39 CHAIRMAN ARMSTRONG: And part of our charge as advisory
40 committee members is to take public input into consideration,
41 so we should always be trying to solicit concerns in regard to
42 this meeting.

43
44 MR. SAMPSON: That's why I reflect that charter.

45
46 CHAIRMAN ARMSTRONG: Okay.

47
48 MR. BRELSFORD: I think this -- what you're about was
49 shared, Walter.

0094

1 CHAIRMAN ARMSTRONG: The Governor's Task Force
2 proposal. Basically what it boils down is ending up in a
3 subsistence summit. The Governor's Task Force had put out a
4 proposal. I don't know if we have a copy of that, do we?
5

6 MR. BRELSFORD: We do. There was a package of
7 materials.
8

9 MS. B. ARMSTRONG: Was that in that matrix?
10

11 MR. BRELSFORD: Right. This -- well, the summary of
12 the Governor's Proposal began here with the Governor's
13 letterhead.
14

15 CHAIRMAN ARMSTRONG: Right.
16

17 MR. BRELSFORD: And.....
18

19 CHAIRMAN ARMSTRONG: And there was a lot of concern for
20 the Governor's package. He -- for instance, it wasn't a
21 mandate for a rural preference, but it included language as may
22 have a rural preference versus shall have a rural preference.
23

24 The elimination of Secretarial -- or Secretary of
25 Interior oversight, which is really critical. That's our only
26 protection that we have. You know, the Secretary, if he
27 doesn't like or hears from tribes as far as issues he doesn't
28 like, he can recommend vetoing certain legislatives, so that is
29 pretty much sacred. It's part of ANILCA, and that's something
30 that we don't want changed. The State proposed to eliminate
31 that.
32

33 I think the only good thing they had about that was the
34 fact that they would create regional council, advisory council
35 members and -- but then that the other flip side of that was
36 the structure of that council. I think they had it -- it was
37 somewhat questionable, different user groups, and there would
38 be in fact only three subsistence users on that?
39

40 MR. BRELSFORD: It was actually the other way around.
41 Seven subsistence users, and three.....
42

43 CHAIRMAN ARMSTRONG: Seven? Was it seven?
44

45 MR. BRELSFORD: Yes.
46

47 MR. GOODWIN: Six.
48

49 CHAIRMAN ARMSTRONG: Six.

0095

1 MR. BRELSFORD: Six by the tribes I believe?

2
3 MR. GOODWIN: No, three. It included three appointed
4 by.....

5
6 CHAIRMAN ARMSTRONG: Right.

7
8 MR. GOODWIN:the tribes, six total.

9
10 CHAIRMAN ARMSTRONG: And so the likelihood of being
11 caught up in.....

12
13 MR. GREIST: Politics.

14
15 CHAIRMAN ARMSTRONG:politics is there. So there
16 was a lot of problems with the Governor's proposal to try to
17 solve the subsistence dilemma.

18
19 At the AFN summit, we basically -- our region -- first
20 of all, our region stood firm behind no ANILCA amendments, and
21 no constitutional amendment at this time, because of a hostile
22 legislature, that we wouldn't know -- probably wouldn't create
23 legislation that would be in favor of rural residents. So out
24 of the entire three days, the consensus was that we basically
25 said politely, no, in effect, but no thanks, that we continue
26 to work together to try to resolve the issue.

27
28 And there was also some governing principles that were
29 brought out as a result of that, and everybody sort of agreed
30 there were seven of them. Full participation of the native
31 community, subsistence priority based on a whole bunch of
32 stuff, only amendments that enhance subsistence rights, and
33 maintain federal oversight, co-management, full recognition of
34 c&t, comprehensive reform of the State's management system, and
35 finally that subsistence is a human right.

36
37 Right now the Legislature is conducting hearings
38 statewide. I think the next one in the rural areas is Bethel?

39
40 MR. GREIST: That's the only rural area.

41
42 CHAIRMAN ARMSTRONG: Yeah, that's the only rural area.
43 So -- and then the senate is I think scheduled to have hearings
44 later on this month. Or is it next -- effective -- it's
45 starting the 25th or somewhere around there. But it's late. I
46 think that the Secretary is just going to go ahead and say
47 start implementing the regulations, or give direction, because
48 I guess the message is just the fact that you're having
49 hearings doesn't satisfy -- isn't satisfying enough, and that,

50 you know, if these hearings were to be held, they should have

0096

1 been held a long time ago. That's the thrust of that.

2

3 Any questions? If not, I'd -- that pretty much
4 concludes the business we have, other than the rural -- the
5 advisory council member concerns, but I wanted to hear from the
6 Community of Noatak, if they have any concerns or comments they
7 have regarding either subsistence or the advisory council, and
8 whether we're doing a good job or not, or should we provide
9 more information or, you know, it would help us.

10

11 MR. MOO: There's a lack of interest, I see that, by
12 the community. The only people here are basically you-all and
13 council.

14

15 CHAIRMAN ARMSTRONG: Okay.

16

17 MR. MOO: And I'm just a resident.

18

19 MS. B. ARMSTRONG: Well, there was this morning during
20 the (Indiscernible -- simultaneous speech).....

21

22 MR. MOO: At first. Yeah, at first there was, but.....

23

24 MS. B. ARMSTRONG: Yeah.

25

26 MR. MOO:then this afternoon it died off. If you
27 go out amongst the people and ask them questions, maybe you
28 would get some good feedback.

29

30 CHAIRMAN ARMSTRONG: I know that in some communities
31 they have door prizes just to bring people to the council
32 meetings.

33

34 MR. MOO: Yeah.

35

36 CHAIRMAN ARMSTRONG: Spend more money taking up door
37 prizes and gifts than the meeting agenda items itself. But I
38 think.....

39

40 MR. MOO: But this subsistence thing.....

41

42 CHAIRMAN ARMSTRONG:maybe if we provided
43 information, more information to the IRA councils and to the
44 communities that we're going to, it would be helpful. And, you
45 know.....

46

47 MR. MOO: This subsistence is a very big issue, and
48 they don't -- it hasn't sunk into them yet, that -- but once
49 they close the lid, that's it.

0097

1 UNIDENTIFIED VOICE: Yeah, people in Noatak don't know
2 (Indiscernible, away from microphone). The meeting was for
3 today and tomorrow. (Indiscernible, away from microphone).
4 Never attend.

5
6 CHAIRMAN ARMSTRONG: Yeah. Well, we're glad we're able
7 to come here. And we really appreciate the hospitality. Mary?

8
9 MS. SHERMAN: May I make a comment? Art -- well, I
10 heard for instance that he hired local people. How much does
11 he charge for the people he takes up there, you know, to do his
12 thing, and then how does he pay the guys he, you know, take
13 them there. That -- I mean, gee whiz, I know it isn't much.
14 And then the stuff that -- the game that they get, we don't see
15 them bring all the game back, and where does it go? And I will
16 be against having, you know, guiding for hunting guides up our
17 area.

18
19 CHAIRMAN ARMSTRONG: I wouldn't even want to begin to
20 comment on that. Is there anybody that would.....

21
22 MR. MOO: That would be.....

23
24 CHAIRMAN ARMSTRONG: Bert?

25
26 MR. MOO:Fish & Game, wouldn't it?

27
28 CHAIRMAN ARMSTRONG: Well, actually he's on a native
29 allotment?

30
31 MR. GREIST: Yeah.

32
33 CHAIRMAN ARMSTRONG: And then it's a state -- yeah, a
34 state issue, because the State has authority over navigable
35 waters.

36
37 MR. MOO: But it's Fish & Game.

38
39 CHAIRMAN ARMSTRONG: Right. Right.

40
41 MR. MOO: And it's -- basically it's sport hunting, it
42 isn't subsistence.

43
44 CHAIRMAN ARMSTRONG: It's guiding.

45
46 MR. MOO: Uh-hum. And then hunters aren't subsistence.
47 A lot of them, they're sport hunters. But they -- well, they
48 get the meat once a year, they take home and come out next
49 year. The people that live here, it's their life.

0098

1 CHAIRMAN ARMSTRONG: Susan?

2

3 MS. BUCKNELL: I'm afraid I missed the beginning of
4 Art's letter, if you give us that letter, too?

5

6 MS. B. ARMSTRONG: I have a copy of it.

7

8 MS. BUCKNELL: I think the points are well taken, you
9 know, for everybody here, to bring up the issues.

10

11 CHAIRMAN ARMSTRONG: Well, the only way to affect --
12 you know, make any changes is through proposals. This was just
13 I guess a comment, and.....

14

15 MR. MOO: If he was he, he'd really speak for himself
16 on this, clarify it.

17

18 CHAIRMAN ARMSTRONG: Willie?

19

20 MR. GOODWIN: His letter -- even though he objected,
21 this advisory committee voted for what he was objecting
22 against, so, you know, his comments were on the record, but the
23 advisory council voted to keep the controlled use area and
24 voted to ask for a longer period from August 1st to October 31,
25 even though Art objected to it. But he would -- but I guess
26 his comments were saying that this what he was doing here, and
27 paying you guys and he's questioning whether or not -- why the
28 airplanes land here, and he can't land up there, and.....

29

30 MS. BUCKNELL: I think you are right, it's a state
31 issue, because the -- well, the -- that controlled use area, is
32 that a state designation, or is it state and federal
33 designation?

34

35 CHAIRMAN ARMSTRONG: Both.

36

37 MS. BUCKNELL: Then I guess it would be to both
38 (Indiscernible -- simultaneous speech).

39

40 CHAIRMAN ARMSTRONG: No, not navigable waters.

41

42 MS. BUCKNELL: His parcel though is on the state, so,
43 okay. Thanks for that clarification.

44

45 CHAIRMAN ARMSTRONG: Yeah.

46

47 MR. ASHBY: Mr. Chairman?

48

49 CHAIRMAN ARMSTRONG: Rick?

0099

1 MR. ASHBY: Right now as it stands, all navigable
2 waters and submergible land, right now it's under the state
3 jurisdiction.

4
5 CHAIRMAN ARMSTRONG: Right.

6
7 MR. ASHBY: And we can't really do much about that.
8 That's native and can't do much about that, that's navigable
9 water. So the thing is that his decision will be on himself
10 how he want to deal with the State.

11
12 MS. BUCKNELL: Yeah.

13
14 MR. ASHBY: With the federal, it's outside that five-
15 mile area.

16
17 MS. BUCKNELL: Yeah.

18
19 MR. ASHBY: But that water right now is not under the
20 federal control, so what we do is just leave it alone. We
21 can't -- we can just hold to what we have on here.

22
23 MS. BUCKNELL: Yeah.

24
25 MR. MOO: In other words, what you're saying is he's
26 out of Noatak's jurisdiction?

27
28 MR. ASHBY: He's on the state,.....

29
30 MR. MOO: Yeah.

31
32 MR. ASHBY:on that -- his airport is on the
33 gravel bar, in that submergible land.

34
35 MR. MOO: It might be navigable waters, but I don't
36 know how many -- excuse me -- outsiders can navigate the river.
37 There's very few maybe. And when they do open it up, and there
38 will be more. There's always going to be that one fellow come
39 along and say, that's native, here I pay you, so you take me up
40 river so I hunt. And if they start saying no, they won't be
41 able to go up the river, only fly by aircraft.

42
43 CHAIRMAN ARMSTRONG: Right. His concern was that he
44 wanted an exemption to the CUA by being to fly a Super Cub in
45 and out. But we had already taken action supporting the Noatak
46 IRA's stand to drop that state proposal, and also we've also
47 taken action to increase the time frames. Walter?

48
49 MR. SAMPSON: In regards to the issue he raised on

50 emergency, it don't really matter what kind of regulations you

0100

1 have anywhere, any place. If there's an emergency, you take
2 care of that emergency.

3

4 CHAIRMAN ARMSTRONG: Any more comments, concerns?
5 Willie?

6

7 MR. GOODWIN: Yeah, you know, since we're talking about
8 Art, he did tell me that he was going to quit guiding and start
9 bringing fishermen up instead so he can fly any time. So that
10 was why I asked when can we start this fisheries thing on
11 controlled use area this morning. Because he is, he said he's
12 going to start bringing fishermen up instead of hunters.
13 Flying all the time. And we can't stop him if he brings
14 fishermen.

15

16 CHAIRMAN ARMSTRONG: Wendell?

17

18 MR. W. BOOTH: Yeah, I would like to just speak up
19 while you were talking about bears. Last spring as I was
20 hunting down around springtime when the bears come out. Is
21 there anyway they can manage these bears, cut them down so you
22 can -- for me to, when I see ten bears in one drive one day. A
23 little too many to see at one time. Springtime. They -- maybe
24 the game people can manage that and cut them down? You know,
25 they're dangerous here at fall time before freeze up, too.
26 They come around our village.

27

28 CHAIRMAN ARMSTRONG: Uh-hum. I know the State has made
29 an effort to try to help that along by having a bear or two
30 here, but a proposal can always change that, you know, both to
31 the state and the federal.

32

33 MR. SAMPSON: We took the tag fee off, so people.....

34

35 CHAIRMAN ARMSTRONG: Yeah. And so, you know,.....

36

37 MR. W. BOOTH: There's too many bears in Noatak. One
38 day -- I mean, one day that's when I seen ten of them. And I
39 think the.....

40

41 CHAIRMAN ARMSTRONG: Health and safety issues, too, I
42 think is there. But, you know, if you or the IRA or perhaps
43 anybody else want to submit a proposal to change that, we'd
44 certainly take a look at it.

45

46 MS. BUCKNELL: There's some proposals in for that Nome
47 meeting coming up at the end of October,.....

48

49 MR. W. BOOTH: Yeah.

0101

1 MS. BUCKNELL:and maybe from here might want to
2 (Indiscernible, away from microphone).

3
4 MR. W. BOOTH: Okay.

5
6 MR. MOO: Shoot them. They're not having any problems
7 in North Korea and China with bears. They're extinct over
8 there, because of the bladder.

9
10 CHAIRMAN ARMSTRONG: Yeah. Any other comments?
11 Concerns?

12
13 UNIDENTIFIED VOICE: (Indiscernible, away from
14 microphone) China over there.

15
16 CHAIRMAN ARMSTRONG: If not,.....

17
18 MR. GOODWIN: Fred, I just want to thank you guys for
19 listening to the concerns that we had as far as KIC's land was
20 concerned. We appreciate the action there, so thank you.

21
22 CHAIRMAN ARMSTRONG: Yeah, thanks, Willie.

23
24 What about the Council members? Do we have any
25 concerns that we are -- need to be brought up?

26
27 Well, I'll start it off. I think that we -- you know,
28 I have a concern with the role of council members. Absences do
29 concern me. The issue of subsistence I think is a very
30 critical issue, and that input and defence of subsistence, I
31 think we've got to be here.

32
33 Conflicts is another issue that we need to address, and
34 I think that maybe should be brought forth at some point to
35 discuss that, because if we're here to protect and defend the
36 use of subsistence by rural residence, then by golly we've got
37 to be here and be able to do that, and defend it with a good
38 conscience. We're voting to defend the rights of us to
39 practice subsistence. We have conflicts with other groups,
40 then we've got to get our priorities right. Subsistence is far
41 too large an issue, and something that we have to defend daily,
42 that there's no room for any leeway. I really strongly feel
43 that. And I'll convey this information to the other council
44 members.

45
46 Any other comments, concerns? Percy?

47
48 MR. BALLOT: Yes, Mr. Chairman, I just want to thank
49 Noatak for hosting our meeting here. It's good to come out to

50 the villages, the first one since I've been on the Board.

0102

1 While you think there haven't been very many people, I think
2 there have been more people than we have seen in all the
3 meetings that we have had in Kotzebue, and I really appreciate
4 your comments, being on this board, and I hope that we do come
5 back some time again. If not, we'll go to Buckland or Deering,
6 I think we're going to have some stuff going on up there that
7 you may want to look at later this winter. Thank you.

8
9 CHAIRMAN ARMSTRONG: Thanks, Percy. Bert?

10
11 MR. GREIST: No.

12
13 CHAIRMAN ARMSTRONG: Rick?

14
15 MR. ASHBY: Yeah, I'd like to thank you guys for coming
16 over here. I was almost the last one to come in. It's nice
17 having you all here.

18
19 CHAIRMAN ARMSTRONG: Thanks, Rick. Walter?

20
21 MR. SAMPSON: No comments.

22
23 CHAIRMAN ARMSTRONG: Okay. I do like to again thank
24 the Community of Noatak. It's been great coming over here and
25 having a meeting here, and at least give you an opportunity to
26 see what this board does, and that, you know, we do take our
27 job seriously, and hope that we can work to make lives at least
28 easier for not only for you, but our children.

29
30 Next on the agenda is the next meeting date and time.
31 Do we have any suggestions from staff, now that we've got a new
32 window of -- for meetings? I know that Ricky had said that
33 quarterly meetings would be an issue.

34
35 MS. B. ARMSTRONG: Oh, in March.

36
37 CHAIRMAN ARMSTRONG: Yeah.

38
39 UNIDENTIFIED VOICE: Meeting call of the chair.

40
41 MR. SAMPSON: Mr. Chair, we have to set it to call of
42 the chair. You could work it out with staff and call us and
43 ask us for the dates and.....

44
45 CHAIRMAN ARMSTRONG: Okay. Is that okay? Then I could
46 figure out when the quarterly meeting dates are and work around
47 that. And the annual meeting of NANA, should we take into
48 consideration that?

49

MR. BALLOT: Yeah, it's.....

0103

1 MR. GREIST: The last Thursday and Friday are Maniilaq
2 board meetings.

3
4 CHAIRMAN ARMSTRONG: Yeah. Okay.

5
6 MR. GREIST: Of every month.

7
8 MS. B. ARMSTRONG: I have something on the travel.

9
10 CHAIRMAN ARMSTRONG: Barb?

11
12 MS. B. ARMSTRONG: Your per diems are for two days, so
13 since it became one day and travel, and so you guys might need
14 to send some money back into the government.

15
16 CHAIRMAN ARMSTRONG: We've been meeting the last two
17 days.

18
19 (Laughter)

20
21 MS. B. ARMSTRONG: So be aware that you need to send it
22 back.

23
24 MR. GREIST: So how much do we owe you?

25
26 MS. B. ARMSTRONG: I don't know how much you'll owe.

27
28 CHAIRMAN ARMSTRONG: Work that out with Barb.

29
30 MR. GREIST: How much a day do we get?

31
32 CHAIRMAN ARMSTRONG: Any other comments, questions?

33
34 MR. MOO: I have one more.

35
36 CHAIRMAN ARMSTRONG: Ron?

37
38 MR. MOO: How can a citizen get involved with this
39 subsistence issue situation?

40
41 CHAIRMAN ARMSTRONG: Speaking up during the meetings.

42
43 MR. MOO: And that's it?

44
45 CHAIRMAN ARMSTRONG: Yeah.

46
47 MR. SAMPSON: Usually there's -- if you're thinking of
48 getting into an advisory council, if there's ads on the paper
49 for positions, then you can submit a resume to an agency or to

50 an organization.

0104

1 CHAIRMAN ARMSTRONG: This region has -- we have three-
2 year terms, and then they'll be advertised when those seats are
3 open, and then anybody can apply as long as they're a resident
4 of this region. I think that's a criteria.

5
6 We need a meeting place though.

7
8 MR. BALLOT: I did welcome you guys to Buckland or
9 Deering, whichever one is fine.

10
11 CHAIRMAN ARMSTRONG: Okay. We'll take that into
12 consideration when we -- If that's it, a motion is in order to
13 adjourn.

14
15 MR. SAMPSON: Move for adoption -- move to adjourn.

16
17 CHAIRMAN ARMSTRONG: Meeting adjourned.

18
19 (Off record - 3:15 p.m.)

20
21 *****
22 (END OF PROCEEDINGS)
23 *****

C E R T I F I C A T E

UNITED STATES OF AMERICA)

) ss.

STATE OF ALASKA)

I, Rebecca Nelms, Notary Public in and for the State of Alaska and Reporter for R & R Court Reporters, Inc., do hereby certify:

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

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

DATED at Anchorage, Alaska, this 15th day of September, 1997.

Notary Public in and for Alaska
My Commission Expires: 10/10/98