

NORTHWEST ARCTIC SUBSISTENCE REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING  
ALASKA TECH CENTER  
February 16, 1994  
Kotzebue, Alaska

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COUNCIL MEMBERS PRESENT:

7

~~W~~alter Sampson, Chairman  
~~P~~ete L. Schaeffer, Vice Chairman  
~~R~~aymond Lee, Secretary  
~~L~~ouie W. Commack, Jr.  
~~R~~aymond Stoney  
~~B~~ill C. Bailey

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~~B~~arbara M. Armstrong, Coordinator

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P R O C E E D I N G S

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2 MR. SAMPSON: I will call the Northwest Arctic  
Subsistence Regional Advisory Council meeting to order at this  
time. It's 9:17. We'll have roll call, please?  
5  
6 MS. ARMSTRONG: Okay. I have Walter Sampson?  
7  
8 MR. SAMPSON: Here.  
9  
10 MS. ARMSTRONG: Pete Schaeffer?  
11  
12 MR. SCHAEFFER: Here.  
13  
14 MS. ARMSTRONG: Raymond Lee, Senior?  
15  
16 MR. LEE: Here.  
17  
18 MS. ARMSTRONG: Bill is going to be late.  
Raymond Stoney?  
20  
21 MR. STONEY: Here.  
22  
23 MS. ARMSTRONG: James is going to be in at  
2400. Louie Commack?  
25  
26 MR. COMMACK: Here.  
27  
28 MR. SAMPSON: We have a quorum. Bill Bailey,  
again, will be in late. He has a conference call this morning,  
30 he will be in after his conference call.  
31  
32 At this time we'll have Raymond do the invocation,  
please?  
34  
35 MR. LEE: (Gives invocation in Inupiaq)  
36  
37 MR. SAMPSON: Thank you. Before we go to our  
minutes, I want to quickly go through introductions here.  
Let's start back here with .....?  
40  
41 MR. ULVI: Good morning. I'm Steve Ulvi,  
Subsistence Manager for Gates of the Arctic National Park. I  
work out of Fairbanks.  
44  
45 MR. WHALON: Larry Whalon with the National  
Park Service here in Kotzebue.  
47  
48 MR. KAZANOFF: Art Kazanoff. I'm interested in  
49  
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subsistence.

1  
 2 MS. MORKILL: Anne Morkill, wildlife biologist  
 and subsistence coordinator for the BLM, Kobuk District.  
 4  
 5 MS. MEYERS: Randy Meyers, natural resource  
 specialist with BLM here in Kotzebue.  
 7  
 8 MS. AYERS: Lee Ann Ayers, Fish and Game here  
 on Kotzebue.  
 10  
 11 MR. SAMPSON: Lee Ann who?  
 12  
 13 MS. AYERS: Ayers.  
 14  
 15 MR. MAGDANG: Jim Magdang. I'm with the  
 Division of Subsistence, the Alaska Department of Fish and  
 Game.  
 18  
 19 MR. DAU: Jim Dau, Fish and Game, Kotzebue.  
 20  
 21 MS. MADSEN: Ramona Madsen, Fish and Game,  
 Kotzebue.  
 23  
 24 MR. DALLEMOLLE: Lois Dallemolle, Park Service,  
 Kotzebue.  
 26  
 27 MR. SHULTZ: Brad Shultz, Park Service,  
 Kotzebue.  
 29  
 30 MR. KRAMER: Lance Kramer with the Tech Center  
 here, just listening.  
 32  
 33 MR. LOCKHART: Michael Lockhart with Fish and  
 Wildlife Service in Anchorage.  
 35  
 36 MR. FISHER: Dave Fisher, Fish and Wildlife  
 Service, Anchorage.  
 38  
 39 MS. DOWNING: Meredith Downing, R & R Court  
 Reporters from Anchorage.  
 41  
 42 MS. ARMSTRONG: I am Barbara Armstrong, the  
 coordinator for the council members here.  
 44  
 45 MR. SAMPSON: Thank you. I want to welcome you  
 all to Kotzebue. The weather looks nice out this morning, and,  
 you know, it's -- once we get a little -- once the fog lifts  
 up, then they said it's going to warm up a little bit,  
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hopefully. It's about that time of the year when we start getting, you know, morning fog. Actually it's a little bit earlier. Our winter's been pretty mild this winter, and something's going somewhere, and usually we get some good 35, 40 below weather this time of the year, but it hasn't been hitting, that cold weather.

6

7 Getting back to our agenda, you should have a copy of  
8 the minutes from our last meeting. Is there any corrections to  
9 the minutes from the last meeting? September 24th.

10

11 MR. SCHAEFFER: Mr. Chairman, I make a motion  
12 to approve the minutes of September 24, '93.

13

14 MR. SAMPSON: There's a motion on the floor to  
15 approve September 24, 1993 minutes. Is there a second?

16

17 MR. STONEY: Second.

18

19 MR. SAMPSON: There's a second. Discussions?

20

21 MR. STONEY: Mr. President, on these minutes,  
22 was there any action taken to contact Reggie Cleveland, Louie  
23 Commack, and Lorry on the Park Service Subsistence Commission?

24

25 MR. SAMPSON: Is there what?

26

27 MR. STONEY: You know, the subsistence --  
28 nominations for subsistence commission, the Park Service?

29

30 MS. ARMSTRONG: That's that Kobuk Valley, you  
31 guys tabled at last meeting .....

32

33 MR. SAMPSON: Yeah. Yeah.

34

35 MS. ARMSTRONG: ..... for Louie Commack, Reggie  
36 Cleveland and Lorry Shirksa, you were going to talk about.  
37 That will probably come up .....

38

39 MR. SAMPSON: Yeah.

40

41 MS. ARMSTRONG: ..... later on, that  
42 other .....

43

44 MR. STONEY: Have they been contacted?

45

46 MS. ARMSTRONG: I don't know.

47

48 MR. SAMPSON: I talked to Reggie, and I haven't

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talked to Lorry. Louie I need to talk to this morning.

1  
2 Is there any other discussions? Hearing none, all  
those in favor of the motion, signify by saying "aye"?

4  
5 ALL: Aye.

6  
7 MR. SAMPSON: All opposed, the same sign?  
Motion carries.

9  
10 There's an agenda in front of you. Is there any  
additions to the agenda as written?

12  
13 MR. SCHAEFFER: Mr. Chairman, I've got a couple  
either under new business, old business or other business. I  
think the issue of customary and traditional needs to be  
discussed. And I'd suggest perhaps we put it a little later on  
the agenda in the event Mr. Pospahala shows up.

18  
19 MR. SAMPSON: Under new business? G?

20  
21 MR. SCHAEFFER: Yeah. Yep.

22  
23 MR. SAMPSON: Okay.

24  
25 MR. SCHAEFFER: We also have resource  
commission appointments.

27  
28 MR. SAMPSON: Yeah.

29  
30 MR. SCHAEFFER: That can be another subject.

31  
32 MS. ARMSTRONG: Would that be under new  
business or other?

34  
35 MR. SCHAEFFER: Probably under other, because  
we have another one. We have recommendations for .....

37  
38 MS. ARMSTRONG: Kobuk Valley?

39  
40 MR. SAMPSON: Okay.

41  
42 MR. SCHAEFFER: Kobuk Valley and also we have  
two seats on this council for recommendations to the Secretary  
of Interior.

45  
46 MS. ARMSTRONG: That would be under B, on  
recruitment.

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1 MR. SAMPSON: Okay. So SRC we'd put under  
2 correspondence in B?  
3 MS. ARMSTRONG: Yeah.  
4  
5 MR. SAMPSON: Under other?  
6  
7 MS. ARMSTRONG: Under other business, .....  
8  
9 MR. SAMPSON: Yeah.  
10  
11 MS. ARMSTRONG: ..... under -- on B, Kobuk  
12 Valley.  
13  
14 MR. SAMPSON: Uh-huh.  
15  
16 MS. ARMSTRONG: SRC.  
17  
18 MR. SAMPSON: Any other additions?  
19  
20 MR. COMMACK: Mr. Chairman?  
21  
22 MR. SAMPSON: Yeah?  
23  
24 MR. COMMACK: Is this agenda just for today?  
25 Will it be done by today? Or tomorrow?  
26  
27 MR. SAMPSON: We don't know.  
28  
29 MR. COMMACK: Okay.  
30  
31 MR. SAMPSON: I mean, it depends on what -- how  
32 what kind of discussions we have through the course of the  
33 day.  
34  
35 MS. ARMSTRONG: I just called Alaska Airlines.  
36 That plane is still holding over Nome, and the weather over  
37 here is the same as here, so they said they'll have the next  
38 update in the next 25 minutes whether it goes back to Anchorage  
39 or not, then we'll find out.  
40  
41 MR. SAMPSON: Okay. Any other additions to the  
42 agenda? Hearing none, the Chair will entertain a motion.  
43  
44 MR. COMMACK: I so move, Mr. Chairman.  
45  
46 MR. SAMPSON: There's a motion on the floor to  
47 approve the agenda with the additions. Is there a second?  
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1 MR. SCHAEFFER: Second.

2 MR. SAMPSON: You second. Discussions?

3

4 MR. SCHAEFFER: Question.

5

6 MR. SAMPSON: The question's been called for.

7 All those in favor of the motion, signify by saying "aye"?

8

9 ALL: Aye.

10

11 MR. SAMPSON: Old business. Fish and Wildlife

12 Subsistence Management/Sub Council.

13

14 MS. ARMSTRONG: That's the part that I had put

15 in there for you guys to discuss with Dick Pospahala, and then

16 since he's not here, I guess you guys can override that for

17 now, but then that's up to you. If you guys want to discuss

18 it, Mike Lockhart might be prepared to answer those questions,

19 but if you really would like -- if you want to table it, that's

20 also up to you to decide, what you want to do?

21

22 MR. SCHAEFFER: Well, Mr. Chairman, I .....

23

24 MR. SAMPSON: What .....

25

26 MR. SCHAEFFER: ..... make a recommendation

27 that we move item seven up for first order of business.

28

29 MR. SAMPSON: Okay.

30

31 MR. SCHAEFFER: And item six to business

32 afterwards .....

33

34 MR. SAMPSON: Okay.

35

36 MR. SCHAEFFER: ..... for discussion on

37 operations manual, recruitment.

38

39 MR. SAMPSON: Okay. So I guess it would

40 probably be better if we get Pospahala in to discuss the

41 subsistence management/sub council.

42

43 MR. LOCKHART: Mr. Chair, we can try to answer

44 some of the questions, but it would be better .....

45

46 MR. SAMPSON: But, you know, if we can get some

47 direct answers from Dick, it would be nice, so we'll just

48 switch those two, and go down to new business, and .....

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1 MR. SCHAEFFER: In addition to item six, which  
 2 are four items, is to move also the discussion on the charter  
 3 with Mr. Pospahala, .....

4

5 MR. SAMPSON: Okay.

6

7 MR. SCHAEFFER: ..... if he were to show up.

8

9 MR. SAMPSON: Okay.

10

11 MR. SCHAEFFER: The annual report. Items under  
 12 E2 and the customary and traditional discussion.

13

14 MR. SAMPSON: Okay. So under five then, under  
 15 D5d business, we'll add .....

16

17 MR. SCHAEFFER: Number six.

18

19 MR. SAMPSON: ..... annual report -- or  
 20 Dnarter, annual report, Noatak, Noorvik, Kotzebue IRA's  
 21 E exempting proposal. You wanted that proposal, too, or just C  
 22 and T, G?

23

24 MR. SCHAEFFER: Just C and T on Arctic .....

25

26 MR. SAMPSON: Okay. C and T, .....

27

28 MR. SCHAEFFER: Yeah.

29

30 MR. SAMPSON: ..... G, under -- under five.

31

32 MR. SCHAEFFER: Yeah.

33

34 MR. SAMPSON: Okay. We'll get down to -- down  
 35 B5 new business, operations manual.

36

37 MR. SCHAEFFER: Perhaps I could lead off on the  
 38 D8 discussion, Mr. Chairman?

39

40 MR. SAMPSON: Okay.

41

42 MR. SCHAEFFER: I went through the draft  
 43 O3 operations Manual, and had some sections to discuss in relation  
 44 E4 basically I think a disagreement, or perhaps pending  
 45 A5 disagreement, between the intent of the legislation as it was  
 46 I6 intended under Title Eight with the Congressional Record, and  
 47 W7 what appears in the Operations Manual. And I guess my concern  
 48 E8 basically on the placement of the regional advisory council

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in relation to the order of discussion that the Federal Subsistence Board would have, and in reflection of the past system of input into the Board of Game, for instance. The basic pecking order was the public participation, advisory committees, and supposedly the regional councils at a level practically near the input from the Board -- into the Board of Game.

7

8 And I -- looking at page five in the draft, it appears that the subsistence regional advisory councils is placed above the order of general public, but I think what's missing is the advisory committee system, which I believe is still intact in some areas, and Kotzebue in particular. We also have the Upper Kobuk, Lower Kobuk, Kivalina and Noatak, and Buckland/Deering. And I was wondering who put this chart together, and whether those were intended to be left out or delegated to -- or relegated to just the general public? Because it speaks to kind of a contradiction in here where on one hand it mentions the role of the advisory committees, but as far as the chart is concerned, it's clear that it's somewhat absent.

20

21 MR. LOCKHART: Yeah. Mr. Chair,  
22 I, Schaeffer, I can answer that a little bit, and maybe  
23 Barbara can help me out. The staff in Anchorage put this  
24 together. It's been discussed in other council meetings, and  
25 some of the same concerns you raise were brought up. There are  
26 some elements that we see in here that are missing. It's  
27 certainly in draft stage, and I think that's a very good step  
28 put back in here.

29

30 There's some other things, like agency staff has a  
31 direct line of communication and support to the subsistence  
32 regional councils, and that this connection between the staff  
33 committee and the subsistence regional advisory council, that's  
34 there are some things in here that I really don't understand  
35 what the intent was, but it needs to be fixed, and those kinds  
36 of pieces of information that you provide would be in order to  
37 try to modify this.

38

39 MS. ARMSTRONG: This was mostly written, the  
40 basic draft started with the writings of Peggy Fox. She's the  
41 one that originally started the writing, and then is what it  
42 has come to after those other meetings, and then it's still on  
43 draft right now that it can be changed.

44

45 MR. LOCKHART: Right.

46

47 MS. ARMSTRONG: It says "final draft," but then  
48 whatever you guys suggest here can be put in there.

49

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1 MR. SCHAEFFER: Well, I would also suggest then  
 2 that the dotted line that connects the staff committee to  
 3 subsistence regional councils perhaps be dotted underneath over  
 4 to the left rather than directly across. The reason for that  
 5 is I think in -- it was clear in the intent of the legislation  
 6 in ANILCA that the reason for putting the advisory councils in  
 7 place was to deal directly with subsistence issues as they  
 8 related prior to McDowell to the Board of Game, and that in  
 9 fact create the function of the Subsistence Division, which was  
 10 an entire division dedicated and mandated by this system to  
 11 provide information from the -- for the State in regards to the  
 12 issue as to how subsistence was being affected, and whether --  
 13 what was happening in the management system was within the  
 14 mandate that was set as far as the function of the Subsistence  
 15 Division was concerned. And my understanding was that it was  
 16 supposed to report to the boards as to whether it was working  
 17 or not. So based on that, I think it was clear that the intent  
 18 was for the staff committee recommendations, and in the case  
 19 prior to McDowell, the Departmental Subsistence Department, was  
 20 basically to provide information based on discussions by the  
 21 regional council in relation to significant subsistence issues.  
 22 So, you know, that's sort of the rationale that I believe was  
 23 intended in the legislation for that section in ANILCA, so I  
 24 would make that recommendation.

25

26 While we're on that subject, I would go a little  
 27 further into this document, and I think for the most part it  
 28 was pretty well put together, and when we get to the discussion  
 29 of the regional council charters, I think that's sort of a  
 30 subject unto itself, so perhaps I'll withhold remarks on that  
 31 until we get to it, which may affect, in fact, the regional  
 32 council charter here after some discussions. So once we get  
 33 through this, I'm not saying that we're totally done with it  
 34 either.

35

36 We'd also like to plug into other regional councils to  
 37 see what other comments that they have -- they have in regards  
 38 to this document, too, because it's going to be an affect on  
 39 all of the regional councils, on all ten of them, not just one.

40

41 MR. SAMPSON: Pete, maybe the best thing to do  
 42 is to work and hold the operations manual discussion with --  
 43 because it has some sections in there that we have to -- that  
 44 we would need to discuss anyway with Pospahala, maybe we ought  
 45 just put A up on -- with the other -- the other four for  
 46 discussion?

47

48 MR. SCHAEFFER: I think that would be okay, but

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I think with the remaining business, it's kind of an issue as to whether we're going to be in here all that long either, so I think the discussion for purposes of, you know, sharing information with the rest of the commission is probably -- or Council is okay.

5

6 I have some other sections in here that -- one major red flag that I found in the document was basically the order of in-putting into the Federal system in regards to the annual report. And as soon as I find it here, I'll -- okay. On page 30, "In accordance with Section blah-blah-blah of the Federal Subsistence Management Program regulations," which I assume were consistent with Section Eight of ANILCA, "each Regional Council shall also file an annual ANILCA report with the Chair of the Board."

15

16 That's much different than what it says in Title Eight, and I'll find it. And it says basically that the preparation of annual to the Secretary, and it doesn't speak to the Chair of the Board, shall -- or which shall contain the same criteria identified under A, B, C, D, although D is cut a little short in relation to I think the basic criteria that was set in what the annual report was supposed to contain. But my problem with this draft policy -- or draft working document is that I think that's in direct violation with the intent of this section, which directed the annual report to the Secretary of Interior, not to the Chair of the Board. Now, if the Federal Board has made regulations under that particular section quoted in this section, then I think somehow they must have had a solicitor's opinion or something that this was allowable under this mandate that was set by Congress, and who are they to decide that differently than Congress? I mean, .....

32

33 I think the difficulty started with basically the 34-putting system as it is now with the two annual reports that 35 know of that were done back in '89 and the ones that were done for '93. And I think the concern there was trying to 36 delegate that responsibility and delegate it to the function of 37 what we thought were supposed to be the support staff or the 38 regional council, and that was basically the regional 39 coordinator's position, in our case Barbara, Helga Eakon down 40 in Anchorage, you know, the rest of them throughout the State. 41 And I just wonder what the rationale behind that was, and why 42 they intended it to do it that way?

44

45 MR. LOCKHART: Mr. Schaeffer, I'm not sure I 46 can really answer what the rationale was. I wasn't involved in 47 the earlier parts of this. My understanding is as is yours is 48 that yours -- the report is intended to be a report to the

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Secretary of Interior, and I don't think that that's really a problem. I don't know. I'll have to research it. I believe what's going to happen though is certainly is once that report gets to the Secretary of Interior, he's going to delegate any responses or any action back down to the Board, who is his designated appointee in subsistence matters in Alaska.

6

7

MR. SCHAEFFER: Well, I think the whole system in my view was set up under the administration of Manuel Lujan, when the Secretary of Interior. My understanding is that the old system of kicking things back is still in place without the proper review by the current Secretary of Interior.

12

13

Also, if Alaska was found in violation of Section Eight, and created this whole dramatic affair on subsistence, then, you know, that's the solemn stuff that's supposed to be in here in relation to what is allowable for the State to do, and if the Fish and Wildlife Service takes it upon themselves, or the Federal Subsistence Board, to decide to do something different, then, you know, I think it's our concern, because if there is going to be a system of picking and choosing within the federal mandate, then, you know, why should we even pay attention to whose management system we're going to wind up using anyway.

24

25

MR. LOCKHART: Again, Mr. Schaeffer, I'm not sure I can really answer the questions for you, give you a lot of the background and justification on why this was set up this way, but this is a common concern with the other councils as well. It's a problem, and we'll do whatever we can to try and fix it. I don't think it's (sic) really constitutes much of an issue. I think it can be fixed, and we can align those channels as far as the communication to the manner that you would prefer. So, you know, we'll -- we'll try to work with you and .....

35

36

MR. SCHAEFFER: Well, I don't think it's important as to what I'd prefer. I'm talking about what is preferred in federal law.

39

40

MR. LOCKHART: Yes, sir.

41

42

MR. SCHAEFFER: As a matter of fact, it's not even a preference, it's kind of a mandate.

44

45

MR. LOCKHART: Right.

46

47

MR. SCHAEFFER: And .....

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MR. LOCKHART: But I think the councils -- this has come up in several council meetings, and I'm not close enough to understand what the whole scope of the issues are yet, but we'll certainly investigate that and try to take care of it, and get you an answer back, something in writing, fairly soon. Barbara's got a lot more history and knowledge of this than I do, and I'll have to get with her and the other coordinators and our Solicitor's Office and find out how this can be modified to the acceptable way that it should be responding.

10

11

MR. SCHAEFFER: Well, I think what ought to be considered, too, and I wish Dick were here to listen to this, but -- and I think that since we objected basically to the Fish and Wildlife Service as the lead agency for subsistence, because of their historical baggage in relation to what they -- and how they've dealt with particularly the native people in the past, and not so far in the past either, that Fish and Wildlife Service I think has tremendous baggage when we have to explain to folks that they have embedded themselves already in native folklore, and the past deeds that they have done in relation to resource management, which in our view is very stupid, and that I think is the concern, because if we have to explain to the federal managers that the reason that we don't particularly care to work with Fish and Wildlife Service is because one of their agents back in the good old days confiscated all the weapons in Noatak, or back in 1952 decided that there wasn't enough caribou to go around and made a two-caribou limit for the whole family for the entire winter, it's stuff that I think creates a lot of mistrust in the relationship that this Council should have with the Federal Subsistence Board, with the Fish and Wildlife Service being right in the middle.

33

34

I think that the issue of trust is going to have to be a philosophical discussion on the upper management of Fish and Wildlife Service, and not necessarily only Anchorage, but perhaps in training this new person that you have as Director in relation to what we perceive as the beginnings of a successful co-management regime, which I think is the only way that anything is ever going to work.

41

42

Let me also say that the State for 30 years has tried to implement the system that instead of gaining strength has really done the opposite in relation -- in natives basically finding out that this is a sports hunting mentality that we're dealing with, and some of it is -- and a real insult to how natives put together their philosophical hunting programs and training programs, because a lot -- even though regulations

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have tried to regulate it into oblivion, it's extremely healthy yet.

2

3 And if there's going to be a successful working relationship, I think the feds need to go back and talk about how it is that they're going to be dealing with the issue of trust in the native community, because the other unfortunate part is that Fish and Wildlife Service Enforcement Division is another creature unto itself, almost apart from the normal Fish and Wildlife Service regional office in Anchorage. And if we have that philosophical beginnings of mistrust already laid out, then I don't think that creating a situation that is founded on how things were done in the past is going to be very successful, because I think it's probably safe to say that we're now reaching a point where the Alaska natives in particular since they've had to have educated themselves in resource management issues, and I don't think that we will be satisfied any more with having a basically foreign system dictate how we're going to deal with resource management. Because ultimately, the other fact of life that we have to spill out to the feds, and this was to the State prior to, was that if regulations don't fit how things are done in village, Alaska, then we will have this technical violation issue to continue to have to deal with. And the same for the feds, because we're also worried that somewhere along the line the issue of enforcement is going to become more of a prominent issue as far as following whatever resource management scheme we decide to wind up dealing with. But I think that it's incumbent on the federal -- particularly the U.S. Fish and Wildlife Service to go back to the drawing board and begin to figure out how they are going to be working more cooperatively, rather than having this confrontational attitude and I just think that that's one poor way to go about developing the joint use system, because ultimately if we wind up having to break either federal or state law again to get our needs met, then that's exactly what's going to happen. And I think it's reaching a point where we're getting sick and tired of being dictated to as far as other agencies trying to spell out how village, Alaska, should live.

39

40 And I think part of the problem in relation to the regional councils that was a major problem in the past was trying to input to the Board of Game prior to McDowell on a meaningful level that was clearly the intent of ANILCA. And beyond that, I think in Section Eight where the federal people particular should be paying more attention to what it is that's being spelled out here, because ultimately if we see the feds being selective and picking apart what we think was the intent, and it's in black and white in this document anyway, of

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the federal legislation, then I think it's going to result in a situation where we'll be placing less and less attention on what it is we're supposed to be doing under that scenario anyway.

4

5 MR. SAMPSON: I think Pete has a point there in regards to the way the system is set up, especially in regards to putting documents together, such as Operations Manual. If you're mandated by -- by ANILCA to do certain things, then that 9- then that agency needs to -- needs to abide by those laws as well. You know, any time we have a chance to comment on issues and have disagreements with the agencies, the first thing that agency does is turn around and go to their solicitors for solicitor's opinion. And once a solicitor's opinion has been put out, then we get defeated. And if that's going to be the process, then we ought to have, as an advisory council, we should -- we ought to have an equal opportunity to get an opinion from an attorney or somebody to get our side of the picture into -- input into the system, rather than being defeated each time we try to work a disagreement. I think it's been happening -- happening too long, and it's getting to the point where the native groups are finally saying, "Well, enough is enough."

23

24 If there's going to be a way to work, we're willing to work with the system, but if the agency's not willing to work, and wish to work in their own ways, then we've really got no choice but to head-butt, and we hate to do that, because each time we start head-butting, that impacts on the user groups out there -- at the regional level. At the community level, rather.

31

32 And I think Pete brought out a good point there, that, you know, co-management. We've been looking at it, and, you know, if the agencies are willing to work, then we're willing to just -- to sit down and discuss issues, rather than having to go through the process of head-butting. And I think it's time that we -- that we work together, and in trying to get the system in place, which means that the heads of -- or the Board itself needs to consider getting some representation into the Board from the rural communities. And if we can get some folks into the Board, then we would feel more comfortable in dealing with the agencies, because of the history and the background that the agency has brought to the rural communities.

44

45 Too often we get plans, whether it's a draft or a final draft, handed down to us, and give us a period of time to comment, and when we did comment, then sometimes those comments are not even considered to -- be considered into the plans. A

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good example is about ten years ago we put together a subsistence plan for our resource areas. Those were submitted. Not a copy got to the Secretary of Interior's office in D.C. It was shelved or booked in the regional office in Anchorage. I think that's the other reason why we're having to deal directly with D.C. as well, as much as we hate to. But if that's the only course that the regional office has given us, then we've got no alternative but to use that course.

8

9 I think what we're trying to say is that -- is that we're willing to work with the agency, but on the other hand, if U.S. Fish and Wildlife is going to be dictating to us as to how things are going to be worked or plan, then we don't want the dictation no more. We want to be part of that process, instead of being told how things are going to be done.

15

16 MR. SCHAEFFER: Mr. Chairman, I have a recommendation, unless there's further discussion. Perhaps we can table this (indiscernible, coughing) until the chairs meet, and I understand it's going to be some time in April, for a statewide meeting of the chairman, and .....

21

22 MR. SAMPSON: Yeah.

23

24 MR. SCHAEFFER: ..... that will give also another bit of time for the information to be digested more thoroughly as to, you know, what potential impact this document may have, and .....

28

29 MR. SAMPSON: Okay.

30

31 MR. SCHAEFFER: I guess my question is when were they -- when were they intending to finalize this thing?

33

34 MR. COMMACK: Mr. Chairman, I have a question. Does the Fish and Wildlife Board take into consideration some of the traditional laws that have been passed down among our people for thousands of years when you make these rules and regulations, or do you just go about making your own rules and regulations in your Anchorage office or wherever without consulting our people? Because we do have our traditional ways of -- like out hunting and fishing, which have been passed down for thousands of years, and these are very respectful laws that we should take into consideration when we go about making these regulations.

45

46 MR. SAMPSON: Louie, I guess in regards to the traditional laws, as long as they're not written, then they're not laws whether they're state or federal, then nobody really

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considers those traditional laws. In regards to .....

1

2 MR. COMMACK: But then we do, right? We carry  
that on.

4

5 MR. SAMPSON: We as native -- we as native  
6 groups, yes, we respect those traditional laws, but when you're  
7 dealing with an agency that has their own regulations and  
8 placed in black and white, then with respect to your laws, then  
9 those aren't considered.

10

11 Now, in regards to Pete's question?

12

13 MR. LOCKHART: Mr. Chair, I've been sitting  
14 here trying to -- and there's a lot of things that you all have  
15 just brought up, and there's -- I've been sitting here trying  
16 to think how I would respond.

17

18 First of all, I think the fact that there's a council  
19 here is a very strong mechanism for input into how the Board  
20 will make decisions. That's number one.

21

22 I think the -- there's some elements of what you're  
23 asking that certainly are beyond the jurisdiction of the Board  
24 as far as co-management. I mean, I really don't understand all  
25 that you're -- what you were talking about. But changes in  
26 terms of who has authority to implement certain things, and  
27 certainly you're talking about regulations, subpart A and B,  
28 which are beyond the jurisdiction of the Board, and that is the  
29 jurisdiction of the Secretary of Interior for changes for that.

30

31 However, in getting to some of the other comments,  
32 there are mechanisms in the Board's authority under subpart C  
33 and subpart D to engage in harvest -- community harvest  
34 strategies, for doing some of the things that I think that you  
35 are brushing on when you're having this discussion. So I would  
36 like to think that there's -- and certainly the Board has come  
37 across several times that they are interested in cooperating  
38 and trying to accommodate customary and traditional practices  
39 of local communities. I think that's very clear. I think  
40 they've been very slow in doing that, and I think the councils  
41 on line will be a big step up in trying to get regulations out  
42 the field level that make more sense, that are more  
43 appropriately used by you folks out here.

44

45 So there is -- there is a way right now that the  
46 councils can positively affect federal subsistence regulations  
47 try and bring them about to a manner that's more acceptable  
48 at local levels. And that's very clear. The authority's

49

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there, are in regulation, and we can pick through some of those and highlight them for you if you chose to, or, you know, just at your pleasure.

3

4 I don't know if I -- if I'm really the one who can  
5 answer best a lot of these questions that you're raising, and  
6 .....

7

8 MR. SAMPSON: Maybe what we ought to do is in  
9 regards to the discussion in regards to the powers of this  
10 Council, we ought to just wait for Dick to come in and get a  
11 direct answer directly from Dick, so that way we can reference  
12 those discussions when it comes to those points.

13

14 MR. LOCKHART: And one other point, the Fish  
15 and Wildlife Service is certainly the lead federal agency in  
16 terms of the staffing and a lot of the administration and  
17 everything, but the Board is comprised of all the agencies, and  
18 those Board members have their own discrete power in terms of  
19 voting and things, so -- I think that you'll see that there's a  
20 very strong interest on the part of all those Board members to  
21 try to accommodate local views, and local peoples' interests.

22

23 MR. SAMPSON: In regards to the Operations  
24 Manual, that your -- that you have on the final draft, what's  
25 your time line for -- in regards to this?

26

27 MR. LOCKHART: That I don't know, to tell you  
28 the truth. Barb, have you heard anything on when they were  
29 trying to get this done?

30

31 MS. ARMSTRONG: No.

32

33 MR. LOCKHART: I don't think that's anything  
34 that's crucial that we, you know, get a final draft out  
35 immediately. Obviously the sooner the better, but we want it  
36 to be a good document, and if we can get -- if we need some  
37 more time to get some substantive input, we'll certainly  
38 consider doing that.

39

40 MS. ARMSTRONG: I think we can set it up where  
41 you guys meet in April, .....

42

43 MR. SAMPSON: Okay.

44

45 MS. ARMSTRONG: ..... that this be discussed  
46 with all the chairs before anything is done with it.

47

48 MR. SAMPSON: Okay.

49

50

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1 MS. ARMSTRONG: I can put a word in for that.  
2 And it will be in here that you have requested this.

3  
4 MR. SAMPSON: Yeah. And I'd like -- go ahead.

5  
6 MR. LEE: Yeah, I'd like to add a little bit on  
7 the comments. It's hard to change your system the way it's set  
8 up down in the States, maybe, when you try to use it up here.  
9 In our -- you can't forget our traditional ways, whether  
10 they're written or not. We still use them. We still use our  
11 old tradition: how to preserve our animals, and how -- for  
12 future use for our children. They might not be written, but  
13 they're still in use, so with that in mind, when you try to  
14 change things around, like we're telling you, oh, we've been  
15 listening to all these regulations, all these here, we mostly  
16 don't use them. We can't read regulations when we're going out  
17 hunting, when we're getting ready our equipment. So most of  
18 the hunters don't even look at them in our region. But our  
19 traditional ways are very important to these people, whether  
20 they're written or not, so we have to consider those with our  
21 these regulations that we are trying to set up. You can't  
22 set them up in a couple years, two years or three years maybe,  
23 five years at the most. Maybe then by that time we should be  
24 kind of almost satisfied with the regulations for our region.  
25 It will take time. You can't do it by saying "you've got to  
26 change this, we've got to change that." We've got to think  
27 about the changes we are going to make. That's all I've got.

28  
29 MR. SAMPSON: In regards to the, again, the  
30 Operations Manual, I guess that we'll further discuss that at  
31 the chairmen's meeting in Anchorage?

32  
33 MR. COMMACK: I have one more question. Do we  
34 have another April meeting coming up on this Operations Manual?

35  
36 MS. ARMSTRONG: No, just the chairs are going  
37 to meet. Chairs and vice chairs will probably meet.

38  
39 MR. COMMACK: Okay.

40  
41 MR. SAMPSON: Uh-huh.

42  
43 MS. ARMSTRONG: I know the chairs for sure, but  
44 we have been asking that the vice chairs also attend this  
45 meeting in April .....

46  
47 MR. COMMACK: Okay.

48  
49  
50

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MS. ARMSTRONG: ..... in Anchorage.

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2

MR. COMMACK: Uh-huh. I am very much interested in getting the old traditional laws that deal with our fish and game and hunting, you know, the style that's been passed on to us, the way things were done put -- I really think that's important, .....

7

8

MR. SCHAEFFER: Well, as a matter of information, .....

10

11

MR. COMMACK: ..... even though it's not written. That is why a lot of our people in the villages object to all this paperwork, because this is not the way they were taught to manage hunt -- manage fish and wildlife.

15

16

MR. SCHAEFFER: Yes. good. And sort of expanding on what Louie's saying, what goes on with Southcentral, for instance, or Southeast is that when you propose something what's considered a little out of the ordinary, and the first thing they ask for is the data to support what it is you're saying. And the problem with native people is that the only data we keep is up here, and we don't have in the western model, you know, very much other data, other than communicating directly with some of the professional staff for like say the Department, and they put -- they in turn take a look at what we're saying and then put it in a data -- put the data in the form of the western management model. So what I'm saying is that it's kind of a difficult process to kind of verify what we see happening out there, and then sort of almost in time with how meetings go, it's practically impossible to permit what's going to be happening out in the field, other than the general thrust of, you know, where things are headed and what can be done immediately as you deal with them.

35

36

As a matter of fact, one of the other issues that we probably ought to talk about with the chairs and the co-chairs would be the issue of what constitutes an emergency order in the federal arena that matches what the State had the authority to do, because we're going to be meeting twice a year, and if something major happens like say with the caribou, for instance, where either a migratory change or population change would require immediately action, then as far as I know, that it's going to be very difficult to make any recommendation directly to the federal people outside of the meeting season, you know, that's probably something they need to discuss, too. And the other thing is the authority to implement one where I think it was very clear in the State picture as to how

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that was supposed to happen, and, of course, totally absent even within the authority discussed here for operations, nothing's said about what constitutes any emergency situations as far as the federal people are concerned. So that's another thing to tack onto that list of stuff for April.

5

6 MR. LOCKHART: Mr. Chair? Mr. Schaeffer, that's what you want to discuss in April is like the procedures for how you would interact on emergency openings or closings?

9

10 MR. SCHAEFFER: Right.

11

12 MR. LOCKHART: Okay.

13

14 MR. SCHAEFFER: And the authorities of who has got who to implement what -- or who has what to implement it.

16

17 MR. LOCKHART: I mean, I -- that is something that I can discuss in terms of -- well, you're probably familiar with the existing regulations. If you would like me to go through that, I could certainly discuss that here.

21

22 MR. SCHAEFFER: Well, I think what needs to happen on the regional council level is what it is that has been replaced by the federal system in relation to reacting on an emergency basis. I didn't find it in here.

26

27 MR. LOCKHART: No, it's not in there. It is in the federal regulations, but the connection as to how you would be involved, you're right, is not -- is not described. Certainly the councils would be involved in any kind of what we call special actions, which are emergency closures or openings. But that's a very good point.

33

34 The other thing I would recommend, that when you do this, when you have these discussions is certainly we need to identify these issues right now and provide some staff support and presentation on what the regulations are and how we see them being implemented right now, so that you can have the benefit of that knowledge when you discuss it.

40

41 MR. SCHAEFFER: Well, I think even more importantly is as related to past experience in having to deal with the Board of Game, for instance, where on more than one occasion it was very clear to the public anyway as to what the intent was of a particular regulation or a particular procedure, and then come to find out that sitting next to the chair of the Board of Game is the attorney general who basically forgets the intent and gets into the legal language,

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which I imagine is probably the same situation with the Solicitor's Office having some say in what procedure the Federal Subsistence Board takes, and, you know, the authorities of it. A lot of time the intent has been forgotten in the legal wrangling of language there. Unfortunately it has to happen, you know, and that doesn't do much for simplifying regulations either.

7

8 MR. LOCKHART: I think that's a very appropriate subject, because I don't think we in the federal -- as federal managers are real satisfied with the provisions we have for have -- for doing emergency openings/ emergency closings. It's kind of a cumbersome process right now, and we are looking at ways of trying to improve that, and those ways of improving that would certainly include council input on changing how we would do it.

16

17 MR. SAMPSON: I think those are going to be part of our discussions in regards to our working relationship, finding out what powers this Council has, what powers the Board has, and how we interact with it, with each group.

21

22 MR. SCHAEFFER: Because the basic premise is that, you know, under increasing pressure that conditions change very drastically, and then we as the subsistence users in the eyes of the State practically don't exist either, so we're concerned about the abilities of the federal system to do something effectively in a short period of time. I mean, to us, all of this procedure for different sections of what we're dealing with takes a hell of a lot of time, and the way things normally work in the village is that it's kind of an immediate situation that, you know, that need be to meet their requirements will probably deal with going outside the lodge. It's no big deal, because it's kind of like what we're conditioned to do anyway. And that's what we want to try to start to eliminate in this scenario.

36

37 MR. SAMPSON: Any other discussions in regards to the Operations Manual? We got off the subject a little bit, but we'll go into a little deep. Questions?

40

41 MR. SCHAEFFER: Sure. The understanding is that this discussion for the manual itself will take place at the April meeting?

44

45 MR. SAMPSON: Yeah, that's my understanding. That when -- where they discuss the Operations Manual is at the chairman's meeting in April.

48

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MR. SCHAEFFER: Is that sufficient to get word to the Anchorage office, or do we need to take formal action, or .....?

3

MR. LOCKHART: I'm sorry? Is it sufficient for what?

6

MR. SAMPSON: Pete -- what he said, is that -- our request, is that good in this fashion, or do we need to take a formal action in order to have the Operations Manual discussion for our chairmen's meeting in April?

11

MR. LOCKHART: No, I think that's at your pleasure. If you choose to bring it up, certainly. The thing about it is, I guess, I don't know what the agenda is for that meeting and all the topics, but they need to be identified mutually between the chairs or whatever .....

17

MR. SAMPSON: Yeah.

19

MR. LOCKHART: ..... so that we can put some staff work and provide you with some information that you're going to need to be able to discuss that properly.

23

MR. SAMPSON: Okay.

25

MR. LOCKHART: If you want to.

27

MR. SAMPSON: Do you want to put that in the form of a motion to .....?

30

MR. SCHAEFFER: Yeah. I guess, Mr. Chairman, I'm asking that we entertain a motion to direct the regional coordinator to discuss -- or to give the Federal Subsistence Board notification for addressing the Operations Manual for the regional councils in the April meeting.

36

MS. ARMSTRONG: Okay.

38

MR. SAMPSON: There's a motion on the floor, is there a second?

41

MR. LEE: Second.

43

MR. SAMPSON: Second. Is there a discussion?

45

MR. STONEY: Question.

47

MR. SAMPSON: The question's been called for.

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All those in favor of the motion signify by saying "aye"?

1

2

ALL: Aye.

3

4

MR. SAMPSON: All opposed, same sign. The motion carries.

6

7

We'll go to recruitment. Who's addressing recruitment?

8

9

MS. ARMSTRONG: That's that blue form. In your file there. Probably the first one I gave out.

11

12

MR. SAMPSON: Let's take a minute or two to take a look through the recruitment bulletin.

14

15

(Pause and general discussion)

16

17

MR. SAMPSON: I guess -- are you ready for discussions for this?

19

20

MR. SCHAEFFER: Uh-huh.

21

22

MR. STONEY: Yeah.

23

24

MR. SAMPSON: Okay. Go ahead, Raymond.

25

26

MR. STONEY: Okay. Mr. Chairman, I notice down here on yourself and Raymond Lee, the expiration date for '94. When is the date that we're looking at here? When?

29

30

MS. ARMSTRONG: Deadline is April 1st.

31

32

MR. STONEY: April 1st?

33

34

MR. COMMACK: So you've got to apply again?

35

36

MR. STONEY: Otherwise that -- reapply?

37

38

MR. SAMPSON: We're dead.

39

40

MS. ARMSTRONG: Yeah.

41

42

MR. SAMPSON: April Fool's day, too. So what in regards to the process on the advisory council, what are we looking at as time frames? Once a name is submitted -- for instance, if this Advisory Council submits names to the Interior, then what are we looking at as far as time when we get notification in regards to when you're appointed?

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MR. LOCKHART: I'm sorry, Mr. Chair, I'm going to have to claim ignorance and do a tag team with Barbara, because I'm new into this function, and I'm not sure what happened with the last recruitment process.

4

5

MR. SCHAEFFER: I do. It took .....

6

7

MR. LOCKHART: Barbara probably knows more about it than I do.

9

10

MR. SCHAEFFER: It took two years to appoint people, so .....

12

13

MR. STONEY: Yeah.

14

15

MR. SCHAEFFER: ..... I'm sure this is going to be quicker.

17

18

MR. LOCKHART: It will be quicker.

19

20

MR. SAMPSON: I guess my concern there would be, is that if we don't get appointed in the positions early enough and we're -- and sitting in the Council without any authority or without any votes, and I would have some concerns, and .....

25

26

MR. LOCKHART: You mean, in other words, being left without a quorum?

28

29

MR. SAMPSON: Right.

30

31

MR. LOCKHART: I don't think that's going to happen. I mean, we will do everything possible to make sure that that doesn't happen. You know, the problems with the -- getting the original nominations and people on line were something that was an artifact of getting the system going, and I'm sure that will work a lot faster now.

37

38

MR. SCHAEFFER: So we just make the assumption that until something different happens, the current members are serving until that -- they're .....

41

42

MR. LOCKHART: Correct. Right. If for some reason that the nominations -- that the members -- the new members don't come on line, then they -- my understanding is that the old members would continue to serve until that seat is filled.

47

48

MR. SAMPSON: Now, in regards to public -- if

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the public wishes to make its recommendations, then what process is that?

2

3 MR. LOCKHART: We have nomination forms right  
4 over here that we -- and certainly, I think that was sent out  
5 in the big distribution list, so that a lot of people have  
6 that. And maybe this .....

7

8 MR. SAMPSON: Okay. So there is a process in  
9 place for .....

10

11 MR. LOCKHART: Yes, sir.

12

13 MR. SAMPSON: ..... them as well? Okay. Good.

14

15 MS. ARMSTRONG: These -- I think these were  
16 sent out to all communities, if anybody wanted to apply.

17

18 MR. SAMPSON: Okay. Any further discussions on  
19 the recruitment for Subsistence Regional Advisory Council?

20

21 Now, in regards to the Board, I guess we will probably  
22 discuss that with the Board itself, or should we discuss that  
23 with Pospahala?

24

25 MR. SCHAEFFER: You mean with regards .....

26

27 MS. ARMSTRONG: The .....

28

29 MR. SCHAEFFER: ..... to making a  
30 commendation?

31

32 MR. SAMPSON: In regards to making  
33 commendations to -- or if there's any provisions in law  
34 somewhere in regards to getting some representation from native  
35 groups.

36

37 MR. LOCKHART: On the Board itself?

38

39 MR. SAMPSON: On the Board itself.

40

41 MR. LOCKHART: Federal Subsistence? That is  
42 something that would require a change in Subpart A and B, and  
43 that would be something that the Secretary would have to  
44 undertake.

45

46 MR. SAMPSON: Okay.

47

48 MR. LOCKHART: But, again, as far as the

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mechanisms on how to do that, and the best way, certainly, the resources you have available to you for contacting him directly, but I would encourage you to talk to Mr. Pospahala about those concerns and .....

4

5

MR. SAMPSON: Okay.

6

7

MR. LOCKHART: ..... see what avenues he thinks is appropriate for forwarding a recommendation.

9

10

MR. SAMPSON: Okay.

11

12

MS. ARMSTRONG: Mr. Chair?

13

14

MR. SAMPSON: Go ahead.

15

16

MS. ARMSTRONG: When we had our coordinators meeting, I brought that question up, whether -- what it would take for the ten chairs that we have for the regional councils to become the FSB Board, and I was told that it was impossible. And I said that, well, I'll -- this is what I'll report back on the chairs that I am working with, and that is what I was told.

23

24

MR. SAMPSON: I think that's a wrong assumption personally. I think there's -- you could always make a recommendation and make any change in sections of the law. I mean, there's no such thing as a concrete law or policy. I think there's always room to change something if it comes to the point where it needs to be changed.

30

31

MR. LOCKHART: Right.

32

33

MR. SAMPSON: And I just can't see no reason why a recommendation cannot be made to make such change.

35

36

MR. SCHAEFFER: There was a record of decision that was put about a couple of years ago I guess in relation to that question, and at the time I guess the determination was that since ANILCA did not anticipate the State dropping out of the picture as far as subsistence management was concerned, Secretary Lujan gave the authority for the creation of the FSB under the scenario that it's on now, so I agree that it's probably not totally possible to fix, but I think if there is going to be some ownership of this program, then first of all I think we look at the track record of the current FSB, which is not really bad, but the problem is the people that really have an understanding as to how things tick out here, I think there's only one person on that Board that really understands

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what it is that he's dealing with, and that's Borbridge, and he's only a staff person to Niles Ceasar, so .....

2

3 I think in relation to how to do things differently, what I have done on my own basically was to get some legal direction as to, first of all, take a look at the record of decision and some internal -- not investigation, but some internal correspondence to deal with, you know, why that decision was made, and perhaps whether Secretary of Interior Babbitt would be willing to consider something different, which will require a lot of time and it's not something that I think can be fixed or -- I guess the question is whether something is broken, if you're going to fix it, you know, over night. So I haven't got no word back from our legal counsel, but what he's going to be doing on behalf of this Regional Council is basically take a look at that again and make some recommendation maybe as to how to proceed.

17

18 MR. SAMPSON: Okay. Raymond?

19

20 MR. LEE: I want to make a little clarification for my reason myself. If my term expire in August, how do you about changing my -- would somebody fill this out and .....

23

24 MR. SAMPSON: You would have to fill that out and submit it.

26

27 MR. LEE: I mean, if I don't want to run.

28

29 MS. ARMSTRONG: Oh, okay. He wants to decline .....

31

32 MR. LEE: If I want to get off.

33

34 MS. ARMSTRONG: You don't have to fill it out.

35

36 MR. SAMPSON: You don't have to fill it out if you don't .....

38

39 MS. ARMSTRONG: You don't have to.

40

41 MR. LEE: Okay. And you can .....

42

43 MR. SAMPSON: ..... if you don't want to run.

44

45 MR. LEE: You can appoint somebody else to take  
46 place?

47

48 MR. SAMPSON: We can find somebody that's

49

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interested and appoint him .....

1

2 MR. LEE: Okay.

3

4 MR. SAMPSON: ..... to that position.

5

6 MR. LEE: Uh-huh. I can't afford to be on this  
Council. It's too expensive for me.

8

9 MR. SAMPSON: That's true. You could really  
look at it both ways, you know, the impacts on the -- that the  
Advisory Council has versus the cost in dollars to feed you and  
the house you. And I see your point there.

13

14 So I guess in regards to the recruitment process, then  
we all understand the process that we do need to take to sit in  
on the Council.

17

18 Any other discussions in regards to the recruitment  
process? Hearing none, we'll go down to the -- okay. Let's  
take a quick break. Maybe at the same time Barbara or somebody  
can check and see where the jet's at, and if it's .....

22

23 MS. ARMSTRONG: The jet went back to Anchorage.

24

25 MR. SAMPSON: It's on its way back to  
Anchorage? Okay.

27

28 MS. ARMSTRONG: Then I'm going to call, if you  
still want Mr. Pospahala to be here tomorrow, or if you have an  
evening meeting this evening, then if he would still come in  
for this evening meeting, I could call and ask him to still try  
to come on up.

33

34 MR. SAMPSON: Well, I think we have some  
discussions that we need to have with Dick, and it is important  
that he be here, because in regards to the goals of working  
relationship, and a discussion in regard to the regional  
Coordinator's position and the powers of subsistence committee,  
we need to understand clearly what our role is, what our powers  
are, and make it clear amongst ourselves as to what role we  
have, and how important those roles are, and get an  
understanding from the agency how we're going to interact with  
the agency. So we need to discuss those with Dick.

44

45 MR. COMMACK: Walter?

46

47 MR. SAMPSON: Yeah, just a second.

48

49

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MR. COMMACK: Is that what "advisory" means?  
 We advise whomever .....

2  
 3 MR. SAMPSON: Yeah.  
 4  
 5 MR. COMMACK: ..... need advise?  
 6  
 7 MR. SAMPSON: Yeah.  
 8  
 9 MR. COMMACK: And what's the area if they  
 do .....  
 11  
 12 MR. SAMPSON: Advisory -- what that .....  
 13  
 14 MR. COMMACK: ..... do they take .....  
 15  
 16 MR. SAMPSON: ..... does is anytime you're  
 sitting on the advisory capacity, basically what you do is make  
 recommendations.  
 18  
 19  
 20 MR. COMMACK: Right.  
 21  
 22 MR. SAMPSON: Those recommendations can either  
 be taken or they cannot be taken.  
 24  
 25 MR. COMMACK: Right.  
 26  
 27 MR. SAMPSON: So that's basically the role that  
 we have .....  
 29  
 30 MR. COMMACK: Right.  
 31  
 32 MR. SAMPSON: ..... as I understand it. But we  
 need to discuss those with -- those issues with Dick Pospahala.  
 34  
 35 MR. COMMACK: How serious are -- my question  
 is, will they just listen to us or take our comments and just  
 say, then they'll decide whether they want to honor them or not  
 or .....?  
 39  
 40 MR. SAMPSON: Well, that's what we'll find out  
 when they .....  
 42  
 43 MR. COMMACK: Yeah.  
 44  
 45 MR. SAMPSON: ..... when we discuss.  
 46  
 47 MR. LOCKHART: I can't answer some of that, and  
 we can talk about it later, but it sounds like you'd prefer to  
 49  
 50

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get it directly from the policy .....

1

2 MR. SAMPSON: Yes. Right.

3

4 MR. LOCKHART: ..... maker's mouth, and we'll  
try and get him here.

6

7 MR. SAMPSON: Yeah.

8

9 MR. SCHAEFFER: Yes. As a matter of fact, I  
have another recommendation to make perhaps. Since a lot of  
this will have to deal with, you know, what affects other  
regional councils, perhaps, you know, this very same items can  
be discussed with the chairs in their meeting in April, because  
I'm sure that since there's general agreement that some of the  
discussion has occurred in other regional councils, that  
perhaps since this is going to be affecting a policy decision,  
it may be wise to consider doing that, and have the discussion  
at the meeting of the chairs and the policy makers themselves  
rather than having the discussion here and then .....

20

21 MS. ARMSTRONG: Having to discuss it .....

22

23 MR. SCHAEFFER: ..... having the poor guy go to  
another regional council meeting, hearing the same thing .....

25

26 MS. ARMSTRONG: They say something else.

27

28 MR. SCHAEFFER: ..... for the ten different  
times. That probably is worth considering since I think in  
April, also like I said before, it gives more time to do more  
of an analysis as to whether this document's maybe sufficient  
or not.

33

34 MR. SAMPSON: Okay. What Pete is saying is  
that, you know, in regards to the issues that we have talked  
about discussing with Dick, it would be probably worthwhile  
discussing with the chairmen, discussing those issues amongst  
themselves, .....

39

40 MS. ARMSTRONG: Uh-huh.

41

42 MR. SAMPSON: ..... and then discussing  
directly with the -- with Dick, and we can report back at the  
next -- at our next meeting. (In Inupiaq)

45

46 MR. LEE: (In Inupiaq)

47

48 MR. SCHAEFFER: And there's a thing in here

49

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that I wanted to show you that .....

1

2 MR. LEE: (In Inupiaq).

3

4 MR. SAMPSON: Yeah. (In Inupiaq) What we're saying is that, you know, in regards to the processes and our role as an advisory council, we're going to take the responsibility in making sure that our voices are heard in regards to some of the concerns that we address. And too often, anytime you put a group of people into an advisory position, you can blab all you want, but you don't get heard on the other end.

12

13 MR. COMMACK: Yeah.

14

15 MR. SAMPSON: But in this case, what we want to do is make sure that our inputs are considered in -- at their decision making level.

18

19 MR. SCHAEFFER: Well, I think that's important, because, you know, what's -- what was permitted under the old regional council system was basically three criteria, that if a recommendation to the Board of Game in pre-McDowell days did not violate basically three criteria, which basically is not supported by substantial evidence, or would violate recognized principles of fish and wildlife conservation, or would be detrimental to the satisfaction of subsistence needs. The problem is in the interpretation of those three criteria, and obviously the feds are intending to follow the State's interpretation, which I don't think is agreeable.

30

31 MR. LOCKHART: No, I'm -- Mr. Chair, I'm sorry, I'm not aware that that was the criteria under the former State program. That is some of the guidelines that we do follow; however, it's set up in regulation that the -- there's a lot of deference given to the councils from the standpoint of the Board, and the Board has to respond in writing why they are not will not accept a recommendation by the Board, which is a little bit different. And I think certainly from my perspective and knowledge, you have a lot more power in making your recommendations heard and making a -- getting an accurate response to them than you did in the previous system, but it remains to be seen. We'll see what happens at the next Board meeting.

44

45 MR. SAMPSON: Well, let's take a quick ten-minute break, and we'll get back into session and decide where we want to go from here.

48

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(Off record)

1  
2  
3  
4

(On record)

MR. SAMPSON: At this time I guess we've got some proposals and stuff that we do need to go over. And what we will do is, this morning is that we'll recess until 1:30 this afternoon, and then -- and when we get back at 1:30, then what we'll do is we'll go through the proposals and other discussions as well. So at this time what we'll do is we'll recess until 1:30, and this afternoon we'll go and do the proposal stuff. So that way it will give us a chance to discuss this afternoon, and hopefully Pospahala will be in either tonight or in the morning. Okay. So we'll recess at this time.

15

(Off record)

10:43 A.M.

16

17

(On record)

1:30 P.M.

18

19

20

MR. SAMPSON: We will reconvene at this time. It's now 1:37. And what's going to happen this afternoon is I guess we'll go into the proposal section. We'll go through that process of discussing proposals. We'll go to the discussion on SRC, then -- in our general discussion, then adjourn for the day. And in regards to Pospahala's section, I guess what we'll probably do is wait till we get to the meeting of the chairmen and we can discuss those things with them at the chairmen's level. So we'll go through that process today. And when it gets to general discussion, then we'll -- if anybody has any issues, then we'll go to discussing those issues.

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50

In regards to the issue on customary and traditional, we're going to wait until we get to the chairmen's or .....?

MR. SCHAEFFER: Yes. Yep.

MR. SAMPSON: Okay. We'll discuss the C and B's as well as the chairman level.

So at this time, what we'll do is we'll go into proposals. I guess when the airplane went back -- it doesn't look like it's going to lift today, so even -- it might even become worse tonight anyway. Usually if it stays like this, it will stay pretty much like this through the evening. So no sense in trying to get Dick up here and having to make a trip back.

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I want to -- for the record, Bill Bailey is now with us. I know Bill had some other commitments this morning, so, Bill, what basically we did was we sort of revised our agenda .....

4

5

MR. BAILEY: Uh-huh.

6

7

MR. SAMPSON: ..... this morning, and pretty much everything that we had intended to discuss was with Dick Dospahala, .....

10

11

MR. BAILEY: Uh-huh.

12

13

MR. SAMPSON: ..... and since he wasn't able to make it, then we went into some other discussions. The Operating Manual and recruitment.

16

17

MR. BAILEY: Uh-huh.

18

19

MR. SAMPSON: And we'll go into proposals and SRC are our discussions for this afternoon.

21

22

MR. BAILEY: Okay.

23

24

MR. SAMPSON: And then from there we'll go into general, then adjourn from there. So at this time we'll go to proposals.

27

28

MR. LOCKHART: Mr. Chair, it's certainly your pleasure on how you want to address the proposals. What I thought we might do is just take a few minutes to talk about the process of the proposed rule and proposals themselves, and then we're prepared to handle the proposals however you would want them. We can read them into the record, then talk about our analysis. One thing we do suggest is that we address the ones for the region first, and then maybe .....

36

37

MR. SAMPSON: Yeah.

38

39

MR. LOCKHART: ..... hit proposal one and two, the statewide ones, at the last. That seems to be working a little better.

42

43

MR. SAMPSON: Okay. What's the wish of the Commission? Or the Committee? How would you like to do the proposals as far as discussion is concerned.

46

47

MR. BAILEY: I think we should address the regional proposals first, get them .....

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1 MR. SAMPSON: Would you want to go through that  
 2 scenario that Mike had talked about? Pete, do you have any  
 3 problems with that?

4  
 5 MR. SCHAEFFER: No.

6  
 7 MR. SAMPSON: Okay. So we'll go through your  
 8 process then. Just for the record, too, this is the first I've  
 9 seen of the -- this booklet, proposal analysis. Apparently it  
 10 was mailed or .....

11  
 12 MR. LOCKHART: Mr. Chair, I'm sorry, I really  
 13 don't know. I mean, we are late in our schedule for getting  
 14 those out for some of them, but I thought that had been mailed  
 15 to you at least last week, and over-night mail or Express Mail,  
 16 however it gets out here. So nobody on the Council has  
 17 received one, is that right?

18  
 19 MR. BAILEY: I got mine.

20  
 21 MR. LOCKHART: You got one? Okay. How long  
 22 ago did you get it?

23  
 24 MR. BAILEY: Last week. A week or week and a  
 25 half ago, yeah.

26  
 27 MR. LOCKHART: Okay. Well, we're going to have  
 28 to do some .....

29  
 30 MS. ARMSTRONG: Was it the same?

31  
 32 MR. BAILEY: Yeah, the same one.

33  
 34 MR. SAMPSON: I never .....

35  
 36 MR. LOCKHART: We'll have to do a little  
 37 checking into it and see what happened.

38  
 39 MR. BAILEY: I don't know why I got mine, but I  
 40 got it.

41  
 42 MR. COMMACK: I got mine yesterday. I got one  
 43 yesterday.

44  
 45 MR. BAILEY: Yeah.

46  
 47 MR. LOCKHART: Well, we apologize for that, and  
 48 certainly our process is kind of bogged down in this part of

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 50

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it, and we intend to do better. It's been a problem with our other councils as well in terms of getting this analysis to them.

3

4 And I'd certainly like to preface this discussion on the proposals as well by indicating that what you have in front of you in that analysis is what constitutes our staff review of the proposals, and our assessments of what they mean. And it is a draft. You'll see under the analysis parts of that booklet it's stamped "draft" up on the top. There's a very important element of that analysis that is -- that we will obtain through this Council meeting and through your recommendations. We will go back and take information that you provide and look to see if we need to modify our evaluations in any way before they go to the staff committee.

15

16 And let -- actually I'm kind of getting ahead of myself. Let me just back up and talk about the process and make sure that there's a good understanding of that, and if you have any questions about each one of these steps and the roles, maybe that's -- this is the right time to bring it out.

21

22 The Federal Subsistence -- the regulations and the way that we develop them are different than the State's. The State has a period when they open the regulations and take public proposals to change them. Our regulations simply go away every regulatory year, and we have to adopt new ones, which essentially are the same rule, with maybe some modifications. That's what we call our proposed rule. That was published on September 2nd, and we allowed for a 60-day public comment period after that to develop proposals, and, of course, we had the regional council meetings as a part of that to help draft proposals.

33

34 The public comment period, the proposal booklet was distributed about November 15th, and I think that was on time, and the public comment period for the proposal booklet ended January 14th. And, of course, right now we're into the regional council meetings across the State to address the proposals book, the proposals and the analyses that we're going to talk about.

41

42 March 7th to March 11th, there is a staff committee meeting. That is the staff for the agencies. They will get together and look at these analyses. They will look at your recommendations, and they will make a recommendation to the Board. That is an independent process of yours. The council recommendations go as they are to the Federal Subsistence Board. They are not modified. And there was some confusion

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about that in one of the council meetings. But by the same token, the staff committee feels like its very important to get the information that you have to make sure that they're evaluating things correctly, so -- and again, if you look back at that chart, you remember the bar that goes from the councils to the staff committee. That's the connection that was intended there.

7

8 The Federal Subsistence Board will conduct a public hearing and take actions on the proposals April 11th through the 15th, and the basis of that meeting will formulate -- will be the process for how the final rule for the regulations is completed. That final rule will be drafted after the meeting and will be published, we hope, by about May 27th. There has to be a 30-day waiting period after the publication of a rule before it becomes effective, so it needs to be published about that time so that it can be -- that the rule can be implemented on July 1st, which is the beginning of the regulatory year.

18

19 Are there any questions to this point?

20

21 MR. SAMPSON: Any questions or comments from the committee? Go ahead.

23

24 MR. LOCKHART: Okay. I guess with that, what we'll try to do is jump right into Proposal 64, which is the first regional proposal for this area. And I guess it's important to put as much of this information on the record. It's also important, if we can, to try and capture your opinions and your recommendations on each one of these proposals for the record, so if you determine that you would like to take an action, then it would be very helpful for us to have a clear understanding of what the intent really is.

33

34 Proposal 64 was by the Alaska Department of Fish and Game. It is a recommendation to change the description of a management area in Unit 23, and the proposed regulation change would be for the portion of Unit 23 north and west of and including the Kivalina River drainage, one moose, no person may take a cow accompanies by a calf. Open season, July 1st to March 31st. And they would change that to strike out the Kivalina River drainage and replace that with Ogotoruk Creek, and I apologize if that's mispronunciation.

43

44 MR. SAMPSON: Which?

45

46 MR. LOCKHART: Page 12. Proposal 64.

47

48 MR. BAILEY: Agutoraq (ph).

49

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1 MR. LOCKHART: If you look, there's .....

2  
3 MR. SAMPSON: Agutoraq? Okay.

4  
5 MR. BAILEY: Agutoraq.

6  
7 MS. ARMSTRONG: Agutoraq.

8  
9 MR. LOCKHART: Sorry about that. Again, the way these are formulated is you see the proposed regulation, which is how it occurs -- how it's read -- it reads in the proposed rule. The regulation change is the next stage, is what -- the essence of the Alaska Department of Fish and Game's recommendation is.

15  
16 The reason that they cite this -- the reason for this regulation change that the Department is citing, is that the boundaries should be representative of the area where the need for the regulation exists, which is primarily the Alaska Maritime National Wildlife Refuge. As is currently written, it includes more state land than federal land, and the state regulation does not allow moose hunting in July on state land.

23  
24 Also, I need to point out here that you're addressing this in your Council, but as you're aware, the Region 10 boundary has also been shifted as a part of that record of decision, so this will be taken up by the North Slope boundary, because it affects -- I'm sorry, where is it? Where's the boundary? It affects the people in Region 10 probably more directly than it does people from down in this area. Point Hope. Sorry, I couldn't remember the name of the community.

32  
33 The Department has stated that the proposed regulation would not affect -- significantly effect moose populations, and 35 would have no significant effect on subsistence users. They cite that Point Hope residents can still hunt near their village. I'm not really sure what that means, and we'll go into the analysis of that just a little more in depth, and certainly if the Department, anybody from the Department wants to discuss their proposal, we would recommend that you hear that as well.

42  
43 Recently the State selected several tracts of former Bureau of Land Management lands in the part of Unit 23 that includes the Kivalina River drainage and the lands north and west of that river, which constituted the former part of that description for the proposed regulation change. The selections changed the amount of federal land in this area from more than

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60% to less than 10%, so there are not very many federal lands that are left. And if you look up on this map, and on page 15 is another map, that shows you the remaining federal public lands that are left. Everything left in white -- that is in white is state lands, or under state jurisdiction.

5

6 There's little biological information on moose in the portion of Unit 23 north and west of the Kivalina drainage, and it's questionable whether or not a resident population of moose even exists in that area. Moose have been expanding westward out of the Noatak for the past three to four decades, and moose found in this part of Unit 23 are probably transient. Some information suggests that moose move westward along coastal areas.

14

15 Moose in this part of Unit 23 are mostly taken by residents of Point Hope, again Region 10, and the harvest is small compared to other resources, which is less than 1% of the total edible pounds harvested, with zero to four moose on average taken annually.

20

21 The July season was set up to give Point Hope residents an opportunity to hunt moose. That opportunity has been seriously reduced by the recent land selection and the existing state moose season structure, which prohibits the take of moose in July. Although there is little moose population information for Unit 23 -- for that part of Unit 23, it is expected that the low harvest levels in July will probably not have a serious impact on the unit moose population.

29

30 The proposal suggests a boundary change that would inappropriately close certain Refuge lands and may inappropriately affect BLM lands on the Ipewik River drainage. And I don't know if I pronounced that right either. I'm sorry. But if you look here, the State's recommendation for the boundary would be lands north and west of the Ogotoruk Creek. There are federal lands below that, so it's probably -- it's probably not an appropriate boundary, and instead, what we're recommending essentially, while I'm up here, is that boundary be north and west of this river, which would include all the federal lands, and include all the lands that are within these drainages, which would include these parcels of federal land as well.

43

44 Consequently, we have made a recommendation in our staff analysis that the description of this part of the management area, moose management area, be changed so that it would read: "Unit 23, that portion north and west of, and including the Singoalik River, .....

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1 MR. BAILEY: Singoalik.

2

3 MR. LOCKHART: Thank you. "River drainage, and  
4 all lands draining into the Kukpuk and Ipewik Rivers, one  
5 moose; however, no person may take a cow accompanied by a  
6 calf."

7

8 We acknowledge that by providing this opportunity to  
9 allow people to still utilize those federal lands. It will  
10 also increase the risk of people that would participate in this  
11 hunt of violating state hunting regulations, because it's  
12 difficult to distinguish where state and federal lands are, and  
13 there's not very many federal lands.

14

15 We think that there is a need for this July moose  
16 season. We don't think that it's a biological issue that is  
17 going to impact the population, and, consequently, we are also  
18 asking that the Board, the Federal Subsistence Board develop a  
19 proposal to the Alaska Board of Game which would incorporate  
20 the recommended definition that we have, and also that they  
21 consider amending or modifying their regulations to allow for a  
22 July season on state lands as well.

23

24 And that concludes the analysis and comments. If you  
25 have any question, we'll be happy to try and answer them.

26

27 MR. SAMPSON: Any questions?

28

29 MR. SCHAEFFER: I've got a question for Jim Dau  
30 guess. Is there any particular reason why, Jim, the July  
31 season was not permitted in the previous regulatory scheme  
32 .....?

33

34 MR. DAU: Yeah, it was never proposed. That's  
35 probably the only reason. And I feel -- I feel remiss on my  
36 part that I didn't go to Point Hope two years ago and say,  
37 "This is coming up. You should get your proposal," because  
38 that's the only reason.

39

40 MR. SAMPSON: Any other questions?

41

42 MR. SCHAEFFER: I'm a little bit confused as to  
43 what our part in this proposal is in relation to this being in  
44 Region Ten's territory, and I was wondering whether we ought to  
45 base our recommendation on what they recommend, since this is  
46 their territory, or do we have .....

47

48 MR. BAILEY: And then maybe we could support

49

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it.

1  
2 MR. SCHAEFFER: ..... a recommendation to make,  
3 or what's the deal here?

4  
5 MR. BAILEY: Yeah.

6  
7 MR. SAMPSON: Have you talked to the Region Ten  
8 folks and get a feel of what .....

9  
10 MR. LOCKHART: No, sir. Region .....

11  
12 MR. SAMPSON: ..... where they're at with those  
13 that proposal?

14  
15 MR. LOCKHART: Region Ten is meeting next week,  
16 we haven't addressed this with them yet. We will.

17  
18 MR. COMMACK: We should leave it up to them.

19  
20 MR. SAMPSON: I guess the concern here is that  
21 if they're going to make a decision on such a proposal, we  
22 don't want to create a problem. If we act on it, and they  
23 decide, "No, it's not -- we don't want to support that," then  
24 we're going to have some -- create some conflicts between our  
25 people of Kivalina as well as people in Point Hope. So I think  
26 maybe at this time no action, no recommendation be made from  
27 this Council.

28  
29 MR. SCHAEFFER: Either that, or we could make a  
30 commendation to go along with whatever they decide to do.

31  
32 MR. COMMACK: Yeah. We'll support .....

33  
34 MR. SAMPSON: Yeah, or we can .....

35  
36 MR. COMMACK: ..... whatever they decide.

37  
38 MR. SAMPSON: Okay. If that's the wish of the  
39 Council, that's fine. So would you like action on each  
40 proposal then from this Council, or what?

41  
42 MR. FISHER: Yeah, we would.

43  
44 MR. LOCKHART: Well, I think it's important, if  
45 you feel comfortable -- now, there's -- it's not necessary for  
46 you to provide action at this time, if you're not comfortable  
47 yourself. I mean, .....

48  
49  
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MR. SAMPSON: But at -- but at the same time, it would be important for those folks on the North Slope side, if they needed support from this -- from this Council.

3

4

MR. LOCKHART: That's right.

5

6

MR. SAMPSON: And I guess if it's the wish of the Council to support the proposal, contingent upon the approval of the -- of Region Ten folks, then we would be in support of the proposal.

10

11

MR. LOCKHART: Mr. Chair, just as a point of clarification, the proposal before us, Proposal 64, is to -- this is the State language as you see it. Now, the staff analysis, we've recommended modifications.

15

16

MR. SAMPSON: Okay.

17

18

MR. LOCKHART: So you have to be very careful in what you're saying. I mean, when you say "support of a proposal," you can say that you would support the decision or the action taken by the North Slope, Region Ten, if you so choose to do that. But any wording where you're talking about supporting a proposal, we need to be careful what your intent really is there, because if you said, "We want to support Proposal 64," then essentially that would be a recommendation put in the Ogotoruk Creek as the boundary.

27

28

MR. SAMPSON: I guess this Council then can -- somebody can make a motion to support the Region Ten's decision on Proposal 64, if that's the wish of this Council. (In Inupiaq).

32

33

MR. BAILEY: (In Inupiaq)

34

35

MR. LEE: (In Inupiaq)

36

37

MR. SAMPSON: (In Inupiaq)

38

39

MR. LEE: (In Inupiaq)

40

41

MR. SCHAEFFER: I'll make a motion to that effect.

43

44

MR. SAMPSON: Okay. So there is a motion on the floor to support the Region Ten's decision on Proposal 64. Are there a second?

47

48

MR. LEE: I'll second that motion.

49

50

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1 MR. SAMPSON: Second. Discussion?  
2  
3 MR. SCHAEFFER: Question.  
4  
5 MR. SAMPSON: Is that -- is that what you  
6 wanted the motion to be like, to support Region Ten?  
7  
8 MR. LOCKHART: I think that would satisfy it.  
9  
10 MR. SAMPSON: Okay.  
11  
12 MR. LOCKHART: As I understand it, your  
13 interest is .....

14  
15 MR. SAMPSON: We're just supporting, right.  
16  
17 MR. LOCKHART: Whatever decision they make.  
18  
19 MR. SAMPSON: Their decision, right.  
20  
21 MR. LEE: We don't want -- we don't want to  
22 create no friction between the people in Point Hope and  
23 Kivalina.  
24  
25 MR. SAMPSON: Yeah.  
26  
27 MR. SCHAEFFER: Not yet anyway.  
28  
29 MR. LEE: But Kivalina is closer to Point Hope  
30 and I think, but I think they might think we made the right  
31 decision to know we support it.  
32  
33 MR. SAMPSON: Jim?  
34  
35 MR. DAU: I'm not sure whether we should make  
36 comments, but I've got a comment, just a minor point, but .....

37  
38 COURT REPORTER: Would you go up to the  
39 microphone, please?  
40  
41 MR. DAU: I just have a minor point while  
42 you're messing with the boundary. Rivers usually make real bad  
43 boundaries for moose. Somebody going up the river, you can  
44 shoot it on the left side, you can't shoot it on the right.  
45 First as a practical term, you might consider using the  
46 drainage, Singoalik drainage, instead of the river. That will  
47 make it easier for people. That's my comment.  
48  
49  
50

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1 MR. SAMPSON: Okay. Good point I think, Jim.  
2  
3 MR. SCHAEFFER: Uh-huh.  
4  
5 MR. SAMPSON: A question, Mike, in regards if  
6 that proposal is written only to the section of one side of the  
7 river, and the folks of Kivalina have had some problems with  
8 it, versus what Point Hope might have, then it would be  
9 creating some frictions there I think. Would it be appropriate  
10 to rewrite to say "the drainage of"?  
11  
12 MR. LOCKHART: Yes, Mr. Chair, and maybe I'm  
13 confused here on the drainages as far as where there might be a  
14 problem, but the way that it's written now says "The portion  
15 north and west of, and including the Singoalik River drainage,"  
16 so that it's all that drainage, .....

17 MR. SAMPSON: Okay.  
18  
19 MR. LOCKHART: ..... "and all the lands  
20 draining into the Kukpuk and Ipewik Rivers." So it's --  
21 essentially the Kivalina drainage is out of it, but all the  
22 drainages to the north and west of it are in it, and it is by  
23 drainages.  
24  
25 MR. SAMPSON: Okay. Jim?  
26  
27 MR. LOCKHART: Is that satisfactory, Jim, is  
28 that .....?  
29  
30 MR. DAU: Yeah, I guess so. Just -- yeah, I  
31 thought it was river.  
32  
33 MR. LOCKHART: It was intended to be drainage,  
34 and maybe we can work on the wording there and make it a little  
35 more clearer. I could talk to Jim about that a little bit  
36 later.  
37  
38 MR. SAMPSON: As long as the intent, it's not  
39 really a significant change to the .....

40  
41 MR. LOCKHART: The intent, again, and maybe I  
42 could just point out here just to be absolutely clear, but the  
43 intent was that this whole drainage here and all the Kivalina  
44 drainage here would not be included.  
45  
46 MR. SAMPSON: Okay.  
47  
48 MR. LOCKHART: But the drainage -- all this  
49  
50

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drainage and all this .....

1

2

MR. SAMPSON: Okay.

3

4

MR. LOCKHART: ..... would be included.

5

6

MR. SAMPSON: Okay. Any further discussions?

7

8

MR. SCHAEFFER: Question.

9

10

11

12

13

14

ALL: Aye.

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as much during the last weeks of September as they do later in the winter, so the effect of the change on them will not be significant. By closing the federal subsistence hunting season also during the September 16th to September 30th period, law enforcement problems will be minimized.

5

6 As additional information, they cite that the closure was supported by the Noatak/Kivalina Advisory Committee, the Kotzebue Advisory Committee, and all advisory committees in Unit 23 supported this closure at the Buckland Regional Advisory Council meeting.

11

12 MR. SAMPSON: Questions or discussion on  
13 Proposal 65.

14

15 MR. SCHAEFFER: To open for discussion, I move  
16 that we support Proposal 65.

17

18 MR. SAMPSON: There is a motion on the floor to  
19 support Proposal 65.

20

21 MR. STONEY: Second.

22

23 MR. SAMPSON: There's a second. Discussion?

24

25 MR. COMMACK: Question.

26

27 MR. SCHAEFFER: Before we get to the question,  
28 I have some comments to make in regards to the proposal. I  
29 think that the intent of this proposal was to basically shorten  
30 the sport hunting season for more of an enhancement of the  
31 subsistence season, so I would also add that I think that if  
32 there's any intent to cut the season down in the future that we  
33 also deal with the open season for sports hunt. And that is my  
34 comment.

35

36 MR. LOCKHART: Mr. Chair, since you've asked  
37 for the question, I'm a little bit unfamiliar with the  
38 protocol. Is that -- do you want discussion from us?

39

40 MR. SAMPSON: Yes. We .....

41

42 MR. SCHAEFFER: Yes.

43

44 MR. LOCKHART: Okay. Because one of the  
45 things .....

46

47 MR. SCHAEFFER: Well, I think .....

48

49

50

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MR. LOCKHART: I'm sorry.

1  
2 MR. SCHAEFFER: ..... the discussion is okay if  
we don't understand, but we can read, and, you know, if we want  
to speed this process up and not avoid being here three days, I  
wouldn't get going on this.

6  
7 MR. SAMPSON: Yeah.

8  
9 MR. LOCKHART: That's fine. I didn't know if  
you want us to characterize our staff analysis to you, because  
all I did was essentially read the proposal. I did not talk  
anything about our analysis of our staff.

13  
14 MR. SAMPSON: What's the wish of the --? Do  
you want to hear from .....?

16  
17 MR. SCHAEFFER: Well, I think we've -- since  
this thing was -- closure was supported by Noatak/Kivalina, as  
well as Kotzebue, that I think the discussion as to the reason  
why was clear enough.

21  
22 MR. SAMPSON: Okay.

23  
24 MR. LOCKHART: The only thing that we would add  
is it is that we found that that was the only compelling reason  
that we would want to support it. We were leaving it in the  
hands of the councils as to give us advice on how this should  
fall. Biologically from the standpoint of subsistence uses, it  
doesn't make any sense -- it doesn't matter one way or the  
other if you close it or don't close it. So that's -- that was  
our entire point. It's your preference. If you feel like the  
State's action essentially does away with the nonsubsistence  
competition in and of itself, the remaining subsistence uses  
there would probably not, in our estimation, affect the moose  
population substantially. The question would be from a law  
enforcement standpoint, if we left it, the federal regulation,  
the way it was, then you would have to hunt only on federal  
lands during those two weeks.

39  
40 MR. SAMPSON: Thanks. I want to thank you for  
it now if we could make those kinds of decisions based on this  
Council's recommendations, then that would be great.

43  
44 I guess the question's been called for. All those in  
favor of the motion signify by saying "aye"?

46  
47 ALL: Aye.

48  
49  
50

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MR. SAMPSON: All opposed the same sign?

Motion carried.

2

3

MR. FISHER: Mr. Chairman, I have the next two proposals, 66 and 67. Sixty-six was submitted by the National Park Service. It deals with Dall sheep in Game Management Unit 23. And what they want to do there is clarify the wording of the area. If you'll see there on page 20, the lower part, they want to clarify the area for the two seasons, and primarily align it with the definition the State uses for their area. They also want to add the remainder of Unit 23, which is the DeLong Mountains.

12

13 The primary reasons for changing the regulation, they state, "the regulation's boundary description is incomplete, and the proposal's language clarifies the description of the hunt area, which should eliminate any possible confusion on the part of the public."

18

19 Another change they wish to make is in the registration permit. They're saying that that should be a State-issued permit, which it has been since I believe 1981 or 1982.

22

23 That's basically Proposal 66. Proposal 67 .....

24

25 MR. SAMPSON: No, take it one -- okay. Okay.  
26 relates to the sheep, too. Okay.

27

28 MR. FISHER: Proposal 66 and 67 are similar. Sixty-seven addresses some of the things that are in 66, but it has a couple more issues in it. So however you wish to .....

31

32 MR. SAMPSON: What's the -- where do those two sections or two differences that you have in the proposals?

34

35 Before I guess we get into discussions, what's the wish of the Council for proposal 66 and 67? Would you want to act on each one or do you want to act on both of them together since they're similar, and the -- Is there discussion on how you would want to .....

40

41 MR. SCHAEFFER: Well, maybe I'd have Dave tell  
42 the difference between the two?

43

44 MR. SAMPSON: Okay.

45

46 MR. FISHER: Sixty-seven also addresses what 66 does. In addition, 67 -- well, 67 was submitted by the Department of Fish and Game, and they wanted to increase the

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horn size for the sheep in that area. They want to go from 7/8ths to a full curl, basically what 67 does.

2

3 MR. SAMPSON: No, they've 7/8th on 66, too.  
Where's that full curl?

5

6 MR. FISHER: The full curl comes in in 67.

7

8 MR. SAMPSON: Seven-eighths curl.

9

10 MR. BAILEY: Seven-eighths it shows.

11

12 MR. FISHER: At the bottom of page 23 there, it  
says "proposal for regulation change"? That area that's shaded  
14?

15

16 MR. SAMPSON: Oh, okay. Okay. That's in the  
remainder of Unit 23?

18

19 MR. FISHER: It also addresses that area south  
and east of the Noatak River for those two seasons, the fall  
season and the winter season. Proposal 67 wants to go to a  
full curl for both of those.

23

24 MR. SAMPSON: Was that the only difference then  
25 regards to your -- the Park Service proposal and the  
Department's proposal is just the curl on the horns?

27

28 MR. FISHER: Also Proposal 67 proposes for the  
remainder of Unit 23, which the DeLong Mountain area, it's  
proposing a ram of full curl there also.

31

32 MR. SCHAEFFER: I guess I've got a question in  
relation to sheep maybe for Jim or Lee Ann. And that in  
previous discussions regarding the sheep population and the ram  
35 excuse me, for other animals with the cow ratio, cow/calf  
ratio. Let's see now, for sheep it would be .....

37

38 MS. AYRES: Ewe/lamb.

39

40 MR. SCHAEFFER: Ewe?

41

42 MS. AYRES: Ewe/lamb.

43

44 MR. SCHAEFFER: Well, some of the discussion  
though expressing some concern for the heavy take of the larger  
rams, and the need to perhaps have a system more designed to  
protect those populations, or did I miss the gist of our  
conversation back then?

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1 MR. DAU: No, you're right. And that's kind of  
 why the full curl regulation is being adopted through the  
 state. What some of the real sheep expert say is that large is  
 anything 7/8ths and above, that functionally those are big  
 breeder rams. If you have a 7/8ths curl, as you do right now,  
 you can eliminate all those large rams. You could feasibly do  
 that. By moving it up to full curl, they've got fewer sheep to  
 get, but what the sheep experts tell me is you shoot every full  
 curl in the population. They can't shoot the 7/8ths any more  
 just because of legal mandate, and so you're left with some big  
 rams in the population.

12

13 MR. COMMACK: I have a question.

14

15 MR. SAMPSON: Go ahead.

16

17 MR. COMMACK: Who are the sheep experts?

18

19 MR. DAU: The guy I've mostly talked to is in  
 Fairbanks. His name is Wayne Heimer. There's another guy I've  
 spoken to in Anchorage, Dave Harkness. And then I've read some  
 stuff, but -- from different symposium, and, you know, frankly  
 I'm not the only one that's done this. Lee Ann probably knows  
 more about sheep than I do. You should address this.

25

26 MS. AYRES: It's a theory.

27

28 COURT REPORTER: Lee Ann, would you come up to  
 the microphone, please? Thank you.

30

31 MS. AYRES: This -- in regard to the rams and  
 the full curl, and their role in breeding, it's a theory, and  
 it's been tested in certain populations, like in British  
 Columbia. Whether it applies to sheep populations everywhere,  
 you know, in Arctic populations where there's certainly  
 different constraints, it has been tested or looked at there.  
 So it's not a fact. It's not something that, you know, we can  
 say, if all full curl rams are shot during the hunting season,  
 there will be no effect on the breeding population. I mean,  
 that's -- I guess it's based on some fairly good studies by  
 people who have looked in detail at a number of populations.  
 So it is, it's a theory, and it's something that as managers we  
 kind of -- we feel comfortable bringing it up and throwing it  
 open as something for you to consider when we're talking about  
 harvest strategy. And it's something we feel is -- it's  
 definitely going to be something that will be a little more  
 conservative for the DeLong population and the Baird Mountain  
 population when it is opened. So that's one of the reasons

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that it's been discussed here is that it's a way of adding another measure of kind of conservative harvest management during that fall sport hunt.

3

4 And it's -- basically I think that's the main differences between these proposals is the full curl change. There are a number of things that were left out of the federal proposal in the Federal Register that the Park Service proposal corrects, and then there are things that were left out of the State proposal, so the -- the differences I think that are worthy to be discussing or considering are, one, whether you want to support going to a full curl for the fall hunts in the Bairds and the DeLongs.

13

14 And, two, the wording on the boundary change. The federal proposal, 66, has the -- puts in the boundary of the Kobuk River as the southern boundary for that Baird Mountain hunting area. The State proposal leaves it out. I think biologically it makes no difference. I think at one point the State considered putting it in, and we just thought it's a little less verbiage, and the people who hunt sheep in that area, it doesn't really have any impact on them, since there aren't any sheep south of the Kobuk anyway. So -- but that's something that -- those are the -- those are kind of the two differences, if that helps any.

25

26 MR. SAMPSON: Ray?

27

28 MR. STONEY: Yeah, Mr. Chairman, I've got a question for Jim. What is your estimate count on this area for sheep, like, you know, with the emergency closure last fall, and did you get an estimate count on this?

32

33 MR. DAU: We've got about two areas that we look out for sheep. In one area I think we can do a reasonable job on a total estimate, and that's in the Bairds, you know, the head of the Squirrel and the Ely area, and last year it was slightly over 400. It was about 426 sheep total. That includes lambs.

39

40 For the DeLongs, we don't have a total estimate. We simply can't count all the DeLongs, so what we're looking for is just changes in relative abundance based on small little areas where we can count repeatedly. We don't have much data from the DeLongs. It wasn't until we saw the big decline in 1991 that we started systematically looking at the DeLongs. So, to answer your question in short, we don't know how much sheep are in the DeLongs for sure.

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MR. SAMPSON: So as far as the agency, the federal agency and the State is concerned then, then the sheep population is getting to the point where we can get proposals in to do such hunts? Or are we still pretty much on the borderline of saying yes or no?

5

MR. DAU: I think in the Bairds we haven't seen any sign of a recovery, so as far as just, you know, what we're thinking, we're not thinking of changing regs in the Bairds. I think in the DeLongs, it wasn't proposed, but in the staff analysis it sounds like they're moving towards maybe recommending a closure in the DeLongs. Just looking at the data, I guess, I think that sheep population may be behaving differently than the Bairds. I'm not sure that they went through a crash like the Bairds. They may have, but I just don't know. If I had data prior to about three years ago, I could evaluate that. But just looking at the numbers we have, they've really been stable or else they've been slowly declining. That's our best guess for what's going on in the DeLongs.

20

MR. SAMPSON: What about Park -- the agency, what's your assessment in regards to .....

23

MR. SHULTS: I've got something that .....

24

MR. FISHER: I'd have to have .....

25

MR. SHULTS: ..... might help a little bit.

26

MR. FISHER: ..... Brad address that.

27

MR. SHULTS: I brought a simple little graph, and that kind of shows it. That's our data. That's what we have for the Baird Mountains. Simply the height of those shows the number of sheep we're basically counting, and that's where it's been the last three years. And I think the main thing to remember is there that the most conservative thing to do right now is to keep it closed, because it is at a low level. And the problem that I see from what I've done with the data, which is quite a bit up to this point, is that the problem we have here is we have very low reproduction, because we have very few reproductive females in there, and the questions about shooting large rams and stuff aren't really the relevant ones right now. It's to protect those reproductive females, and that's where either sex hunts and those sorts of things come in. And the most conservative thing to do is keep it closed. But the other thing to remember is any population level, you can harvest some sheep. It may not be the most conservative

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thing to do, but it's also an option. So, you know, those are things to consider.

2

3 MR. SAMPSON: I think one thing that we all  
 4 also need to consider is that before we would be supportive of  
 5 such a proposal, with a big question mark in regards to the  
 6 sheep population, possible decline next year, we don't know.  
 7 If we support such a proposal, then what we're basically doing  
 8 is encouraging those hunts to occur. And I think if we did  
 9 that, you know, we're going to be creating more competition  
 10 between the user groups by encouraging a hunt for a full curl  
 11 sheep. I mean, not knowing what's going to happen next year  
 12 through the process of -- through say through the middle of the  
 13 or early next fall, if they should go down, straight down,  
 14 then what can the agency tell us the process that you're going  
 15 to use to eliminate hunts? Who's going to be involved in  
 16 the closure process, and how are you going to -- how are you going  
 17 to handle that process?

18

19 MR. FISHER: Well, depending on what time of  
 20 the year you're talking about, and season and so on, it would  
 21 have to go through the -- be a recommendation from you people,  
 22 if a proposal sent in, go to the .....

23

24 MR. SAMPSON: Well, the thing about it is that  
 25 we meet only twice a year, and this happens early fall, and  
 26 our meeting's not until November, then we've got problems.

27

28 MR. FISHER: Well, not necessarily. At any  
 29 time you can send in a request for reconsideration or an end-  
 30 season action request to change the season or stop the season.

31

32 MR. SAMPSON: No.

33

34 MR. FISHER: Yes, you can.

35

36 MR. SAMPSON: I think we've got some problems  
 37 here. What I'm saying is that in order to get an emergency  
 38 closure, if it becomes evident that sheep is on the -- on this  
 39 sheep decline this fall, the process that you have to go  
 40 through: One, putting a notice on Federal Register to hold a  
 41 meeting, an emergency meeting, takes time. If you have to  
 42 close the sheep hunt within a couple days to a week, then it's  
 43 not going to be -- it's not going to be timed right I guess  
 44 would be my concern. Just before -- go ahead, Lois?

45

46 MS. DALLEMOLLE: We can do an emergency closure  
 47 instantly. It only lasts for 60 days, but that would cover the  
 48 period of concern. That can be done without the public notice

49

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and meeting.

1

2

MR. SAMPSON: When you say "we," who is .....?

3

4

MS. DALLEMOLLE: The Fish and Wild- -- the Park Service can -- most of these sheep are on Park Service land. The superintendent can do that.

7

8

MR. SAMPSON: Okay. Okay.

9

10

MR. FISHER: And then, of course, the State has their -- have their emergency action procedure.

12

13

MR. SHULTS: I think I want to -- before you pass motions on the two proposals or when you get to that point, I want to clarify something about Proposal 66 and 67 that I'm not sure is real clear. Having helped write Proposal 67, the intent of writing that proposal was to bring the boundaries for the Baird Mountains in synch with what the state boundary was, so it read exactly the same, so everybody knew what we were calling the Baird Mountains. That was the first intent. The other thing is to go along with the State, we attempted to increase the horn size restriction just like they did, and that was rejected, and it's back to 7/8ths.

24

25

Proposal 67, the only thing that I've got to comment about that is it excludes the winter season for the remainder of the unit, and whether that's an omission or -- I'm sure it's not intentional, but they're different in that respect. And I 29 from the Park Service point of view, we would like to see the Proposal 66 without the Kobuk designation on the southern boundary, because we also think that it has no biological significance. And it's only an exercise to tidy up the wording.

34

35

MR. SAMPSON: Any discussions, questions from the Council?

37

38

MR. LOCKHART: Mr. Chair?

39

40

MR. SAMPSON: Yes, go ahead.

41

42

MR. LOCKHART: Could I just briefly address the issue you brought up? There is a provision in our federal regulations which it allows for an emergency closure, and I think in the future we're going to be relying very heavily on coordination with the councils to effect this, but we can close 47 and then we can -- and it's for a period of 60 days. That's 48 emergency closure. We have to provide reasons justifying

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the closure in the Federal Register, but those come after the closure. And then if we want to keep it as a more permanent closure, or a temporary closure longer than 60 days, then we have to have a meeting. But we can institute an emergency closure immediately.

5

6

MR. SAMPSON: What's -- go ahead, Ray.

7

8

MR. STONEY: Yeah, Mr. Chairman, I've got a question for Mike, and not -- emergency closure is not -- is not just on account of the sheep, is it, but it's moose, or caribou?

12

13

MR. LOCKHART: Yes, sir, anything.

14

15

MR. SAMPSON: I guess my concern is still if you allow one agency to say 7/8ths curls would be allowed, but on the other hand you have a full curl that's allowed for the hunt, I still have some problems with the proposal, I mean, the 19 I guess you're -- not knowing exactly what's going to happen 20 the sheep, I still have some concerns. I'm thinking of conservation here. You know, ten years down the road when we say to the folks of Noatak, "Completely no hunting of sheep," but yet right now we're trying to support a proposal to encourage a hunt, is what I'm getting at I guess. And maybe 25m getting a different view point here. Lois?

26

27

MS. DALLEMOLLE: I guess I could speak to that just briefly. The reason that the Park Service proposal has 28ths in there is because it is 7/8ths right now. To increase 30 to full curl was seen as a restriction on subsistence hunters, and that's usually something that we don't support, unless there's a concurrent or increased restriction on sport hunters. That was the reason that it was left in there as 34ths.

35

36

MR. SAMPSON: Okay. Okay. Thanks. So what's the wish of the Council? Pete?

38

39

MR. SCHAEFFER: I'll make a motion to support Proposal 66.

41

42

MR. SAMPSON: There's a motion on the floor for 43 to support Proposal 66. Is there a second?

44

45

MR. STONEY: Second.

46

47

MR. SAMPSON: There's a second. Any discussions?

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1 MR. STONEY: Question.  
2  
3 MR. SAMPSON: The question's been called for.  
4 All those in favor of the motion signify by saying "aye"?  
5  
6 ALL: Aye.  
7  
8 MR. SAMPSON: All opposed, same sign? Okay.  
9 Sixty-seven.  
10  
11 MR. SCHAEFFER: In supporting 66, I think we  
12 dealt with 77.  
13  
14 MR. SAMPSON: Oh, 67.  
15  
16 MR. SCHAEFFER: Yeah.  
17  
18 MR. SAMPSON: Okay.  
19  
20 MR. LEE: Can I make a comment? Before we get  
21 through with this, I'd like to make just a comment about how we  
22 used to use sheep before. You know, women elder and old men  
23 were -- old women started craving for sheep meat. They were  
24 telling us that they want them. And they described what kind  
25 of a sheep, you know, that she want, and they'll tell you where  
26 and how to hunt them, so it's up to the hunter to go and get  
27 it. And we don't look at the curl of the horn. It's what the  
28 elder describes that he wants. She or he wants. That's the  
29 way we used to do it before. And I wonder right now if elders  
30 have been, or things like that, that like to go out hunting. I  
31 noticed that one time James McClellan did just that, and he got  
32 voted for it. His old man quit craving for sheep meat, what he  
33 always had before. And since then I think nobody has -- no  
34 natives have hunted very much after that. I just wanted to  
35 comment on that and think about that.  
36  
37 MR. SAMPSON: Thank you. I think 66 took care  
38 of 67.  
39  
40 MR. COMMACK: Yeah.  
41  
42 MR. SAMPSON: Yeah. Okay?  
43  
44 MR. LOCKHART: Shall we continue, Mr. Chair?  
45  
46 MR. SAMPSON: We'll take a ten-minute break.  
47  
48 (Off record)  
49  
50

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1 (On record)

2

3 MR. SAMPSON: We will reconvene at this time  
4 and continue with our discussion on proposals. Dave? Or Mike?  
5 Who's .....?

6

7 MR. LOCKHART: Going to go 68?

8

9 MR. FISHER: I think Mike has 68.

10

11 MR. SAMPSON: Fine.

12

13 MR. LOCKHART: Yeah, Mr. Chair, Proposal 68 is  
14 by the Bureau of Land Management, and it has perhaps little  
15 effect on this region. It's for regulations covering the  
16 Dalton Highway corridor, and the reason that it's brought up in  
17 these regions that are adjoining the Dalton Highway corridor is  
18 because some of the species that are found in association with  
19 that corridor have a no customary and traditional use  
20 determination, so under the current federal regulations, with a  
21 B and C and T, any qualified rural resident can hunt those  
22 species, and we're talking about moose and caribou primarily.  
23 So what -- the way that the federal regulations, when they  
24 adopted the State regulations, particularly customary and  
25 traditional use determinations, there's a problem that we  
26 encountered with the Dalton Highway corridor. And it was kind  
27 of an unexpected problem in a sense. Again, everybody who is a  
28 qualified rural resident could operate under federal  
29 subsistence regulations on the Dalton Highway corridor.

30

31 Last year or the year before last, the Federal  
32 Subsistence Board did away with the prohibition of archery only  
33 for the Dalton Highway corridor, and allowed qualified rural  
34 residents to use rifles. That created a problem in that some  
35 of the qualified rural residents from military bases and from  
36 remote communities such as Haines saw that as an opportunity to  
37 harvest animals on the Dalton Highway corridor where  
38 traditionally and historically they never had.

39

40 So this proposal simply is making a recommendation to  
41 close the corridor to users other than some specific  
42 communities who have historically been documented to use the  
43 corridor. So it would allow those communities to continue to  
44 use rifles, firearms, to hunt for species, but would prohibit  
45 other rural residents from hunting on the corridor. And again  
46 that's to protect the resources that are there, and to allow  
47 the people who have customarily used those species to be able  
48 to continue to harvest them, but not allowing people who are

49

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far removed from that area from hunting. And essentially that's the essence of this proposal.

2

3 And again the only effects that it would have here is  
4 if -- the reason we're bringing it up to this council is if  
5 there's knowledge that you have of uses from people in this  
6 unit, 24, using the Dalton Highway corridor for taking species,  
7 then we want to know about that. And essentially that's it.

8

9 MR. SAMPSON: What's the wish of the Council?  
10 What's your wishes?

11

12 MR. BAILEY: Mike, is this connected with the  
13 Tok/Glennallen area?

14

15 MR. LOCKHART: I'm sorry?

16

17 MR. BAILEY: Is this connected with the Tok/  
18 Glennallen hunting area?

19

20 MR. LOCKHART: Again, the Dalton Highway  
21 corridor where there's species like caribou and moose, where  
22 there's no customary and traditional use determination, people  
23 from Tok, from Glennallen, from Haines can hunt up there as it  
24 currently exists. So that -- this proposal is a recommendation  
25 to curb those uses.

26

27 MR. SCHAEFFER: Mr. Chairman, I make a  
28 recommendation to support proposal 68. Or a motion.

29

30 MR. SAMPSON: Motion -- there's .....

31

32 MR. BAILEY: Second.

33

34 MR. SAMPSON: ..... a motion on the floor to  
35 support Proposal 68.

36

37 MR. BAILEY: Second.

38

39 MR. SAMPSON: Seconded. Discussion?

40

41 MR. COMMACK: Question.

42

43 MR. SAMPSON: The question has been called for.  
44 All those in favor of the motion, signify by saying "aye"?

45

46 ALL: Aye.

47

48 MR. SAMPSON: All opposed, same sign? Motion

49

50

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carries.

1

2

MR. FISHER: I have Proposal 85. And the reason that Proposal 85 was put in this book is because part of Region Ten also is found in Game Management Unit 23, and also the -- this is to line up the regulations for sheep for the DeLong Mountains in both 23 and Game Management Unit 26A. This proposal was submitted by the Alaska Department of Fish and Game.

9

10 What it proposed to do is basically change the regulation from 7/8ths curl to full curl or larger. So it is related to the one we talked about previously, 66, so whatever we .....

14

15

MR. SAMPSON: What's the wish of the Council?

16

17

18

MR. SCHAEFFER: I'd move to support Proposal

19

20

MR. SAMPSON: Motion on the floor to support Proposal 85. Is there a second?

22

23

MR. STONEY: Second.

24

25

MR. COMMACK: Second.

26

27

MR. SCHAEFFER: Under discussion, I've got a question for sheep folks. Now, does a 7/8ths curl also include the sheep that broom themselves or --? I guess, Jim?

30

31

32

33

34

MR. DAU: Well, the definition now, if it's -- if it's broomed back, and it's only 7/8ths, they still define as a full curl.

35

36

MR. SCHAEFFER: Okay.

37

38

MR. SAMPSON: Any further discussions?

39

40

MR. SCHAEFFER: Question?

41

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MR. SAMPSON: Hearing none, -- question. The question's been called for. All those in favor of the motion in support of Proposal 85, signify by saying "aye"?

ALL: Aye.

MR. SAMPSON: All opposed, same sign? The motion carries. Are we done with proposals?

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1 MR. LOCKHART: No, sir we have two more. These  
 2 are statewide proposals by the Alaska Department of Fish and  
 3 Game. Proposal Number One .....

4  
 5 MR. SAMPSON: Where's the proposals on  
 6 the .....

7  
 8 MR. LOCKHART: They're in the front of your  
 9 book. Proposal One and Proposal -- in the green book. They're  
 10 also in the small book.

11  
 12 MS. ARMSTRONG: One and Two?

13  
 14 MR. LOCKHART: One and Two, right.

15  
 16 MR. SAMPSON: Okay.

17  
 18 MR. LOCKHART: Mr. Chair, this proposal is by  
 19 the Alaska Department of Fish and Game. Proposal One. The  
 20 proposal basically asks that the federal regulations mirror the  
 21 same regulations that the Board of Game recently passed in last  
 22 June, to allow for the same-day-airborne taking of wolves,  
 23 lynx, coyotes, red fox and arctic fox, if a person taking the  
 24 animal is over 350 -- 300 feet from the aircraft.

25  
 26 And as it stands right now, the proposal -- in our --  
 27 the current regulations, the current federal regulations  
 28 which are on board now and go away as of the end of June, we  
 29 allow for the same day taking of lynx, coyotes, red fox and  
 30 arctic fox if you're 100 feet from the aircraft.

31  
 32 The proposed rule -- in the proposed rule, the Board  
 33 decided that it wanted to remove those regulations, because  
 34 there were concerns of conflicts with other regulations that we  
 35 had on the board for harassment of animals by aircraft. They  
 36 were also concerned that it potentially could violate another  
 37 federal regulation called the Airborne Hunting Act, which  
 38 prohibits harassment and disturbance from aircraft.

39  
 40 The same-day-airborne methods are an effective tool in  
 41 harvesting wolves, and the Board deliberated on this issue  
 42 during the 1992 and 1993 subpart D discussions, and they  
 43 elected at that time to eliminate the same-day-airborne hunting  
 44 regulations which would allow taking of wolves. One of the  
 45 concerns that they cited there was that it might have local  
 46 effects on populations.

47  
 48 In our analysis of this proposal, we determined -- we  
 49

50

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did not determine that there would be any substantial biological impacts by allowing same-day-airborne taking of these certain furbearer species; however, there's a lot of other issues that are related to this that are very difficult for us to answer in terms of -- as biologists in doing the Staff analysis. There are some value issues that are related to this that we are -- we're essentially throwing it to the Councils to ask for their recommendations. We did not choose to -- we did not select a recommendation that -- to the Board. We felt like this was really more in the hands of the users, and whether or not it constituted a customary and traditional practice to employ aircraft for taking these furbearers, and what the effects of allowing or not allowing this proposal on those users would be.

14

15 So in a very short summary, that's essentially what we have come to. We said ultimately that we would rely -- that the Board should rely on the views of subsistence users in addressing this as a policy issue.

19

20 MR. SAMPSON: Pete?

21

22 MR. SCHAEFFER: I guess my question is for maybe Jim and whoever on the Park Service that deals with this. My understanding of the previous regulation prior to the Board of Game's change of regulation, was that pertaining to trapping to this one here?

27

28 MR. LOCKHART: I can answer that, too. The -- there was a prohibition for same-day-airborne hunting which was enacted two years ago, I believe, in the 92/93 regulatory year. This is something that they've done recently, last June, which was to allow the take of these furbearers under a trapping license. So, in effect, what that does is -- we're -- the numbers of animals were restricted formerly in a hunting license. Now for most of these species the seasons are shorter, but the harvest limits are unlimited.

37

38 MR. SAMPSON: So this means then that if there's a furbearer in a trap, and you trap 100 feet, 200 feet, 300 feet, whichever it is, .....

41

42 MR. LOCKHART: No, Mr. Chair, .....

43

44 MR. SAMPSON: ..... then you can get out of the airplane and shoot the furbearer?

46

47 MR. LOCKHART: No, the regulation actually would allow shooting of free-ranging animals that aren't in

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traps, as long as you're 300 feet from the aircraft at the time that you take the animal. They're -- both the state and Federal regulations right now allow for somebody to dispatch a furbearer in a trap with a firearm as soon as they land, the same day. So that's not really one of the issues here. The issue is whether or not you can land, get out of your airplane, and with a rifle shoot a wolf, lynx, coyote, red fox or arctic fox the same day that you've been airborne.

8

9

MR. SAMPSON: Where does the law that lets the harassment comes in?

11

12

MR. LOCKHART: If -- under -- well, there's two sets of law. The federal subsistence regulations prohibit use of motorized vehicles harassing wildlife, but there's also an act called the Airborne Hunting Act, which prohibits any kind of harassment of wildlife. And the interpretation of that has been kind of difficult, but basically law enforcement has just told us that any time you change the direction of an animal, make it -- you know, with an aircraft then you are essentially harassing it. And there's concerns from our agency and from some of the other federal agencies that this regulation would promote some illegal use of aircraft.

23

24

MR. SCHAEFFER: Well, I guess from an enforcement point of view, what does that do for citing violators? I mean, are you going to have a 300-foot yard stick of something for every occasion? Or do you have to have enforcement personnel practically witness the thing to do anything about it, or .....

30

31

MR. LOCKHART: That's the problem, the reason that the Federal Board has chosen to get rid of those regulations in their proposed rule, is principally one of law enforcement. Now if you did not have that in there, if somebody was, for example, to go out and -- in an airplane in the morning, and come back that evening with a furbearer, you know, and it wasn't caught in a trap of what have you, so there's an easier means of enforcing it, than if you had the regulation in place, because you'd have to be physically there to make sure that, first of all, he was over 300 feet, and second of all, he didn't harass it anyway, because technically you could -- you potentially could harass an animal, still get out of the airplane, get over 300 feet and take it. And that would be illegal under federal regulations.

45

46

MR. SCHAEFFER: But only if you changed its direction of travel, but not necessarily the speed then?

48

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MR. LOCKHART: Well, there's all kinds of potential scenarios here, and I don't think the intent was certainly to try to restrict legitimate uses of these furbearers, but our agency and the other agencies are very concerned about misuses of aircraft in herding or harassing wildlife prior to taking. And that's essentially why the regulations disappeared in our proposed rule.

7

8 The other councils that have met on this, I believe  
9 four of them, three of them have opposed the regulation, and  
10 some of them cited that it was not a customary and traditional  
11 method of using for taking these furbearers. One of them, the  
12 Aleutians -- Kodiak Island/Aleutians Council voted to -- they  
13 wanted to support the proposal. So it's been kind of mixed.

14

15 MR. SAMPSON: Any further questions?

16

17 MR. STONEY: Mr. Chairman, I've got a question.  
18 On regulations for same-day-airborne, how would you know if  
19 there's a violation going on? You'd have to be out there in  
20 order to witness the violations of same-day-airborne, shooting  
21 within 300 feet?

22

23 MR. LOCKHART: Yes, sir. I'm certainly not  
24 qualified to speak on, you know, what constitutes good  
25 information on what -- you know, whether it was a violation or  
26 not, but my understanding is that by having the regulation in  
27 place to allow it, it will be much more difficult to enforce  
28 the harassment parts of that law than otherwise. If you didn't  
29 allow same-day-airborne, the enforcement is easier.

30

31 MR. STONEY: Okay.

32

33 MR. SAMPSON: Any other questions on this?  
34 What's the wish of the Council? Do we want to support the --  
35 this proposal?

36

37 MR. SCHAEFFER: I'd have some reservation in  
38 supporting it, simply because I think the whole intent on  
39 dealing with the same-day-airborne had been to prevent aircraft  
40 from having access to what I would consider traditional use of  
41 these animals for -- those animals being available for other  
42 means of take. I mean, snow machine in particular. And also  
43 if this were to speak towards matching the state regulation,  
44 then you know, it is not like the State had changed the  
45 regulation that required an animal to be caught in a trap to  
46 and shoot the damn thing anyway on the same day. And if  
47 the intent of this proposal is to match the state proposal as  
48 was amended last June or whenever, then I think I would

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propose to oppose it.

1  
2 MR. SAMPSON: Any other comments? So what's  
the wish of the Council? What's your wishes?

4  
5 MR. SCHAEFFER: Well, I'd make a motion to  
oppose the proposal.

7  
8 MR. SAMPSON: There's a motion on the floor to  
oppose proposal number one. Is there a second?

10  
11 MR. STONEY: Second.

12  
13 MR. SAMPSON: Seconded. Discussion?

14  
15 MR. BAILEY: Question.

16  
17 MR. SAMPSON: The question's been called for.  
All those in favor of opposing proposal number one, signify by  
saying "aye"?

20  
21 ALL: Aye.

22  
23 MR. SAMPSON: All opposed, same sign? Motion  
carried.

25  
26 MR. LOCKHART: Mr. Chair, I hope you'll indulge  
me just a little bit. Mr. Schaeffer, I think when you were  
talking about this, I just want to make sure that I understand  
for the record the justification for your opposition, and I  
thought I heard you going down a different train of direction  
when you said that.

32  
33 The proposal that is here by the Alaska Department of  
Fish and Game to provide same-day-airborne regulations for  
baking of these species if you're over 300 feet, and that's  
what you want to oppose, is that correct?

37  
38 MR. SCHAEFFER: My understanding of the  
regulation is that the regulation that was proposed by the  
State last June was to remove the restriction that required an  
animal to be trap, to land and shoot the animal. And I --  
that's the thrust of my opposition to the proposal, .....

43  
44 MR. LOCKHART: I understand.

45  
46 MR. SCHAEFFER: ..... if it's going back to  
permitting.

48  
49  
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MR. LOCKHART: The state regulations do allow for taking animals that are in traps, certainly, but you're right, I mean, the thrust of that regulation is to allow somebody to land and shoot one, if it's not in a trap. So that is clear?

5

6

MR. SCHAEFFER: Right.

7

8

MR. LOCKHART: Sorry about that.

9

10

MR. LEE: Mr. Chairman?

11

12

MR. SAMPSON: Yes?

13

14

MR. LEE: It's very easy to hunt from an airplane. I've hunted even jack rabbits from an airplane. And it's -- I think removal of aircraft hunting is -- would be a better proposal for me. In any way using an aircraft, it's too easy. And it causes a lot of problems for subsistence hunters. It's really easy to hunt from an airplane. Shooting down -- shooting down animals. The problem is trying to get to them and get them into the airplane. Or landing or leave them there. So if you can't get them, they just leave them there after they shoot them. So any kind of hunting with aerial (ph), I would be against that, even using aircraft for trapping.

26

27

MR. SAMPSON: Okay. Thanks, Raymond. Go ahead with your Proposal Number Two.

29

30

MR. LOCKHART: Thank you, Mr. Chair. Proposal Number Two is also by the Alaska Department of Fish and Game. And this proposal you'll see is statewide in nature. It provides recommendations for changes throughout the State in seasons and bag limits in some cases. For Unit 23, you'll note that under the hunting, current hunting regulations, there's a ten-wolf limit, and under the proposed regulation for 23, that would change to a five-wolf limit. So under hunting regulations, the proposal would reduce the harvest limit from ten to five. Under the trapping regulations, under trapping -- the number that can be taken under a trapping license would not change. That's a -- there's no limit on the number that can be trapped; however the season would be extended two weeks, approximately from November 1st to April 15th. The proposed regulation would have it closing April 30th instead of April 15th. So that's the effect of this regulation in Unit 23.

46

47

And, again, the proposal is primarily concerned with regulation consistency. The current federal subsistence

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regulation for wolf hunting and trapping season lengths are simply a reflection as they existed when the federal government adopted the state regulations in 1990 and 1991.

3

4 And as a part of our analysis, we did not see that there was any significant biological concerns associated with this. However, we did -- one of the things that we do want to note, that even if the proposal is opposed, that the practical effect of it is not much, is that since no federal lands would be closed, or are proposed to be closed for harvest of wolves, then you could certainly hunt on those federal lands with a state -- under a state hunting license. So the practical effect of the regulations is biologically it wouldn't make any difference. From a consistency standpoint it would be beneficial.

15

16 And the other councils who have met and have discussed this issue have voted to support proposal two. All of them.

18

19 MR. SAMPSON: Now, if the regulation, existing regulation provides for people to have hunting license and say an individual who is over 65 is still allowed to buy a hunting license in order to shoot the wolf?

23

24 MR. LOCKHART: Yes, sir, any of the state licenses would apply to the federal hunting seasons as well. If you were over 65 and a qualified rural resident, then you would use that license for hunting under our regulations.

28

29 MR. STONEY: But what you're saying that the state would continue to use the license, not the federal?

31

32 MR. LOCKHART: The state licenses.

33

34 MR. STONEY: Okay. The same as -- same as it always is.

36

37 MR. SAMPSON: Any questions? So what's the wish of the .....

39

40 MR. BAILEY: I'm just -- I just would like to ask about how did August 10 come about? Has it always been August 10?

43

44 MR. LOCKHART: Oh, under the hunting? The season .....

46

47 MR. BAILEY: The open season?

48

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MR. LOCKHART: My understanding for the reason that the hunting seasons are set up is to allow for an additional opportunity for people who are essentially hunting other animals to be able to harvest a wolf when they're doing that. And that's my understanding of why those early seasons show up. Of course, for trapping there are considerations mostly for pelt primeness, and people who would be hunting -- taking them under a trapping license would be more concerned about that, but, Jim, you might -- do you have anything to add to that or .....?

10

MR. DAU: The two openings are different. The trapping is November 1st .....

13

MR. BAILEY: I disagree with that August 10, because the furs are no good.

16

MR. COMMACK: Yeah.

18

MR. BAILEY: Definitely.

20

MR. COMMACK: And April 30 is a little too late. The fur is no good by March.

23

MR. SAMPSON: When is the prime time of, you know, for the wolves fur?

26

MR. COMMACK: March is probably the last month?

28

MR. LEE: Yeah, it is.

30

MR. BAILEY: March is the .....

32

MR. SAMPSON: March.

34

MR. BAILEY: March.

36

MR. LEE: The last part of November, December.

38

MR. BAILEY: That's about the last time you can hunt them.

41

MR. LEE: March.

43

MR. STONEY: Like November 1 is good enough

.....

46

MR. BAILEY: November is good.

48

49

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1 MS. ARMSTRONG: November through March?  
2  
3 MR. BAILEY: Yeah.  
4  
5 MR. STONEY: Uh-huh. November to March.  
6  
7 MS. ARMSTRONG: (In Inupiak) November.  
8  
9 MR. SAMPSON: I guess that's when some of the  
10 folks are slowing down and not taking any of the moose.  
11  
12 MR. LOCKHART: Again, I think the only reason  
13 that you see the difference in the hunting and the trapping  
14 regulations here is that under the state system, and the  
15 federal system has adopted that, is that it provides an  
16 opportunity for people who may be hunting other animals, who  
17 may not be from here locally, who are out hunting caribou or  
18 moose or what have you, it gives them an opportunity to take a  
19 wolf if they wanted to.  
20  
21 MR. BAILEY: They're wasting.  
22  
23 MR. COMMACK: That's wasting.  
24  
25 MR. BAILEY: That's waste right there.  
26  
27 MR. STONEY: Like for this wolf, it did happen  
28 a few years back that the individual didn't know that the wolf  
29 had pups. They'd .....

30 MR. BAILEY: That's right.  
31  
32 MR. STONEY: ..... see the pups, and they got  
33 the wolf, and didn't see this whole bunch of little pups, oh,  
34 about that high. What they're doing?  
35  
36 MR. LOCKHART: I think this is all very  
37 valuable information, and I think, you know, this kind of input  
38 what's needed in making these regulations. You'll notice in  
39 here that they changed -- the ones in Southeast were  
40 essentially year round, and what they're doing is recommending  
41 that they not allow trapping in the -- or taking in the summer,  
42 just -- and that was one of the reasons, was because it would  
43 you could potentially impact the denning of the females.  
44  
45 MR. SCHAEFFER: Well, I think we're approving  
46 Proposal Two, if we were to amend the date for the open season.  
47  
48 MR. SAMPSON: Uh-huh.  
49  
50

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1 MR. SCHAEFFER: And maybe somewhere around  
November to April 30 would be more acceptable, for Unit 23, 24.

3

4 MR. SAMPSON: March 30?

5

6 MR. SCHAEFFER: Or for Unit 23.

7

8 MR. BAILEY: March 30?

9

10 MR. SAMPSON: November 1 through March 30?

11

12 MR. LEE: I'm more comfortable.

13

14 MR. SAMPSON: Yeah, go ahead.

15

16 MR. LEE: How about reindeer herding. The  
fawning time when the wolves and domesticated reindeer? Yeah,  
I've seen them, one wolf kill 29 fawns in one evening if you're  
not watching for about a couple hours. The wolf comes through.  
Well, it happens in May and the last part of April, and .....

21

22 MR. SAMPSON: That's defense of property then.

23 You can take .....

24

25 MR. LEE: Yeah.

26

27 MR. SCHAEFFER: The problem there is that you'd  
have to give the .....

29

30 MR. SAMPSON: Yeah, you'd have to give the  
carcass to -- the skin to the Department. If you kill in  
defense of your property.

33

34 MR. SCHAEFFER: Besides that, I mean, the fur's  
not good. I mean, you'd probably want to give it away.

36

37 MR. SAMPSON: Yeah.

38

39 MR. LEE: It could be written down in the  
regulations.

41

42 MR. SAMPSON: Maybe we'd better not. Not  
written.

44

45 MS. ARMSTRONG: Yeah.

46

47 MR. SAMPSON: (In Inupiaq)

48

49

50

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1 acceptable .....  
2  
3 MR. LEE: I really get -- I really get .....  
4  
5 MR. SCHAEFFER: ..... time frame then for an  
6 open season?  
7  
8 MR. LEE: ..... mad at those wolves at fawning  
9 time.  
10  
11 MR. SCHAEFFER: November 1st?  
12  
13 MR. SAMPSON: November 1st would be  
14 appropriate, through March 30th?  
15  
16 MR. BAILEY: Yeah. Yeah, it makes more sense.  
17  
18 MR. STONEY: That's for hunting.  
19  
20 MR. BAILEY: Yeah.  
21  
22 MR. SCHAEFFER: So, Mr. Chairman, I'd move to  
23 approve Proposal Two with the amendment then of the date for  
24 GMU 23 from November 10 to March 30.  
25  
26 MR. SAMPSON: Motion on the floor to approve  
27 Proposal Number Two, to amend open season from -- in GMU 23  
28 from November 10 through March 30. Is there a second?  
29  
30 MR. BAILEY: Second.  
31  
32 MR. SAMPSON: There's a second. Discussion?  
33  
34 MR. SCHAEFFER: I'd also like to note that  
35 given Raymond's concerns about the reindeer, that I think if  
36 the fur's not valuable anyway, then there's .....  
37  
38 MR. LEE: No. Not in springtime. It's getting  
39 thin already.  
40  
41 MR. LOCKHART: Mr. Chair, just two quick  
42 things. The last day of March is the 31st. You may want to  
43 put it to that.  
44  
45 The other thing is you're intending then as a part of  
46 this proposal that's on the table to modify both hunting and  
47 trapping seasons, is that correct?  
48  
49  
50

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1 MR. SCHAEFFER: Yeah.

2 MR. SAMPSON: Do you want to include .....

3

4 MR. SCHAEFFER: November 1 through April 15th,  
5 and I would make the change to March 31 also.

6

7 MR. BAILEY: I agree with that.

8

9 MR. COMMACK: Yeah.

10

11 MR. SAMPSON: November 1 to March -- okay. So  
12 it would be for both .....

13

14 MR. SCHAEFFER: Yeah.

15

16 MR. LOCKHART: For trapping and hunting.

17

18 MR. SAMPSON: ..... hunting and trapping?

19

20 MR. SCHAEFFER: Uh-huh.

21

22 MR. SAMPSON: I guess we're looking at the skin  
23 of the wolf, or the fur of the wolf. Any further discussions?

24

25 MR. BAILEY: Question.

26

27 MR. SAMPSON: The question's been called for.  
28 All those in favor of the motion, signify by saying "aye"?

29

30 ALL: Aye.

31

32 MR. SAMPSON: As amended, I'm sorry, signify by  
33 saying "aye"?

34

35 ALL: Aye.

36

37 MR. SAMPSON: All opposed, same sign? Motion  
38 carries. So the amendment includes a change of date for both  
39 the hunting and trapping.

40

41 MR. SCHAEFFER: For the -- in a clarification  
42 of the motion, the motion was to approve Proposal Two with the  
43 amendment of the date for GMU 23.

44

45 MR. SAMPSON: Right.

46

47 MR. SCHAEFFER: And not the amendment to the  
48 motion.

49

50

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1 MR. SAMPSON: Right. Thanks, Pete.

2  
3 MR. SCHAEFFER: Uh-huh.

4  
5 MR. SAMPSON: (In Inupiaq) Yes, Jim?

6  
7 MR. DAU: I was just going to bring up one  
8 point that you might want to consider. I think the next time  
9 wolves come up in the State, one thing I'm going to be asking  
10 the people on the State advisory committees to consider are bag  
11 limits for wolves in Unit 23. Right now there's really no  
12 biological reason that I can see to have a five-wolf bag limit  
13 for a hunting license and no bag limit for a trapping license.  
14 What I've been pushing for for years with the State is to  
15 assign trapping and hunting regulations. I think it's crazy to  
16 require a guy to buy a \$6.00 license and suddenly he's got no  
17 limit. I think there are some biological concerns, not so much  
18 with wolves, but with sheep and moose. You might want to  
19 consider, too, thinking about how many wolves you want to allow  
20 hunters to get on a hunting license.

21  
22 MR. SAMPSON: Yeah. Good point. Thanks, Jim.  
23 Mrs. ....?

24  
25 MS. AYRES: One thing I want to add is you  
26 might want to -- and maybe you can confirm this, on federal  
27 lands, can they use a gun under the trapping regulations to get  
28 a wolf?

29  
30 MR. LOCKHART: They can, except there's some  
31 concern about Park Service regulations, and maybe the Park  
32 Service would want to address that, but on other federal public  
33 lands, yes, they can.

34  
35 MR. SHULTS: I don't think it's a concern for  
36 the Park Service. I think it's the policy at this point that a  
37 firearm is not recognized as a trapping device, therefore  
38 shooting wolves under a trapping license is not allowed.

39  
40 MR. SCHAEFFER: So you would be forced to  
41 strangle the damn thing.

42  
43 MR. SAMPSON: So basically what it does then is  
44 we become, yeah, law breakers by doing it.

45  
46 MR. SHULTS: I might add that Fish and Wildlife  
47 Service is pursuing the same policy on Fish and Wildlife  
48 Service lands, and it's been proposed in the Federal Register

49  
50

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(indiscernible, simultaneous speech) .....

1

2 MR. LOCKHART: No, that's -- no, that's only  
3 for same-day-airborne.

4

5 MR. SHULTS: Okay.

6

7 MR. SAMPSON: Did you notice that quick "no"  
8 answer?

9

10 (Laughter)

11

12 MR. SAMPSON: Well, I guess -- do you have any  
13 other proposals?

14

15 MR. LOCKHART: No, sir, I think that that  
16 concludes it, is that right?

17

18 MR. FISHER: Uh-huh.

19

20 MR. SAMPSON: Thank you, Mike and Dave. 1530  
21 hours, for those of you who are military minded that are and  
22 those of you in the federal agency go by. 1530 hours.

23

24 We'll go to under new business or other business, SRC  
25 correspondence. Do we want to call it correspondence?

26

27 MR. SCHAEFFER: I guess we have subsistence  
28 resource commission appointments to consider. Lois, do you  
29 have the ones that we're supposed to be considering, or .....

30

31 MS. DALLEMOLLE: Actually, no. I think  
32 Clarence was supposed to have that, the person from Anchorage  
33 who was probably on the same plane that Dick didn't make it.  
34 The continuing appointments, Barbara, do you remember the  
35 continuing appointments?

36

37 MS. ARMSTRONG: The three -- the three people  
38 for Kobuk Valley?

39

40 MS. DALLEMOLLE: Yeah.

41

42 MS. ARMSTRONG: That would be Louie Commack,  
43 Reggie Cleveland and Lorry Shirk.

44

45 MS. DALLEMOLLE: Okay. And those were the  
46 three that you either needed to approve for the -- for your  
47 appointment to the SRC, or else to have a new one. You have  
48 the authority, just like the advisory council had, for

49

50

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appointing those three members, and those were the three members.

2

3 MR. SAMPSON: As a recommendation or  
4 appointment to it?

5

6 MS. DALLEMOLLE: An appointment.

7

8 MS. ARMSTRONG: Appointment.

9

10 MR. SAMPSON: Oh, okay. Have we talked to any  
11 of those folks?

12

13 MS. ARMSTRONG: No, I have not.

14

15 MR. SAMPSON: I talked to Reggie. Reggie said  
16 he would be interested. What about .....?

17

18 MR. COMMACK: I'd like to get off of it.

19

20 MR. SAMPSON: You'd like to get off?

21

22 MR. COMMACK: That's from Park Service, right?

23

24 MS. DALLEMOLLE: Uh-huh.

25

26 MR. COMMACK: Yeah. Ten years is long enough.

27

28 MR. SAMPSON: What .....

29

30 MR. SCHAEFFER: Do you have a name to  
31 recommend, Louie?

32

33 MR. COMMACK: I could run this through the  
34 tribal traditional council and they probably could appoint  
35 somebody.

36

37 MS. ARMSTRONG: The thing is it's got to be  
38 appointed here while the Council is here all together I guess,  
39 isn't it? Isn't that the .....

40

41 MR. COMMACK: Oh, gee.

42

43 MR. SAMPSON: I guess I'd have another  
44 reservation in regards to .....

45

46 MR. SCHAEFFER: Yeah.

47

48 MR. SAMPSON: ..... Lorry. We need to

49

50

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doublecheck with Lorry .....

1

2 MR. BAILEY: Do we have to nominate somebody  
3 now?

4

5 MR. SAMPSON: ..... on whether he has an  
6 interest or not. And I hate to put a .....

7

8 MR. BAILEY: He was just here.

9

10 MS. DALLEMOLLE: He's in town, right?

11

12 MS. ARMSTRONG: He's in town.

13

14 MR. BAILEY: Yeah, he was just here.

15

16 MR. SAMPSON: Yes?

17

18 MR. BAILEY: Yeah.

19

20 MS. ARMSTRONG: Maybe you could take a five-  
21 minute break?

22

23 MR. SAMPSON: Let's take a five minute break.

24

25 (Off record)

26

27 (On record)

28

29 MR. SAMPSON: We will come back at this time.  
30 Back to meeting. I did chat with Lorry. Lorry has an interest  
31 in running for the SRC. Reggie. And what we will do with  
32 Louie is we will also reappoint you at this time. And until  
33 such time that you send us your resignation. And at that time,  
34 when what we will do is we will replace -- appoint somebody  
35 else then to fill that vacancy.

36

37 MR. COMMACK: Okay.

38

39 MR. SAMPSON: Is that good enough with you?

40

41 MR. COMMACK: That's fine.

42

43 MR. SAMPSON: So what we need to do then is put  
44 this in the form of a motion to appoint Reggie, Lorry and Louie  
45 this Kobuk Valley.

46

47 MR. SCHAEFFER: I'll make the motion.

48

49

50

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MR. SAMPSON: A motion on the floor to appoint Reggie Cleveland, Lorry Shirk, and Louie Commack to the Kobuk Valley Resource Commission. Is there a second?

3

4

MR. STONEY: Second.

5

6

MR. SAMPSON: There's a second. Discussion?

7

8

MR. SCHAEFFER: Question.

9

10

11

12

13

14

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So what I'm asking is on behalf of the Council to act accordingly on their behalf in regards to significant issues that may crop up in the interim between meetings, and report as we go through actions to the regional councils, first to run it by the -- whatever the situation is in regards to why we're doing it, and what action it is that we're contemplating taking, and then if need be to ratify any action that takes place at the Regional Council meeting, Northwest Regional Council meeting, and to give a full report to the Council at that time in regards to acting on their behalf during the course of the year.

11

So basically what I'm asking for is permission by the Council to act on their behalf, and that we have a process in place to report during the course of time to first of all, like I said before, to make sure the Council understands what it is we're doing, and to give a report to the Council at its next scheduled meeting.

18

MR. SAMPSON: So what's the wish of the Council?

21

MS. ARMSTRONG: (In Inupiaq)

23

MR. SAMPSON: (In Inupiaq)

25

MR. COMMACK: (In Inupiaq)

27

MR. SAMPSON: So we're going to have to put that in the form of a motion, so .....

30

MR. COMMACK: (In Inupiaq)

32

MR. SAMPSON: Yeah. Yeah. Yes, Raymond?

34

MR. LEE: Yeah. Are we going to have legal counsel or lawyers do these things for the commission here?

37

MR. SAMPSON: I guess what Pete is talking about is that, you know, through the course of the year with us meeting only twice a year, there's going to be some correspondence that will need to -- needs some attention. In the cases where that is needed, then Pete would have the authority to respond to those correspondence, or track -- keep track of what's happening in the federal system in regards to the subsistence issues, because, you know, you never can tell what's going to happen. That way he can keep us advised of what's happening in the federal system in regards to subsistence. So basically that's what I understand him asking

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is an authority to report to the Council in regard to the correspondence that occurred in between meetings, and actions that have been taken in between meetings.

3

4 MR. BAILEY: Mr. Chairman, I would make a motion to approve Pete's motion for being on our behalf on important issues that needs to be passed on to the commission.

7

8 MR. SAMPSON: Motion on the floor to give Pete the authority, the -- to act as -- on behalf of the Council in tracking as well as corresponding with the agency. Is there a second?

12

13 MR. STONEY: Second.

14

15 MR. SAMPSON: Discussion?

16

17 MR. LEE: Discussion. The reason I ask is do we got an attorney or a lawyer that knows the regulations of federal and things like that. I'm not downgrading Pete, he knows a lot of subsistence issues in the area, but the legal authority or lawyer would deal with the regulations and the rules of -- in the laws of the federal of subsistence.

23

24 MR. SCHAEFFER: In responding to different issues, part of what I'm asking also is the ability to deal with issues and not only with lawyers, which probably caused most of the problem already, but also with other people knowledgeable in their field.

29

30 MR. BAILEY: Definitely.

31

32 MR. LEE: Oh, I see now. Yeah.

33

34 MR. BAILEY: Yeah, definitely.

35

36 MR. SAMPSON: Yeah. Yeah.

37

38 MR. LEE: So -- but the lawyers make more problems than trying to help.

40

41 (Laughter)

42

43 MR. SCHAEFFER: That's why they get paid so much.

45

46 MR. SAMPSON: Any other discussions? Hearing none, all the -- all those in favor of the motion signify by saying "aye"?

49

50

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1 ALL: Aye.  
2  
3 MR. SAMPSON: All opposed, same sign? Motion  
4 carries.  
5  
6 MR. SCHAEFFER: And I abstain, for the record.  
7  
8 MR. SAMPSON: Okay.  
9  
10 MR. SCHAEFFER: Also, in regards to some  
11 concern about the issue of the annual report, I would also ask  
12 the Council to consider a motion to authorize, pertaining to  
13 the first motion that was made, authorizing me to deal with  
14 significant issues, and also prioritizing the annual report as  
15 described in Title Eight of ANILCA, and seek assistance to do  
16 an annual report according to protocol, and to take the time to  
17 do a thorough one involving the acquisition of data, legal  
18 counsel, and other technical assistance required to provide an  
19 annual report to the Regional Council. I believe the deadline  
20 is November 15 of '94.  
21  
22 MR. SAMPSON: So what you're saying then is you  
23 need an authorization from this Council to deal with the  
24 significant issues that pertains to doing these sections of  
25 ANILCA?  
26  
27 MR. SCHAEFFER: And speaking specifically to  
28 the annual report.  
29  
30 MR. SAMPSON: Okay.  
31  
32 MR. SCHAEFFER: And the motion would be to  
33 authorize myself to see funding and technical and legal  
34 assistance in putting this together, and provide the Council  
35 for approval an annual report by November 15.  
36  
37 MR. SAMPSON: So what's the wish of the  
38 Council?  
39  
40 MR. BAILEY: I so move, Mr. Chairman, to the  
41 motion.  
42  
43 MR. SAMPSON: Okay. There's a motion on the  
44 floor to authorize Pete to -- authorize Pete to deal with  
45 significant issues pertaining to ANILCA as well as seeking  
46 other sources for -- what -- I hate to use "attorney,"  
47 but .....?  
48  
49  
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MR. SCHAEFFER: Legal counsel.

1  
2 MR. SAMPSON: Legal counsel and also deal with  
3 other organizations in regards to dealing with the annual  
4 report. Is there a second?

5  
6 MR. SCHAEFFER: I think clarification on the  
7 motion, Mr. Chairman?

8  
9 MR. SAMPSON: Go ahead.

10  
11 MR. SCHAEFFER: I think the motion is to  
12 authorize myself on behalf of the Counsel to seek .....

13  
14 MR. SAMPSON: Okay. "Behalf".

15  
16 MR. SCHAEFFER: Uh-huh. Legal and technical  
17 assistance .....

18  
19 MR. SAMPSON: Okay.

20  
21 MR. SCHAEFFER: ..... as well as funding to put  
22 together an annual report to be presented to the Council come  
23 November 15th, '94.

24  
25 MR. SAMPSON: Okay. Thanks. Clarification has  
26 been made. Is there a second?

27  
28 MR. LEE: Second that motion.

29  
30 MR. SAMPSON: There's a second. Discussion?

31  
32 I guess what -- maybe with what you concerned about,  
33 Pete, is that from some of the previous dealings with the --  
34 with agencies I guess maybe our concern is that, you know,  
35 there's times when proposals or recommendations are submitted  
36 be considered, but there's times when those proposals are  
37 not considered into -- for action or to be considered into  
38 plans or of whatever they may be.

39  
40 And there's times also when those are considered to  
41 your legal counsel, and then your legal counsel might have an  
42 opinion, and that opinion too often gets sidetracked, and  
43 therefore those proposals are not considered at all. I think  
44 what we're trying to do is that to seek so we can find some  
45 funds to look at to get some assistance in helping us out  
46 through the process.

47  
48 Any further discussions?

49  
50

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1 MR. LEE: Yeah.  
2  
3 MR. SAMPSON: Yeah?  
4  
5 MR. LEE: Would he find the time to do things  
6 like that while he's working or .....  
7  
8 MR. SAMPSON: Yeah.  
9  
10 MR. LEE: ..... typing (ph) for NANA?  
11  
12 MR. SAMPSON: Yeah. Pete's been dealing with  
13 subsistence issues. That's part of his role in NANA .....  
14  
15 MR. LEE: Okay.  
16  
17 MR. SAMPSON: ..... is dealing with subsistence  
18 issues. In fact that's pretty much full-time. Any other  
19 discussions?  
20  
21 MR. LEE: Question.  
22  
23 MR. SAMPSON: The question's been called for.  
24 All those in favor of the motion signify by -- signify by  
25 saying "aye"?  
26  
27 ALL: Aye.  
28  
29 MR. SAMPSON: All opposed, same sign? Motion  
30 carries. Any other issues?  
31  
32 MR. LOCKHART: Mr. Chair?  
33  
34 MR. SAMPSON: Yes.  
35  
36 MR. LOCKHART: Just so I'm not confused. Have  
37 you -- the things that you wanted to defer until you had an  
38 opportunity to talk to Dick Pospahala, and you deferred the C  
39 and T discussion, is that correct?  
40  
41 MR. SAMPSON: Everything under the old business  
42 include the charter under new business, annual report, (E)  
43 Natak, Noorvik, Kotzebue IRA's exempting proposal, and C and  
44 So those were the issues that we want to sit down with him  
45 discuss. And the possibility with the other chairs as well,  
46 So when it comes to that point of April meetings, so  
47 probably get a chance to discuss those with him.  
48  
49  
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Any other issues or for discussion from the Council?

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MR. LOCKHART: Mr. Chair?

MR. SAMPSON: Yes.

MR. LOCKHART: I'm sorry, let me just make sure this meeting that's occurring, the Federal Subsistence Board meeting from the 11th through whatever it is, I'm sorry.

MS. ARMSTRONG: Through the 15th.

MR. LOCKHART: 15th? I believe that's correct. The intent of that, of course, is to deal with these proposals, and I don't know if -- how much discussion or if there has been any, Barbara, about the chairs getting together and maybe addressing some of these issues, and what kind of time frame that would take, but we may need to talk about that, and try to figure out if like we can go into a couple evening sessions to accommodate those kind of informal meetings between some of the key people on the Federal Subsistence Board or what. I don't know.

MR. SAMPSON: I think .....

MS. ARMSTRONG: There's a thought first that if this meeting does occur, and it doesn't get postponed, we as coordinators have asked that the chairs meet, chairs and their vice chairs, meet alone some evening first before going into these meetings with the FSB Board.

MR. SAMPSON: I think what we want to do is to work together as chairmen to the Subsistence Advisory Councils to clarify and get a better feel of exactly what our roles are as advisory councils, and how we're going to interact with the Federal Board. And basically I think those are -- that's the focus of getting the chairmen together. It's just pretty much the same or similar type of meeting we had when we had the Subsistence resource commission chairmen's meeting in Anchorage that one winter. Just to get a clarification and explanation as to what our roles are and how we're going to interact with the Board as well as getting the clarification as to what kind of support we're going to get from the Department.

MR. LOCKHART: I think that's -- I think that's very good. The only thing I need to know is, you know, what kind of forum to facilitate for that, and maybe, you know, the first day. I don't know how long it's going to take to go through these proposals, but maybe what we should do is set up

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the first day where there's kind of just an operational meeting between the Council chairs and the Board to talk about policies and how they would operate and their responsibilities.

3

4 MR. SAMPSON: I think maybe probably the best way of setting that is to get the chairs and the vice chairs together and discuss the issues within our regions, what those issues are, and where are we going to be heating with those issues. One thing that we don't want to do is start a fight between the regions. Say one region might have a support on one issue, and the other region opposes what they're trying to do. What we want to do is make sure that we communicate between the regions.

13

14 MR. LOCKHART: Well, I'm hearing two things. I hear that, and I think that's very valuable, too, but the other part was it sounded like you wanted some discussion with key staff and maybe the Board themselves to really define what your roles and interacting with the Board and all that is, too.

19

20 MR. SAMPSON: Right. We will -- once the chairmen and vice chairs get the issues together, then what we'll do is we'll ask the administration or the key staff to come in and we'll discuss those with the key staff folks.

24

25 MR. LOCKHART: My concern is the timing of all this, and making sure there's enough time to do that, and address all the proposals as well, and so I need to get people like Dick Pospahala thinking about that and how to facilitate your meeting. Yeah, we'll have to talk about that some more.

30

31 MR. SAMPSON: That's -- the Federal Subsistence meeting is scheduled for, what, 10th -- 11th through the 15th, right?

34

35 MR. LOCKHART: That's correct.

36

37 MR. SAMPSON: And do we want to schedule for April 10th? It's a Sunday.

39

40 MS. ARMSTRONG: They can all have you there on the 10th.

42

43 MR. SAMPSON: What?

44

45 MS. ARMSTRONG: You guys can be all there on the 10th and then meet by yourself. We can make arrangements for -- if you guys want to do that.

48

49

50

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MR. SAMPSON: Meet on the 10th? Okay.

1  
2 MS. ARMSTRONG: That would be up to you guys.  
3 If you guys want to get to know each other and meet each other  
4 in person, and then you guys talk about the issues that you  
5 guys need to bring up .....

6  
7 MR. SAMPSON: Yeah.

8  
9 MS. ARMSTRONG: ..... from each region. Then  
10 that would be your agenda without anybody from Fish and  
11 Wildlife there, and that would be your .....

12  
13 MR. SAMPSON: Then on the 11th, do you know  
14 what the schedule is for the Board? Is it a full day session  
15 of what .....

16  
17 MR. LOCKHART: Again, that's .....

18  
19 MS. ARMSTRONG: They start like -- they don't  
20 go into evenings like DOG, they just start like 8:00 o'clock,  
21 8:30. Eight o'clock or 8:30 or 9:00 o'clock and they quit  
22 right at 4:30. There's no evening session. They don't have  
23 evening meetings, the FSB doesn't.

24  
25 MR. SCHAEFFER: Well, I would suggest to the  
26 staff of the Federal Subsistence Board that if they think this  
27 is important enough, they probably ought to make the  
28 arrangements to maybe have this as the first order of business  
29 to get that air cleared so that we get on with business.

30  
31 MR. LOCKHART: I think that's a very good  
32 commendation, and I'll carry that recommendation back and try  
33 -- nobody's been thinking along those lines until right now.

34  
35 MR. SAMPSON: Because we need to get a -- to  
36 clear ourselves as to what our roles are as an advisory  
37 council.

38  
39 MR. LOCKHART: Well, that's the thing I was  
40 trying to feel, was how long it's going to take to do the  
41 proposals. Maybe we can take care of the first day's business  
42 addressing the issues that you're bringing up, and then go  
43 into the proposals on Tuesday.

44  
45 MR. SAMPSON: Yeah.

46  
47 MS. ARMSTRONG: That's what I suggested .....

48  
49  
50

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1 MR. SAMPSON: Maybe .....

2 MS. ARMSTRONG: ..... at the -- advised first  
at the coordinator's meeting, .....

4

5 MR. SAMPSON: That would be good for .....

6

7 MS. ARMSTRONG: ..... I said, get all the  
chairs and vice chairs in here and then clear all this stuff up  
before we can start, otherwise we're going to run into some  
problems. And I was ignored. So I knew this was coming up  
sooner or later, and then this is finally being coming about  
this coming April.

13

14 MR. LOCKHART: I understand that's .....

15

16 MR. SAMPSON: I guess where it's going to  
become a problem is that if we get some misunderstandings,  
without any clarification, we start head-butting. Any time you  
start head-butting, things never work out. And it would be  
better if we get a better understanding, a clearer  
clarification on -- as to what our role is and how we're going  
to work together and get that understanding in place first,  
then go into your sessions. Maybe the 11th would be an ideal  
thing to have our chairmen's meeting.

25

26 MR. LOCKHART: I will try to bring that up  
immediately and get a feeling for, you know, whether that can  
be done, and get back with you through Barbara.

29

30 MR. SAMPSON: Yeah.

31

32 MR. LOCKHART: At the same time, obviously,  
we'd have to provide notice to all the other councils if that's  
going to take place as well, .....

35

36 MR. SAMPSON: Yeah.

37

38 MR. LOCKHART: ..... but I have to discuss that  
and figure out the logistics and the time required they feel  
for doing the proposals. It sounds like a very good idea.

41

42 MR. SAMPSON: I mean, if we're going to be  
working together, we might as well start off with the right  
foot .....

45

46 MR. LOCKHART: Uh-huh.

47

48 MR. SAMPSON: ..... rather than on a head-

49

50

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butting sessions. Okay.

1

2

Clarification.

4

5

MR. SAMPSON: Role clarification. Okay. So we'll -- you'll get the message to Dick then in regards to maybe reserving the 11th for the chairmen to meet, and then maybe in the afternoon session, we could sit down with Dick and whomever, whatever staff he's got.

10

11

MR. LOCKHART: Yeah. What I think, first of all, we set this -- the day aside, I think we need to develop an agenda to direct how we want to do that work.

14

15

MR. SAMPSON: One thing that we want to request is no attorneys.

17

18

MR. LOCKHART: Okay.

19

20

MR. SAMPSON: Anytime you get a bunch of attorneys into a meeting, it's just a creation of problems.

22

23

MR. LOCKHART: Okay.

24

25

MR. SAMPSON: If he's going to invite some attorneys, let us know so we can invite attorneys, too. Both.

27

28

MR. SCHAEFFER: Here's my understanding when we were having a discussion about what was to occur, since the meeting starts on the 11th, we'll be there for at least part of the Sunday. I assume that we're going to head down there at that time, so I think there's an opportunity, you know, for having the chairs get together for some initial introductions, discussions as to what perhaps would make up some of the items to be discussed as the first order of business, and then that aside, and I would assume that would probably take at least half a day, and then begin the process of going through the proposals.

39

40

That kind of was my understanding. Is that yours, too?

41

42

MR. LOCKHART: I think if you got all those people there, you could certainly easily fill a day, you know, with just these discussions between the councils. Maybe you might to do that in the morning and in the afternoon of the first day talk about, you know, all the agency functions, regulations, and the roles of the councils with the Board, and what have you, the charter, the C and T. I mean, all that

49

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stuff could be brought up at that time. So I think you can fill a day pretty easily.

2

3 MR. SAMPSON: Well, what we probably can do is  
4 if we can't do it on a Monday is we can go in on a Sunday  
5 morning session, then in the afternoon then we can get the --  
6 Dick and the rest of his staff, and we can come in Sunday  
7 afternoon and go through, if we have to go into an evening  
8 session, you know, there's no reason why we can't do that  
9 Sunday evening.

10

11 MR. LOCKHART: Again, if you feel like it's  
12 necessary to have a day before the proposals, if the proposals  
13 need to go the whole week, then you'd want to do it on Sunday,  
14 what I'm understanding. Otherwise, .....

15

16 MR. SAMPSON: Well, .....

17

18 MR. LOCKHART: ..... if we could do all the  
19 proposals in four days, we might as well have that morning  
20 meeting and the afternoon meeting on Monday.

21

22 MS. ARMSTRONG: See, they won't have to meet --  
23 they won't -- they don't have evening sessions. You guys could  
24 have -- there are some free evenings.

25

26 MR. SAMPSON: But if the Agency feels that this  
27 is important enough, then there's no reason that we can't have  
28 a session together on that Sunday evening.

29

30 MS. ARMSTRONG: For the whole (indiscernible,  
31 simultaneous speech), yeah.

32

33 MR. SAMPSON: Yeah. I mean, .....

34

35 MR. LOCKHART: If -- I mean, it's going to be  
36 of great value to have the Council chairs there, and we'll  
37 certainly take advantage of whatever time is needed. If it has  
38 to be the evenings .....

39

40 MR. SAMPSON: Well, the thing is, I  
41 guess, .....

42

43 MR. LOCKHART: ..... or the weekends, we'll do  
44 that.

45

46 MR. SAMPSON: ..... is if you're scheduled to  
47 if you're not going to make room for us that week, through  
48 the course of that week, because we do have some other

49

50

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commitments as well, .....

1

2 MR. LOCKHART: Uh-huh.

3

4 MR. SAMPSON: ..... as well, you know. Pete  
5 and I have got other commitments on the 13th and 14th. It's  
6 just -- unless we can get out of those commitments, then we  
7 would have gotten the (indiscernible).

8

9 MR. LOCKHART: It's also good to identify those  
10 kinds of conflicts so that we can take things -- if it gets to  
11 down to that, we can take things out of sequence where we  
12 can .....

13

14 MR. SAMPSON: Yeah.

15

16 MR. LOCKHART: ..... address your issues first.  
17 So we need to know that as well.

18

19 But, you know, let me go back and start bouncing this  
20 off and find out, you know, what kind of time we're talking  
21 about in terms of getting through the proposals that they would  
22 feel comfortable with. Then we'll plan the other around that.  
23 If it has to be on Sunday, then we'll try to do that.

24

25 MR. SAMPSON: Okay. If we can do it the first  
26 part of the Monday, that would be fine, too, you know. We  
27 won't set that -- we want to make sure that we get off on the  
28 right foot in regards to dealing with the Federal Board and on  
29 our role, and start our communications in the right direction.  
30 Okay? (In Inupiaq)

31

32 MR. LEE: Yeah.

33

34 MR. BAILEY: Next meeting?

35

36 MR. LEE: Yeah. I'm the secretary, but I don't  
37 know how to keep the minutes or documents or anything, so I  
38 don't know what to do. I had to let that lady at Buckland IRA,  
39 secretary, do the minutes for me, and she do it just like  
40 business (ph). She had to read the transcripts over and over,  
41 understand them, and then make the minutes and the

42

43 MR. SAMPSON: What's the purpose of that tape  
44 recorder that you have here then?

45

46 MR. LOCKHART: It's a public record. We  
47 develop a transcript. The transcripts will be prepared in a  
48 week, and then a copy of that will go to the Council

49

50

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Coordinator and to staff. It's a record of what happened here.

1

2 MR. SAMPSON: Is there any reason why we can't  
use that transcript for the minutes?

4

5 MS. ARMSTRONG: You can.

6

7 MR. LOCKHART: I think that's fine.

8

9 MS. ARMSTRONG: You can.

10

11 MR. LOCKHART: You bet. I thought you did a  
great job on the minutes last time.

13

14 MR. LEE: It wasn't me that did it. I didn't  
know what to do about it.

16

17 MR. SAMPSON: I mean, what I couldn't  
understand was that we've got a tape recorder going, and  
somebody does the -- does all the typing, then there's no  
reason why we should duplicate it.

21

22 MR. LOCKHART: Well, to be truthful, I'm not  
real sure myself, because I'm not that familiar with this  
process, but this is the formal record of this meeting is this  
transcript.

26

27 MR. SAMPSON: So that formal record should be  
the minutes, formal minutes of this meeting as well. So rather  
than duplicating, trying to duplicate these, then we'll just  
use .....

31

32 MS. ARMSTRONG: The transcript?

33

34 MS. SAMPSON: ..... her transcript.

35

36 MR. SCHAEFFER: (Indiscernible, simultaneous  
speech) Pulitzer Prize.

38

39 MR. LOCKHART: You know, the thing that you  
might want to do in terms of for correspondence, of course,  
you'll have the transcript available through Barbara. If you  
want to look at that and summarize different actions or  
something for -- you'll .....

44

45 MR. SAMPSON: Well, that's -- yeah.

46

47 MR. LOCKHART: ..... have it.

48

49

50

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1 MR. SAMPSON: We can take a look at it and  
2 summarize it if we have to. We can do that, yeah.

3 MS. ARMSTRONG: That's what I'm allowed to do.  
4 That's -- I do this when we .....

5  
6 MR. SAMPSON: Okay.

7  
8 MS. ARMSTRONG: ..... have the meetings.

9  
10 MR. LEE: Thank you. That will be help.

11  
12 MR. SAMPSON: Any other discussions?

13  
14 MR. SCHAEFFER: May I make a motion to adjourn.

15  
16 MR. SAMPSON: Motion to adjourn. Is there a  
17 second?

18  
19 MR. LEE: Second.

20  
21 MR. SAMPSON: The meeting's adjourned.

22  
23 (Off record) 4:10 p.m.

24  
25 (END OF PROCEEDINGS)

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1  
2 UNITED STATES OF AMERICA )  
3 ) ss.  
4 STATE OF ALASKA )  
5

6 I, Meredith L. Downing, Notary Public in and for the  
7 State of Alaska and Reporter for R & R Court Reporters, Inc.,  
8 do hereby certify:

9  
10 THAT the foregoing pages numbered 02 through 90 contain  
11 a full, true and correct Transcript of the Northwest Arctic  
12 Alaska Subsistence Regional Advisory Council meeting taken  
13 electronically by me on the 16th day of February, 1994,  
14 beginning at the hour of 9:00 o'clock a.m. at the Alaska Tech  
15 Center, Kotzebue, Alaska;

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

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

23  
24 DATED at Anchorage, Alaska, this 22nd day of February,  
25 1994.

26  
27  
28  
29  
30 \_\_\_\_\_  
31 Notary Public in and for Alaska  
32 My Commission Expires: 7/3/94

33 **S E A L**

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