

1 EASTERN INTERIOR FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6 VOLUME I

7
8 Tok, Alaska
9 March 17, 2008
10 9:00 o'clock a.m.
11

12
13 COUNCIL MEMBERS PRESENT:

14
15 Sue Entsminger, Chairman
16 Richard Carroll
17 Mathew Frenzl
18 Mathew Gilbert
19 William Glanz
20 Virgil Umphenour

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27 Regional Council Coordinator, Vince Mathews
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P R O C E E D I N G S

(Tok, Alaska - 3/17/2008)

EXCERPT FOR PUBLIC COMMENT ON DOYON LAND EXCHANGE

(On record)

MADAME CHAIR ENTSMINGER: Let's go ahead and get started. We're going to take up this land exchange, and Wennona.

Oh, I'm sorry.

MR. JESS: That's okay.

MADAME CHAIR ENTSMINGER: She looked so official and she was closer.

MR. JESS: She is official.

(Laughter)

MADAME CHAIR ENTSMINGER: Okay, go ahead.

MR. JESS: Alrighty. We appreciate, Madame Chair, to have the opportunity to be able to present this to you all. This is the proposed land exchange on the Yukon Flats National Wildlife Refuge.

And for the record my name is Rob Jess, Refuge Manager for Yukon Flats.

Just to give a brief overview of what the Refuge is about, our ANILCA purposes include to conserve fish and wildlife populations and habitats in their natural diversity, including but not limited to migratory birds, canvasbacks, dall sheep, bear, moose, wolves, wolverine, and other furbearers, caribou and salmon. The primarily mission is to conserve fish and wildlife habitat and populations.

We have some of the most productive wetlands in Alaska, some 20,000 lakes, 3,000 miles of rivers and streams. This adds up to one to two million ducks, 18,000 loons, some 100,000 grebes.

1 This also includes passerines and other
2 birds, some 160 plus species. Also furbearer habitat,
3 everything from marten, lynx all the way down to wolf
4 and wolverine. I've heard we have big game on the
5 Refuge, moose I'm not sure about.

6
7 (Laughter)

8
9 MR. JESS: No, we do have moose.
10 Declining numbers. We do have caribou, grizzly bear,
11 black sheep and -- or black bear and dall sheep.

12
13 (Laughter)

14
15 MR. JESS: Yeah, black sheep and dall
16 bear.

17
18 (Laughter)

19
20 MR. JESS: 19 species of fish including
21 one of the only known sheefish spawning areas on the
22 Yukon River.

23
24 So why are we proposing a land
25 exchange.

26
27 Doyon Limited has, for the last 30
28 years, and I wish Norm Phillips was here to present his
29 half of the story. We've got a little bit of divisive
30 history but we'll try to work through it. For a lot of
31 years Doyon has had their eye, prior to the Refuge and
32 then post-Refuge on these lands that were given to the
33 Refuge. Doyon came to the Refuge with an offer and I
34 don't want to say that it's exactly what we have now
35 but there was a principal agreement -- agreement in
36 principal that was given. And essentially what would
37 happen is the Service would -- we have an obligation to
38 respond to proposals, such as this. There would be a
39 net gain, a priority habitat lands, essentially more
40 wetlands. This would increase the Refuge managed lands
41 and then it would also, more importantly consolidate
42 some of the land ownership within the Interior of the
43 Refuge. What Doyon would, in turn, receive is economic
44 opportunities through the potential of drilling lands
45 within their own lands plus added lands from the Refuge
46 in the trade. It would also create a rural economy and
47 then also consolidate their land ownerships within the
48 interior of the Refuge.

49
50 Now, to understand what land ownership

1 is about, they are the largest private land owner in
2 Alaska within the 11 million acre Refuge. They have
3 approximately 1.25 million acres of surface and sub-
4 surface. And then also a million acres with oil and
5 gas potential.

6
7 Now, what they do have is they have
8 full development rights within those lands that are in
9 the interior of the Refuge and they are not subject to
10 Refuge laws or regulations. What's important to note
11 about that is that Doyon has made it very clear to us
12 that regardless of the land exchange or not, that Doyon
13 wants to move forward with development of their oil and
14 gas potential particular emphasis on oil and because
15 they are interior to the Refuge we, by law, have to
16 give them access ingress, egress to that, that land and
17 oil if they were to find oil. One thing to note is
18 after the exchange, the surface ownership of Doyon
19 would be reduced by 18 percent.

20
21 Now, here's a map, this map shows the
22 Refuge boundaries, which are lined out in green. These
23 are selective lands here, this is Chalkyitsik, Ft.
24 Yukon, Birch Creek, Beaver, Steven's Village. This
25 polygon here represents the potential area of oil
26 within the Refuge and within Doyon and Native allotment
27 lands.

28
29 MADAME CHAIR ENTSMINGER: Could I just
30 clarify one thing.

31
32 MR. JESS: Yes.

33
34 MADAME CHAIR ENTSMINGER: Brown, you
35 said selected, it's probably conveyed land, right.

36
37 MS. BROWN: The dark brown is conveyed.

38
39 MR. JESS: Conveyed.

40
41 MS. BROWN: The brown is selected, but
42 yet conveyed.

43
44 MR. JESS: Yes.

45
46 MADAME CHAIR ENTSMINGER: Okay. Just
47 for the record.

48
49 MR. JESS: Absolutely.

50

1 MADAME CHAIR ENTSMINGER: Yeah, okay,
2 go ahead.
3
4 MR. FRENZL: Those were six mile
5 squares you have are townships or.....
6
7 MR. JESS: These are townships.
8
9 MR. FRENZL: Okay.
10
11 MADAME CHAIR ENTSMINGER: Sorry to
12 interrupt.
13
14 MR. JESS: No, that's fine, go ahead.
15 If there are questions we are happy to answer them.
16
17 Now, all of this was based on a USGS
18 oil and gas assessment. It determined technically
19 recoverable resources and it was estimated at 173
20 million barrels of oil within that halo effect or
21 polygon, if you will. Potentially 5.5 trillion cubic
22 feet of natural gas and a 127 million barrels of
23 natural gas liquids.
24
25 Next.
26
27 Doyon, they took the same information
28 that USGS had, they took it out to some professionals
29 in the Lower 48, and their estimates came in a lot
30 higher. They came in at the potential as 800 million
31 barrels of oil versus the 173 million that we -- USGS
32 came up with, with a total basin reserve of 1 billion
33 barrels. So obviously there's not a discrepancy but
34 there's certainly a slight difference there in
35 interpretation.
36
37 Thus, here we are with an environmental
38 impact statement. We have enlisted BLM because Fish
39 and Wildlife Service, being that our main mission is to
40 conserve habitat and species and not necessarily
41 emphasis on oil, we got BLM as a cooperating agency to
42 help us through the oil phase of the EIS. Scoping
43 meetings began in 2006. The released draft EIS was
44 sent out in January of this year. And essentially what
45 it does is it has analyzed and disclosed the effects of
46 the exchange, plus development. Doyon has not come out
47 much with development aspects of it. We, in turn,
48 through the EIS, have tried to, to the best of our
49 abilities to interpret the potential of development.
50 So essentially what we've done is we've got a proposed

1 action and then we have a range of alternatives. We
2 have three alternatives and we'll go through that. And
3 then also opportunities for public input. We just
4 recently completed 11 public meetings. One in
5 Anchorage, one in Fairbanks, and then the nine in the
6 villages.

7
8 Now, looking at the development
9 scenarios, the Draft EIS analyzed the effects of three
10 things, the land exchange, exploration and then
11 development. Now, given that Yukon Flats, that area is
12 very unique in composition, both with wetlands,
13 topography in general, climatic conditions, there's
14 really no typical scenarios that could be evaluated so
15 just for pure oil well development we looked at the
16 large fields on the North Slope of Alpine and then also
17 some small fields, Tarn, Meltwater and Badami. These
18 aren't really comparative to what could occur on Yukon
19 Flats, but they do give some example of recent oil
20 development in the last 20 to 30 years.

21
22 Now, the Draft EIS alternatives, we
23 have the proposed action or the agreement in principal.

24
25
26 The next thing that was evaluated was a
27 land exchange with non-development easements and the
28 concern was, was that perhaps too much Native land
29 would be turned over to the Federal government. It's
30 not a land grab, if you will, because we've had a very
31 good working relationship with willing sellers on the
32 ground who would like to sell their land and we've
33 bought it where subsistence uses still continued on
34 those lands, whereas somebody potentially from the
35 Lower 48 were to buy the land it would be shut off to
36 all public use.

37
38 The second alternative was a land
39 exchange excluding the White Crazy Mountains and we'll
40 go into a little more depth on that.

41
42 And then the third and final
43 alternative would be a no action which means no land
44 exchange, nothing would occur.

45
46 The proposed action was broken down
47 into two phases. There was an initial phase and then
48 the second phase would occur if oil were found.

49
50 In the initial phase, Phase I, Doyon

1 would receive 110,000 acres of surface and sub-surface
2 land and then additionally 97,000 acres of oil and gas
3 interests with no surface occupancy. We would still
4 have the land occupied -- owned and occupied but they
5 would have sub-surface rights to that, that would be
6 the halo lands. Phase I, also, the Refuge would
7 receive a minimum of 150,000 acres of Doyon lands.
8 Now, this is an equal value and what takes into account
9 of equal value, why is it not acre for acre, because
10 the fact is that Doyon is looking for land that has
11 potential oil development and that potential oil
12 development in the realty process results that that has
13 to be taken into account in the appraisal process and
14 the appraisal process is done by a third-party Federal
15 entity. We have no input or effect on their decisions
16 as well as Doyon would have no effect or input on their
17 decision of the appraised value of the lands. But the
18 fact is, is that we would get at least 150,000 acres of
19 Doyon lands.

20

21 Additionally 56,500 acres of ANCSA
22 entitlements would be reallocated outside of the
23 Refuge. And I think that was 28, do you remember, 28
24 different villages would get that, somewhere there, 22
25 to 28.]

26 MS. BROWN: (Nods affirmatively)

27

28 MR JESS: And then also finally it
29 would consolidate the exchange of lands and we'll show
30 that on a map here shortly.

31

32 Again, this is a standard Refuge map
33 and you'll notice that there are numbered allotments
34 here or.....

35

36 MS. BROWN: Townships.

37

38 MR. JESS: Townships. One to all the
39 way up to 16 down here and the 150,000 acres would
40 essentially be one through eight.

41

42 And then you'll also notice here this
43 would be the land that would be exchanged to Doyon from
44 the Refuge to Doyon, a little bit of halo land.
45 There's also, in this area, is proposed wilderness.

46

47 MS. BROWN: The green line.

48

49 MR. JESS: The green line right there,
50 see, I always forget stuff.

1 MADAME CHAIR ENTSMINGER: Question, did
2 you say proposed wilderness?

3

4 MR. JESS: Yes.

5

6 MADAME CHAIR ENTSMINGER: So it's not
7 wilderness right now. Administration -- current
8 administration is not for wilderness; I'm trying to be
9 subtle here.

10

11 MADAME CHAIR ENTSMINGER: I guess I
12 thought wilderness designations were done in ANILCA, I
13 didn't realize that they could continue to have a
14 process to have more wilderness areas.

15

16 MS. BROWN: Yes, Madame Chair, Wennona
17 Brown. In the CCP the Refuge did back in, I believe it
18 was '89, one of the things that they did have to
19 examine was potential lands -- or lands within the
20 Refuge that would potentially could be recommended for
21 wilderness designation. All the areas under the --
22 between the green line and the Refuge boundary there,
23 the Refuge did recommend be designated wilderness, that
24 proposal was forwarded to the Secretary of the Interior
25 and there it has sat ever since. It has not been
26 forwarded, you know, to Congress or the President for
27 consideration. So it still remains a proposed
28 designated wilderness.

29

30 MR. JESS: And then also what we see on
31 the map here two proposed routes if this land exchange
32 were to occur, there'd be a northern route or a
33 southern route, and we'll get into a little more depth
34 on those.

35

36 Okay, what are the habitats in Phase I.

37

38 Lands to Doyon would be more uplands
39 and these also contain deeper bodies of water, lower
40 density of waterfowl and wetland dependent species.
41 The wetlands would be two percent of the area, mid-land
42 lake zone habitat would consist of loons, buffelheads
43 and golden eyes and lands to the Refuge would be more
44 low lands, higher density of waterfowl, wetland
45 dependent species and wetlands comprise 12 percent of
46 the area. One of the things that we are evaluating
47 right now is with the impacts and effects of global
48 warming. And one of the things that we're evaluating
49 is are we potentially giving up lands that could be dry
50 in 20 to 30 years, and are there also, in these

1 uplands, where you have these mid-land lake zones, how
2 critical are those zones necessary to keep these
3 lowlands or wetlands below them wet. And so that's
4 part of the EIS that we want to evaluate that we have
5 yet to evaluate.

6

7

Next.

8

9

One of the things also in going back to
10 the other map -- back a map, sorry about that, one
11 more, is Beaver Creek. This area right in here. One
12 of the things thought was important was to be able to
13 have that public use easement continue. And so along
14 Beaver Creek in this proposed exchanged area, .5 miles
15 on each side of Beaver Creek would have a public use
16 easement, and allow the public to utilize Beaver Creek.

17

18

In addition, subsistence access
19 easement, Doyon retains an access easement for
20 subsistence purposes, and then all subsistence
21 activities in accordance with Federal subsistence
22 regulations would still occur. So subsistence on these
23 exchanged lands would not change.

24

25

As far as the consolidation is
26 concerned. Doyon and the Refuge would exchange certain
27 townships to consolidate land ownerships and then
28 additionally it would be an increase continuity of
29 Refuge habitats and better defined management
30 boundaries. And what this shows is between these two
31 maps, if you look at the green right here, which is
32 Doyon land and the pink or purple would be Service
33 lands that would go to Doyon, then there's a few over
34 here as well, mainly around Chalkyitsik.

35

36

The next map shows a consolidation
37 effect.

38

39

Okay.

40

41

Now, if oil -- in the proposed action,
42 if oil were to be found, this would be Phase II would
43 kick in. If no oil were found Phase II would not
44 occur. Oil found Phase II would occur. There would be
45 a production payment of 1.25 percent at the well head
46 value. And this money could only be used for certain
47 things. And in essence, though, it isn't legally
48 called mitigation, it's an offset payment for the
49 impacts that most likely would occur. The Service
50 would acquire additional lands in Alaska Refuges. It

1 would allow -- those funds would allow us to acquire,
2 not just lands within Yukon Flats but all Refuges
3 within Alaska. And additionally Doyon has committed to
4 selling an additional 120,000 acres to us. And then
5 also the other thing that it would allow the service to
6 do is construct needed facilities throughout Alaska.
7 One of the things to note is that there would be no
8 loss of public lands in Phase II.

9
10 In Phase II, again, it would be nine
11 through 16 would be the other lands that would be
12 purchased. And, again, we see two proposed routes.
13 One route goes through the -- the northern route goes
14 through proposed wilderness area, through the Refuge,
15 the southern route goes through BLM. The preferred
16 route from Doyon is the southern route.

17
18 Now, right-of-way. Doyon's preferred
19 pipeline route, again, is the Victoria Creek through
20 the White Mountains National Recreation area. Now, if
21 it goes through the Refuge, then there's going to be
22 additional financial compensation. What's been
23 calculated out, essentially one of the things is that
24 it's 640 acres of habitat per linear mile of right-of-
25 way, and the production in payments would increase from
26 1.25 percent to 1.5 percent and essentially that would
27 be three additional townships, I believe.

28
29 MS. BROWN: One township.

30
31 MR. JESS: Huh?

32
33 MS. BROWN: It's one township.

34
35 MR. JESS: One township. I thought she
36 said it was -- I thought Cindy was saying three. Okay,
37 one township.

38
39 MS. BROWN: 23,000 acres.

40
41 MR. JESS: You're right. I knew that.

42
43 (Laughter)

44
45 MR. JESS: And, again, a larger map
46 showing the two right-of-ways.

47
48 MS. BROWN: Phase II.

49
50 MR. JESS: Phase II here,

1 consolidation.

2

3

4 Now, Alternative I. This is an
5 exchange with easements. And, again, this one, the
6 only difference is, is that, Doyon on this, donates
7 120,000 acres of non-development easements even if no
8 oil development were to occur if this Alternative I was
9 selected. And then additionally the production payment
10 is reduced to .25 percent.

11

12 And you can see -- let's see I have
13 trouble seeing these, again, one through 16. But the
14 lands that would be impacted are -- would essentially
15 be nine through 16 would be the donated, non-
16 development easements.

17

18 Alternative II would be the exchange
19 excluding the White Crazy Mountains. And the major
20 differences on this is that it excludes the recommended
21 wilderness area so to Doyon, they would receive 83,500
22 acres plus 105,000 acres of oil and gas interests, and
23 to the Refuge, we would receive 115,000 plus acres
24 depending upon how realty would work out the land
25 value. And, again, this shows it would be one through
26 7A would be the land -- less land exchanged for both
27 sides.

28

29 And, again, Alternative III would be no
30 action.

31

32 So to kind of summarize everything.
33 The net gain in Refuge lands, the proposed action we
34 would receive 216,500 acres in the proposed action;
35 exchanged with non-development easements would be
36 96,500 acres; the exchange excluding the White Crazy
37 would be 169,000 acres; and, then, again, the no action
38 would be zero acres.

39

40 Cumulative effects. One thing that's
41 important to understand is that Doyon, again, has made
42 it very clear to us that regardless of the exchange
43 occurring or not does not mean there's going to be no
44 development. They've made it very clear that they will
45 or they have intentions to develop the lands. But one
46 thing to note is that the exchange, obviously, is going
47 to facilitate their development. The infrastructure is
48 there. If the land exchange were to occur it would
49 increase their cost effectiveness within and to their
50 area.

51

1 So the impacts, obviously, it's
2 certainly impossible for any one of us to predict the
3 exact nature and extent of the impacts; we don't know
4 whether or not there is oil there. It's an unknown
5 entity. Chapter 4 of the DEIS, it assesses the land
6 exchange and the development and it shows both the
7 positive and negative impacts. One of the thing that
8 we have to do, we have to consider both the beneficial
9 and adverse impacts before deciding whether to exchange
10 lands with Doyon. The decision will be made by the
11 Regional Director, Tom Melius, and that record of
12 decision will be completed in September of this year.

13

14 Go to the next one.

15

16 So what's next. We completed our 11
17 public hearings. We're expecting the appraisals in the
18 spring. We are in spring, we don't have them yet, but
19 we're still expecting them. The Final EIS will be
20 completed in August of 2008, record of decision will be
21 completed -- a decision made by September.

22

23 We often get asked, what's the hurry.
24 Our official position is that we have funding
25 limitations only for this year and the Regional
26 Director has given us the timeline that we're under to
27 have this completed and thus we move forward.

28

29 I don't think we need to do that, or do
30 we, okay, I'll let you do that.

31

32 MS. BROWN: In each one of the rural
33 villages we did go through the .810 -- the public
34 hearing was also the .810 ANILCA hearing, which is
35 required if we determine that the proposed action could
36 significantly restrict subsistence uses. And Appendix
37 C of the Draft EIS is the ANILCA .810 analysis. In
38 preparing the analysis we concluded that any one of the
39 action alternatives, alone, would probably not have any
40 significant restrictions on subsistence uses because of
41 the distance of the development area from any of the
42 surrounding villages.

43

44 However, under the cumulative effects,
45 which looked at development on Doyon's currently owned
46 lands, with or without the exchange, in addition to --
47 and/or in addition to development on the proposed land
48 exchange area, that there could be some significant
49 restrictions of subsistence uses because of -- because
50 consolidation of the lands around the villages means

1 that to -- under -- or to hunt or fish under Federal
2 regulations -- or particularly to hunt or trap under
3 Federal subsistence regulations people in the villages
4 would have to travel farther because the Federal lands,
5 you know, the blocks all got filled in. So to get to
6 Federal lands, you know, the local villagers may have
7 to farther. Also if development occurs on those lands
8 closer to the villages, they may be occurring on some
9 of the townships that people in those villages do use
10 and they would find themselves being displaced and/or
11 the game in the area is potentially being displaced so
12 that they would have to find, either, again, travel
13 farther or find new hunting areas.

14

15 So those are the reasons that we
16 concluded that under the cumulative analysis there
17 could be some significant restrictions.

18

19 MR. JESS: That concludes our
20 presentation and we're happy to take any questions.

21

22 MADAME CHAIR ENTSMINGER: Are we awake.
23 Council members, questions.

24

25 MR. UMPHENOUR: The map you had up
26 there, it shows the road going -- taking off over by
27 Livengood, the southern route that you said is
28 preferred, and then it just ends where the proposed
29 wilderness area is, but that other map you had there
30 with the big loops around it, yeah, see it shows the
31 road ending right there, but then you've got those
32 squares all over the place with, I guess, numbers in
33 them and those are the places where Doyon wants that
34 land with all those townships with the numbers, is that
35 it, the 16 of them?

36

37 MS. BROWN: Through the Chair. Mr.
38 Umphenour. The land that Doyon would receive in the
39 exchange is the yellow block. The blocks with numbers
40 on them is the lands that the Fish and Wildlife Service
41 would receive.

42

43 MR. JESS: In priority.

44

45 MS. BROWN: In priority number, from
46 one through -- well, this particular map I think only
47 goes through 10 or something, but some of the others it
48 would be one through 16.

49

50 MR. UMPHENOUR: Okay, so where's the

1 land that Doyon would get?
2
3 MR. JESS: It's the yellow land there.
4
5 MR. UMPHENOUR: Okay.
6
7 MR. JESS: And why the road ends there
8 is because we don't know, being that it's Doyon's land,
9 they don't know where oil rigs would be or an oil rig,
10 as they say, would be located where oil would be found
11 so the road can't really be delineated at that point
12 but that is the suggested course that they've taken as
13 far as outside the oil area.
14
15 MR. UMPHENOUR: Okay. Because I was
16 kind of confused about that. And then that like you
17 had all the way across the bottom of the Refuge, that's
18 the proposed wilderness area, right?
19
20 MR. JESS: I'll show you, the green
21 that Wennona is showing, it's a light green line.
22
23 MADAME CHAIR ENTSMINGER: And how long
24 has it been proposed to be a wilderness, from what
25 year?
26
27 MR. JESS: '89 -- '86 it was completed,
28 '87.
29
30 MS. BROWN: Yeah, in that timeframe.
31
32 MADAME CHAIR ENTSMINGER: So it stays
33 open for a proposal all these years.
34
35 MR. JESS: Uh-huh.
36
37 MADAME CHAIR ENTSMINGER: It can or
38 cannot.
39
40 MR. JESS: Correct.
41
42 MADAME CHAIR ENTSMINGER: 2050 somebody
43 says let's have a wilderness area, they can do that?
44
45 MR. JESS: Well, when you get an
46 administration that's.....
47
48 MR. GLANZ: Favorable.
49
50 MR. JESS: Thank you, Bill.

1 (Laughter)
2
3 MR. JESS: Favorable.
4
5 MADAME CHAIR ENTSMINGER: Favorable is
6 the term.
7
8 MR. JESS: Then these wilderness areas
9 get moved up to the forefront.
10
11 MADAME CHAIR ENTSMINGER: I guess I did
12 not realize that that could just be an open-ended
13 thing. That it's, you know, that kind of bothers me in
14 a way in some respects.
15
16 MR. UMPHENOUR: i have another question
17
18 MADAME CHAIR ENTSMINGER: But Council
19 members, Virgil has another one and I'd like to hear
20 from Ft. Yukon.
21
22 MR. UMPHENOUR: Okay, all that selected
23 land up there, is that selected by Doyon or is it
24 selected by the village corporation or some of both?
25
26 MS. BROWN: Some of both.
27
28 MR. JESS: Well, yeah, it is some of
29 both. Majority of the lands, as we understand it, were
30 selected by Doyon prior to the establishment of the
31 Refuge.
32
33 MS. BROWN: These are Doyon, this color
34 is village.
35
36 MR. UMPHENOUR: Say that again.
37
38 MADAME CHAIR ENTSMINGER: Yes. Grey
39 is.....
40
41 MR. JESS: Grey is Doyon, the brown is
42 village.
43
44 MR. UMPHENOUR: But the brown is
45 already conveyed, right?
46
47 MADAME CHAIR ENTSMINGER: As is the
48 grey.
49
50 MS. BROWN: Uh-huh.

1 MR. JESS: One is conveyed to the
2 village and one's conveyed to the corporation.
3
4 MR. UMPHENOUR: Okay, but which is
5 selected and not conveyed, you pointed that out earlier
6 and now I'm confused here.
7
8 MS. BROWN: The color tone is really
9 hard to see.
10
11 MADAME CHAIR ENTSMINGER: Yeah.
12
13 MR. JESS: Yeah.
14
15 MADAME CHAIR ENTSMINGER: That yellow
16 looking stuff or tan, right?
17
18 MS. WHEELER: That says the darker
19 brown is selected and the light brown is conveyed.
20
21 MADAME CHAIR ENTSMINGER: What. What.
22 I think you just contradicted what she said.
23
24 MS. WHEELER: Well, I'm just reading
25 the key.
26
27 MS. BROWN: Yeah.
28
29 MR. JESS: No, you're right.
30
31 MS. WHEELER: The one above it says
32 conveyed.
33
34 MADAME CHAIR ENTSMINGER: Grey is
35 conveyed -- there are two colors that are very hard
36 to.....
37
38 MR. JESS: Grey is conveyed Doyon
39 lands.
40
41 MS. BROWN: These are conveyed village.
42 And like these colors are selected, but not conveyed.
43
44 MADAME CHAIR ENTSMINGER: Put that on
45 there so I can see it. So selected, but not conveyed
46 are.....
47
48 MS. BROWN: Like this color and that
49 color.
50

1 MADAME CHAIR ENTSMINGER: And even down
2 here, what are these colors that look slightly
3 different in the left corner?

4
5 MR. JESS: Those are Doyon lands to
6 Service.

7
8 MS. BROWN: These are the lands that
9 under -- that would just be under the consolidation,
10 they're just flip-flopped.

11
12 MADAME CHAIR ENTSMINGER: Those are
13 part of the proposal, those?

14
15 MR. JESS: Correct.

16
17 MADAME CHAIR ENTSMINGER: Those lands
18 are part of the proposal?

19
20 MR. JESS: Correct.

21
22 MADAME CHAIR ENTSMINGER: I think it's
23 hard for us to see which lands are -- but I think
24 there's that many Virgil because it looks like it's a
25 lighter color than that dark brown.

26
27 MR. UMPHENOUR: Right, but I have a
28 question. I was leading up to a question.

29
30 MADAME CHAIR ENTSMINGER: Okay.

31
32 MR. UMPHENOUR: Okay, what my question
33 is, is Doyon has overselected millions and millions of
34 acres and so how many -- they're only allowed roughly a
35 million acres more to get conveyed out of all these
36 millions that they've overselected, so I have two
37 questions.

38
39 The first question, do you know how
40 many acres of selected land Doyon has in the Refuge?

41
42 MR. JESS: I don't know.

43
44 MS. BROWN: Under Title 12(b) they
45 still have rights to 56,500 acres within the Refuge.
46 And under the proposed action, they would remove those
47 selections and put them outside the Refuge. So in
48 other words, that 56,500 acres that they currently have
49 selections on would go away and remain Refuge land.

50

1 MR. UMPHENOUR: Okay, so -- but one
2 township is 640 ties 36, I haven't multiplied that out,
3 but -- so all that Doyon has selected there that's not
4 conveyed in the whole Refuge is, you said 65 or 55,000
5 acres.

6
7 MR. JESS: 56,500.

8
9 MS. BROWN: 56,500 is what they're
10 still entitled to.

11
12 MR. UMPHENOUR: They're still entitled
13 to. But my question is, is that all that they've got
14 selected because I know they've got a whole bunch
15 overselected. That's my question.

16
17 MADAME CHAIR ENTSMINGER: In the
18 Refuge.

19
20 MR. UMPHENOUR: In the Refuge.

21
22 MR. JESS: Virgil, we don't know but we
23 can find out for you and get back to you.

24
25 MR. UMPHENOUR: Okay.

26
27 MR. JESS: I read that off my
28 government sleeve here.

29
30 MR. UMPHENOUR: Right. Well, the
31 reason I'm asking all these questions is because Doyon
32 has overselected a whole lot of lands because they
33 weren't limited under the law, the State was limited to
34 only overselecting 25 percent of what they were going
35 to get conveyed but the Native corporations were not
36 limited, and so Doyon overselected tremendous amounts.
37 I know in the area of the Koyukuk Refuge they've got
38 about 800,000 acres of selected land there and they
39 only have about a million acres more that can be
40 conveyed and so that's why I was asking so that's why I
41 was asking if there's any speculation as to what they
42 really want to select or not, or want conveyed or not
43 because they've selected all this land. And that's why
44 I asked that, I was just curious as to how many acres
45 really are in the Refuge that Doyon has selected.

46
47 MS. BROWN: Virgil, through the Chair.
48 It's my understanding that the 56,500 that they
49 currently have selections on within the Refuge, if the
50 land exchange does not proceed, they will take title of

1 those 56,500 acres.

2

3 MR. UMPHENOUR: Thank you.

4

5 MADAME CHAIR ENTSMINGER: I'd like to
6 hear from Richard here.

7

8 MR. CARROLL: Actually I don't have any
9 questions, I mean I understand the whole thing
10 perfectly well and I appreciate your presentation here
11 to educate everybody to be made aware of for the
12 potential for the future, a negative one, and in the
13 eyes of some people, a positive one.

14

15 But I still stand that I don't
16 understand why Fish and Wildlife Service is involved in
17 this and they're looking at it in a different way.

18

19 The bullying that's been taking place,
20 the threat that they're going to develop regardless, no
21 way, that is not a viable threat from Doyon, they're
22 going to need billions of dollars of investment,
23 nobody's going to make that investment when they can't
24 open up oil fields that they already have access to on
25 the North Slope. It just don't fly with me.

26

27 But anyway I'm not here to argue about
28 it and most of you know my stance on it, I oppose. And
29 I just want to thank you for the information because
30 -- I'll leave the question's up to you, I have most of
31 my answers, you know, and I'm not looking for
32 questions.

33

34 But wild and scenic Beaver Creek, wild
35 and scenic river that has no protection, and how about
36 the White Mountains, what is it, a wilderness area,
37 parks area, that White Mountains.

38

39 MR. DUDGEON: Recreational.

40

41 MR. CARROLL: Recreational area. It
42 has no protection on development to halt this. I mean,
43 and then you've got a halo of lands and the wilderness
44 -- the wilderness are that may come into effect at any
45 time whenever a presidential directive or whatever
46 takes it -- whatever, declaration, what they do is --
47 the reason they got the halo lands is they do
48 directional drilling, which means, you know, they drill
49 here and kind of such oil out, you know, five miles
50 away, you know.

1 MADAME CHAIR ENTSMINGER: Uh-huh.
2
3 MR. GLANZ: Uh-huh.
4
5 MR. CARROLL: It's kind of interesting,
6 I don't know, it's a disappointing thing for me. I
7 mean I have no questions, I mean that's.....
8
9 MS. BROWN: I'll back up here to a
10 different slide, I think it shows the wild and scenic
11 river a little bit better.
12
13 MR. JESS: One thing that we did want
14 to make note that public comment period does end the
15 25th of March and we would hope to receive as many
16 comments as possible to get a good public opinion on
17 the potential impacts, both on -- to those that live
18 within the impacted area and also to those that might
19 be affected by it or not affected, either way, we very
20 much encourage comments.
21
22 MR. CARROLL: Madame Chair. I'd like
23 to make a proposal that this RAC here recommends an
24 extension to the comment period or a recommendation for
25 an extended period of time. Right now it's going to
26 end on the 25th and this is the first presentation to
27 an Advisory Council for subsistence, this is the first
28 official one, you know, it's been talked about and
29 batted around and probably wouldn't have been brought
30 up if I wasn't sitting here.
31
32 But I would like for us, and I'm making
33 a motion right now that we ask for an extension of the
34 comment period on the environmental impact statement,
35 to extend it beyond the deadline of March 25th, which
36 is just next week.
37
38 MADAME CHAIR ENTSMINGER: Right. What
39 is your time certain on that, 120 day extension?
40
41 MR. CARROLL: We'd like to see 120
42 days, give everybody an opportunity to comment on this
43 statement.
44
45 MADAME CHAIR ENTSMINGER: So that's
46 part of your motion?
47
48 MR. CARROLL: That is part of my
49 motion, yes.
50

1 MADAME CHAIR ENTSMINGER: So 120 days
2 to the comment period, extending it from March 25th.
3
4 MR. GILBERT: I'd like to second that.
5
6 MADAME CHAIR ENTSMINGER: Okay, I have
7 a second, now we have discussion. Yeah, go ahead.
8
9 MS. BROWN: Madame Chair, may I ask a
10 question?
11
12 MADAME CHAIR ENTSMINGER: Yes.
13
14 MS. BROWN: 120 days beyond March 25th
15 or 120 days total from the time that the comment period
16 started in January?
17
18 MR. CARROLL: I understand the comment
19 period ends on March 25th.
20
21 MS. BROWN: So.....
22
23 MR. CARROLL: It's closed after that.
24
25 MS. BROWN: So 120 days beyond March
26 25th.
27
28 MR. CARROLL: Beyond that, yes.
29
30 MS. BROWN: Beyond that, okay.
31
32 MR. CARROLL: Yes.
33
34 MADAME CHAIR ENTSMINGER: Yeah, that
35 was my understanding of the motion, too, yeah. So now
36 we want to talk to it, Richard, can you help me out.
37 Do you foresee some more participation from the.....
38
39 MR. CARROLL: We do, yes. Not only
40 local participation but this is more of a regional on-
41 slaughter by government officials, and it really hasn't
42 reached the national level yet. We feel, those in my
43 position, those that oppose it, feel that national
44 attention will benefit in this development. Fish and
45 Wildlife Service itself is going to be oil head owners,
46 they're going to get a royalty, and they're actually --
47 in their statement they've identified 134 Native
48 allotments in the Yukon Flats area that they want to
49 buy so they will not lose subsistence use of those
50 lands, but, the potential is there, Refuge manager can,

1 at any time, stop anybody from accessing. If you have
2 no land there and they shut it down, they close it off,
3 they have the potential and authority to do that, to
4 stop access.

5
6 Right now Native allotment in-land
7 holders across the entire state have access, and will
8 never be denied access to their Native allotment
9 regardless of where it's at, and in the future that
10 could be denied.

11
12 But to me, personally, it's a -- I say
13 you develop in Yellowstone National Park first, see how
14 that flies, and then come up here, why should we be
15 treated different, you know, it's just nothing
16 personal, I like you guys, but, you know, it's such an
17 emotional issue that I can't see exchanging a 40 year
18 oil field life expectancy and it might not even be
19 there. Fine, Fish and Wildlife Service will gain,
20 actually in acreage, they will gain acreage, but what
21 they've done is they've opened up a whole area that
22 they -- a whole area that they will have no control
23 over in the future. You talk to the Eskimo whalers
24 right now on the North Slope, they are sorry that they
25 opened up to oil development, they are seeing the
26 potential for their subsistence way of life and whaling
27 is going down the tubes. And with the new Chukchi Sea
28 oil leases going on off the coast up there, way out
29 there on the North Chukchi Sea, they're actually
30 running scared now. They are really sorry. The
31 exchange for them and their livelihood, their
32 subsistence way of life being threatened, they ain't
33 see the value in it now, they're sorry they did it.

34
35 I know personally guys from Kaktovik,
36 especially, Mr. Thompson up there, he's one of the few
37 early outspoken Eskimo people from the North Slope that
38 are opposing oil and gas development in the Arctic
39 National Wildlife Refuge, which has been a big topic
40 concerning Gwitch'in people because of the calving
41 grounds of the Arctic National -- of the Porcupine
42 River Caribou Herd.

43
44 One of the things that you guys have
45 not talked about, neither, is at one time between here
46 and Fairbanks, this is not a recorded historical fact,
47 this is a traditional story that between
48 here, Ft. Yukon and Fairbanks, at one time, existed a
49 herd that numbered up to 60,000, 60,000 caribou was in
50 that herd, immediately after war development here, the

1 build up of military, immediately after the second
2 World War, now that's called the Steese Highway Herd,
3 there's about 3,000, they showed up in Fairbanks about
4 10 years ago and now we got, you know, what's next,
5 zero, you know, that herd actually did that 60,000,
6 that herd existed, big time, they don't know what
7 happened to it, it got absorbed, it changed, but they
8 showed up about 10 years ago, they actually still --
9 they number 3,000, I think, the Steese Highway Herd.

10

11 But, you know, those kind of potentials
12 and impact, we might not see immediately but oil
13 development on the North Slope has been going on since
14 the late '60s and 40 years later now they're beginning
15 to -- it's a little scary. 40 years from now, I can't
16 predict the future myself but I don't think it's worth
17 it myself, you know, the potential for disaster and
18 losing subsistence use and subsistence resources is not
19 worth it for two months of oil, you know, it just ain't
20 worth it.

21

22 End of statement, thank you.

23

24 MADAME CHAIR ENTSMINGER: Well, I hear
25 two issues here. One is you'd like the public comment
26 extended 120 days.

27

28 MR. CARROLL: Yep.

29

30 MADAME CHAIR ENTSMINGER: So we could
31 vote on that. But then since this Council doesn't meet
32 until next, you know, fall, we'll be past that, won't
33 we, so is this our opportunity also to speak to this.

34

35 MS. BROWN: (Nods affirmatively)

36

37 MADAME CHAIR ENTSMINGER: So.....

38

39 MR. CARROLL: Not officially, not now,
40 unless you.....

41

42 MADAME CHAIR ENTSMINGER: No, we can
43 give public comment.

44

45 MR. CARROLL: You got to go through the
46 internet now, you got to have written comments now, I
47 think. The only thing accepted now is written
48 comments, I think.

49

50 MADAME CHAIR ENTSMINGER: So we can

1 still write written comments.
2
3 MR. JESS: That's correct, Richard,
4 because we have no recorder with us of any kind so.....
5
6 MR. UMPHENOUR: Well, Tina's.....
7
8 (Laughter)
9
10 MADAME CHAIR ENTSMINGER: So if this
11 Council had some comment towards this land exchange, we
12 can't do that?
13
14 MR. JESS: No, you can do that, Madame
15 Chair, absolutely. The thing is that what I would
16 suggest is that you give written comment and that
17 comment would be evaluated and become part of public
18 record.
19
20 MR. GLANZ: That's all we can do.
21
22 MADAME CHAIR ENTSMINGER: Yeah, so we
23 can vote on your motion and then I would suggest that
24 we might.....
25
26 MR. CARROLL: My motion, regardless of
27 how this -- I'm asking that the RAC here ask for an
28 extension of that environmental impact statement for
29 more public comments, a 120 day period, and that's
30 fine.
31
32 MADAME CHAIR ENTSMINGER: What about a
33 position from us?
34
35 MR. CARROLL: That's -- I'm not going
36 to ask for that. I'm just going to ask that we ask for
37 this extension.
38
39 MADAME CHAIR ENTSMINGER: Okay.
40
41 MR. CARROLL: So everybody gets more of
42 a chance to comment on the possible impact in the
43 future.
44
45 MADAME CHAIR ENTSMINGER: Okay.
46
47 MR. CARROLL: That would be asking for
48 too much from me, I couldn't do that to you.
49
50 MADAME CHAIR ENTSMINGER: But we might

1 do it though.

2

3 MR. GILBERT: I'll ask for it.

4

5 (Laughter)

6

7 MR. CARROLL: But.....

8

9 MR. GILBERT: I'll make a motion for
10 the RAC to oppose the land exchange.

11

12 MADAME CHAIR ENTSMINGER: Okay.

13

14 MR. CARROLL: Yep, you know, I -- I
15 don't know, we could make a stand and that's fine but
16 I'm not going to make you -- all I'm asking for in my
17 motion is to ask in a written statement to them is to
18 extend the comment period.

19

20 MADAME CHAIR ENTSMINGER: Okay, I'm all
21 in favor of that but what I'm hearing from you,
22 Richard, is you don't feel there's been enough gathered
23 information, and here's an entity that you said that
24 they gave us a presentation for subsistence uses, this
25 is one of the first ones you've heard and seen, so it
26 appears to me that if we have something to say about
27 it, this is the time for us to say it also.

28

29 So let's vote on your.....

30

31 MR. JESS: Madame Chair.

32

33 MADAME CHAIR ENTSMINGER:proposal
34 -- who's, yes, I'm sorry.

35

36 MR. JESS: That's okay.

37

38 MADAME CHAIR ENTSMINGER: I'm not
39 seeing too good here.

40

41 MR. JESS: Because you have a
42 transcript being developed, maybe it's suggested that
43 you take an excerpt from your transcript that as part
44 of public comment.

45

46 MADAME CHAIR ENTSMINGER: If that's
47 sufficient, and the Council agrees, that's fine.

48

49 MR. JESS: I think with what you
50 represent, as far as this Council's concern, I,

1 professionally, would also certainly suggest some sort
2 of letter and stance but, you know, that's to your
3 discretion, absolutely, but your excerpts from your
4 testimony; if we could get the written version of that,
5 or electronic, and a written version, that would
6 certainly suffice as a minimum.

7

8 MADAME CHAIR ENTSMINGER: Well, are we
9 ready to -- Vince, you have something to add?

10

11 MR. MATHEWS: No.

12

13 MADAME CHAIR ENTSMINGER: Are we ready
14 to vote on the motion, any other discussion.

15

16 MR. GLANZ: I just hate to see it go to
17 another wolf control thing, to where everybody in the
18 Lower 48 has a chance to control our resources and
19 actions, that's the only thing I disagree with on this
20 because we're so regulated by the Lower 48, that
21 nothing we do up here has any bearing it seems. That's
22 all I have to say about it.

23

24 MADAME CHAIR ENTSMINGER: So, Bill, am
25 I hearing you say that you're a little concerned about
26 the 120 days because of the Lower 48's input?

27

28 MR. GLANZ: Yes, because that just
29 gives them more ammunition to fire at us, that's the
30 only thing I'm concerned about. And then by the time
31 we make this recommendation, you're talking, what, a
32 week away, that it's going to expire anyway so who's
33 going to have time to act on anything. So I think, to
34 me, the best method is to go, do we want it or do we
35 not want it. Because it's going to go to the director
36 here in a few months.

37

38 MADAME CHAIR ENTSMINGER: Richard.

39

40 MR. CARROLL: Richard, again. No, that
41 comment period ends and then they analyze everything,
42 is the way it goes right now.

43

44 MR. GLANZ: Correct.

45

46 MR. CARROLL: Yeah.

47

48 MR. GLANZ: I understand that.

49

50 MR. CARROLL: Yeah, they put it

1 all.....
2
3 MR. GLANZ: But once it ends.....
4
5 MR. CARROLL: Uh-huh.
6
7 MR. GLANZ: We're going to make this
8 motion.
9
10 MR. CARROLL: Right.
11
12 MR. GLANZ: So what's going to happen
13 in a week?
14
15 MR. CARROLL: Well.....
16
17 MR. GLANZ: They're not going to have a
18 meeting because we made a motion and say, okay, we'll
19 make it another 120 days.
20
21 MR. CARROLL: Oh, no, wait.....
22
23 MR. GLANZ: That's what I was trying to
24 say. We need to go on record, yea or nay.....
25
26 MR. CARROLL: Uh-huh.
27
28 MR. GLANZ:and be done with it as
29 far as I'm concerned.
30
31 MR. CARROLL: I see your point of view
32 for inviting outside, but in all reality those that's
33 been pushing for anti-drilling in the Arctic National
34 Wildlife Refuge, have only done it with outside help,
35 with outside interests, because they got the lobbying
36 dollars in Washington, D.C., and this issue right here
37 will actually end up being made in Washington, D.C., it
38 will not be made by the area director.
39
40 MR. GLANZ: I understand that. What
41 I'm trying to say, Richard, is we just make this
42 motion, is Wennona going to run to Washington, D.C.,
43 with it?
44
45 MR. CARROLL: Oh, no.....
46
47 MR. GLANZ: I mean you follow me, you
48 know it's going to lay around somewhere, it's not going
49 to be acted on today.
50

1 MR. CARROLL: No, you're right, yes.
2
3 MR. GILBERT: I could speak to that.
4 The reason we want to make a motion is because we want
5 to build support in every level of agency, organization
6 all over the state.
7
8 MR. GLANZ: I understand where you're
9 coming from there also but what I'm trying to say, is
10 being involved in politics and all this kind of stuff
11 is, when this motion's made, it's going to lay on
12 somebody's desk for two weeks, a month, you know, in
13 other words it's not going to -- we've only got a few
14 days and it's going to expire.
15
16 MADAME CHAIR ENTSMINGER: So what
17 you're saying is.....
18
19 MR. GLANZ: So this motion we make is
20 we're going to extend this comment period and that,
21 nothing is going to happen to it, nothing is going to
22 happen to it. It is going to lay on somebody's desk.
23
24 MR. FRENZL: It's actually more
25 symbolic than actually beneficial.
26
27 MR. GLANZ: Definitely. Definitely,
28 that's what I'm trying to say.
29
30 MR. CARROLL: I disagree. Because what
31 you're saying is everybody that gave testimony, they're
32 just wasting their breath, no, that's not true.
33
34 MR. GLANZ: Negative. Negative.
35
36 MR. CARROLL: This is serious.
37
38 MR. GLANZ: That's not what I'm saying
39 Richard.
40
41 MR. CARROLL: But.....
42
43 MR. GLANZ: What I'm trying to say,
44 Richard, is we make the motion, we approve it, where
45 does it go from here?
46
47 MR. CARROLL: We can make another
48 motion, this is just one step, this is just a step.
49
50 MR. GLANZ: Yeah.

1 MR. CARROLL: This is just one step in
2 the process that's.....
3
4 MADAME CHAIR ENTSMINGER: I think what
5 we should do.....
6
7 MR. CARROLL:that's got to
8 work.....
9
10 MADAME CHAIR ENTSMINGER:is go
11 ahead, we have a motion on the floor.
12
13 MR. GLANZ: Okay.
14
15 MADAME CHAIR ENTSMINGER: The motion is
16 to extend 120 days, we vote on it and then we'll be
17 open for another motion to do a yea or a nay.
18
19 MR. CARROLL: Correct.
20
21 MADAME CHAIR ENTSMINGER: Okay.
22
23 MR. GLANZ: Yeah.
24
25 MR. CARROLL: Correct.
26
27 MADAME CHAIR ENTSMINGER: Did that
28 handle the.....
29
30 MR. GLANZ: Calling the question.
31
32 MADAME CHAIR ENTSMINGER: The question
33 has been called for, unless there's other discussion,
34 to extend this comment period, this is our
35 recommendation from the Council, for 120 days. Does
36 everyone understand the motion.
37
38 Okay, do you want a roll call?
39
40 MR. GLANZ: I don't care. All in favor
41 say aye, that's what I'd say.
42
43 (Laughter)
44
45 MADAME CHAIR ENTSMINGER: Okay. All in
46 favor say aye.
47
48 IN UNISON: Aye.
49
50 MADAME CHAIR ENTSMINGER: All opposed.

1 MR. GLANZ: Aye.
2
3 MR. FRENZL: Aye.
4
5 MADAME CHAIR ENTSMINGER: How many are
6 opposed. Two. I'm not voting.
7
8 MR. GLANZ: Okay, you're abstaining?
9
10 MADAME CHAIR ENTSMINGER: Yeah.
11
12 MR. GLANZ: So it looks like it's a
13 tie.
14
15 REPORTER: You're abstaining?
16
17 MADAME CHAIR ENTSMINGER: Oh, this is
18 bad.
19
20 REPORTER: I just want to know for the
21 record, two nay's and you're abstaining, right?
22
23 MADAME CHAIR ENTSMINGER: I'm more
24 inclined to go with you, Bill, but this -- you know, I
25 don't mind voting on this to extend.
26
27 MR. GLANZ: That's fine, don't.....
28
29 MADAME CHAIR ENTSMINGER: Yeah, so I'll
30 vote for it yea, yes. Aye. Okay, then the floor is
31 open for another motion.
32
33 MR. MATHEWS: Well, just for the record
34 then the vote was four to two and the motion passed.
35 Thank you.
36
37 MADAME CHAIR ENTSMINGER: Okay.
38
39 MR. MATHEWS: The only reason I was
40 trying to get your attention before is that no matter
41 what happened on this is you're not going to meet
42 again, if they pass this 120 days.
43
44 MADAME CHAIR ENTSMINGER: Right.
45
46 MR. MATHEWS: If you want an assessment
47 if the 120 days would pass or not, you have Staff here
48 to ask on the viability of that, but that's a done deal
49 you already passed that motion.
50

1 MADAME CHAIR ENTSMINGER: Right.
2
3 MR. MATHEWS: But you will not have
4 another opportunity to comment on this EIS.....
5
6 MADAME CHAIR ENTSMINGER: Boy, that's
7 what I've got across.....
8
9 MR. MATHEWS:even if it's
10 extended.
11
12 MADAME CHAIR ENTSMINGER: I hope I have
13 that across -- so the floor is open for a motion to go
14 yea or nay; do I hear a motion.
15
16 MR. GILBERT: Yea or nay on what?
17
18 MADAME CHAIR ENTSMINGER: To have the
19 land exchange.
20
21 MR. GLANZ: I'll make the motion that
22 we have a vote on supporting or non-support of the
23 Doyon Land Exchange.
24
25 MADAME CHAIR ENTSMINGER: Do you want
26 to word it in just the affirm -- or, let's see, how can
27 you word it?
28
29 MR. GLANZ: Well, yea or nay.
30
31 MADAME CHAIR ENTSMINGER: Okay.
32
33 MR. JESS: Madame Chair. Can I explain
34 the process a second so you could clarify that.
35
36 MADAME CHAIR ENTSMINGER: Turn on your
37 microphone.
38
39 MR. JESS: Can I explain the process?
40
41 MADAME CHAIR ENTSMINGER: Yes, you may.
42
43 MR. JESS: The process is as follows,
44 is that once public testimony is completed, all the
45 public testimony is collected and sorted into various
46 types of groups. We receive a very a large data base.
47 The Refuge Staff and myself, we will take the data base
48 and all of the science that we have, plus additional
49 science that we're still collecting, and we will make a
50 recommendation, a decision based on our -- what we feel

1 is the right direction, utilizing this very large slice
2 of pie. That recommendation will then go to the
3 Regional Director, Tom Melius, who will take the
4 information, the biology, climate change, soil impacts,
5 all of this information, including our recommendation,
6 which gives him an additional slice of this pie, and he
7 will make his recommendation on that. And that will
8 become the record of decision.

9

10 MADAME CHAIR ENTSMINGER: More
11 information. Go ahead.

12

13 MS. BROWN: Yes, Madame Chair. Further
14 clarification on what the comment period is supposed to
15 entail. It is also supposed to review the Draft EIS
16 and provide substantive comments on things that either
17 we missed, are wrong, or inadequately addressed or even
18 some other alternative that we didn't think of, that we
19 missed completely. And those are the kinds of things
20 that we will be -- after the close of the comment
21 period, you know, our Staff, as well as the contractors
22 will be taking all those questions and trying to
23 analyze those, answer those questions and factor it
24 into the document itself, which then becomes the final
25 EIS.

26

27 So the other part of the thing is if
28 there are comments of things that you feel either we
29 haven't addressed, we didn't address adequately or we
30 addressed incorrectly, we also would like to have those
31 comments sent to us.

32

33 MADAME CHAIR ENTSMINGER: In this
34 document?

35

36 MS. BROWN: In that document.

37

38 MADAME CHAIR ENTSMINGER: I'm sure
39 we've all read it.

40

41 MR. GLANZ: Yeah, right, twice.

42

43 MADAME CHAIR ENTSMINGER: Yeah.

44

45 (Laughter)

46

47 MADAME CHAIR ENTSMINGER: Okay. I'm
48 sure we understand that. But just clarify for me, this
49 motion that is not quite on the floor, it is
50 appropriate?

1 MR. JESS: It's very appropriate, yes,
2 ma'am.
3
4 MADAME CHAIR ENTSMINGER: Yeah, okay.
5 Do I hear a second on that motion.
6
7 MR. GILBERT: Second.
8
9 MADAME CHAIR ENTSMINGER: Okay. I
10 don't know that we need a lot of discussion.
11
12 MR. GLANZ: No, I think we discussed
13 this to.....
14
15 MR. CARROLL: A little bit more
16 clarification on the motion just so we understand it.
17
18 MR. GLANZ: The motion that I made is
19 do we support Doyon's land exchange, or do we not
20 support it, a yes would indicate you support it -- I
21 mean a no would mean you do not support it, and a yes
22 means, yes, go ahead with the Doyon land support, if
23 you understand that, do you need me to say it again?
24
25 MADAME CHAIR ENTSMINGER: No, I think
26 -- is that clear?
27
28 MR. CARROLL: It's actually a -- it's
29 not a positive motion but I understand it.
30
31 MADAME CHAIR ENTSMINGER: As long as
32 the recorder understands it.
33
34 MR. GLANZ: I'll withdraw my motion
35 and you put your motion out there. I'm tired of this
36 damn thing.
37
38 MR. CARROLL: It's a frustrating --
39 Bill, forgive me.....
40
41 MR. GLANZ: No, I know, make your
42 motion.
43
44 MR. CARROLL: No. I'm not making a
45 motion.
46
47 MADAME CHAIR ENTSMINGER: Vince.
48
49 MR. MATHEWS: Yes.
50

1 MR. FRENZL: It's already been seconded
2 so.....
3
4 MADAME CHAIR ENTSMINGER: It's already
5 been seconded, it's on the floor.
6
7 MR. CARROLL: Oh, okay.
8
9 MR. MATHEWS: Yes, it's on the floor.
10
11 MR. GLANZ: Okay, I'm calling the
12 question.
13
14 MADAME CHAIR ENTSMINGER: The
15 question's been called for. All in favor of a Doyon
16 land exchange say yes.
17
18 MR. FRENZL: Yes.
19
20 MADAME CHAIR ENTSMINGER: All.....
21
22 MR. GLANZ: Oh, wait, yes, on me too.
23
24 MADAME CHAIR ENTSMINGER: All opposed
25 to a Doyon land exchange.
26
27 MR. CARROLL: Yes.
28
29 MR. GILBERT: Yes.
30
31 MADAME CHAIR ENTSMINGER: That leaves
32 you and me.
33
34 MR. GLANZ: Actually, I'm -- yeah, go
35 ahead, yeah, vote either way and then we can throw it
36 out.
37
38 (Laughter)
39
40 MR. GLANZ: Make it one yes, and vote
41 one no and we can throw it out, and go get something to
42 eat.
43
44 (Laughter)
45
46 MADAME CHAIR ENTSMINGER: I'm going to
47 vote.....
48
49 MR. FRENZL: Is there a clarification
50 on the vote?

1 MADAME CHAIR ENTSMINGER: I'm sorry.
2 Is there a clarification on the vote?
3
4 MR. FRENZL: Yeah, what was the vote
5 outcome?
6
7 MADAME CHAIR ENTSMINGER: It's not
8 finished yet, Virgil hasn't voted and neither have.....
9
10 MR. GLANZ: Right now it's a two to two
11 tie with two remaining to vote.
12
13 MADAME CHAIR ENTSMINGER: Okay, I'm
14 voting with Richard. We were saying yes when we should
15 have said no but that's okay, yeah, you're right this
16 is confusing. It's time to eat.
17
18 MR. UMPHENOUR: Well, I haven't made up
19 my mind. I got that thing in the mail a couple weeks
20 ago but I've been in meetings ever since I got it and I
21 haven't looked at it. I have mixed feelings on this
22 issue and I would rather abstain.
23
24 MR. GLANZ: Okay, so it carries then.
25 So we're opposing the land exchange is what we're
26 saying.
27
28 MADAME CHAIR ENTSMINGER: Is it by the
29 majority of the people present or is it.....
30
31 MR. MATHEWS: Yeah, it's by the
32 majority present. And Virgil did you -- Tina, did
33 he.....
34
35 REPORTER: He abstained.
36
37 MR. MATHEWS: Okay, he abstained.
38
39 MADAME CHAIR ENTSMINGER: And if you
40 don't like your vote you can change it, I guess.
41
42 MR. CARROLL: Comment, Madame Chair.
43 Thank you, Bill. It's a frustrating and it's a very
44 tiring subject, one that I don't even like to get into
45 myself because it'll wear you out.
46
47 Thank you all for your patience.
48
49 MR. GILBERT: Thank you, you guys,
50 let's eat.

1 MADAME CHAIR ENTSMINGER: Okay, we'll
2 adjourn for the evening and then hopefully there'll be
3 some public that shows up here, and if not then we'll
4 have an early out.

5
6 (Off record)

7
8 *****
9 END OF REQUESTED PORTION
10 *****