NORTH SLOPE/NORTHWEST ARCTIC FEDERAL SUBSISTENCE
JOINT REGIONAL ADVISORY COUNCIL MEETING

PUBLIC MEETING

Egan Convention Center
Anchorage, Alaska
March 11, 2016
8:30 a.m.

COUNCIL MEMBERS PRESENT:

Harry Brower, Jr., Chairman
Rosemary Ahtuangaruak
Lee Kayotuk
Gordon Brower
Robert Shears
Steve Oomituk
Enoch Shiedt, Chairman
Percy Ballot
Verne Cleveland
Louie Commack
Michael Kramer
Hannah Loon
Enoch Mitchell
Calvin Moto
Raymond Stoney
Regional Council Coordinator, Zach Stevenson

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CO-CHAIRMAN STONEY: Meeting's in order. Can I have a roll call for Northwest.

MS. LOON: Raymond Stoney.
CO-CHAIRMAN STONEY: Here.

MS. LOON: Austin Swan.
(No response)

MS. LOON: Hannah Loon present.

Michael Kramer.

MR. KRAMER: Here.

MS. LOON: Percy Ballot, Sr.

MR. BALLOT: Here.

MS. LOON: Verne Cleveland, Sr.
(No response)

MS. LOON: Louie Commack, Jr.

MR. COMMACK: Here.

MS. LOON: Enoch Shiedt, Sr.

MR. SHIEDT: Here.

MS. LOON: Enoch Mitchell.

MR. MITCHELL: Here.

MS. LOON: Calvin Moto, Sr.

MR. MOTO: Here.

MS. LOON: One absent.

CO-CHAIRMAN STONEY: Thank you. We'll
have North Slope roll call.

MS. AHTUANGARUAK: Gordon Brower.
MR. G. BROWER: I'm here.
MS. AHTUANGARUAK: Robert Shears.
MR. SHEARS: Here.
MS. AHTUANGARUAK: Steve Oomituk.
MR. OOMITUK: Here.
MS. AHTUANGARUAK: Lee Kayotuk.
(No response)
MS. PATTON: Madam Chair and Council, Lee hasn't arrived back yet, but he planned to be back this afternoon.
MS. AHTUANGARUAK: And Harry Brower.
MS. PATTON: And Harry Brower will also be back this afternoon. He had to check out of his hotel so it might be just a few minutes before he's able to arrive.
MS. AHTUANGARUAK: And then Sam Kunaknana.
MS. PATTON: And Sam Kunaknana is in a meeting for his Tribal Council for the BLM mitigation planning.
CO-CHAIRMAN STONEY: Okay. We're considered as a quorum.
Thank you.
Now we're down on our agenda where we left out yesterday. I think I'll have our coordinator do it to begin with.
MR. STEVENSON: Thank you, Mr. Chair.
CO-CHAIRMAN STONEY: Oh, you'll want that on.
MR. STEVENSON: This afternoon we are
at the joint meeting of the Northwest Arctic and North Slope Borough Resource Advisory Councils. We'll be continuing with agenda items 13A and 13B. On item 13A we'll be addressing traditional use of snowmachine hunting. And it's my understanding that the objective is to provide information that will help the National Park Service understand the importance, cultural importance, of traditional use of snowmachine hunting, correct?

CO-CHAIRMAN STONEY: Yes.

MR. STEVENSON: Yes? Okay. Next on the agenda we have the special -- proposed special action regarding a restriction of non-Federally-qualified hunters in caribou hunting in unit 23. That's item B on the agenda.

Thank you, Mr. Chair.

CO-CHAIRMAN STONEY: Thank you. What do you want to begin with, the Northwest or North Slope then on the first agenda?

MR. STEVENSON: As requested I understand that we will be providing an opportunity for both North Slope Borough and Northwest Arctic Borough to share comments on that issue and also I believe we have individuals here today, including Lisa Maas, I don't -- there you are, who will be sharing an up.....

Will you be providing an update on that issue as well?

MS. MAAS: I'll be presenting a summary.....

MR. STEVENSON: Thank you very much.

MR. G. BROWER: Mr. Chair.

CO-CHAIRMAN STONEY: Thank you. Yes.

MR. G. BROWER: Mr. Chair, I just -- Gordon Brower for the record. Just for clarity I want to make sure we're referencing the RACs, not the Borough.

CO-CHAIRMAN STONEY: Thank you.
MR. G. BROWER: You kept saying Northwest Arctic Borough, North Slope Borough, these are North Slope RACs, Regional Advisory Council.

MR. STEVENSON: Thank you, Mr. Brower.

I have noodles on my brain from eating lunch not too long ago and I'm speaking about my previous employer. Thank you. It's North Slope and Northwest Arctic RACs.

Thank you.

MR. SHIEDT: Raymond, I got a question. Is there anyone from the park service that's going to talk about 36 CFR 13 460 here with the use of snowmachines the way we harvest. Yeah. Can you come up and -- I think the meeting need to start now and you explain it a little bit and we'll take it from there.

CO-CHAIRMAN STONEY: Thank you, Enoch. This issue was brought to our attention last fall in Buckland so it -- it passes in Buckland so we need some comments from the rest of the RAC and also from Arctic -- North Slope. So you see it now on the chart there it says -- that's to use of snowmobiles, you know, for caribou hunting. So we'll begin with the Northwest, if they have anymore comments on this. You may begin.

MR. SHIEDT: Go ahead. I think we need to hear from the Park Service, what they're -- you know, on this -- on this proposal here, 36 CFR.

MR. FROST: Yeah. Mr. Chair and Chairs and RAC members. I haven't had a chance to meet with the North Slope RAC, but my name is Bert Frost, I'm the Regional Director for the National Park Service and I represent the Park Service on the Federal Subsistence Board.

I just want to take a minute to talk a little bit about the -- sort of the issue as a whole, let you know what our concerns are and then maybe we can have a discussion and then Trevor from the Fish and Wildlife Service probably will want to have -- say a few things from a -- from the Fish and Wildlife Service point of view because we're sort of in the same boat as agencies, but I'll let Trevor speak to the Fish and Wildlife Service and I'll speak for the Park Service.

But, you know, I just want to start by
saying, you know, I was up in Buckland at the Northwest
Arctic RAC late last year and we talked about this and
we -- and I heard your concerns. And, you know, I've
gone back and I've asked my staff to, you know, do some
additional research for me and I've looked into this
issue and I -- the first thing I just want to
acknowledge is that I -- that I understand that this
isn't the first time this issue has come up in front of
the RACs and for some reason I guess it's sort of been
kicking around for 10 or 15 years and I don't -- I just
want to say I don't know why it's never been acted upon
between -- when it first came up and why we're here
today. And but I want to acknowledge that I realize
that this is an issue that's near and dear to your
heart and that it's something that we as agencies need
to figure out how to address. And so we hope that we
can be able to move -- to move forward. But the fact
is here we are again 10 or 15 years later, you know,
discussing this issue once again. And so I can
understand why you're frustrated and kind of get short
with us. But there are some conflicts and I think
that's important.

And so the rule that Enoch was just
holding up, this 36 CFR, if you look at that rule on
its face what the issue is that -- the proposal as it
is currently working is in direct violation of this
regulation. And so this is a Park Service specific
regulation. And so if -- and so that causes this
conflict if the proposal as written were to go forward
to the Federal Board, it would be in direct conflict of
this rule. And basically it -- you know, you can read
the rule, but it basically says that snowmobiles,
motorboats, dog teams and other means of surface
transportation traditionally employed by local rural
residents engaged in subsistence uses shall be operated
in compliance with State and Federal law in such a
manner as to prevent waste and damage to Park areas.
And in -- and this is the key here, in such a manner as
to prevent the herding, harassment, hazing or driving
of wildlife for hunting or other purposes.

CO-CHAIRMAN STONEY: One thing I'll
answer right now for the record is we've got Mr. Brower
present.

MR. FROST: Okay. So as the rule is
currently written we have this -- sort of this
competing regulations or potential regulations. And so
as I see it we have a couple of ways that we can move
forward here. The first option is that we could -- and
this is what I tried to do in Buckland and I'll -- and
I admit I didn't do a very articulate situation, that
we could take some time, NPS staff and -- I won't speak
for the Fish and Wildlife Service, but I think if Fish
and Wildlife Service would want to sit down with the
RAC members to craft some language that would permit
this activity, but still maintain the integrity of our
regulations. We think that that can be done, but as
it's currently written right now it's really at odds
with each other. And so there's -- and that's sort of
the issue.

The second alternative, and I'm just --
and I just wanted to put this out here and I'm just
going to throw all my cards on the table because I want
you to understand sort of the pickle that I'm in, is to
-- is to continue down the process that we've started
with this proposal. And it can -- and it can move
forward onto the Federal Board process and if it would
come to the Board as a -- as it is currently written
being the Park Service representative on the Board, I
would have to probably not support that proposal. That
doesn't mean it won't pass, but I just wanted to let
you know that as it's currently written I probably
couldn't support it. If it did pass, which it very
well could, then it becomes -- then it really becomes a
conundrum because then what you have is you have a
Federal Subsistence Board rule that is in direct
conflict with a Park Service rule. And so you have --
you have the CFR which is where the Park Service rules
are and you have the Board -- and you have the Board
rules. And because the way the regulations are written
the Park Service specific rule would have supremacy
over the Board rule. And so in essence if the Board
passed this proposal as written nothing would really
change on the ground because we would be bound to
enforce our Park specific rule before we allow the
activity that the Board just allowed. Perhaps the
really difficult would be the user on the ground
because then there'd be confusion. People would think
that they had an allowance to do something when in
reality they didn't. So it would be -- it would really
be a conundrum for the user on the ground.

And so that's why I go back to proposal
A is that maybe we could take some time to try and
workup the language a little bit to figure out if we
could get some language to where we could somehow allow
the activity that you're trying to do, but at the same
time maintain the integrity of the Park Service regulation.

So with that I'll turn it back.

CO-CHAIRMAN STONEY: Now with these two issues that came to your attention how much time limit does it take, you know, to change those two, the Park Service and the Federal Subsistence Board, how long will that take to change it?

MR. FROST: So I -- there are -- I think there's two parts to that question. If we're -- if you're just doing the Federal Subsistence Board piece, if you're doing that as the proposal, the Board's going to meet in April and so that -- if the rule continued down the normal path that the Board could act on that regulation as early as April. If it -- if we were going to change the Park Service specific rule I -- you're talking, you know, 18 months to two years because you've got to go through the whole rulemaking process. That is not a simple process, that's -- that and, you know, I was here talking to you yesterday about rules and how long it takes and so that's a much more difficult process.

CO-CHAIRMAN STONEY: Yeah, anything from the -- from this Board?

MR. SHIEDT: Yeah, We talked about this at Buckland. In the minutes -- under the minutes, it's so short here that when we -- what we said at the meeting that we've done this way before your time that you come around. I will even go back to the dog team days that I did chase caribou with the dog team and get close to wolves. And we've been doing it and we never do it to harass them, we do it to harvest. But they're running from us and we've got to get them -- and when we do that and they're -- we don't -- when we get caribou and when we go after caribou we don't do it to harass them, we position them, put them in position where we could get the one that's more edible than the skinny one. Because if they're running everybody know that the skinnier one might be slow, yet majority of time the fat ones are in the back. And we don't -- we don't harass them and just to chase them, we do that to harvest our resources. And we do this all the time. And it's way before the Park Service come around and you guys are now coming up today with regulations that we've been doing it. I was born in 1946 and I -- when
I first drove a dog team believe it or not I was nine
years old because my dad had a stroke and I had to
provide for the family. And when I was 10 when John
and I was chasing caribou we did it when his dogs
because he had decent dogs. And he never do it to
harass, he -- to get them to put food on the table.

And I would say -- and I thought we
were -- we approved this to work on this and I thought
there was going to be a proposal put into it so we
could start working on this because the Federal system
is so slow that by the I turn 99 you guys will be still
working on it and everybody's going to be legal. What
we're trying to do is make our people legal, to be able
to harvest with snowmachines.

CO-CHAIRMAN STONEY: Does your group
have any comments on this.

MR. H. BROWER: Thank you, Co-Chair.
My name is Harry Brower for the record. We do have
some comments to share with -- from our Council and
I'll ask the ones that want to provide comments to do
so and I'll follow-up after.

Gordon.

MR. FROST: (Nods affirmatively)

MR. G. BROWER: .....and I'm wondering --
there's a -- there's a different perspective and maybe
you can help us to -- when I -- sometimes gets a
caribou in the wintertime I position myself. I know
the caribou is running, but I position myself and then
stop and he'll come to me and I'll shoot him. That's
positioning myself because I know the ones I want to
get. And I think that's none of this in item three.

MR. FROST: So and that's a great
point. So when this issue was first brought up 10 or
15 years ago in fact what we did, we did do a
rulemaking through the Federal Subsistence Board to
allow that activity, to allow people to position
themselves on snowmachines, to do exactly what you
said. So that is a permissible activity today. What's
not permissible is -- and it's the definition here and
I understand what Enoch was saying is that they're
positioning for harvest, but it's -- but the words --
but that's -- you know, we need to get the words right
so that when people are out there and they see the
activity they can say oh, this is for harvest whereas
if they see somebody else maybe that is harassing. And
we need to be able to sort of tease out a little
bit to make sure that if there is improper behavior
going on out there that we can stop that improper
behavior, but at the same time if there's a harvesting
activity that's going to occur that those people are
allowed to do that and not harass.

CO-CHAIRMAN H. BROWER: Continue,
Gordon.

MR. G. BROWER: Yeah, and I would maybe
(in Native). That's what I think and it's (in Native)
National Park Service (in Native). I think that's what
we're -- that's what we're accomplish. I don't think --
that's my interpretation of what we do, maybe that's
the way the proposal if there is a proposal should be
understood that we're positioning ourselves, we
position ourselves to be successful.

CO-CHAIRMAN H. BROWER: Your name,
please.

MR. FOX: Thank you, both Chairs. I'm
Trevor Fox with the Fish and Wildlife Service. I serve
on the Interagency Staff Committee for the agency. And
I guess we sort of jumped into this discussion right
away. I also wanted to note that the same exact
conflict is with Refuge specific regulations. And I
guess just to set the table for the discussion with
this proposal as Mr. Brower just spoke about, there is --
there are regulations in place to allow a hunter to
position himself to harvest. This proposal we're
talking about is specific to unit 23 only and it would
change the language to allow a hunter to select a
caribou, a wolf or a wolverine for harvest. And that's
where these conflicts start to show up and that's where
we -- that's why we're here today is to talk about the
conflicts of that wording change from positioning a
hunter to positioning an animal, runs into these -- the
language here with herding, harassing, hazing and
driving.

And so, you know, we're here to
basically say that these conflicts are in place. And
Bert and myself were both at the Northwest Arctic
Council meeting in the fall to talk about these
conflicts and, you know, as Bert mentioned, if the
Federal Subsistence Board passes this for unit 23 it
would be allowed on Federal public lands except for
Park Service and Fish and Wildlife Service lands
because of this conflict. And it's not to say that the
agencies won't do anything to address that conflict but
we don't have an official position at this time at
least for the Refuge regulations. But I think one
thing we would like from the Councils is to get some
information on this hunting practice with snowmachines
and try to get an idea of what is locally acceptable,
what's not locally acceptable for the use of
snowmachines. Just to provide more information as we
make our decisions on whether we address this in our
agency specific regulations.

Thank you.

CO-CHAIRMAN H. BROWER: Thank you for
that information. I think there's -- again there's --
English is a hard language to understand, an
interpretation of the language that's being used to
generate conditions or regulations to implement it, it
need to be clarified as well.

I just want to share with you in terms
of some of the comments I've previously heard. You
know, the -- our subsistence way of life, we've had
this for thousands of years and the Federal government
coming into our State is fairly new. And the division
of the State into Federal lands by Federal government
and then bring in regulations that they impose within
those specific Federal agencies. You know, we had our
practices way before this type of regulate --
regulatory processes came into plays. Now we've had to
formalize these local advisory groups or regional
advisory groups to try and help come ask the language
that's currently in existence with very young Federal
lands in our observations. I mean, I show you -- with
you what I'm going to be talking about is our
(indiscernible) whale. We pursue the whale at times
when we -- when we're looking to harvest the whale. We
don't wait for it to position itself or position our
boat, we have to pursue it to be able to take it
successfully. We're not going to be trying to harpoon
25 feet over there, trying to see whether we're going
to be lucky -- if that's going to be a lucky throw. We
have to get to the animal, positioning ourselves,
pursuing it at the same time, to take it safely, in a
safe hunt to keep us from getting into a dangerous
situation. We have to get to those animals.

With what your Federal regulations,
whether it's super -- you said a word I can't even
pronounce, supremacy or something like that. One
Federal agency has more regulation than the other and
we don't understand that practice, it's never been
taught to us as to who has more authority over what
area. We -- all we knew how to do is come back to our
subsistence activity to utilize these resources in a
manner that's suitable for us. We're not here to be
provided information that the National Park Service or
Refuge manage system has generated regulations in terms
of how we should operate. We've already been in
existence, you should come to talk to us to see how we
could structure the language in your regulations so it
suits us, not just suiting your -- how do you use this
word, supremacy, of language that's been given to us to
try and understand and learn from. But it should be
working both ways, you ask a Federal agency come into
our communities and see how we conduct our activity to
tweak that language to make it applicable, for us to be
able to be conducting our subsistence activities. It's
not so much that we've become illegal hunters, by the
means of National Park Service has a regulation that --
again I -- I'm not sure how to utilize this word, it's
fairly new to me, I just -- I think I might have heard
a little bit about it yesterday and through some of the
other communications we were dealing with on ANILCA and
we were thinking that this ANILCA had some subsistence
priorities, that it -- it's able to work within these
Federal programs. But it seems to be that it's
convoluted more than we could understand. And we've
never been taught that convoluted communications from
any of the Federal agencies until we get to a situation
where people start getting cited for the actions that
they were dealing with, you know, hunting,
subsisting in that sense.

I -- you know, I'll stop here. I seen
some hands, Mr. Stoney, over to your side and I'll stop
here for a minute. I'll add on a little bit more once the others have done spoken their turn.

Thank you.

CO-CHAIRMAN STONEY: Attamuk.

MR. SHIEDT: Yeah. Yeah. Thank you, Raymond.

CO-CHAIRMAN H. BROWER: Enoch and.....

CO-CHAIRMAN STONEY: Okay. Yeah.

MR. MITCHELL: I'd like to know who write these CFRs, did these people ride snowgos or hunt with snowmachines, with the -- hunt with snowmachine like we do and because, you know, every time I hunt (in Native), every time I hunt caribou, it isn't -- it's always different and not the same. It's not the same way every time. Because I could -- see when I start chasing (in Native) I track it for a long ways, but every time -- every time I get to it it won't -- it won't give me a good shot. So and see every time is different. A wolf is different, it -- but it does the same thing, it'll turn away from me. Every time I drive the snowmachine, no I have to go fast. So I don't think there's anytime I'm going to get off my snowmachine, I'm going to take time to turn it off, put shell in my rifle. By the time I'm ready it's going to be way over there. A lot of us chase them when we get to the wolf, the big ones. We'll chase them to deep snow and it's easier to get them when you drive right by and just shoot it right there. Because when you shoot it and you start chasing it there's no way you're going to stop and get a wolf I'm telling you. Hmmm. He's going to -- they're smart. By the time I'm going to chase my wolf, I get -- I got -- I get it while I'm driving, I'm cruising right by, rough terrain, and it wants to get away from me, it wants to go in the trees, it wants to go in the creek and I would -- I want to keep it away from the trees, I want to keep it away from the creek just to -- and I don't want to shoot it on the -- what you call that, sunshine ruff. They got sunshine right there on the back of them, that's the good part of the wolf. You don't hit it there, you don't hit on the skin, on the ruff, you only hit it right there. All animals, we only hit them right there, the caribou, the wolf, bear, right there. We don't waste the meat, you don't waste the skin. Every
hunt is -- you got to be precise, you got to -- this is
dangerous, but we live it and when I'm trying to get my
wolf or I got it, I'm chasing it, I want to keep it
away from the creek, I want to keep it away from the --
but the way you're going to get it is right -- the way
I get them I put them in snow, deep snow and go right
by it and hit right there with a pistol. You get close
enough you can shoot the head right there, from -- from
-- not far from that (indiscernible) and while cruising
and I shoot right there, my bullet's going to go way up
there. I'm not going to shoot that animal, if I shoot
at it, my bullet's going to be over there. So when
that animal's right there and not moving I got to shoot
up there, if it go further and further, you got to
shoot further and further. But when I get close to it
I don't have to shoot way up there, it's right there.
But the (in Native) is different, it's slower, but it's
smart too, it does the same thing. When
(indiscernible) it's going to turn its back on you.
You try to go around to it, it's going to turn its back
on you. Every time you do that it's going to turn its
back on you, it won't give you a good shot, they're not
going to give you a good shot, no animal's going to
give you a good shot. Just the ones that come to you,
give them -- like the caribou, like the whale. They
give themselves, they -- they don't -- (in Native),
they don't run away, they give themselves. But these
animals like the wolf we have to get them, we have to
go to them. There's no way I'm going to jump out,
position myself, that animal's going to be way over
there. But with bear now it's different, see each one
is different. But you guys are already -- that's why
my question is who wrote this CFRs, you know, it should
have been written with those people that knows, that
did that hunting. No. And see that bear is different
too and it's dangerous. You don't hit it right, that
thing going to come up and kill you. Now I don't want
to hunt that bear like the wolf or the (in Native), I
don't want to go right by it, no, I shoot it from far,
good distance, that'll give me another shot because if
you don't hit it right it's going to come after you and
you needed another shot or you're in deep trouble.

So that's what my question is there, if
these CFRs would be written with the people who do
these hunting, who live under -- who live under these.

Thank you.

CO-CHAIRMAN STONEY: I believe Hannah
got her hand first up. And Mike will be next.

MS. LOON: (In Native), Mr. Chairman.
(In Native) clean up after them, clean up after them,
(in Native). What I am asking is it's hard to
understand English over the past week about all kinds
of stuff, Federal subsistence laws. And us Inupiag
speakers have a hard time understanding and how come we
always have to try to clean up after you fellows, Park
Service good. And when you fellows (in Native) or when
you found out we are being criminals without us knowing
it and that we are criminals already and it -- we have
been criminals for 10 years already. When I look at
this -- I'm sorry I say that, but I have to say it.

When I look at this I see two parts.
The herding terminology is only used for reindeer
herding. That's my thought. And words harassment or
driving of wildlife, it make me think of the planes
that are diverting the caribou all the time away from
the main rivers like Noatak River and Selawik River or
someplace else. It make me think like that. And over
time the Red Dog Road from Red Dog to the port site,
thankfully it enables the Kivalina people to use their
Honda in the summertime to go get caribou when they're
-- when they're around and in September. And Kivalina
people also go up the coast or down the coast to use
their Hondas when the caribou are going down the coast
to go drink water because they're being harassed way
back there by mosquitos and other bugs and that gives
them and the Kivalina Inupiag people know -- we know
for sure they're going to be bothered by bugs and we're
going to go down the coast and look for them, hopefully
that we will run into them. So there are two parts to
this and there's some harassment of the airplanes. And
but we do use snowmachines and we do use Hondas
depending on which -- not all the villages use the
Honda to go hunt, I know they do in Upper Kobuk River
for berries and sometimes caribou. And us river people
like Selawik we use boats to hunt caribou when they're
around and shoot them from the boat with a 22 that is
much more cleaner.

And I would kindly recommend that I
know April is here, we always have to rush and try to
decide quickly when things come to these would go back
to each village to the Tribal Council and ask a
majority of them how would you change this.

Thank you very much for your time.
Thank you. (In Native).

CO-CHAIRMAN STONEY: Mike.

MR. KRAMER: Yeah, at our last meeting in Buckland and I talked about this and I asked the -- that was the one that made this or talk or supported it with modification. And I was very clear about my modification that furbearers, moose, sheep and bears be added to this. And that harassment and herding be removed, but with the intent to harvest. You know, there -- there's some people that -- in Kotzebue, these young, punk kids that we got in their community and at home and I've seen them do it, just go out there and go chase caribou just for the ugly fun of it. Those kind of kids need to be taken out yonder and straightened out by elders, you know.

But I -- I'd like to find out when these CFRs were created because without that kind of a date you're looking at grandfather rights, our culture over CFRs. Who has grandfather rights over that because see these things must have been created when they were creating these people had big smirks on their face because like my dad said the Federal government came in and they're slowly going to take stuff away from us. And this is what it is, they're slowly taking stuff away from us, you know. And I -- at that last meeting, that short little -- that Norton Sound lady was the one that said you can't change Federal law. What do you mean we can change Federal law and I looked at her, I said okay, you're going to pay for everybody's fines, citations, jail time for us doing the right thing and that's providing subsistence resources for our families. I said you're going to pay for them, we're going to send the bills to you, these people are going to go free and the Federal government's going to take care of the bill until they could change see this rule. See this whole thing about Federal government subsistence is when we're providing for our families the majority of the time we're self-incriminating ourself for what we've done for the last thousands of years. Why, why does the Federal government intend to look at us like criminals when we're only doing one thing and that's providing for our families. I don't get it. This is going to get fixed very soon. It needs to get fixed before Park Service runs out of money because they're going to be paying for a lot of fines, citations, jail time, people's weapons, snowmachines, their -- everything that they
use for harvesting animals. And when I go after caribou I'm going after them with the intent to harvest. I'm one of the old school boys that grew up with grandparents that smacked me around if I even looked at a caribou ugly. The kids nowadays they -- it depends on how they're brought up. My kids are taught the different way and I told them if I caught you out there chasing an animal and you're not going to harvest it I said I'll put my boot where it don't belong.

We need to find out what has grandfather rights. These CFRs are our culture. Then that should be able to change this rule, this rule should be able to be changed because we've been here for thousands of years, these CFRs, there's no creation date, none whatsoever on it. Nothing. You guys could have made these yesterday. We don't know. It should be on here. We're trying to provide for our families and we don't want to go to jail for something that we've done for thousands of years whether it be dog sleds, now snowmachines, boats and other means of being able to provide for our families. That's the one thing that lacks within this subsistence -- Federal Subsistence Board and the rules is about self incriminating. At that main meeting oh, I wanted to come up with some kind of rule to where we are -- our people are how do you say it, shielded from criminal law. For people who go out there and provide for families, elders, other family members who don't have the money to be able to go out there and get these items to provide for food. There's got to be some kind of a rule there where we can be able to provide and not be able to self incriminate for myself -- ourselves. I like to provide for other families, grandmothers, (in Native), great-grandmothers who can't do it themselves, other people, other families who don't have those means because of low income or illness in the family or disability. We provide for those kind of people and we don't want to go to jail for doing the right thing.

That's it.

CO-CHAIRMAN STONEY: Thank you, Mike.

Calvin, I think the -- well, you're next.

MR. MOTO: I'll make mine short. Most of what I want to say has been covered, but I'm -- you
know, we have -- we're talking about a Park, National Park System mostly, what about the Preserve, Seward Penin -- Selawik Preserve. You know, we have Preserves, Monuments and we have other in our area. There's also BLM. Are -- will this cover all of them or is this just that. And another thing is the way I understand this is kind of very complex for some of us people to think about because we went through this in the 1980s when I was on Fish and Wildlife Board for the State and Advisory Commission. We looked at some of the knowledge that you had on there, you couldn't use motorized. I said if I had a boat and I was on that lake how would I -- I can't use a paddle, I can't use anything to disturb the other things. Now this here is way overdue. It should have been passed a long time ago. We -- you know, our people like he said, you know, they had big trouble one time -- this is kind of different, it's true, but, you know, the Federal government had said that people couldn't hunt ducks, you know, and it was quite a issue. And now we got this where we could use snowmachine, motorboats, dog teams and other means of transportation. Does that include four-wheelers or, you know, because if it's not there they could say hey, you're not on a legal vehicle. It's not in there. It's got to be put in there otherwise they'll find a way to get (indiscernible). All this says motorboats, snowmobiles, dog teams, surface transportation. So these are -- some of the -- I have to say some of the Federal laws are very frivolous and I think they should not -- they -- you know, when they bought Alaska everything -- and we used to have a lot of problem with the Federal government because they were telling us to -- what to do all the way in Washington, DC without even knowing how we hunt, how we fish. They're the ones that said you can't do this, you can't do that and they're living in New York, Philadelphia and they're trying to tell us how to hunt up here. I -- this is something -- this Federal law is -- I think it's a good -- it's a start, but I think we should do more.

Thank you.

CO-CHAIRMAN STONEY: Thank you, Calvin. You know, that issue has been on our attention for thousands and thousands of years. Regardless of where you're at you are still in need of transportation to get there, to harvest what you're going to hunt. It's like Mr. Brower said, you know, you heard what he said, they had to go out with a boat battling out 20, 30
miles up. And they got to bring it back. And our way
of life in that (indiscernible) is transportation to
get there to hunt your caribou with dog team it take 10
to 20 days and then we got to bring him back, bring him
back to feed to your family. At the meantime on the
way home here's the law enforcement, where'd you get
the caribou from. Well, I -- just up there 20 miles.
He said I'm going to take all of them. And he takes
them and you get home, you have no ride, 50 below and
here's your family just because there was no caribou
taken home, it was taken by the law enforcement. That
is why transportation regardless of what it is we're
going to have to use transportation even Arctic Slope
to harvest their needs of food, that's what
transportation mean.
Mr. Commack.

MR. COMMACK: Thank you, Mr. Chairman.
Louie Commack from Ambler. I speak in opposition of 36
CFR, 50 CFR, 33 CFR, and ask for modifications. I'm
from the Village of Ambler and we're surrounded by Park
land, State land, and Refuge land, not BLM and most of
it Park land and State land. I know this is outdated,
it was written during the time of -- when they were
putting the Park Service together, ANILCA, everything
else. So I would like to see modifications to this.
Thank you, Mr. Chairman.

CO-CHAIRMAN STONEY: Attamuk.

MR. SHIEDT: Yeah, your CFR here I'll
guarantee you was written after statehood. We were
here already, that's what we're saying. There's proof
at the sand dunes at Upper Kobuk that Natives have been
here well over 25,000 years, there are artifacts saying
that. And you're coming up with something like this.
Ask what we live before and always lived it and you
need to -- we need to make changes and we need to make
changes in a hurry.

Thank you.

CO-CHAIRMAN STONEY: Yes, you may.

MR. FOX: Yes, thank you, Mr. Chair. I
guess the -- there's been a number of questions about
when this was implemented and it was back in 1981 so
this was in response to the passing of ANILCA and the
new and modified Federal lands in the area. So and I think one reason this is extra confusing is that usually we don't look at these agency conflicts, most of the subsistence harvest regulations are done through the Federal Subsistence Board. This is something that's been in agency specific regulations and, you know, it -- they're not often in conflict like this. So it is something that, you know, Fish and Wildlife Service is looking at. Like I said we don't have an official position, we've only been looking at this since this proposal was put in. So I will say that, that this isn't the common way that we go through these Federal subsistence regulations and looking at conflicts all the time, this is one of the more rare occurrences.

To address a couple other questions, I know there was discussion about harassment of aircraft, there's also prohibitions against harassing wildlife with aircraft and a lot of Council meetings we talk about trying to get tail numbers on aircraft if you see them harassing wildlife and then reporting that to law enforcement.

A couple other comments from Council members. One thing I would like to clarify about the proposal that the Board will be addressing in April, again that's just in unit 23 and a change from positioning a hunter to positioning those wolves, caribou and wolverine. One thing in that proposal was that harvest would still have to take place from a stationary snowmachine, that's how it was proposed.

And in response to Council member Moto asking about other Federal lands that this would affect, so Mr. Frost here spoke about the conflict with Park Service regulations. Selawik is a National Wildlife Refuge so we also have that same conflict in our regulations. The packet also includes the agency specific regulations for the Bureau of Land Management. It's not the same exact conflict, the regulations are different and I'm not going to speak on behalf of the Bureau of Land Management. We might have somebody here to talk about that, but it's not the same very specific conflict that we have with Park Service and Fish and Wildlife Service regulations.

Thank you.
We're talking about four verbs, herding, harassment, hazing and driving. Four verbs, four action words that are used in the CFR that all describe the same thing, a vehicle -- an interaction between an operated piece of equipment and an animal over a period of time. All four of these verbs are descriptions of an action that takes place over a period of time. There's not a single word here that uses or describes a zero time component like startle or alert, something that happens instantaneously. No, these are all words that describe something that happens for a period of time and that is what is undefined in the CFR. Perhaps there are definitions that lie further that you can bring -- make us aware of. How do you define harassment, for what period of time has to elapse an interaction between an operator and his vehicle or an animal before harassment has occurred. Some people will say as soon as that animal stops eating, stops chewing its food it's been harassed or impacted. But others would say that you would have to deny that animal food from your activity for a course of a day before it begins to experience hunger, before it's actually harassed. Meanwhile herding or driving, hazing, moving an animal with your vehicle from one point to another, how long of a period of time can you be doing that before it constitutes herding, how much distance has to unfold before you have hazed or moved them. I would say and like I was saying Enoch was talking about wolverine, we may track a wolverine for hours and hours and hours before we'll finally have
physical interaction with that wolverine which will happen like that within I'd say -- dare say less than five minutes. 95 percent of us who are responsible hunters will bring that alerted and impacted animal to the ground within five minutes. That's not hazing, that's not harassment, that's humane.

So all you would have to do, sir, is establish a policy letter defining what amount of time has to unfold before these verbs have been recognized. And then I think we can work within those limitations to keep our activities with our vehicles within that window.

MR. G. BROWER: Mr. Chair.

CO-CHAIRMAN H. BROWER: Gordon.

MR. G. BROWER: Yeah, I -- Gordon Brower for the record. And that's exactly what I was trying to allude to and to try to convey to you in describing what Mr. Mitchell from Noatak had described. We position ourselves. The -- it may be to you that we're herding something when we're tracking it for, you know, two or three hours trying to -- you know, we look at where the animal's going and look at how fresh the tracks are and then we pick up and try to pick up speed to encounter it. But from there it's -- we position ourselves immediately to take the animal. We don't position the animal, we position ourselves immediately to make that shot. So I think it's important to note that we're doing because we're not intend whatsoever to go out and harass an animal, we're not out there to try to herd it and have a herd, you know, of putting animals together. And there's no way we're ever involved in hazing an animal. That's the oil and gas industry will haze an animal to move it off the way. Hazing is to move it somewhere else, either through -- and it's not even the intent to kill it, it's just to move it. And that's what I see for hazing.

So I think all of our responses whenever -- because I think this language -- I don't know if it's already codified in 1981 or if this is something brand new. If it was made in 1981 is it going to take the act of congress to change it, maybe. Because there was some changes that Anaktuvuk wanted to make -- to make an easement of some sort on Park's land, it then had to go to congress for a signature or something like that. But I think it's in how we
represent ourself. Like I said (in Native). So that's
-- we find it -- we found where he's going, he's
establish which way by looking at the tracks then we
pick up speed and encounter it, the minute we encounter
it we take it. And that's -- I think that's none of
this language in number 3.

CO-CHAIRMAN STONEY: Enoch.

CO-CHAIRMAN H. BROWER: Just -- was
there a response to that or.....

Go ahead.

MR. FROST: I don't disagree. I think --
so a little bit of clarification. So it doesn't take
an act of congress to change this, but it is codified,
it's not in statute, it's in regulations so that's
something within the Park Service or the Fish and
Wildlife Service's ability, but that's sort of the
longer process that I talked about, an 18 month to two
year process.

But let me make myself perfectly clear.
We want to help you figure out how to write the
language to allow for this activity so that you're not
outlaws, you're not criminals, that you are within the
law and to allow the activity, but at the same time
we're not breaking other laws and regulations. And I
think some of the language that has been -- some of the
things that I've heard here today have been very
beneficial. I think -- I can't see your name, but the
gentleman in the corner who -- yeah, you.....

MR. SHEAR: Bob Shears.

MR. FROST: .....Mr. Shears, you know,
I think you had some great points about, you know,
defining what herding is, defining what harassment is,
defining what hazing is in terms of the period of time,
the distance, things like that. Those are the things
you want to think. The thing that Mr. Kramer talked
about, the intent to harvest. I think that's a very
important phrase that we need to figure out how to
incorporate into the proposed changes that you guys
have made. And that's exactly what and maybe I didn't
say this to begin with and I apologize, but that's
exactly why we're -- why we want to have these further
discussions to be able to come up with the language to
make it so that the activity is not a criminal
activity, that it is a permitted activity.

And so I think we've got a good start, but I'm not sure that we're there 100 percent and that's why I suggest that we continue to have a discussion, I don't know if we can get it all done today because there are other topics on the agenda, but I've got staff, Fish and Wildlife Service has staff, I think we're all willing to go up and roll our sleeves up and try to come up with the language to make it so that we can get a proposal that could go to the Board where we could allow the activity to occur.

Mr. Oomituk: Mr. Chair.

Co-Chairman H. Brower: One more, Steve, and then I'll pass it on to Raymond.

Steve.

Mr. Oomituk: Steve Oomituk for the record, North Slope Borough RAC. You know, a lot of us here grew up with our grandparents, you know, and lived a way of life. We saw the changes and rules that came before us, you know, we always lived a subsistence way of life and we've hunted these animals when they came to us, they give themselves to us. And then we started seeing all these regulations, when we can hunt them, when we cannot hunt them. You know, we don't get very much moose in our area. You know, when I first caught a moose it was in July, you know, this is 30, 40, almost 30 -- over 30 years ago. I never caught one after that because I was so -- you know, whenever you catch your first animal ever since you're a little boy, your first fish, your first seal, your first caribou, you give it away. You give it away to a elderly or somebody in need that can't hunt so the animals will keep coming to you. Well, I caught my first moose in 1981 and I was proud and I gave it away and I was hanging the skin and this guy came over and said hey, you caught a moose, huh. I said, yeah, you know, that's what I had to tell him, he was a game warden, you know, and he started asking me, you know, he said where did I catch it. And I was telling him all the story, you know, I thought had subsistence rights, you know, I told him I gave all the meat away, but I had one more piece that I didn't give away. And he said he's going to have to take it from me. Took my skin, took my meat. I had to go to court. You know, I thought I had subsistence rights, you know, that I'm
allowed to hunt all these animals that come into our
territory. But, you know, ever since then I never
cought a moose, you know, it was my first and last
moose. And I, you know, almost went to jail, you know.
I got a fine, but to make this story short, you know,
we've always -- you know, we have respect for the
animals because they have fed us, they have clothed us,
they have sheltered us. You know, generations to
generation. You know, we all live in certain areas
because the animals come to us, that's where we can
live and survive, that's where our ancestors positioned
themselves because the animals came to these certain
areas. You know, we don't harass them. We -- you
know, we -- you know, I -- some of this language is
very disturbing to me, you know, but, you know, we have
all respect for the animals and nature, the land, the
sea, the sky, you know.

And thank you, guys. And -- but, and,
you know, I think what everybody else is saying here,
you know, I think this needs to be changed.

CO-CHAIRMAN H. BROWER: Thank you,
Steve.

Mr. Stoney.

It's -- I just need some clarification.
I know you as your group within 23 have I guess
discussed this proposal and it's kind of a -- something
that we're seeing for our Council a little -- for the
first time. There might have been some discussions
with other folks in between once we learned about it,
but it -- the thing is the communications has been very
minimal to my constituents and yet we have to go home
to try and explain to them and the kind of time frame
you're alluding to it's very short, you know, and yet
we have very small opportunity to go back home and have
a few days to communicate and see if they would comply
with this proposed change. And the communications
needs to be meaningful in a sense that it's understood
as to what the intent is. I understand what you're
saying when you were trying to help us in a sense that --
in providing communications to us, but we still have
our other constituents that we have to go communicate
to and that doesn't give us an opportunity to go and
converse this proposed change.

So I think that needs to be recorded as
well. I don't mean to take time away from any of the
Council members here, but I think that it's only on the -- in the fairness of our part and when you have a short timeline to go try and communicate proposed changes that could affect our constituents, we have constituents that live in the Gates of the Arctic or National Wildlife Refuge, we have not even -- have any idea of what their thoughts are at this time.

Thank you.

CO-CHAIRMAN H. BROWER: .....to respond or.....

CO-CHAIRMAN STONEY: Yes, you may.

Yes.

MR. FOX: Thank you, Mr. Chair. Yeah, just to respond to that. So the -- you know, the language in the packet here, this isn't up for a proposed rule or anything at the moment. The only change that's going before the Federal Subsistence Board in April is whether or not to make that change to the unit three regulation that would change from positioning a hunter to positioning an animal specifically caribou, wolf and wolverine. So these conflicts are still in place where -- that's why we're taking -- that's why we're trying to get some information as we decide whether to change our agency specific regulations. So if that's the course that the agencies take there'll be opportunity to provide comments at that time.

Thank you.

CO-CHAIRMAN STONEY: Any further comments?

Mike.

MR. KRAMER: Yeah, at our last meeting, you know, I put in there that we support with modification and that's to add furbearers, in other words that's all furbearers, marten, mice, whatever it is that we go for, moose, sheep, bear, to this proposal. I don't know if North Slope has a copy of this WP 16-48 and that's the one that we -- that we're talking about right now, you know, with the intent to harvest. And I put that in there.

One of my requests to OSM is that from
now on every future meeting has a local mediator, local
mediator at the meetings. You know, that way we can
discuss -- we could have someone to differentiate
government wording to, you know, our plain English
wording.

I don't know that the -- when this CFR
come out they should have had, you know, something in
to where every so often that get reviewed and
superseded with a new rule. You know, we do get older,
this is the 21st century, when this was made that was
in the 20th century. You know, it's time for change.
These need to be looked over and readjusted according
to, you know, the century, the year. Going by
something that is old, that's not right, you know, that
is self incriminating and then whoever made these rules
they probably didn't run it past the Fish and Game
Advisory Councils back then or local governments or,
you know, back then there wasn't a RAC. You know, they
weren't run across the local people before they made
these rules, they just came up with them and say blah,
we're making this rule, you're going to live by it.
Like my dad said, they take away a little bit at a time
until we get nothing, but that's why we're here today
is to make sure we fight for our right for subsistence.

But I'd like to request that at every
meeting that we start having a mediator to be able to,
you know, explain a lot of these things that we deal
with on a daily basis when they come down to these
meeting. And the next time when we go to reword this
we need to all sit down at our next meeting and WP 16-
48 is going to be a head topic, it's not going to be
something that's at the back page and shuffled, it's
going to be right there where we sit down and we spend
hours rewording to where we make sure it benefits the
people of the Northwest Arctic and/or game management
unit 23.

That's all I have.

CO-CHAIRMAN STONEY: Thank you, Mike.

Any further?

Zach.

MR. STEVENSON: Thank you, Mr. Chair.

For point of order I just wanted to clarify with some
input from U.S. Fish and Wildlife Service, it's my
understanding that at least with respect to the
Northwest Arctic RAC that their next scheduled meeting is in October, October 5th and 6th -- pardon me, February -- in February of 2016, 21 and 22. And I wanted to confirm that there is -- October 5 and 6 in Selawik, 2016 and in 2017 February 21 and 22. I wanted to confirm that there is sufficient time to address some of the considerations that were voiced this afternoon in light of the deadline that is faced right now, is there sufficient time to address all these considerations.

Thank you.

MR. FOX: Mr. Chair.

CO-CHAIRMAN STONEY: Yes, you may.

MR. FOX: Yeah, If I could respond to that Mr. Chair. So as far as the main proposal that's up for deliberations at the Board, that's going to be April 12 through the 14th, and that's the specific Federal subsistence regulations. So as I mentioned earlier with the agency specific regulations there's nothing on the table at this moment, we're trying to get information to decide how to handle that. So once that's decided there should be opportunity at future RAC meetings to go over the details. But as far as what the Federal Subsistence Board is going to talk about on April 13th or 12 through the 14th, that'll be based on the recommendations made at previous Council meetings in the fall and information from today as well.

CO-CHAIRMAN STONEY: Thank you. One thing that we should come out with, this issue's been with us for two meetings now, very strong meetings. And I'll say my colleagues and me don't have to talk about it, we already done with it, all have to go to you and approval. So I think that I'll say this, for this issue for out part here we did our part, we've done enough already, we're complete with it, all we need is official final from the Federal government. So like I said, Mr. Brower and we've had two meetings like when Kotzebue and Buckland we discussed this heavily, really heavy. So we are done with it now, all we need is support from you guys to make it work. So under our deal here that -- like I said we're done, but I know it's -- you guys with ties, you guys want to continue to discuss it, we may do that, but you -- if you want to take a break that's up to you guys.
Mr. Chair.

CO-CHAIRMAN STONEY: Harry.

CO-CHAIRMAN H. BROWER: I think there are -- with the comments you just provided, you've had your discussions to the point on the proposal WP 16-48 and the Council recommendations to support with modification, I think that language -- I wasn't sure if it was presented in that sense at the beginning of the meeting. I'm sorry I was late coming in. So I'm not sure if you've read the title or the contents of the language in this proposal, you know, and I am to support what Mr. Stoney and Mike is saying, you know, these are things that we -- that have been in practice for a long time and to include the other resources that were identified within the proposal. I think in all fairness I think we need to read what the language is in WP 16-48 just to have it on the record for our (indiscernible).

I think once you hear the language I am certain that our Council's going to support Northwest Arctic's recommendations, if we could.

MR. G. BROWER: Mr. Chair.

CO-CHAIRMAN H. BROWER: Yes, Gordon.

MR. G. BROWER: Yeah, I would certainly that it should be read into the record and if there's any modification request and -- that we can make a form action from our North Slope RAC. Yes, I haven't read the language just to be honest.

CO-CHAIRMAN H. BROWER: Eva, did you have a copy of that, if you want to read it for the record for us?

MS. PATTON: Mr. Chair and Council. I can pull it up and read it for the record for the Council. And just to clarify also, so this proposal was developed by the Northwest Arctic Council and was one of the proposals that came before the North Slope Council because it affects the North Slope region as well. So the Council reviewed this proposal at the meeting in Anaktuvuk Pass and took action to support this proposal. And I know it's confusing because we're bringing it up again here. The intent for this meeting
was in the analysis of this proposal there are
conflicts as has been discussed here with specific
regulations with the Park Service and the Park Service
wanted to revisit with all of you how to -- how to be
able to approach that, if there was some way forward.
When this proposal which will go to the Federal
Subsistence Board at the April 11th meeting, the Board
will be taking action on this, but there's still
conflict with National Park Service regulations. So
that's was happening here today is discussing those
specific conflicts to find a way forward. So I can
read the proposal for you and then I can also read as --
to refresh the Council's action from the Anaktuvuk
Pass meeting as well.

CO-CHAIRMAN STONEY: Okay. This
proposal was proposed by Northwest so like I said we
were done with it, it's ready for more actions. So I
guess you guys needed to -- you guys needed to vote on
this proposal, it's already been done.

MR. COMMACK: Mr. Chairman.

CO-CHAIRMAN STONEY: Mr. Commack.

MR. COMMACK: Yeah, I made a request
for modifications and is it -- when is that going to be
written and for our approval and to review before it
goes before this other Board.

MR. McKEE: Mr. Chairman.

CO-CHAIRMAN STONEY: Yes.

MR. McKEE: Mr. Chair, I just -- this
is Chris McKee, I'm the Wildlife Division Chief at OSM.
I wanted to clarify something that was mentioned by
member Kramer. The original proposal, 16-48 as
written, speaks to wolves, wolverine and caribou. Now
it was modified -- if my memory is correct it was
modified by member Kramer at your last Council meeting
to include those other species. So the analysis that's
going to go before the Board will be both the original
analysis and then there's an executive summary that
basically lists all the actions that were taken on that
proposal, how the North Slope RAC came out in support
of it. It also has the modification that your Council --
that the Northwest Arctic RAC made at your meeting in
the executive summary. So our original analysis and
the -- with the original proposal the way it was worded
with the original species and your modification is all
in that proposal. So there are two separate things,
there's the original proposal and then the modification
that member Kramer made at the last meeting, all that's
in there. That's in there so that the Federal
Subsistence Board can make a fully informed decision
about how they might want to come out. But it's going
to be up there, it's -- this is one of the proposals
among about 30 others that are absolutely going to be
discussed at the meeting. Your modification will be on
the record and that will also be part of the Board's
deliberation. So I just wanted to clarify, you know,
that you were -- that you understand the difference
between the way the proposal was written -- submitted
originally and how it was modified by your Council at
your last meeting.

Thank you.

CO-CHAIRMAN STONEY: Thank you. Before
we take a break do we have anymore questions or
comments on this proposal? I know it -- I know it hits
everybody.

MR. MITCHELL: Mr. Chair.

CO-CHAIRMAN STONEY: Enoch.

MR. MITCHELL: Yeah. Finally. I'd
like to speak about how this first came about. It came
about when the troopers pick up my friend, Mr. Adams,
from Kivalina for getting a wolverine using a
snowmachine. That's the way we run it -- he knew
that's the way we run it all the time and we didn't
even know it was against the law. And the regulation
was -- that regulation was there for 30 plus years. I
asked when -- that trooper that pick up that hunter,
probably knew how we hunt because he was -- he was in
the region for a while, by snowmachine, he knew that.
He probably knew that regulation had to be looked at
and he should have told us, you know, beforehand that
he's going to use this regulation that was not in use
for 30 plus years. Why did he enforce it after 30 plus
years, you know. I think my -- that's already passed,
but only Alaska's very (indiscernible) regulations like
that, it's in the regulation book that we should know
about that, that we need to change or amend, or could
replace, you know, regulations that need to be updated
and regulations that's going to go against us like
this. We didn't know that. So maybe something should
be looked in there before something like this come
around again.

Thank you.

CO-CHAIRMAN STONEY: Yes, sir.

MR. FOX: Thank you, Mr. Chair. I am
aware of the -- that citation and -- but I'm not aware
of the specifics. I can't recall if that was a
citation issued by the State or the Federal, if it took
place on Federal land or State managed land. I do know
after that issue there was a lot of public testimony at
the Alaska Board of Game and after that the Alaska
Board of Game changed its regulations from position a
hunter to position animals, caribou, wolf and
wolverine, and in some of these units including unit
23. So there is a difference between State and Federal
regulations and that was one of the -- that was one of
the reasons that this Federal regulation was put in was
to make those regulations consistent, but I'm not aware
of the specifics on that citation and I don't know if --
I don't believe that these were the specific conflicts
that were used in that citation because prior to that
the State regulations also said position a hunter just
like the current Federal subsistence regulations say,
position a hunter. But that's what's being proposed to
be changed at the Federal meeting in April for unit 23.

Thank you.

CO-CHAIRMAN STONEY: Thank you. Do we
have more comments from the North Slope before we take
a break?

MR. G. BROWER: I got one comment.

MS. AHTUANGARUAK: Steve and then
Gordon.

MR. OOMITUK: Yeah. You know, most of
us here grew up in a different time and saw a lot of
changes. You know, we didn't have electricity, you
know, we grew up with dog teams, most of them grew up
in sod house, we had airplanes maybe once every two
months into our villages. You know, we seen a lot of
changes in a short time, you know, but we've always
lived off the land, you know. We didn't understand
English or the writing, we always had a verbal
language, we never had a written language, you know.
There -- so many laws have been put in front of us, you know, throughout our lifetime, you know. When the money started coming in from the oil and gas from Prudhoe Bay, you know, we were forced -- a lot of them were forced to go to school somewhere else, we didn't have schools past eighth grade. We were -- you know, and some of them they didn't have money to bring them back. So a lot of our parents went to school and didn't come back for four years. That's how they grew up, you know. You know, we seen so many changes in our lifetime and we're still seeing changes and we want our younger generation to understand. You know, and we're still trying to understand the Federal government and all these laws, you know. We've always lived the life of subsistence, that's what they call it, it's a way of life into a survival, you know, the animals that came to us. And then we started seeing all these laws put in place. You know, there was one where -- you know, and they were trying to put laws that didn't relate to us, you know, they -- down states, you know, when you can hunt a duck, you know. And, you know, in Barrow when somebody got arrested for shooting a duck because it wasn't the season. The ducks weren't there at that time so everybody in Barrow -- they put that guy in jail so everybody went out and got a duck and said well, you going to put him in jail, you're going to put all of us in jail, you know. There were so many regulations and stuff that were put to our fathers, our grandfathers. And we feel that we do need to work together, we need to straighten out these issues and, you know, we want our children to continue, our grandchildren, you know. We don't want them to get in trouble for living the life, you know. You know, we try to follow the law, you know, laws were put in place to us, you know. You know, we try to be honest, we -- you know, we eat everything of the animal, our cloth -- you know, they were our clothing, our food, shelter. But we do want to work with the Federal government, but seem like it's always a hardship at times.

CO-CHAIRMAN STONEY: Thank you. Let's take a 10 minute break.

MS. AHTUANGARUAK: You had one more comment.

CO-CHAIRMAN STONEY: Oh, okay. Yeah, before we take a break.

MR. G. BROWER: Yeah. (In Native) from
our November meeting we had reviewed this and I'm starting to recall some of it in November. So but I think for the benefit of the National Park Service and you guys, the discussion I think is important for you to hear because you said it's regulation so it's changeable. This is -- it's in whose purview, can the RACs make recommendation for your changes of regulations to the National Park Service to affect it from the RAC or who makes the proposals to change your regulations?

MR. FROST: We always entertain proposals and so there -- I mean, anybody can, you know, send us a letter and say, you know, we think you need to change your regulation. There isn't a formal process like the Federal Subsistence Board process. It's when we change regulations it's based on a sort of as needed basis. So anybody can write and tell us that they think we need to change our regulations, but there isn't a formal process. The formal process is once we decided to change the reg -- once we need -- once we decide to change a regulation then there's -- then that sort of formal process starts to go from -- to go through the actual change.

MR. G. BROWER: Madam Chair, just for a follow-up. Is it safe to say that you need to be prodded to change that regulation or is this something you've had an epiphany looking at all the concerns here and by golly I need to make some changes and I'm going to take it upon myself to do something good. Can we depend on that or do you think it's prudent for RACs to try to find some middle ground and start working on your regulation?

MR. FROST: I think it would good to hear from the RACs, to have something official. I mean, I -- I've heard the discussion, I understand the issue, probably not to the depth of you folks, but I think I sort of get it. And but if you guys wanted to write a letter to us and make some suggestions we'd be happy to entertain that.

MR. G. BROWER: Yeah, Madam Chair.

MS. AHTUANGARUAK: I want to thank our RAC and our co-RAC to discuss this. This is very important. One word that hasn't been said is (in Native) and we have historic areas where rock creations were made to help in guiding caribou to where our
communities or our hunters are. They were here
generations before we came to this table for discussion
and are staying for generations after this discussion.
So I wanted to just add that.
   But I thank everyone's discussion.

CO-CHAIRMAN STONEY: Anything else?
(No comments)

CO-CHAIRMAN STONEY: I'll take 10
minute break. (In Native). Thank you very much,
everyone.

(Off record)

(On record)

CO-CHAIRMAN STONEY: Okay. Are we
ready to go? Well, I know all of you are pretty tired
because it's been a long week doing this business
meeting. And at the time we'll continue our discussion
now with the public. I know you guys are anxious to
hear the things that you hear from us, now it's your
turn to give us comments on the issue. You may do that
now.

MS. AHTUANGARUAK: Come up to the mic,
please.

CO-CHAIRMAN STONEY: Yes, to comment.

MR. DeWITT: I would like to wait and
-- I have a comment on your WSP 16-01 that I want to
make, but is this the time now?

CO-CHAIRMAN STONEY: Yeah.

MR. DeWITT: Oh, okay. My name's Neil
DeWitt, thank you for hearing me this afternoon. I'm
here on my own behalf. I actually have a chair on the
Arctic -- Western Arctic Caribou Herd Working Group and
I am a member of the Anchorage AC, but I'm here as a
public member today.

What I would like to say is your -- I'm
against your proposal. I back you 100 percent, but I'm
against the proposal happening right now. It should
have either been last year or two years ago actually
when we had an actual count of 235,000 or it should
happen next year after they maybe get a count this year. But as you all kind of said and has happened in the past is we don't know what the actual numbers are so by putting a moratorium on only the people up there that are local residents to hunt this and keep everybody else out is not going to give you anything because you don't have a starting point. Now with that being said also you got your transporters, your guides, your -- you know, all those people that are booking clients from the Lower 48 or whatever that are coming up here to hunt and they've taken money already that's why I say you need to wait until next year if you want to try to implement that.

So with that -- Gordon had a question earlier over in the other room, made a comment about having Lincoln try to be your devil's advocate. My thought process on that from what we got out of the Western Arctic Caribou Herd Working Group meeting is in January, February and March we were told you shoot nothing but cow caribou. If you're shooting cow caribou at that time of the year they're pregnant so you're not taking one animal, you're taking two animals. And each one of those calves are -- you know, grow up if it's a female calf and have young of its own. So by taking that one cow you might be having -- you know, you could explode this thing in a few years out to possibly a hundred or more animals. So you need to look at the people out there that are taking 90 -- 95 percent of this herd and if you start limiting yourselves it will give you a lot better chance to grow the herd back up because the 5 percent that the rest of the State of Alaska and the Lower 48 take is, you know, I hate to say drop in a bucket, but, you know, it's such a small number at this point. So my thought is try to figure out amongst yourselves a way to limit your own take. And what I came up with is possibly December 31st don't shoot any more cows until after they have their calves and you get that couple of months of the calf with the mother after it's been born to get up on its feet if it's going to because we were also told at the Working Group 43 percent of the calves die in the first eight days and 50 percent die within 30 days. So if those are the numbers, I don't know if your biologist can figure it out, they keep telling us that they can't, but there's something that's killing those animals off. So with that being said I think, you know, my personal opinion as I say is you folks have to come up with the idea of how to control the population.
Now my last statement that I'll make is each one of you are from a different area or most of you are and you should come up with -- to help out Fish and Game so that they don't put where you have to have a harvest ticket or something, you should put maybe a notebook let's say someplace in your community and just have it open there ready for -- if somebody goes out hunting they can come in, they can sign the notebook, Neil DeWitt on this date, you know, 11 March, I shot two caribou. There it is. Once a month somebody could go in there, take that page, go to the fax machine and fax it to Fish and Game, they would have immediate numbers within a month of how many moose or, I'm sorry, caribou were taken and at the end of the year they can compile all that data and know exactly what they got and know where they're at. And they can, yes, okay, we took maybe 14,000 this year instead of 13,500 or only 12,000. And they have exact numbers and it will give them a whole lot better of a starting point or a way to kind of look at how things are going. I know it's extra work on your part or on somebody's part, you know, would have to do that faxing once a month, but that notebook could lay somewhere, you know, wherever you pick in your community, just get the word out to the people in the community you go out hunting you got to come by when you get back and sign that. There's no question of at the end of year how many did I take this year, you know, did I take 15 or did I take 20 or whatever the number might be.

And that's all I have to say. Thank you for your time. Any questions?

CO-CHAIRMAN STONEY: Any questions.

Mr. Commack.

MR. COMMACK: Thank you. Thank you for your comment.

Combined proposals, WP 16-49 and 52 that was submitted by Northwest Arctic Subsistence Regional Advisory Council and the Upper and Lower Kobuk Advisory Committee, that was last year. During that meeting we talked of reductions in harvest limits for caribou in unit 23 from 15 per day by Federal standards, I think it was 15 per day by State standards, and we voluntarily took the initiative to take the lead in reductions. And then we say okay, we'll sacrifice numbers, we'll be doing okay. Along with that was restrictions on bull and cow seasons,
prohibition on harvest of cows with calves. Now we've taken our part very seriously and made the initiative to lead this because we care about the numbers.

And I thank you for your comment.

MR. DeWITT: Thank you, sir.

CO-CHAIRMAN STONEY: Any more comments?

MS. MAAS: Thank you. I don't have a comment, but I do -- I was planning on presenting a summary of the analysis if you guys would like to hear that.

MR. McKEE: You're going to have to, it's in policy.

MS. MAAS: Okay. I guess that's policy.

MR. McKEE: Just to be -- this is an action item for both Councils, it's not listed as such on the agenda, but this is -- we're looking for a recommendation and your comments on this because we're going to be incorporating what -- the feedback we get from you into the analysis before it goes to the -- it can't go to the Board until we get your feedback. So that's why Lisa's going to be presenting a summary of the analysis.

MR. SHIEDT: Yeah, but you're -- the way I understand you we need to come up -- we need to have a special meeting for this or we need to have teleconference, the one you just came up with because it'll be hard for me to decide, you came up with it today and we need to decide by the end of the day because we have -- we're on our agenda to work on the Western Arctic Caribou Herd and it's something I personally, I don't know about the rest of the deal, that you just came up with and I don't even know what you're talking about, I don't have it on black and white in front of me.

MR. McKEE: No, the -- Lisa's going to be going over the special action that you submitted, the WSA 16-01 requesting closure that.....

MR. SHIEDT: Oh, I didn't understand how you....
MR. McKEE: Yeah. Sorry. Sorry, I should have made clear what I was talking about. So she's going to be presenting a summary of the analysis and then we want to get your feedback on the analysis so we can incorporate that into the analysis before it goes to the Federal Subsistence Board. We've already had a public hearing about the request where we've gathered information and we have -- we need to get your feedback before it goes to the Federal Subsistence Board for them to make a decision. So that's what Lisa's going to be doing.

MS. PATTON: Mr. Chair.

CO-CHAIRMAN STONEY: Eva.

MS. PATTON: If I may, just for an update for the North Slope Council, also we did have a couple of Council members who were able to participate in the public hearing, both Gordon Brower and Robert Shears and Steve Oomituk were able to participate in that public hearing, hear from some of the Tribes and public participants. What was not available at that time was the analysis which provides much more detail into the request from the Northwest Arctic Council. And so that's what we're hearing today is more depth and detail and opportunity for both Councils to take action and make any recommendations on this proposal today.

Thank you.

MR. G. BROWER: Mr. Chair.

CO-CHAIRMAN STONEY: Yes.

MR. G. BROWER: I would like to hear the analysis from Lisa and then I think it would be appropriate to go from there.

CO-CHAIRMAN STONEY: Okay.

MS. MAAS: All right. Thank you, Mr. Chair, members of the Council. My name is Lisa Maas and I'm a Wildlife Biologist in the Office of Subsistence Management. I'll be presenting a summary of the analysis for temporary special action request WSA 16-01 and you all should have that as a handout.

Temporary special action request WSA
Regional Advisory Council requests that Federal public lands in units 23 be closed to caribou hunting by non-Federally-qualified subsistence users during the 2016/2017 regulatory year beginning July 1st, 2016. The proponent is concerned with the health and declining population of the Western Arctic Caribou Herd, the lack of recent population data and the negative effects that outside hunting activity combined with the declining caribou population is having on local subsistence users. The proponent states that the requested closure is necessary for conservation purposes.

The Western Arctic Caribou Herd or WACH is the largest caribou herd with the largest range in Alaska. The WACH working group developed a management table for this herd which is found on page 8 of the analysis. Referring to this table could aid in understanding WACH management. Caribou populations naturally fluctuate over time. In 1976 the WACH reached a low of 75,000 caribou. Then the WACH population increased reaching a peak of 490,000 caribou in 2003. Since 2003 the WACH population has declined about 50 percent to an estimated 235,000 caribou in 2013. The primary factors contributing to this decline are increased cow mortality and decreased calf survival and recruitment. The bull/cow ratio has fluctuated annually, however the most recent estimate in 2014 was 39 bulls per 100 cows which is just below the critical management threshold of 40 bulls per 100 cows specified in WACH Working Group's management table. Hunting which has historically been a minor mortality factor now represents a greater percentage of mortality as the herd declines and harvest remains the same. The State conducted an aerial photo census of the herd in July, 2015 however due to poor light conditions the photos could not be used. The State will attempt another photo census this summer however based on cow mortality and calf survival the decline continues although the rate of decline seems to be decreasing. The current population may be around 200,000 caribou.

Between 1999 and 2013 the average annual harvest from the WACH was an estimated 13,500 caribou. The vast majority of the WACH are harvested within unit 23. Of the unit 23 harvest residents living within the range of the WACH harvest 95 percent of the caribou while all other hunters only account for 5 percent of the harvest on average. Keep in mind that
these estimates are for all of unit 23. The harvest by
non-local residents and non-residents on Federal public
lands in unit 23 is even less. There is a lot of
uncertainty in harvest estimates, but if harvest and
caribou population estimates are accurate over
harvesting may already be occurring. On Selawik
National Wildlife Refuge the number of hunters
transported by commercial transporters is trending
downward while the number of transported hunters on
Noatak National Preserve has increased. Under the
preservative and critical management levels the WACH
Management Plan recommends restricting harvest to
residents only and that the closure of some Federal
public lands to non-qualified users may be necessary.

Most caribou hunting in unit 23 occurs
in September through November when caribou migrate
through the unit. Local hunters primarily travel by
boat and try to intercept caribou at water crossing.
Caribou dominate the subsistence harvest in unit 23.
In pounds of edible weight caribou are the most
harvested species. In recent years local people have
been having trouble getting caribou which is hurting
villages. Local people, particularly in Noatak are
concerned about aircraft and non-local hunters
disrupting caribou migration and reducing harvest
success by camping along migration routes, scaring
caribou away from river crossing and shooting lead
caribou. Another concern is that non-locals disrespect
local hunting traditions by wasting meat, hunting for
trophies instead of meat and leaving litter and trash.
A survey of sport hunters in Noatak National Preserve
somewhat validates these concerns. Efforts to mitigate
user conflict include the Noatak controlled use area
established by ADF&G, the Noatak delayed entry zone
established by the National Park Service and areas
closed to commercial use in Selawik National Wildlife
Refuge. In 2007 the Federal Subsistence Board adopted
a closure policy saying that closures may be
implemented for the conservation of wildlife
populations and to continue subsistence uses of those
populations. In 2015 the Alaska Board of Game adopted
new regulations across the WACH range in response to
the population decline. The new regulations included
reducing the bag limit for non-resident, prohibiting
calf harvest and reducing season lengths. Also in 2015
the Federal Subsistence Board approved a special action
request which reduced harvest limits and season
lengths, prohibited the take of calves and cows with
calves.
Four proposals addressing the declining WACH population in unit 23 were submitted for the 2016 Federal regulatory cycle and are currently under review. If this special action request is approved non-Federally-qualified subsistence users could still hunt on State lands. As State lands only comprise about 19 percent of unit 23 hunts could become congested in these areas. Users would also need to distinguish between State and Federal lands which could increase law enforcement concerns. All users could also still hunt moose, bear and wolves on Federal public lands as well as utilize these lands for other non-hunting purposes such as photography or recreational boating. Due to these reasons user conflicts would not be eliminated. Also people who grew up in the region and now live outside of the region in Anchorage or Fairbanks for example would be unable to hunt caribou on Federal public lands in unit 23 if this request is approved.

Currently it is uncertain whether the WACH population is within the conservative or preservative management level of the WACH Management Table. Regardless closure to non-residents under State regulations is warranted before closure to non-Federally-qualified users. Additionally as non-Federally-qualified users account for less than 5 percent of the harvest on Federal public lands in unit 23 closure of these lands to this user group would have no meaningful biological affect. The new State regulations already reduce the bag limit and season for non-residents as well as the season for residents. Allowing time to gauge the ethicacy of these new regulations in conservation of the WACH is warranted before enacting more restrictive regulations.

The OSM preliminary conclusion is oppose to temporary special action request WSA 16-01.

Thank you, Mr. Chair.

CO-CHAIRMAN STONEY: Attamuk.

MR. SHIEDT: We know there was a heavy use of conflict at Noatak for years to come. And they were disturbing and rerouting, changing the migration of the caribou. And now for the last few years and after their disturbance and conflict with airplanes that do come into Noatak that there's no more caribou at Noatak because they changed the migration and they
I don't want to be disturbed again. And if you look at it we -- when we were at Buckland we wanted to do the transporters and outfitters and you're coming out with the words as the people, the other Natives that move to Anchorage, Wasilla, Palmer, is misleading because in that State book and in the -- that brown book for the Federals was already in there in place. And you're trying to bring it up to get misleading for the other Natives to say you can't hunt there. It's already -- it was in there that they can't harvest in Federal land. And it's misleading because we need to do this. And now the people in Noatak can't even get caribou because there's so much disturbance even in the headwaters of Cutler above Noatak. And I testified this before and I said it many times, I know the person that flies hunters to Cutler, that's the headwaters above Noatak, well above Noatak, it's pretty hard to get to. I've been there before, but it's a long ways up there. And that's when they get to the caribou that's migrating south. And they harvest and hunt them there and they change the migration. That's why we came up with the non-qualified -- that transporters and outfitters. And that word you guys put in there was never -- we wanted transporters and outfitters be taken away and this is disturbance because I tell you one thing and the surveys they did and the -- what they did on the Western Arctic Caribou Herd, there's 297 planes were spotted by Noatak people. That's how much disturbance is getting and the noise from the planes is disturbing the caribou and they're dispersing them somewhere away from the people in Noatak that hunt right in the river. They don't have the privilege with a plane to land away from the river and harvest their caribou to put food on the table. That's why we came up with this and I will still fight to stop them because at the rate the caribou are crashing if we wait too long it'll take longer for them to build. This is what, over 200,000 caribou and Lincoln circle that you saw earlier that he circled in here that we're in the level of -- in the danger and the State, Western Arctic Caribou Herd and other Park lands have to take the step to make closures to it. We're closed to that level.

And I will say for the people for Northwest Alaska where we depend heavily on caribou we need to take steps now before it's too late because this is the level we worry about and if we get close to it and we keep going at the rate and we don't make steps to stop it, we get below, it'll take longer to
get to this level here. And we need to worry about it because we live on caribou so much that we're -- we rely on the meat. Sure some people say we take a lot, but by size it's always misleading that we take 14 caribou a year, that's a big number. But by weight it's way down because they're smaller caribou. And when the sport hunters go there there's so much caribou, so much antlers, you could see leaving Kotzebue alone that there's wasted, wanton waste and when we take pictures and we try to let Fish and Game and the Park Service do something about it, nothing is happening. And yet they brag they give us caribou, yes, that give us, but it's so low percentage that majority of it is spoiled and it's waste, there's tote full. We've seen them in Kotzebue where they dump a lot of meat. They put them in plastic bags, they spoil at 38 degrees in a few days. Ask a harvester when I get caribou when it's warm I try to be home within less than three days so I won't waste the caribou I get, I put it straight in the freezer. These guys that come from outside they don't worry about it, they worry about how big their antlers are and that's all they worry about. They're -- that's why we need to take steps and we need for them. Sure, it's well appreciated when they drop off caribou when they're edible, but most of the time they're so dirty that we take a lot of the meat out and throw it away, it's so dirty, so muddy, so full of grass. And we try and we accept it, but when I was there, when we see it, we saw tons of meat being wasted. And here as a Native I take home bone and all and I cook it bone and all and I scrape the meat right next to the bone. That's yours -- I'm telling you we hardly ever waste any caribou. And that's why we need to take these steps.

And under ANILCA, I'll tell you that right now. section 8, I think we have a right to take our caribou just the way -- I mean, I'm going to fight for my people and we need to take this step because if they keep crashing there's going to be nothing left and it take too long to get it and the way I understand the reports I get over the last two days that the Western Arctic Caribou Herd, the numbers were put together so they say there's a lot of caribou and we could take our sustain of caribou. Yet, no, the Teshekpuk Herd should be on its own, Western Arctic Caribou Herd on its own, don't put them together because that's completely different stock because very seldom we get the Teshekpuk Herd, we know the difference. Because I'll tell you now that one time I get a caribou and I knew
it was a caribou, but I knew it wasn't a Western Arctic
Caribou. I take it home, I take the skin home, stopped
at Noatak, two elders right from the beach (in Native)
they knew just by looking at the skin what I get. I
didn't know. I know it was a caribou, but it -- to me
it looked different. Automatically tell them they do
go there, but very seldom and they could tell the
difference and I was surprised.

And I will say I will stand by my
grounds of -- on this proposal here.

Thank you.

CO-CHAIRMAN STONEY: Yes. Mike.

MR. KRAMER: Yeah. You know, I'm kind
of discouraged that OSM is against this proposal,
somebody must have paid them money -- some money to
oppose it because if they were on our side they would
be with what we think. We live there, OSM is where,
where is their office, 503 Tudor, somewhere down there.
You guys don't live there, we do. You guys don't have
the right to be able to decide whether we should be
able to move forward with this or not. Who do you
think you guys are, we are the governing body. OSM,
they don't have no say so in the matter. We live
there, we live the life, we subsist off of those
animals. What gives OSM the right to be able to decide
whether they should oppose it or be for it. OSM does
not have say so in what we decide. OSM can be able to
present what we decide to the Federal Subsistence
Board. You know, that -- that's wrong, OSM should have
no say so in what we decide period. They should be
able to say we're standing right behind you, you guys
live there, we don't.

You know, and as for the people that
live down here in Anchorage from Kotzebue and Northwest
Arctic, it's always been illegal for them to hunt in
Park lands, Kobuk Valley National Park, I know that for
a fact because my dad was almost cited for wearing
camouflage and looking at caribou through binoculars.
It's not in that book. I've asked a Federal or Park
Service guy why is that not in the book. Well, it's
because they don't want to put it in there because, you
know, it's specifically for that game management unit.
Well, it needs to be in there. That way people --
local people that go up there and hunt, they can
understand that hey, you're pushing some buttons if
you're up there hunting. My dad almost got cited for
wearing camouflage and looking at caribou through
binoculars. Park Service ranger he said that's with
the intent to hunt. That's not, my dad was there to
spend time with me and my brother, quality family time.
And he only wanted to take a hind quarter home that we
harvested, me and Lance. You know, that's wrong. OSM
should have no say so in this matter. You need to look
at the Anchorage people from Northwest Arctic there's
what, maybe a couple hundred down here, how many are in
Northwest Arctic, 3,500, 3,700, what weighs more. We
live up there, they live down here, there's a
difference. They need to understand that, we live up
there, we struggle every day to be able to provide, to
put food on the table. And they live down here, that's
their choice. But there is State lands up there where
they can hunt. Who cares if it's congested, that's
what happens. We want to protect the interests of the
people who reside at home, back home. If they want to
come up and hunt they can come up and hunt.

But I guarantee you we have a stronger
say so in Northwest Arctic who live there in game
management unit 23, they should be standing behind us
saying, yes, you're fighting for our people's rights
instead of saying you guys are taking this away from
us. Who -- what gives them the right to be able to
decide. There's a majority rule, majority rule. We
live there each and every single day providing for our
families. And yet they're saying we're doing something
wrong. No, we are not doing something wrong. We are
promoting the subsistence -- use of subsistence
resources within game management unit 23. We are
survivors.

Transporters, when I was at that public
meeting that transporter said we didn't get enough
notice. Well, if I had a couple million dollars riding
on a specific area I'd have an ear on that area every
single day. That's their problem for not being there
at every single Rural Advisory Council meeting because
we decide the fate of their funds, their income. They
should be there. I don't understand why they think
they have a say so. They don't, they don't live there.
There's only two transporters who live and provide for
the people of Northwest Arctic, that's Jim Kincaid,
Eric Sea and Jared Cummings. Those guys live there 365
days a year. They provide for people, they bring
school kids to basketball games in the villages, they
help build the communities. Those are transporters
that have the right to be there and be able to operate. The ones that come up and make the quick buck and run, heck with them guys, those guys should be absolutely eliminated from our region, from game management unit 23, eliminated.

And there's always this talk about funds, funds, funds. We need to start looking at the possibility of being able to -- to be able to put guide use areas up for bids. Right there's the money. Those guys think they got a lot of money, well, they better pay a lot of money to be able to guide or transport in our area. Money talks, money needs to talk because they talk about we don't have enough money to do this, do this and do this. There's your money. Let them put back into the community or in the game management unit that they make money off of, to be able to support the local economy and be able to support the local studies and be able to pay people to do things within the game management unit to benefit the subsistence resources.

That's my say so, that's what I believe in.

Thank you.

MR. G. BROWER: Madam Chair.

MS. AHTUANGARUAK: Gordon.

MR. G. BROWER: Yeah, Madam Chair. Gordon Brower for the record. And I'm -- I hope it's the opportune time to say things.

I am concerned with your analysis and there's a couple of things that kind of -- that are pointed out. We just had a presentation from Lincoln about population estimates and then you just pointed out that they weren't no good. And things are not -- to me not coming out as, you know, two and two, it's not coming out as the State's biologist is saying something and then you're saying something different in a presentation from an earlier one of the Western Arctic Herd presentation. And I don't want an answer yet. And I'm not seeking an answer, it's just my observation. And we were in Anaktuvuk and the trend had already accumulated for the past 10 years to a point where it was becoming critical to do conservation or preservation measures. That's what we were hearing from the North Slope, up in the Arctic up there. And
then some of the -- we start to hear a little bit of funny business almost when there's a term called ANS, State uses it all the time. It's the amount necessary for subsistence and it's derived from the harvestable surplus is what I'm led to understand. And somewhere, I think it was 2014, the State started creating this ANS, combining Teshekpuk Herd and the Western Herd as one and the same. And we just had a good presentation today that they are very distinct herds, one goes over this way, one goes that way, but they come over here and fool around together and they go back, you know, to their respective areas. That's alarming to me because that's brand new. The observation of ADF&G for the decline in caribou population for the last 10 years, they start to see a problem. So somebody's making administrative decision within ADF&G or the State and say let's create this ANS and add the Teshekpuk Herd to it. And so that the ANS can be much higher. And I asked -- there were several questions about why that was happening. I don't know the exact details why they would put the two herds together to derive a higher amount necessary for subsistence. It's that -- there's a big number that's derived like between 12 and 15,000 that's calculated out of that amount necessary for subsistence. And if you can reach that you're in -- you're -- there's conservation and then there's a preservation and then there's a liberal management scheme.

I'm sorry I'm long winded everybody, but I think these things in order -- in order to be heard correctly and from our understanding I like to use what the scientists bring to us and understand clearly what they've said. So and I asked what happens if you decided to create the ANS just for Teshekpuk Herd and one ANS specifically for the Western Herd. And the threshold was already met that non-resident hunts would have to go already for both herds. But by combining them it's large enough ANS where you can still promote a more liberal harvest scheme that include non-residents. Those are some of the things we heard in today. And I don't know if it's to grease the wheels or not for the dialogue, we just heard oh, the Teshekpuk Herd's now 41,000. So we got from the time of November that I heard that time until today we just -- we just suddenly got about 8,000 caribou. And it's a little alarming to me.

So in my own observation many communities, rural communities, depend on these herds.
I was trying to count all the little dots of communities and then an average community is going to take maybe 200, you know, depending on the size, Barrow takes a lot. Barrow takes a lot of caribou, I think Kotzebue takes a lot, upward of 2,000. It's a big community. These are rural communities. Not to mention Wainwright right in their path, they're about 800 residents there. So I tried to use a calculator and come up with after counting the dots and put a small number, amount necessary for subsistence to be met is about 25 to 30,000 animals. And that's alarming to me because in the range of where all these communities are I had put a little number, I didn't put the big 2,000 caribou for Barrow and 2,000 for -- that was just my own little calculation of what communities need throughout the range of these caribou. And it's alarming that we need to be already almost in a preservation mode, we're teetering between conservation and preservation. We're well below liberal at this point. And I think there's some flaws in your analysis when I think about it. Maybe I should get a job over there, I've been working for the North Slope Borough too long and doing large project reviews for oil and gas. Maybe I need to look at -- and work with you guys to do some modeling for harvesting in all the communities in the range of this herd. It's my own personal opinion though.

But I would rise in support of this proposal because there is already a problem in Anaktuvuk Pass. I don't know if you're on Facebook, I even bend the ear of the Lieutenant Governor in -- when I was in Seattle for Arctic Symposium. I said, hey, you seen your community of Anaktuvuk Pass starving while you're just north of them and they're getting all they -- want they want, the guides, but the community is starving. So Nuiqsut, Barrow, Wainwright is hunting for Anaktuvuk because they're starving. Now what's wrong with that picture. The State should be already doing a tier hunt below in the State land to prevent this from happening. But the -- I think there's issues with game lobbyists and things like that, big game. We need to rise above that and look at the nutritional needs of our communities. Some of these communities are literally starving for food. And I know them, they're my relatives. And I don't know if you put those two and two together to -- as part of your analysis. Did we shoot ourselves in the foot when we said hey, let's go along with the State and try to be conservatives ourselves and reduce our bag limits.
And don't shoot the bulls in October to December. And
let's not -- let's put in place calves and cow pairs to
leave those alone. Did we shoot ourselves in the foot
when we said, hey, let's try to be conservators by
ourselves and try to do the right thing while all the
while that we have all of these issues already unmet,
Anaktuvuk issues. These are lingering questions that
we don't know how to fix.

Maybe the State needs to come to the
North Slope Borough because we have home rule power and
say let's make a subsistence district like we make an
oil and gas district. Maybe we need to do different
types of approaches. And those are just ideas because
there's -- seems like the State will not listen. And I
think OSM has been -- their ear has been bent too much
to the liberal side of things and then we've shot
ourselves in the foot to be saying we're going to
reduce our bag limits as a measure of good citizenship
to five caribou and didn't see a corresponding
capitulation by the State saying, well, the Native
groups, these -- the rural residents are saying we're
going to reduce our bag limit to help and the State is
not doing anything to say, well, the local folks are
reducing bag limits I think that's a big red flag, hey,
State, we're reducing our bag limits because we know
the caribou is coming down. Now the State needs to
think about doing a tier hunt. I don't know what it
is, is it a tier two hunt when -- maybe you got to go
by community or something like that. It's time to be
serious and not play any funky business because I would
hate for the Western Arctic Caribou Herd to come the
way of the dall sheep issues, managed to the point of
there's -- so nobody could hunt them, nobody in some
parts of those areas because nobody was managing
effectively to that sustain yield principle. There's a
sustain yield principle involved in order to be able to
accommodate I think it's ANILCA for these -- for the
Federal public lands.

Anyway I think I dominated too much,
but I'm in support, in fact I would hope the North
Slope put in a similar proposal because these animals
are our food, our communities are starving. I know
that for a fact. Anaktuvuk is in the range of Western
Arctic Herd and Teshekpuk Herd. And I don't think
there's enough to go around.

The issue about seeing 300 planes in
Noatak, probably an equal number I hear from Anaktuvuk
Pass. Those are bringing in people in droves. You can't effectively say they only got 100, I'm pretty sure they got over 2,000 because they're taking -- they're taking it out of there, people see it and there's issues with wanton waste. I don't know, everybody should be put under a lie detector test around here, you know, and see where they're at.

Thank you.

CO-CHAIRMAN STONEY: Thank you. Enoch.

MR. MITCHELL: I'd like to speak probably about what's going on in Noatak. I'm from Noatak. We have a lot of concerns in the village, but mostly these past few years, but it's been going on for 10 plus years. The transporters, you know, they're just drop off non-local and leave them out there in our traditional hunting grounds. The Noatak and I don't -- I don't want you to just hear it from me, I want you to hear it from them too. So I'm going to read a little bit about it.

Over the past decade the number of transporter flights into Noatak National Preserve has increased approximately 3 to 5 percent each year. Last year it was over 500 people on the river and there's 500 people in Noatak. So it's like a village up there. Delivery will increase number of non-local hunters to the area with many hunting caribou. Residents of the community of Noatak have repeatedly expressed their concern that non-local sport hunters dropped off by air taxis and transporters cause caribou to change their migration patterns and affect local subsistence caribou harvesting and Noatak's ability to meet its subsistence needs. Noatak have repeatedly expressed their concerns. Repeatedly, 10 plus years. And we're still having the same problem and it's getting worse like we're not being heard. We have hunters to tell us which activities they saw as having the greatest impacts caribou migration. 79 percent of that aircraft have the highest negative impact to caribou migration with 57 percent saying that non-local hunters are the next highest negative impact. And the findings of this study show that the caribou hunters in Noatak are concerned that caribou migration -- I already said that, right. I change this into due to number of -- yeah.

And these are reports of the people.
There's lots more what I want to say for -- the findings of these caribou hunters are concerned that the caribou migration is changing. These changes are seen due to a number of factors, but mostly because of the presence of aircraft and non-local hunters in the region. Around this (indiscernible) and where they shoot their caribou there's a lot of non-local that they're flying in. And this past year we had hunters reported that they -- we drove up the river to Noatak, Paul, we won't say we're going Kelly River and hunt, even though we want to, even though it's less gas. But, no, we go there and there's no caribou. No, we just sit there for nothing, but we go, go, go until we see the caribou on the hills. And that's where we wait because the caribou in Noatak cross early in the morning and late at night, evening. So we wait there. Come evening the caribou start working down, its way down the hill, (indiscernible) village and through the trees and then to the gravel bar. They work -- they work their way right to the water an inch. The females come out first. They wait there, 10, 15 minutes just standing there. And they cross the river. After they cross the river the bulls come out after them, always be wait there. They wait there, the same way the females come out to the (indiscernible) right behind the female trail. They wait there and the females made it across. The bulls wait a little longer than the females on the beach, but then they begin crossing and that's when we hunt them. And that's how we hunt them for years. And that's one of the two places in Alaska that you can shoot caribou in the water.

And there where we were waiting, on the river we're waiting for this caribou to come down, we had -- there was nothing that no bunch of herd for these five boats that was waiting for the caribou. We lined up, there's five boats of us, just waiting. But in each boat there's about three, four, five families, they're hunting for three -- two, three families in the boat. So they're waiting and the female come and the females wait and they cross and then the bulls start coming down, these are what we waiting for. And they just get on the edge of the river then all of a sudden because we counted -- my boy counted 88 sport hunters on the hill behind us. Eighty-eight sport hunters and five boats. About three, four of us in each boat. So five boats, let's say four in each boat. So four times five, there's 20 of us Native hunters hunting on our traditional grounds. None of them was successful. All these five boats spent over $700 on gas. So while we
were waiting for the bulls to come across they start
shooting. All those caribou run back up, none of them
cross. They -- that was dangerous. That was
dangerous. And they scare the caribou and it's getting
worse every year. And it's reported here it's 3 to 5
percent each year. It's not getting any better, it's
not going down for years. We see the caribou count
going down according to Jim Dau (indiscernible), but
the caribou harvest is level now the hunters is going
up and that's not right, that's not right at all. And
according to the report, the -- when I finally ask them
on their reports they reported I asked them how many
hunters in Alaska goes to Noatak River alone. Almost
80 percent of sport hunters in Alaska goes to Noatak
River alone. Noatak Village up there and it's getting
worse. You know, the harvest is on the level and non-
local going up and Noatak hunters, when I asked them --
when I asked Federal report how their hunters' success
was, the Federal side they had successful, they was all
successful. I asked them on the State side, the State
hunters that they bring in they were all successful.
And the Noatak hunters, very poor.

The Alaska constitution tell us that
our resources, our animals can best be manage for the
maximum benefit non-rural Alaskans, but right there
they break that constitution. That's the constitution
of Alaska. If someone break the constitution what --
what are -- what's the -- what's the duty to enforce
it. The constitution being break, but not being
enforced and who's breaking it, the State themself, the
Federal themself. We're suffering.

You know, the numbers up there is --
that is not even. There are more and more non-local on
the river than there are Native people in that village.
They should put something in balance there. None of
the villages is hurting like we do. Let's put a
balance in there. I mean, there's 500 non-locals
hunting on our traditional grounds. We got 500 people
on the -- in the village, but they're not hunters,
they're woman, children, see. But we have only so many
hunters going up to our traditional grounds and do 500
of them at the -- on the Noatak River the non-locals
get more caribou than we did on our traditional
grounds, getting our traditional food. That is really
not even. That should be put in place to make
something even.

When you put too many hunters in one
area they will deplete the caribou of that area. It
will happen. They will deplete the caribou from our
traditional grounds. They won't -- they won't kill
them all, they won't kill off recovery, but by being
there by too many numbers those caribou won't go there
no more, they're going to move, they're going to go
someplace else. That happened on the Squirrel River.
We try to wait -- see I'm going to say something here.
The Squirrel River is across -- most about across
Noatak, little downriver, across the river from Noatak
and then there's Aggi River and then there's Ely River.
Those caribou used to cross, come through there, those
are corridors through the mountains. They come through
the corridors to those rivers, they come to the flats
and they hit the river, Noatak River. And we used to
buy five gallon, 10 gallons, 15 gallons to go hunt
caribou when they come through those corridors, when
they come. We don't have to get 70, 80 gallons no
more. But today we're getting 70 to 80 gallons of gas
to go up. And that's not good, you know, because
that's what's happening in Squirrel River, that's what
happened in Squirrel River. Over 10 years I try to
talk -- try to -- one year I went to Frank Haze, he was
working for the Federal and he did just because we ask
him to put all his sport hunters on one side of
Squirrel River, we're going to try it for one year
because we didn't get -- we didn't get Western Arctic
Caribou Herd for three consecutive years, not one
caribou from the Western Arctic Herd we heard in three
consecutive year. We get Teshekpuk Herd way upriver,
80, 70, 80, 90 gallons of gas.

But two places we didn't -- I was -- I
documented because we knew that they -- I know that the
Western Arctic Herd didn't reach us because the river
froze before they reach us and we didn't get it that
fall for three consecutive years. It's in the -- so
that's why the Squirrel River, that's what's happening,
they put -- but, yeah, we put the hunters on one side
because we didn't get any caribou three -- and that
year we got caribou close.....

CO-CHAIRMAN STONEY: Mr. Mitchell, you
know, we are running out of time so we have other
report and comments so we have to cut yours -- speak a
little shorter.

Thank you.

MS. PATTON: Mr. Chair.....
MR. STEVENSON: (Indiscernible).....

UNIDENTIFIED VOICE: I think she has her hand up.

CO-CHAIRMAN STONEY: Oh.

MS. AHTUANGARUAK: I just want to make sure that we get through what we need to get -- finish up where you're at in your process so we can get through the rest of these procedures.

MS. PATTON: Mr. Chair and Council, can I make an update on the timing here? I was just informed that the building closes at 5:30 and that means they close the doors down. So the Council would probably need to conclude its recommendations no later than 5:00 o'clock. I -- it's approximately 4:30 right now. So just so the Council has that awareness, we've got a hard deadline that they -- we either get stuck here which I'm sure no one wants to stay overnight. Thank you.

CO-CHAIRMAN STONEY: Attamuk.

MR. SHIEDT: Okay. Thank you. I want to speak -- due to time constraints I want to speak briefly about your analysis. You mentioned that 95 percent of our local hunters take most of the caribou and 5 percent from non-local hunters. I think you are wrong. You do not have law enforcement on the Brooks Range, you do not have law enforcement on Noatak Preserve. There's no enforcement. We had to cut down our sheep hunting in that region because there was no enforcement. And we fall under State regulations and statutory statutes to protect the population of the sheep and look what happen. I just want to point out.

The other thing I want to point out, under act of congress, Title VIII of ANILCA, it give us full authority as RAC people here to make any decision that would benefit our people for the sustainability of the population of that animal we're talking about which is the caribou. I know it'll go to the Subsistence Board of Fish -- of Game, but I also know that we have every right to go before the Secretary of Interior should anything happen that we don't agree with.
These are some of the statements I'm going to come across and share with you. I support the proposition, the proposal that was brought forth by Western Arctic people. So I want to thank you.

Thank you.

MR. McKEE: Mr. Chair.

CO-CHAIRMAN STONEY: Yes, you may.

MR. McKEE: Through the Chair. I just want to address something directly that was -- that member Kramer said earlier regarding -- I totally understand your frustration at -- saying, you know, about OSM not having authority to make decisions for you and that's not what we're doing. As a matter of fact you're partially correct in that OSM has abs -- we as a body have absolutely no regulatory authority whatsoever. All we do is make -- and it's not just for special actions, it's the same way with proposals, we merely have -- make recommendations. The ultimate decider, the only body that makes the final decision with the authority is the Federal Subsistence Board. OSM has absolutely no authority whatsoever. So in that sense you are correct.

So with this special action what is going to be forwarded to the Board is merely our recommendation, but along with these two Councils and the other two Councils that have already addressed it, their recommendations as well. And so the Board is going to -- it's going to take what the Council's feel on this special action very seriously while what OSM says is merely a recommendation. That's not to say it won't play any part, but in terms of regulatory authority you're absolutely correct.

So I just want to make that clear because sometimes that doesn't come across in this process and, you know, it's a very complex Federal program and sometimes maybe that gets lost in the noise of some of this stuff. But I wanted to make that clear and on the record.

Thank you, Mr. Chair.

CO-CHAIRMAN STONEY: Mike.

MR. KRAMER: Yeah. The reason why we
put this forth is we don't want the same mistake as the
dall sheep. What has the Federal government done for
our region on dall sheep lately. Big old zero. Zero.
What have they given us back because they made the
decision, they said, oh, no, it's a sustainable harvest
and we kept asking for a count, we kept asking for a
count, we kept asking for a count, meeting after
meeting after meeting. You guys don't listen to us.
We live there, we go out there, we hunt those
resources. If we say that we don't think there's
enough then we should be listened to, a count should be
initiated immediately, the first sign of distress of a
subsistence resource action needs to be taken. Now we
don't have any more sheep, we probably never will have
any more sheep. And what's the Federal government
What are they going to do for us. We'll never be able
to taste dall sheep again. Again. Because of the
Federal government's mistake. And we have to pay for
it. That's not right. We're a government -- governing
body, we should be able to make decisions. We
shouldn't have to -- if we ask for something it should
be done immediately especially if it's a subsistence
resource. Holy smokes.

I tell you what, why don't tomorrow
anchorage prices, everything, gasoline, food,
groceries, rent, house payments, everything, changes to
ours and we take yours. See how you guys like it. I
guarantee you'll hate it. Twelve bucks for a gallon of
milk, in noatak it's probably $14 for a gallon of gas.
How'd you guys like to pay that kind of stuff. $18
for a gallon of stove oil to heat your house, $6 for a
loaf of break. Come on now. $12 for a dozen of eggs.
You think you guys could survive on that with what you
guys make. No. You guys need to understand when we
make recommendations and we make proposals, we put in
special actions, we're putting them in for a reason,
for the protection of our subsistence resources. We
want our grandkids, our great-grandkids to be able to
harvest those animals for years to come. We shouldn't
have to be able to live on your guys' mistakes, the
Federal government mistakes, Park Service, whoever it
is that deals with doing those counts. We shouldn't
have to live with those mistakes. We should be able to
make a decision to be able to conserve, to be able to
apply rules, to be able to continuously harvest these
animals and to ensure that there's a healthy
population. That's what I want to see, healthy
population.
That's all I got.

CO-CHAIRMAN STONEY: Okay. Anything else?

MR. KRAMER: Mr. Chair, this is Lance Kramer, Kotzebue with NANA.

CO-CHAIRMAN STONEY: Yeah.

MR. SHIEDT: How much longer are we going to be.....

CO-CHAIRMAN STONEY: Go ahead, Lance.

MR. SHIEDT: .....due to our time -- due to time here, because we got to be here by 5:30 in Barrow at one hour. Sorry, Barrow, to use -- to finish what we're doing. I know that it's important for Lance -- we need to hear from Lance, yet due to time I think Barrow need to take over now. Sorry about that.

MS. AHTUANGARUAK: I agree we do have limitations on time. If you can summarize your last comments and then we can move on to reports on Board consultation. We do have NANA on the phone, do we have any -- and there's a series of procedures that we need to go through. So if you could finish up.

MS. MAAS: Oh, I've been done.

MS. AHTUANGARUAK: All right. Thank you very much. Let's get to Lance on the phone.

MR. L. KRAMER: (In Native). It's nice to hear you guys talking about our issues up here and a representative of NANA I would like to make a formal comment regarding that special action request 16-01 for the caribou.

We at NANA, we believe that the (indiscernible) is one of the most important sources of food, clothing and tools for our Inupiaq people. I think it helps us spiritually and physically, emotionally, educationally, socially, culturally. And knowing these three things, number 1, that the population has been in serious decline since 2003 and number 2, that there hasn't been a count since 2013 and number 3, that three years ago we were near crisis -- conservative management from (indiscernible) management
that under that we have to by law limit -- restrict to residents only according to State and Federal law, closure of some Federal public land.

And so we at NANA fully support and trust the Northwest Arctic Subsistence Regional Advisory Council's special action request to close caribou hunting to non-Federally-qualified users on Federal lands this year in order to protect the population and the viability of the Western Arctic Caribou Herd. So we fully support the Northwest Arctic RAC and we thank the North Slope for also supporting that proposal.

And (in Native). That's all we have to say here at NANA.

MS. AHTUANGARUAK: Thank you. Do we have any other Tribes or ANCSA corporations that wanted to communicate on this process?

(No comments)

MS. AHTUANGARUAK: No response in the room, no response on the phone.

Eva.

MS. PATTON: Madam Chair and Council. Just to update the Council, there was Tribal consultation and ANCSA consultation offered and conducted after the community hearing. We had quite a bit of participation during the public community hearing and we did have some representatives calling in during the Tribal consultation as well. And the staff then take that feedback and also consider it in the analysis. There were also two written public comments that were submitted from the Council. And I could just summarize their position if that would be helpful to the Councils.

MS. AHTUANGARUAK: Yes.

MS. PATTON: One letter was submitted from the Maniilaq Association and they are a nonprofit, Tribal organization which provides for the health, social and Tribal services in communities within the Northwest Arctic Borough. And they are formally supporting the recommendation made by the Northwest Arctic Subsistence Regional Advisory Council referred
to WSA 16-01. And they reference the decline of the
Arctic Caribou Herd has forced local Tribal members to
either harvest less caribou or travel further out of
traditional areas to harvest what caribou are taken.
And these actions have strained the limited household
resources of many Tribal members forcing them to decide
whether to pay for fuel or other hunting related to the
hunt or to go without hunting caribou, forcing them to
rely on nontraditional foods to feed their families.

They summarize that their various
social and health services programs have been
increasing and requests for various services from
residents of all communities regarding food and heating
fuel shortages, higher than average visits to the
clinic's related to consuming nontraditional foods.
These are unforeseen consequences related to inability
to properly subsist on their primary food source, the
caribou. They strongly recommend to adopt WSA 16-01 as
proposed. And that is from their president, Tim Shok
(ph).

And we have one other letter as well.

MR. STEVENSON: Could you speak up a bit, please.

MS. PATTON: Sorry. And this letter is
from the Native Village of Kotzebue. And the Native
Village of Kotzebue writes that they have had an
opportunity to review the special action request
submitted to the Federal Subsistence Board for their
consideration by the Northwest Arctic Subsistence
Regional Advisory Council to close Federal lands in
unit 23 to non-Federally-qualified users to the hunting
of caribou which would take effect July 1st, 2016
through the end of the regulatory year if adopted.

In addition to reviewing the proposal
they have also had an opportunity to participate in the
public meeting held on the topic in Kotzebue on
February 23rd, 2016 and many Council members from both
the Councils also participated by teleconference or in
person for that meeting.

The Western Arctic Caribou Herd is a
major source of food harvested from the members of the
Tribe and in addition to supporting their cultural and
spiritual identity as Inupiaq people of the Northwest
Alaska since before recorded time. It is impossible to
overestimate the economic and cultural contribution that this herd provides for our members. Suffice it to say that add tremendously to the quality of life for them. The continued presence and access to the herd for our members is a top priority of the Native Village of Kotzebue.

And they're aware of the decline and they had also spoke to the traditional knowledge of their members that it's important to allow the herd to begin migrating through an area before you begin to hunt and disturb them so that the flow of animals can continue uninterrupted. And it's their belief that many times this does not occur due to fly-in hunters intercepting the herds at the beginning of their movement in the northern Brooks Range and then the entire rest of the herd is thrown in disarray. And they note that the majority of this early disruption occurs on Federal lands, specifically the Noatak National Preserve in the northern part of the Brooks Range. In addition when even the herds become accessible to our members it's increased cost and time.

I'm going to summarize their conclusion given time here. They had also noted that in the public process it came to their attention that one of the concerns relates to Tribal members who are not considered Federally-qualified subsistence users since their permanent residence is outside the region. Looking at the areas affected and taking into consideration that these nonresident members are already not considered Federally-qualified for hunting in Cape Krusenstern National Monument or the Kobuk Valley National Park. In addition to knowing where the majority of the fall and winter hunting activity occurs it is their belief that there will be ample opportunity for these members to hunt in the region as most of the traditional boat and snowmachine hunting occurs on land outside of Federal lands.

In summary for all the reasons listed above they fully support the special action request and strongly encourage the Federal Subsistence Board to approve it.

And that concludes the written recommendations.

Thank you.
MR. SHIEDT: Okay. The -- I'm going to ask to -- I need to clarify this for the people that live in Wasilla, Palmer, Fairbanks, that you, summertime, could go harvest caribou in the State high water mean mark in Northwest Alaska. You're not closed out because you could hunt in the river. To make it simple and real quick that you come up north to hunt, you know, in the rivers.

CO-CHAIRMAN STONEY: Yes, you may.

MR. MOTO: I just want to say one thing. I too support the proposal and I was thinking why are some of the Federal Subsistence Board members not here to hear firsthand instead of secondhand of what's going on. I think that they should have been here because we're here, they should be here to listen to us and when they make their decision they will know. But, you know, we see a lot of -- you know, sometimes we have contractors come in the winter, we have contractors come to Deering and we know they are -- when they go up our road they're hunting caribou. We know that. But we don't have any enforcement -- they say we have a hunting license. That don't mean nothing to me. They're not -- they're not from Deering. And this is something I try to put across because I know for a fact that they're hunting caribou and taking them home. They just take the best of the caribou and leave the rest to rot. And this is what really gets me. I'm -- I've been totally subsistence and I hate to see any meat spoil.

Thank you.

MS. AHTUANGARUAK: All right. We appreciate all this interaction, it's certainly important, but there is a process that we need to follow so the next part is for agency comments. I know we have some AD -- oh, we do have someone in the back.

Are you part of the Tribes and ANCSA corporations?

MR. DeWITT: Can I make one more comment.....

(Whispered conversation)

MR. DeWITT: I'm from the public. Can I make one more comment before we close.
MS. AHTUANGARUAK: We're not closing, we want to get through.....

MR. DeWITT: It's real quick.

MS. AHTUANGARUAK: .....the procedure. We have -- the next part is agency comments. We do have Advisory Group comments and then we get into public comments so if you could wait for just a few moments so we can get through the process.

MR. DeWITT: Well, it was on the caribou herd. It's.....

MS. AHTUANGARUAK: Yeah.

MR. DeWITT: .....an amendment I thought about while we were talking.

MS. PATTON: Madam.....

CO-CHAIRMAN STONEY: What you say is -- later on under public comment you could comment on it so if you just wait a minute.

MS. AHTUANGARUAK: So do we have ADF&G then comments that we were going to summarize.

MS. PATTON: Drew, we were up to ADF&G.

Thank you.

MR. CRAWFORD: Yes, Madam Chair. My name is Drew Crawford, I'm with the Alaska Department of Fish and Game.

The Department is opposed to special action request WSA 16-01 due to the relatively low number of caribou harvested by non-Federally-qualified subsistence users in unit 23. Closure of Federal public lands to these users will have no meaningful biological affect.

MS. AHTUANGARUAK: Thank you. Do we have additional comments from agencies?

(No comments)

MS. AHTUANGARUAK: Eva.
MS. PATTON: Madam Chair and Council.
Do we have any comments from other Federal agencies that are here today?

(No comments)

MS. PATTON: No comments.

MS. AHTUANGARUAK: All right. Any Advisory Group comments?

(No comments)

MS. PATTON: Madam Chair and Council, unless we have representatives from the ACs here we do not have any Advisory Committee comments.

MS. AHTUANGARUAK: And do we have a summary of the public comments?

MS. PATTON: Madam Chair, the written public comments were what I just read into the record.....

MS. AHTUANGARUAK: Okay.

MS. PATTON: .....those two letters that were received.

Thank you.

MS. AHTUANGARUAK: All right. Then we're on to public.

MR. DeWITT: Once again my name's Neil DeWitt, I'm representing myself, but I am on the AC here in Anchorage. And I got to thinking about it while you guys were all talking, you got such a problem with aircraft up there, why don't we do like we do on fish, why don't we limit the aircraft, put in an amendment to limit them to certain days of the week, Monday, Wednesday, Friday or Friday, Saturday, Sunday, Monday and that way you got the rest of the week that you have no aircraft flying around in the area.

Just a thought. Thank you.

MS. AHTUANGARUAK: Okay. We're on to Regional Council recommendations.
MR. G. BROWER: Yeah, Madam Chair.

Gordon Brower for the record. So is it -- am I understanding it's our time to say our piece from the North Slope Council?

MS. PATTON: Madam Chair and Council. Yes, this would be the opportunity for the Council to make a motion and take action on the proposal.

MR. G. BROWER: Yeah. Madam Chair, I'd like to make a motion to adopt WSA 16-01 for discussion.

CO-CHAIRMAN H. BROWER: Second.

MS. AHTUANGARUAK: There's been a motion and a second to adopt for discussion. We're in discussion.

MR. G. BROWER: Yeah, Madam Chair. I'm -- I rise in support of WSA 16-01 for various different reasons that I have already expressed. And I'm -- hopefully they're recorded and will be conveyed to the Board of Game or is it the Subsistence Board -- Federal Subsistence Board. I don't want to get it mixed up.

And I do have a lot of concerns. And it is to make sure there's food on the table for people that need it. And there is a huge disparity when you look at things from those that come in even though you say it's a low number, people may say it's a low number, but the amount of aircrafts that are looked at, seen harvesting and adding to the problem with no traditional guidelines to back them up in areas where there's so much conflict to try to put food on the table. These are some of the things I rise in support of this. There is too much conflict for a resource that is in decline. These herds are over 50 percent, in my view they're 50 percent or more in decline. That's already been said, that's a fact. And we cannot afford to diminish any further the availability of these resources for subsistence purposes. We do that then ADF&G, Fish & Wildlife Service, National Park Service needs to replace all of that. You need to provide every household community with food. They tried to do that in Barrow in the '70s because of restriction on harvest. They tried to put a little block of beef and say that's what you've got to live on because you can't hunt anymore. There better be some better proposals if these trends continue to decline in
this way. We've been through the hard times, we don't want to go there anymore. We want to maintain this so that a sustainable level.

Thank you.

MS. AHTUANGARUAK: Additional comments from the North Slope?

(No comments)

MS. AHTUANGARUAK: Over to the Northwest.

CO-CHAIRMAN STONEY: Thank you. Is there any comments from the Northwest?

Mike.

MR. KRAMER: Yeah. I just heard that, you know, Norton Sound or Seward Pen didn't support this. You know, that's their problem. Our caribou's not going down that way very much that far down there anyway. You know, we're the ones that survive on those animals, you know, Northwestern Arctic and North Slope. If we can put a fence down there to prevent them from going down to Seward Pen then we would. You know, they believe that, you know, the transporters -- some of the transporters think that they should be able to operate until they're very, you know, small herds. No. You're going to be the first to be eliminated, I mean, the first. I prefer guides because you're one on one with your hunter. One on one with your hunter. Transporters they just drop 50 candlesticks in the wind and do they pay attention to what they do and what they don't do right. No, they don't get a a crap, they're only there for the mighty buck. Mighty buck. One dollar bill, thousands of them. And they move back down to Kenai, Soldotna, Seward, Arizona, Montana, wherever they want to go for the rest of the winter and live like kings while they prosper off our lands and off our subsistence resources. Right now according to the thing we're at a measure to where we need to start protecting our caribou herd. And, you know, I think that they do need to be eliminated immediately because I don't want to see the same thing that happened to the sheep.

And like I said earlier what has the Federal government done to us for Noatak, Kotzebue,
Kiana, Ambler, Shungnak, Kobuk, the one's who subsist off of sheep, Anaktuvuk Pass, what have they done for us. Big old zip. What are they going to do when our caribou is gone. Zip. They ain't going to do nothing for us. They ain't going to pay each of households, you know, a couple million bucks to be able to provide some beef or buy a couple reindeer herds. They ain't going to do that, they ain't going to help us, they could care less. They think they done their service. So that's why I believe that we need to make sure that this thing passes and I hope that the Federal Subsistence Board can see what it is that we go through. That's why I mentioned many, many times that why isn't there a Federal Subsistence Board member at every single meeting to be able to live, to breathe, to understand what it is that we go through in these rural communities. And to attend our meetings in rural communities to where you get to go to someone's table and they give you caribou soup that day, worked hard all day to make. Man, in Buckland and Kiana we ate good. I had to go home to lose weight and starve for a week because those people went out of their way to provide for us because they knew that we were making viable decisions to benefit the local people.

And I hope North Slope follows suit with the same kind of action, special action request. I think we keep pushing farther and farther down we're going to shut them out and then we'll be able to concentrate on our caribou herd, our sheep, bringing our population back, doing our own predator control. People go out there and get hunting, trapping license and go out there and get as many wolves as he could, wolverines, whatever it takes, bears. These nonresident hunters can go up there and hunt bears all day long.

That's all I have.

CO-CHAIRMAN STONEY: Calvin, any comments?

MR. MOTO: Oh, comment time.

CO-CHAIRMAN STONEY: Yeah.

MR. MOTO: I want to thank all that have given testimony that we heard, all the other stuff that the staff brought to us. And I enjoy these, it takes me a while to get here every morning, but I make
it, you know. I've always been interested in subsistence, I will forever. I have 28 grandkids and 14 greats that are coming up I hope they will be able to go out and subsist, get a caribou, get a few geese, get some oogruk, you know, the oogruk at home are our staple. Without oogruk we would go hungry. I know I get hungry if I don't eat oogruk, you know, this is something I grew up on. In the '30s and '40s we didn't have all these fancy foods like you have in the stores, we had (in Native) and more (in Native) and we enjoyed it, we loved it.

And I want to thank the North Slope for joining us. I hope we gained something from you guys. We always get something from other groups if we work together no matter where you come from. You have concerns that are similar to us. Might be a little different kind of species, but it's similar. We have -- like I said the thing that bind us all together is the need for the resource. If we didn't need the resource we wouldn't be here. Think about it.

Another thing a lot of people forget, subsistence. I always thought the true meaning of subsistence is survival. Without subsistence our people wouldn't be here. If our ancestors didn't survive we wouldn't be here. They subsisted and we are -- some of us are subsistence, but, you know, we still want the caribou, oogruk and stuff like that.

I want to thank -- I want to say congratulations to Raymond for our new president, chairman and I want to thank Enoch for all the service we did to us -- for us and welcome Louie back. And I want to thank all of you for making sure I make it to the meeting.

And that's all. Thank you.

Oh, I want to say hello to my friend over there, Louie Green, Jr. Hi.

MR. COMMAC: Okay. Thank you very much. First of all I want to thank the North Slope RAC for supporting us.

Thank you.

MS. AHTUANGARUAK: We need to do -- finish up this process first, we're not into final
comments so.....

MR. COMMACK: Oh, okay.

MS. AHTUANGARUAK: .....I think we're getting ahead of ourselves. But we need to have a formal recommendation from the Northwest on this proposed action. And then the North Slope also has to give a formal response. So that's where we're at at this point.

UNIDENTIFIED VOICE: Is that a formal motion?

MS. AHTUANGARUAK: We have a motion from our side to support and we have a second from our side, but we need a formal motion on your side.

MR. COMMACK: Okay. Mr. Chairman, I make a motion to move forward with this proposal in support.

MR. SHIEDT: Second.

MS. AHTUANGARUAK: The clarifying part that we have on our side is that on the northwest side there was some modification which added the terminology of furbearer. And are we at.....

UNIDENTIFIED VOICE: No, that was for something else.

MS. AHTUANGARUAK: Okay.

UNIDENTIFIED VOICE: That was something else.

MS. AHTUANGARUAK: All right. I needed to clarify that. All right. Good. So we're ready to call for the question on this part?

MR. OOMITUK: Madam Chair, I call for question.

MR. OOMITUK: Madam Chair, I call for question.

MS. AHTUANGARUAK: Thank you, Steve. Question's been called. North Slope RAC is voting on proposal 16-01.

MR. G. BROWER: Madam Chair, Gordon Brower. I'm voting yes.
CO-CHAIRMAN H. BROWER: Did we call for the question?

MR. SHEARS: Yeah, we did.

CO-CHAIRMAN H. BROWER: Yeah, okay.

MR. SHEARS: Madam Chair, Robert Shears and I vote yes.

MR. OOMITUK: Steve Oomituk, Point Hope, yes.

MS. AHTUANGARUAK: And Rosemary Ahtuangaruak, yes.

Northwest.

UNIDENTIFIED VOICE: Call for question.

UNIDENTIFIED VOICE: Mr. Chairman, I ask for a roll call vote.

CO-CHAIRMAN STONEY: Vote call vote.

MS. LOON: Roll call vote. Raymond Stoney.

CO-CHAIRMAN STONEY: Yes.

MS. LOON: Hannah Loon, yes.

Michael Kramer.

MR. KRAMER: Yes.

MS. LOON: Percy Ballot, Sr.

MR. BALLOT: Yes, I'm in support of 16-01, Madam Chair.

MS. LOON: Vernon Cleveland, Sr. Absent.

Louie Commack, Jr.

MR. COMMACK: Yes.

MS. LOON: Enoch Shiedt, Sr.
MR. SHIEDT: Yes.

MS. LOON: Enoch Mitchell.

MR. MITCHELL: Big yes.

MS. LOON: Calvin Moto.

MR. MOTO: Yes.

MS. LOON: Quorum.

MS. AHTUANGARUAK: Eva, I look to you. The next part is on the justification, do we need to go into that or have we had the sufficient justification?

MS. PATTON: Madam Chair and Council. Some Council members have provided additional discussion and testimony and as Gordon had indicated in the motion that discussion on the record over this last couple of hours is substantive and we will include that in the supporting decision of the Councils.

Thank you.

MS. AHTUANGARUAK: I just wanted to add that each of our RACs are looking at caribou issues and are looking at proposals to help with this concern. It isn't just an action that we're taking on nonsubsistence hunters, we are looking at doing what we need to do on subsistence hunters also. And I -- that was not clearly noted so I wanted to make sure that both sides are adding this discussion into making sure that we're looking at the best management discussions that we can add.

Thank you.

Gordon.

MR. G. BROWER: Since we haven't adjourned yet I would encourage if there are State lands in your areas for your RAC to make proposals to their AC, I think the North Slope Regional Advisory Council has made a proposal to affect and to make recommendations to the AC to look at ways to minimize impacts and to provide for Anaktuvuk Pass because they're affected by State land north. And I would encourage if you have State lands in your area it is -- your RAC take up those concerns and make
recommendations to affect that side of the world.

MS. AHTUANGARUAK: Thank you. Northwest has a hand on your side.

Enoch.

MR. MITCHELL: I guess I too want to make recommendation to the ACs that on the State side to try to comply with the Federal side to (indiscernible)....

Thank you.

MS. AHTUANGARUAK: All right. Do we have any final comments on the North Slope side?

MR. OOMITUK: I just want to say thank you all.

MS. AHTUANGARUAK: Gordon.

MR. G. BROWER: (In Native). When we get together it's much better.

MS. AHTUANGARUAK: Northwest side.

MR. KRAMER: I think that, you know, from this day forward when it concerns our caribou herd and other subsistence resources I think we need to get together with all the RACs that are involved with that specific species. I'd like to see that at our next meeting in Selawik that we have several representatives from North Slope there to come in and listen in and it's an invitation. We want to see you guys there too. We all depend on that resource. It would be a benefit to our people to see you guys there and be able to enjoy and be able to see what it is that we talk about and we would like to make it to yours too. I think joint sessions are a good thing.

MS. AHTUANGARUAK: Thank you.

Additional comments.

MR. MITCHELL: Yes, I want to say thank you too to the North Slope RAC for being here. It was much help for us. I want to say a big thank you to everybody from all the Noatak people. This will definitely help us. This will definitely help us.
Thank you all.

I did bring this up before to Richard Joe when he was our representative for Noatak -- I mean, for Alaska. Excuse me. And he told me -- he said if you get with the North Slope, the North -- because he told me he say, your village, one village won't make too much difference, but if you get North Slope Borough, the North Slope and the Northwest Arctic together you got lots of power, they're going to have to listen to you guys.

Thank you. Thank you all.

MS. AHTUANGARUAK: Additional comments.

MR. STEVENSON: Mr. Chair, I wanted to offer my service as Northwest Arctic and Western Interior RAC coordinator in providing any opportunities that the Council would like to share, share information with our partners at North Slope and provide for collaboration at your direction.

Thank you.

MS. AHTUANGARUAK: Thank you.

MR. COMMACK: I just want to thank all of you that provided testimony and data for those of us that were here the last four days. I want to wish no ill feeling toward you. So we had very proactive discussion and dialogue in the four days. Again thank you very much for your input.

Thank you I want to say North Slope RAC for all the support, for the friendship and the strength you gave us.

So what I see now, this is -- timing is very critical. I really look forward for the regulatory process, the Federal regulatory process, I just hope and wish that we don't get bogged down in political whatever you might call it, that it just goes smoothly and that this whole proposal gets through because we're only doing it for the -- for our people at home.

Thank you. Thank you very much.

MS. AHTUANGARUAK: Attamuk.
MR. SHIEDT: I'd like to thank everyone in the agencies for being here for us. And we might have conflict, but I don't hold it against nobody. We're all trying to work together and preserve our future because Northwest Alaska is a very gifted area that we not only have caribou, we have other resources and we don't want to see them decline. And I thank the North Slope for being there for us and working together.

Thank you.

MS. AHTUANGARUAK: And I want to thank everyone also for this effort. This have been a very difficult thing for all of us to face. We have been listening to our families and to our concerns in our villages and the hardships they have been facing. We don't take these actions lightly, we have taken a lot of discussion and made sure that we have reached out extensively to understand this issue. So I really appreciate all the hard work that all of us have put in, our villages, our agencies, and our leadership to get us to this table to effectively communicate.

Do we have somebody else that wanted to say something?

MR. KRAMER: Yeah, I just wanted to make sure that this proposal in here has something in it that says with review on a yearly basis. That way we can review it and if our population begins to come up and begins to become healthy we could start opening it back up. If there's a sustainable harvest, but for now, you know, within a year we should be able to review this and see where we're at. I would like to see peace and harmony return to our region.

UNIDENTIFIED VOICE: Motion to adjourn.

MS. AHTUANGARUAK: Anything else?

(No comments)

MS. AHTUANGARUAK: There's a motion to adjourn.

MR. SHIEDT: Motion to adjourn.

MS. AHTUANGARUAK: Do I have a second?
MR. G. BROWER: Second.

MS. AHTUANGARUAK: Motion's been seconded. We're moving to adjournment.

Thank you, everyone.

(Off record)

(END OF PROCEEDINGS)
CERTIFICATE

UNITED STATES OF AMERICA

STATE OF ALASKA

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 02 through 77 contain a full, true and correct Transcript of the NORTH SLOPE/NORTHWEST ARCTIC JOINT FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically on the 11th day of March at Anchorage, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by under my direction and reduced to print to the best of our knowledge and ability;

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

DATED at Anchorage, Alaska, this 4th day of April 2016.

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Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/18