

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

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PUBLIC MEETING

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Egan Convention Center

7

Anchorage, Alaska

8

March 11, 2016

9

8:30 a.m.

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12 COUNCIL MEMBERS PRESENT:

13

14 Harry Brower, Jr., Chairman

15 Rosemary Ahtuanguak

16 Lee Kayotuk

17 Gordon Brower

18 Robert Shears

19 Steve Oomituk

20

21 Regional Council Coordinator, Eva Patton

22

23 Enoch Shiedt, Chairman

24 Percy Ballot

25 Verne Cleveland

26 Louie Commack

27 Michael Kramer

28 Hannah Loon

29 Enoch Mitchell

30 Calvin Moto

31 Raymond Stoney

32

33 Regional Council Coordinator, Zach Stevenson

34

35 Recorded and transcribed by:

36

37 Computer Matrix Court Reporters, LLC

38 135 Christensen Drive, Suite 2

39 Anchorage, AK 99501

40 907-243-0668/sahile@gci.net

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P R O C E E D I N G S

(Anchorage, Alaska - 3/11/2016)

(On record)

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

1 have North Slope roll call.
2
3 MS. AHTUANGARUAK: Gordon Brower.
4
5 MR. G. BROWER: I'm here.
6
7 MS. AHTUANGARUAK: Robert Shears.
8
9 MR. SHEARS: Here.
10
11 MS. AHTUANGARUAK: Steve Oomituk.
12
13 MR. OOMITUK: Here.
14
15 MS. AHTUANGARUAK: Lee Kayotuk.
16
17 (No response)
18
19 MS. PATTON: Madam Chair and Council,
20 Lee hasn't arrived back yet, but he planned to be back
21 this afternoon.
22
23 MS. AHTUANGARUAK: And Harry Brower.
24
25 MS. PATTON: And Harry Brower will also
26 be back this afternoon. He had to check out of his
27 hotel so it might be just a few minutes before he's
28 able to arrive.
29
30 MS. AHTUANGARUAK: And then Sam
31 Kunaknana.
32
33 MS. PATTON: And Sam Kunaknana is in a
34 meeting for his Tribal Council for the BLM mitigation
35 planning.
36
37 CO-CHAIRMAN STONEY: Okay. We're
38 considered as a quorum.
39 Thank you.
40
41 Now we're down on our agenda where we
42 left out yesterday. I think I'll have our coordinator
43 do it to begin with.
44
45 MR. STEVENSON: Thank you, Mr. Chair.
46
47 CO-CHAIRMAN STONEY: Oh, you'll want
48 that on.
49
50 MR. STEVENSON: This afternoon we are

1 at the joint meeting of the Northwest Arctic and North
2 Slope Borough Resource Advisory Councils. We'll be
3 continuing with agenda items 13A and 13B. On item 13A
4 we'll be addressing traditional use of snowmachine
5 hunting. And it's my understanding that the objective
6 is to provide information that will help the National
7 Park Service understand the importance, cultural
8 importance, of traditional use of snowmachine hunting,
9 correct?

10

CO-CHAIRMAN STONEY: Yes.

11

12
13 MR. STEVENSON: Yes? Okay. Next on
14 the agenda we have the special -- proposed special
15 action regarding a restriction of non-Federally-
16 qualified hunters in caribou hunting in unit 23.
17 That's item B on the agenda.

18

19 Thank you, Mr. Chair.

20

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

24

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

31

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

34

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

37

38 MR. STEVENSON: Thank you very much.

39

40 MR. G. BROWER: Mr. Chair.

41

42 CO-CHAIRMAN STONEY: Thank you. Yes.

43

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

48

49 CO-CHAIRMAN STONEY: Thank you.

50

1 MR. G. BROWER: You kept saying
2 Northwest Arctic Borough, North Slope Borough, these
3 are North Slope RACs, Regional Advisory Council.

4
5 MR. STEVENSON: Thank you, Mr. Brower.
6 I have noodles on my brain from eating lunch not too
7 long ago and I'm speaking about my previous employer.
8 Thank you. It's North Slope and Northwest Arctic RACs.

9
10
11 Thank you.

12
13 MR. SHIEDT: Raymond, I got a question.
14 Is there anyone from the park service that's going to
15 talk about 36 CFR 13 460 here with the use of
16 snowmachines the way we harvest. Yeah. Can you come
17 up and -- I think the meeting need to start now and you
18 explain it a little bit and we'll take it from there.

19
20 CO-CHAIRMAN STONEY: Thank you, Enoch.
21 This issue was brought to our attention last fall in
22 Buckland so it -- it passes in Buckland so we need some
23 comments from the rest of the RAC and also from Arctic
24 -- North Slope. So you see it now on the chart there
25 it says -- that's to use of snowmobiles, you know, for
26 caribou hunting. So we'll begin with the Northwest, if
27 they have anymore comments on this. You may begin.

28
29 MR. SHIEDT: Go ahead. I think we need
30 to hear from the Park Service, what they're -- you
31 know, on this -- on this proposal here, 36 CFR.

32
33 MR. FROST: Yeah. Mr. Chair and Chairs
34 and RAC members. I haven't had a chance to meet with
35 the North Slope RAC, but my name is Bert Frost, I'm the
36 Regional Director for the National Park Service and I
37 represent the Park Service on the Federal Subsistence
38 Board.

39
40 I just want to take a minute to talk a
41 little bit about the -- sort of the issue as a whole,
42 let you know what our concerns are and then maybe we
43 can have a discussion and then Trevor from the Fish and
44 Wildlife Service probably will want to have -- say a
45 few things from a -- from the Fish and Wildlife Service
46 point of view because we're sort of in the same boat as
47 agencies, but I'll let Trevor speak to the Fish and
48 Wildlife Service and I'll speak for the Park Service.

49
50 But, you know, I just want to start by

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

23

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

42

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

46

47 MR. FROST: Okay. So as the rule is
48 currently written we have this -- sort of this
49 competing regulations or potential regulations. And so
50 as I see it we have a couple of ways that we can move

1 forward here. The first option is that we could -- and
2 this is what I tried to do in Buckland and I'll -- and
3 I admit I didn't do a very articulate situation, that
4 we could take some time, NPS staff and -- I won't speak
5 for the Fish and Wildlife Service, but I think if Fish
6 and Wildlife Service would want to sit down with the
7 RAC members to craft some language that would permit
8 this activity, but still maintain the integrity of our
9 regulations. We think that that can be done, but as
10 it's currently written right now it's really at odds
11 with each other. And so there's -- and that's sort of
12 the issue.

13

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

45

46 And so that's why I go back to proposal
47 A is that maybe we could take some time to try and
48 workup the language a little bit to figure out if we
49 could get some language to where we could somehow allow
50 the activity that you're trying to do, but at the same

1 time maintain the integrity of the Park Service
2 regulation.

3

4 So with that I'll turn it back.

5

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

11

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

26

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

29

30 MR. SHIEDT: Yeah, We talked about
31 this at Buckland. In the minutes -- under the minutes,
32 it's so short here that when we -- what we said at the
33 meeting that we've done this way before your time that
34 you come around. I will even go back to the dog team
35 days that I did chase caribou with the dog team and get
36 close to wolves. And we've been doing it and we never
37 do it to harass them, we do it to harvest. But they're
38 running from us and we've got to get them -- and when
39 we do that and they're -- we don't -- when we get
40 caribou and when we go after caribou we don't do it to
41 harass them, we position them, put them in position
42 where we could get the one that's more edible than the
43 skinny one. Because if they're running everybody know
44 that the skinnier one might be slow, yet majority of
45 time the fat ones are in the back. And we don't -- we
46 don't harass them and just to chase them, we do that to
47 harvest our resources. And we do this all the time.
48 And it's way before the Park Service come around and
49 you guys are now coming up today with regulations that
50 we've been doing it. I was born in 1946 and I -- when

1 I first drove a dog team believe it or not I was nine
2 years old because my dad had a stroke and I had to
3 provide for the family. And when I was 10 when John
4 and I was chasing caribou we did it when his dogs
5 because he had decent dogs. And he never do it to
6 harass, he -- to get them to put food on the table.
7

8 And I would say -- and I thought we
9 were -- we approved this to work on this and I thought
10 there was going to be a proposal put into it so we
11 could start working on this because the Federal system
12 is so slow that by the I turn 99 you guys will be still
13 working on it and everybody's going to be legal. What
14 we're trying to do is make our people legal, to be able
15 to harvest with snowmachines.
16

17 CO-CHAIRMAN STONEY: Does your group
18 have any comments on this.
19

20 MR. H. BROWER: Thank you, Co-Chair.
21 My name is Harry Brower for the record. We do have
22 some comments to share with -- from our Council and
23 I'll ask the ones that want to provide comments to do
24 so and I'll follow-up after.
25

26 Gordon.
27

28 MR. G. BROWER: Yeah, thank you, Mr.
29 Chair. Gordon Brower for the record from the North
30 Slope Regional Advisory Council. Maybe I need to --
31 I'm not really close to this one here. A person that
32 you -- would probably be most affected is our -- we
33 used to have a Council member from Anaktuvuk Pass and
34 maybe from Point Hope, I don't know how close they get
35 to the Parks over that way. And I'm trying to
36 understand, this is -- what we have here is the current
37 language from the Park Service.
38

39 MR. FROST: (Nods affirmatively)
40

41 MR. G. BROWER:and I'm wondering --
42 there's a -- there's a different perspective and maybe
43 you can help us to -- when I -- sometimes gets a
44 caribou in the wintertime I position myself. I know
45 the caribou is running, but I position myself and then
46 stop and he'll come to me and I'll shoot him. That's
47 positioning myself because I know the ones I want to
48 get. And I think that's none of this in item three.
49

50 MR. FROST: So and that's a great

1 point. So when this issue was first brought up 10 or
2 15 years ago in fact what we did, we did do a
3 rulemaking through the Federal Subsistence Board to
4 allow that activity, to allow people to position
5 themselves on snowmachines, to do exactly what you
6 said. So that is a permissible activity today. What's
7 not permissible is -- and it's the definition here and
8 I understand what Enoch was saying is that they're
9 positioning for harvest, but it's -- but the words --
10 but that's -- you know, we need to get the words right
11 so that when people are out there and they see the
12 activity they can say oh, this is for harvest whereas
13 if they see somebody else maybe that is harassing. And
14 we need to be able to sort of tease that out a little
15 bit to make sure that if there is improper behavior
16 going on out there that we can stop that improper
17 behavior, but at the same time if there's a harvesting
18 activity that's going to occur that those people are
19 allowed to do that and not harass.

20

21 CO-CHAIRMAN H. BROWER: Continue,
22 Gordon.

23

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

32

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

35

36 MR. FOX: Thank you, both Chairs. I'm
37 Trevor Fox with the Fish and Wildlife Service. I serve
38 on the Interagency Staff Committee for the agency. And
39 I guess we sort of jumped into this discussion right
40 away. I also wanted to note that the same exact
41 conflict is with Refuge specific regulations. And I
42 guess just to set the table for the discussion with
43 this proposal as Mr. Brower just spoke about, there is --
44 there are regulations in place to allow a hunter to
45 position himself to harvest. This proposal we're
46 talking about is specific to unit 23 only and it would
47 change the language to allow a hunter to select a
48 caribou, a wolf or a wolverine for harvest. And that's
49 where these conflicts start to showup and that's where
50 we -- that's why we're here today is to talk about the

1 conflicts of that wording change from positioning a
2 hunter to positioning an animal, runs into these -- the
3 language here with herding, harassing, hazing and
4 driving.

5
6 And so, you know, we're here to
7 basically say that these conflicts are in place. And
8 Bert and myself were both at the Northwest Arctic
9 Council meeting in the fall to talk about these
10 conflicts and, you know, as Bert mentioned, if the
11 Federal Subsistence Board passes this for unit 23 it
12 would be allowed on Federal public lands except for
13 Park Service and Fish and Wildlife Service lands
14 because of this conflict. And it's not to say that the
15 agencies won't do anything to address that conflict but
16 we don't have an official position at this time at
17 least for the Refuge regulations. But I think one
18 thing we would like from the Councils is to get some
19 information on this hunting practice with snowmachines
20 and try to get an idea of what is locally acceptable,
21 what's not locally acceptable for the use of
22 snowmachines. Just to provide more information as we
23 make our decisions on whether we address this in our
24 agency specific regulations.

25
26 Thank you.

27
28 CO-CHAIRMAN H. BROWER: Thank you for
29 that information. I think there's -- again there's --
30 English is a hard language to understand, an
31 interpretation of the language that's being used to
32 generate conditions or regulations to implement it, it
33 need to be clarified as well.

34
35 I just want to share with you in terms
36 of some of the comments I've previously heard. You
37 know, the -- our subsistence way of life, we've had
38 this for thousands of years and the Federal government
39 coming into our State is fairly new. And the division
40 of the State into Federal lands by Federal government
41 and then bring in regulations that they impose within
42 those specific Federal agencies. You know, we had our
43 practices way before this type of regulate --
44 regulatory processes came into plays. Now we've had to
45 formalize these local advisory groups or regional
46 advisory groups to try and help come ask the language
47 that's currently in existence with very young Federal
48 lands in our observations. I mean, I show you -- with
49 you what I'm going to be talking about is our
50 (indiscernible) whale. We pursue the whale at times

1 when we -- when we're looking to harvest the whale. We
2 don't wait for it to position itself or position our
3 boat, we have to pursue it to be able to take it
4 successfully. We're not going to be trying to harpoon
5 25 feet over there, trying to see whether we're going
6 to be lucky -- if that's going to be a lucky throw. We
7 have to get to the animal, positioning ourselves,
8 pursuing it at the same time, to take it safely, in a
9 safe hunt to keep us from getting into a dangerous
10 situation. We have to get to those animals.

11
12 With what your Federal regulations,
13 whether it's super -- you said a word I can't even
14 pronounce, supremacy or something like that. One
15 Federal agency has more regulation than the other and
16 we don't understand that practice, it's never been
17 taught to us as to who has more authority over what
18 area. We -- all we knew how to do is come back to our
19 subsistence activity to utilize these resources in a
20 manner that's suitable for us. We're not here to be
21 provided information that the National Park Service or
22 Refuge manage system has generated regulations in terms
23 of how we should operate. We've already been in
24 existence, you should come to talk to us to see how we
25 could structure the language in your regulations so it
26 suits us, not just suiting your -- how do you use this
27 word, supremacy, of language that's been given to us to
28 try and understand and learn from. But it should be
29 working both ways, you ask a Federal agency come into
30 our communities and see how we conduct our activity to
31 tweak that language to make it applicable, for us to be
32 able to be conducting our subsistence activities. It's
33 not so much that we've become illegal hunters, by the
34 means of National Park Service has a regulation that --
35 again I -- I'm not sure how to utilize this word, it's
36 fairly new to me, I just -- I think I might have heard
37 a little bit about it yesterday and through some of the
38 other communications we were dealing with on ANILCA and
39 we were thinking that this ANILCA had some subsistence
40 priorities, that it -- it's able to work within these
41 Federal programs. But it seems to be that it's
42 convoluted more than we could understand. And we've
43 never been taught that convoluted communications from
44 any of the Federal agencies until we get to a situation
45 where people start getting cited for the actions that
46 they were dealing with, you know, hunting,
47 subsistencing in that sense.

48
49 I -- you know, I'll stop here. I seen
50 some hands, Mr. Stoney, over to your side and I'll stop

1 here for a minute. I'll add on a little bit more once
2 the others have done spoken their turn.

3

4 Thank you.

5

6 CO-CHAIRMAN STONEY: Attamuk.

7

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

10

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

12

13 CO-CHAIRMAN STONEY: Okay. Yeah.

14

15 MR. MITCHELL: I'd like to know who
16 write these CFRs, did these people ride snowgos or hunt
17 with snowmachines, with the -- hunt with snowmachine
18 like we do and because, you know, every time I hunt (in
19 Native), every time I hunt caribou, it isn't -- it's
20 always different and not the same. It's not the same
21 way every time. Because I could -- see when I start
22 chasing (in Native) I track it for a long ways, but
23 every time -- every time I get to it it won't -- it
24 won't give me a good shot. So and see every time is
25 different. A wolf is different, it -- but it does the
26 same thing, it'll turn away from me. Every time I
27 drive the snowmachine, no I have to go fast. So I
28 don't think there's anytime I'm going to get off my
29 snowmachine, I'm going to take time to turn it off, put
30 shell in my rifle. By the time I'm ready it's going to
31 be way over there. A lot of us chase them when we get
32 to the wolf, the big ones. We'll chase them to deep
33 snow and it's easier to get them when you drive right
34 by and just shoot it right there. Because when you
35 shoot it and you start chasing it there's no way you're
36 going to stop and get a wolf I'm telling you. Hmmm.
37 He's going to -- they're smart. By the time I'm going
38 to chase my wolf, I get -- I got -- I get it while I'm
39 driving, I'm cruising right by, rough terrain, and it
40 wants to get away from me, it wants to go in the trees,
41 it wants to go in the creek and I would -- I want to
42 keep it away from the trees, I want to keep it away
43 from the creek just to -- and I don't want to shoot it
44 on the -- what you call that, sunshine ruff. They got
45 sunshine right there on the back of them, that's the
46 good part of the wolf. You don't hit it there, you
47 don't hit on the skin, on the ruff, you only hit it
48 right there. All animals, we only hit them right
49 there, the caribou, the wolf, bear, right there. We
50 don't waste the meat, you don't waste the skin. Every

1 hunt is -- you got to be precise, you got to -- this is
2 dangerous, but we live it and when I'm trying to get my
3 wolf or I got it, I'm chasing it, I want to keep it
4 away from the creek, I want to keep it away from the --
5 but the way you're going to get it is right -- the way
6 I get them I put them in snow, deep snow and go right
7 by it and hit right there with a pistol. You get close
8 enough you can shoot the head right there, from -- from
9 -- not far from that (indiscernible) and while cruising
10 and I shoot right there, my bullet's going to go way up
11 there. I'm not going to shoot that animal, if I shoot
12 at it, my bullet's going to be over there. So when
13 that animal's right there and not moving I got to shoot
14 up there, if it go further and further, you got to
15 shoot further and further. But when I get close to it
16 I don't have to shoot way up there, it's right there.
17 But the (in Native) is different, it's slower, but it's
18 smart too, it does the same thing. When
19 (indiscernible) it's going to turn its back on you.
20 You try to go around to it, it's going to turn its back
21 on you. Every time you do that it's going to turn its
22 back on you, it won't give you a good shot, they're not
23 going to give you a good shot, no animal's going to
24 give you a good shot. Just the ones that come to you,
25 give them -- like the caribou, like the whale. They
26 give themselves, they -- they don't -- (in Native),
27 they don't run away, they give themselves. But these
28 animals like the wolf we have to get them, we have to
29 go to them. There's no way I'm going to jump out,
30 position myself, that animal's going to be way over
31 there. But with bear now it's different, see each one
32 is different. But you guys are already -- that's why
33 my question is who wrote this CFRs, you know, it should
34 have been written with those people that knows, that
35 did that hunting. No. And see that bear is different
36 too and it's dangerous. You don't hit it right, that
37 thing going to come up and kill you. Now I don't want
38 to hunt that bear like the wolf or the (in Native), I
39 don't want to go right by it, no, I shoot it from far,
40 good distance, that'll give me another shot because if
41 you don't hit it right it's going to come after you and
42 you needed another shot or you're in deep trouble.

43

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

47

48

Thank you.

49

50

CO-CHAIRMAN STONEY: I believe Hannah

1 got her hand first up. And Mike will be next.

2

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

15

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

43

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

49

50 Thank you very much for your time.

1 Thank you. (In Native).

2

3 CO-CHAIRMAN STONEY: Mike.

4

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

18

19 But I -- I'd like to find out when
20 these CFRs were created because without that kind of a
21 date you're looking at grandfather rights, our culture
22 over CFRs. Who has grandfather rights over that
23 because see these things must have been created when
24 they were creating these people had big smirks on their
25 face because like my dad said the Federal government
26 came in and they're slowly going to take stuff away
27 from us. And this is what it is, they're slowly taking
28 stuff away from us, you know. And I -- at that last
29 meeting, that short little -- that Norton Sound lady
30 was the one that said you can't change Federal law.
31 What do you mean we can change Federal law and I looked
32 at her, I said okay, you're going to pay for
33 everybody's fines, citations, jail time for us doing
34 the right thing and that's providing subsistence
35 resources for our families. I said you're going to pay
36 for them, we're going to send the bills to you, these
37 people are going to go free and the Federal
38 government's going to take care of the bill until they
39 could change see this rule. See this whole thing about
40 Federal government subsistence is when we're providing
41 for our families the majority of the time we're self
42 incriminating ourself for what we've done for the last
43 thousands of years. Why, why does the Federal
44 government intend to look at us like criminals when
45 we're only doing one thing and that's providing for our
46 families. I don't get it. This is going to get fixed
47 very soon. It needs to get fixed before Park Service
48 runs out of money because they're going to be paying
49 for a lot of fines, citations, jail time, people's
50 weapons, snowmachines, their -- everything that they

1 use for harvesting animals. And when I go after
2 caribou I'm going after them with the intent to
3 harvest.
4 I'm one of the old school boys that grew up with
5 grandparents that smacked me around if I even looked at
6 a caribou ugly. The kids nowadays they -- it depends
7 on how they're brought up. My kids are taught the
8 different way and I told them if I caught you out there
9 chasing an animal and you're not going to harvest it I
10 said I'll put my boot where it don't belong.

11
12 We need to find out what has
13 grandfather rights. These CFRs are our culture. Then
14 that should be able to change this rule, this rule
15 should be able to be changed because we've been here
16 for thousands of years, these CFRs, there's no creation
17 date, none whatsoever on it. Nothing. You guys could
18 have made these yesterday. We don't know. It should
19 be on here. We're trying to provide for our families
20 and we don't want to go to jail for something that
21 we've done for thousands of years whether it be dog
22 sleds, now snowmachines, boats and other means of being
23 able to provide for our families. That's the one thing
24 that lacks within this subsistence -- Federal
25 Subsistence Board and the rules is about self
26 incriminating. At that main meeting oh, I wanted to
27 come up with some kind of rule to where we are -- our
28 people are how do you say it, shielded from criminal
29 law. For people who go out there and provide for
30 families, elders, other family members who don't have
31 the money to be able to go out there and get these
32 items to provide for food. There's got to be some kind
33 of a rule there where we can be able to provide and not
34 be able to self incriminate for myself -- ourselves. I
35 like to provide for other families, grandmothers, (in
36 Native), great-grandmothers who can't do it themselves,
37 other people, other families who don't have those means
38 because of low income or illness in the family or
39 disability. We provide for those kind of people and we
40 don't want to go to jail for doing the right thing.

41
42 That's it.

43
44 CO-CHAIRMAN STONEY: Thank you, Mike.

45
46 Calvin, I think the -- well, you're
47 next.

48
49 MR. MOTO: I'll make mine short. Most
50 of what I want to say has been covered, but I'm -- you

1 know, we have -- we're talking about a Park, National
2 Park System mostly, what about the Preserve, Seward
3 Penin -- Selawik Preserve. You know, we have
4 Preserves, Monuments and we have other in our area.
5 There's also BLM. Are -- will this cover all of them
6 or is this just that. And another thing is the way I
7 understand this is kind of very complex for some of us
8 people to think about because we went through this in
9 the 1980s when I was on Fish and Wildlife Board for the
10 State and Advisory Commission. We looked at some of
11 the knowledge that you had on there, you couldn't use
12 motorized. I said if I had a boat and I was on that
13 lake how would I -- I can't use a paddle, I can't use
14 anything to disturb the other things. Now this here is
15 way overdue. It should have been passed a long time
16 ago. We -- you know, our people like he said, you
17 know, they had big trouble one time -- this is kind of
18 different, it's true, but, you know, the Federal
19 government had said that people couldn't hunt ducks,
20 you know, and it was quite a issue. And now we got
21 this where we could use snowmachine, motorboats, dog
22 teams and other means of transportation. Does that
23 include four-wheelers or, you know, because if it's not
24 there they could say hey, you're not on a legal
25 vehicle. It's not in there. It's got to be put in
26 there otherwise they'll find a way to get
27 (indiscernible). All this says motorboats,
28 snowmobiles, dog teams, surface transportation. So
29 these are -- some of the -- I have to say some of the
30 Federal laws are very frivolous and I think they should
31 not -- they -- you know, when they bought Alaska
32 everything -- and we used to have a lot of problem with
33 the Federal government because they were telling us to
34 -- what to do all the way in Washington, DC without
35 even knowing how we hunt, how we fish. They're the
36 ones that said you can't do this, you can't do that and
37 they're living in New York, Philadelphia and they're
38 trying to tell us how to hunt up here. I -- this is
39 something -- this Federal law is -- I think it's a good
40 -- it's a start, but I think we should do more.

41

42 Thank you.

43

44 CO-CHAIRMAN STONEY: Thank you, Calvin.
45 You know, that issue has been on our attention for
46 thousands and thousands of years. Regardless of where
47 you're at you are still in need of transportation to
48 get there, to harvest what you're going to hunt. It's
49 like Mr. Brower said, you know, you heard what he said,
50 they had to go out with a boat battling out 20, 30

1 miles up. And they got to bring it back. And our way
2 of life in that (indiscernible) is transportation to
3 get there to hunt your caribou with dog team it take 10
4 to 20 days and then we got to bring him back, bring him
5 back to feed to your family. At the meantime on the
6 way home here's the law enforcement, where'd you get
7 the caribou from. Well, I -- just up there 20 miles.
8 He said I'm going to take all of them. And he takes
9 them and you get home, you have no ride, 50 below and
10 here's your family just because there was no caribou
11 taken home, it was taken by the law enforcement. That
12 is why transportation regardless of what it is we're
13 going to have to use transportation even Arctic Slope
14 to harvest their needs of food, that's what
15 transportation mean.

16

17 Mr. Commack.

18

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

28

29 Thank you, Mr. Chairman.

30

31 CO-CHAIRMAN STONEY: Attamuk.

32

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

42

43 Thank you.

44

45 CO-CHAIRMAN STONEY: Yes, you may.

46

47 MR. FOX: Yes, thank you, Mr. Chair. I
48 guess the -- there's been a number of questions about
49 when this was implemented and it was back in 1981 so
50 this was in response to the passing of ANILCA and the

1 new and modified Federal lands in the area. So and I
2 think one reason this is extra confusing is that
3 usually we don't look at these agency conflicts, most
4 of the subsistence harvest regulations are done through
5 the Federal Subsistence Board. This is something
6 that's been in agency specific regulations and, you
7 know, it -- they're not often in conflict like this.
8 So it is something that, you know, Fish and Wildlife
9 Service is looking at. Like I said we don't have an
10 official position, we've only been looking at this
11 since this proposal was put in. So I will say that,
12 that this isn't the common way that we go through these
13 Federal subsistence regulations and looking at
14 conflicts all the time, this is one of the more rare
15 occurrences.

16
17 To address a couple other questions, I
18 know there was discussion about harassment of aircraft,
19 there's also prohibitions against harassing wildlife
20 with aircraft and a lot of Council meetings we talk
21 about trying to get tail numbers on aircraft if you see
22 them harassing wildlife and then reporting that to law
23 enforcement.

24
25 A couple other comments from Council
26 members. One thing I would like to clarify about the
27 proposal that the Board will be addressing in April,
28 again that's just in unit 23 and a change from
29 positioning a hunter to positioning those wolves,
30 caribou and wolverine. One thing in that proposal was
31 that harvest would still have to take place from a
32 stationary snowmachine, that's how it was proposed.
33 And in response to Council member Moto asking about
34 other Federal lands that this would affect, so Mr.
35 Frost here spoke about the conflict with Park Service
36 regulations. Selawik is a National Wildlife Refuge so
37 we also have that same conflict in our regulations.
38 The packet also includes the agency specific
39 regulations for the Bureau of Land Management. It's
40 not the same exact conflict, the regulations are
41 different and I'm not going to speak on behalf of the
42 Bureau of Land Management. We might have somebody here
43 to talk about that, but it's not the same very specific
44 conflict that we have with Park Service and Fish and
45 Wildlife Service regulations.

46
47 Thank you.

48
49 CO-CHAIRMAN H. BROWER: Mr. Stoney.
50

1 CO-CHAIRMAN STONEY: Mr. Brower from
2 Arctic Slope.

3
4 CO-CHAIRMAN H. BROWER: Yeah. Thank
5 you, Mr. Chair.

6
7 Mr. Shears.

8
9 MR. SHEARS: Hi. Good afternoon. My
10 name is Bob Shears, North Slope RAC. I have an unusual
11 and unique advantage to all of you, English is my first
12 language. I might be able to offer you guys some ideas
13 here that if we can work with Bert we may be able to
14 find reconciliation in the language that exists in the
15 existing CFR. Now I'm going to -- I'm not an English
16 major, I'm not a lawyer, but I'm going to lay some
17 pretty heavy stuff on you guys here. So if you have
18 any questions please feel free to interrupt me so I can
19 clarify if I lose you.

20
21 We're talking about four verbs,
22 herding, harassment, hazing and driving. Four verbs,
23 four action words that are used in the CFR that all
24 describe the same thing, a vehicle -- an interaction
25 between an operated piece of equipment and an animal
26 over a period of time. All four of these verbs are
27 descriptions of an action that takes place over a
28 period of time. There's not a single word here that
29 uses or describes a zero time component like startle or
30 alert, something that happens instantaneously. No,
31 these are all words that describe something that
32 happens for a period of time and that is what is
33 undefined in the CFR. Perhaps there are definitions
34 that lie further that you can bring -- make us aware
35 of. How do you define harassment, for what period of
36 time has to elapse an interaction between an operator
37 and his vehicle or an animal before harassment has
38 occurred. Some people will say as soon as that animal
39 stops eating, stops chewing its food it's been harassed
40 or impacted. But others would say that you would have
41 to deny that animal food from your activity for a
42 course of a day before it begins to experience hunger,
43 before it's actually harassed. Meanwhile herding or
44 driving, hazing, moving an animal with your vehicle
45 from one point to another, how long of a period of time
46 can you be doing that before it constitutes herding,
47 how much distance has to unfold before you have hazed
48 or moved them. I would say and like I was saying Enoch
49 was talking about wolverine, we may track a wolverine
50 for hours and hours and hours before we'll finally have

1 physical interaction with that wolverine which will
2 happen like that within I'd say -- dare say less than
3 five minutes. 95 percent of us who are responsible
4 hunters will bring that alerted and impacted animal to
5 the ground within five minutes. That's not hazing,
6 that's not harassment, that's humane.

7

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

14

15 MR. G. BROWER: Mr. Chair.

16

17 CO-CHAIRMAN H. BROWER: Gordon.

18

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

41

42 So I think all of our responses
43 whenever -- because I think this language -- I don't
44 know if it's already codified in 1981 or if this is
45 something brand new. If it was made in 1981 is it
46 going to take the act of congress to change it, maybe.
47 Because there was some changes that Anaktuvuk wanted to
48 make -- to make an easement of some sort on Park's
49 land, it then had to go to congress for a signature or
50 something like that. But I think it's in how we

1 represent ourself. Like I said (in Native). So that's
2 -- we find it -- we found where he's going, he's
3 establish which way by looking at the tracks then we
4 pick up speed and encounter it, the minute we encounter
5 it we take it. And that's -- I think that's none of
6 this language in number 3.

7

8 CO-CHAIRMAN STONEY: Enoch.

9

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

12

13 Go ahead.

14

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

23

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

34

35 MR. SHEAR: Bob Shears.

36

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

1 activity, that it is a permitted activity.

2

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

13

14 MR. OOMITUK: Mr. Chair.

15

16 CO-CHAIRMAN H. BROWER: One more,
17 Steve, and then I'll pass it on to Raymond.

18

19 Steve.

20

21 MR. OOMITUK: Steve Oomituk for the
22 record, North Slope Borough RAC. You know, a lot of us
23 here grew up with our grandparents, you know, and lived
24 a way of life. We saw the changes and rules that came
25 before us, you know, we always lived a subsistence way
26 of life and we've hunted these animals when they came
27 to us, they give themselves to us. And then we started
28 seeing all these regulations, when we can hunt them,
29 when we cannot hunt them. You know, we don't get very
30 much moose in our area. You know, when I first caught
31 a moose it was in July, you know, this is 30, 40,
32 almost 30 -- over 30 years ago. I never caught one
33 after that because I was so -- you know, whenever you
34 catch your first animal ever since you're a little boy,
35 your first fish, your first seal, your first caribou,
36 you give it away. You give it away to a elderly or
37 somebody in need that can't hunt so the animals will
38 keep coming to you. Well, I caught my first moose in
39 1981 and I was proud and I gave it away and I was
40 hanging the skin and this guy came over and said hey,
41 you caught a moose, huh. I said, yeah, you know,
42 that's what I had to tell him, he was a game warden,
43 you know, and he started asking me, you know, he said
44 where did I catch it. And I was telling him all the
45 story, you know, I thought had subsistence rights, you
46 know, I told him I gave all the meat away, but I had
47 one more piece that I didn't give away. And he said
48 he's going to have to take it from me. Took my skin,
49 took my meat. I had to go to court. You know, I
50 thought I had subsistence rights, you know, that I'm

1 allowed to hunt all these animals that come into our
2 territory. But, you know, ever since then I never
3 caught a moose, you know, it was my first and last
4 moose. And I, you know, almost went to jail, you know.
5 I got a fine, but to make this story short, you know,
6 we've always -- you know, we have respect for the
7 animals because they have fed us, they have clothed us,
8 they have sheltered us. You know, generations to
9 generation. You know, we all live in certain areas
10 because the animals come to us, that's where we can
11 live and survive, that's where our ancestors positioned
12 themselves because the animals came to these certain
13 areas. You know, we don't harass them. We -- you
14 know, we -- you know, I -- some of this language is
15 very disturbing to me, you know, but, you know, we have
16 all respect for the animals and nature, the land, the
17 sea, the sky, you know.

18

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

22

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

25

26 Mr. Stoney.

27

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

48

49 So I think that needs to be recorded as
50 well. I don't mean to take time away from any of the

1 Council members here, but I think that it's only on the
2 -- in the fairness of our part and when you have a
3 short timeline to go try and communicate proposed
4 changes that could affect our constituents, we have
5 constituents that live in the Gates of the Arctic or
6 National Wildlife Refuge, we have not even -- have any
7 idea of what their thoughts are at this time.

8

9 Thank you.

10

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

13

14 CO-CHAIRMAN STONEY: Yes, you may.

15 Yes.

16

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

32

33 Thank you.

34

35 CO-CHAIRMAN STONEY: Any further
36 comments?

37

38 Mike.

39

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

49

50 One of my requests to OSM is that from

1 now on every future meeting has a local mediator, local
2 mediator at the meetings. You know, that way we can
3 discuss -- we could have someone to differentiate
4 government wording to, you know, our plain English
5 wording.

6
7 I don't know that the -- when this CFR
8 come out they should have had, you know, something in
9 there to where every so often that get reviewed and
10 superseded with a new rule. You know, we do get older,
11 this is the 21st century, when this was made that was
12 in the 20th century. You know, it's time for change.
13 These need to be looked over and readjusted according
14 to, you know, the century, the year. Going by
15 something that is old, that's not right, you know, that
16 is self incriminating and then whoever made these rules
17 they probably didn't run it past the Fish and Game
18 Advisory Councils back then or local governments or,
19 you know, back then there wasn't a RAC. You know, they
20 weren't run across the local people before they made
21 these rules, they just came up with them and say blah,
22 we're making this rule, you're going to live by it.
23 Like my dad said, they take away a little bit at a time
24 until we get nothing, but that's why we're here today
25 is to make sure we fight for our right for subsistence.

26
27 But I'd like to request that at every
28 meeting that we start having a mediator to be able to,
29 you know, explain a lot of these things that we deal
30 with on a daily basis when they come down to these
31 meeting. And the next time when we go to reword this
32 we need to all sit down at our next meeting and WP 16-
33 48 is going to be a head topic, it's not going to be
34 something that's at the back page and shuffled, it's
35 going to be right there where we sit down and we spend
36 hours rewording to where we make sure it benefits the
37 people of the Northwest Arctic and/or game management
38 unit 23.

39
40 That's all I have.

41
42 CO-CHAIRMAN STONEY: Thank you, Mike.
43 Any further?

44
45 Zach.

46
47 MR. STEVENSON: Thank you, Mr. Chair.
48 For point of order I just wanted to clarify with some
49 input from U.S. Fish and Wildlife Service, it's my
50 understanding that at least with respect to the

1 Northwest Arctic RAC that their next scheduled meeting
2 is in October, October 5th and 6th -- pardon me,
3 February -- in February of 2016, 21 and 22. And I
4 wanted to confirm that there is -- October 5 and 6 in
5 Selawik, 2016 and in 2017 February 21 and 22. I wanted
6 to confirm that there is sufficient time to address
7 some of the considerations that were voiced this
8 afternoon in light of the deadline that is faced right
9 now, is there sufficient time to address all these
10 considerations.

11

12 Thank you.

13

14 MR. FOX: Mr. Chair.

15

16 CO-CHAIRMAN STONEY: Yes, you may.

17

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

33

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

1 CO-CHAIRMAN H. BROWER: For the record,
2 Mr. Chair.

3
4 CO-CHAIRMAN STONEY: Harry.

5
6 CO-CHAIRMAN H. BROWER: I think there
7 are -- with the comments you just provided, you've had
8 your discussions to the point on the proposal WP 16-48
9 and the Council recommendations to support with
10 modification, I think that language -- I wasn't sure if
11 it was presented in that sense at the beginning of the
12 meeting. I'm sorry I was late coming in. So I'm not
13 sure if you've read the title or the contents of the
14 language in this proposal, you know, and I am to
15 support what Mr. Stoney and Mike is saying, you know,
16 these are things that we -- that have been in practice
17 for a long time and to include the other resources that
18 were identified within the proposal. I think in all
19 fairness I think we need to read what the language is
20 in WP 16-48 just to have it on the record for our
21 (indiscernible).

22
23 I think once you hear the language I am
24 certain that our Council's going to support Northwest
25 Arctic's recommendations, if we could.

26
27 MR. G. BROWER: Mr. Chair.

28
29 CO-CHAIRMAN H. BROWER: Yes, Gordon.

30
31 MR. G. BROWER: Yeah, I would certainly
32 that it should be read into the record and if there's
33 any modification request and -- that we can make a form
34 action from our North Slope RAC. Yes, I haven't read
35 the language just to be honest.

36
37 CO-CHAIRMAN H. BROWER: Eva, did you
38 have a copy of that, if you want to read it for the
39 record for us?

40
41 MS. PATTON: Mr. Chair and Council. I
42 can pull it up and read it for the record for the
43 Council. And just to clarify also, so this proposal
44 was developed by the Northwest Arctic Council and was
45 one of the proposals that came before the North Slope
46 Council because it affects the North Slope region as
47 well. So the Council reviewed this proposal at the
48 meeting in Anaktuvuk Pass and took action to support
49 this proposal. And I know it's confusing because we're
50 bringing it up again here. The intent for this meeting

1 was in the analysis of this proposal there are
2 conflicts as has been discussed here with specific
3 regulations with the Park Service and the Park Service
4 wanted to revisit with all of you how to -- how to be
5 able to approach that, if there was some way forward.
6 When this proposal which will go to the Federal
7 Subsistence Board at the April 11th meeting, the Board
8 will be taking action on this, but there's still
9 conflict with National Park Service regulations. So
10 that's what's happening here today is discussing those
11 specific conflicts to find a way forward. So I can
12 read the proposal for you and then I can also read --
13 to refresh the Council's action from the Anaktuvuk
14 Pass meeting as well.

15

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

21

22 MR. COMMACK: Mr. Chairman.

23

24 CO-CHAIRMAN STONEY: Mr. Commack.

25

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

30

31 MR. MCKEE: Mr. Chairman.

32

33 CO-CHAIRMAN STONEY: Yes.

34

35 MR. MCKEE: Mr. Chair, I just -- this
36 is Chris McKee, I'm the Wildlife Division Chief at OSM.
37 I wanted to clarify something that was mentioned by
38 member Kramer. The original proposal, 16-48 as
39 written, speaks to wolves, wolverine and caribou. Now
40 it was modified -- if my memory is correct it was
41 modified by member Kramer at your last Council meeting
42 to include those other species. So the analysis that's
43 going to go before the Board will be both the original
44 analysis and then there's an executive summary that
45 basically lists all the actions that were taken on that
46 proposal, how the North Slope RAC came out in support
47 of it. It also has the modification that your Council --
48 that the Northwest Arctic RAC made at your meeting in
49 the executive summary. So our original analysis and
50 the -- with the original proposal the way it was worded

1 with the original species and your modification is all
2 in that proposal. So there are two separate things,
3 there's the original proposal and then the modification
4 that member Kramer made at the last meeting, all that's
5 in there. That's in there so that the Federal
6 Subsistence Board can make a fully informed decision
7 about how they might want to come out. But it's going
8 to be up there, it's -- this is one of the proposals
9 among about 30 others that are absolutely going to be
10 discussed at the meeting. Your modification will be on
11 the record and that will also be part of the Board's
12 deliberation. So I just wanted to clarify, you know,
13 that you were -- that you understand the difference
14 between the way the proposal was written -- submitted
15 originally and how it was modified by your Council at
16 your last meeting.

17

18 Thank you.

19

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

24

25 MR. MITCHELL: Mr. Chair.

26

27 CO-CHAIRMAN STONEY: Enoch.

28

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

1 be looked in there before something like this come
2 around again.

3

4 Thank you.

5

6 CO-CHAIRMAN STONEY: Yes, sir.

7

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

29

30 Thank you.

31

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

35

36 MR. G. BROWER: I got one comment.

37

38 MS. AHTUANGARUAK: Steve and then
39 Gordon.

40

41 MR. OOMITUK: Yeah. You know, most of
42 us here grew up in a different time and saw a lot of
43 changes. You know, we didn't have electricity, you
44 know, we grew up with dog teams, most of them grew up
45 in sod house, we had airplanes maybe once every two
46 months into our villages. You know, we seen a lot of
47 changes in a short time, you know, but we've always
48 lived off the land, you know. We didn't understand
49 English or the writing, we always had a verbal
50 language, we never had a written language, you know.

1 There -- so many laws have been put in front of us, you
2 know, throughout our lifetime, you know. When the
3 money started coming in from the oil and gas from
4 Prudhoe Bay, you know, we were forced -- a lot of them
5 were forced to go to school somewhere else, we didn't
6 have schools past eighth grade. We were -- you know,
7 and some of them they didn't have money to bring them
8 back. So a lot of our parents went to school and
9 didn't come back for four years. That's how they grew
10 up, you know. You know, we seen so many changes in our
11 lifetime and we're still seeing changes and we want our
12 younger generation to understand. You know, and we're
13 still trying to understand the Federal government and
14 all these laws, you know. We've always lived the life
15 of subsistence, that's what they call it, it's a way of
16 life into a survival, you know, the animals that came
17 to us. And then we started seeing all these laws put
18 in place. You know, there was one where -- you know,
19 and they were trying to put laws that didn't relate to
20 us, you know, they -- down states, you know, when you
21 can hunt a duck, you know. And, you know, in Barrow
22 when somebody got arrested for shooting a duck because
23 it wasn't the season. The ducks weren't there at that
24 time so everybody in Barrow -- they put that guy in
25 jail so everybody went out and got a duck and said
26 well, you going to put him in jail, you're going to put
27 all of us in jail, you know. There were so many
28 regulations and stuff that were put to our fathers, our
29 grandfathers. And we feel that we do need to work
30 together, we need to straighten out these issues and,
31 you know, we want our children to continue, our
32 grandchildren, you know. We don't want them to get in
33 trouble for living the life, you know. You know, we
34 try to follow the law, you know, laws were put in place
35 to us, you know. You know, we try to be honest, we --
36 you know, we eat everything of the animal, our cloth --
37 you know, they were our clothing, our food, shelter.
38 But we do want to work with the Federal government, but
39 seem like it's always a hardship at times.

40

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

43

44 MS. AHTUANGARUAK: You had one more
45 comment.

46

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

49

50 MR. G. BROWER: Yeah. (In Native) from

1 our November meeting we had reviewed this and I'm
2 starting to recall some of it in November. So but I
3 think for the benefit of the National Park Service and
4 you guys, the discussion I think is important for you
5 to hear because you said it's regulation so it's
6 changeable. This is -- it's in whose purview, can the
7 RACs make recommendation for your changes of
8 regulations to the National Park Service to affect it
9 from the RAC or who makes the proposals to change your
10 regulations?

11
12 MR. FROST: We always entertain
13 proposals and so there -- I mean, anybody can, you
14 know, send us a letter and say, you know, we think you
15 need to change your regulation. There isn't a formal
16 process like the Federal Subsistence Board process.
17 It's when we change regulations it's based on a sort of
18 an as needed basis. So anybody can write and tell us
19 that they think we need to change our regulations, but
20 there isn't a formal process. The formal process is
21 once we decided to change the reg -- once we need --
22 once we decide to change a regulation then there's --
23 then that sort of formal process starts to go from --
24 to go through the actual change.

25
26 MR. G. BROWER: Madam Chair, just for a
27 follow-up. Is it safe to say that you need to be
28 prodded to change that regulation or is this something
29 you've had an epiphany looking at all the concerns here
30 and by golly I need to make some changes and I'm going
31 to take it upon myself to do something good. Can we
32 depend on that or do you think it's prudent for RACs to
33 try to find some middle ground and start working on
34 your regulation?

35
36 MR. FROST: I think it would good to
37 hear from the RACs, to have something official. I
38 mean, I -- I've heard the discussion, I understand the
39 issue, probably not to the depth of you folks, but I
40 think I sort of get it. And but if you guys wanted to
41 write a letter to us and make some suggestions we'd be
42 happy to entertain that.

43
44 MR. G. BROWER: Yeah, Madam Chair.

45
46 MS. AHTUANGARUAK: I want to thank our
47 RAC and our co-RAC to discuss this. This is very
48 important. One word that hasn't been said is (in
49 Native) and we have historic areas where rock creations
50 were made to help in guiding caribou to where our

1 communities or our hunters are. They were here
2 generations before we came to this table for discussion
3 and are staying for generations after this discussion.
4 So I wanted to just add that.

5 But I thank everyone's discussion.

6
7 CO-CHAIRMAN STONEY: Anything else?

8
9 (No comments)

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

14
15 (Off record)

16
17 (On record)

18
19 CO-CHAIRMAN STONEY: Okay. Are we
20 ready to go? Well, I know all of you are pretty tired
21 because it's been a long week doing this business
22 meeting. And at the time we'll continue our discussion
23 now with the public. I know you guys are anxious to
24 hear the things that you hear from us, now it's your
25 turn to give us comments on the issue. You may do that
26 now.

27
28 MS. AHTUANGARUAK: Come up to the mic,
29 please.

30
31 CO-CHAIRMAN STONEY: Yes, to comment.

32
33 MR. DeWITT: I would like to wait and
34 -- I have a comment on your WSP 16-01 that I want to
35 make, but is this the time now?

36
37 CO-CHAIRMAN STONEY: Yeah.

38
39 MR. DeWITT: Oh, okay. My name's Neil
40 DeWitt, thank you for hearing me this afternoon. I'm
41 here on my own behalf. I actually have a chair on the
42 Arctic -- Western Arctic Caribou Herd Working Group and
43 I am a member of the Anchorage AC, but I'm here as a
44 public member today.

45
46 What I would like to say is your -- I'm
47 against your proposal. I back you 100 percent, but I'm
48 against the proposal happening right now. It should
49 have either been last year or two years ago actually
50 when we had an actual count of 235,000 or it should

1 happen next year after they maybe get a count this
2 year. But as you all kind of said and has happened in
3 the past is we don't know what the actual numbers are
4 so by putting a moratorium on only the people up there
5 that are local residents to hunt this and keep
6 everybody else out is not going to give you anything
7 because you don't have a starting point. Now with that
8 being said also you got your transporters, your guides,
9 your -- you know, all those people that are booking
10 clients from the Lower 48 or whatever that are coming
11 up here to hunt and they've taken money already that's
12 why I say you need to wait until next year if you want
13 to try to implement that.

14

15 So with that -- Gordon had a question
16 earlier over in the other room, made a comment about
17 having Lincoln try to be your devil's advocate. My
18 thought process on that from what we got out of the
19 Western Arctic Caribou Herd Working Group meeting is in
20 January, February and March we were told you shoot
21 nothing but cow caribou. If you're shooting cow
22 caribou at that time of the year they're pregnant so
23 you're not taking one animal, you're taking two
24 animals. And each one of those calves are -- you know,
25 grow up if it's a female calf and have young of its
26 own. So by taking that one cow you might be having --
27 you know, you could explode this thing in a few years
28 out to possibly a hundred or more animals. So you need
29 to look at the people out there that are taking 90 --
30 95 percent of this herd and if you start limiting
31 yourselves it will give you a lot better chance to grow
32 the herd back up because the 5 percent that the rest of
33 the State of Alaska and the Lower 48 take is, you know,
34 I hate to say drop in a bucket, but, you know, it's
35 such a small number at this point. So my thought is
36 try to figure out amongst yourselves a way to limit
37 your own take. And what I came up with is possibly
38 December 31st don't shoot any more cows until after
39 they have their calves and you get that couple of
40 months of the calf with the mother after it's been born
41 to get up on its feet if it's going to because we were
42 also were told at the Working Group 43 percent of the
43 calves die in the first eight days and 50 percent die
44 within 30 days. So if those are the numbers, I don't
45 know if your biologist can figure it out, they keep
46 telling us that they can't, but there's something
47 that's killing those animals off. So with that being
48 said I think, you know, my personal opinion as I say is
49 you folks have to come up with the idea of how to
50 control the population.

1 Now my last statement that I'll make is
2 each one of you are from a different area or most of
3 you are and you should come up with -- to help out Fish
4 and Game so that they don't put where you have to have
5 a harvest ticket or something, you should put maybe a
6 notebook let's say someplace in your community and just
7 have it open there ready for -- if somebody goes out
8 hunting they can come in, they can sign the notebook,
9 Neil DeWitt on this date, you know, 11 March, I shot
10 two caribou. There it is. Once a month somebody could
11 go in there, take that page, go to the fax machine and
12 fax it to Fish and Game, they would have immediate
13 numbers within a month of how many moose or, I'm sorry,
14 caribou were taken and at the end of the year they can
15 compile all that data and know exactly what they got
16 and know where they're at. And they can, yes, okay, we
17 took maybe 14,000 this year instead of 13,500 or only
18 12,000. And they have exact numbers and it will give
19 them a whole lot better of a starting point or a way to
20 kind of look at how things are going. I know it's
21 extra work on your part or on somebody's part, you
22 know, would have to do that faxing once a month, but
23 that notebook could lay somewhere, you know, wherever
24 you pick in your community, just get the word out to
25 the people in the community you go out hunting you got
26 to come by when you get back and sign that. There's no
27 question of at the end of year how many did I take this
28 year, you know, did I take 15 or did I take 20 or
29 whatever the number might be.

30
31 And that's all I have to say. Thank
32 you for your time. Any questions?

33
34 CO-CHAIRMAN STONEY: Any questions.
35 Mr. Commack.

36
37 MR. COMMACK: Thank you. Thank you for
38 your comment.

39
40 Combined proposals, WP 16-49 and 52
41 that was submitted by Northwest Arctic Subsistence
42 Regional Advisory Council and the Upper and Lower Kobuk
43 Advisory Committee, that was last year. During that
44 meeting we talked of reductions in harvest limits for
45 caribou in unit 23 from 15 per day by Federal
46 standards, I think it was 15 per day by State
47 standards, and we voluntarily took the initiative to
48 take the lead in reductions. And then we say okay,
49 we'll sacrifice numbers, we'll be doing okay. Along
50 with that was restrictions on bull and cow seasons,

1 prohibition on harvest of cows with calves. Now we've
2 taken our part very seriously and made the initiative
3 to lead this because we care about the numbers.

4

5 And I thank you for your comment.

6

7 MR. DeWITT: Thank you, sir.

8

9 CO-CHAIRMAN STONEY: Any more comments?

10

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

15

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

18

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

21

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

31

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

44

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

48

49 MR. SHIEDT: Oh, I didn't understand
50 how you.....

1 MR. McKEE: Yeah. Sorry. Sorry, I
2 should have made clear what I was talking about. So
3 she's going to be presenting a summary of the analysis
4 and then we want to get your feedback on the analysis
5 so we can incorporate that into the analysis before it
6 goes to the Federal Subsistence Board. We've already
7 had a public hearing about the request where we've
8 gathered information and we have -- we need to get your
9 feedback before it goes to the Federal Subsistence
10 Board for them to make a decision. So that's what
11 Lisa's going to be doing.

12

13 MS. PATTON: Mr. Chair.

14

15 CO-CHAIRMAN STONEY: Eva.

16

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

30

31 Thank you.

32

33 MR. G. BROWER: Mr. Chair.

34

35 CO-CHAIRMAN STONEY: Yes.

36

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

40

41 CO-CHAIRMAN STONEY: Okay.

42

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

49

50 Temporary special action request WSA

1 16-01, submitted by the Northwest Arctic Subsistence
2 Regional Advisory Council requests that Federal public
3 lands in units 23 be closed to caribou hunting by non-
4 Federally-qualified subsistence users during the
5 2016/2017 regulatory year beginning July 1st, 2016.
6 The proponent is concerned with the health and
7 declining population of the Western Arctic Caribou
8 Herd, the lack of recent population data and the
9 negative effects that outside hunting activity combined
10 with the declining caribou population is having on
11 local subsistence users. The proponent states that the
12 requested closure is necessary for conservation
13 purposes.

14
15 The Western Arctic Caribou Herd or WACH
16 is the largest caribou herd with the largest range in
17 Alaska. The WACH working group developed a management
18 table for this herd which is found on page 8 of the
19 analysis. Referring to this table could aid in
20 understanding WACH management. Caribou populations
21 naturally fluctuate over time. In 1976 the WACH
22 reached a low of 75,000 caribou. Then the WACH
23 population increased reaching a peak of 490,000 caribou
24 in 2003. Since 2003 the WACH population has declined
25 about 50 percent to an estimated 235,000 caribou in
26 2013. The primary factors contributing to this decline
27 are increased cow mortality and decreased calf survival
28 and recruitment. The bull/cow ratio has fluctuated
29 annually, however the most recent estimate in 2014 was
30 39 bulls per 100 cows which is just below the critical
31 management threshold of 40 bulls per 100 cows specified
32 in WACH Working Group's management table. Hunting
33 which has historically been a minor mortality factor
34 now represents a greater percentage of mortality as the
35 herd declines and harvest remains the same. The State
36 conducted an aerial photo census of the herd in July,
37 2015 however due to poor light conditions the photos
38 could not be used. The State will attempt another
39 photo census this summer however based on cow mortality
40 and calf survival the decline continues although the
41 rate of decline seems to be decreasing. The current
42 population may be around 200,000 caribou.

43
44 Between 1999 and 2013 the average
45 annual harvest from the WACH was an estimated 13,500
46 caribou. The vast majority of the WACH are harvested
47 within unit 23. Of the unit 23 harvest residents
48 living within the range of the WACH harvest 95 percent
49 of the caribou while all other hunters only account for
50 5 percent of the harvest on average. Keep in mind that

1 these estimates are for all of unit 23. The harvest by
2 non-local residents and non-residents on Federal public
3 lands in unit 23 is even less. There is a lot of
4 uncertainty in harvest estimates, but if harvest and
5 caribou population estimates are accurate over
6 harvesting may already be occurring. On Selawik
7 National Wildlife Refuge the number of hunters
8 transported by commercial transporters is trending
9 downward while the number of transported hunters on
10 Noatak National Preserve has increased. Under the
11 preservative and critical management levels the WACH
12 Management Plan recommends restricting harvest to
13 residents only and that the closure of some Federal
14 public lands to non-qualified users may be necessary.

15
16 Most caribou hunting in unit 23 occurs
17 in September through November when caribou migrate
18 through the unit. Local hunters primarily travel by
19 boat and try to intercept caribou at water crossing.
20 Caribou dominate the subsistence harvest in unit 23.
21 In pounds of edible weight caribou are the most
22 harvested species. In recent years local people have
23 been having trouble getting caribou which is hurting
24 villages. Local people, particularly in Noatak are
25 concerned about aircraft and non-local hunters
26 disrupting caribou migration and reducing harvest
27 success by camping along migration routes, scaring
28 caribou away from river crossing and shooting lead
29 caribou. Another concern is that non-locals disrespect
30 local hunting traditions by wasting meat, hunting for
31 trophies instead of meat and leaving litter and trash.
32 A survey of sport hunters in Noatak National Preserve
33 somewhat validates these concerns. Efforts to mitigate
34 user conflict include the Noatak controlled use area
35 established by ADF&G, the Noatak delayed entry zone
36 established by the National Park Service and areas
37 closed to commercial use in Selawik National Wildlife
38 Refuge. In 2007 the Federal Subsistence Board adopted
39 a closure policy saying that closures may be
40 implemented for the conservation of wildlife
41 populations and to continue subsistence uses of those
42 populations. In 2015 the Alaska Board of Game adopted
43 new regulations across the WACH range in response to
44 the population decline. The new regulations included
45 reducing the bag limit for non-resident, prohibiting
46 calf harvest and reducing season lengths. Also in 2015
47 the Federal Subsistence Board approved a special action
48 request which reduced harvest limits and season
49 lengths, prohibited the take of calves and cows with
50 calves.

1 Four proposals addressing the declining
2 WACH population in unit 23 were submitted for the 2016
3 Federal regulatory cycle and are currently under
4 review. If this special action request is approved
5 non-Federally-qualified subsistence users could still
6 hunt on State lands. As State lands only comprise
7 about 19 percent of unit 23 hunts could become
8 congested in these areas. Users would also need to
9 distinguish between State and Federal lands which could
10 increase law enforcement concerns. All users could
11 also still hunt moose, bear and wolves on Federal
12 public lands as well as utilize these lands for other
13 non-hunting purposes such as photography or
14 recreational boating. Due to these reasons user
15 conflicts would not be eliminated. Also people who
16 grew up in the region and now live outside of the
17 region in Anchorage or Fairbanks for example would be
18 unable to hunt caribou on Federal public lands in unit
19 23 if this request is approved.

20
21 Currently it is uncertain whether the
22 WACH population is within the conservative or
23 preservative management level of the WACH Management
24 Table. Regardless closure to non-residents under State
25 regulations is warranted before closure to non-
26 Federally-qualified users. Additionally as non-
27 Federally-qualified users account for less than 5
28 percent of the harvest on Federal public lands in unit
29 23 closure of these lands to this user group would have
30 no meaningful biological affect. The new State
31 regulations already reduce the bag limit and season for
32 non-residents as well as the season for residents.
33 Allowing time to gauge the ethicacy of these new
34 regulations in conservation of the WACH is warranted
35 before enacting more restrictive regulations.

36
37 The OSM preliminary conclusion is
38 oppose to temporary special action request WSA 16-01.

39
40 Thank you, Mr. Chair.

41
42 CO-CHAIRMAN STONEY: Attamuk.

43
44 MR. SHIEDT: We know there was a heavy
45 use of conflict at Noatak for years to come. And they
46 were disturbing and rerouting, changing the migration
47 of the caribou. And now for the last few years and
48 after their disturbance and conflict with airplanes
49 that do come into Noatak that there's no more caribou
50 at Noatak because they changed the migration and they

1 don't want to be disturbed again. And if you look at
2 it we -- when we were at Buckland we wanted to do the
3 transporters and outfitters and you're coming out with
4 the words as the people, the other Natives that move to
5 Anchorage, Wasilla, Palmer, is misleading because in
6 that State book and in the -- that brown book for the
7 Federals was already in there in place. And you're
8 trying to bring it up to get misleading for the other
9 Natives to say you can't hunt there. It's already --
10 it was in there that they can't harvest in Federal
11 land. And it's misleading because we need to do this.

12 And now the people in Noatak can't
13 even get caribou because there's so much disturbance
14 even in the headwaters of Cutler above Noatak. And I
15 testified this before and I said it many times, I know
16 the person that flies hunters to Cutler, that's the
17 headwaters above Noatak, well above Noatak, it's pretty
18 hard to get to. I've been there before, but it's a
19 long ways up there. And that's when they get to the
20 caribou that's migrating south. And they harvest and
21 hunt them there and they change the migration. That's
22 why we came up with the non-qualified -- that
23 transporters and outfitters. And that word you guys
24 put in there was never -- we wanted transporters and
25 outfitters be taken away and this is disturbance
26 because I tell you one thing and the surveys they did
27 and the -- what they did on the Western Arctic Caribou
28 Herd, there's 297 planes were spotted by Noatak people.
29 That's how much disturbance is getting and the noise
30 from the planes is disturbing the caribou and they're
31 dispersing them somewhere away from the people in
32 Noatak that hunt right in the river. They don't have
33 the privilege with a plane to land away from the river
34 and harvest their caribou to put food on the table.
35 That's why we came up with this and I will still fight
36 to stop them because at the rate the caribou are
37 crashing if we wait too long it'll take longer for them
38 to build. This is what, over 200,000 caribou and
39 Lincoln circle that you saw earlier that he circled in
40 here that we're in the level of -- in the danger and
41 the State, Western Arctic Caribou Herd and other Park
42 lands have to take the step to make closures to it.
43 We're closed to that level.

44
45 And I will say for the people for
46 Northwest Alaska where we depend heavily on caribou we
47 need to take steps now before it's too late because
48 this is the level we worry about and if we get close to
49 it and we keep going at the rate and we don't make
50 steps to stop it, we get below, it'll take longer to

1 get to this level here. And we need to worry about it
2 because we live on caribou so much that we're -- we
3 rely on the meat. Sure some people say we take a lot,
4 but by size it's always misleading that we take 14
5 caribou a year, that's a big number. But by weight
6 it's way down because they're smaller caribou. And
7 when the sport hunters go there there's so much
8 caribou, so much antlers, you could see leaving
9 Kotzebue alone that there's wasted, wanton waste and
10 when we take pictures and we try to let Fish and Game
11 and the Park Service do something about it, nothing is
12 happening. And yet they brag they give us caribou,
13 yes, that give us, but it's so low percentage that
14 majority of it is spoiled and it's waste, there's tote
15 full. We've seen them in Kotzebue where they dump a
16 lot of meat. They put them in plastic bags, they spoil
17 at 38 degrees in a few days. Ask a harvester when I
18 get caribou when it's warm I try to be home within less
19 than three days so I won't waste the caribou I get, I
20 put it straight in the freezer. These guys that come
21 from outside they don't worry about it, they worry
22 about how big their antlers are and that's all they
23 worry about. They're -- that's why we need to take
24 steps and we need for them. Sure, it's well
25 appreciated when they drop off caribou when they're
26 edible, but most of the time they're so dirty that we
27 take a lot of the meat out and throw it away, it's so
28 dirty, so muddy, so full of grass. And we try and we
29 accept it, but when I was there, when we see it, we saw
30 tons of meat being wasted. And here as a Native I take
31 home bone and all and I cook it bone and all and I
32 scrape the meat right next to the bone. That's your --
33 I'm telling you we hardly ever waste any caribou. And
34 that's why we need to take these steps.

35
36 And under ANILCA, I'll tell you that
37 right now. section 8, I think we have a right to take
38 our caribou just the way -- I mean, I'm going to fight
39 for my people and we need to take this step because if
40 they keep crashing there's going to be nothing left and
41 it take too long to get it and the way I understand the
42 reports I get over the last two days that the Western
43 Arctic Caribou Herd, the numbers were put together so
44 they say there's a lot of caribou and we could take our
45 sustain of caribou. Yet, no, the Teshekpuk Herd should
46 be on its own, Western Arctic Caribou Herd on its own,
47 don't put them together because that's completely
48 different stock because very seldom we get the
49 Teshekpuk Herd, we know the difference. Because I'll
50 tell you now that one time I get a caribou and I knew

1 it was a caribou, but I knew it wasn't a Western Arctic
2 Caribou. I take it home, I take the skin home, stopped
3 at Noatak, two elders right from the beach (in Native)
4 they knew just by looking at the skin what I get. I
5 didn't know. I know it was a caribou, but it -- to me
6 it looked different. Automatically tell them they do
7 go there, but very seldom and they could tell the
8 difference and I was surprised.

9

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

12

13 Thank you.

14

15 CO-CHAIRMAN STONEY: Yes. Mike.

16

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

37

38 You know, and as for the people that
39 live down here in Anchorage from Kotzebue and Northwest
40 Arctic, it's always been illegal for them to hunt in
41 Park lands, Kobuk Valley National Park, I know that for
42 a fact because my dad was almost cited for wearing
43 camouflage and looking at caribou through binoculars.
44 It's not in that book. I've asked a Federal or Park
45 Service guy why is that not in the book. Well, it's
46 because they don't want to put it in there because, you
47 know, it's specifically for that game management unit.
48 Well, it needs to be in there. That way people --
49 local people that go up there and hunt, they can
50 understand that hey, you're pushing some buttons if

1 you're up there hunting. My dad almost got cited for
2 wearing camouflage and looking at caribou through
3 binoculars. Park Service ranger he said that's with
4 the intent to hunt. That's not, my dad was there to
5 spend time with me and my brother, quality family time.
6 And he only wanted to take a hind quarter home that we
7 harvested, me and Lance. You know, that's wrong, OSM
8 should have no say so in this matter. You need to look
9 at the Anchorage people from Northwest Arctic there's
10 what, maybe a couple hundred down here, how many are in
11 Northwest Arctic, 3,500, 3,700, what weighs more. We
12 live up there, they live down here, there's a
13 difference. They need to understand that, we live up
14 there, we struggle every day to be able to provide, to
15 put food on the table. And they live down here, that's
16 their choice. But there is State lands up there where
17 they can hunt. Who cares if it's congested, that's
18 what happens. We want to protect the interests of the
19 people who reside at home, back home. If they want to
20 come up and hunt they can come up and hunt.

21

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

35

36 Transporters, when I was at that public
37 meeting that transporter said we didn't get enough
38 notice. Well, if I had a couple million dollars riding
39 on a specific area I'd have an ear on that area every
40 single day. That's their problem for not being there
41 at every single Rural Advisory Council meeting because
42 we decide the fate of their funds, their income. They
43 should be there. I don't understand why they think
44 they have a say so. They don't, they don't live there.
45 There's only two transporters who live and provide for
46 the people of Northwest Arctic, that's Jim Kincaid,
47 Eric Sea and Jared Cummings. Those guys live there 365
48 days a year. They provide for people, they bring
49 school kids to basketball games in the villages, they
50 help build the communities. Those are transporters

1 that have the right to be there and be able to operate.
2 The ones that come up and make the quick buck and run,
3 heck with them guys, those guys should be absolutely
4 eliminated from our region, from game management unit
5 23, eliminated.

6
7 And there's always this talk about
8 funds, funds, funds. We need to start looking at the
9 possibility of being able to -- to be able to put guide
10 use areas up for bids. Right there's the money. Those
11 guys think they got a lot of money, well, they better
12 pay a lot of money to be able to guide or transport in
13 our area. Money talks, money needs to talk because
14 they talk about we don't have enough money to do this,
15 do this and do this. There's your money. Let them put
16 back into the community or in the game management unit
17 that they make money off of, to be able to support the
18 local economy and be able to support the local studies
19 and be able to pay people to do things within the game
20 management unit to benefit the subsistence resources.

21
22 That's my say so, that's what I believe
23 in.

24
25 Thank you.

26
27 MR. G. BROWER: Madam Chair.

28
29 MS. AHTUANGARUAK: Gordon.

30
31 MR. G. BROWER: Yeah, Madam Chair.
32 Gordon Brower for the record. And I'm -- I hope it's
33 the opportune time to say things.

34
35 I am concerned with your analysis and
36 there's a couple of things that kind of -- that are
37 pointed out. We just had a presentation from Lincoln
38 about population estimates and then you just pointed
39 out that they weren't no good. And things are not --
40 to me not coming out as, you know, two and two, it's
41 not coming out as the State's biologist is saying
42 something and then you're saying something different in
43 a presentation from an earlier one of the Western
44 Arctic Herd presentation. And I don't want an answer
45 yet. And I'm not seeking an answer, it's just my
46 observation. And we were in Anaktuvuk and the trend
47 had already accumulated for the past 10 years to a
48 point where it was becoming critical to do conservation
49 or preservation measures. That's what we were hearing
50 from the North Slope, up in the Arctic up there. And

1 then some of the -- we start to hear a little bit of
2 funny business almost when there's a term called ANS,
3 State uses it all the time. It's the amount necessary
4 for subsistence and it's derived from the harvestable
5 surplus is what I'm led to understand. And somewhere,
6 I think it was 2014, the State started creating this
7 ANS, combining Teshekpuk Herd and the Western Herd as
8 one and the same. And we just had a good presentation
9 today that they are very distinct herds, one goes over
10 this way, one goes that way, but they come over here
11 and fool around together and they go back, you know, to
12 their respective areas. That's alarming to me because
13 that's brand new. The observation of ADF&G for the
14 decline in caribou population for the last 10 years,
15 they start to see a problem. So somebody's making
16 administrative decision within ADF&G or the State and
17 say let's create this ANS and add the Teshekpuk Herd to
18 it. And so that the ANS can be much higher. And I
19 asked -- there were several questions about why that
20 was happening. I don't know the exact details why they
21 would put the two herds together to derive a higher
22 amount necessary for subsistence. It's that -- there's
23 a big number that's derived like between 12 and 15,000
24 that's calculated out of that amount necessary for
25 subsistence. And if you can reach that you're in --
26 you're -- there's conservation and then there's a
27 preservation and then there's a liberal management
28 scheme.

29
30 I'm sorry I'm long winded everybody,
31 but I think these things in order -- in order to be
32 heard correctly and from our understanding I like to
33 use what the scientists bring to us and understand
34 clearly what they've said. So and I asked what happens
35 if you decided to create the ANS just for Teshekpuk
36 Herd and one ANS specifically for the Western Herd.
37 And the threshold was already met that non-resident
38 hunts would have to go already for both herds. But by
39 combining them it's large enough ANS where you can
40 still promote a more liberal harvest scheme that
41 include non-residents. Those are some of the things we
42 heard in today. And I don't know if it's to grease the
43 wheels or not for the dialogue, we just heard oh, the
44 Teshekpuk Herd's now 41,000. So we got from the time
45 of November that I heard that time until today we just --
46 we just suddenly got about 8,000 caribou. And it's a
47 little alarming to me.

48
49 So in my own observation many
50 communities, rural communities, depend on these herds.

1 I was trying to count all the little dots of
2 communities and then an average community is going to
3 take maybe 200, you know, depending on the size, Barrow
4 takes a lot. Barrow takes a lot of caribou, I think
5 Kotzebue takes a lot, upward of 2,000. It's a big
6 community. These are rural communities. Not to
7 mention Wainwright right in their path, they're about
8 800 residents there. So I tried to use a calculator
9 and come up with after counting the dots and put a
10 small number, amount necessary for subsistence to be
11 met is about 25 to 30,000 animals. And that's alarming
12 to me because in the range of where all these
13 communities are I had put a little number, I didn't put
14 the big 2,000 caribou for Barrow and 2,000 for -- that
15 was just my own little calculation of what communities
16 need throughout the range of these caribou. And it's
17 alarming that we need to be already almost in a
18 preservation mode, we're teetering between conservation
19 and preservation. We're well below liberal at this
20 point. And I think there's some flaws in your analysis
21 when I think about it. Maybe I should get a job over
22 there, I've been working for the North Slope Borough
23 too long and doing large project reviews for oil and
24 gas. Maybe I need to look at -- and work with you guys
25 to do some modeling for harvesting in all the
26 communities in the range of this herd. It's my own
27 personal opinion though.

28
29 But I would rise in support of this
30 proposal because there is already a problem in
31 Anaktuvuk Pass. I don't know if you're on Facebook, I
32 even bend the ear of the Lieutenant Governor in -- when
33 I was in Seattle for Arctic Symposium. I said, hey,
34 you seen your community of Anaktuvuk Pass starving
35 while you're got guides just north of them and they're
36 getting all they -- want they want, the guides, but the
37 community is starving. So Nuiqsut, Barrow, Wainwright
38 is hunting for Anaktuvuk because they're starving. Now
39 what's wrong with that picture. The State should be
40 already doing a tier hunt below in the State land to
41 prevent this from happening. But the -- I think
42 there's issues with game lobbyists and things like
43 that, big game. We need to rise above that and look at
44 the nutritional needs of our communities. Some of
45 these communities are literally starving for food. And
46 I know them, they're my relatives. And I don't know if
47 you put those two and two together to -- as part of
48 your analysis. Did we shoot ourselves in the foot when
49 we said hey, let's go along with the State and try to
50 be conservatives ourselves and reduce our bag limits.

1 And don't shoot the bulls in October to December. And
2 let's not -- let's put in place calves and cow pairs to
3 leave those alone. Did we shoot ourselves in the foot
4 when we said, hey, let's try to be conservators by
5 ourselves and try to do the right thing while all the
6 while that we have all of these issues already unmet,
7 Anaktuvuk issues. These are lingering questions that
8 we don't know how to fix.

9
10 Maybe the State needs to come to the
11 North Slope Borough because we have home rule power and
12 say let's make a subsistence district like we make an
13 oil and gas district. Maybe we need to do different
14 types of approaches. And those are just ideas because
15 there's -- seems like the State will not listen. And I
16 think OSM has been -- their ear has been bent too much
17 to the liberal side of things and then we've shot
18 ourselves in the foot to be saying we're going to
19 reduce our bag limits as a measure of good citizenship
20 to five caribou and didn't see a corresponding
21 capitulation by the State saying, well, the Native
22 groups, these -- the rural residents are saying we're
23 going to reduce our bag limit to help and the State is
24 not doing anything to say, well, the local folks are
25 reducing bag limits I think that's a big red flag, hey,
26 State, we're reducing our bag limits because we know
27 the caribou is coming down. Now the State needs to
28 think about doing a tier hunt. I don't know what it
29 is, is it a tier two hunt when -- maybe you got to go
30 by community or something like that. It's time to be
31 serious and not play any funky business because I would
32 hate for the Western Arctic Caribou Herd to come the
33 way of the dall sheep issues, managed to the point of
34 there's -- so nobody could hunt them, nobody in some
35 parts of those areas because nobody was managing
36 effectively to that sustain yield principle. There's a
37 sustain yield principle involved in order to be able to
38 accommodate I think it's ANILCA for these -- for the
39 Federal public lands.

40
41 Anyway I think I dominated too much,
42 but I'm in support, in fact I would hope the North
43 Slope put in a similar proposal because these animals
44 are our food, our communities are starving. I know
45 that for a fact. Anaktuvuk is in the range of Western
46 Arctic Herd and Teshekpuk Herd. And I don't think
47 there's enough to go around.

48
49 The issue about seeing 300 planes in
50 Noatak, probably an equal number I hear from Anaktuvuk

1 Pass. Those are bringing in people in droves. You
2 can't effectively say they only got 100, I'm pretty
3 sure they got over 2,000 because they're taking --
4 they're taking it out of there, people see it and
5 there's issues with wanton waste. I don't know,
6 everybody should be put under a lie detector test
7 around here, you know, and see where they're at.

8

9 Thank you.

10

11 CO-CHAIRMAN STONEY: Thank you. Enoch.

12

13 MR. MITCHELL: I'd like to speak
14 probably about what's going on in Noatak. I'm from
15 Noatak. We have a lot of concerns in the village, but
16 mostly these past few years, but it's been going on for
17 10 plus years. The transporters, you know, they're
18 just drop off non-local and leave them out there in our
19 traditional hunting grounds. The Noatak and I don't --
20 I don't want you to just hear it from me, I want you to
21 hear it from them too. So I'm going to read a little
22 bit about it.

23

24 Over the past decade the number of
25 transporter flights into Noatak National Preserve has
26 increased approximately 3 to 5 percent each year. Last
27 year it was over 500 people on the river and there's
28 500 people in Noatak. So it's like a village up there.
29 Delivery will increase number of non-local hunters to
30 the area with many hunting caribou. Residents of the
31 community of Noatak have repeatedly expressed their
32 concern that non-local sport hunters dropped off by air
33 taxis and transporters cause caribou to change their
34 migration patterns and affect local subsistence caribou
35 harvesting and Noatak's ability to meet its subsistence
36 needs. Noatak have repeatedly expressed their
37 concerns. Repeatedly, 10 plus years. And we're still
38 having the same problem and it's getting worse like
39 we're not being heard. We have hunters to tell us
40 which activities they saw as having the greatest
41 impacts caribou migration. 79 percent of that aircraft
42 have the highest negative impact to caribou migration
43 with 57 percent saying that non-local hunters are the
44 next highest negative impact. And the findings of this
45 study show that the caribou hunters in Noatak are
46 concerned that caribou migration -- I already said
47 that, right. I change this into due to number of --
48 yeah.

49

50 And these are reports of the people.

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

32
33 And there where we were waiting, on the
34 river we're waiting for this caribou to come down, we
35 had -- there was nothing that no bunch of herd for
36 these five boats that was waiting for the caribou. We
37 lined up, there's five boats of us, just waiting. But
38 in each boat there's about three, four, five families,
39 they're hunting for three -- two, three families in the
40 boat. So they're waiting and the female come and the
41 females wait and they cross and then the bulls start
42 coming down, these are what we waiting for. And they
43 just get on the edge of the river then all of a sudden
44 because we counted -- my boy counted 88 sport hunters
45 on the hill behind us. Eighty-eight sport hunters and
46 five boats. About three, four of us in each boat. So
47 five boats, let's say four in each boat. So four times
48 five, there's 20 of us Native hunters hunting on our
49 traditional grounds. None of them was successful. All
50 these five boats spent over \$700 on gas. So while we

1 were waiting for the bulls to come across they start
2 shooting. All those caribou run back up, none of them
3 cross. They -- that was dangerous. That was
4 dangerous. And they scare the caribou and it's getting
5 worse every year. And it's reported here it's 3 to 5
6 percent each year. It's not getting any better, it's
7 not going down for years. We see the caribou count
8 going down according to Jim Dau (indiscernible), but
9 the caribou harvest is level now the hunters is going
10 up and that's not right, that's not right at all. And
11 according to the report, the -- when I finally ask them
12 on their reports they reported I asked them how many
13 hunters in Alaska goes to Noatak River alone. Almost
14 80 percent of sport hunters in Alaska goes to Noatak
15 River alone. Noatak Village up there and it's getting
16 worse. You know, the harvest is on the level and non-
17 local going up and Noatak hunters, when I asked them --
18 when I asked Federal report how their hunters' success
19 was, the Federal side they had successful, they was all
20 successful. I asked them on the State side, the State
21 hunters that they bring in they were all successful.
22 And the Noatak hunters, very poor.

23

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

33

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

49

50 When you put too many hunters in one

1 area they will deplete the caribou of that area. It
2 will happen. They will deplete the caribou from our
3 traditional grounds. They won't -- they won't kill
4 them all, they won't kill off recovery, but by being
5 there by too many numbers those caribou won't go there
6 no more, they're going to move, they're going to go
7 someplace else. That happened on the Squirrel River.
8 We try to wait -- see I'm going to say something here.
9 The Squirrel River is across -- most about across
10 Noatak, little downriver, across the river from Noatak
11 and then there's Aggi River and then there's Ely River.
12 Those caribou used to cross, come through there, those
13 are corridors through the mountains. They come through
14 the corridors to those rivers, they come to the flats
15 and they hit the river, Noatak River. And we used to
16 buy five gallon, 10 gallons, 15 gallons to go hunt
17 caribou when they come through those corridors, when
18 they come. We don't have to get 70, 80 gallons no
19 more. But today we're getting 70 to 80 gallons of gas
20 to go up. And that's not good, you know, because
21 that's what's happening in Squirrel River, that's what
22 happened in Squirrel River. Over 10 years I try to
23 talk -- try to -- one year I went to Frank Haze, he was
24 working for the Federal and he did just because we ask
25 him to put all his sport hunters on one side of
26 Squirrel River, we're going to try it for one year
27 because we didn't get -- we didn't get Western Arctic
28 Caribou Herd for three consecutive years, not one
29 caribou from the Western Arctic Herd we heard in three
30 consecutive year. We get Teshekpuk Herd way upriver,
31 80, 70, 80, 90 gallons of gas.

32
33 But two places we didn't -- I was -- I
34 documented because we knew that they -- I know that the
35 Western Arctic Herd didn't reach us because the river
36 froze before they reach us and we didn't get it that
37 fall for three consecutive years. It's in the -- so
38 that's why the Squirrel River, that's what's happening,
39 they put -- but, yeah, we put the hunters on one side
40 because we didn't get any caribou three -- and that
41 year we got caribou close.....

42
43 CO-CHAIRMAN STONEY: Mr. Mitchell, you
44 know, we are running out of time so we have other
45 report and comments so we have to cut yours -- speak a
46 little shorter.

47
48 Thank you.

49
50 MS. PATTON: Mr. Chair.....

1
2 MR. STEVENSON: (Indiscernible).....
3
4 UNIDENTIFIED VOICE: I think she has
5 her hand up.
6
7 CO-CHAIRMAN STONEY: Oh.
8
9 MS. AHTUANGARUAK: I just want to make
10 sure that we get through what we need to get -- finish
11 up where you're at in your process so we can get
12 through the rest of these procedures.
13
14 MS. PATTON: Mr. Chair and Council, can
15 I make an update on the timing here? I was just
16 informed that the building closes at 5:30 and that
17 means they close the doors down. So the Council would
18 probably need to conclude its recommendations no later
19 than 5:00 o'clock. I -- it's approximately 4:30 right
20 now. So just so the Council has that awareness, we've
21 got a hard deadline that they -- we either get stuck
22 here which I'm sure no one wants to stay overnight.
23
24 Thank you.
25
26 CO-CHAIRMAN STONEY: Attamuk.
27
28 MR. SHIEDT: Okay. Thank you. I want
29 to speak -- due to time constraints I want to speak
30 briefly about your analysis. You mentioned that 95
31 percent of our local hunters take most of the caribou
32 and 5 percent from non-local hunters. I think you are
33 wrong. You do not have law enforcement on the Brooks
34 Range, you do not have law enforcement on Noatak
35 Preserve. There's no enforcement. We had to cut down
36 our sheep hunting in that region because there was no
37 enforcement. And we fall under State regulations and
38 statutory statutes to protect the population of the
39 sheep and look what happen. I just want to point out.
40
41 The other thing I want to point out,
42 under act of congress, Title VIII of ANILCA, it give us
43 full authority as RAC people here to make any decision
44 that would benefit our people for the sustainability of
45 the population of that animal we're talking about which
46 is the caribou. I know it'll go to the Subsistence
47 Board of Fish -- of Game, but I also know that we have
48 every right to go before the Secretary of Interior
49 should anything happen that we don't agree with.
50

1 These are some of the statements I'm
2 going to come across and share with you. I support the
3 proposition, the proposal that was brought forth by
4 Western Arctic people. So I want to thank you.

5
6 Thank you.

7
8 MR. McKEE: Mr. Chair.

9
10 CO-CHAIRMAN STONEY: Yes, you may.

11
12 MR. McKEE: Through the Chair. I just
13 want to address something directly that was -- that
14 member Kramer said earlier regarding -- I totally
15 understand your frustration at -- saying, you know,
16 about OSM not having authority to make decisions for
17 you and that's not what we're doing. As a matter of
18 fact you're partially correct in that OSM has abs -- we
19 as a body have absolutely no regulatory authority
20 whatsoever. All we do is make -- and it's not just for
21 special actions, it's the same way with proposals, we
22 merely have -- make recommendations. The ultimate
23 decider, the only body that makes the final decision
24 with the authority is the Federal Subsistence Board.
25 OSM has absolutely no authority whatsoever. So in that
26 sense you are correct.

27
28 So with this special action what is
29 going to be forwarded to the Board is merely our
30 recommendation, but along with these two Councils and
31 the other two Councils that have already addressed it,
32 their recommendations as well. And so the Board is
33 going to -- it's going to take what the Council's feel
34 on this special action very seriously while what OSM
35 says is merely a recommendation. That's not to say it
36 won't play any part, but in terms of regulatory
37 authority you're absolutely correct.

38
39 So I just want to make that clear
40 because sometimes that doesn't come across in this
41 process and, you know, it's a very complex Federal
42 program and sometimes maybe that gets lost in the noise
43 of some of this stuff. But I wanted to make that clear
44 and on the record.

45
46 Thank you, Mr. Chair.

47
48 CO-CHAIRMAN STONEY: Mike.

49
50 MR. KRAMER: Yeah. The reason why we

1 put this forth is we don't want the same mistake as the
2 dall sheep. What has the Federal government done for
3 our region on dall sheep lately. Big old zero. Zero.
4 What have they given us back because they made the
5 decision, they said, oh, no, it's a sustainable harvest
6 and we kept asking for a count, we kept asking for a
7 count, we kept asking for a count, meeting after
8 meeting after meeting. You guys don't listen to us.
9 We live there, we go out there, we hunt those
10 resources. If we say that we don't think there's
11 enough then we should be listened to, a count should be
12 initiated immediately, the first sign of distress of a
13 subsistence resource action needs to be taken. Now we
14 don't have any more sheep, we probably never will have
15 any more sheep. And what's the Federal government
16 going to do for us. Zip. Nothing. Zero. Nothing.
17 What are they going to do for us. We'll never be able
18 to taste dall sheep again. Again. Because of the
19 Federal government's mistake. And we have to pay for
20 it. That's not right. We're a government -- governing
21 body, we should be able to make decisions. We
22 shouldn't have to -- if we ask for something it should
23 be done immediately especially if it's a subsistence
24 resource. Holy smokes.

25
26 I tell you what, why don't tomorrow
27 Anchorage prices, everything, gasoline, food,
28 groceries, rent, house payments, everything, changes to
29 ours and we take yours. See how you guys like it. I
30 guarantee you'll hate it. Twelve bucks for a gallon of
31 milk, in Noatak it's probably \$14 for a gallon of gas.
32 How'd you'd guys like to pay that kind of stuff. \$18
33 for a gallon of stove oil to heat your house, \$6 for a
34 loaf of break. Come on now. \$12 for a dozen of eggs.
35 You think you guys could survive on that with what you
36 guys make. No. You guys need to understand when we
37 make recommendations and we make proposals, we put in
38 special actions, we're putting them in for a reason,
39 for the protection of our subsistence resources. We
40 want our grandkids, our great-grandkids to be able to
41 harvest those animals for years to come. We shouldn't
42 have to be able to live on your guys' mistakes, the
43 Federal government mistakes, Park Service, whoever it
44 is that deals with doing those counts. We shouldn't
45 have to live with those mistakes. We should be able to
46 make a decision to be able to conserve, to be able to
47 apply rules, to be able to continuously harvest these
48 animals and to ensure that there's a healthy
49 population. That's what I want to see, healthy
50 population.

1 That's all I got.
2
3 CO-CHAIRMAN STONEY: Okay. Anything
4 else?
5
6 MR. KRAMER: Mr. Chair, this is Lance
7 Kramer, Kotzebue with NANA.
8
9 CO-CHAIRMAN STONEY: Yeah.
10
11 MR. SHIEDT: How much longer are we
12 going to be.....
13
14 CO-CHAIRMAN STONEY: Go ahead, Lance.
15
16 MR. SHIEDT:due to our time --
17 due to time here, because we got to be here by 5:30 in
18 Barrow at one hour. Sorry, Barrow, to use -- to finish
19 what we're doing. I know that it's important for Lance
20 -- we need to hear from Lance, yet due to time I think
21 Barrow need to take over now. Sorry about that.
22
23 MS. AHTUANGARUAK: I agree we do have
24 limitations on time. If you can summarize your last
25 comments and then we can move on to reports on Board
26 consultation. We do have NANA on the phone, do we have
27 any -- and there's a series of procedures that we need
28 to go through. So if you could finish up.
29
30 MS. MAAS: Oh, I've been done.
31
32 MS. AHTUANGARUAK: All right. Thank
33 you very much. Let's get to Lance on the phone.
34
35 MR. L. KRAMER: (In Native). It's nice
36 to hear you guys talking about our issues up here and a
37 representative of NANA I would like to make a formal
38 comment regarding that special action request 16-01 for
39 the caribou.
40
41 We at NANA, we believe that the
42 (indiscernible) is one of the most important sources of
43 food, clothing and tools for our Inupiaq people. I
44 think it helps us spiritually and physically,
45 emotionally, educationally, socially, culturally. And
46 knowing these three things, number 1, that the
47 population has been in serious decline since 2003 and
48 number 2, that there hasn't been a count since 2013 and
49 number 3, that three years ago we were near crisis --
50 conservative management from (indiscernible) management

1 that under that we have to by law limit -- restrict to
2 residents only according to State and Federal law,
3 closure of some Federal public land.

4
5 And so we at NANA fully support and
6 trust the Northwest Arctic Subsistence Regional
7 Advisory Council's special action request to close
8 caribou hunting to non-Federally-qualified users on
9 Federal lands this year in order to protect the
10 population and the viability of the Western Arctic
11 Caribou Herd. So we fully support the Northwest Arctic
12 RAC and we thank the North Slope for also supporting
13 that proposal.

14
15 And (in Native). That's all we have to
16 say here at NANA.

17
18 MS. AHTUANGARUAK: Thank you. Do we
19 have any other Tribes or ANCSA corporations that wanted
20 to communicate on this process?

21
22 (No comments)

23
24 MS. AHTUANGARUAK: No response in the
25 room, no response on the phone.

26
27 Eva.

28
29 MS. PATTON: Madam Chair and Council.
30 Just to update the Council, there was Tribal
31 consultation and ANCSA consultation offered and
32 conducted after the community hearing. We had quite a
33 bit of participation during the public community
34 hearing and we did have some representatives calling in
35 during the Tribal consultation as well. And the staff
36 then take that feedback and also consider it in the
37 analysis. There were also two written public comments
38 that were submitted from the Council. And I could just
39 summarize their position if that would be helpful to
40 the Councils.

41
42 MS. AHTUANGARUAK: Yes.

43
44 MS. PATTON: One letter was submitted
45 from the Maniilaq Association and they are a nonprofit,
46 Tribal organization which provides for the health,
47 social and Tribal services in communities within the
48 Northwest Arctic Borough. And they are formally
49 supporting the recommendation made by the Northwest
50 Arctic Subsistence Regional Advisory Council referred

1 to WSA 16-01. And they reference the decline of the
2 Arctic Caribou Herd has forced local Tribal members to
3 either harvest less caribou or travel further out of
4 traditional areas to harvest what caribou are taken.
5 And these actions have strained the limited household
6 resources of many Tribal members forcing them to decide
7 whether to pay for fuel or other hunting related to the
8 hunt or to go without hunting caribou, forcing them to
9 rely on nontraditional foods to feed their families.

10

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

22

23 And we have one other letter as well.

24

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

27

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

38

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

45

46 The Western Arctic Caribou Herd is a
47 major source of food harvested from the members of the
48 Tribe and in addition to supporting their cultural and
49 spiritual identity as Inupiaq people of the Northwest
50 Alaska since before recorded time. It is impossible to

1 overestimate the economic and cultural contribution
2 that this herd provides for our members. Suffice it to
3 say that add tremendously to the quality of life for
4 them. The continued presence and access to the herd
5 for our members is a top priority of the Native Village
6 of Kotzebue.

7
8 And they're aware of the decline and
9 they had also spoke to the traditional knowledge of
10 their members that it's important to allow the herd to
11 begin migrating through an area before you begin to
12 hunt and disturb them so that the flow of animals can
13 continue uninterrupted. And it's their belief that
14 many times this does not occur due to fly-in hunters
15 intercepting the herds at the beginning of their
16 movement in the northern Brooks Range and then the
17 entire rest of the herd is thrown in disarray. And
18 they note that the majority of this early disruption
19 occurs on Federal lands, specifically the Noatak
20 National Preserve in the northern part of the Brooks
21 Range. In addition when even the herds become
22 accessible to our members it's increased cost and time.

23
24 I'm going to summarize their conclusion
25 given time here. They had also noted that in the
26 public process it came to their attention that one of
27 the concerns relates to Tribal members who are not
28 considered Federally-qualified subsistence users since
29 their permanent residence is outside the region.
30 Looking at the areas affected and taking into
31 consideration that these nonresident members are
32 already not considered Federally-qualified for hunting
33 in Cape Krusenstern National Monument or the Kobuk
34 Valley National Park. In addition to knowing where the
35 majority of the fall and winter hunting activity occurs
36 it is their belief that there will be ample opportunity
37 for these members to hunt in the region as most of the
38 traditional boat and snowmachine hunting occurs on land
39 outside of Federal lands.

40
41 In summary for all the reasons listed
42 above they fully support the special action request and
43 strongly encourage the Federal Subsistence Board to
44 approve it.

45
46 And that concludes the written
47 recommendations.

48
49 Thank you.
50

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

9

10 CO-CHAIRMAN STONEY: Yes, you may.

11

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

32

33 Thank you.

34

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

40

41 Are you part of the Tribes and ANCSA
42 corporations?

43

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

46

47 (Whispered conversation)

48

49 MR. DeWITT: I'm from the public. Can
50 I make one more comment before we close.

1 MS. AHTUANGARUAK: We're not closing,
2 we want to get through.....
3
4 MR. DeWITT: It's real quick.
5
6 MS. AHTUANGARUAK:the procedure.
7 We have -- the next part is agency comments. We do
8 have Advisory Group comments and then we get into
9 public comments so if you could wait for just a few
10 moments so we can get through the process.
11
12 MR. DeWITT: Well, it was on the
13 caribou herd. It's.....
14
15 MS. AHTUANGARUAK: Yeah.
16
17 MR. DeWITT:an amendment I
18 thought about while we were talking.
19
20 MS. PATTON: Madam.....
21
22 CO-CHAIRMAN STONEY: What you say is --
23 later on under public comment you could comment on it
24 so if you just wait a minute.
25
26 MS. AHTUANGARUAK: So do we have ADF&G
27 then comments that we were going to summarize.
28
29 MS. PATTON: Drew, we were up to ADF&G.
30
31
32 Thank you.
33
34 MR. CRAWFORD: Yes, Madam Chair. My
35 name is Drew Crawford, I'm with the Alaska Department
36 of Fish and Game.
37
38 The Department is opposed to special
39 action request WSA 16-01 due to the relatively low
40 number of caribou harvested by non-Federally-qualified
41 subsistence users in unit 23. Closure of Federal
42 public lands to these users will have no meaningful
43 biological affect.
44
45 MS. AHTUANGARUAK: Thank you. Do we
46 have additional comments from agencies?
47
48 (No comments)
49
50 MS. AHTUANGARUAK: Eva.

1 MS. PATTON: Madam Chair and Council.
2 Do we have any comments from other Federal agencies
3 that are here today?
4
5 (No comments)
6
7 MS. PATTON: No comments.
8
9 MS. AHTUANGARUAK: All right. Any
10 Advisory Group comments?
11
12 (No comments)
13
14 MS. PATTON: Madam Chair and Council,
15 unless we have representatives from the ACs here we do
16 not have any Advisory Committee comments.
17
18 MS. AHTUANGARUAK: And do we have a
19 summary of the public comments?
20
21 MS. PATTON: Madam Chair, the written
22 public comments were what I just read into the
23 record.....
24
25 MS. AHTUANGARUAK: Okay.
26
27 MS. PATTON:those two letters
28 that were received.
29
30 Thank you.
31
32 MS. AHTUANGARUAK: All right. Then
33 we're on to public.
34
35 MR. DeWITT: Once again my name's Neil
36 DeWitt, I'm representing myself, but I am on the AC
37 here in Anchorage. And I got to thinking about it
38 while you guys were all talking, you got such a problem
39 with aircraft up there, why don't we do like we do on
40 fish, why don't we limit the aircraft, put in an
41 amendment to limit them to certain days of the week,
42 Monday, Wednesday, Friday or Friday, Saturday, Sunday,
43 Monday and that way you got the rest of the week that
44 that you have no aircraft flying around in the area.
45
46 Just a thought. Thank you.
47
48 MS. AHTUANGARUAK: Okay. We're on to
49 Regional Council recommendations.
50

1 MR. G. BROWER: Yeah, Madam Chair.
2 Gordon Brower for the record. So is it -- am I
3 understanding it's our time to say our piece from the
4 North Slope Council?

5
6 MS. PATTON: Madam Chair and Council.
7 Yes, this would be the opportunity for the Council to
8 make a motion and take action on the proposal.

9
10 MR. G. BROWER: Yeah. Madam Chair, I'd
11 like to make a motion to adopt WSA 16-01 for
12 discussion.

13
14 CO-CHAIRMAN H. BROWER: Second.

15
16 MS. AHTUANGARUAK: There's been a
17 motion and a second to adopt for discussion. We're in
18 discussion.

19
20 MR. G. BROWER: Yeah, Madam Chair. I'm
21 -- I rise in support of WSA 16-01 for various different
22 reasons that I have already expressed. And I'm --
23 hopefully they're recorded and will be conveyed to the
24 Board of Game or is it the Subsistence Board -- Federal
25 Subsistence Board. I don't want to get it mixed up.

26
27 And I do have a lot of concerns. And
28 it is to make sure there's food on the table for people
29 that need it. And there is a huge disparity when you
30 look at things from those that come in even though you
31 say it's a low number, people may say it's a low
32 number, but the amount of aircrafts that are looked at,
33 seen harvesting and adding to the problem with no
34 traditional guidelines to back them up in areas where
35 there's so much conflict to try to put food on the
36 table. These are some of the things I rise in support
37 of this. There is too much conflict for a resource
38 that is in decline. These herds are over 50 percent,
39 in my view they're 50 percent or more in decline.
40 That's already been said, that's a fact. And we cannot
41 afford to diminish any further the availability of
42 these resources for subsistence purposes. We do that
43 then ADF&G, Fish & Wildlife Service, National Park
44 Service needs to replace all of that. You need to
45 provide every household community with food. They
46 tried to do that in Barrow in the '70s because of
47 restriction on harvest. They tried to put a little
48 block of beef and say that's what you've got to live on
49 because you can't hunt anymore. There better be some
50 better proposals if these trends continue to decline in

1 this way. We've been through the hard times, we don't
2 want to go there anymore. We want to maintain this so
3 that a sustainable level.

4

5 Thank you.

6

7 MS. AHTUANGARUAK: Additional comments
8 from the North Slope?

9

10 (No comments)

11

12 MS. AHTUANGARUAK: Over to the
13 Northwest.

14

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

17

18 Mike.

19

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

48

49 And like I said earlier what has the
50 Federal government done to us for Noatak, Kotzebue,

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

25
26 And I hope North Slope follows suit
27 with the same kind of action, special action request.
28 I think we keep pushing farther and farther down we're
29 going to shut them out and then we'll be able to
30 concentrate on our caribou herd, our sheep, bringing
31 our population back, doing our own predator control.
32 People go out there and get hunting, trapping license
33 and go out there and get as many wolves as he could,
34 wolverines, whatever it takes, bears. These
35 nonresident hunters can go up there and hunt bears all
36 day long.

37
38 That's all I have.

39
40 CO-CHAIRMAN STONEY: Calvin, any
41 comments?

42
43 MR. MOTO: Oh, comment time.

44
45 CO-CHAIRMAN STONEY: Yeah.

46
47 MR. MOTO: I want to thank all that
48 have given testimony that we heard, all the other stuff
49 that the staff brought to us. And I enjoy these, it
50 takes me a while to get here every morning, but I make

1 it, you know. I've always been interested in
2 subsistence, I will forever. I have 28 grandkids and
3 14 greats that are coming up I hope they will be able
4 to go out and subsist, get a caribou, get a few geese,
5 get some oogruk, you know, the oogruk at home are our
6 staple. Without oogruk we would go hungry. I know I
7 get hungry if I don't eat oogruk, you know, this is
8 something I grew up on. In the '30s and '40s we didn't
9 have all these fancy foods like you have in the stores,
10 we had (in Native) and more (in Native) and we enjoyed
11 it, we loved it.

12
13 And I want to thank the North Slope for
14 joining us. I hope we gained something from you guys.
15 We always get something from other groups if we work
16 together no matter where you come from. You have
17 concerns that are similar to us. Might be a little
18 different kind of species, but it's similar. We have --
19 like I said the thing that bind us all together is the
20 need for the resource. If we didn't need the resource
21 we wouldn't be here. Think about it.

22
23 Another thing a lot of people forget,
24 subsistence. I always thought the true meaning of
25 subsistence is survival. Without subsistence our
26 people wouldn't be here. If our ancestors didn't
27 survive we wouldn't be here. They subsisted and we are
28 -- some of us are subsistence, but, you know, we still
29 want the caribou, oogruk and stuff like that.

30
31 I want to thank -- I want to say
32 congratulations to Raymond for our new president,
33 chairman and I want to thank Enoch for all the service
34 we did to us -- for us and welcome Louie back. And I
35 want to thank all of you for making sure I make it to
36 the meeting.

37
38 And that's all. Thank you.

39
40 Oh, I want to say hello to my friend
41 over there, Louie Green, Jr. Hi.

42
43 MR. COMMACK: Okay. Thank you very
44 much. First of all I want to thank the North Slope RAC
45 for supporting us.

46
47 Thank you.

48
49 MS. AHTUANGARUAK: We need to do --
50 finish up this process first, we're not into final

1 comments so.....

2

3 MR. COMMACK: Oh, okay.

4

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

11

12 UNIDENTIFIED VOICE: Is that a formal
13 motion?

14

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

18

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

22

23 MR. SHIEDT: Second.

24

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

29

30 UNIDENTIFIED VOICE: No, that was for
31 something else.

32

33 MS. AHTUANGARUAK: Okay.

34

35 UNIDENTIFIED VOICE: That was something
36 else.

37

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

41

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

44

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

48

49 MR. G. BROWER: Madam Chair, Gordon
50 Brower. I'm voting yes.

1 CO-CHAIRMAN H. BROWER: Did we call for
2 the question?
3
4 MR. SHEARS: Yeah, we did.
5
6 CO-CHAIRMAN H. BROWER: Yeah, okay.
7
8 MR. SHEARS: Madam Chair, Robert Shears
9 and I vote yes.
10
11 MR. OOMITUK: Steve Oomituk, Point
12 Hope, yes.
13
14 MS. AHTUANGARUAK: And Rosemary
15 Ahtuanguaruak, yes.
16
17 Northwest.
18
19 UNIDENTIFIED VOICE: Call for question.
20
21 UNIDENTIFIED VOICE: Mr. Chairman, I
22 ask for a roll call vote.
23
24 CO-CHAIRMAN STONEY: Vote call vote.
25
26 MS. LOON: Roll call vote. Raymond
27 Stoney.
28
29 CO-CHAIRMAN STONEY: Yes.
30
31 MS. LOON: Hannah Loon, yes.
32
33 Michael Kramer.
34
35 MR. KRAMER: Yes.
36
37 MS. LOON: Percy Ballot, Sr.
38
39 MR. BALLOT: Yes, I'm in support of 16-
40 01, Madam Chair.
41
42 MS. LOON: Vernon Cleveland, Sr.
43 Absent.
44
45 Louie Commack, Jr.
46
47 MR. COMMACK: Yes.
48
49 MS. LOON: Enoch Shiedt, Sr.
50

1 MR. SHIEDT: Yes.
2
3 MS. LOON: Enoch Mitchell.
4
5 MR. MITCHELL: Big yes.
6
7 MS. LOON: Calvin Moto.
8
9 MR. MOTO: Yes.
10
11 MS. LOON: Quorum.
12
13 MS. AHTUANGARUAK: Eva, I look to you.
14 The next part is on the justification, do we need to go
15 into that or have we had the sufficient justification?
16
17 MS. PATTON: Madam Chair and Council.
18 Some Council members have provided additional
19 discussion and testimony and as Gordon had indicated in
20 the motion that discussion on the record over this last
21 couple of hours is substantive and we will include that
22 in the supporting decision of the Councils.
23
24 Thank you.
25
26 MS. AHTUANGARUAK: I just wanted to add
27 that each of our RACs are looking at caribou issues and
28 are looking at proposals to help with this concern. It
29 isn't just an action that we're taking on
30 nonsubsistence hunters, we are looking at doing what we
31 need to do on subsistence hunters also. And I -- that
32 was not clearly noted so I wanted to make sure that
33 both sides are adding this discussion into making sure
34 that we're looking at the best management discussions
35 that we can add.
36
37 Thank you.
38
39 Gordon.
40
41 MR. G. BROWER: Since we haven't
42 adjourned yet I would encourage if there are State
43 lands in your areas for your RAC to make proposals to
44 their AC, I think the North Slope Regional Advisory
45 Council has made a proposal to affect and to make
46 recommendations to the AC to look at ways to minimize
47 impacts and to provide for Anaktuvuk Pass because
48 they're affected by State land north. And I would
49 encourage if you have State lands in your area it is --
50 your RAC take up those concerns and make

1 recommendations to affect that side of the world.

2

3 MS. AHTUANGARUAK: Thank you.

4 Northwest has a hand on your side.

5

6 Enoch.

7

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

12

13 Thank you.

14

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

17

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

20

21 MS. AHTUANGARUAK: Gordon.

22

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

25

26 MS. AHTUANGARUAK: Northwest side.

27

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

41

42 MS. AHTUANGARUAK: Thank you.

43 Additional comments.

44

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

50

1 Thank you all.

2

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

12

13 Thank you. Thank you all.

14

15 MS. AHTUANGARUAK: Additional comments.

16

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

23

24 Thank you.

25

26 MS. AHTUANGARUAK: Thank you.

27

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

34

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

38

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

47

48 Thank you. Thank you very much.

49

50 MS. AHTUANGARUAK: Attamuk.

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

10

11 Thank you.

12

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

24

25 Do we have somebody else that wanted to
26 say something?

27

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

37

38 UNIDENTIFIED VOICE: Motion to adjourn.

39

40 MS. AHTUANGARUAK: Anything else?

41

42 (No comments)

43

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

46

47 MR. SHIEDT: Motion to adjourn.

48

49 MS. AHTUANGARUAK: Do I have a second?

50

1 MR. G. BROWER: Second.

2

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

5

6 Thank you, everyone.

7

8 (Off record)

9

10 (END OF PROCEEDINGS)

