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FEDERAL SUBSISTENCE BOARD

PUBLIC WORK SESSION MEETING

VOLUME II

GORDON WATSON CONFERENCE ROOM
U.S. FISH AND WILDLIFE SERVICE BUILDING

ANCHORAGE, ALASKA

November 10, 2010
1:30 o'clock p.m.

MEMBERS PRESENT:

- Tim Towarak, Chairman
- Kristin K'iet, Bureau of Indian Affairs
- LaVerne Smith, U.S. Fish and Wildlife Service
- Beth Pendleton, U.S. Forest Service
- Sue Masica, National Park Service
- Julia Dougan, Bureau of Land Management

- John Hilsinger, State of Alaska Representative

- Keith Goltz, Solicitor's Office
- Jim Ustasiewski, DOG, Office of General Counsel

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P R O C E E D I N G S

(Anchorage, Alaska - 11/10/2010)

(On record)

CHAIRMAN TOWARAK: Good afternoon. I'm going to call this meeting to order on behalf of the Federal Subsistence Board.

(Teleconference operator - music)

CHAIRMAN TOWARAK: No dancing.

(Laughter)

(Teleconference operator - starts conference call)

CHAIRMAN TOWARAK: Thank you very much. I'll call this meeting to order now that we're on line. And I'm going to introduce myself, I'm Tim Towarak. I'm from Unalakleet. I still live in Unalakleet. I was recently appointed by the Secretary of the Interior as the Chairman for the Federal Subsistence Board and this is my very first meeting and I've made it through one day so far and I'm looking forward to ending this session today as our last day of meeting.

We don't have a written agenda but we're going to go through introductions first, and then we'll do whatever information exchange we have and then I'd like to maybe turn the rest over to Pete and Keith, to get the discussion started.

We're here specifically to discuss the MOU between the State of Alaska and the Federal Subsistence Board, and, with that, I'm going to ask the Federal people, starting from my right side, Kristin, if you could, introduce yourselves and who you represent.

MS. K'EIT: Good afternoon, I'm Kristin K'eit. And I represent Bureau of Indian Affairs.

MS. DOUGAN: Good afternoon. Julia Dougan with the Bureau of Land Management.

MS. PENDLETON: Good afternoon. Beth Pendleton. I'm the Regional Forester for the Forest Service, Alaska Region.

1 MR. GOLTZ: Keith Goltz, Solicitor's
2 Office.
3
4 MR. PROBASCO: Pete Probasco, Office of
5 Subsistence Management.
6
7 MS. MASICA: Sue Masica, National Park
8 Service.
9
10 MS. SMITH: Laverne Smith, Fish and
11 Wildlife Service.
12
13 MR. USTASIEWSKI: Jim Ustasiewski, US
14 Department of Agriculture, Office of the General Counsel.
15
16 CHAIRMAN TOWARAK: Thank you. And, Jim,
17 we'll ask you to introduce your Staff.
18
19 MR. HILSINGER: Thank you. My name's
20 John Hilsinger with Department of Fish and Game sitting
21 in for Commissioner Lloyd, who sends his apologies. He
22 had already had a prior commitment when this was
23 scheduled. And I'll ask the State people to introduce
24 themselves, starting with Ted.
25
26 MR. SPRAKER: Good afternoon, Mr.
27 Chairman. My name is Ted Spraker. I'm the vice-Chairman
28 of the Board of Game and I live down in Soldotna.
29
30 MR. WEBSTER: I'm Vince Webster. I'm the
31 Chairman of the Board of Fisheries and I'm from King
32 Salmon.
33
34 MR. MITCHELL: Good afternoon. I'm Mike
35 Mitchell and I'm with the Alaska Department of Law.
36
37 MS. CUNNING: Tina Cunning with Alaska
38 Department of Fish and Game.
39
40 MR. JUDKINS: And I'm Cliff Judkins,
41 Chairman of the Alaska Board of Game. I live up in
42 Wasilla.
43
44 CHAIRMAN TOWARAK: Thank you. Welcome to
45 the meeting this afternoon.
46
47 As all of you know and those of you in
48 the audience, the two organizations, and, Pete, you could
49 probably give a better background on the Memorandum of
50 Agreement, but in that Memorandum of Agreement there's a

1 provision that this Board, along with the State would get
2 together, I don't know if it says annually or
3 occasionally, to review the Memorandum of Understanding
4 that was signed, I think, in 2008.

5

6 So, with that, I will turn the meeting
7 over to Pete and Keith.

8

9 MR. PROBASCO: Thank you, Mr. Chair.
10 I'll just have some opening remarks, very short, and then
11 I would go to my counterpart, here, Tina, and I don't
12 know if Keith had anything to say or not.

13

14 But as the Chairman stated, that we're
15 here on an annual basis to take the opportunity to
16 discuss this document, it's viewed as a living document.
17 It's been signed. The Memorandum of Understanding for
18 the two entities, the State and the Federal side, as they
19 deal with the Federal management and State management on
20 Federal lands dealing with subsistence.

21

22 Since the last time we've met, I think
23 everybody's aware that there have been some events that
24 have occurred, probably the most important one, as far as
25 the Federal side, is that, the Secretaries, both
26 Secretary of AG and Secretary of Interior have launched
27 and were near conclusion of the review of the Federal
28 Subsistence Program. As a result of that there's been
29 some direction given to the Federal Board, which the
30 Federal Board will be sharing with you, as it pertains to
31 the Memorandum of Understanding, and we'll be discussing
32 that with the State today.

33

34 So those are my opening remarks, Mr.
35 Chairman, and I'd like to turn it over to Tina.

36

37 CHAIRMAN TOWARAK: Go ahead.

38

39 MS. CUNNING: Thank you. We know that
40 all members that are here from the Board of Game, Board
41 of Fish and the Federal Subsistence Board are well aware
42 of the history of how we got here but members of the
43 audience may not be and since this is my swan's song, on
44 the way out the door towards retirement, I'd like to
45 recapture that history for people so that they're aware
46 of how we got here today.

47

48 When the Federal Program was created in
49 1990 to '92, with the EIS process, there was a
50 responsibility for assuring the Federal subsistence

1 priority for wildlife on Federal lands by rural
2 residents. The Federally-qualified. And the State still
3 continue to provide subsistence and other opportunities
4 on those Federal lands.

5
6 Those overlaid responsibilities through
7 the evolution of the Federal Program, in 1999 were going
8 to be moving into fisheries. And with the move into
9 fisheries there was a lot of concern because of the
10 complicated fisheries and the importance to the
11 subsistence and economy of the state.

12
13 There were two years of negotiations that
14 went on to try to enter into some kind of agreement of
15 how these regulatory entities were going to coordinate
16 together, and that cumulated in an agreement called the
17 Interim Memorandum of Agreement that was initialed in
18 2000. It was not signed, it was initialed by all the
19 members of representatives of the Federal Board, the
20 State Board of Fisheries, the State Board of Game and the
21 Department of Fish and Game. There were a number of
22 provisions in there that hadn't been worked out that were
23 left to be resolved by future protocols or future
24 amendments to that agreement.

25
26 In that agreement there was a requirement
27 also for annual meetings. There were some negotiations
28 by task groups put together to enter into some of those
29 difficult arenas. There was a protocol signed on
30 information sharing and there was a protocol signed on
31 how they were going to coordinate in-season activities on
32 the Yukon River, which those issues are still with us
33 today because of the complicated nature, entertainment of
34 the commercial and subsistence fisheries throughout the
35 Yukon River.

36
37 After those were signed there were no
38 more meetings between the signatories despite the
39 agreement to do so and by about 2005 there were becoming
40 some serious conflicts where each of the Boards, the
41 Boards at the time, and the Staff felt that there were
42 some conflicts intruding with each others management
43 authorities happening in their arenas to the point where
44 the Board of Game wrote the Federal Board and withdrew
45 from the IMOA in its frustration. After a period of time
46 and some discussions, the Board of Game agreed to come
47 back to the table if they could enter into some further
48 efforts to try to improve relations because of the
49 impacts that each of the regulators could have over the
50 other, and the recognition there is in Title VIII,

1 multiple times throughout Title VIII, that requires
2 consultation with the State.

3
4 So in 2006 the Chairman of the Federal
5 Subsistence Board wrote to the Governor and asked that we
6 enter into discussions for how to improve relationships
7 between our respective entities. And in 2007 we were
8 having discussions along that line, whether we thought we
9 could do that. And in 2008 the Commissioner's office
10 wrote the Federal Subsistence Board and said, upon
11 directions of the Governor, that we were anxious to come
12 back to the table and work on trying to improve relations
13 for the benefit of the resources and the benefit of the
14 users.

15
16 So there was a meeting in March of 2008,
17 in which the question was posed, a joint meeting of the
18 Board of Game, Board of Fish, Federal Subsistence Board,
19 in which the question was posed, do we want to have a
20 permanent Memorandum of Agreement or Understanding that
21 recognizes each others regulatory authorities and
22 responsibilities and agree to try to make things work
23 better for the resources and the users. There was
24 direction from the Board to a group of us to negotiate
25 some changes to the IMOA to make it work better. There
26 were people from the Federal agencies and from our
27 Department and the Board's representatives that were
28 there, negotiated some changes, went back and forth for
29 a long time, brought a draft back to the joint meeting of
30 those signatories to see if that was adequate with those
31 changes. It's very similar to the original agreement but
32 cleans up some of the misunderstandings. That agreement
33 was signed in 2008 and it agrees to annual meetings and
34 annual renew to fix any problems in that agreement.

35
36 So that's where we are today, is one of
37 these annual meetings.

38
39 You've just received on the Federal side,
40 some directions, from the Secretary as part of the
41 review, we, of course, don't know what's going to happen
42 with a new Governor and a new Commissioner, and so we'll
43 be awaiting any further instructions that come on the
44 State side.

45
46 CHAIRMAN TOWARAK: Pete.

47
48 MR. PROBASCO: Thank you, Mr. Chair.
49 This may be an appropriate time for, either your or one
50 of the Board members, to share where we envision going in

1 the very near term with this MOU.

2

3 Mr. Chair.

4

5 CHAIRMAN TOWARAK: We've been discussing
6 some of the Secretary directives that came through
7 recently. I think before we do any discussions on the
8 MOU we've been charged with, in some sense, changing the
9 way the Federal Subsistence Board has been operating in
10 the last few years.

11

12 One of the higher recommendations, or
13 directives from the Secretary was to provide more
14 deference to our relevant Regional Advisory Councils, our
15 RACs, throughout the state, we have 10 of them. And so
16 we've been searching for ways, here in the last day and
17 a half or so, to review at least that directive and some
18 others. And with that in mind, and if any other Board
19 members have other points to bring across, with that
20 deference to the Regional Advisory Councils, we plan and
21 we hope it doesn't disrupt any timing that the State has,
22 but we would like to send out the changes that -- or
23 request the Regional Advisory Councils to review that
24 Memorandum of Agreement to see if they're, at that level,
25 any recommended changes that they would like to make to
26 our Board before we, in turn, make those changes on how
27 the Federal Subsistence Board operates.

28

29 Pete, if you've got more to add or any
30 other Board members from the Federal Subsistence Board.

31

32 MR. PROBASCO: Mr. Chair. I think you
33 captured it very well, the directive we anticipate
34 getting in the near future, from DC, a letter, that will
35 give direct direction to the Board on the various points
36 as a result of the Subsistence Review. However, I think
37 everybody has seen the news release and the news release
38 generally articulated some of the changes that the
39 Secretaries looking at.

40

41 Mr. Towarak pointed to the one asking the
42 Board to review deference given to the Councils.

43

44 In addition to that is a directive to
45 that is a directive from the Secretaries to take the
46 Memorandum of Understanding and put it back out to the
47 Councils so that they can have a more formal process to
48 review and comment on the MOU. The Board, this morning,
49 felt that time was important and are looking at possibly
50 as soon as this winter to do that. And we are seeking

1 input first from them on the MOU prior to the Board
2 taking action on any potential changes to the MOU, which
3 the Board would share with the State at that time.

4

5 Mr. Chair.

6

7 CHAIRMAN TOWARAK: Thank you. Do any
8 other Federal Board members have any other comments
9 regarding our discussions this morning.

10

11 MS. K'EIT: Mr. Chair.

12

13 CHAIRMAN TOWARAK: Yes.

14

15 MS. K'EIT: An additional topic related
16 to the MOU that we discussed was how the Board may need
17 to fit tribal consultation into the process of the
18 review.

19

20 Thank you.

21

22 CHAIRMAN TOWARAK: In some sense we felt
23 that it was timely to do this because of the directives
24 that the Secretaries came down with, along with the
25 election that we just had in the state and formalizing
26 the election of our new Governor, with him asking for
27 resignations from all of his Commissioners and he,
28 himself, taking some time to reorder his administration.
29 So I think it's timely that both sides are taking a seat
30 back to take a little more review of the MOU to get us to
31 the point where we think we will be in a few more months.

32

33 There is an interest to retain the MOU
34 and that, I think, is our long-term goal.

35

36 MR. JUDKINS: Yeah, Cliff Judkins with
37 the State Board of Game. Yeah, it's probably advisable
38 we could also send it out to our Advisory Committees and
39 allow them to review it at the same time.

40

41 I'd just like to comment that, you know,
42 basically this is an agreement that just stimulates our
43 Staffs to work together in their conservation concerns
44 and the subsistence concerns out there. I kind of want
45 to say, if it isn't broke, don't fix it, it seems it
46 works, today; I haven't heard any complaints, maybe I'm
47 missing something, but I haven't seen any problem within
48 the -- yeah, there's some problems with the people that
49 like to wordsmith but when you get into the people that
50 are actually having to work with the agreement, I don't

1 see any problems going on, I hadn't heard of any.

2

3 But I think that it's advisable, you
4 know, to send it out to those Advisory Groups, we have 80
5 of them, I think, so it gets a pretty thorough review
6 from our side, too, and then try and set some time limits
7 on it so it doesn't go on forever and bring it back
8 before you again with input from the other groups.

9

10 CHAIRMAN TOWARAK: Thank you. We'll take
11 that suggestion and have our Staff work with the State
12 Staff in finding a way to get it out the State Advisory;
13 is that.....

14

15 MS. CUNNING: Yes, sir, Mr. Chairman. We
16 send stuff out through all 82 Advisory Committees all the
17 time and if we could work with your -- whoever's
18 transmitting from your side, we'll be sure we have the
19 same message that goes out to the 82 Advisory Committees.

20

21 CHAIRMAN TOWARAK: Pete, have you got
22 comments on that?

23

24 MR. PROBASCO: No, Mr. Chair, I agree.

25

26 CHAIRMAN TOWARAK: Okay. Pete will be
27 our -- your contact on the Federal side for getting the
28 information that we're going to send out to our RACs.

29

30 Pete.

31

32 John.

33

34 MR. HILSINGER: Thank you, Mr. Chairman.
35 I agree. I think that that would be a great idea. It's
36 a good opportunity to review it and get some feedback.

37

38 A couple suggestions, I guess, one thing
39 that we might think about is some means of sharing the
40 comments as they come back so that both sides can see the
41 comments that come in.

42

43 Another thing that we thought of, and I
44 don't know if this should happen before it goes out or
45 after, but we did find one of the sections that we
46 thought might benefit from a little bit different
47 wording, and so we could talk about whether we would want
48 to send that out as a suggestion, as a part of the review
49 or just how we want to handle that. But we did note that
50 there is some confusion that was not intended when the

1 MOU was written, but it would clarify that the Federal
2 Program would work according to Federal law and the State
3 Program would work according to State law, and the State
4 wouldn't work according to Federal law and the Federal
5 Program wouldn't work according to State law.

6

7 And so, you know, that's a suggestion
8 maybe that might save some comment, because I think that
9 was an issue with a lot of people, and we might actually
10 make the process go a little bit smoother if we could
11 clarify that before it went out.

12

13 Thank you.

14

15 CHAIRMAN TOWARAK: Pete, do you have
16 anything.

17

18 MR. PROBASCO: Mr. Chair. I think what
19 Mr. Hilsinger is alluding to, that, both the Board and
20 the State received, based on the initial MOU, once it was
21 signed, comments from the public, some from Regional
22 Advisory Councils and other entities, and it did focus on
23 the need to clarify. I'm not too sure what language the
24 State has, but that definitely was identified once the
25 first draft was shared with the public, Councils, et
26 cetera.

27

28 Mr. Chair.

29

30 CHAIRMAN TOWARAK: Thank you. With all
31 of that said, where are we right now?

32

33 (Laughter)

34

35 CHAIRMAN TOWARAK: Is there any other
36 discussion that we want to take up at this point before
37 we respectively go back to our Advisory Councils?

38

39 MS. PENDLETON: Mr. Chair. One point
40 that I think would be helpful and that the Federal Board
41 discussed this morning and then I think Tina did a great
42 job, was giving a little bit of history on how we got to
43 where we are now, so as we transmit the MOU for
44 respective reviews, having a little bit of that history
45 in the letter that accompanies the MOU, I think would be
46 very helpful to the RACs and the Advisory Councils as
47 they review this document.

48

49 CHAIRMAN TOWARAK: Kristin.

50

1 MS. K'EIT: Mr. Chair, I have a
2 procedural question. As we start talking about our next
3 steps, the MOU does say that our parties agree to send
4 out any policy and position statements related to the MOU
5 are made by mutual consent of the parties, so I'm not
6 really sure what that means or what that would look like.
7 If anyone would care to elaborate on that.

8

9 CHAIRMAN TOWARAK: Pete, you got
10 anything. Go ahead, Pete.

11

12 MR. PROBASCO: Mr. Chair. Ms. K'eat. I
13 believe the intent of that section is that anything
14 pertaining to the MOU, Ms. Pendleton spoke of a letter to
15 accompany the review process; that letter would be done
16 jointly and agreed upon so it isn't one side versus the
17 other side independently sending out information -- just
18 pertaining to the MOU, we do that jointly. So if,
19 indeed, it's the wishes of the body here to send a letter
20 along with maybe a briefing dealing with history, it
21 would be a document done collectively and then endorsed
22 by the signators.

23

24 Mr. Chair.

25

26 CHAIRMAN TOWARAK: Thank you. Any other
27 comments from anyone on the table here.

28

29 MR. HILSINGER: Mr. Chairman. I guess
30 the only question I would have is if people would like to
31 see that language now or how you would like to handle
32 that. It just might help if people just kind of know
33 what we're thinking. I don't know if we want to
34 wordsmith it here, but we do have plenty of copies, and
35 so if people wanted to see it now, while we're all
36 together, that would certainly be possible.

37

38 CHAIRMAN TOWARAK: What's the wishes of
39 the Board.

40

41 Go ahead, Pete.

42

43 MR. PROBASCO: Thank you, Mr. Chair. I'm
44 not a Board member but I think it would be a benefit for
45 the Board members to at least see from the State's
46 perspective, an area that they think needs clarification.
47 If nothing else it's just as an information exchange.

48

49 Mr. Chair.

50

1 CHAIRMAN TOWARAK: Sure.
2
3 MS. DOUGAN: Mr. Chair.
4
5 CHAIRMAN TOWARAK: Go ahead.
6
7 MS. DOUGAN: I agree. I think we could
8 look at that and get a sense of what the State's
9 thinking, but I wouldn't be in support of sending out any
10 proposed language change along with the review. I think
11 the MOU should go out as it is so that it does not appear
12 we're trying to suggest certain change to our Advisory
13 groups.
14
15 CHAIRMAN TOWARAK: Is that agreeable with
16 the rest of the Board.
17
18 MS. PENDLETON: Mr. Chair. That's
19 agreeable for me.
20
21 CHAIRMAN TOWARAK: Thank you.
22
23 (Board nods affirmatively)
24
25 CHAIRMAN TOWARAK: Okay. We will plan on
26 that then. We will go ahead and review what the State
27 has and at least we'll be knowledgeable of what you've
28 got so far.
29
30 (Pause)
31
32 CHAIRMAN TOWARAK: Go ahead.
33
34 MR. HILSINGER: Mr. Chairman. If the
35 Board members look at the MOU on Page 3 near the top
36 paragraph three, there's a paragraph that actually
37 appeared in a very similar form in the original Interim
38 Memorandum of Agreement, and it was carried over into the
39 MOU in a little bit, I guess, kind of a streamlined form,
40 it's a little bit shorter and tighter.
41
42 And it reads:
43
44 To provide a priority for subsistence
45 uses of fish and wildlife resources and
46 to allow for other uses of fish and
47 wildlife resources when harvestable
48 surpluses are sufficient consistent with
49 ANILCA and Alaska Statute 16.05.258.
50

1 And so what we envisioned was striking
2 that last clause: consistent with ANILCA and Alaska
3 Statute 16.05.258 and replacing it so that it would say:

4
5 By the Federal Program consistent with
6 ANILCA and by the State Program
7 consistent with AS 16.05.258.
8

9 Just to clarify that the Federal Program
10 would not be bound by State law and the State Program
11 would not be bound by Federal law.

12
13 CHAIRMAN TOWARAK: That seems to be
14 fairly straightforward. It clarifies the sentence.

15
16 Any other comments from anyone around the
17 table.

18
19 Did you have something?

20
21 MR. PROBASCO: Not on the language, Mr.
22 Chair, but more on the process. As, we, on the Federal
23 side go to the Regional Advisory Council and following on
24 Ms. Pendleton's comment as far as a briefing on the
25 history to the Regional Advisory Councils, I also would
26 like to suggest since this is an MOU of both the State
27 and the Federal side that, at least, when we go to our 10
28 Regional Advisory Councils, that a briefing such as this
29 would be done jointly to the Councils, so the State can
30 provide their perspective versus a Federal person trying
31 to interpret that and do it jointly.

32
33 Mr. Chair.

34
35 CHAIRMAN TOWARAK: Thank you. Are there
36 any objections to that.

37
38 (No objections)

39
40 CHAIRMAN TOWARAK: If not, then we will
41 use that process.

42
43 Go ahead.

44
45 MR. HILSINGER: Mr. Chairman. Not
46 completely tongue and cheek, I think you heard that we
47 have 80 Advisory Committees and so I might just ask if
48 Mr. Probasco was envisioning a joint presentation to each
49 one of those as well.

50

1 MR. PROBASCO: Mr. Chair. Mr. Hilsinger.
2 That's why I said, very carefully, as far as the Federal
3 side. 82 Advisory Committees may be a daunting task in
4 this short timeframe that we have.

5
6 Mr. Chair.

7
8 CHAIRMAN TOWARAK: I think we'll leave it
9 to the Staff to work that out.

10
11 (Laughter)

12
13 CHAIRMAN TOWARAK: I think the best way
14 we could convey that information out to all of the users
15 in Alaska is desirable on both sides. I think with the
16 convent of the computers and the telephonic systems that
17 we have in Alaska now it's -- there's other ways to get
18 information out, so I think mechanically that process, I
19 think we could leave to the Staff and I think we're all
20 agreeable that we would like to get this information out
21 to as many people as possible to review and make it come
22 from the bottom up.

23
24 I don't see any heads shaking in
25 objection to that. So if there's no objection to it, I'm
26 going to leave the method of getting information out and
27 conducting meetings to the Staff level of both sides --
28 on our side, anyway, with the State's concurrence.

29
30 MR. HILSINGER: Yes, Mr. Chairman.

31
32 CHAIRMAN TOWARAK: Thank you. Mr.
33 Webster.

34
35 MR. WEBSTER: Just a comment on the
36 Memorandum of Understanding. I've seen the process go
37 from the two governing entities being almost hostile to
38 each other and since we've had this MOU signed, there's
39 been a lot closer relationship with the Staff, the
40 research department and the Boards themselves.

41
42 For instance, the Federal Board postponed
43 a decision on mesh size on the Yukon until the State took
44 up the entire Yukon River and that was just last year.
45 So that was unheard of in the past. And I just wanted to
46 make sure that everybody understands that, you know, this
47 is just a document saying that we acknowledge each other
48 and we'll be working closer in the future.

49
50 CHAIRMAN TOWARAK: It's more like a

1 prenuptial agreement instead of a marriage agreement.

2

3 (Laughter)

4

5 CHAIRMAN TOWARAK: But, yeah, I
6 understand what you're saying.

7

8 Any others.

9

10 MR. SPRAKER: Thank you, Mr. Chairman.
11 I'd like to make a comment on the level of cooperation
12 and how it's changed over time. I just recently came
13 back from a Ketchikan Board of Game meeting. We were
14 there for about a week. And there were a couple issues
15 that we dealt with that were on State and State side and,
16 you know, having been in this business for a little while
17 now, not forever but a little while, it has really
18 changed and I want to report that to the group.

19

20 We're seeing a higher level of
21 cooperation and kind of agreements and understanding
22 between the -- we had a member there from the RAC, the
23 Southeast RAC, Mike Douville, if I remember correctly,
24 the gentleman's name, and I talked to him at length and
25 he was very cooperative. You know we had a couple issues
26 there that we were trying to implement a goat hunt on
27 Federal lands and there was kind of the issue about who
28 was going to get the permits, and we talked about, well,
29 this is an opportunity to split the permits, you know,
30 not have a hassle over who was going to get all the --
31 you know, limited number of permits.

32

33 And, anyway, I just wanted to report to
34 the group that, you know, I've certainly seen a major
35 change, and it's a change for the good and I'm really
36 glad to see that cooperation increase.

37

38 CHAIRMAN TOWARAK: Thank you, Mr.
39 Spraker. And we, ourselves, had that -- somewhat of a
40 similar discussion this morning, about the positive
41 things that we're getting out of this MOU and the good
42 things that have been coming out of it and, we,
43 ourselves, want to see that continue.

44

45 We're just bound a little bit by some of
46 the changes that are taking place on the Federal side.
47 So we're trying to kill two birds with one stone and we
48 think it's doable. And we appreciate the State's
49 willingness to work with our timeline and move forward
50 with it, with the intention of getting another MOU

1 signed.

2

3 Any other comments from any other Board
4 members in regards to the MOU in general.

5

6 MS. CUNNING: Mr. Chairman. You said
7 another MOU signed, are you saying, another MOU signed or
8 clarifications, are there options in that final outcome?

9

10 CHAIRMAN TOWARAK: Well, yeah, I guess I
11 was just thinking that there's going to be a request for
12 changes on it and I have no idea what those might be, but
13 I would assume, you know, if it's just a matter of
14 tweaking the current MOU we won't need another one but if
15 it comes out that there is major changes, you know,
16 those, we'll have to see. So I didn't mean to impress
17 one feeling or the other.

18

19 Any other comments anyone else would like
20 to make.

21

22 Pete.

23

24 MR. PROBASCO: Thank you, Mr. Chair.
25 Just on the process and, Tina, please jump in, but on the
26 Federal side, if it is decided that we go forward either
27 this -- I mean we are going to go forward, but if we
28 decide as soon as this winter's meeting, then I see the
29 tasks before my Staff and working through the Staff
30 Committee on that side and then on the State side, to
31 develop two documents that would accompany the MOU and
32 that would be a letter explaining why we're going through
33 this process, both from the Federal perspective and the
34 State's perspective and then to also sort of take what
35 Tina's swan song was and develop it into a briefing, I
36 envision that once we have a draft that at our level
37 agreed to, then we would send it out to the signatories
38 for final approval.

39

40 Mr. Chair. Mr. Hilsinger.

41

42 CHAIRMAN TOWARAK: Is that everyone's
43 understanding of the process that we're going to use?

44

45 (Boards nod affirmatively)

46

47 CHAIRMAN TOWARAK: Thank you. With that,
48 is there anything else we need to discuss on the MOU.

49

50

1 (No comments)

2

3 CHAIRMAN TOWARAK: If there isn't any,
4 then that concludes our discussions, the communications
5 will be in between the two of you at the Staff level.

6

7 MS. CUNNING: Mr. Chairman. That's fine.
8 Just so you know, Jennifer Yuhás will be the coordinator
9 for the Federal Subsistence Liaison Team, she's sitting
10 in the front row. She will be assuming those
11 responsibilities. Our coordinator position has been
12 empty for quite awhile and I've been having to fill that
13 as well as be the Commissioner's advisor on Federal
14 issues, so it's been a double hat situation for awhile so
15 I'm very glad to get a coordinator on board.

16

17 I just off -- unrelated to the MOU,
18 because this is my last official meeting in the Federal
19 subsistence arena, I would just like to share an
20 observation of the changes I've seen since I've been
21 involved, either directly or on the periphery of this
22 issue since its inception in 1990. And one of the things
23 that we witnessed early in the dual regulatory arena was
24 initially a lot of very close cooperative work, but as
25 the Federal Program became established there -- with some
26 of the politics there have become some negatives. We
27 even had a coordinator quit after a series of very nasty
28 meetings in which there were derogatory comments,
29 disrespect both from the public and from Federal Staff
30 when they were there trying to provide data for the
31 decisionmaking process and it was very uncomfortable.
32 And this last year we had a coordinator quit right after
33 a RAC meeting, in which he was abused, and that was an
34 unfortunate situation, and it was rare, because most of
35 the RACs in the last four or five years have been
36 requesting our participation as much as possible. So
37 we've been working very, very hard as a Department to be
38 sure that we have wildlife and fisheries Staff present at
39 every RAC meeting, and to be sure that they're working
40 well in hand with the Federal Staff ahead of those
41 meetings to be sure there's accurate information being
42 provided, current updated reports. We're really working
43 hard at it and it's been tough in a couple locations
44 where we have either a public or certain members of RACs
45 or certain Federal Staff that still carry a chip on their
46 shoulder or think that the State is the evil empire.

47

48 So I'm so glad to see that has been
49 dissipating in the last number of years. It's a much
50 better arrangement now. There's very fair sharing of

1 information, a lot of research, a lot of cooperation
2 going on at all levels. We only have a couple residual
3 pockets we need to continue to work on.

4
5 So I appreciate the changes. It's a much
6 better world out there to work on and it's always to the
7 best for the resources and the resource users if we are
8 coordinating our efforts as much as possible.

9
10 So, thank you, Mr. Chairman.

11
12 CHAIRMAN TOWARAK: Thank you. Coming
13 from the user's side, myself, personally, on a personal
14 basis, I come from Unalakleet where I think 80 miles of
15 our Unalakleet River is part of the Federal Wild and
16 Scenic System, and then all of the lands surrounding that
17 are State lands, owned mostly by the village corporation,
18 and then beyond that it's Federal lands again, so we have
19 been very confused at times about some of the regulations
20 coming through. And I think part of my intent is to make
21 their lives easier and I think by sharing information,
22 which I have heard is -- and it's one of the bright spots
23 of this MOU, giving information to each other, for
24 ourselves to manage properly, has been, I think, one of
25 the bright sides I've seen so far on this MOU.

26
27 This is only my first meeting, but I look
28 forward to continued working with the State.

29
30 With that I will ask for a motion from
31 our Board to adjourn the meeting.

32
33 MS. PENDLETON: I motion that we adjourn
34 the meeting.

35
36 MS. DOUGAN: Second.

37
38 MS. MASICA: Second.

39
40 CHAIRMAN TOWARAK: You heard the motion
41 and the second, any discussion.

42
43
44 (No comments)

45
46 CHAIRMAN TOWARAK: Not hearing any, those
47 in favor of the motion say aye.

48
49 IN UNISON: Aye.

50

1 CHAIRMAN TOWARAK: Those opposed, say
2 nay.

3
4 (No opposing votes)

5
6 CHAIRMAN TOWARAK: Motion passes. Thank
7 you very much for attending our meeting.

8
9 (Off record)

10
11 (END OF PROCEEDINGS)

