

FEDERAL SUBSISTENCE BOARD

WORK SESSION

Gordon Watson Conference Room
ANCHORAGE, ALASKA

August 8, 2018

MEMBERS PRESENT:

Anthony Christianson, Chairman
Charles Brower
Rhonda Pitka
Karen Mouritsen, Bureau of Land Management
Greg Siekaniec, U.S. Fish and Wildlife Service
Bert Frost, National Park Service
Gene Peltola, Bureau of Indian Affairs
David Schmid, U.S. Forest Service

Ken Lord, Solicitor's Office

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1 P R O C E E D I N G S
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3 (Anchorage, Alaska - 8/8/2018)
4
5 (On record)
6
7 CHAIRMAN CHRISTIANSON: Welcome
8 everybody to the meeting here today, work session from
9 the Federal Board. Before we get started we'll do roll
10 call now.
11
12 MR. DOOLITTLE: Thank you, Mr. Chair.
13 Okay, National Park Service, Herbert Frost.
14
15 MR. FROST: Here.
16
17 MR. DOOLITTLE: BLM, Karen Mouritsen.
18
19 MS. MOURITSEN: Here.
20
21 MR. DOOLITTLE: US Fish and Wildlife
22 Service, Greg Siekaniec.
23
24 MR. SIEKANIEC: Here.
25
26 MR. DOOLITTLE: US Forest Service,
27 David Schmid.
28
29 MR. SCHMID: Here.
30
31 MR. DOOLITTLE: BIA, Gene Peltola.
32
33 MR. PELTOLA: Present.
34
35 MR. DOOLITTLE: Public Member, Rhonda
36 Pitka.
37
38 MS. PITKA: Here.
39
40 MR. DOOLITTLE: Public Member, Charlie
41 Brower.
42
43 MR. BROWER: (In Inupiaq).
44
45 MR. DOOLITTLE: Chairman Anthony
46 Christianson.
47
48 CHAIRMAN CHRISTIANSON: Here.
49
50

1 MR. DOOLITTLE: Dawn Collingsworth, on
2 line or present.
3
4 (No comments)
5
6 MR. DOOLITTLE: Ken Lord.
7
8 MR. LORD: Here. And I believe Dawn's
9 on line.
10
11 MR. DOOLITTLE: Alrighty.
12
13 I'd like to recognize the State, Ms.
14 Jill Klein and Mark Burch.
15
16 Okay.
17
18 MR. BURCH: I think Ryan Scott may be
19 on the phone as well.
20
21 MR. DOOLITTLE: Ryan Scott, okay.
22
23 Alrighty, we have a quorum.
24
25 CHAIRMAN CHRISTIANSON: All right,
26 quorum established. We'll review and adopt the agenda.
27
28 MR. BROWER: So moved, Mr. Chair.
29
30 CHAIRMAN CHRISTIANSON: Motion's been
31 made to adopt the agenda.
32
33 MR. FROST: Second.
34
35 CHAIRMAN CHRISTIANSON: Second. Any
36 discussion.
37
38 MS. PITKA: Just a question.
39
40 CHAIRMAN CHRISTIANSON: Question.
41
42 MS. PITKA: Are you going to allow some
43 testimony.
44
45 CHAIRMAN CHRISTIANSON: Yes. I'll
46 allow some limited public testimony under information
47 exchange. So what I'll say now since she asked it, is
48 could you please sign up with the Staff here, somebody
49 will raise their hand and we can get a list of that
50

1 going so we can do that and we'll try to keep it --
2 thank you.
3
4 So we are still under -- any
5 discussion.
6
7 (No comments)
8
9 CHAIRMAN CHRISTIANSON: Call for the
10 question.
11
12 MR. BROWER: Question.
13
14 CHAIRMAN CHRISTIANSON: Question is
15 called, all in favor say aye.
16
17 IN UNISON: Aye.
18
19 CHAIRMAN CHRISTIANSON: Opposed, same
20 sign.
21
22 (No opposing votes)
23
24 CHAIRMAN CHRISTIANSON: Motion is
25 unanimous.
26
27 Okay. We'll open the floor to Board
28 members now, if they want to have any information
29 exchange.
30
31 MR. SIEKANIEC: Thank you, Mr. Chair.
32 So in our brief discussion earlier today of things that
33 are kind of going on and around the state and
34 particularly may be more towards Kenai, like, Rhonda,
35 you said, well, you just can't imagine we don't ever
36 spend hours and hours talking about the Kenai, so I
37 thought we better start today with the Kenai a little
38 bit.
39
40 I had a pretty nice day here a week or
41 so ago on the Kenai River. We signed a memorandum of
42 understanding with the Ninilchik Traditional Council
43 and we actually met right out on the river and what you
44 see on the screen up there is their subsistence net in
45 the water, fishing, while we were preparing to sign the
46 memorandum of understanding. And as you can tell it
47 was quite a spectacular day out there, this just shows,
48 again, a photo of them setting their net, getting it
49 put in and if you remember, I believe the net is 50
50

1 foot long, you know, the prior photo shows that it
2 takes up a very small sort of spot within the Kenai
3 River and as you can tell this is Darrel, he kind of --
4 Darrel Williams, he runs -- he's with the Resource
5 Environmental Department Director for NTC, but he kind
6 of runs the net, and I'm just standing there with him,
7 they were starting to take sockeye out of the net while
8 we were there. And here we are signing the actual
9 memorandum of understanding with Greg Encelewski as
10 well as Ivan and myself, and you can tell they are in a
11 very high spirited sort of perspective, that they have
12 managed to bring this project to this level of having
13 even a memorandum of understanding on how they will
14 conduct business with the Fish and Wildlife Service
15 relative to in-season management decisions. Now you
16 can see also here the photos with Andy Loranger, the
17 Refuge Manager and Jeff Williams, the fisheries
18 resource manager, and the rest of the crew there, that
19 were out on the river that particular day.
20

21 Now, how this memorandum of
22 understanding is intended to work is to have a, you
23 know, very open communicative process around the idea
24 of what's going on with the river relative to any
25 actions that need to be taken by the in-season manager.
26

27 As I mentioned a little bit this
28 morning, they've been fishing it, and I found it a
29 little more current information, they've taken
30 approximately 1,200 sockeye off of the Kenai River.
31 They had taken about 600 and some off of the Kasilof
32 River. And we are just issuing an emergency order
33 closing it because it does not look like the escapement
34 goal will be met for the Kenai River and we had great
35 dialogue with Ivan and Greg and Jeff around this issue
36 and they are in agreement that it's the right thing to
37 do in order to put conservation in place relative to
38 the performance of the river as a whole and thinking
39 about the future.
40

41 So, with that, I just wanted to, you
42 know, show that the fruits of some of the work of the
43 Board, you know, do come through, you know, they do get
44 delivered on and we do have some, you know, great
45 opportunities for relationships that are really strong
46 and working well and Ninilchik is just one of those
47 little places and we managed to put it in place and
48 have a little moment of celebration right out there on
49 the river.
50

1 So, with that, thank you, Mr. Chairman.

2

3 CHAIRMAN CHRISTIANSON: Thank you for
4 that update. It's good they're catching fish.

5

6 Any other Board members have anything
7 they'd like to share.

8

9 (No comments)

10

11 CHAIRMAN CHRISTIANSON: Hearing none.
12 Did we get a list going -- yeah.

13

14 MR. LORD: Mr. Chair, I was incorrect,
15 Dawn is not on line, she's got other obligations.

16

17 CHAIRMAN CHRISTIANSON: Okay.

18

19 MR. SCHMID: Mr. Chair. And I just
20 sent her an im message, she will be calling in here
21 shortly.

22

23 CHAIRMAN CHRISTIANSON: Okay.

24

25 MR. LORD: Mr. Chair, I'd like to
26 correct my correction, I just got a text from her
27 saying she is on line.

28

29 (Laughter)

30

31 CHAIRMAN CHRISTIANSON: Okay. Hi Dawn.

32

33 MS. COLLINGSWORTH: I think I'm muted,
34 but, hi.

35

36 (Laughter)

37

38 MR. DOOLITTLE: Are people going to
39 speak?

40

41 CHAIRMAN CHRISTIANSON: Yep. I'm
42 opening the floor up now for the information sharing
43 from the public.

44

45 (No comments)

46

47 CHAIRMAN CHRISTIANSON: Oh, they must
48 have stepped out for a second.

49

50

1 (Pause)

2

3 CHAIRMAN CHRISTIANSON: Okay.

4

5 MS. PITKA: Should we do a couple of
6 introductions because there are some new Board members.

7

8 CHAIRMAN CHRISTIANSON: Sure, Rhonda,
9 sounds good.

10

11 New, Board members, do you want to
12 introduce yourselves while we wait.

13

14 MR. SCHMID: Thank you, Mr. Chair. My
15 name's Dave Schmid. I'm serving as the Regional
16 Forester for the Forest Service here in Alaska. It's
17 not my first time around the block. I was -- lived up
18 here, mostly in rural Alaska, for about 24 years, and
19 so it's good to be back and it's been a great welcome
20 home for me.

21

22 Thank you.

23

24 MR. PELTOLA: And, Mr. Chair, good
25 afternoon all. Gene Peltola, Jr., new Federal
26 Subsistence Board member now with Bureau of Indian
27 Affairs. Came off of almost 34 year career with the
28 Fish and Wildlife Service here in Alaska. Born and
29 raised in Bethel.

30

31 CHAIRMAN CHRISTIANSON: Welcome aboard,
32 guys. Thank you for that Rhonda.

33

34 All right, we have Bruce Thomas.

35

36 MR. THOMAS: Good afternoon, Mr. Chair,
37 members of the Board. I'm here to have a letter
38 requesting tribal consultation with the FSB Board,
39 including the US Fish and Wildlife Service, Director
40 Greg Siekaniec, to consult with the CATG on the
41 selection of a new OSM, ARD position, and the future of
42 OSM Programming.

43

44 Mr. Chair, we thank you for your fair
45 and effective leadership, commitment, dedication and
46 service on the Federal Subsistence Board. We
47 understand the US Fish and Wildlife Service is
48 currently in the process of seeking a new Assistant
49 Regional Director for the Office of Subsistence

50

1 Management. We, the Council of Athabascan Tribal
2 Governments, request tribal consultation with the FSB,
3 including the US Fish and Wildlife Service, Director
4 Greg Siekaniec, to consult on the selection of the new
5 OSM ARD and the future of OSM Programming. The
6 implementation of ANILCA, namely ANILCA, Title VIII,
7 through the Office of Subsistence Management, affects
8 our daily lives and our well-being as indigenous
9 peoples who's lives are of this place, our traditional
10 territories now being managed by the US Fish and
11 Wildlife Service as National Wildlife Refuges. It is
12 clear that those directly and most affected by this
13 selection should be afforded meaningful tribal
14 consultation as required by statute.
15

16 The Council of Athabascan Tribal
17 Governments, the Council is a tribal consortium founded
18 in 1985 on the principles of tribal self-governance.
19 The Gwich'in and Koyukon Athabascan peoples of the
20 Yukon Flats live in remote villages, whom united to
21 form the Council, Arctic Village, Beaver, Birch Creek
22 Canyon, Chalkyitsik, Circle, Fort Yukon, Rampart,
23 Stevens and Venetie. Our traditional territories
24 include the Yukon Flats, a 55,000 square mile area
25 encompassing what is now the Yukon Flats National
26 Wildlife Refuge, and a portion of the Arctic National
27 Wildlife Refuge, stretching from the White Mountains in
28 the south to the Brooks Range in the north, from the
29 Western edge of the Yukon Flats and the Trans-Alaska
30 Pipeline, east of the United States Canada border is of
31 significant historic culture and of geographic
32 importance to the tribal governments. Since time
33 immemorial, the tribal governments and people have
34 lived within these lands and the resources herein. The
35 traditions of our grandparents live on through our
36 ability to hunt and fish which include the ceremonies
37 that accompany these cultural practices. As Native
38 peoples, access to our traditional food resources is
39 critical for our culture, health, well-being, economic
40 security, and food sovereignty. The Council advocates
41 for Alaskan hunting and fishing management, policy and
42 regulations to provide for Alaska Native food security.
43 Community well-being and traditional ways of life.
44

45 We ask for legislation to protect
46 Alaska Native hunting and fishing rights.
47

48 Our intent is to continue our ancestral
49 ways of life within our traditional territories through
50

1 effective partnerships with the Federal government,
2 through funding and other agreements. Since 2004 the
3 Council has had an annual funding agreement under Title
4 V of the Indian Self-Determination and Education
5 Assistance Act with the US Fish and Wildlife Service
6 successful negotiation of the AFA for selected
7 programs, functions, services and activities of the
8 Yukon Flats National Wildlife Refuge, yielded the first
9 agreement of its kind in the history of the nation.
10 The first AFA for selected PFSAs of a Federal
11 conservation unit by a tribal entity. This
12 groundbreaking work set a self-governance precedent
13 across the country. Through the AFA the Council has
14 implemented selected PFSFA (ph) of the Yukon Flats
15 National Wildlife Refuge, namely cooperative moose
16 management planning, education and outreach
17 programming, harvest data collection, logistical
18 maintenance of the only logistical outpost in the
19 Refuge and Refuge information technician staffing.
20

21 Alaskan tribal governments and intra-
22 tribal organizations should have a meaningful and
23 active role in the implementation of the Title VIII of
24 ANILCA as clearly delineated in the legislation and in
25 the 2010 review of the Federal Subsistence Management
26 Program. We now seek meaningful consultation in the
27 process of OSM ARD. The ARD is a critical position to
28 the purpose of OSM and the Federal government, more
29 broadly, to implement ANILCA as well as a Federal trust
30 responsibility to tribal governments in Alaska.
31

32 We assert the newly elected ARD must
33 have a set of minimum qualifications, knowledge and
34 experience to effectively protect Alaska Native
35 subsistence hunting, fishing and way of life as clearly
36 mandated by ANILCA, Title VIII. Minimally, the ARD
37 should have lived in rural Alaska within their
38 lifetime, preferably being an active Federally-
39 qualified subsistence user and also preferably be an
40 Alaska Native. The ARD should have life-long knowledge
41 of customary and traditional uses of fish and wildlife
42 in Alaska as well as life-long knowledge of the
43 complexities of fish and wildlife regulatory management
44 in Alaska.
45

46 The Council appreciates the
47 recommendations from the 2010 review that have been
48 implemented but acknowledges the full intent of ANILCA,
49 Title VIII is not being fulfilled as documented by the
50

1 Department of Interior in the 2010 review. We still
2 have a great deal of work to do together,
3 cooperatively, and in good faith. Together tribal
4 governments and tribal organizations the Federal
5 Subsistence Board, the Federal agencies can create a
6 future in which the full intent and purpose of ANILCA,
7 Title VIII is realized. A future in which Alaska
8 Native peoples are not criminalized for practicing our
9 ancestral ways of life, to provide healthy livelihoods
10 and foods for our families and communities.

11

12 Thank you.

13

14 CHAIRMAN CHRISTIANSON: Thank you for
15 that Bruce. Appreciate that letter. Could you make
16 sure we get a copy of that.

17

18 MR. THOMAS: I'll send it to you.

19

20 CHAIRMAN CHRISTIANSON: All right,
21 appreciate your testimony. Any questions, anybody, for
22 Bruce.

23

24 (No comments)

25

26 CHAIRMAN CHRISTIANSON: Appreciate you
27 taking the time and coming.

28

29 MR. THOMAS: Thank you.

30

31 CHAIRMAN CHRISTIANSON: And just, I
32 think, for clarity, I think he requested tribal
33 consultation. I guess we'll have to have Staff get
34 with him and then we can arrange that.

35

36 Karen Linnell.

37

38 MS. LINNELL: Thank you, Mr. Chair and
39 Members of the Board. For the record my name is Karen
40 Linnell. I'm the Executive Director of the Ahtna
41 InterTribal Resource Commission.

42

43 We have an MOA with the Department of
44 Interior. From that, we submitted Proposals WP17, 18
45 and 19 that would allow us to issue hunt permits on
46 Federal lands within the DOI purview. Since then the
47 -- that was to allow us to issue Federal permits,
48 subsistence registration permits for moose and caribou
49 to Federally-qualified Ahtna Tribal citizens in order

50

1 to get Ahtna youth, especially young men back out on
2 the landscape to continue customary and traditional
3 Ahtna hunting practices and cultural activities. The
4 proposals were submitted because the Ahtna people
5 continue to not meet their subsistence needs under
6 current State and Federal subsistence regulations. The
7 Federal Office of Subsistence Management modified these
8 proposals to, instead, establish a community harvest
9 system on Federal lands to be managed by AITRC and open
10 to all Federally-qualified subsistence users living
11 within the Ahtna traditional use territory subject to a
12 framework to be established by the Federal Subsistence
13 Board. This framework was also supposed to address how
14 other non-Ahtna communities would become part of the
15 Ahtna community and hunt for moose and caribou, which
16 serves only to replicate the currently dysfunctional
17 system under the State community harvest system. That
18 system is swamped with, not only non-Natives but urban
19 residents that -- and they're non-Federally-qualified.
20 This is not what the eight Federally-recognized tribes
21 had requested. OSM continues to state that the tribal
22 membership cannot be used as an eligibility criteria
23 for participation in Federal subsistence hunts, even
24 the Ahtna community hunt for the moose and caribou.

25
26 Alaska Natives were promised by
27 Congress and the State of Alaska representatives and
28 policy makers during negotiations of ANCSA that the
29 State and the Secretary of the Interior would take care
30 of subsistence hunting and fishing rights for Alaska
31 Natives within the existing statutory regulations and
32 authorities. For almost a half a century we've
33 continued to wait patiently for those promises to be
34 kept. AITRC expected the US Department of Interior
35 agencies would honor the memorandum of agreement signed
36 by Deputy Secretary of the Interior in November of
37 2016. We also expect that someone in the Federal
38 government to oversee the implementation of the MOA
39 between DOI and AITRC. During the past two years,
40 since the MOA was signed, AITRC expected that the
41 rulemaking by DOI agencies called for in the MOA would
42 have been completed by November of 2017, as identified
43 in the MOA as incumbent upon the Federal government.
44 To-date we have seen no proactive engagement by the
45 Federal government to honor this most recent promise to
46 make Federally-recognized tribes -- to the Federally-
47 recognized tribes of the Ahtna region.

48
49 The Federal agencies you lead are not
50

1 fulfilling the promises made by the US government. The
2 agencies you lead are shirking the Federal trust
3 responsibility to Federally-recognized tribes in the
4 Ahtna region. The agencies you lead are failing to
5 effectively implement the intent of ANILCA, Title VIII
6 with respect to providing for the continuation of
7 Alaska Native ways of life and to effectively include
8 Alaska Natives in the management of Federal lands and
9 waters and Alaska Native lands.

10

11 AITRC requests identifying a single
12 point of contact within the Department of Interior, but
13 outside of the office of Subsistence Management, to
14 implement the MOA on behalf of the Federal government
15 and the new DOI.

16

17 Rulemaking by the Department of
18 Interior has not been accomplished within the timeframe
19 identified in the MOA with AITRC. The Secretary of
20 Interior should develop rulemaking to establish an
21 AITRC managed tribal harvest program to provide maximum
22 opportunity for the continuation of Ahtna tribes
23 hunting way of life and the right to self-determination
24 through providing AITRC with the authority to manage
25 the taking of wildlife according to the customary and
26 traditional knowledge and practices of the Ahtna
27 people, as called for in the MOA. Such rulemaking
28 would provide for statutory changes that would, one,
29 allow AITRC to issue Federal registration permits on
30 behalf of the Federal government; two, allow letters of
31 delegation from the Federal Subsistence Board directly
32 to AITRC to manage community hunts for moose and
33 caribou on behalf of the Ahtna tribal citizens; and,
34 three, establish congressional legislation to allow
35 Ahtna -- for Ahtna tribal hunts of moose and caribou on
36 Ahtna Corporation lands, Alaska Native allotments and
37 Federal public lands and the administration and
38 management of those hunts by AITRC.

39

40 Since our last meeting, we submitted
41 the special action request as requested by this Board
42 using the language in the motion made by Ms. Mouritsen
43 and we've been attempting to meet with the agencies and
44 the affected agencies and the RACs and those meetings
45 have not been set up. We met with our local offices of
46 BLM and National Park Service on our own but they have
47 no authority either without the regional offices and we
48 talked through what we're trying to do. We're doing
49 what you folks ask and we're still being met by
50

1 roadblocks. We met with OSM Staff and asked what are
2 the parameters, what do we need to put into the
3 framework and we were told that we can't provide you
4 any framework, we can't give you any sideboards, so we
5 put in a request of what we want. In the initial
6 request it said, well, we need more information before
7 we can call a meeting with the affected agencies, so we
8 provided the additional information and then we were
9 told that, no, not the motion that Ms. Mouritsen made,
10 but a comment following the motion, that expected that
11 we would file the special action request after we come
12 up with the framework but that was not what the motion
13 was, and I -- our special action request that we did
14 put in said that we wanted it -- we put that in as a
15 placeholder and that we expect that we would get
16 together with the agencies to form that framework.
17 We've submitted a framework that is asking for the moon
18 and the stars and we understand that, but that's when
19 we thought we'd come together and work with the
20 agencies to come up with something that would work for
21 all of us. I'm not going to negotiate myself down
22 before I even walk in the door. And so that's where
23 we're at. And that's something that our dearly
24 departed leader, Roy S. Ewan, said, is we often
25 negotiate ourselves down before we even walk out the
26 door to go and talk to them and so we're not just --
27 the week before he passed he was talking to us about
28 it, and talking to young people in our community about
29 what was promised when he was there during the
30 negotiations of ANCSA and what was promised when he was
31 there when he was in Colorado meeting with 30-something
32 National Park members when they were going through D2
33 legislation to form the Wrangell-St. Elias National
34 Park and the expansion of Denali National Park, he was
35 there. And so, you know, we're experiencing heavy loss
36 with his departure, but we're not going to drop the
37 ball, we're going to continue to carry on with his --
38 with what he thought was going to happen in his
39 lifetime, to see that our subsistence needs and hunting
40 and fishing rights were protected.

41
42 And so, you know, we've heard that
43 ANCSA extinguishes aboriginal rights, well, aboriginal
44 rights are unfettered rights to hunting and fishing.
45 It means that there are no regulations; that we
46 continue to do it the way our ancestors did. Tribal
47 rights to hunting and fishing were not extinguished and
48 that's something that we're trying to exert here by
49 continuing and moving forward here, are still our
50

1 sovereign right under a form of regulation. And coming
2 up with that framework to make it happen is something
3 that we've been attempting to do, attempting to work
4 within the system.

5
6 Again, just sadly disappointed in as
7 far as we've gotten trying to work through this
8 process. I don't want to see another State community
9 harvest hunt. The community hunt where we set a quota
10 for Ahtna people's needs and then open it up to
11 everybody in the state and that's kind of what was
12 asked of us at one of our meetings, set a quota and
13 then, oh, wait, no, you can't you have to invite your
14 neighbors to participate too, I don't know what their
15 needs are, I know what my people's needs are, but I
16 don't know what my neighbors needs are, they're not a
17 part of our community as a whole, as the Ahtna people,
18 so why replicate something that's dysfunctional.

19
20 I thank you for your time.

21
22 CHAIRMAN CHRISTIANSON: Thank you,
23 Karen. Are there any questions for Karen here.

24
25 (No comments)

26
27 CHAIRMAN CHRISTIANSON: This is an open
28 dialogue.

29
30
31 (No comments)

32
33 CHAIRMAN CHRISTIANSON: I think we have
34 you on a status update later on in the meeting so I
35 appreciate you taking the time to come and share with
36 us.

37
38 MS. LINNELL: Yeah, I do want to say
39 that I agree with the gentleman from CATG, Bruce, that
40 tribal consultation should happen in the selection of
41 the newest OSM assistant Regional Director. I think
42 that it needs to be a lifelong Alaskan that understands
43 folks, cross-cultural communication is something, I
44 think, that was previously lacking and we were able to
45 address some of that, but just the understanding of the
46 landscape and the people, it is important, an important
47 piece with folks and many of your Board members
48 rotating in and out with new assignments and
49 reorganization, having that kind of longevity and
50

1 support for this Board and the important decisions that
2 they make regarding our fish and wildlife and their
3 sustainability and the health of the populations is
4 important so thank you so much.

5
6 CHAIRMAN CHRISTIANSON: Thank you,
7 Karen. And I just want to let you know that the Staff
8 is still committed to try and move this forward. You
9 know, we recognize there are some really tough hurdles
10 that we have to get by on both sides and that the Staff
11 is committed to try to find some solution to the
12 problem that we have with trying to make this work for
13 Ahtna and for the program.

14
15 Seth Weaver.

16
17 MR. WEAVER: Hello. My name is Seth
18 Weaver. I'm born and raised in Anchorage, Alaska and
19 third generation Alaskan and my family has a homestead
20 in Sterling, Alaska.

21
22 I didn't prepare to come and address
23 you guys today but I figured it would be a good
24 opportunity as I was speaking to other individuals in
25 the building. But I'd like to specifically speak to
26 FP06-09 that allows a subsistence fishing for the
27 residents of Hope, Ninilchik and Cooper Landing, that
28 they're able to -- actually Greg, his slides, today,
29 are specifically attached to this FP06-09. I'm
30 concerned that the elements of FP06-09 aren't in
31 accordance or in alignment with ANCSA, ANILCA and the
32 purpose is of the Refuge. I support fully subsistence
33 rights and subsistence fishing for indigenous peoples
34 of Alaska but I worry that when residents come up from
35 other parts of America, for instance, and they move to
36 these communities, they're labeled as rural
37 automatically, and their rights are elevated above
38 indigenous people's rights as a result.

39
40 And I see that as a concern because the
41 Kenai National Wildlife Refuge was specifically
42 intended for recreation and for education and here we
43 are having subsistence fishing, for instance, occurring
44 on a Refuge that was specifically intended for
45 something that it was not. Every other Refuge in
46 Alaska specifically has subsistence as an intent for
47 that Refuge, this one is unique in a sense that it does
48 not. It is also unique in the sense that it is the
49 only Refuge intended for recreation and education. And
50

1 so there was a clear intent by Congress when they
2 created these Refuges in ANILCA to specifically have
3 language in there to clarify their uses, and today we
4 have the opposite in effect.

5
6 Because of that, residents of Hope,
7 Ninilchik, and Cooper Landing were unable to
8 subsistence fish in the Russian River, for instance,
9 the Kasilof and the Kenai. They had to come before
10 this Board to submit FP06-09 to get C&T and have the
11 capability use determination issued by Fish and
12 Wildlife for this Refuge. I just see that as a
13 potential for litigation, honestly, because of purposes
14 aren't being fulfilled and they're being misaligned
15 through the lens of ANILCA.

16
17 And I'd like to have some clarification
18 on this specific proposal and how those uses
19 specifically align to Executive Orders and
20 Proclamations that dedicated those Refuges originally.

21
22 I'd also be interested in seeing why
23 the intent of Congress can be superseded by this Board.
24 I sympathize with subsistence fishing because I fully
25 support it, but I start to question management of these
26 lands when they are specifically outlined in a way that
27 aren't being managed today and this Refuge is a large
28 Refuge, it's accessible by a large population of
29 Alaska.

30
31 And I come to you in a unique position.
32 I wouldn't consider myself a Native Alaskan because I'm
33 not indigenous I would say, but I was born and raised
34 here and I have deep ties to the lands and my heart
35 weeps when I see people come from Miami, for instance,
36 and they go to Hope, for instance, and they can
37 participate in a subsistence program that Native people
38 who actually have thousands of years of roots here,
39 they can't participate in that program. I see that as
40 a smear to subsistence -- to clear-cut subsistence
41 rights and I see it as a big problem, specifically in
42 the Kenai National Wildlife Refuge. I know you guys
43 are all aware that the rural determinations need to be
44 looked at and how communities need to be looked at and
45 how they're labeled as rural and non-rural, it's a
46 little arbitrary and how residents of Hope, Ninilchik
47 and Cooper Landing can be considered rural is a stretch
48 when you have residents -- when they can just go to
49 Fred Meyers, for instance, it's right down the road,
50

1 and you have people in legitimately rural areas who
2 don't have those same rights and I see it as a problem.

3
4 And, again, I didn't expect to come and
5 testify before you guys so I'm not as prepared as I
6 should be but I just hope that you guys can see how,
7 you know, the implementation of ANILCA is being a
8 little misguided here, specifically for this Refuge,
9 and specifically for this Proposal FP06-09 and the C&T
10 determination as a result of that.

11
12 I'll be pursuing emergency orders or
13 something like that, special actions to clarify this,
14 but I see this as a problem, specifically because the
15 intent of that Refuge is not being managed with --
16 appropriately today with the resources that are in
17 place -- the intent of Congress is being overruled here
18 through agency law and I see that as a problem. And
19 I've spoken with Mr. Ellis this morning, actually,
20 about this to a great extent and I just hope that you
21 guys can look at this closer and try to align ANILCA in
22 a more appropriate way to uphold subsistence rights for
23 the people who legitimately need them and the people
24 who legitimately don't need them.

25
26 So I appreciate your time.

27
28 CHAIRMAN CHRISTIANSON: Thank you,
29 Seth. Anybody have any questions for Seth.

30
31 MR. LORD: I'd like to respond.

32
33 CHAIRMAN CHRISTIANSON: All right,
34 Ken's going to respond.

35
36 MR. LORD: Thank you for your comments.
37 I'd like to offer up one clarification, and I think
38 it's a key one to one of your points there.

39
40 You are correct that in Title III of
41 ANILCA there are purposes of the Refuges listed. The
42 Kenai National Wildlife Refuge does not have
43 subsistence listed as a purposes, that is correct. On
44 the other side of that coin is Title VIII of ANILCA,
45 which says that the rural priority will apply on all
46 public lands, and public lands are defined as all
47 Federal lands. Years ago we took that question before
48 the District Court of Alaska and said, hey, you know,
49 this Refuge looks different and the judge told us, no,
50

1 public lands in Title VIII means all public lands,
2 including the Kenai National Wildlife Refuge. So we
3 have taken that issue to the courts, which -- and once
4 the judge makes that decision it's binding on this
5 body. So that issue has been addressed as far as
6 anything we can do about it.

7
8 MR. WEAVER: Well, Mr. Ellis is unaware
9 of that. I'd be interested to see what court case that
10 was because from his perspective, frankly, it's
11 unclear, and that's within the Federal agency.

12
13 But, you know, I understand, but the
14 intent of Congress, again, is being overruled, but I'm
15 all for subsistence fishing, but I can -- there was a
16 clear intent, originally, when the Refuges were put out
17 and every other Refuge in Alaska, the subsistence
18 fishing was a clear intent, this Refuge was not a clear
19 intent and I don't think that question has been
20 resolved, but I appreciate what you just said, Mr.
21 Lord.

22
23 CHAIRMAN CHRISTIANSON: Thank you,
24 Seth. And we'll look forward to seeing some special
25 actions from you regarding the situation.

26
27 So that concludes that part of it, so
28 I'll thank you guys, appreciate the public.

29
30 That moves on to action on Regional
31 Advisory Council annual reports. Carl Johnson.

32
33 MR. JOHNSON: Thank you, Mr. Chair.
34 And good afternoon, Mr. Chair, Members of the Board.
35 It's a pleasure to see the new members of the Board,
36 welcome.

37
38 My name is Carl Johnson, I'm the
39 Council Coordination Division Chief with the Office of
40 Subsistence Management. In that role, one of the
41 things I do is, put loosely, oversee pretty much all
42 things related to Regional Advisory Councils. In this
43 case we're talking about the annual reports of the
44 Councils to the Board.

45
46 Now, the action on this originates in
47 Section .805, where Congress directed -- provided the
48 opportunity for Councils to prepare annual reports to
49 the Secretary, now our Secretarial regulation
50

1 subsequently modified that to be a report to the Board.
2 Those reports are encouraged to include, identification
3 of current and anticipated subsistence uses of fish and
4 wildlife populations within the region, an evaluation
5 of current and anticipated subsistence needs for fish
6 and wildlife populations within the region; a
7 recommended strategy for the management of fish and
8 wildlife populations within the region to accommodate
9 such subsistence uses and needs and the recommendations
10 concerning policies, standards, guidelines and
11 regulations to implement the strategy.
12

13 In addition to that, other duties the
14 Regional Advisory Councils have are to participate and
15 provide comment on other or any matters related to
16 subsistence uses of fish and wildlife within their
17 region.
18

19 So over time what you've seen here is a
20 development of annual reports that encompass a lot of
21 subject matter and I'm going to get into some of those
22 subjects broadly here shortly.
23

24 Just a quick overview, particularly to
25 benefit our newer Board members on how we come to this
26 process, we look at our annual reports as a fiscal
27 annual report so it's a report on the previous year
28 that its just completed. So at our fall meeting cycle,
29 the Councils are asked to identify issues they would
30 like to include in their annual reports, with that
31 input, the Staff write a draft annual report that the
32 Councils then review, modify and approve at their
33 winter meetings. Staff principally from OSM, but also
34 from other offices and other agencies, draft those
35 responses, which are then collated, reviewed by the
36 InterAgency Staff Committee and then are before you
37 now.
38

39 In addition to that, the Secretarial
40 Review, which was mentioned earlier during the
41 information exchange, one of the items in there related
42 specifically to insuring that the Secretaries are
43 informed if other departmental rulemaking or activities
44 impact subsistence. So sometimes there are things that
45 do come up through the annual report process, which are
46 elevated to the Secretaries per that directive.
47

48 Now, there are some kind of general
49 overall themes that are in this year's annual reports,
50

1 and some of them are fairly common. You'll see them
2 again, time and time again, and increasingly funding is
3 one of them. This year several Councils raised
4 concerns specifically about funding related to travel,
5 the ability for Council members to travel to State
6 Board of Game, Board of Fisheries meetings, to support
7 their Council's recommendations on State regulatory
8 processes, travel for Staff to attend and be in person
9 at meetings. The opportunity to conduct meetings in
10 non-hub communities, which can be extremely expensive
11 in some areas, in many cases doubling the cost of a
12 meeting. Funding for the Fisheries Resource Monitoring
13 Program. Funding for other wildlife -- for wildlife
14 research, particularly Southeast Council mentions the
15 need for additional funding for wolf research in Unit
16 2. And then training for new Council members.
17 Actually providing the opportunity for people who are
18 newly appointed to the Councils, to come into Anchorage
19 and to be trained on everything they need to know to be
20 effective Council members, rather than just getting a
21 quick overview before their first meeting.

22
23 Another theme that shows up quite
24 frequently are other agency projects or actions that
25 may have or are affecting subsistence resources. The
26 Cooper Landing bypass for the Southcentral Council.
27 Refuge Staffing for the Kodiak/Aleutians. Both the
28 Western Interior and Northwest Arctic expressed
29 concerns about the Ambler Road and what impacts it
30 would have on subsistence resources, namely caribou.
31 The Eastern Interior Council commenting on the National
32 Park Service proposed rule, they're doing right now, to
33 reverse their October 2017 rule.

34
35 MR. FROST: '15.

36
37 MR. JOHNSON: Excuse me, 2015. I knew
38 as I was saying it, that it was wrong, because that was
39 inside the window of the Congressional Review Act, if
40 that had been the case, or outside.

41
42 BLM Central Yukon and Bering Sea
43 Western Interior RMP for the Western Interior Council.
44 And then a military toxic site along the Umiat River
45 expressed -- the North Slope Council expressed concerns
46 about that.

47
48 User conflicts or potential illegal
49 activity affecting subsistence activities is another
50

1 theme. Non-Federal users in the Russian River Federal
2 fishery. Low flying aircraft in the Northwest Arctic
3 region. Commercial sale of Yukon caught salmon strips,
4 subsistence salmon. Unit 23 caribou conflicts, two
5 Councils discussed that, both Northwest Arctic and
6 North Slope. The so-called domino effect where, when
7 resources are low in one region, users from that region
8 go to an adjacent area and then push other users out
9 and then that pushes other users. And then caribou
10 deflection in Anaktuvuk Pass.

11

12 Consistent with other years there are a
13 variety of very unit specific wildlife concerns that
14 are mentioned, and I'm not going to go over all of
15 those but they range anywhere from moose to an
16 increasing concern, several Councils mentioned about
17 status of snowshoe hare and willow ptarmigan. Other
18 common ones are caribou and chinook salmon are
19 mentioned frequently in these annual reports.

20

21 And another big theme that has come up
22 again this year that has been fairly consistent
23 recently is collaboration and cooperation between this
24 program and others, whether it's with tribes, through
25 the tribal consultation process or it's among other
26 agencies that have jurisdiction over activities that
27 affect subsistence resources. So some examples, for
28 example, the Southcentral Regional Advisory Council
29 wanted an update on the status of formation of the
30 Ahtna local advisory committee, which was part of the
31 MOA that was mentioned earlier during information
32 exchange. Appreciation by the Kodiak/Aleutians Council
33 to the Sunaq Tribe, and the Kodiak Soil and Water
34 Conservation District for their efforts in combating
35 evasive species.

36

37 State and Federal agency Staff
38 attending meetings. Again, a common theme.

39

40 And the role of the Regional Advisory
41 Councils and kind of a historic understanding of how
42 they came to have the role they do in making
43 recommendations to the Board.

44

45 And, again, the Eastern Council, being
46 very appreciative of the efforts that this Board has
47 supported in developing a pilot hunter education
48 program in the Eastern Interior Region.

49

50

1 So that's a quick overview.

2

3 Now, typically -- I'm just going to
4 give you a quick overview of the sort of responses that
5 we try to give and that this year's annual report
6 replies do provide.

7

8 First of all we endeavor to provide
9 specific substantive responses, rather than kind of
10 your standard canned agency non-response response. We
11 really want to give the Councils good information. And
12 even if it's, in many cases, an issue that's outside of
13 this Board's jurisdiction, we want to make sure that we
14 provide them the tools necessary to address the issue.
15 Again, reference to Northwest Arctic and concern about
16 low flying aircraft. We give them information on how
17 to submit a report, what kind of information to include
18 in the report and, who, specifically, they can contact,
19 via email and phone, to make those reports.

20

21 A lot of the fish and wildlife concerns
22 that are expressed by the Councils, the response we try
23 to give them is what is the current status of that
24 population, what is some recent research, what are some
25 trends, and what are some recent management actions
26 that have been taken regarding those fish and wildlife,
27 and not only Federal management, but also State
28 management, so the Council has a good comprehensive
29 understanding of what is going on with that particular
30 issue.

31

32 With the funding, quite frankly the
33 response typically is, we support your desire to do X,
34 whatever it is, more travel, non-hub communities,
35 whatever, but unfortunately this is the status we're in
36 right now with regard to funding and we will let you
37 know if anything changes and we encourage you to come
38 up with creative solutions. You know, one example in
39 the past was a request was made by the Kodiak/Aleutians
40 Council to have a meeting in Unalaska and funding-wise
41 we really couldn't do that, but the Council coordinator
42 worked with another agency to get additional funding
43 for that and that was kind of a solution that was made
44 that allowed to accommodate that request but also
45 recognizing the funding limitations we had for that.

46

47 Cooperation and collaboration.
48 Typically any of those we provide the Councils
49 information on currently how we do things, for example,
50

1 tribal consultation. And one of the examples of that,
2 this year, and a couple of the Councils, when they ask
3 about tribal consultation, we provide by providing
4 information about a recent tribal consultation
5 engagement session that the OSM Native Liaison, Orville
6 Lind, conducted in the Southeast region and how that
7 model is going to be applied to other regions and if
8 the Council's interested we could do the same thing
9 with tribes in their region. Or we'll provide them
10 information on how to better reach out to and other
11 agencies to get those Staff present or to make reports
12 on whatever the issue is they're looking for and we
13 promise that we'll provide them the Staffing resources
14 to help them make those connections.

15
16 Which leads me to one of the
17 supplemental handouts I provided you. And that is, a
18 lot of times, these annual report replies make a lot of
19 representations. You, the Board, are telling these
20 Councils, we will provide you this resource, we will
21 make this happen, we will contact this agency or we'll
22 forward this to the Secretary. So one of the things we
23 want to make sure is we don't lose track of whatever it
24 is that's in these replies so that we made sure they're
25 followed up on.

26
27 Now, when you look at that, there was
28 nothing in the replies this year where we said we're
29 going to elevate this issue to the Secretaries. In
30 many cases, for example, with the Western Interior
31 Council's comments on both the Ambler Road project and
32 with some BLM RMP processes, in both cases, the Council
33 had already submitted a direct comment letter to the
34 agency on that so there was really no necessary
35 followup. There are no items where we specifically say
36 we will refer to another agency for action. Now, some
37 responses we refer to another agency to provide the
38 response. Several in the Kodiak/Aleutians Council
39 annual report reply were referred to Refuges for them
40 to provide information or the Marine Mammals Program or
41 the Migratory Birds Program, so they're coming from
42 those specific expertise offices.

43
44 But the other followup, there are
45 several items here and I've gotten them broken down by
46 Council so you can see them, so you can kind of keep
47 track of what other things that, in these replies, the
48 Board is representing to the Councils that it will do.
49 And a lot of it is directing Staff, encouraging
50

1 followup, encouraging monitoring of a particular issue,
2 like the Umiat Military Waste site in the North Slope
3 region, and encouraging Federal land management
4 agencies to do X, Y or Z. So, for example, in the
5 Eastern Interior, with what I mentioned earlier, their
6 concern about the domino effect, the reply to the
7 Eastern Interior, the issue on that, is, we'll
8 encourage Federal land management agencies to consider
9 this when they're designing future research projects.
10 And one of the things we were -- the Staff were not
11 able to find, any research on that particular issue,
12 and it definitely is an issue of concern, that crosses
13 into a lot of issues, more broadly into what we call
14 user conflicts. So it may be something that could be
15 useful for somebody to conduct research on in the
16 future.

17

18 So that's a quick overview. I'm not
19 going to get into the specifics on a point by point,
20 play by play on every single region's annual report
21 replies.

22

23 I do have one other supplement that I
24 provided to you and this is alternative proposed
25 language to replace one response in Kodiak/Aleutians.

26

27 Now, this was one of those issues that
28 the Office of Subsistence Management asked another
29 program to respond to, in this case the Refuge's
30 Program, because this is, again, an area of their
31 expertise and their decisionmaking. So the original
32 draft response is on the second page of that annual
33 report reply, this is issue number 1, so you can see
34 what language was originally reviewed by the
35 InterAgency Staff Committee and then you can see before
36 you the replacement language. Now, typically we take
37 whatever it is that the other office is giving and we
38 just take it verbatim and bring it in and you'll see
39 with the lead up letter we've referred this issue, we,
40 the Board, referred this to the National Wildlife
41 Refuge System Alaska Region which provides this
42 response. So if this is what Refuges would like to
43 replace then my suggestion would be we stay with
44 consistent practice and just take their new language,
45 if that's what the Fish and Wildlife Service member
46 would like to have come from the Refuges and then just
47 insert that in as a replacement for the response on
48 issue number 1.

49

50

1 MS. PITKA: Which did you say that was
2 on?
3
4 MR. JOHNSON: That's on the second page
5 of the Kodiak/Aleutians annual report reply. It's
6 issue number 1.
7
8 MS. PITKA: Thank you.
9
10 MR. JOHNSON: So at this time I would
11 like to proceed as the Board wishes, if there is some
12 specific things you would like to ask me of, regarding
13 any of the annual report replies, I can do that, or if
14 Board members have particular language changes they
15 would like to insert or discuss, we can just proceed
16 with discussing those as needed.
17
18 Thank you, Mr. Chair.
19
20 CHAIRMAN CHRISTIANSON: Thank you for
21 that presentation, Carl.
22
23 Any questions for Carl.
24
25 (No comments)
26
27 CHAIRMAN CHRISTIANSON: Nobody has a
28 problem with him inserting that new language for issue
29 number 1.
30
31 (No comments)
32
33 CHAIRMAN CHRISTIANSON: Well, we'll
34 consider it a matter of getting it done. All right, I
35 think this should just take a motion.
36
37 MR. SIEKANIEC: So moved.
38
39 CHAIRMAN CHRISTIANSON: Motion's been
40 made to accept the report on the annual replies.
41
42 MR. FROST: Second.
43
44 CHAIRMAN CHRISTIANSON: Second made.
45 Discussion.
46
47 (No comments)
48
49 CHAIRMAN CHRISTIANSON: Call for the
50

1 question. Okay, Rhonda.

2

3 MS. PITKA: I was just going to express
4 that I'm really appreciative that we no longer use
5 those canned responses and that a lot of thought and
6 effort has been put into the responses to the Regional
7 Advisory Councils. You know, we depend very heavily on
8 their input into the matters at hand.

9

10 Thank you.

11

12 MR. JOHNSON: And through the Chair,
13 I'd like to thank Member Pitka for that, and I can't
14 leave without recognizing the incredible amount of work
15 that goes into these replies from pretty much every
16 division at OSM has a piece in this, in addition to, we
17 received responses from Forest Service, from BLM, and
18 then also as previously mentioned from offices of Fish
19 and Wildlife Service, and the timing is challenging
20 because, you know, the Staff who are working on these
21 are also starting to get new proposals coming in on the
22 fisheries cycle. So a lot of the folks who were
23 writing these responses are also getting started on
24 writing proposal analysis. And every year we do this,
25 I think we put out a much better and better product.
26 If we have room for improvement, it's there, but I just
27 want to recognize there's a lot of incredible work that
28 went into this and really high quality work and I'd
29 just like to thank the Staff for all the work they did.
30 And I know that the Board appreciates it.

31

32 So, thank you.

33

34 CHAIRMAN CHRISTIANSON: Thank you,
35 Carl. Thank the Staff as well.

36

37 Call for the question.

38

39 MR. BROWER: Question.

40

41 CHAIRMAN CHRISTIANSON: Question's been
42 called. All in favor of accepting the annual report
43 replies signify by saying aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN CHRISTIANSON: Opposed, same
48 sign.

49

50

1 (No opposing votes)

2

3 CHAIRMAN CHRISTIANSON: Motion carries
4 unanimously. Thank you very much Carl for your
5 presentation.

6

7 MR. JOHNSON: Thank you, Mr. Chair.
8 Members of the Board.

9

10 CHAIRMAN CHRISTIANSON: Next we have
11 wildlife delegation of authority request revision,
12 Chris McKee.

13

14 MR. MCKEE: Thank you, Mr. Chair. For
15 the record my name is Chris McKee, I'm the Wildlife
16 Division Supervisor at OSM and kind of helping me out
17 here is Tom Whitford, the ISC member with the Forest
18 Service in case you guys have any further questions.

19

20 I believe this is Item number 4 on your
21 agenda. This is the current existing delegation of
22 authority letter for the Craig Ranger District in
23 reference to deer and wolves. And we have put the
24 suggested changes to this letter in tract changes so
25 you can see specifically what we're talking about under
26 Item number 3, the second bullet that deals with the
27 scope of delegation for wolves.

28

29 It currently reads that they may close
30 a Federal hunting and trapping season when the combined
31 Federal and State harvest quota is reached for wolves
32 and we're suggesting changes to read, you may close,
33 reopen or adjust the Federal hunting and trapping
34 season for wolves.

35

36 So for the most part the main reason
37 we're doing this is to give the Federal land manager
38 the maximum amount of regulatory flexibility to respond
39 to changes on the ground for the biology. Right now
40 they can only close the season so if conditions change
41 and there are more wolves available for harvest, they
42 can't really do anything if they've already closed it,
43 so this would allow them some flexibility to reopen
44 once they've closed, and then also if they decide that
45 they would like the existing season for hunting and
46 trapping to somehow be different, either within the
47 existing frameworks for both the hunting and trapping,
48 that they can adjust those seasons as they see fit. So
49 really this is just kind of adding that, the

50

1 flexibility would need to respond to on the ground
2 changes.

3

4 And, so, Tom, if there's anything you'd
5 like to add to that, feel free.

6

7 MR. WHITFORD: Yeah, one thing that I
8 wanted to add to the record is currently the Federal
9 wolf hunting season is 91 days longer than the State
10 wolf hunting season and the wolf trapping season is 16
11 days longer than the State wolf trapping season.

12

13 That's it.

14

15 CHAIRMAN CHRISTIANSON: Thank you. Any
16 questions for the Staff.

17

18 (No comments)

19

20 CHAIRMAN CHRISTIANSON: Thank you,
21 guys. I think we need direction, we'll take an action
22 on this one, and we'll do it in a form of a motion to
23 accept the amended language to allow for the delegation
24 of a letter of authority to include opening as well as
25 closure.

26

27 MR. SCHMID: Yes, Mr. Chair. I would
28 move to adopt the proposed modified language and the
29 Craig District Ranger delegation of authority letter as
30 written on Page 2 which states:

31

32 You may close, reopen, or adjust the
33 Federal hunting and trapping season for wolves.

34

35 CHAIRMAN CHRISTIANSON: Motion on the
36 floor.

37

38 MS. PITKA: Second.

39

40 CHAIRMAN CHRISTIANSON: Second by
41 Rhonda.

42

43 Any further discussion.

44

45 (No comments)

46

47 CHAIRMAN CHRISTIANSON: Hearing none,
48 call for the question.

49

50

1 MR. BROWER: Question.

2

3 CHAIRMAN CHRISTIANSON: Question's been
4 called. All in favor of the motion signify by saying
5 aye.

6

7 IN UNISON: Aye.

8

9 CHAIRMAN CHRISTIANSON: Opposed, same
10 sign.

11

12 (No opposing votes)

13

14 CHAIRMAN CHRISTIANSON: Motion carries
15 unanimously.

16

17 Thank you.

18

19 Next, we'll call on Theo, update on the
20 subsistence regulations.

21

22 MR. MATUSKOWITZ: Good afternoon, Mr.
23 Chair, and Members of the Board. I'm Theo Matuskowitz,
24 Regulation Specialist for OSM. This is going to be
25 short and sweet.

26

27 The wildlife regulations that you
28 addressed in the April meeting, they've been reviewed
29 throughout the various Federal agencies here in Alaska.
30 We are currently awaiting for them to move forward to
31 the Washington office for surname processing through
32 Fish and Wildlife and Department of Interior. The same
33 goes for the regulations, the specific fishery
34 regulations for the Cook Inlet. And then the
35 rulemaking for the Tongass National Forest Submerged
36 Lands, what we're referring to as Tongass II because
37 it's the second round, exact same thing we done before,
38 the Forest Service has basically finished up the
39 majority of their work and they are reviewing the
40 listings that they've identified and as soon as that is
41 done, we'll move forward with the proposed rule on that
42 action.

43

44 And those are the three current
45 rulemaking actions we have at this time, and their
46 status.

47

48 Are there any questions.

49

50

1 (No comments)

2

3 CHAIRMAN CHRISTIANSON: Any questions

4 for Theo.

5

6

7

8

9 MR. FROST: So just in terms of
10 process, remind me, you're anticipating getting this
11 done by the end of the year so they become effective
12 January 1st; is that right, or is it a quicker process
13 than that?

14

15

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1 them to the Federal Register for publication, takes
2 approximately 10 days with the Federal Register and
3 like I said they're effective upon publication.
4

5 MR. SIEKANIEC: Thank you, Mr. Chair.
6 Theo, we were talking earlier, remind me, again, what
7 regulations were we anticipating that would be in place
8 this time that is creating some awkwardness for us that
9 we may need to think about taking a different action
10 right now as an interim step?
11

12 MR. MATUSKOWITZ: That would be the
13 Unit 2 deer and then the moose in Berners Bay and Unit
14 23, those actions are problematic with the delay in
15 publications of these regulations.
16

17 MR. SIEKANIEC: Thank you, Mr. Chair.
18 Thanks, Theo. Unit 23, what's the status of the hunt
19 up there, you know, if we don't do anything right now
20 and it just carries through this fall?
21

22 MR. MATUSKOWITZ: The regulations, as
23 existed prior to the Board action in April are still in
24 effect.
25

26 MR. SIEKANIEC: So they go in effect
27 from what had been published two years ago, two years
28 and.....
29

30 MR. MATUSKOWITZ: Correct.
31

32 MR. SIEKANIEC: Which means it's an
33 open.....
34

35 MR. MATUSKOWITZ: Yes, there's no
36 change from what the previous regulations were.
37

38 MR. SIEKANIEC: And what's not getting
39 implemented is what we asked the working group to get
40 together and kind of design the next step in, you know,
41 trying to resolve some of the user conflicts and
42 various things going on up there?
43

44 MR. MATUSKOWITZ: That is correct.
45

46 MR. SIEKANIEC: So I guess my question
47 is, what can we do, as a Board, in the interim of not
48 having those regs hitting the Register and becoming
49 timely, is there an emergency action we could put in
50

1 place, I mean I'm trying to figure out what the process
2 would be, I'm looking a little bit at Tom, and
3 obviously Theo and folks.

4

5 MR. MATUSKOWITZ: Yeah, the only
6 process existing within the regulations would be a
7 special action.

8

9 MR. SIEKANIEC: Special action.

10

11 MR. MATUSKOWITZ: Yes.

12

13 MR. SIEKANIEC: Does the Board design
14 their own special actions or respond to a quick special
15 action designed by OSM, or is this like new territory
16 for us?

17

18 MR. DOOLITTLE: Through the Chairman,
19 to Mr. Siekaniec, yes, this would be relatively new
20 territory. But the development of special actions, you
21 know, through, and cooperation with the Board, as
22 issues arise to accommodate, you know, users that are
23 -- for example, we may have deer hunts or caribou hunts
24 that -- again, that the final administrative action has
25 been made by the Board, but, again, the enforceability
26 of those actions aren't -- aren't enforceable until the
27 publication in the Federal Register. And much of the
28 signatures are that as a matter of courtesy and
29 professionalism of going through the process of making
30 sure everybody's aware of what those regulations are,
31 but, still if they're not met on time, we may have to
32 field issues that are arising on a need basis. What
33 those issues will be will be forthcoming. Our office
34 has been receiving phone calls about that. But also
35 please remember that it's important that the existing
36 past regulations are still enforceable and that these
37 are revisions of existing regulations.

38

39 Thank you.

40

41 MR. SCHMID: So, Mr. Chair, maybe a
42 basic or naive question, back to Mr. McKee -- no, got
43 the wrong guy -- Theo. So is this process not typical
44 as far as getting published in a timely manner or is
45 this something unique?

46

47 MR. MATUSKOWITZ: Yes, it's -- this is
48 not typical.

49

50

1 In the 16 years I've been with the
2 Program, we have missed a deadline once, I think it was
3 in 2007, however, these last two cycles, the prior fish
4 cycle we missed by I think it was around nine months,
5 and then this cycle obviously is ongoing, it should
6 have been published by the 1st of July. So, yeah, it's
7 very slow now.

8

9 MR. SCHMID: Thank you.

10

11 MR. PELTOLA: So with that being said,
12 if we have not had -- surname haven't proceeded with
13 the regulations passed by the Board in our April work
14 session, so what have we done to inform the public with
15 regard to the HandyDandy? Has anything new gone out at
16 all or did we hold off on it?

17

18 MR. MATUSKOWITZ: No, it's being held
19 off because we cannot issue the new public booklet
20 because the changes would not be valid until the CFR is
21 published. So any time -- and we have, obviously, been
22 contacted by members of the public, and we inform them
23 that, you know, the changes that the Board made in
24 April are not valid yet until publication within the
25 CFR and as soon as they are we will be doing outreach,
26 which is, you know, television, newspapers, radio, you
27 know, various social media, news releases, with the new
28 public booklet.

29

30 MR. PELTOLA: And with that being said,
31 though, in absence of responding to direct inquiries
32 from public members or Federally-qualified users or
33 non-Federally-qualified users, well, we haven't done
34 any other type of outreach with regard to this
35 regulatory, the new regulatory regs, so we haven't had
36 any outreach, we're just responding to inquiries,
37 correct?

38

39 MR. MATUSKOWITZ: No -- yes -- if I
40 understand your question, no, we haven't done anything
41 special to advertise the fact that we're still waiting
42 to publish them.

43

44 MR. PELTOLA: Thank you.

45

46 MR. SIEKANIEC: Thank you, Mr. Chair.
47 Theo, thanks for the information. So I'm also now
48 thinking that I'm going on to the, like the fisheries
49 work, and the Cook Inlet revisions, and the idea that
50

1 we had indicated to the Ninilchik project or effort,
2 that we would have something in place from the
3 regulation standpoint, that also would be not timely
4 for next year, we would have to create another special
5 action around that?
6

7 MR. MATUSKOWITZ: I really hope it does
8 not go into that. The regulations are done. They've
9 been reviewed by both OSM leadership Staff, by the ISC,
10 we're simply waiting on surnames, which.....
11

12 MR. SIEKANIEC: Okay.
13

14 MR. MATUSKOWITZ:obviously we
15 don't have control over.
16

17 MR. SIEKANIEC: Mr. Chair. So I guess
18 I'm looking again at maybe Tom, I mean what
19 recommendation would you have to satisfy, one, the very
20 immediate concerns, with like Unit 23 and such, and
21 then, of course, we have a little bit of time on the
22 regulations for fisheries, but, still, want to make
23 sure that we get those ready in a timely manner.
24

25 MR. DOOLITTLE: Well, the thing I think
26 we need to be is just probably, you know, direct with
27 the individuals involved in the surname process and
28 then also, you know, talking about, you know, how --
29 and getting a better understanding of what's going on,
30 so we can start to move our regulatory process forward
31 in a more smooth fashion in the future.
32

33 MR. SIEKANIEC: Mr. Chair. Thanks,
34 Tom. But are we better than just letting the existing
35 ones stay in place until we actually get them published
36 in the Federal Register; is that kind of what I'm
37 hearing from you?
38

39 MR. DOOLITTLE: That's what we have to
40 do. I mean that's the -- they're the regulations that
41 are in place right now. Unless there's forthcoming,
42 you know, temporary special actions that would be put
43 into place where we could troubleshoot, you know, some
44 issues that might be oncoming until those approvals are
45 made.
46

47 MR. SIEKANIEC: I think that's what I
48 was trying to ask. Are we better trying to do a
49 temporary special action or just let the existing
50

1 regulations ride it out?

2

3 MR. PELTOLA: Thank you, Mr. Chair.
4 There are two routes to take, One, is accept what is
5 now the status quo, which means we go back to what is
6 in the existing regulations book. Or, two, we could
7 potentially, and this would require clarification from
8 Mr. Lord, as the legal counsel, we have within regions
9 delegations of authority to various land managers and
10 agencies and just -- and I know that there's some
11 varying verbiage in each of those delegation letters
12 based on the region but if the intent of the program
13 was to get to a place closer to what has been passed by
14 this body in the April meeting, could we not utilize
15 that delegation of authority from the in-season manager
16 to execute that authority delegated by the Federal
17 Subsistence Board to mirror an action similar to what
18 was passed in the April meeting.

19

20 And the reason I say that, because I
21 know there's some variations, but if we look at this
22 Craig delegation letter itself, it stipulates that
23 delegation of authority is established pursuant to 36
24 CFR 242.10(d)(6) and 50 CFR 100.10, you know, and such,
25 which states: the Board may delegate to agency field
26 officials the authority to set harvest, possession
27 limits, define harvest areas, specify methods and
28 means, specify permit requirements and open or close
29 specific fish or wildlife harvest seasons within
30 frameworks established by the Board.

31

32 That would give the in-season manager
33 authority, if the Board chose to do so, to emulate the
34 intent of the Federal Subsistence Board's actions in
35 April.

36

37 MR. DOOLITTLE: That would be -- it
38 seems on the surface that would be a good idea and also
39 it could be more timely and reactive than probably what
40 the Board could do through a temporary special action
41 process, because the key is with these things is that
42 they may come up in an add-need basis with a quick
43 reaction to serve our constituents.

44

45 CHAIRMAN CHRISTIANSON: Do we have a
46 similar letter with Unit 23?

47

48 MR. PELTOLA: We would have to look at
49 each of the individual delegation letters because they

50

1 do vary but in those areas of potential need, we may
2 have something similar in place and my understanding of
3 the delegation is that when an in-season manager or the
4 Federal Subsistence Board receives a special action
5 request, OSM validates it, they write an analysis, make
6 a recommendation to the Board and such, that's the
7 process, but with in-season management decisions, an
8 in-season manager can take an action, they just have to
9 articulate and justify of why that action is taken for
10 the administrative record and there is not necessarily
11 a multiple page document which is prepared and
12 presented to the Board for consideration.

13
14 MR. SIEKANIEC: And if the Board takes
15 a special action it also involves an element of public
16 input, you have to have a hearing in some manner?
17

18 MR. DOOLITTLE: On a temporary special
19 action, on an emergency special action that's optional.
20

21 MR. SIEKANIEC: Emergency would be
22 optional.
23

24 MR. DOOLITTLE: Yes.
25

26 MS. PITKA: I was just going to ask for
27 clarification on this surname process, what is that,
28 and where is it? Is this.....
29

30 MR. DOOLITTLE: There's two parallel
31 circuits, one goes through the Department of Interior
32 -- goes from -- after it leaves OSM goes to the
33 Solicitor's of both the Forest Service and the
34 Department of Interior, and then it will move up a
35 variety of different folks all the way up, you know, to
36 headquarters, and then it goes to -- once all those
37 approvals are made by both sides, then it goes into the
38 Federal Register. So it needs, Theo, what, 20
39 different signatures.
40

41 MR. MATUSKOWITZ: On DOI side.
42
43

44 (No comments)
45

46 MR. MATUSKOWITZ: On USDA side, I
47 haven't been able to identify exactly how many it is,
48 but it's at least a dozen on the USDA side. DOI
49 is.....
50

1 MR. DOOLITTLE: In the 20 range?

2
3 MR. MATUSKOWITZ:20, yeah.

4
5 MR. DOOLITTLE: Okay.

6
7 MS. PITKA: So is there a friend we can
8 phone to get this moving.

9
10 (Laughter)

11
12 MR. PELTOLA: One thing I would like to
13 point out is that we have two different type of
14 delegation of authorities, one being fishery, which are
15 limited to emergency special actions and a lot of our
16 wildlife delegation authority allow the in-season
17 manager to take temporary actions over 60 days,
18 although if it goes beyond 60 days then a public
19 hearing has to be held in the affected area.

20
21 CHAIRMAN CHRISTIANSON: Chris.

22
23 MR. MCKEE: I'd just like to point out
24 that currently there is not an existing delegation of
25 authority for caribou in Unit 23.

26
27 MS. PITKA: That's an issue.

28
29 (Laughter)

30
31 MR. MCKEE: So sorry, Gene.

32
33 (Laughter)

34
35 MR. LORD: Mr. Chair, could I request a
36 five minute time out.

37
38 CHAIRMAN CHRISTIANSON: Time out.
39 We're going to take a recess for a second here, take
40 five.

41
42 (Off record)

43
44 (On record)

45
46 CHAIRMAN CHRISTIANSON: Welcome back
47 from our five minute recess. Famously five minutes.

48
49 All right, Theo, it looks like you have

50

1 something to share with us.

2

3 MR. MATUSKOWITZ: No, basically just
4 still standing by for any further discussion or
5 questions.

6

7 (Laughter)

8

9 MR. MATUSKOWITZ: I wish I had all the
10 answers.

11

12 (Laughter)

13

14 CHAIRMAN CHRISTIANSON: All right.
15 Rhonda.

16

17 MS. PITKA: Could we perhaps update the
18 letter of delegation that we already have for Unit 23.
19 Would that be in order or, in order to like move things
20 along slightly for those folks up there, so we don't
21 have this issue?

22

23 MR. MCKEE: Just to repeat what I said
24 before the break, there currently is no delegation of
25 authority letter for caribou in Unit 23.

26

27 CHAIRMAN CHRISTIANSON: Just for a
28 matter of process here and a question, is that
29 something that we can possibly do?

30

31 MR. PELTOLA: Mr. Chair, if I may. Do
32 we have a delegation of authority with regard to
33 wildlife in GMU 23, which doesn't contain caribou, do
34 we have any wildlife delegation authority in GMU 23 for
35 anything other than caribou?

36

37 MR. MCKEE: Yes. We have some for
38 sheep, I believe. Maybe one or two others but for sure
39 sheep, yeah.

40

41 MR. PELTOLA: So with that being said,
42 my understanding of part of the discussion earlier, and
43 I came in late in the discussion, is that the Board
44 could direct OSM to do a modification of that
45 delegation of authority letter to include caribou
46 although there wouldn't be any particular public aspect
47 of that action but could we not schedule a telephonic
48 meeting of the Board to consider that change, make it
49 available to the public so they could provide comment

50

1 on that particular subject matter as need be and then
2 the Board takes action via telephonic to approve the
3 modification for that delegation letter for Unit 23 to
4 include caribou?

5
6 And, Mr. Chair, one other thing that
7 Ken had mentioned, in absence of a delegation of
8 authority letter to a specific land managers, within
9 the Federal Program, there is a blanket delegation of
10 authority letter that goes to the ARD of OSM.

11
12 MR. LORD: That blanket letter is only
13 for emergency special actions and the ARD can only act
14 with the unanimous consent of the Staff Committee, and
15 it's only for wildlife actions.

16
17 CHAIRMAN CHRISTIANSON: Chris.

18
19 MR. MCKEE: Also we do have -- like I
20 said, we have existing delegation of authority letters
21 for sheep and muskox in Unit 23, however, the areas of
22 interest are very specific in those delegation of
23 authority letters and as near as I can tell they don't
24 include the areas that we'd be most concerned about,
25 the Noatak, lower Noatak.

26
27 CHAIRMAN CHRISTIANSON: Theo.

28
29 MR. MATUSKOWITZ: One thing I'll point
30 out is delegation of authority is an administrative
31 action, it is not regulatory in nature, so, once again
32 the Board can act on administrative issues without the
33 normal APA requirements that fall under rulemaking. So
34 I'll just throw that out there.

35
36 CHAIRMAN CHRISTIANSON: So, in essence,
37 Theo, we could make a new delegation letter and
38 administrate it out of our office to that manager out
39 there prior to the regulation being signed?

40
41 MR. MATUSKOWITZ: Correct. And if you
42 would want to, you know, based on the circumstances,
43 you could -- normally our delegation letters currently
44 say that this delegation will remain in effect until
45 rescinded by the Board, since this is kind of a special
46 deal, you could issue it just for this season or have
47 specific dates for it, that's within your purview as a
48 Board under Section .10 of the regulations.

49
50

1 CHAIRMAN CHRISTIANSON: So we'd be able
2 to say something like until the Register's posted and
3 becomes effective?
4

5 MR. MATUSKOWITZ: Yes, you could.
6

7 CHAIRMAN CHRISTIANSON: Yeah, I mean
8 since we don't know what that date looks like, I mean
9 effectively we could end that delegation at that point.
10

11 MR. MATUSKOWITZ: Upon publication of
12 the next wildlife regulation.
13

14 CHAIRMAN CHRISTIANSON: Go ahead, Gene.
15

16 MR. PELTOLA: And, Mr. Chair, one thing
17 I would like to point out is that, yes, a delegation of
18 authority letter is an administrative action for the
19 Program, although two years ago OSM approached the
20 Board with regards to some very controversial and
21 potentially contentious issues where we took the
22 approach that the delegation of authority letters would
23 be provided to the Board for consideration of those
24 changes before implemented. Just a little recent
25 history.
26

27 CHAIRMAN CHRISTIANSON: So what we'd,
28 maybe for process, would want to look at maybe drafting
29 are we at three issues right now that we need to deal
30 with, Unit 2 deer, Unit 23 caribou, and there was one
31 other, moose, Berners Bay, which isn't time sensitive,
32 that's next year, so we can realistically look at two
33 letters of delegation and since the Board needs to look
34 at it, do we give them until tomorrow.
35

36 (Laughter)
37

38 CHAIRMAN CHRISTIANSON: No, I'm just
39 looking at a timeline for the Staff to be able to draft
40 that delegation letter, or do we come back on a
41 teleconference and review it or what.
42

43 Greg.
44

45 MR. SIEKANIEC: Thank you, Mr. Chair.
46 So this sounds like an approach we can take, but I'm
47 just wondering though how easy is that going to be to
48 convey to all the potential users that we're doing it
49 through a delegation of authority letter and help that
50

1 manager be able to get that word out to make it
2 something that's actually well known, where, I think
3 people are used to waiting for the regulation book or
4 -- I don't know, I just -- what's the likelihood of
5 success that we're not going to have just a bunch of
6 confusion, that's my concern.

7
8 CHAIRMAN CHRISTIANSON: It probably is
9 a concern, but when we close it, it's closed, right,
10 and if we're going to set regs then we're going to have
11 to utilize our outreach tools, Mr. Orville.

12
13 (Laughter)

14
15 MR. MATUSKOWITZ: I would assume the
16 process would be the same as we do for any special
17 action as far as outreach. You know we have various
18 tools that we can use, depending on the area,
19 television, radio, newspaper, social media, news
20 releases, it's a little bit different for different
21 regions of the state but we would have to do the same
22 thing, and it's still going to be some form of a
23 special action in this case instead of coming directly
24 from the Board, it'd be from the in-season manager,
25 which, once, again, you know, normally we're going to
26 do outreach to inform the public of those changes just
27 as we do for any other special action throughout the
28 state.

29
30 MR. SCHMID: Mr. Chairman. It was just
31 brought to my attention that we've got another hunt as
32 well and that's a moose hunt on the Dangerous River
33 near Yakutat that would kind of fall under the same
34 category of changes for this fall.

35
36 MS. MOURITSEN: Through the Chair.
37 Theo, would you tell the public to just use the book
38 from last year along -- except for these three
39 situations. I don't understand how.....

40
41 MR. MATUSKOWITZ: Yes, we could say the
42 -- you know, however you want to word it, you know,
43 current public booklet remains in effect until the new
44 regulations are published, however, you know, in unit
45 such and such, you know, special actions to be done to
46 effect, you know, whatever species, season, dates,
47 area, so, you know, yes, we could address that.

48
49 MR. DOOLITTLE: And, Theo, it won't
50

1 take -- I mean the HandyDandy's ready to publish,
2 correct?

3

4 MR. MATUSKOWITZ: That is correct.

5

6 MR. DOOLITTLE: And, so, and to get it
7 out the door would take another month?

8

9 MR. MATUSKOWITZ: Yeah, we can put it
10 on -- once the CFR publishes, literally that day it
11 would be on the website and then probably between a
12 week, two weeks for the actual printing and
13 distribution of it statewide.

14

15 MR. DOOLITTLE: Okiedoke, and that's
16 ready?

17

18 MR. MATUSKOWITZ: It's 100 percent
19 ready to go.

20

21 CHAIRMAN CHRISTIANSON: Rhonda.

22

23 MS. PITKA: It just seems to me that
24 we've gone through quite a lengthy, you know, public
25 process on this and for it to be held up, you know,
26 based on some signatures, it kind of circumvents that
27 public process in my mind. I'm trying to put my mind
28 around, you know, like how many other people need to be
29 involved with this, you know, are there specific people
30 that we can phone?

31

32 MR. MATUSKOWITZ: It.....

33

34 MS. PITKA: Because I've got my phone
35 here.

36

37 (Laughter)

38

39 MR. FROST: Phone a friend, let's go.

40

41 MR. MATUSKOWITZ: The process -- or the
42 list of people who approve this, it changes with every
43 administration and sometimes it changes, depending on
44 -- on the final rule and what offices they decide to
45 send it through in DOI and other places. So, I mean,
46 right now, believe it or not it's probably one of the
47 best times that we have to have people in the right
48 places to assist us with this because some of the key
49 people that we work with in the Office of Policy

50

1 Procedures and Management in Fish and Wildlife Service
2 are currently working in the Secretaries Office, so
3 they are positioned in a great location to assist us in
4 getting this stuff through, but, still, I mean, we
5 don't make the rules, they don't make the rules, you
6 know, it comes from higher and, you know, we can
7 complain all we want and it's just going to -- you
8 know, they tell us how it's going to do it and that's
9 how we have to do it.

10

11 CHAIRMAN CHRISTIANSON: Steve.

12

13 MR. WIELECHOWSKI: Mr. Chair. Steve
14 Wielechowski, Senior Advisor. I'm going to do a rare
15 thing in the Federal government, this was my fault. I
16 am the surname that held this up and it was completely
17 unintentional. I went from a digital surname to an
18 email and when Greg, during the break, flagged this for
19 me, I pushed it through. My ask would be, if it -- if
20 it's acceptable to you, if you can give me a week I
21 think I can get this through to the Register this week.
22 This is my fault for it being held up, it just didn't
23 hit my digital, it was in the old email system and I
24 had updated and it wasn't communicated back to you so I
25 think I can get this pushed through in a week if you
26 could buy me that time so we don't have to kind of
27 hodgepodge delegations of authority.

28

29 CHAIRMAN CHRISTIANSON: Thanks for the
30 update, Steve, is that something the Board's willing to
31 live with. I mean one of the bigger issues is Unit 23,
32 I know Unit 2 deer is already open, August 1 for
33 everybody. I don't know what the caribou season looks
34 like.

35

36 MR. SIEKANIEC: Yeah, you're answering
37 my question, I don't know, when was the caribou, Gene,
38 you're familiar with that area up there, when's the
39 caribou stuff start, get real active and really going?

40

41 MR. PELTOLA: I don't recall the start
42 date.

43

44 MR. MCKEE: In terms of the non-
45 resident, which is really what I'm getting most of the
46 phone calls about, it begins August 1. Non-resident
47 season for caribou in Unit 23 is August 1 to September
48 30.

49

50

1 MR. SIEKANIEC: So they're already
2 operating under the existing, what do you call it,
3 HandyDandy the existing regulation book, is what
4 they're operating under right now, so I guess, Steve --
5 I'm inclined to take Steve up on his offer and say, you
6 know what, if that's what they're already operating
7 under because August 1st has passed then we can see if
8 Steve, if you can't help us out and move that thing
9 along and kick it out as quickly as we can.

10
11 CHAIRMAN CHRISTIANSON: Bert.

12
13 MR. FROST: So that's great, but that's
14 only one side of the ledger, right, do we have any idea
15 where it is in AG?

16
17 UNIDENTIFIED VOICE: We're waiting on
18 the Interior.

19
20 (Laughter)

21
22 UNIDENTIFIED VOICE: They were being so
23 quiet.

24
25 (Laughter)

26
27 MR. SCHMID: Mr. Chair. I was going to
28 let our Staff say that instead of at my first meeting.

29
30 No, I think in the past we've had
31 issues with our -- we'll get it through AG and the
32 signatures are stale by the time and we've had to go
33 back through so I think the skids are fairly well
34 greased if it does come through here that we would be
35 on the same time line.

36
37 MS. PITKA: So the timeline is like one
38 week from today, so that's Tuesday next.....

39
40 MR. WIELECHOWSKI: Just give me -- so
41 it takes -- if I can get it through this week it'll
42 publish on the reading room this Friday. So I am going
43 to do -- this was on me so I'm going to do my best to
44 get it out.

45
46 MS. PITKA: I'd really appreciate that,
47 thank you very much.

48
49 CHAIRMAN CHRISTIANSON: Thank you for
50

1 that rare moment, Steve, and we appreciate you taking
2 ownership. Truly do. I mean that is something that
3 more of us need to do so I appreciate that and it might
4 help our process here.

5
6 But if that doesn't happen, you know,
7 unforeseen.....

8
9 MR. SIEKANIEC: Thank you, Mr. Chair.
10 So, again, thanks, Steve, for helping us out with this
11 but I'm thinking, should we just prepare the delegation
12 of authority letter in light of two weeks from now
13 we're still not having a clear path forward and we need
14 to pull everyone together to have a Board action and
15 get it out or something.

16
17 I mean I don't know, I don't know how
18 we best cover this but we probably shouldn't leave one
19 rock kind of uncovered if it's an idea we need to look
20 at.

21
22 MR. DOOLITTLE: From a Staff
23 perspective, Greg, we'll work through a process for
24 sure at the direction of the Board, and to make sure
25 that we're -- we're covering all bases and to assist
26 Steve's office as well to the best of our ability so
27 we'll have everybody's back.

28
29 CHAIRMAN CHRISTIANSON: Sounds good.
30 So -- oh, Bert.

31
32 MR. FROST: So just a question, so I
33 think Rhonda made a good point, that this has already
34 gone through a lot of public discussion, do we need to
35 have another public input in terms of the delegation of
36 authority, because we're just basically sort of putting
37 something into action that's going to happen that we've
38 already -- everybody's agreed on and the public's
39 already done so can we -- do we have to -- can we sort
40 of skip that step or acknowledge that we've already had
41 extensive public discussion and all we have to do is
42 really do the Board action, which is agree on the
43 delegation letter. So I don't know if that's a Ken
44 question or a Tom question or a Theo question but it
45 seems like it's a little redundant. Sometimes we get
46 caught up in our own processes so much that we just
47 sort of lose the forest for the trees and we just are
48 trying to serve a short-term problem, it's going to be
49 served long-term when the regulations are done,
50

1 everybody's already seen them, they've already
2 understands what they are. I'm not sure why opening up
3 another public process on a delegation of authority
4 would do much good other than confuse people.

5

6 CHAIRMAN CHRISTIANSON: Tom.

7

8 MR. DOOLITTLE: Yeah, you know,
9 relative to the emergency and temporary special
10 actions, emergency special actions wouldn't require a
11 public, I mean it's always encouraged but emergency's
12 are that, they're quick turnaround and to be reactive
13 to a special need at that time. Temporary special
14 actions do require the public input. The
15 administrative action of a delegation of authority
16 letter is just that, it's administrative, and that's
17 held within the powers of this Board.

18

19 CHAIRMAN CHRISTIANSON: Okay, so just
20 to recap here, we're going to have some letters drafted
21 by the Staff at OSM that'll coincide with the waiting
22 for signatures and the surnames and hopefully within
23 two weeks we'll be -- either one or the other will be
24 accomplished, the task.

25

26 Thank you, guys.

27

28 Any other discussion.

29

30 (No comments)

31

32 CHAIRMAN CHRISTIANSON: I think the
33 Staff has direction here to develop letters of
34 delegation and then we'll wait to hear from Steve.
35 Thank you, Steve, for that.

36

37 Alrighty, thank you guys. Appreciate
38 it Staff.

39

40 Update on the Fisheries Resource
41 Monitoring Program. Pippa and Frank.

42

43 MS. KENNER: Hello, Mr. Chair. Members
44 of the Board. We are Pippa Kenner and Frank Harris and
45 we work at the Office of Subsistence Management and we
46 are the co-Chairs of the Technical Review Committee for
47 the Federal Subsistence Resource Monitoring Program and
48 we're going to be describing that to you today.

49

50

1 So I'll have slide one come up, there
2 we go.

3
4 Next slide, please.

5
6 We review the Monitoring Program every
7 off year of the two year funding cycle. This is not an
8 action item for the Board but the Board did request a
9 review of this funding process. First, we'll supply
10 some background so that you can better understand the
11 program.

12
13 Next slide, please.

14
15 MR. HARRIS: Section .812 of ANILCA
16 directs the Department of Interior and Agriculture
17 cooperating with the State of Alaska and other Federal
18 agencies to research fish and wildlife subsistence uses
19 on Federal public lands and to seek data from, consult
20 with and make use of knowledge from local residents
21 engaged in subsistence. When the Federal government
22 assumed responsibility for management of subsistence
23 fisheries on Federal public lands in Alaska in 1999,
24 the Secretaries of the Interior and Agriculture made a
25 commitment to increase the quality and quantity of
26 information available to manage subsistence fisheries.

27
28 Next slide, please.

29
30 The Fisheries Resource Monitoring
31 Program was created as a collaborative InterAgency
32 Interdisciplinary approach to enhance existing
33 fisheries research and effectively communicate
34 information needed for subsistence fisheries management
35 on Federal public lands and waters.

36
37 In July 1999, the blueprint of the
38 operational strategy was published by a subcommittee of
39 the Federal Subsistence Board. This document directs
40 most of what still occurs today.

41
42 The subcommittee developed the
43 following 11 key attributes that the proposed
44 organization should reflect.

45
46 The organization should be
47 complimentary to existing information gathering
48 activities and not duplicative.

49
50

1 It should be cost effective.

2

3 It should be scientifically sound and
4 statistically correct in providing information.

5

6 It should provide an information base
7 that is easily and freely accessible to all in a timely
8 manner for analysis and interpretation while
9 maintaining quality.

10

11 It should provide for technical
12 analysis of data that is independent of and prior to
13 policy interpretation.

14

15 It should be balanced in consideration
16 of biological and socio cultural information types.

17

18 It should be interactive with ADF&G.

19

20 Seek opportunities for rural residents
21 involvement and information gathering through local
22 hires and cooperative agreements.

23

24 Flexible to use a variety of sources to
25 gain information and to expand and contract based on
26 program needs.

27

28 Should use a blend of field and
29 centralized functions as required to accomplish the
30 above principles.

31

32 It should also provide for each
33 agency's information needs and be accountable to those
34 Federal agencies responsible for subsistence fisheries
35 management.

36

37 The organizational structure should
38 contain three key structures.

39

40 A field component that conducts
41 projects and is organized six geographic regions.

42

43 A central analysis and interpretation
44 group located in Anchorage.

45

46 An InterAgency technical committee that
47 ensures the organization remains focused on the
48 information needs of subsistence fisheries management
49 and provides oversight and strategic direction.

50

1 In particular, the InterAgency
2 technical committee, now called the Technical Review
3 Committee, would provide an overall strategic direction
4 and oversight to the Subsistence Fisheries Information
5 Program and would hold the program accountable to
6 meeting the information needs of the Federal agencies
7 for subsistence management. This committee would be
8 solely focused on subsistence fisheries information, it
9 would not be involved in the subsistence management
10 regulatory process.

11
12 MS. KENNER: Okay. So as is
13 demonstrated in this slide, it's a little small so I'll
14 give you some help here, funds have gone mainly to the
15 State of Alaska, to Federal agencies and then next to
16 Alaska rural organizations, including tribes during the
17 -- from 2016, the program started in 2000.

18
19 Next slide, please.

20
21 The blueprint also lays down the
22 foundation of the geographical distribution of funds
23 for the six regions, which are the Northern, Yukon,
24 Kuskokwim, Southwest, Southcentral and Southeast
25 regions. The goal of the distribution was to "provide
26 for a proportional allocation of focus for a statewide
27 information organization that functions to support
28 subsistence fisheries management."

29
30 The recommendations for funding are
31 used to quote, develop a balanced program that
32 addressed statewide needs, not just those of the Yukon
33 and Kuskokwim area.

34
35 Next slide.

36
37 MR. HARRIS: The subcommittee also
38 developed six criteria to guide Federal agencies and
39 allocations of funds. The geographic regions are
40 organized to encompass Federal fisheries management
41 areas. Allocations to geographic regions were modified
42 slightly in 2005 when the multi-regional area was added
43 and allocations for DOI funding and USDA funding were
44 also separated because expenditures by each department
45 must largely reflect their representative land
46 management responsibilities.

47
48 The blueprint also identifies project
49 types needed for subsistence fisheries management and
50

1 today these remain as harvest monitoring, stock, status
2 and trends and traditional ecological knowledge.

3

4 MS. KENNER: Next slide, please.

5

6 Here we are going to present details of
7 this process.

8

9

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today these remain as harvest monitoring, stock, status
and trends and traditional ecological knowledge.

MS. KENNER: Next slide, please.

Here we are going to present details of
this process.

Next slide, please.

First, Regional Advisory Councils
develop what we call priority information needs, or
PINS. The Office of Subsistence Management writes and
advertises a notice of funding opportunity, including
the PINS.

Next slide, please.

For proposal submission a complete
project package must be submitted on time. A proposal
must align with the overall monitoring program and
address the following five specific criteria.

Strategic priorities.

Technical and scientific merit.

Investigator ability and resources.

Partnership and capacity building and
cost benefit.

To be considered for funding under the
monitoring program, a proposed project must have
linkage to Federal subsistence fishery management.

Frank.

Next slide, please.

MR. HARRIS: Key aspects of the
Technical Review Committee proposal evaluation process
include the following.

The TRC uses specific guidelines for
assessing how and whether a proposed project has
addressed each of the five criteria.

The TRC evaluates each criteria with a

1 rating scale between zero and 20.

2

3 Each agency produces one rating for
4 individual proposals. Agencies with more than one TRC
5 member jointly develop one rating for each proposal.

6

7 An agency does not score proposals that
8 it has submitted.

9

10 And the TRC provides a single
11 consolidated review of each proposal.

12

13 Next slide, please.

14

15 The contents of proposals must remain
16 confidential.

17

18 Only the TRC can rank proposals in
19 accordance with the criteria identified in the notice
20 of funding opportunity.

21

22 Individual agency scores must remain
23 confidential.

24

25 And transparency in this process is
26 being able to answer questions about the program and
27 the process.

28

29 The TRC evaluation process is
30 confidential by design.

31

32 Go ahead, Pippa.

33

34 MS. KENNER: Next slide, please.

35

36 So what is the Technical Review
37 Committee.

38

39 The TRC is a standing InterAgency
40 Committee of senior technical experts that is
41 foundational to the credibility and scientific
42 integrity of the evaluation process for projects funded
43 under the monitoring program.

44

45 The TRC is empowered to review and
46 evaluate proposed projects and make recommendations
47 consistent with the mission of the monitoring program
48 for project selection.

49

50

1 Next slide, please.

2

3

Frank.

4

5

MR. HARRIS: The TRC met on July 20th
6 to review the process and address the Board's questions
7 concerning the ranking criteria, transparency, and
8 geographical allocations of funds.

9

10 The TRC discussed and did not recommend
11 any major changes but clarified a lot of ranking
12 criteria.

13

14

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It's kind of hard to see on that but.

Thank you.

Any questions.

MS. KENNER: Next slide, please.

Next slide.

There we go.

MS. MOURITSEN: I don't understand what
-- is this the review of the projects that you're
considering right now? I wasn't quite.....

MS. KENNER: Thank you. My
introduction wasn't quite clear, was it, this isn't an
actually -- this is a status update of the review that

1 the Board requested but.....
2
3 MS. MOURITSEN: Oh, okay.
4
5 MS. KENNER:that we do actually
6 do every off cycle anyway, in -- any.....
7
8 MS. MOURITSEN: Oh, okay.
9
10 MS. KENNER:every year off cycle
11 anyway.
12
13 MS. MOURITSEN: Gotcha.
14
15 MS. KENNER: So this would be the
16 written report of our review.
17
18 MS. MOURITSEN: Gotcha. Okay, thank
19 you.
20
21 CHAIRMAN CHRISTIANSON: Any questions
22 for Staff.
23
24
25 (No comments)
26
27 CHAIRMAN CHRISTIANSON: Thank you.
28 Great presentation, guys.
29
30 Let's take 10 since we're almost done.
31
32 (Laughter)
33
34 CHAIRMAN CHRISTIANSON: A 10 minute
35 break. 10 minute recess you guys.
36
37 (Off record)
38
39 (On record)
40
41 CHAIRMAN CHRISTIANSON: Status update.
42 Proposed Ahtna InterTribal Resource Commission
43 community harvest system. Jennifer, Theo, Chris.
44
45 Thank you.
46
47 MS. HARDIN: Thank you, Mr. Chair. For
48 the record my name is Jennifer Hardin, and I'm the
49 Subsistence Policy Coordinator for the Office of
50

1 Subsistence Management. And I'm here with Chris McKee,
2 he's the Wildlife Division Supervisor and Theo
3 Matuskowitz, our Regulation Specialist at OSM. And
4 we're going to provide a brief status update about
5 proposals to establish a community harvest system for
6 moose and caribou that would be managed by the Ahtna
7 InterTribal Resource Commission, or for short, for the
8 purposes of this presentation, AITRC.

9
10 This is a reminder, the Board -- the
11 Federal Subsistence Board deferred action on Wildlife
12 Proposal WP18-19 during your April regulatory meeting.
13 In addition to deferring action on the proposal until
14 the Board's summer work session, which is this work
15 session, the Board provided specific guidance on next
16 steps.

17
18 The Board instructed OSM to use the
19 deferral time to work with AITRC, the Regional Advisory
20 Councils, Federal land management agencies, and ADF&G
21 as necessary to, "cooperatively establish a framework
22 for a workable community harvest system for moose and
23 caribou in Units 11 and 13."

24
25 Board member Mouritsen made the motion
26 that passed and she also stated an expectation that
27 once the workable framework was developed, AITRC would
28 submit a special action request for the Board's
29 consideration. Following that meeting AITRC submitted
30 a special action request to the Office of Subsistence
31 Management for the Federal Subsistence Board on April
32 17th prior to developing a workable framework for the
33 proposed community harvest system.

34
35 As a reminder, and for the public here,
36 when the Office of Subsistence Management receives a
37 special action request for the Board, we are obligated
38 to validate the request before initiating the special
39 action process and that special action process includes
40 analyzing the request, consultations, public hearings
41 if it's a temporary special action, Board deliberation
42 and decision. So before we can do that we have to
43 validate the requests that's received.

44
45 Special action request validation
46 involves consideration of three questions.

47
48 First, we have to answer whether the
49 requested actions fall within the Board's authorities
50

1 and mandates under Title VIII of ANILCA and the Federal
2 Subsistence Regulations. We also have to determine if
3 the requested actions are time sensitive and whether or
4 not the requested actions could be deferred to the next
5 regulatory cycle.

6
7 We often -- in order to answer these
8 questions we often have to seek clarification from
9 proponents and, in this case we sought clarification
10 from AITRC related to their submitted special action
11 request on April 25th, 2018. We asked for
12 clarification on the basic facets of the proposed
13 community harvest system, basically who, what, where,
14 when and how many. We did explain, though, to AITRC,
15 that their answers would only be used as a starting
16 point for cooperative negotiations between AITRC and
17 the affected agencies that the Board identified as well
18 as the Regional Advisory Councils. But primarily the
19 information was needed to determine if the requested
20 actions fall within the Board's authorities so that we
21 could validate the special action request that the
22 Board received.

23
24 OSM has been communicating with AITRC
25 about the clarification process through email and
26 through an in-person meeting since that time. And AITRC
27 submitted clarified information about the preliminary
28 community harvest framework on May 25th.

29
30 Upon reviewing AITRC's clarification
31 document, OSM made a preliminary determination that the
32 proposed eligibility approach for the community harvest
33 system does not align with the provisions of ANILCA,
34 Title VIII, and is an action that is not within the
35 Board's authorities under the Federal Subsistence
36 Regulations. Specifically, AITRC requested to limit
37 eligibility for participation in the community harvest
38 system to all Federally-qualified tribal members
39 residing within the Ahtna traditional territory. We
40 notified AITRC on May 30th that their desire to limit
41 participation in a Federal community harvest system to
42 tribal members only does not align with Title VIII,
43 which defines eligibility for the Federal subsistence
44 priority based on rural residency and Federal
45 regulations that indicate that community harvest system
46 are established on a community basis.

47
48 We also conferred with the solicitor
49 about our preliminary determination about AITRC's
50

1 proposed eligibility approach, and the solicitor
2 concurred with our determination that limiting
3 participation in a Federal community harvest system to
4 tribal members does not align, again, with Title VIII
5 or the Secretary's programmatic regulations in subpart
6 A.
7

8 To-date OSM has been unable to validate
9 the special action request submitted by AITRC because
10 it requests a foundational action that falls outside of
11 the Board's authorities.
12

13 With that, that concludes our brief
14 status update and I'll turn it over to the solicitor in
15 case he has anything he wants to add or we're happy to
16 answer any questions.
17

18 MR. LORD: Thank you, Mr. Chair.
19 Because we're talking about a validation process, what
20 I'd like to do is touch briefly on Title VIII of ANILCA
21 and its requirements, talk a little bit about the MOU
22 and then sort of summarize where we are in the process.
23

24 As probably everybody in the room knows
25 that Title VIII of ANILCA is the organic act under
26 which this Board operates. It's the Bible that guides
27 the process and it's something to which we have no
28 ability -- we, the Board, has no ability to deviate
29 from. Sections .803 and .804 in that title establish a
30 priority for the use of wild renewable resources on
31 Federal public lands for rural residents. Now,
32 Congress chose that phrase, rural residents, very
33 carefully. Earlier versions of Title VIII had a
34 priority for Native Alaskans but Congress changed it.
35 And, in fact, the courts have looked at that change as
36 evidence of -- that leads them to the conclusion that
37 Title VIII is not, in fact, Indian Legislation. So,
38 again, rural residents is what Congress landed on and
39 regardless of the history of how it got there, that's
40 the law that guides us.
41

42 So keeping this history in mind, if we
43 fast-forward to November of 2016, the Secretary's
44 office, at that time, and lots of others, including the
45 state of Alaska, wanted to do something to help the
46 Ahtna people. That feeling was universal and hasn't
47 changed. But during the negotiation of the MOU, there
48 was some insistence on putting lots of language in the
49 MOU about tribal members and benefits the tribal
50

1 members, which really was not something we could do
2 under Title VIII. So the solution was to include a
3 paragraph, to which to my way of thinking, is a key
4 paragraph, is the key paragraph in the MOU, it's the
5 one thing that made it legal, and that paragraph is
6 found under Section -- Article III, Section 3a of the
7 MOU, that section is entitled community harvest
8 permits, not tribal harvest permits, but community
9 harvest permit and it says; that while any permits
10 issued under this section could be issued for the
11 benefit of Ahtna tribal member communities, the parties
12 agree and understand that the taking of fish and
13 wildlife on Federal public lands must be implemented in
14 a manner consistent with the statutory rural priority
15 of Title VIII.

16

17 So with that paragraph in place, the
18 then Deputy Secretary signed the MOU and implemented
19 it.

20

21 Now, the vision, as you've already
22 gathered from that title is that this would be a
23 community harvest permit system, similar to the one we
24 already have in place in regulation but on an expanded
25 scale. That is Ahtna would be given an opportunity to
26 issue community harvest permits to the eight
27 communities within framework or sideboards established
28 by the Board. So in other words, the Board might
29 establish a broad season within which Ahtna could
30 select a certain number of days to implement their
31 season with some flexibility there. There would be
32 flexibility on methods and means for them to pick,
33 flexibility on harvest limits within, again,
34 constraints imposed by the Board.

35

36 But that's not what Ahtna has been
37 proposing, either in the special action request or in
38 WP18-19. Instead, they've proposed and continued to
39 insist on a priority for tribal members, or at least a
40 permit system for tribal members. And so we're faced
41 with a situation where, at least, there's the potential
42 for non-tribal members who are residents of these
43 communities to have a different season, different bag
44 limit, different methods and means than the tribal
45 members, and that's something that we simply cannot do
46 under ANILCA, Title VIII. Congress wouldn't -- that's
47 not what Congress -- not something Congress imposed on
48 us as the law.

49

50

1 And actually it's gone a little farther
2 than that with time, OSM has been trying to reach out
3 to Ahtna, which you've heard, is that, in fact, Ahtna
4 has been expanding its request -- what was the phrase
5 that Karen used, the pie in the sky or something like
6 that, to something simply just beyond what we could
7 possibly.....

8
9 CHAIRMAN CHRISTIANSON: The moon and
10 the stars.

11
12 MR. LORD: The moon and the stars,
13 thank you.

14
15 Beyond what we could possibly agree to.

16
17 So where does that leave us?

18
19 The bottom line is that despite the
20 inclusion of that paragraph in the MOA, the idea of a
21 -- or not despite the inclusion, but as indicated by
22 the inclusion of that paragraph in the MOA, we've got a
23 special action request in front of us that is simply
24 legally deficient and the Board can't consider and
25 can't take up.

26
27 Now, WP18-19 may be a different story.

28
29 Having gone through the process and
30 having had the Regional Advisory Councils propose an
31 alternative that, at least, potentially could meet the
32 eligibility requirements under Title VIII there may be
33 a path going forward that way.

34
35 That's all I have, Mr. Chair.

36
37 CHAIRMAN CHRISTIANSON: Thank you, Ken,
38 for that update.

39
40 And, again, as we work through this
41 with the Staff, you know, we still -- and the office
42 still wants to continue to try to find a solution to
43 this, with whatever sideboards we've got to work
44 through, you know, understanding where Ahtna's position
45 comes from and, you know, me having a personal opinion
46 and then the professional box that we find ourselves
47 sitting in to try to help you get to where you want to
48 go. And so we hope that we can continue to try to work
49 forward in coming up with a solution that works for
50

1 both, you know, for Ahtna and its members but also
2 recognizing that we have to work within the
3 confinements of ANILCA.

4
5 So just want to continue to express
6 support for Ahtna in hopes that we can come to final
7 terms on how we can move forward with your request.

8
9 UNIDENTIFIED VOICE: (No microphone) A
10 meeting would be nice (no microphone) public meetings.

11
12 CHAIRMAN CHRISTIANSON: A meeting,
13 okay, we will see what we can do there, as we continue
14 to look forward to a positive outcome.

15
16 Do any other Board members want to make
17 a comment.

18
19 (No comments)

20
21 CHAIRMAN CHRISTIANSON: And those
22 affected agencies I believe are the ones that are
23 listed inside of who you needed to contact to work with
24 the land ownership, so I think they have that list.

25
26 Thank you.

27
28 MR. DOOLITTLE: And so relative to the
29 temporary special action and from Mr. Lord's and the
30 OSM report, relative to validation of that temporary
31 special action, that it would not be valid as it's
32 written, as an administrative action. It still lays
33 for the question to the Board relative to the deferred
34 special action and the movement forward from here
35 because part of our -- at our last Board meeting, one
36 of the things that was presented was, you know, moving
37 on to here, you know, deferring special action further
38 for clarification or the development of other proposals
39 and the framework and meeting as Karen wants with --
40 that we definitely need to accommodate to come up with
41 a framework, but, again, we still have to address
42 within that the eligibility aspect of that, too.

43
44 CHAIRMAN CHRISTIANSON: Karen.

45
46 MS. LINNELL: Thank you, Mr. Chair.
47 Just for clarification, I was going based off of the
48 motion that was made to submit the request for a
49 special action and within that motion it was that we
50

1 would work together with the agencies to develop that
2 framework, and so we put in the request in order to
3 meet the deadline for this meeting. And then within
4 that -- a motion also that was made by the Board, and
5 passed, is that we would work with the affected
6 agencies to come up with that framework and once we
7 submitted the request we've asked and requested
8 meetings with the affected agencies and the Eastern
9 Interior and Southcentral RACs and that meeting has not
10 happened. So we were asked clarification questions for
11 framework that wasn't built yet and then we -- upon
12 asking for additional information we brought forward
13 and ended up developing a framework that nobody likes,
14 but that's not what we had intended. It was we were
15 trying to work the system in the way that was told.
16 And based on the motion, not a discussion that was
17 held, the motion was the action item that the Board had
18 directed and I was following that motion.

19
20 And I just, you know, moving forward
21 and how to get things going, we asked for sideboards
22 and they said we can't tell you sideboards, that's up
23 to you to develop, we can't do that, and I was told
24 that several times. So just to get to this, you know,
25 I don't want to start all over again, I think we need
26 to take this and move forward rather than delay again,
27 at your next work session or something so that we don't
28 stop the clock and start all over with a whole new
29 process. Let's take this one and keep moving.

30
31 CHAIRMAN CHRISTIANSON: Thank you,
32 Karen. And then so we'll take it back to one of the
33 first times when we met and it was fully supported by
34 the RAC and that is a deferred proposal that we can
35 currently have in front of us but it had changed and
36 morphed into something else that has criteria built
37 into it that is inconsistent with what we have to apply
38 to the proposal. And so like I said, the Staff, and I
39 think the Board here would like to move forward and
40 support Ahtna and if we could get back to the original
41 proposal it might give us that launch pad, I think,
42 we're looking for but it seems as though Ahtna has
43 changed the direction it wants to go with that.

44
45 I'm asking.

46
47 MS. LINNELL: So we submitted the
48 original proposals based on what we extracted from the
49 MOA and then we were told that they needed to be
50

1 modified and they were modified at RAC meetings, and by
2 the ISC and brought forward again with those amendments
3 and we're just trying to adhere to that document and
4 trying to adhere to the motion that was put forward by
5 the Board. I feel like it's not us that are changing
6 direction, it's -- it's within this whole system that
7 we're getting moved around. Again, like I said, we
8 were asked to put forward this special action request
9 so that we could develop the framework and then we've
10 asked several times to have that meeting with the
11 agency folks and they said, no, we can't have a meeting
12 without you presenting something first and it was my
13 understanding that your Board had asked us to work with
14 those agencies to develop the framework, not for us to
15 present something and then have them, you know, turn it
16 around and change it, that we were to work together to
17 build that framework, and that piece hasn't happened.

18
19 You know I understand, you know, it's
20 just a -- quite a convoluted process, it's clear as mud
21 and I was asking for guidance to get through that
22 process and, again, it's just a back and forth thing. If
23 we go back to the original proposals, fine, it's
24 something. You know, but to, you know, it's -- the
25 original -- the framework that we put in there, it was
26 a negotiating point for that meeting that we were
27 hoping that would happen. And so you have to start
28 somewhere and like I said you don't just start -- I
29 don't know, I'm done.

30
31 CHAIRMAN CHRISTIANSON: Greg.

32
33 MR. SIEKANIEC: Thank you, Mr. Chair.
34 Thank you, Karen. When you were speaking to us during
35 the public part -- I'm just trying to figure out and
36 make sure I have the scenario correct.

37
38 I thought I heard you express that in
39 the original proposal, that then became modified by the
40 Regional Advisory Committee and then presented to the
41 Board during our last discussion, that you were not in
42 agreement with that modification. And so I'm trying to
43 figure out which proposal then -- is it the original
44 one that you had submitted prior to the modifications
45 that you're speaking of is where you would like to
46 start. I'm trying to figure out if we, as a Board,
47 should like clear the slate here and say, okay, those
48 are no longer in play because there was no agreement
49 around any of those, and then go back to sitting down
50

1 with you and the affected agencies and OSM to try and
2 figure out, then, what is the proposal that needs to
3 come forward that will best meet your interests as well
4 within the framework then that we can work on.

5

6 That's what I'm -- thank you.

7

8 MS. LINNELL: I think that would be a
9 place to start. That's something that my Board had
10 approved when they put those proposals forward. With
11 this new process, although I'm Federally-qualified, I
12 do not reside in my home community in which I am a
13 tribal member and I would not be eligible to hunt on my
14 own lands in my own hometown because I live outside of
15 the boundaries of that community and that's why the
16 tribal membership piece is such an important piece to
17 this, it's not just me but we have many that move
18 closer to Glennallen, which is the hub, and where most
19 of the jobs are. Our villages and our tri --
20 communities are very small and so up until a few years
21 ago I was commuting 98 miles one way to get to work so
22 that I could work in my home community although I lived
23 at the south end, I can tell you my home's 120 miles
24 long. I lived in Kenny Lake and I was working in
25 Chistochina. And, still, my family and my in-laws,
26 everybody, from Mentasta all the way down to Chitina.
27 And with nieces and nephews and aunts and uncles in
28 both of those communities but, you know, trying -- I'm
29 still within the Ahtna traditional use territory, I'm
30 still Federally-qualified, but to make me ineligible to
31 participate in a hunt that I'm going to administer,
32 being -- you know, it's a bit of a -- a bit of a rub.
33 And then to ask for quotas or something and then to
34 manage around so that we can manage the hunt and then
35 ask us what our needs are, and then ask us to include
36 folks that we don't know what their needs are and have
37 no way to collect that information and what their
38 subsistence needs are is, again, another stretch. And
39 to include the other communities was one of the
40 statements, future communities that may want to
41 participate in that hunt, that would turn it into the
42 Ahtna community harvest hunt that is going on right now
43 within Ahtna -- or within the State hunt system and
44 then, again, fighting over that last moose rather than
45 providing for subsistence needs.

46

47 MS. HARDIN: Thank you, Mr. Chair. I
48 just wanted to point out just a couple of things.

49 First of all I wanted to really thank Ahtna for the

50

1 framework that they put together because -- because we
2 had to validate the special action we required
3 information to make sure that what was being requested
4 was within the Board's authority and they provided
5 great information. The only point that we could not
6 determine was within the Board's authority to provide
7 was limiting the community harvest system to tribal
8 members only.

9
10 And to Mr. Siekaniec's question about a
11 starting point, just want to keep in mind that the
12 original proposal, and, Karen, I apologize, I'm not
13 sure if that's what you were speaking to, if you wanted
14 to start back with the original proposal, WP18-19, also
15 required -- or requested items that are not within the
16 Board's authority to provide, which is why the Regional
17 Advisory Council modified the proposal to try to get
18 closer to what the Ahtna InterTribal Resource
19 Commission was trying to arrive at within the confines
20 of Title VIII.

21
22 CHAIRMAN CHRISTIANSON: Thank you. Any
23 other questions or discussion.

24
25 MR. FROST: So just to sort of continue
26 on Greg's train of thought, I just -- so according to
27 what Jennifer just said, the original proposals won't
28 work, but the RAC proposals would work, and so if we
29 cleared the slate of both the special action and the
30 proposal, you could still use that RAC proposal as a
31 starting point for new discussions.

32
33 MS. HARDIN: Thank you. Through the
34 Chair. Mr. Frost. Yes, we could if AITRC was amenable
35 to the eligibility aspect. The RACs, the Regional
36 Advisory Council recommendation was to have a community
37 harvest system that was open to all Federally-qualified
38 rural residents of the identified communities.

39
40 MR. FROST: So I guess I mean that's
41 sort of the situation we're in, is, it's either rural
42 residents or we can't move forward and I don't know how
43 we can go beyond that. So I think that's a discussion
44 that Ahtna has to have with themselves on whether
45 that's a workable model or not.

46
47 MS. LINNELL: Well, I guess it all
48 depends on what the definition of community is and if
49 you use the definition of community as defined under
50

1 BIA or what you pull out of the dictionary, which is a
2 location, we define a community as our people and not a
3 location. And it's up to -- there is also, in the MOA
4 and in Section .8 that this Board has the authority to
5 create new hunts and new permit systems and there's
6 nothing that says that we have to stick within the
7 community harvest permit system or this -- this
8 specific system, specific framework, we can come up
9 with something totally brand new and it's just a
10 rolling up the sleeves and sitting together and coming
11 up with that and what it would be.

12
13 MR. FROST: But just to -- I think just
14 to hammer the point a little bit harder, I don't
15 disagree that there could be a new model out there, but
16 part of the model has to include rural residents, it
17 has to be the broader group of people and whether
18 that's a community or whether that's a community as the
19 way you just defined it or whether it's a community in
20 terms of the geographic-speak, Section .8 says it has
21 to be rural residents, and so rural residents includes
22 non-Native Alaskans that are living in rural
23 communities. And, to me, that's sort of where the
24 disconnect is occurring right now. And so as long as
25 we don't get a -- if we continue to get models that
26 don't include the larger umbrella, including all rural
27 residents, I think we're just going to continue to have
28 this discussion over and over and over again and we're
29 not going to be able to move forward as I understand
30 it.

31
32 MS. LINNELL: Thank you, Mr. Chair. So
33 in our definition of community, we have my cousin who's
34 married to a non-tribal member who provides for his
35 family, his grandkids who are tribal members, you know,
36 and then we have folks that have become a deep part of
37 who each of our communities and those folks are part of
38 who we are and inclusive. But to say that I have to
39 include all Federally-qualified users who aren't a part
40 of our community, who don't come to our potlatch, who
41 don't mourn, who don't grieve, who don't share, who
42 don't participate in the same customary and traditional
43 lifestyle that we have, is like me coming to Anchorage
44 and telling you, you know, I get to come to your house
45 for dinner and we're not going to eat this type of
46 food, we're going to eat this type of food because
47 that's the type of food that we like, and -- and we're
48 going to get it in the fashion that I choose, you know,
49 and it's -- it's fast food versus, you know, gourmet.
50

1 You have to be a part of the community and how can we
2 define that when you're saying all Federally-qualified
3 users are going to be able to participate and that's
4 not what we want.

5

6 They have other options.

7

8 They have the option, this is not
9 precluding and eliminating their ability to participate
10 in a hunt in our Ahtna traditional use territory on
11 Federal lands, it's -- it's not precluding them or
12 eliminating their opportunity to participate in the
13 hunt under BLM or the hunt under National Park Service,
14 this is an option that we're working on. Again, we go
15 back to the Privacy Act as well, they are choosing to
16 participate in that hunt. If they choose to
17 participate then they're choosing to opt out of that
18 privacy portion of it.

19

20 So, you know, I -- I don't know, I'm
21 just at a loss now.

22

23 CHAIRMAN CHRISTIANSON: Any other
24 questions.

25

26 (No comments)

27

28 CHAIRMAN CHRISTIANSON: I just have a
29 comment. I hope that we do find a way forward for
30 Ahtna and maybe considering, you know, like you said
31 something is better than nothing at this point. And
32 some of the questions, you know, you might want
33 answered may get answered if you do operate the
34 community hunt with everybody included and maybe
35 additional funds might be available somewhere to help
36 get the demographics of that hunt and who's
37 participating and what it looks like for future
38 framework and in the event we can change what a
39 community definition is within our program. Because
40 that was also a discussion we had as a Board, because
41 community means a lot of different things to other
42 different people. And so, you know, I see an
43 opportunity here for Ahtna to move forward, you know,
44 in hopes that we can get to where you eventually want
45 to get but I think if we can get some opportunity for
46 the people of your region, and then maybe learn from it
47 as we move forward in a co-management scenario, some of
48 those questions might get answered as far as need,
49 demographics, who, when, where, and it might answer
50

1 some of the questions.

2

3 MS. LINNELL: Thank you, Mr. Chair.
4 Again, I think a lot of this stuff could have been
5 ironed out had we had those meetings with the affected
6 agencies and building that framework.

7

8 Again, we started out and had made the
9 request and in that SAR request it says that we would
10 meet with the agencies to work out the framework and
11 that has never come to pass. And so we were asked to
12 put something together and we did, on our own. And we
13 asked for sideboards and there were none given, so we
14 put forward something, expecting to have a meeting to
15 work down to something and build the framework that you
16 folks can pass.

17

18 And, so, you know, what comes first the
19 chicken or the egg, we're trying to work this process
20 and in the fashion that we were asked to. And had --
21 that special action request was just practically word
22 for word from the motion and so we put in that and
23 expecting to have a meeting with the affected agencies
24 and the RACs to come up with the framework and that
25 didn't happen so we submitted a framework.

26

27 MR. FROST: Can I ask a question.

28

29 MR. LINNELL: And I got to say that it
30 was the AITRC Board who rejected the proposals as
31 modified by OSM and the RACs, not the Staff. It wasn't
32 me.

33

34 CHAIRMAN CHRISTIANSON: Go ahead.

35

36 MR. FROST: So when you say you want
37 meetings with the agencies, so I assume that's the Park
38 Service.....

39

40 MS. LINNELL: And BLM.

41

42 MR. FROST:and BLM, is fish part
43 of this?

44

45 MS. LINNELL: No, they don't have --
46 the Refuge, Tetlin Refuge isn't included.

47

48 MR. SIEKANIEC: It's outside.....

49

50

1 MS. LINNELL: Yeah, there's a chunk of
2 Tetlin Refuge in there but that was not -- from the
3 original proposal, it wasn't there.

4
5 MR. FROST: Do you want to meet with
6 the Park Staff, so when you.....

7
8 MS. LINNELL: We.....

9
10 MR. FROST: So I'm just trying to
11 define, when you say meeting with the agencies, so what
12 level of meeting with the agencies do you -- would you
13 hope to get that's -- I mean do you want to have a
14 meeting with me or do you want to have a meeting with
15 Ben, and his Staff?

16
17 MS. LINNELL: If you can get to where
18 we need to get with this framework, I want people who
19 can help to make decisions. And when those decision
20 are made and a framework is agreed upon then we can
21 bring it forward here and say this is what we agreed
22 upon. Not a -- if I have a Staff member at a lower
23 level that comes up with an agreement and then it gets
24 here to regional office or somewhere else and they
25 decide that they don't like it, and they don't agree,
26 and they have a different opinion or it goes to the
27 solicitor and he finds out that he doesn't like it and
28 it comes up to a different opinion, that's -- that's
29 what I don't want. I want somebody that has the
30 ability and the authority to help make a decision and
31 move forward.

32
33 It's a dance we're doing.

34
35 MR. LORD: Karen, and this Board is
36 that agency that has that authority, not the agencies
37 employees, the biologists, they can help you with the
38 biology and the background and that was the goal there,
39 but in terms of decisionmaking, that's this body right
40 here.

41
42 MS. LINNELL: Yes. It is this body in
43 regards to the regulation. But it's these folks, as
44 the manager, the land managers that will be there and
45 helping to make those decisions, correct within -- they
46 have their in-season managers and folks like that that
47 have to also agree or participate in it.

48
49 MR. FROST: So can I propose a crazy
50

1 idea, Karen.
2
3 MS. LINNELL: A meeting.
4
5 MR. FROST: A meeting.
6
7 MS. LINNELL: Thank you.
8
9 MR. FROST: But the meeting would have
10 to include and we'll have to -- and I think it would be
11 good if Karen and I were there, so I don't know, Karen,
12 if you.....
13
14 MS. PITKA: Other Karen.
15
16 MR. FROST: Uh?
17
18 MS. PITKA: Other Karen, Karen
19 Mouritsen.
20
21 MR. FROST: Yeah, this Karen here.
22
23 MS. MOURITSEN: Yeah.
24
25 MR. FROST: Well, of course, that Karen
26 too.
27
28 MS. MOURITSEN: Yeah, both Karens.
29
30 MR. FROST: But -- so both Karens, so
31 the senior leadership from the Board, Karen and I,
32 obviously the Park Staff and BLM Staff and then your
33 folks and, you know, we set aside a day and we go out
34 to Glennallen and we hammer something out as best we
35 can and that way -- I think Karen and I have and, you
36 know, maybe you said Mike with us from the solicitor's
37 office to help us -- or you come, Ken, to help us make
38 sure that we're not straying from ANILCA and we just
39 pick a day and get -- and try to hammer something out.
40 I mean I don't know if -- I hate to do meeting planning
41 here at the Federal Board meeting but it seems like
42 that's what we have to do and we'll have to sort of
43 figure out and -- and OSM Staff has to be involved, I
44 mean, and I don't know who on OSM Staff is that, but
45 it's going to take some logistics to sort of figure out
46 when that is but, you know, we pick a day and we just
47 commit to it and hammer it out.
48
49 I'm willing to commit to that.
50

1 MS. MOURITSEN: I'm glad to commit to
2 that also.

3
4 MR. DOOLITTLE: Well, and OSM,
5 obviously, Karen, we're always committed to do that.
6 But, again, I think one of the discussions that needs
7 to occur is that we were moving, I thought, really
8 forward and then we got into the eligibility box and I
9 think that that discussion still needs to go back home
10 and needs to be talked about, about where do we start
11 so we move forward in -- even if we're taking small
12 steps, we're taking steps rather than just totally not
13 getting anywhere. And we've pretty well -- you know,
14 we've told -- you know, OSM has made, you know, on the
15 record and you have -- you know, in response to the
16 process that we're going through, pretty clear that the
17 eligibility issue is where we've stopped. So we still
18 need to get that sorted out.

19
20 MS. LINNELL: And that can be sorted
21 out when we meet. You guys, again, I asked for
22 sideboards, got none. I asked for a meeting, got none.
23 So that we can work this together and that was part of
24 the motion that was made by Ms. Mouritsen is that we
25 would meet with the affected agencies to build the
26 framework, and that's what I want to get to.

27
28 MR. DOOLITTLE: Uh-huh.

29
30 MS. LINNELL: Is let's meet with the
31 affected agencies and build the framework. I presented
32 something because I did it on my own and you can't
33 blame me for wanting to take care of my tribal members.

34
35 MR. DOOLITTLE: Not at all.

36
37 MS. LINNELL: Now, let's get back to the
38 table and start working on a framework that's workable.

39
40 MR. SIEKANIEC: Thank you, Mr. Chair.
41 So, Bert, I don't think you proposed a crazy idea at
42 all, I think you proposed like the logical next step.
43 Tom, thank you for bringing in the idea that it needs
44 to have the right, you know, individuals, with OSM, as
45 well as the agencies and, you know, Karen and Bert
46 being willing to do that, I think, is very appropriate.

47
48 Karen, your last statement, that you
49 made was, again, that the Board rejected the

50

1 modification, I think is something we still need to
2 sort of resolve here and it sounds to me like what we
3 should do, as a Board, is kind of, again, clear the
4 slate, with the expectation then that it would be Karen
5 and Bert and Karen, you, as well, with the appropriate
6 individuals to get together to start looking at what
7 you had made as an original recommendation and then
8 start working out, well, what are the things in there
9 that do not work according to what Title VIII would say
10 and where's the flexibility around what else you have
11 written in that MOU relative to a permit program.

12
13 MS. LINNELL: So the Board I was
14 talking about was the AITRC Board.

15
16 MR. SIEKANIEC: Right.

17
18 MS. LINNELL: Yeah. Yeah. And I think
19 BIA subsistence branch needs to be involved as well.

20
21 MR. SIEKANIEC: So I -- Mr. Chairman.
22 So I guess my question is, is, are you opposed to us
23 just saying let's clear the slate relative to what's in
24 front of us right now with this assignment, that we
25 would go out and try and create the right kind of
26 proposal to bring in so that the Board would have
27 something to take an action on because right now we
28 have nothing to change an action on, but we got these
29 kind of things hanging out there that everybody's
30 asking a few questions about but we don't have answers
31 to.

32
33 MS. LINNELL: So I thought that's what
34 you guys did with your motion at the last meeting.

35
36 MR. SIEKANIEC: Okay.

37
38 MS. LINNELL: Was make that assignment
39 and it just hasn't been carried out. With the motion
40 it was -- it was that we would work together with the
41 affected agencies and so, to me, I'm not sure how this
42 process works, again, starting over with a new special
43 action request because we wanted to try to get
44 something in place now that we're off cycle from the
45 wildlife proposals, and -- and -- or keep this one on
46 the table so that it can be implemented whenever it
47 gets printed, and move.....

48
49 (Laughter)

50

1 MS. LINNELL:and move forward.
2 I'm just teasing.

3
4 MR. WIELECHOWSKI: Yeah, that's all
5 right, I deserve it.

6
7 (Laughter)

8
9 MS. LINNELL: I got to say I admire you
10 for saying it was me, that's commendable, and I wish
11 other folks would do that too.

12
13 But, anyway, I'm not sure what the
14 cycle is now and how that would work because we'd end
15 up -- if you take no action on this we'd file the same
16 exact special action request to move forward so that we
17 could build the framework.

18
19 CHAIRMAN CHRISTIANSON: Well, if we --
20 I just think, though, through the discussion, though,
21 Karen, is if we file the same special action we're
22 going to have the same discussion because it has
23 criteria built into it that isn't something that we
24 could take action on as far as the eligibility
25 requirements that we have to place in our proposal.

26
27 MS. LINNELL: No, sir. The special
28 action request that I put forward was pretty generic
29 and open to meet subsistence needs and it said that the
30 framework would be built with AITRC and the affected
31 agencies, so it did not say tribal members only in that
32 request, it said Federally-qualified tribal members,
33 but it did not say tribal members only.

34
35 MS. HARDIN: Thank you, Mr. Chair.
36 Jennifer Hardin for the record. If AITRC wants to
37 revert back to the eligibility as defined in their
38 original special action request, that was Federally --
39 eligible participants would be Federally-qualified
40 tribal members from the eight Ahtna villages, and they
41 list the villages, along with other Federally-qualified
42 rural residents residing in those eight villages who
43 wish to participate under conditions and administration
44 of the hunt consistent with the framework.

45
46 So that was -- if AITRC -- again, the
47 framework.....

48
49 MS. PITKA: So is that the original

50

1 language?

2

3

MR. FROST: Yeah.

4

5

MS. HARDIN: Yes.

6

7

MS. PITKA: The original modified?

8

9

MS. HARDIN: This is the original
10 special action request language. Through
11 clarification, the eligibility component changed.

12

13

MS. PITKA: Okay.

14

15

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MS. LINNELL: And that was because we
were asked to develop a framework on our own without --
this was a request to have those meetings and to build
that framework and, again, without guidance, without
sideboards, we did what anybody would do and asked for
everything in hopes we'd have that meeting and build it
down. So I think rather than keep going around, we'll
set up a meeting and finish what we started.

MR. FROST: But to try to get to Greg's
point, we still have to deal with the special action
and so I think -- so here's another proposal, you can
call this a crazy idea or not, but another way is that
we're going to -- the special action would be
administratively returned, saying it doesn't -- because
I don't think the way it's currently written that the
solicitor's would agree that it includes all rural
residents so it doesn't meet Title VIII, and so we can
administratively say that we can't move forward on this
proposal. And so that would take care of the current
special action request.

And then I would suggest where we would
start from was not from one of the original proposals,
I don't even know what the numbers were but.....

MS. LINNELL: 17-18 and 19.

MR. FROST: Right. But that we
actually -- the starting point would be from the RAC's
modification of that because that included the broader
umbrella and so if we start with the RAC's modification
of your original proposal, that gives us a place where
the Federal Board can sign on to and hopefully then we
can have the discussions on where we go from there.

1 MS. LINNELL: Actually the RACs wanted
2 us to administer all the hunts, so -- and.....
3

4 MR. FROST: And I think that's the
5 discussion we have to have. And I know you don't want
6 to do that but our hands are sort of tied by ANILCA.
7

8 MS. LINNELL: This is not the only
9 hunt. There are other hunts for them. There are --
10 the regular hunt -- this is just a portion that'll be
11 cut out and -- and so -- I guess we can hammer out all
12 the details when we meet and however you folks decide
13 to handle these proposals and the -- and the special
14 action request is up to you but we're going to meet and
15 come forward with something that we all can agree on.
16

17 MR. BROWER: Just a question.
18

19 CHAIRMAN CHRISTIANSON: Just a
20 question, Charles.
21

22 MR. BROWER: Will the RAC Chairs be
23 included.
24

25 CHAIRMAN CHRISTIANSON: The RAC Chairs
26 included?
27

28 MR. BROWER: Yes.
29

30 CHAIRMAN CHRISTIANSON: Steve.
31

32 MR. WIELECHOWSKI: Could I ask that the
33 Staff members of the Congressional Delegation also get
34 invited to that to observe?
35

36 CHAIRMAN CHRISTIANSON: Yep. The more
37 the merrier. Do you guys want me there, too.
38

39 (Laughter)
40

41 MS. LINNELL: I'll even cook for you.
42 Restaurants get closed in the winter so if we meet in
43 the winter you got to eat somewhere.
44

45 (Laughter)
46

47 MR. FROST: So, Tony, one last
48 question. So I -- just a word of caution, if we have a
49 cast of thousands we're not going to get anything done,
50

1 I mean that's the bottom line. And so I think we have
2 to be careful by -- I would like to say the more the
3 merrier but I think that's counter-productive. I
4 really think we have to have a smaller group to begin
5 to have the discussion and that group could then get
6 enlarged as those discussions evolve but if we bring
7 everybody into the discussion to begin with, it's going
8 to be what we're doing here and just going around and
9 around and around, so I really think that we need to
10 keep it as small as possible to begin with. Not trying
11 to be exclusatory of anything, but just enable to make
12 forward progress, I just -- I mean, you know, you get
13 10 people in the room and you got 35 opinions so.

14
15 CHAIRMAN CHRISTIANSON: Thank you. I
16 think we've discussed this one, we have a plan of
17 action, appreciate all the good discussion. Thank you,
18 Staff, Solicitor, Bert, for your willingness to step
19 forward.

20
21 Any other business on the agenda.

22
23 MS. PITKA: Other business.

24
25 CHAIRMAN CHRISTIANSON: Hum.

26
27 MS. PITKA: It says other business.

28
29 CHAIRMAN CHRISTIANSON: Yeah, any other
30 business.

31
32 (No comments)

33
34 CHAIRMAN CHRISTIANSON: Hearing none,
35 motion to adjourn.

36
37 MR. BROWER: Adjourn or recess.

38
39 CHAIRMAN CHRISTIANSON: Adjourn this
40 meeting.

41
42 MR. DOOLITTLE: No, we've got the
43 executive session.

44
45 MR. LORD: That's a different meeting.

46
47 CHAIRMAN CHRISTIANSON: Different
48 meeting.

49
50

1 Can I get a motion.
2
3 MR. PELTOLA: We're going into
4 executive session, right?
5
6 CHAIRMAN CHRISTIANSON: Well, that's up
7 to the Board as soon as we adjourn this one, I'll
8 decide whether you guys want to go do the executive
9 session today or in the morning.
10
11 MR. FROST: I'll make a motion to
12 adjourn.
13
14 CHAIRMAN CHRISTIANSON: There's a
15 motion to adjourn.
16
17 MR. SIEKANIEC: Second.
18
19 CHAIRMAN CHRISTIANSON: Second.
20
21 Any opposition to the motion.
22
23 (No opposing votes)
24
25 CHAIRMAN CHRISTIANSON: None heard.
26 Motion carries to adjourn.
27
28 (Off record)
29
30 (END OF PROCEEDINGS)
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C E R T I F I C A T E

UNITED STATES OF AMERICA)
)ss.
STATE OF ALASKA)

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

THAT the foregoing, contain a full, true and correct Transcript of the FEDERAL SUBSISTENCE BOARD MEETING, WORK SESSION taken electronically by our firm on the 8th day of August 2018, in Anchorage, Alaska;

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

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

DATED at Anchorage, Alaska, this 14th day of August 2018.

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