



**Aleut Community of St. Paul Island  
Tribal Government  
Office of the President**

October 21, 2009

Doug Mecum, Acting Regional Administrator, Alaska Region  
NOAA Fisheries  
PO Box 21668  
Juneau, Alaska 99802-1668

Re: Fur Seal Harvest Regulation Changes

Dear Mr. Mecum:

The Aleut Community of St. Paul Island-Tribal Government has requested of and been working with NOAA Fisheries for sometime now to change the Federal regulations that govern the subsistence harvest of northern fur seals on St. Paul Island so that the regulations do not conflict with our customary traditional practices. Specifically, the Federal regulations in question are 50 CFR Ch. II §216 Subpart F and G.

On January 15, 2009 at a Regular meeting the Tribal Council of St. Paul Island formed the Tribal Council Ad-Hoc Committee on Fur Seals for the purpose of:

1. Revising the current fur seal harvest management plan.
2. Developing an addendum to the current fur seal harvest management plan that outlines harvest locations, data ranges, take ranges, harvest/hunt methods, and harvest monitoring methods for the hunting of sub adult male fur seal in the spring, fall and early winter, and the harvest/hunt of seal pups. This plan addendum will be used to provide information to the National Marine Fisheries Service to assist them in the joint process of changing the current federal regulations that govern the take of fur seals on the Pribilof Islands.
3. Developing tribal ordinances to enforce the guidelines and actions within the fur seal harvest management plan and fur seal disturbance and rookery trespass issues.

At the Tribal Council meeting on January 14, 2009 the Tribal Council appointed Simeon Swetozof, Jr.; Jason Kozloff; Jason Bourdukofsky; Chelsey Zacharof; Robert Melovidov; Julianna Hapoff; Phillip A. Zavadil; Michael Williams; and Les Cockerham to serve on the Committee. Dustin Jones; Shaun Lekanof; Paul Fratis; Robert Melovidov, Jr.; and Juan Leon Guerrero were appointed as back up members to the committee to serve in the place of the other members if they decline or could not attend the meetings. Robert Melovidov was appointed by the Tribal Council to server as chair of the committee.

In early February 2009, Ecosystem Conservation Office staff mailed out notices to the appointed committee members to inform them of their appointment, purpose of the Committee, and meeting schedule. Various appointees declined to serve on the Committee. In the end the people served on the Committee: Robert Melovidov, Sr.; Phillip A. Zavadil; Amos Philemonoff, Sr.; Paul Fratis; Julianna Hapoff; Chelsey Zacharof; Dennis Bourdukofsky; Michael Williams; and Les Cockerham.

The Tribal Council required the Committee to hold a minimum of 4 meetings to accomplish its purpose and assignment. The Tribal Council required that the Committee hold at least two

community meetings to gather tribal citizen input into it's tasks and to provide opportunity for the tribal citizens to be involved in the process. The first Committee meeting was scheduled for February 18, 2009, but due to a lack of a quorum the meeting was canceled. The Committee met on the following dates: April 1, 8, and 26, 2009 and June 8 and 19, 2009. A record of each of the meetings was retained in minutes from the meetings.

The Committee hosted two community meetings on April 25, 2009 and June 7, 2009 to present and gather input from Tribal Members on the recommendations of the Committee. Additionally, Phillip A. Zavadil presented the recommendations of the Tribal Membership at the Semi-Annual Tribal Membership meeting held on June 5, 2009. Comments from the community meetings are in the listed below:

Community Meeting on Federal Fur Seal Harvest Regulations on 26 April 2009 at 15:30 in the Tavern which 15-20 people attended the meeting. Comments from this meeting are below:

- Increase amount of seals able to take up to 3,000 subadult males
- Is waste a serious issue?
- Request up to 3,000 pups. Discussion of why. Need to have enough seals to meet the needs of the community
- Change hunting methods to include no pistols

Community Meeting on Federal Fur Seal Harvest Regulations on 07 June 2009 at 15:30 in the Tribal Government Conference Room, which 17 people attended the meeting. Comments from this meeting are below:

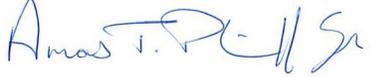
- Change tribal citizens to tribal members
- On the subadult male hunt framework delete pups
- Discussion of terminology regarding what to call pups
- Analysis by NMFS will have to look at pups to determine effects on population
- Discussion of historic documents that show fur seal pups being legally taken
- Discussion on impact from fishing industry upon fur seals
- Harvest number should be determined on an annual basis by the community and NMFS and not set in the regulation except for a maximum amount

The Committee reviewed and discussed tribal ordinances to enforce the guidelines and actions within the fur seal harvest management plan and fur seal disturbance and rookery trespass issues. The Tribal Council held a community meeting on May 25, 2009 to present and gather input from Tribal Members on the proposed ordinance Title 7 Chapters 2 and 3 (refer to attached). The two ordinances were approved and adopted by the Tribal Council at a regular meeting of the Tribal Council on May 29, 2009.

The Committee also worked on developing a framework for proposed changes to the Federal regulations that outlines harvest locations, data ranges, take ranges, harvest/hunt methods, and harvest monitoring methods for the hunting of sub adult male fur seal in the spring, fall and early winter, and the harvest/hunt of young of the year fur seals. This framework was presented to the Tribal Council on September 23, 2009. The Tribal Council approved Proposed Framework for Northern Fur Seal Subadult Male and Young of the Year Harvests/Hunts Option B by Resolution 2009-57 on September 23, 2009 (*refer to attached framework and resolution*).

We look forward to working with you and your staff to change 50 CFR Ch. II §216 Subpart F and G to meet the subsistence needs and reflect the customary traditional practices of the Aleut people of St. Paul Island while still continuing to protect and conserve the northern fur seals.

Sincerely,

A handwritten signature in blue ink that reads "Amos T. Philemonoff Sr." The signature is written in a cursive style.

Amos Philemonoff, Sr.  
President

*PAZ*

Cc. St. Paul Island Tribal Council Members  
Tribal Government of St. Paul Management Team Members  
Thomas P. Schlosser, Attorney-at-Law,  
James Balsiger, Acting Assistant Administrator, NOAA Fisheries  
Kaja Brix, Assistant Regional Administrator, Alaska Region, NOAA Fisheries  
Michael T. Williams, Pribilof Islands Fur Seal Program Manager, NOAA Fisheries  
Dr. Thomas Gelatt, NMFS-Alaska Fisheries Science Center  
Chris Mercurief, President, St. George Traditional Council  
Bruce Robson, Co-Director, Community and Ecology Resources



**ALEUT COMMUNITY OF ST. PAUL ISLAND  
TRIBAL GOVERNMENT**

**President**

Amos Philemonoff, Sr.

**Vice-President**

Dustin J. Jones

**Secretary**

Juliana Hapoff

**Council Members**

Thomas Bourdukofsky

Maxim Buterin, Jr.

Carol Melovidov

Robert Melovidov, Sr.

**Elder Advisors**

Marva Melovidov

Michael Zacharof

**RESOLUTION 2009-57**

*A RESOLUTION TO ADOPT THE PROPOSED FRAMEWORK FOR NORTHERN FUR SEAL  
SUBADULT MALE AND YOUNG OF THE YEAR HARVESTS/HUNTS*

WHEREAS, the Aleut Community of St. Paul Island, is a federally recognized Tribe of Alaskan Natives having a common bond of living together on St. Paul Island, Alaska, and;

WHEREAS, the Tribal Government of St. Paul is the representative government for the Aleut Community of St. Paul Island, and;

WHEREAS, the Tribal Government of St. Paul promotes, maintains, and protects cultural practices, awareness, preservation, self-governance, and self-determination for the Aleut Community of St. Paul Island, and;

WHEREAS, the Tribal Government of St. Paul is responsible for the health, safety and welfare of the Tribal Citizens of the Aleut Community of St. Paul Island, and;

WHEREAS, the Tribal Government of St. Paul recognizes that land and sea resources are basic and important natural resources and that these resources are of vital concern for our people, and;

WHEREAS, the Tribal Government of St. Paul protects the Aleut Community of St. Paul Island's inherent practice of consuming traditional foods from its immediate environment, and;

WHEREAS, the Tribal Government of St. Paul co-manages the northern fur seals with the National Marine Fisheries Service via a co-management agreement signed in June 2000, and;

WHEREAS, the organized annual northern fur seal subsistence harvest on the Pribilof Islands is authorized by the Fur Seal Act and 50 CFR Section 216 Subpart F—Pribilof Islands, Taking for Subsistence Purposes, and;

WHEREAS, the Fur Seal Act and 50 CFR Section 216 were developed to transition from a commercial harvest and are outdated and no longer accommodate our community's changing subsistence needs and practices, and;

WHEREAS, on 15 January 2009 the Tribal Council of St. Paul Island formed the Tribal Council Ad-Hoc Committee on Fur Seals for the purpose of working on proposed changes to the Federal regulations that govern the subsistence harvest of fur seals, and;

WHEREAS, this Committee conducted a number of meetings to work on changes to Federal regulations that govern the subsistence harvest of fur seals, and;

WHEREAS, this Committee held two community meetings to gather comments and input from Tribal members on changes to Federal regulations that govern the subsistence harvest of fur seals, and;

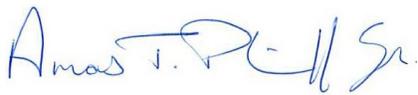
WHEREAS, on 29 May 2009 the Tribal Council of St. Paul Island adopted tribal ordinance Chapter 7.2 - Customary Traditional Use of Northern Fur Seal, and;

NOW THEREFORE BE IT RESOLVED, the Tribal Council of St. Paul Island hereby adopts the attached Proposed Framework for Northern Fur Seal Subadult Male and Young of the Year Harvests/Hunts Option B, and;

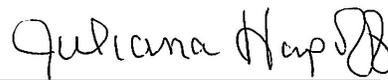
BE IT FURTHER RESOLVED, that the Tribal Council of St. Paul Island hereby directs the St. Paul Island Comanagement Council, the President, and Director of the Ecosystem Conservation Office to work with the National Marine Fisheries Service to follow through and implement the attached Proposed Framework for Northern Fur Seal Subadult Male and Young of the Year Harvests/Hunts.

Adopted at a duly convened meeting of the Tribal Council on this 23<sup>rd</sup> day of September 2009 of 7 in favor 0 opposed 0 abstain 0 absent.

Attested by:



Amos Philemonoff, Sr.  
President



Juliana Hapoff  
Secretary/Treasurer

**PROPOSED FRAMEWORK  
FOR  
NORTHERN FUR SEAL SUBADULT MALE AND YOUNG OF THE YEAR  
HARVESTS/HUNTS  
OPTION B**

**Date Range**

Subadult Male Harvest - 23 June to 10 August and mid September to 31 October of each year.

Subadult Male Hunt - All areas from 01 January to 01 June and 15 October to 31 December of each year. Sea Lion Neck from 01 January to 01 June and 01 September to 31 December of each year.

Young of the Year Harvest/Hunt - 25 August to 31 December of each year.

**Locations**

The harvest/hunt of subadult male and young of the year fur seals can take place at the following areas: Reef, Gorbach, Morjovi, Vostochni, Big Zapadni, Little Zapadni, Zapadni Reef, Tolstoi, Polovina, Lukanin, and Ketovi.

**Take Range**

**Option B**

Subadult Male Harvest/Hunt – The take range for hunting or harvesting of subadult males fur seals would be 1,500, with the actual take range being set on an annual basis through the Comanagement Council. Annual take range will be determined after analysis of community need and impact on the population.

Young of the Year Harvest/Hunt - Up to 1,500 male young of the year fur seals. No female fur seals will be taken, however an incidental and/or accidentally take of or 10% of the total young of the year fur seal take can be female young of the year fur seals. The actual take range will be set on an annual basis through the Comanagement Council. Annual take range will be determined after analysis of community need and impact on the population.

**Harvest Methods**

Subadult Male Harvest - Status Quo. Joint harvests for subadult male and young of the year fur seals may occur to reduce effort and disturbance.

Subadult Male Hunt - BB or pellet guns or pistols of any caliber will not be allowed. Only a minimum of a 22 caliber will be allowed. No shooting wildly into a haulout or rookery. Fur seals shot and wounded must be tracked down and killed.

Young of the Year Harvest/Hunt - The following methods are acceptable for harvesting or hunting of young of the year fur seals: take by either stunning or use of a firearm. BB or pellet guns or pistols of any caliber will not be allowed. Only a maximum of a 22 caliber will be allowed. No shooting wildly into a haulout or rookery. Young of the year fur seals shot and wounded must be tracked down and killed. Joint harvests for

young of the year fur seals and subadult males may occur to reduce effort and disturbance.

Additionally, organized harvest may be used to take young of the year fur seals. Young of the year fur seals will be gathered by driving them from their haul-out areas to a specific killing field where they are held in small pods. Young of the year fur seals are then cut from this pod and driven to people who stun the animals by hitting them on the skull or upper neck with a solid wooden club. The young of the year fur seals chest and heart are then cut open to complete the exsanguination of the fur seal.

The Tribal Government will certify Tribal members that are allowed to harvest or hunt subadult male and young of the year fur seals through a hunter registration program.

### **Monitoring of Harvests/Hunts**

#### Subadult Male Harvest - Status Quo

Subadult Male Hunt - The data used to estimate the hunt of subadult male fur seals on St. Paul Island will be gathered through hunter registration and reporting requirements. All hunters will be certified and register with the Tribal Government. All hunters will be required to report every harvested and struck-and-lost fur seals within 24 hours. The following data on the hunt will be collected: Hunt reported by; date and time hunt reported; hunting date and time; hunting region and location; hunter (listed as an ID number for confidentiality); sex of the fur seal; if the fur seal is harvest then retrieval date, time, and location; hunter and fur seal location; if the fur seal is stuck and lost then stuck and lost date and time. Data will be entered into a computerized database. A report will be prepared for the fur seal hunters, Tribal Council and National Marine Fisheries Service on dates, times, seasons, locations of the fur seal harvested/hunted on St. Paul Island.

Young of the Year Harvest/Hunt - The data used to estimate the young of the year fur seal harvests/hunts on St. Paul Island will be gathered through harvester/hunter registration and reporting requirements. All harvester/hunters will be certified and register with the Tribal Government. All harvester/hunters will be required to report every harvested and struck-and-lost young of the year fur seal within 24 hours. The following data on the harvest/hunt will be collected: Harvest/hunt reported by; date and time harvest/hunt reported; hunting date and time; hunting region and location; hunter (listed as an ID number for confidentiality); sex of the fur seal; if the fur seal is harvested/hunted then retrieval date, time, and location; hunter and fur seal location; if the fur seal is stuck and lost then stuck and lost date and time. Data will be entered into a computerized database. A report will be prepared for the young of the year fur seal harvesters/hunters, Tribal Council and National Marine Fisheries Service on dates, times, seasons, locations of the young of the year fur seals harvested/hunted on St. Paul Island.

### **Tribal Ordinance**

The Tribal Government will develop, implement and enforce tribal ordinances governing the harvest/hunt of subadult male and young of the year fur seals.

### **Coordination of Harvest and Research**

The Tribal Government will work with the National Marine Fisheries Service and National Marine Mammal Laboratory via the Comanagement Council to coordinate subsistence harvest/hunt and research activities prior to each upcoming fur harvest/hunt and research season.

### **Review**

The St. Paul Island Comanagement Council, National Marine Fisheries Service, and the Tribal Government of St. Paul will review any and all Federal regulations governing the subsistence harvest/hunt of northern fur seals on St. Paul Island on an annual basis.