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ALASKA MIGRATORY BIRD

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CO-MANAGEMENT COUNCIL

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Aspen Hotel

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Anchorage, Alaska

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April 18, 2003

20

9:00 a.m.

21

22 Members Present:

23

24 Doug Alcorn, Federal F&W, Chair

25 Ralph Andersen, Bristol Bay Native Association, Vice Chair

26 Matt Robus, State F&G, Secretary

27 Association of Village Council Presidents

28 Chugach Regional Resources Commission

29 Copper River Native Association

30 Kawerak

31 Central Council of Tlinget-Haida Indian Tribes

32 Aleutian/Pribilof Islands Association

33 Kodiak Area Native Association

34 Manilaaq Association

35 Tanana Chiefs Conference

36

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38 Executive Director, Fred Armstrong

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P R O C E E D I N G S

(Anchorage, Alaska - 4/18/2003)

CHAIRMAN ALCORN: I'd like to call the Co-management Council back to order, and begin the morning's meeting. We will pick up on agenda Item 8 under other business. We completed Item 7 yesterday. I'll give you a few moments to locate your agendas, and also locate your white binders, because we'll be using materials in those white binders under -- we'll begin under Tab 8.

The first item of business is to review the membership of the committees that we've established, and I suppose we would begin in a review of the Technical Committee, Item A, under Tab 8. There are a few names that have asterisks written next to them. Apparently those folks are no longer associated with the Co-management Council, so their names need to be stricken from the list and replacements added. I wonder if anyone has any suggestions?

MR. ANDERSON: Mr. Chairman, I'd like to ask the regional representatives if -- you know, there are a number of committees with asterisks by the regional representatives on the committees, and I'm wondering if we need to -- I'd like to ask the reps if we need to caucus to decide on names or recommend names.

CHAIRMAN ALCORN: Mike.

MR. SMITH: Thank you, Mr. Chairman. Could we just have a brief description of what the various committees do, please?

CHAIRMAN ALCORN: Sure. I'm sure Fred can do that.

MR. ARMSTRONG: Okay. Is everybody on Tab 8? The first one is the Technical Committee. You know, normally we'll provide an opportunity for this group to review all the regulatory proposals and hash out any issues that may arise on them, and if there's any resource material that the regions may need, they'll gather all that data and have them available for the different regions, but really to review regulatory proposals and perhaps come up with a position on some of the proposals.

The Harvest Survey Committee, Austin is the chair of this committee. And they're charged with

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1 developing a statewide survey format that everybody can buy  
2 into and we can utilize in the future. And that's an  
3 on-going committee.

4

5 The Standing Operating Committee, correct  
6 me if I'm wrong, Bill, but it was just a committee that the  
7 Council wanted to begin the process of development a  
8 handbook that -- somewhat similar to what we have as the  
9 resource black book, but kind of spells out the role of the  
10 Council members and their responsibilities so that -- you  
11 know, knowing that we have a lot of alternates at times,  
12 that they can, you know, have this document available and,  
13 you know, become aware of what role they'll play as, you  
14 know, sitting in as a Council member.

15

16 Long-term Goals and Objectives, I'm at a  
17 loss as to what this committee was made -- created for.  
18 Bill, this was long before my time, so I'm not.....

19

20 MR. OSTRAND: I think that Ralph could  
21 better articulate what this committee's about.

22

23 UNIDENTIFIED VOICE: Thank you for putting  
24 that on the record.

25

26 MR. ANDERSON: Yeah, thank you, William. I  
27 believe this -- if I remember correctly, this committee was  
28 established at the time that we were negotiating our first  
29 cooperative agreements for each of the region. And if I  
30 remember right, and the minutes probably reflect the  
31 mission of the committee better than I can remember, but if  
32 I remember right, the -- one of the objectives or mission  
33 of the committee was to establish goals and objectives,  
34 long-term goals and objectives in terms of funding for  
35 strat -- you know, and strategy, development, and planning  
36 and that sort of thing for -- that related directly to  
37 funding problems that we face in the regions, because the  
38 funding that we get through the cooperative agreements,  
39 concerns were raised by the regions, or some of the  
40 regions, that the funding levels weren't quite adequate to  
41 meet the needs that they'd like to address.

42

43 If I remember right, the AVCP region at  
44 that time was representative -- represented by Calvin, and  
45 Calvin was concerned that the \$14,000 that he was receiving  
46 to operate his program wasn't sufficient. At that time the  
47 North Slope was also receiving a small amount. I believe  
48 it was the North Slope and another region had split 14,000  
49 so that they were both approp -- or allocated like \$7,000.  
50 That was barely enough to cover their travel costs.

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1                   The reason that the committee was formed  
2 was to develop, you know, long-range strategies to address  
3 those needs. And I'm not sure at this point, you know,  
4 whether those concerns still exist. I don't know how  
5 active the committee has been. But I haven't seen any  
6 results of any committee work, so I'm not sure what we want  
7 to do with that.

8

9                   CHAIRMAN ALCORN: Mike, go ahead.

10

11                   MR. SMITH: Yeah, I guess would it be  
12 appropriate then to take up whether or not we need that  
13 committee any more or not, or as a formal standing  
14 committee of this body?

15

16                   CHAIRMAN ALCORN: I guess it's when we get  
17 down to it. We still need an explanation of the Item E,  
18 the Flyway Council Committee, and then we'll go -- I  
19 presume we'll go back up and look at the membership of the  
20 Technical Committee, beginning there.

21

22                   MR. ARMSTRONG: Okay. The Flyway  
23 Committee's, you know, composed of two Council members.  
24 Ralph and Herman currently occupy those seats with two  
25 alternates. And they travel to the Flyway Council meetings  
26 as well as the Service Regulations Committee meeting, and  
27 act as advisors and consultants to the SRC on issues that  
28 may arise in regards to our recommendations to the Service  
29 Regulations Committee. And let me tell you these guys have  
30 done a remarkable job in presenting the native community's  
31 views on customary and traditional activities here in  
32 Alaska. And it's been really good.

33

34                   MR. ANDERSON: Mr. Chairman?

35

36                   CHAIRMAN ALCORN: Ralph.

37

38                   MR. ANDERSON: I believe at the last  
39 meeting that we held, we also appointed Mike Smith and  
40 Charlie Brower, along -- and I'm not quite sure who the  
41 staffer would be, or the person would be from the U.S. Fish  
42 and Wildlife Service, but we appointed them as  
43 representatives to the Central Flyway Council. That's  
44 because Herman and I attend the Pacific Flyway Council  
45 meetings.

46

47                   CHAIRMAN ALCORN: I have a question I  
48 guess. Mike or Charlie -- Charlie's not here, but, Mike,  
49 did you guys go down to that Flyway Council meeting, or  
50 have you participated?

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1 MR. SMITH: No, I haven't participated at  
2 all, and I guess, you know.....

3

4 MR. ANDERSON: (Indiscernible - away from  
5 microphone), because this was after that.....

6

7 CHAIRMAN ALCORN: Okay.

8

9 MR. ANDERSON: .....because when we got  
10 back, this was at our fall meeting.

11

12 CHAIRMAN ALCORN: Oh, okay.

13

14 MR. SMITH: Yeah. And so I mean I assume  
15 one's coming up pretty quick. I'm not sure when. I  
16 haven't heard anything about it, or seen an agenda or  
17 anything. I guess, you know, I'm certainly anticipating  
18 finding out about it at this meeting, prior to leaving  
19 here.

20

21 CHAIRMAN ALCORN: All right. What's the  
22 will of the Council?

23

24 MR. OSTRAND: Mr. Chair.

25

26 CHAIRMAN ALCORN: Bill.

27

28 MR. OSTRAND: I thought before you go on,  
29 you need to know that the vacancies on the Subsistence  
30 Survey Ad Hoc Committee have been filled. Hans Nicholson  
31 has replaced Gloria. I don't know if we've made that  
32 official, but I know you nominated him.

33

34 MR. ARMSTRONG: Just a correction there.  
35 This requires.....

36

37 CHAIRMAN ALCORN: We haven't.....

38

39 MR. ARMSTRONG: .....Council action, and he  
40 hasn't been formally appointed yet.

41

42 MR. OSTRAND: Okay. We did formally add  
43 Ron Stanek to replace Polly Wheeler.

44

45 CHAIRMAN ALCORN: This is on the Technical  
46 Committee?

47

48 MR. OSTRAND: Yeah. No, not the Technical  
49 Committee. The Harvest Survey.

50

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1 CHAIRMAN ALCORN: The Harvest Survey, okay.

2

3

4 MR. SMITH: So what was his name? Ron?

5

6 CHAIRMAN ALCORN: Ron Stanek.

7

8 MR. SMITH: Oh, yeah. Hey, Ron, did

9 you.....

10

11 UNIDENTIFIED VOICE: No.

12

13 MR. SMITH: .....is he also then taking the  
14 Technical Committee spot?

15

16 UNIDENTIFIED VOICE: Mr. Chairman.

17

18 CHAIRMAN ALCORN: Yeah, let's address the  
19 chair, and I would -- let me go to Herman first, he had his  
20 hand raised, and then Matt.

21

22 MR. SQUARTSOFF: Yeah, Mr. Chair, on the  
23 Harvest Survey Committee, did Austin take any of the --  
24 Gloria's seat or anything? I see his name is not even on  
25 there. Did he take that position or what?

26

27 CHAIRMAN ALCORN: Well, I don't know the  
28 history. I -- when they -- I recognized that as soon as  
29 Fred mentioned that Austin was the chair, his name was not  
30 on there, so I wrote it in, but, Fred, do you have a  
31 response?

32

33 MR. ARMSTRONG: Yeah, we've been doing a  
34 flip-flop of Council. When -- I recall the situation, but  
35 the Council appointed Austin's alternate at the time, and  
36 -- but Austin has continued to become a -- I mean, is an  
37 active participant with the committee.

38

39 CHAIRMAN ALCORN: Well.....

40

41 MR. ARMSTRONG: I think it's appropriate  
42 just, you know, to get the State's view on the -- Bill, you  
43 know, I'm sorry about this, but I don't recall the Council  
44 appointments for Ron Stanek or anybody like that. These  
45 are Council appointments and not the committee  
46 appointments, so we need to clarify that. And the State  
47 needs to weigh in on this.

48

49 CHAIRMAN ALCORN: Thanks, Fred. And the  
50 State's had -- Matt's had his hand up for a few minutes

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1 now. Herman, are you through? Okay. Matt.

2

3

MR. ROBUS: Mr. Chairman, thanks.

4 Obviously Polly is not working with the State any more, and  
5 we need to nominate some replacements. There are two  
6 subsistence persons, Subsistence Division staff who may be  
7 involved here, and I guess I just ask for a few minutes. I  
8 can come back after a break or whatever and give you our  
9 final recommendation for State membership on these  
10 committees.

11

12

The other thing I wanted to point out is  
13 that being a member of the Pacific Flyway Council and a  
14 consultant to the SRC, I'm kind of heavily involved in this  
15 E Committee with Ralph and Herman, and I agree that they've  
16 done a really good job getting the Council up to speed on  
17 what's proposed here. So I think at least the Pacific  
18 Flyway representation is fully up and underway and has done  
19 a good job, and I think getting something going on the  
20 Central is a good idea as well.

21

22

CHAIRMAN ALCORN: All right. Thanks, Matt.

23 Ralph.

24

25

MR. ANDERSON: Mr. Chairman, I move that we  
26 take a short break in order to caucus. I think ADF&G, the  
27 Fish and Wildlife Service, and the regional reps each need  
28 to caucus and come up with recommendations.

29

30

CHAIRMAN ALCORN: Okay. I don't think a  
31 motion is necessary. If there's no opposition, we'll meet  
32 -- we'll reconvene at 9:30. It's 9:15 right now. Herman,  
33 you had something?

34

35

MR. SQUARTSOFF: Yeah, Mr. Chair, Bill is  
36 right on we did appoint Ron Stanek to one of these  
37 committees and I don't know exactly which one it was, but I  
38 remember that happening.

39

40

CHAIRMAN ALCORN: All right. We'll.....

41

42

MR. SQUARTSOFF: Ron Stanek.

43

44

CHAIRMAN ALCORN: Okay. Well, retain that  
45 thought and we'll talk about when we get to.....

46

47

MR. SQUARTSOFF: Okay. Thank you.

48

49

(Off record)

50

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1 (On record)

2

3

CHAIRMAN ALCORN: All right. We're back in  
4 session. We are going to go through each of the committees  
5 and take recommendations from the three voting  
6 representatives on the Council, which is the way I would  
7 prefer since we've now had our opportunity to caucus. I'd  
8 begin with the Technical Committee, Item A, and ask for  
9 recommendations from the State of Alaska. I'll just go  
10 with you, Matt, to start with.

11

12

MR. ROBUS: Thank you, Mr. Chairman. Tom  
13 Rothe will continue from the Division of Wildlife  
14 Conservation in his role on that committee. And then to  
15 replace Polly Wheeler, I would like to submit the name of  
16 Jim Simon, who is the regional program manager for  
17 Subsistence Division in Fairbanks. And for those who  
18 haven't met him, Jim is sitting back in the audience there.

19

20

MR. SIMON: Hi.

21

22

CHAIRMAN ALCORN: Welcome, Jim, and thanks.

23

24

MR. SIMON: Thank you.

25

26

MR. ROBUS: That's it.

27

28

CHAIRMAN ALCORN: Okay. Ralph, would you  
29 like to make recommendations?

30

31

MR. ANDERSON: Yes, our recommendations are  
32 for Connie Fredenberg to replace Stanley Mack. The other  
33 recommendation is for an Interior representative to be  
34 named by Wednesday this week. You'll be contacted, Fred,  
35 by Mike Smith with the name.

36

37

CHAIRMAN ALCORN: Okay. Because there is  
38 none right now? Or we have -- he's going to replace  
39 Stanley Ned?

40

41

MR. ANDERSON: Yeah, he'd be replacing.....

42

43

CHAIRMAN ALCORN: Okay.

44

45

MR. ANDERSON: .....the representative  
46 would be replacing Stanley Ned.

47

48

CHAIRMAN ALCORN: All right. And the  
49 others will remain unchanged?

50



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1 MR. ANDERSON: Yes.

2

3 CHAIRMAN ALCORN: All right. And for the  
4 Fish and Wildlife Service, we have.....

5

6 MR. ARMSTRONG: Mr. Chair?

7

8 CHAIRMAN ALCORN: Excuse me, I'm sorry,  
9 Fred.

10

11 MR. ARMSTRONG: I just need clarification  
12 now. Connie's replacing who?

13

14 MR. ANDERSON: Connie's replacing Stanley  
15 Mack.

16

17 MR. ARMSTRONG: Okay.

18

19 MR. ANDERSON: An Interior representative  
20 will be identified by Wednesday. Robert Sudan and Dario  
21 Notti would be continuing representatives.

22

23 CHAIRMAN ALCORN: All right. So the roster  
24 on the Technical Committee for the record now will be the  
25 Interior representative will be identified by Wednesday.  
26 We have the Fish and Wildlife -- excuse me, I'll continue  
27 on with the regional representatives. Robert Sudan  
28 representing North Slope Borough. Dario Notti from Y-K  
29 Delta. And Connie Fredenberg from the Aleutian/Pribilof  
30 Region. For the State of Alaska we have Tom Rothe and Jim  
31 Simon. Jim Simon replacing Polly Wheeler. And for the  
32 U.S. Fish and Wildlife Service we have Robert Leedy, Russ  
33 Oates, and Kent Wohl (ph). Are there any corrections to  
34 that roster? Okay Hearing none, we'll -- that will just  
35 stand as approved. I don't know that we need a motion to  
36 approve that.

37

38 Item B, the Harvest Survey Committee. I  
39 will begin with Matt again.

40

41 MR. ROBUS: Mr. Chairman, Tom Rothe will  
42 continue on that committee for Wildlife, and then Ron  
43 Stanek will be the Subsistence Division representative to  
44 replace Polly Wheeler.

45

46 CHAIRMAN ALCORN: Okay. Ralph?

47

48 MR. ANDERSON: Austin Ahmasuk, although he  
49 was on the committee, for some reason Frank Kavarok (ph)  
50 was identified. Austin will continue on the committee.

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1 And we have two recommendations. Gloria is a tough person  
2 to replace, so we're replacing her with two. Hans  
3 Nicholson from Bristol Bay, and Edgar Hoelscher from AVCP.

4

5 CHAIRMAN ALCORN: And Edgar from?

6

7 MR. ANDERSON: AVCP.

8

9 CHAIRMAN ALCORN: AVCP. Okay. Okay. All  
10 right. And for the Fish and Wildlife Service we have some  
11 changes that we would like to recommend. And this has to  
12 do with the fact that our two representatives, Cynthia  
13 Wentworth and Bill Ostrand are staff to the Council,  
14 and.....

15

16 MR. ANDERSON: Is that Bill or William?

17

18 CHAIRMAN ALCORN: He goes by Bill as far as  
19 I'm concerned. Would you prefer William?

20

21 MR. OSTRAND: No.

22

23 CHAIRMAN ALCORN: Okay.

24

25 MR. ANDERSON: He's identified on the  
26 roster as William.

27

28 CHAIRMAN ALCORN: He's Bill. Wild Bill.  
29 Okay. We would replace -- the Fish and Wildlife Service  
30 would like to substitute these two names, and appoint Rick  
31 Lanctot, biologist, to replace these two. These two are  
32 involved as staff, so they're at the committee meetings  
33 anyway, and.....

34

35 UNIDENTIFIED VOICE: Rick who?

36

37 CHAIRMAN ALCORN: Rick Lanctot. His last  
38 name is spelled L-A-N-C-T-O-T. L-A-N-C-T-O-T. Pronounced  
39 Lanctow (ph). And we would expect the full support to  
40 continue from Cynthia and Bill, but they would not be in a  
41 voting or negotiating position. It would -- you know, Rick  
42 would be the one that participates in the consensus effort.  
43 And we have Russ Oates that also is a member that's been  
44 appointed at the last meeting I believe, in our fall  
45 meeting, and his name did not show up on this list. So to  
46 repeat then the names, we have Frank is being substituted  
47 with -- who's.....

48

49 MR. ANDERSON: Austin.

50

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1 CHAIRMAN ALCORN: Austin. Okay. I'm  
2 sorry.

3  
4 MR. ANDERSON: Austin is the Chairman.

5  
6 CHAIRMAN ALCORN: Austin chairs the group,  
7 right. From Kawarik, Robert Sudan from North Slope, we  
8 have Hans Nicholson from BBNA, and Edgar Hoelscher from  
9 AVCP for the regional representatives. The Department of  
10 Fish and Game representatives, Tom Rothe will continue and  
11 Ron Stanek will replace Polly Wheeler. Fish and Wildlife  
12 Service, Rick Lanctot and Russ Oates. And we will strike  
13 Cynthia Wentworth and Bill Ostrand from the list.

14  
15 MR. ANDERSON: Don't you mean William  
16 Ostrand?

17  
18 CHAIRMAN ALCORN: William Ostrand is  
19 stricken from the list. I told him not to take offense  
20 when we struck him though. All right. That's the  
21 composition of the Harvest Survey Committee. Any  
22 corrections or recommendations for change? Hearing none,  
23 that's going to just stand as approved.

24  
25 Item C, the Standard Operating Procedures  
26 Committee. Do we have any recommendations from the -- I'll  
27 start with the State again.

28  
29 MR. ROBUS: Mr. Chairman, we will stand pat  
30 with the versatile Tom Rothe sitting on this committee as  
31 well.

32  
33 CHAIRMAN ALCORN: Thank you. The  
34 multi-talented Tom Rothe. All right. Ralph, do you have  
35 any suggestions for change?

36  
37 MR. ANDERSON: Yes. We're substituting  
38 Herman Squartsoff for me. Mike Smith for Stanley Ned. And  
39 a new addition, Edgar Hoelscher from AVCP.

40  
41 CHAIRMAN ALCORN: All right. We only had  
42 Bob Stevens for the Fish and Wildlife Service  
43 representative, and he is no longer with us. He was staff  
44 also to the Fish and Wildlife Service, so at this point I  
45 would just like to have Fred staff it, and because we've  
46 taken staff name off here, Fred will just continue to  
47 provide the staff support to that committee. Is that all  
48 right, Fred?

49  
50 UNIDENTIFIED VOICE: No.

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1 CHAIRMAN ALCORN: We don't have a name that  
2 we've -- from our program.

3

4 MR. ARMSTRONG: Yeah, that's fine, Mr.  
5 Chair.

6

7 CHAIRMAN ALCORN: All right. So, Fred  
8 Armstrong is going to be our appointee without being named,  
9 because he's staffed. All right. So the names then on the  
10 committee, Herman Squartsoff from Kodiak, Mike Smith from  
11 Tanana Chiefs, Edgar Hoelscher from AVCP, Tom Rothe from  
12 Department of Fish and Game, and then Fred will provide the  
13 staff support to that group, or he'll delegate to his staff  
14 as necessary. All right. That takes care of the standing  
15 operating -- Standard Operating Procedures Committee. Are  
16 there any corrections, recommendations? That will just  
17 stand as read.

18

19 Item D -- oh, Ralph, you have a comment?

20

21 MR. ANDERSON: Yeah, I have a motion on  
22 Item D.

23

24 CHAIRMAN ALCORN: Okay.

25

26 MR. ANDERSON: I make a motion that we  
27 disband the committee.

28

29 MR. SQUARTSOFF: Second.

30

31 CHAIRMAN ALCORN: Okay. All right. Do we  
32 have any discussion? Fred, go ahead.

33

34 MR. ARMSTRONG: Yes, Mr. Chairman. I  
35 realize that the focus at the time was on funding for our  
36 regional partners, but I think if we kind of shift the  
37 focus and maintain the committee, it would be appropriate.  
38 I think we need to look at enhancing our staff  
39 capabilities, infrastructure, that perhaps this committee  
40 could meet, kind of brain storm and come up with a plan to  
41 try to increase funding for, you know, not only our  
42 regional partners, but our staff, so I think we may want to  
43 reconsider that.

44

45 CHAIRMAN ALCORN: Ralph.

46

47 MR. ANDERSON: You could always vote down  
48 my motion. But I think that if we're going to continue  
49 with this committee, that real clear written concise goals  
50 -- I mean, mission statement, committee objectives, those

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1 kinds of things need to be spelled out and circulated  
2 really clearly. I feel badly, you know, that I wasn't  
3 clear enough when I made a motion to establish the  
4 committee on those matters, but I think that if in the  
5 future as we go about establishing committees, that we need  
6 to make sure that we clearly identify the role that the com  
7 -- that we expect from the committee. And if we're going  
8 to continue with this, then I think we need to make, you  
9 know, make sure that we have written -- some written  
10 guidelines, or -- and written mission statement for the  
11 committee, because, you know, it was never very clear,  
12 because the only time that as I recall the function of the  
13 committee was discussed at all was at that one meeting, and  
14 I'm not sure how clearly those things were spelled out in  
15 the minutes that were circulated. So, you know, the  
16 committee, while it was established at a meeting, there  
17 wasn't any follow-up on, you know, a written -- anything in  
18 writing for, you know, establishing the committee, and  
19 that's what I suggest. But, you know -- but I think that  
20 the Council can vote down my resolution -- I mean my  
21 motion, and the committee will stay intact. And if the  
22 decision is to continue the committee, then I think  
23 something in writing needs to be produced.

24

25 CHAIRMAN ALCORN: Okay. At this point your  
26 motion stands. Is there any other discussion of the  
27 motion? Matt?

28

29 MR. ROBUS: Mr. Chairman, I guess I need to  
30 say something to explain my vote. My inclination is to  
31 keep the committee in effect, but my intent in that vote  
32 would be to do what Fred suggested, and that is to change  
33 the focus towards making recommendations about adequately  
34 staffing and funding the program as things develop here in  
35 the future. I just want to be clear on my intent.

36

37 CHAIRMAN ALCORN: All right. Are there any  
38 other comments? I saw a hand there, Mike.

39

40 MR. SMITH: Yeah, Mr. Chairman, I'll be --  
41 I won't be voting in favor of the resolution with the  
42 caveat that the goals and objectives will be clearly  
43 delineated and outlined and will -- the objectives will be  
44 changed to long-term staffing and long-term funding.

45

46 CHAIRMAN ALCORN: All right. I sense that  
47 we don't have consensus on this, and I'm wondering if the  
48 maker of the motion would like to rescind his.....

49

50 MR. SMITH: Mr. Chairman, I think -- I'm

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1 not so sure. I mean, we just operated under the  
2 assumptions of the old parameters of the committee, and now  
3 we have new parameters, and I think, you know, there's just  
4 -- you know, we voted on something different in caucus than  
5 we're voting on now, and I think that's probably the per --  
6 you know, the lack of clear, concise standing here.

7

8 MR. ANDERSON: Mr. Chairman.

9

10 CHAIRMAN ALCORN: Ralph.

11

12 MR. ANDERSON: Just for the sake of  
13 convenience, I guess I'll withdraw my motion with the  
14 concurrence of the second.

15

16 CHAIRMAN ALCORN: All right. Do we have  
17 concurrence from the second? Herman?

18

19 MR. SQUARTSOFF: No problems there.

20

21 CHAIRMAN ALCORN: All right. The motion's  
22 been withdrawn. The second agrees to withdraw it. The  
23 discussion.....

24

25 MR. ARMSTRONG: Mr. Chair.

26

27 CHAIRMAN ALCORN: .....now would be -- I'm  
28 sorry, Fred, go ahead.

29

30 MR. ARMSTRONG: And I can work with this  
31 committee to develop the -- kind of a mission statement and  
32 identify the goals and objectives as to how we can reach --  
33 I think it's real important that the Council moves in the  
34 direction of long-term, you know, funding capability, staff  
35 enhancement, and especially funding for our regional  
36 partners. It's really needed. The committees come with a  
37 fiscal note, and, you know, we're going to be tasked with  
38 trying to see how we can address all of these, so I think  
39 this committee is very important. Thanks.

40

41 CHAIRMAN ALCORN: Mike.

42

43 MR. SMITH: Yeah, Mr. Chairman, with that  
44 in mind, we haven't undertaken a discussion as to who wants  
45 to be on this committee or not. And I'm not -- you know, I  
46 don't know if we want to do that, or if somebody just wants  
47 to speak up and say they want to be on the committee or  
48 not. Ralph, what do you think?

49

50 CHAIRMAN ALCORN: I would allow a

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1 five-minute caucus if you all want to talk about that.  
2 Okay. We'll take a five-minute break for a caucus on that  
3 particular committee.

4

5 (Off record)

6

7 (On record)

8

9 CHAIRMAN ALCORN: All right. We will go  
10 back into session here, continuing on Item D, Long-Term  
11 Goals and Objectives Committee. Is there a recommendation  
12 from the regional representatives? Ralph.

13

14 MR. ANDERSON: The regional representatives  
15 are Gordon Jackson and myself to replace Pat Norman.

16

17 CHAIRMAN ALCORN: All right. I don't  
18 remember if I asked you, Matt. Do you -- are you going to  
19 retain the multi-talented Tom Rothe? Is he the one  
20 that.....

21

22 MR. ROBUS: Mr. Chairman, the ubiquitous  
23 Tom Rothe will sit on this committee.

24

25 CHAIRMAN ALCORN: All right. And the Fish  
26 and Wildlife Service representative was William Ostrand,  
27 and he is, as we said, staff to the committee, so we will  
28 strike the staff name and leave that just as it is and have  
29 the staff provide assistance to the committee when you all  
30 convene. So that.....

31

32 UNIDENTIFIED VOICE: Our guy.....

33

34 CHAIRMAN ALCORN: I'm sorry?

35

36 UNIDENTIFIED VOICE: Our guys are just as  
37 talented.

38

39 CHAIRMAN ALCORN: Just as talented. Okay.  
40 The multi-talented Ralph Anderson will represent the BBNA  
41 and the regional representatives. The ubiquitous Gordon  
42 Jackson will represent the Southeastern region, and Tom  
43 Rothe will represent the State of Alaska, and staff will  
44 participate and provide support on that committee as well.  
45 that makes up the composition of that committee. Are there  
46 any corrections, recommendations? Hearing none, that will  
47 stand as designed and approved.

48

49 Item E, the Flyway Council Service  
50 Regulation Committee. Herman.

00155

1 MR. SQUARTSOFF: Yeah, Mr. Chair, I'd like  
2 to thank the Committee for reaching the goals of this  
3 committee in the past, what it was intended for, and then  
4 looking forward to seeing them reaching the goals, the new  
5 goals that's set up for them. Thank you.

6

7 CHAIRMAN ALCORN: Thanks, Herman. I'm  
8 sorry, I didn't even clarify that. When we did establish  
9 that, it as with the understanding, based on Ralph's  
10 comment and others, that we would clearly define what those  
11 -- what their charge is. and I suppose that charge comes  
12 from this Council. We're going to have that discussion,  
13 correct?

14

15 MR. ANDERSON: Well, I believe that the  
16 committee will establish the -- or propose to the Council,  
17 you know, something in writing.

18

19 CHAIRMAN ALCORN: All right. That's the  
20 way I understand it. Is that the way everyone else  
21 understands it? Okay Seeing nodding heads, we'll move on  
22 to Item E, the Flyway Council Committee representatives.  
23 Let's begin with the Pacific Flyway Council. Do you have a  
24 recommendation, Matt, for the State?

25

26 MR. ROBUS: Well, Mr. Chairman, there's no  
27 State member of the committee.....

28

29 CHAIRMAN ALCORN: I'm sorry.

30

31 MR. ROBUS: .....but I do sit on the  
32 Pacific Flyway Council, and Tom sits as a member of the  
33 technical committee, the Pacific Flyway Study Committee, so  
34 we've got full involvement in the process.

35

36 CHAIRMAN ALCORN: Right. Yeah, I  
37 apologize. This committee acts differently, and that is  
38 that we have regional representatives go to these meetings  
39 when -- you know, on an as-needed basis when there are  
40 issues being considered by our Council. And Ralph and  
41 Herman have participated in that. And I see Gordon's name  
42 on there. Gordon, I'm not sure if you've attended any of  
43 the Flyway Council.

44

45 UNIDENTIFIED VOICE: Alternate.

46

47 CHAIRMAN ALCORN: He's an alternate. Okay.  
48 So then the only name here that has an asterisk on it is  
49 Pat Norman's name. Is there a represent -- or is there a  
50 name that you want to recommend, Ralph?



00156

1 MR. ANDERSON: No, we didn't discuss that,  
2 but we did -- Herman and myself will continue as the  
3 representatives, and Gordon Jackson will continue as the  
4 alternate.

5

6 CHAIRMAN ALCORN: All right. All right.  
7 That's for the Pacific Flyway Council. Is there any  
8 recommendations or suggestions for change on that? I see  
9 none.

10

11 For the Central Flyway Council, Mike Smith  
12 and Charlie Brower's name I have here. That was from  
13 action that we took in a past meeting, and I'm not quite  
14 familiar with the way the discussion went. But I'm told  
15 that it is with the caveat that it is on an as-needed basis  
16 just like the Pacific Flyway Council. So if there are  
17 actions being taken by the Pacific Flyway -- or by the  
18 Central Flyway Council that involve us or potentially would  
19 affect us, then we would send representatives down there.  
20 That's the way I understand it.

21

22 MR. ANDERSON: That isn't my understanding,  
23 Mr. Chairman. I think our appointments or our designated  
24 representatives would be attending regular meetings of the  
25 Pacific -- or Central Flyway Council just as the regional  
26 representatives attend meetings of the Pacific Flyway  
27 Council, not necessarily on an as-needed basis, but  
28 attending meetings -- I mean, serving the same functions as  
29 they -- as the representatives do to the Pacific Flyway  
30 Council, and also attending SRC meetings.

31

32 CHAIRMAN ALCORN: Is there any thought --  
33 Mike.

34

35 MR. SMITH: Yes, Mr. Chairman, and part of  
36 my concern about that, and we had discussed -- you and I  
37 had discussed this earlier, but it will come up further  
38 into the agenda, and part of my concern is our presence and  
39 our -- our presence in the process. You know, we're a new  
40 body and we're somewhat different in the sense that, you  
41 know, we're not the Pacific Flyway Council, you know, and  
42 we're not -- we don't operate under the same premise as --  
43 like the Pacific Flyway Council. We're unique to the  
44 process, and I just feel that we need as the Alaska  
45 Migratory Bird Council's unique role in protecting and  
46 providing for the subsistence harvest up here, we need to  
47 make our presence at these -- both the Service Regulatory  
48 Committee and the Pacific Flyway Council known. We need to  
49 participate in those deliberations in a meaningful fashion,  
50 and I just think that, you know, since we are new, Pacific

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1 Flyway Council's getting used to us, SRC's getting used to  
2 us. I think our role in that process needs to be more  
3 prominent than it is right now, and I just think that our  
4 presence at these meetings would go a long way towards  
5 building that working relationship with these two bodies.

6

7 CHAIRMAN ALCORN: All right. Thanks, Mike.  
8 Any other comments?

9

10 MR. ARMSTRONG: Mr. Chair?

11

12 CHAIRMAN ALCORN: Fred.

13

14 MR. ARMSTRONG: I kind of feel I have to  
15 weigh in on this. Although the comments made are very  
16 important, I need to stress back to the comment I made  
17 earlier that these committee membership comes with a fiscal  
18 note, and given the small travel budget that I have, as  
19 well as the small budget that the Co-management Councils  
20 have, and that the main focus of the co-management grant  
21 agreement is to bring together the regional council members  
22 to submit and deliberate on recommendations to the  
23 statewide body. The fact that we're currently undergoing  
24 real strict travel reductions imposed by the Congress, that  
25 I'm not going to be able to fund very much travel this  
26 year. I think that we just -- you know, it's fine, you --  
27 we can try to, you know, have our presence made like at the  
28 Central and stuff like that, but I think we need to have a  
29 little caveat saying that, you know, as our budget allows  
30 or something like that, because right now the way it  
31 stands, I can't fund very much travel.

32

33 CHAIRMAN ALCORN: Yeah. Let me speak to  
34 the intent of the -- of really what Fred's getting at, and  
35 that is that the director under guidance from the  
36 Department staff in Washington, D.C. has placed the Fish  
37 and Wildlife Service under a 10 percent travel reduction  
38 requirement for this fiscal year, and it's compared to the  
39 base of last year. Next year it's another 10 percent on  
40 top of that. So in effect next year at this time we're  
41 looking at a 20 percent reduction from our 2002 travel  
42 budget expenses. So it is a function of cost, and it's --  
43 I guess on two ends. One is any more that we spend on  
44 travel for the -- attending meetings of the Council is  
45 going to take away from the overall budget which Fred has  
46 to operate the program. The other is that -- that's an  
47 absolute reduction out of the budget, but the other is the  
48 reduction out of the travel budget. We're not allowed to  
49 make up, to spend other monies for additional travels. In  
50 effect, we have to demonstrate a 10 percent reduction in

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1 travel costs, not just a reduction that we can cover, you  
2 know, from other what we call subactivities, or other  
3 object classes of money. So that's just the fact that  
4 we're in. So it's not that I'm opposed to appointing  
5 additional folks to go to additional Flyway Council  
6 meetings, but it's my opinion that it's on an as-needed  
7 basis. And when those Flyway Councils are taking up  
8 business that affects us, I think it's most germane that we  
9 be there. That's just my comment, and I have a comment  
10 from Matt.

11

12 MR. ROBUS: Thank you, Mr. Chairman. I  
13 think there are probably some -- I think there are some  
14 differences between the Pacific Flyway and the Central  
15 Flyway meetings in terms of issues, too, and perhaps Tom --  
16 he's raised his hand a time or two. I think he needs to  
17 weigh in here if it's okay.

18

19 CHAIRMAN ALCORN: Yeah, go ahead and come  
20 to the mike, Tom.

21

22 MR. ROTHE: I wouldn't put it in terms of  
23 weighing in. I would just offer a few ideas for your  
24 consideration. First of all, I guess on thing to point out  
25 is that the Fish and Wildlife Service has pretty much  
26 directed all of Alaska's affairs primarily through the  
27 Pacific Flyway Council. So that's our main avenue to deal  
28 with regulations and everything else. I think Mike's point  
29 is well taken as far as having the Co-management Council  
30 presence at other flyways when there are issues that, you  
31 know, we need to be on record for, and particularly  
32 Interior white-fronted geese is one where the Tanana Chiefs  
33 and the agencies have tried to develop, you know, some  
34 strategies for.

35

36 But in terms of efficiency, even though we  
37 have connections to all four flyways, it just comes down  
38 to, you know, what's worth participation. Our Department  
39 has an ad hoc relationship with the Central Flyway,  
40 Mississippi and Atlantic as needed. If the North Slope  
41 swan issue comes up, I communicate with the Atlantic  
42 Flyway. If an Interior white front issue comes up, we all  
43 -- we are talking to those technical committees down there.  
44 But it's just -- it's a matter of you may go down and spend  
45 five days for a 30-minute subcommittee meeting that  
46 addresses white-fronted geese. So it's -- I think we have  
47 the communications network that's necessary to get our  
48 issues on the table, and if a white front proposal is  
49 coming along, we can definitely go down and participate  
50 fully. But like I say, it's just a matter of efficiency,

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1 you know, and budget.

2

3 CHAIRMAN ALCORN: Okay. Thanks, Tom.  
4 Ralph.

5

6 MR. ANDERSON: You know, the appointments  
7 of the representatives doesn't necessarily require them to  
8 attend the meetings. As these budget constraints, you  
9 know, allow, I think -- and as issues come up, I think  
10 that's the intent for the appointments, so that Mike and  
11 Charlie and me and Herman would be appointed as the  
12 representatives by the Council. It's not like we're going  
13 to be attending every single meeting, you know, and we  
14 don't expect to, but I think -- as Mike said, I think it's  
15 -- because our -- the AMBCC is a new player in this  
16 scenario here, that making our presence known is an  
17 important thing for us to do. But it also, you know, helps  
18 to have for our Council, for the AMBCC to have designated  
19 representatives for the regions.

20

21 You know, you guys -- I mean, I'm not going  
22 to tell you guys which -- how much money to spend on us. I  
23 mean, your budget woes are just as strong as mine. Just as  
24 I'd object to you telling me how to spend my money, I'm  
25 sure you'd object to me telling you how to spend your  
26 travel money. So, you know, I think those kinds of things  
27 you need to work out yourselves.

28

29 And the attention here is to appoint  
30 designated representatives so that, you know, a year from  
31 now, a month from now, two years from now, you -- we  
32 wouldn't be asked who's representing us on the Central  
33 Flyway Council, or who's representing us on the Pacific  
34 Flyway Council, so that we will have designative  
35 representatives available to provide whatever information  
36 is needed to these meet -- you know, to these groups.

37

38 CHAIRMAN ALCORN: All right. Thanks,  
39 Ralph. Any other comments? Mike.

40

41 MR. SMITH: Mr. Chairman, additionally, you  
42 know, it is our responsibility per terms of the protocols.  
43 You know, the protocols say that we are to appoint members  
44 to the Flyway Councils, and that we are to attend -- those  
45 members' duties are to attend the Flyway Council meetings  
46 and the SRC meetings, and it doesn't -- nowhere in there  
47 does it say as needed or anything like that, Mr. Chairman.

48

49 CHAIRMAN ALCORN: All right. Are there any  
50 another.....

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1 MR. ARMSTRONG: Mr. Chair.

2

3 CHAIRMAN ALCORN: Fred, go ahead.

4

5 MR. ARMSTRONG: What page are you reading  
6 out of, Mike? I don't know -- I've never heard that  
7 requirement before.

8

9 But let me tell you our budget woes here,  
10 guys. We've got -- we started out with \$895,000. We  
11 have.....

12

13 MR. ANDERSON: Point of order, Mr.  
14 Chairman.

15

16 CHAIRMAN ALCORN: All right. Fred,  
17 hold.....

18

19 MR. ARMSTRONG: I'm just want to explain  
20 why, you know, I said it comes with a fiscal note and.....

21

22 MR. ANDERSON: A point of order was called,  
23 Mr. Chairman.

24

25 CHAIRMAN ALCORN: Okay. There's a point of  
26 order called. Ralph, you have a.....

27

28 MR. ANDERSON: Yes. I think we're  
29 addressing here appointments to the committees and not your  
30 budget woes. I think, you know, what we're asking for is  
31 designated -- like I said before, designated  
32 representatives so that we're not asked two years from now,  
33 three years from now, a month from now who our designated  
34 representatives are. So as funding becomes available, as  
35 needs arise, that we will have designated representatives  
36 from the regions to attend these meetings. Thank you.

37

38 CHAIRMAN ALCORN: Thank you, Ralph. And  
39 with that I will ask if there is any opposition from  
40 appointing Mike Smith and Charlie Brower as representatives  
41 to the Central Flyway Council, to attend those meetings,  
42 and I'm not going to say on an as-needed basis, but on a  
43 capability basis, when we have the funds to support that  
44 need, and when there is a bona fide need.

45

46 UNIDENTIFIED VOICE: Objection.

47

48 CHAIRMAN ALCORN: Is there any opposition?  
49 Anyone object to that?

50

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1 MR. SMITH: Mr. Chairman.

2

3 CHAIRMAN ALCORN: Mike.

4

5 MR. SMITH: I mean, I guess I don't  
6 understand what that particularly means. Is -- then is --  
7 I mean, I guess I'm just not sure how it's going to work.  
8 And, Fred, I certainly appreciate your budget woes. But,  
9 you know, there's some things happening, and I appreciate  
10 the representation of the various agencies and stuff, but,  
11 you know, there are things happening at these Flyway  
12 Councils all the time that, you know, we don't hear about.  
13 I -- you know, there's regulations changes concerning  
14 white-fronted geese that I didn't hear about. I had to  
15 hear about it kind of, you know, not from any of the  
16 representatives that are supposed to be representing us  
17 there. I had to hear about it from somebody else totally  
18 outside the arena. And, you know, those things concern  
19 me. And, you know, so, you know, I want to have our  
20 presence at those meetings as much as possible.

21

22 CHAIRMAN ALCORN: Thank you. Herman.

23

24 MR. SQUARTSOFF: Yeah, Mr. Chairman, no  
25 objection, but why are we appointing them again when we did  
26 it in the last meeting that was in May or whenever.

27

28 CHAIRMAN ALCORN: Well, I'm sorry, maybe I  
29 misphrased it. It's to recognize the composition of the  
30 council. If they have been appointed, then they're  
31 appointed. But what we've gone through in this process is  
32 to appoint names where there needs to be new names, replace  
33 folks that are no longer involved with the Council, and  
34 then basically I've been reading the current composition as  
35 approved for the record, and then we've moved on. So  
36 that's what I intend to do if there's no opposition.

37

38 MR. SQUARTSOFF: Thank you, Mr. Chairman.

39

40 CHAIRMAN ALCORN: I'm not -- Dario, I  
41 apologize, but I'm not going to hear a comment from the  
42 audience at this point.

43

44 Mike, I'd like to respond to your  
45 statement. I agree that there needs to be representation  
46 for this Council to the Flyway Councils, but you've made a  
47 couple of statements about attending the SRC meetings,  
48 regular SRC meetings, and those meetings are two and three  
49 times a year, and Ralph and Herman are the Council's  
50 representatives the way I understand it to the SRC. That's

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1 a different function that you've described than attending  
2 the Flyway Councils meetings. So I'm not sure that this  
3 Co-management Council needs to send four regional reps as  
4 well as staff. We will end up sending eight -- seven or  
5 eight folks to those meetings repetitively at roughly  
6 \$2,000 apiece, do the math, and our director all of a  
7 sudden gets very nervous when he sees those kinds of travel  
8 costs associated with that. We have two representatives  
9 that attend faithfully to those meetings and have performed  
10 effectively as well. So I guess that's the concern that I  
11 have, one of the concerns.

12

13 And in the involvement with the Flyway  
14 Council, I think you're right on. I think when there are  
15 issues that affect us and representation is needed, I  
16 believe we ought to be there. Matt.

17

18 MR. ROBUS: Mr. Chair, I would suggest that  
19 we're -- our problem here is we keep strapping a side issue  
20 to the central issue. And the central issue is who is  
21 going to be the representatives to the Central Flyway. The  
22 issue of the capability of the Service to afford travel at  
23 particular times or to send people to the Pacific Flyway or  
24 to send them to the SRC, you know, that's an issue that's  
25 certainly related, but I don't think it needs to be  
26 attached to the vote.

27

28 I'm fully in support of these two members  
29 being the Central Flyway reps from the Council, and I don't  
30 think we'll have an objection -- I mean, I suspect we won't  
31 have any objection to that.

32

33 The other issue is what people are having  
34 difficulty with, and it's really not -- I don't see it as  
35 an issue we can vote on right now. That's a bureaucratic  
36 issue, funding issue that you guys need to deal with. So I  
37 suggest that we just very concisely talk about who we're  
38 going to make our representatives to that flyway and leave  
39 it at that.

40

41 CHAIRMAN ALCORN: Thank you, Matt. I'm  
42 going to ask, are any oppositions to appointing Ralph  
43 Anderson representing BBNA, and Herman Squartsoff  
44 representing Kodiak Region, and Gordon Jackson representing  
45 Southeast as representatives to the Pacific Flyway Council  
46 for the Co-management Council, and representing the  
47 Co-management Council and TCC is Mike Smith, and Charlie  
48 Brower for the North Slope Borough to the Central Flyway  
49 Council, all of these functioning as representatives of the  
50 Co-Management Council to those Flyway Councils. Is there

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1 any opposition? Mike.

2

3 MR. SMITH: No, Mr. Chairman, I have no  
4 opposition. I just wanted to -- just one -- you know, I  
5 hate to beat a dead horse, but I think something that came  
6 up during the course of this discussion, and something that  
7 I think would probably satisfy some of my concerns is, you  
8 know, and we'll bring -- once again we'll bring this up  
9 later on in the discussion I believe, but that is just  
10 communication and the ability of us to participate in  
11 activities that we haven't had to -- we haven't had the  
12 ability to in the past. And I think I'm going to bring  
13 that up under other comments, and so I just wanted to pass  
14 that on now.

15

16 CHAIRMAN ALCORN: All right.

17

18 MR. SMITH: It's just a communication  
19 issue, and it may be able to be alleviated.

20

21 CHAIRMAN ALCORN: All right. Thank you.  
22 Hearing no other opposition.....

23

24 MR. ANDERSON: There's no opposition.....

25

26 CHAIRMAN ALCORN: Ralph.

27

28 MR. ANDERSON: .....but I agree with Matt  
29 that we're getting way sidetracked here from committee  
30 appointments.

31

32 CHAIRMAN ALCORN: Ralph, I'm trying to call  
33 the question. Herman, one last comment.

34

35 MR. SQUARTSOFF: Yeah. Mr. Chair, I'm just  
36 trying to make a slight correction. Gordon Jackson is an  
37 alternate, not -- you voiced him as (indiscernible -  
38 simultaneous speech).

39

40 CHAIRMAN ALCORN: Okay. I thought I said  
41 he was an alternate. Thank you for the clarification. Any  
42 opposition? Going once, twice, thrice. It stands as  
43 approved. Thank you.

44

45 All right. We are ready to move on to Item  
46 B in the agenda, the status of the final rule under Tab 6  
47 of your binder. I believe, Fred, you're going to provide  
48 that.....

49

50 MR. ARMSTRONG: Mr. Chair, I'd ask Donna



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1 Dewhurst from our staff to give the presentation. She's --  
2 for the Council's information, Donna was hired last year,  
3 and she's jumped right into the program and started working  
4 with our -- with writing the regulations for the Council,  
5 and since she has intimate working knowledge, I asked her  
6 to do the presentation. Donna.

7

8 CHAIRMAN ALCORN: Thank you. Donna.

9

10 MS. DEWHURST: Yeah, I believe it's in Tab  
11 6 you have -- what you see in Tab 6 is not the proposed or  
12 the final rule, but the draft text that would be in the  
13 public regulations handbook. Bill's handing out the Fish  
14 and Wildlife Service's response to the BCC list. The other  
15 handout I'll be referring to is the color -- I think it was  
16 loose in the book, pictures of the birds. Kind of look  
17 like this. I think that was loose somewhere in your book.  
18 Is it loose, Bill, or was it.....

19

20 MR. OSTRAND: It's in the front pocket in  
21 the very front of the white notebook.

22

23 MS. DEWHURST: Okay. So those are the  
24 three things I'll be referring to in the discussion.

25

26 The process to get regulations in place is  
27 incredibly complicated. And those that haven't been  
28 dealing with this before, first we publish a proposed rule  
29 in the Federal Register. We did that February 10th was  
30 when we finally went to publication. We had a 30-day  
31 comment period for the public. Many of you were involved  
32 in comments, and we did receive comments from Council  
33 members and their associations and a number from the  
34 general public and various organizations in the Lower 48.

35

36 The next process is then the Service has to  
37 respond to all the comments, and publish a response. So  
38 the next document that comes out is the final rule, and in  
39 the final rule we actually have to paraphrase all the  
40 public comments received and the Service's response to all  
41 those public comments, and then deal with any changes in  
42 the regulations that relate to those public comments. And  
43 that's the state we're in now. We are trying to get the  
44 final rule to press. It's looking now that it's probably  
45 going to be mid to late May at my best guess. What that  
46 means is the regulations do not go into effect until that  
47 final rule is published in the Federal Register, which  
48 means even though we set an April 2 start date, officially  
49 the start date won't be until we go to press in the Federal  
50 Register.

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1                   And I know probably many of you are  
2 wondering why is it taking so long? It's hard to describe  
3 the process but it's very involved. For example, the first  
4 step we just recently -- well, as of today we finally made  
5 it through, was we had to have a review by the Regional  
6 Solicitor, which is the lawyer for the Fish and Wildlife  
7 Service. She was sick, she had some other problems, and  
8 basically it took nine days, eight days to get through that  
9 one stage, and we couldn't proceed forward until she had  
10 her review. So there's all these different steps, and if  
11 the person's on vacation or sick or whatever, then we get  
12 -- it tends to get stalled at that stage. And  
13 unfortunately we can't hopscotch. You know, this person's  
14 gone, we'll go to this one. They don't -- it all has to  
15 proceed in order, and that's why it's going to take a  
16 while.

17  
18                   And then the last step we have to go to  
19 before we go in to press, which we just found out about is  
20 we have a final review by the Office of Management and  
21 Budget, which is out of Washington, D.C. They're doing  
22 this, my understanding, on all the new regulations that are  
23 being published, and they have basically 10 working days to  
24 do their review, and that will happen after the  
25 Undersecretary of the Interior has signed. So basically  
26 after we've gone through all the signatures, then the  
27 Office of Management and Budget has a review, and we will  
28 have to answer anything they come up with. That's to kind  
29 of make a long story short, or a short story long, that's  
30 why it's going to be mid to late May at this stage.

31  
32                   The thing's written. It's been written for  
33 weeks, but we have to go through all these hoops to  
34 actually go to publication.

35  
36                   What I'll to through now is the changes  
37 that were made and I don't -- you don't have the final rule  
38 document in front of you, or the proposed rules, because  
39 it's still undergoing changes. You did have the -- the  
40 proposed rule was mailed to you back when it was first  
41 published. I will just try to highlight some of the  
42 changes that were made.

43  
44                   The first one was -- it actually goes back  
45 to Part 20, and Part 20 is the -- what we normally think of  
46 as the fall harvest, the fall sport hunt regs. In the  
47 proposed rule we had said that we were going to eliminate  
48 the section that dealt with -- there was a little exception  
49 in there that dealt with Indians and Eskimos being able to  
50 take auks and snowy owls and cormorants, and that was

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1 written in there before we had the treaty amendments. And  
2 it was assumed that once the treaty amendment took affect,  
3 that little section would need to be eliminated. Well, it  
4 was brought to our attention that if we eliminated that  
5 section, we also restricted subsistence users from taking  
6 snowy owls and cormorants in the winter, in the time that  
7 our regulations are not in effect. So -- and we talked  
8 about that a lot with our Solicitor, and actually Fish and  
9 Game was the one that brought this to our attention, and we  
10 agreed, that was a non-intended restriction. So we  
11 basically added that section back. It's a little tiny  
12 section that just basically says people can take snowy owls  
13 and cormorants from the period when our regulations end, so  
14 from -- it would be September 1 through the end of March.  
15 So we put that little section back in.

16 Another -- go ahead.

17

18 MR. SMITH: If I might, you said  
19 people.....

20

21 MS. DEWHURST: It.....

22

23 MR. SMITH: .....or did you change the  
24 language of the section so.....

25

26 MS. DEWHURST: We did not change the  
27 language. The language does not say indigenous  
28 inhabitants. It does not say Alaska natives. It just says  
29 anybody in the State of Alaska.

30

31 MR. SMITH: Because, I mean, you had  
32 mentioned earlier it said Indians and Eskimos.

33

34 MS. DEWHURST: Right. That was in Part A.  
35 This is Part B. Part B was written a little bit  
36 differently, and Part B, we didn't change the language,  
37 because we didn't have the right to change the language.  
38 We just basically eliminated our request to eliminate the  
39 section, basically putting the section back in just as it  
40 was originally worded. The only change we made in the  
41 section was to add the caveat that it only applies to  
42 September 1 through the end of March, but we did not change  
43 any of the original wording of the regulations, and that  
44 just happens to be the way the regulation is worded. I  
45 think the bottom line is nobody hardly knew about it. It's  
46 not a well-known regulation. I don't think it's been very  
47 followed, but because it's on the books, we didn't feel  
48 like we wanted to restrict anybody. We didn't feel like we  
49 had any right to take it back off is the bottom line. I  
50 don't think it's going to be any big deal. It's a really



00168

1 the regulations you have, let's see. These don't have  
2 numbers, but it's one, two, three, four, about the fourth  
3 page in. There's a picture of the new Kodiak Island closed  
4 area. It's a little diagram, map. We had a number of  
5 organizations request a closure of basically what is the  
6 Kodiak Road system. It's the road system that stems off  
7 the town of Kodiak. And we did institute a closure of that  
8 area. Now, we're not excluding the residents. This is  
9 kind of a critical difference. The residents of the town  
10 of Kodiak are still allowed to participate. It's just --  
11 this is just limiting where they can participate, meaning  
12 they can't drive the road system and road hunt. The only  
13 way they can participate basically now would be by boat or  
14 offshore or going somehow inland of where this closure will  
15 be. But there was a lot of concern that there would just  
16 be a lot of road hunting, primarily by some of the folks  
17 that haven't participated in the past, the non-traditional  
18 hunters that live in the town of Kodiak that would now have  
19 new opportunity, and those are the type folks that would  
20 hop in the pickup and go try to blast birds, and we didn't  
21 -- we were trying to prevent that from happening, and  
22 getting a black mark on the whole program. So -- and there  
23 were public meetings held to solicit local comments. So we  
24 followed all the process, and so this is a pretty big  
25 change, but so far it's gotten really good reception. I  
26 don't know, Herman might be able to answer more to that.

27

28 MR. SQUARTSOFF: Yeah, Mr. Chair. Yeah,  
29 Donna, yeah, you're right. We did the public process and  
30 everything and all that, and it was a big issue down there.  
31 It was a real tough one, and for coming up with the 2004  
32 closure on it, you guys will see that proposal next month.  
33 And I just found out yesterday or today that we did get it  
34 for this year on emergency closure, too, so -- but it does  
35 look good, so that was a concern of the SRT when we were  
36 down there last fall, you know, about the Kodiak, so we did  
37 -- I did assure them that we would try to work something  
38 out, and we did manage to do it, but thanks to William  
39 Hofstrand (ph) for also coming down, and Fred Armstrong on  
40 one of our meetings, so things worked out pretty good. It  
41 was tough, but we did it. Thank you.

42

43 CHAIRMAN ALCORN: Mike, go ahead.

44

45 MR. SMITH: Yeah. Herman, that was at the  
46 request of the SRC then, a recommendation that the SRC  
47 decided or.....

48

49 MR. SQUARTSOFF: No, that was just they had  
50 a like concern, Mike, just like we all did. I did myself,

00169

1 the same concern. Not no request.

2

3 MR. SMITH: And you're happy with the  
4 decision to close the highway?

5

6 MR. SQUARTSOFF: Yeah, well, I'm happy that  
7 -- yeah, myself, I worked on this to try to get this done  
8 myself, Mike. So it was a tough issue.

9

10 CHAIRMAN ALCORN: All right. Go ahead,  
11 Donna, continue.

12

13 MS. DEWHURST: Okay. The next would be in  
14 the harvest methods and means section. The last line is  
15 new. We added a prohibition for using an airboat or jet  
16 ski for hunting or transporting hunters. And the -- we've  
17 only put it for the Interior Region only at this time.  
18 This was at the request -- there again, response to public  
19 comments from primarily from the Tok/Tetlin area, but also  
20 involved the McGrath area. And we were trying to deal with  
21 this and originally that region -- we had folks in that  
22 region that were requesting to actually do some community  
23 exclusions. They wanted to exclude a number of communities  
24 in that area. We told them that they hadn't followed  
25 public process to involve that. They hadn't filed  
26 petitions, they hadn't followed the process to do that  
27 right now. And then we tried to kind of find out what the  
28 real heart of the matter was, and what the heart of the  
29 problem. And one of the things that was expressed to me  
30 was a big concern about airboats and jet skis, and that  
31 they're not traditional and they are used and abused in the  
32 fall season and other seasons, and there was concern it  
33 would happen in the spring. So for the time being what --  
34 the one thing we could do is put in this prohibition for  
35 use of airboats or jet skis. And we restricted it to the  
36 Interior Region only and didn't go statewide at this time,  
37 but that would be an option for the Council to consider for  
38 2004, whether or not they wanted to go statewide with it.  
39 But for 2003, we're just putting that it's only affective  
40 in the Interior Region.

41

42 CHAIRMAN ALCORN: Okay. Thanks, Donna.  
43 There's a question from Ralph.

44

45 MR. ANDERSON: I have a comment on the  
46 previous section, licenses, stamps or permits. I'll tell  
47 you, Donna, that my council reviewed the draft that you had  
48 submitted to us, and we're really pleased with the work  
49 that you've done in putting this together.

50

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1 MS. DEWHURST: Yeah, you notice the  
2 language has changed since the draft you saw?

3

4 MR. ANDERSON: Yeah. No, they -- we  
5 reviewed the draft section by section, page by page, just  
6 about line by line.

7

8 One of the concerns that was raised under  
9 this section was that in some communities duck stamps are  
10 not available for the spring hunt. And there -- you know,  
11 people have gone to the Post Office or some other place to  
12 try to find a duck stamp in New Stuyahok. You know, some  
13 of the communities are fairly remote and small, and really  
14 hard to get to. And, you know, sometimes the mailing  
15 system -- I mean, the mail system works really slow. So  
16 when those -- you know, when the duck stamps and -- are  
17 printed, it takes them a long -- it takes a long time to  
18 get to the villages. And I'm wondering if -- you know, the  
19 concern was raised that -- what's going to happen if they  
20 don't have one.

21

22 MS. DEWHURST: Yeah, there are two things  
23 on that.

24

25 CHAIRMAN ALCORN: Donna. Ralph wanted to  
26 respond to that comment as well, and then you can go ahead  
27 and respond.

28

29 MS. DEWHURST: Ralph wanted to?

30

31 CHAIRMAN ALCORN: Excuse me. Fred.

32

33 MR. ARMSTRONG: Thank you, Mr. Chair. We  
34 have been in communication with the duck stamp office in  
35 Washington, D.C., Mr. Vaughn Collins who heads that office,  
36 and we've been trying to work on this issue that you raise  
37 about the lack of duck stamps that people can buy. He  
38 said, the first thing to do is to let everybody know to go  
39 to their post office and tell them to request duck stamps,  
40 and they will guarantee that they will get them to them.

41

42 We're looking at another option whereby we  
43 can have the mom and pop stores in communities be able to  
44 sell these duck stamps. There is a process available. We  
45 have to deal with a lady from Texas.

46

47 And the other process that is evolving is  
48 the use of the Internet to access those, but I think that  
49 requires a credit card. And we expressed that, you know,  
50 in rural Alaska there's hardly anybody with credit cards,

00171

1 so -- but we're trying to look at all options for everybody  
2 to make them available. It's going to be a tough issue to  
3 overcome though.

4

5 CHAIRMAN ALCORN: Mike, go ahead.

6

7 MR. SMITH: Yeah, Fred, have you entered  
8 into any type of discussions about the possibility of  
9 getting a legislative exemption to the duck stuck program?

10

11 CHAIRMAN ALCORN: Fred, go ahead.

12

13 MR. ARMSTRONG: Although it would be good,  
14 it's not the function of, you know, us as the Federal  
15 Government to request changes. I think there's a movement  
16 on the part of AVCP, maybe Dario could speak to that, about  
17 what he's working on as far as duck stamps.

18

19 CHAIRMAN ALCORN: Before you come to the  
20 mike, you have a comment, Ralph?

21

22 MR. ANDERSON: Yeah, the Bristol Bay Native  
23 Association Board of Directors, I think Edgar can probably  
24 speak to it also, adopted a resolution asking for the  
25 elimination of the duck stamp requirement from Federal law.  
26 I believe there's a movement statewide, if I'm -- correct  
27 me if I'm wrong, but it was initiated at the AVCP region,  
28 and if your -- I know if the Tanana Chiefs would like to  
29 see a copy of our resolution and, you know, to help -- I  
30 mean, I believe that that would help in our effort as well.

31

32 CHAIRMAN ALCORN: I would really like to  
33 postpone discussion on the -- you know, the whole issue of  
34 license, stamps, and whatnot until -- if we want to have  
35 new business when we finish this portion of the agenda,  
36 that would be fine. But I'd like for Donna to continue,  
37 and keep your thoughts, and I'd like for Donna to continue  
38 to go through the status of the regs at this point. Donna.

39

40 MS. DEWHURST: Okay. The next change, and  
41 it's a minor one, but this was requested by the North Slope  
42 Borough, under the North Slope's regional regulations they  
43 wanted to add a separate season for king and common eiders,  
44 and break that out under their northern unit. So we made  
45 that change. And it wasn't clear. At one point they had  
46 waterfowl and I think they had seabirds, and we were trying  
47 to clarify that a little bit, and so we worked with them,  
48 and it's basically for all other birds. Changed the  
49 language a little bit. So that was the primary change  
50 there. It's pretty minor. It was requested by the North



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1 Slope Borough. We discussed it and didn't see any problem  
2 with it. No real opposition, so we made that small change.

3

4                   And then the next big one is on the birds  
5 of conservation concern list. That's the one I think you  
6 were all actively involved with. I passed out what  
7 basically -- this document, the two-page thing I pulled out  
8 of the -- this is an excerpt out of the final rule. This  
9 was written by the Migratory Bird Management Branch in  
10 Washington justifying the SRC's decision on taking the nine  
11 birds that they did remove off the list. This gives their  
12 justification for why those nine birds were removed and  
13 their recommendations.

14

15                   If you notice the last paragraph, they do  
16 remand the remainder back to the Council. It says, the  
17 Service decided that the other 15 species, as well as two  
18 additional species requested by the State of Alaska, which  
19 was northern hawk owl and wandering tetler, be remanded  
20 back to the AMBCC for additional communication over the  
21 coming year.

22

23                   And then they go on to target bartail  
24 gogwik (ph) and that they didn't take it off the list, but  
25 they have some real concerns because of the look-alike  
26 problem with Hudsonian and marbled. And I only highlight  
27 this paragraph, because it's something to think about  
28 between now and the May meeting, because this will be a big  
29 topic of discussion at the May meeting as to how we deal  
30 with the remainder of these 15 birds on the BCC list.

31

32                   And then we also tried to simplify it,  
33 because we've had a lot of requests about the problem with  
34 English names versus native names. Bill modified this  
35 original, the picture guide, so now you have it that it  
36 shows the nine that were removed, and then the 15 that are  
37 left. Now, it doesn't have the two additional State birds  
38 on it yet, but we'll probably try to do that, the tetler  
39 and the northern hawk owl. But this is just something to  
40 kind of put on your radar screen for the May meeting,  
41 because it will have to be a topic of discussion.

42

43                   And that was the decision by the SRC as far  
44 as how they're going to deal -- it was a pretty nice  
45 compromise, because we had a lot of pressure to go in both  
46 directions. We had a lot of public comments that said, if  
47 these birds are birds of concern, just take them off the  
48 list. That was kind of the general public's response,  
49 because they didn't understand the issues. This is my own  
50 personal take on it, but a lot of it was Joe Public from

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1 the Lower 48 that didn't really understand the whole  
2 concept of subsistence and what's going on up here, and  
3 they just heard, well, if there's any conservation, just  
4 remove the birds. What's the -- you know what -- it wasn't  
5 even a thinking thing for them. It was kind of more a knee  
6 jerk response. We had a number of comments, written  
7 comments along those lines.

8

9 But then at the same time we had a lot of  
10 really good comments from some of you folks saying --  
11 justifying why not to take the birds off the list.  
12 Probably the strongest was from Aleutian/ Pribilofs. We  
13 had really good comments about kittiwakes, red-legged  
14 kittiwakes and cormorants, and they provided extensive  
15 hunter testimonials and effort to keep those on. And just  
16 to let you know, our last ditch effort, if there would have  
17 still been a move by the SRC to take all of them on, we  
18 were going to fight to keep the kittiwakes, no matter what.  
19 That was our game plan, but we never got to that, because  
20 they never went that far. But because we had such good  
21 evidence that you had provided, we felt we had enough of a  
22 case that we could at least fall back to that point if  
23 there was a lot of pressure.

24

25 MR. ARMSTRONG: Well, they did ask about  
26 the red-legged kittiwakes. I was asked to give sort of a  
27 presentation on those, so it was a topic nonetheless.

28

29 MS. DEWHURST: But it was very much  
30 appreciated that as far as completeness, that -- the  
31 evidence that was provided was very good, and it was a big  
32 help to have that. And we did get evidence from other  
33 folks, too. Kawerak sent in quite a bit. Maniilaq, Enoch  
34 sent in some, North Slope sent in some. So we had other  
35 comments from other areas, too. So this is still a hot  
36 issue obviously, and we're going to be dealing with it.  
37 Like I say, we'll -- this will be one we'll tackle at the  
38 May meeting. But I just wanted to let you know what's  
39 going on with the final rule, and what will be published in  
40 the final rule. So the species open to harvest now  
41 reflects those nine birds being gone is basically what you  
42 see there.

43

44 And then the back page of the regs is the  
45 same. We're -- part of the delay on doing the final rule  
46 is also we're dealing with our endangered species folks,  
47 the branch. And the big concern about potential jeopardy  
48 to stellars and spectacled eiders. They're making us go  
49 through a lot of hoops on this one, and Fred can certainly  
50 testify to that. One of the ways we're trying to satisfy

00174

1 them is you'll notice we're putting more emphasis on these  
2 closed species. We actually have photos, we have the  
3 native names. We'll have the little color flyers that you  
4 all saw at the RAC meetings. Those are going to go out to  
5 the post offices. We're going to try to make a big  
6 outreach effort to -- at least on these few closed species  
7 that people know what they are and really try to get them  
8 to not take them. And that's been a big concern,  
9 especially with the two eiders. And we have to jump  
10 through a few extra hoops there.

11

12 So those were the primary changes, other  
13 than wordsmithing stuff between the proposed and the final  
14 rule.

15

16 The next step, once we get the final rule  
17 published, the other step we're going to be doing is we are  
18 doing a massive mail out of these public books, and they're  
19 going to be in a little different format than what you see.  
20 You're just seeing the Word Perfect text. They'll be in a  
21 small flyer type thing that will be mailed out to all box  
22 holders in all the zip codes that are in the subsistence  
23 eligible areas. I think we're looking at is it 28,000 mail  
24 outs or something like. It's a huge number. So once we  
25 are final and we're good to go, we will do this massive  
26 mail out and that's how we will hopefully get these  
27 regulations out to the public that's affected, and they'll  
28 know what the new rules are. That's the game plan. And  
29 then we'll also be sending colored little flyers like some  
30 of you saw at the RAC meetings. Those are going to be  
31 going to all the post offices in the eligible areas. And  
32 that's just the beginning. We're also going to be starting  
33 a big outreach effort and starting an extensive outreach  
34 plan here soon, so that's kind of it in a nutshell. Any  
35 questions?

36

37 CHAIRMAN ALCORN: Herman, go ahead.

38

39 MR. SQUARTSOFF: Yeah, Mr. Chair. Donna,  
40 so the way I'm reading this then, where it says  
41 region-specific regulations open seasons, the dates that  
42 are there then we can officially say that's when they are  
43 opening? Are they opened?

44

45 MS. DEWHURST: Well, the opening will be --  
46 the actual opening date will be the day of publication in  
47 the Federal Register. So right now the closed season  
48 policy remains in effect.....

49

50 MR. SQUARTSOFF: In effect. Right.

00175

1 That's.....

2

3 MS. DEWHURST: .....until we publish

4 in.....

5

6 MR. SQUARTSOFF: .....what I wanted to

7 clarify.

8

9 MS. DEWHURST: .....the Federal Register.

10

11 MR. SQUARTSOFF: Right. So when is it

12 going to be published in the Federal Register? I might

13 have missed that, sorry.

14

15 MS. DEWHURST: We don't know yet.

16

17 MR. SQUARTSOFF: You don't know yet.

18

19 MS. DEWHURST: That's what I say, it's

20 going to be mid to late May at this point.

21

22 MR. SQUARTSOFF: Late May, okay.

23

24 MR. ARMSTRONG: What we've done is include

25 language in the final rule that says effective

26 immediately.....

27

28 MR. SQUARTSOFF: Right.

29

30 MR. ARMSTRONG: .....clause, we can insert

31 that. And we justified it based on the fact that we're --

32 the season is, you know, it's already -- technically it

33 should have been open when.....

34

35 MR. SQUARTSOFF: March 11.

36

37 MR. ARMSTRONG: .....because there's no

38 regulations published, and nothing happens until then. And

39 the SRC acted on the -- based on the 122-day period April

40 2, so they have to change those dates. So we just have to

41 publish what the Council recommended and the SRC took

42 action on.

43

44 MR. SQUARTSOFF: Right. The only reason I

45 brought it up, too, is because.....

46

47 CHAIRMAN ALCORN: Herman.

48

49 MR. SQUARTSOFF: Mr. Chair.

50

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1                   CHAIRMAN ALCORN: Just for purposes of  
2 clarity for the record, if you would all address the Chair,  
3 that way we can get your names down in the record. Go  
4 ahead.

5

6                   MR. SQUARTSOFF: I just try to do that, Mr.  
7 Chair, sorry. But, yeah, the reason I brought it up is  
8 because I've been giving misinformation in my area down  
9 there, and then keep getting corrected all the time, so I  
10 just wanted to make sure that I'm not using the wrong  
11 dates. Thank you.

12

13                   CHAIRMAN ALCORN: Any other questions for  
14 Donna?

15

16                   MR. HOELSCHER: Mr. Chair.

17

18                   CHAIRMAN ALCORN: Edgar.

19

20                   MR. HOELSCHER: Thank you, Mr. Chair. In  
21 regards to Ralph's statements earlier, I don't know if that  
22 resolution was faxed to my office, and, Dario -- and I know  
23 at the convention of the tribes this licensing issue was  
24 brought up and Dario attended that meeting. I did not  
25 attend that meeting. So Dario will know a lot more of  
26 what's going on in my region with the license or stamps  
27 issue. Thanks.

28

29                   CHAIRMAN ALCORN: Thank you. We can have  
30 the discussion about that under -- we don't have an item  
31 for new business and it may be a point of order, but under  
32 other business I have -- excuse me, under Council comments?  
33 Okay. Under Council comments there will be an opportunity  
34 for us to have that discussion. But for now we want to  
35 just go through the status of the regs and let Donna  
36 complete her report and answer questions relevant to the  
37 regs this year. Mike, you had a question?

38

39                   MR. SMITH: Yeah, and, Donna, I'll tell you  
40 my concern generally speaking in regards to all these  
41 things is it's my understanding that some of these  
42 recommendations to the SRC came from Department staff, is  
43 that correct?

44

45                   MS. DEWHURST: We had -- the -- all the  
46 comments were divided. There were public comments, and  
47 then there were internal comments. Public comments have to  
48 be published in the rule document and we have to answer  
49 them basically. Internal comments, we have a little more  
50 latitude in that internal comments we take into

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1 consideration, but we don't necessarily have to publicly  
2 answer all of them. But we do have to take them into  
3 consideration, so, yes, we did have some internal comments,  
4 we did have public comments. As far as like the Tok/Tetlin  
5 issue, it was a combination of both. We had some public  
6 comments, and we had some internal comments. So it was  
7 based on a combination of both.

8

9 CHAIRMAN ALCORN: We also -- just to follow  
10 up on that response, Mike, when we talked to our Regional  
11 Director about how we wanted to receive those kinds of  
12 comments, the specific instance of -- or do we separate --  
13 the question being, do we separate internal comments from  
14 public comments, and our instruction from Dave Allen was we  
15 will consider those just -- we will give them just as much  
16 weight, the internal comments in consideration as public  
17 comments. In other words, he wanted to see a response, he  
18 wanted to see how we would address each of those comments.  
19 And so Donna had to go through and look at each of those  
20 comments just like she would have for public comments.  
21 They just don't have to be published in the Federal  
22 Register in the response.

23

24 Mike, you had a follow up, and then Herman.

25

26 MR. SMITH: Yeah. You know, that kind of  
27 leads into my question and concern. I mean, I guess -- and  
28 it has to go back to timing and communication issues and  
29 stuff like that I guess. If there were concerns raised, I  
30 guess, why, you know, weren't they brought up at the time  
31 we were considering these, and why were they not submitted  
32 to us for consideration? Additionally, it seems like, you  
33 know -- it seems like we had no ability to respond to what  
34 the Service Regulatory Committee was going to act on, and  
35 that concerns me. And I don't know if that's just a matter  
36 of timing or if there's anything we can do about it. I  
37 mean, so on and so forth. I mean, granted the response --  
38 I mean, I'm just wondering if we as a Council feel we need  
39 to be able to respond to the Service Regulatory Committee  
40 in regards to comments affecting subsistence hunting and  
41 fishing in this State.

42

43 CHAIRMAN ALCORN: Thank you, Mike. Herman.

44

45 MR. SQUARTSOFF: Yeah, Mr. Chair, I was  
46 wondering if we could take about a 10-minute break. We  
47 have to check out by 11.

48

49 CHAIRMAN ALCORN: All right. I'm sorry. I  
50 didn't realize that it was that late. Is there any

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1 opposition for taking a 10-minute break and reconvening at  
2 say five minutes after 11? If none, let's go.

3

4 (Off record)

5

6 (On record)

7

8 CHAIRMAN ALCORN: Let's reconvene. I  
9 believe the folks that are still in town are in the room  
10 here. I believe Gordon Jackson had to leave early.

11

12 We're going to finish up the questions of  
13 Donna on the 2003 regulation status report. Does anyone  
14 have any questions that they would like to ask of Donna or  
15 comments they'd like to make? Mike.

16

17 MR. SMITH: Yeah, Mr. Chairman, I made my  
18 last comments, and I was just wondering if you wanted to  
19 take that up or to disregard it?

20

21 CHAIRMAN ALCORN: Don't want to disregard  
22 it, but really what I would like to do is, Mike, we have  
23 opportunities under Council comments, under Item 10, so I  
24 would suggest you just write that down as a note to  
25 yourself, and then when the Council -- the floor is open to  
26 the Council, we'll address those issues. Ralph, go ahead.

27

28 MR. ANDERSON: Mr. Chairman, I move that we  
29 accept Donna's report.

30

31 CHAIRMAN ALCORN: There's a motion. Is  
32 there a second?

33

34 MR. SQUARTSOFF: Second.

35

36 CHAIRMAN ALCORN: There's a motion and a  
37 second. Is there any discussion? Austin.

38

39 MR. AHMASUK: Thank you, Mr. Chair. I have  
40 some questions regarding the birds of conservation concern.  
41 I understand that those birds are slated for -- as reported  
42 in the proposed rule some conservation measures. I see  
43 that the birds that are still on the list are still on the  
44 harvest-eligible list. I was wondering how the -- how does  
45 the BCC list and any conservation measures that apply to  
46 those birds, how does it compare to waterfowl species?  
47 Because the BCC list only is comprised of non-game birds.  
48 Is there -- I don't know, is there different types of ways  
49 and scrutintive measures between the birds that are on BCC  
50 list and birds that might be slated for conservation in

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1 waterfowl, like eider, so forth?

2

3 MS. DEWHURST: I think I can answer this  
4 one. Bob will correct me if I'm wrong, but waterfowl  
5 certainly could be on the BCC list. It just -- there  
6 weren't any at this time that rolled over into that the way  
7 they did the process. Certainly there are a lot of  
8 waterfowl that are -- have conservation concerns, and  
9 they're already on our closed list, but as far as this BCC  
10 effort, additional birds right now, they just didn't  
11 include any waterfowl. So it isn't like waterfowl area  
12 excluded from the BCC process. They could still roll into  
13 it. It just happened that all the ones they identified  
14 were not waterfowl.

15

16 CHAIRMAN ALCORN: I'd like to have Bob  
17 Leedy come to the microphone.

18

19 MR. LEEDY: Bob Leedy Fish and Wildlife  
20 Service. Actually, previous to this most recent BCC list,  
21 there were some waterfowl on the birds of conservation  
22 concern list, basically waterfowl and other non-game birds  
23 that generally weren't hunted. But a conscious decision  
24 was in fact made this time to separate game birds from  
25 non-game birds, and so the BCC list is in fact at -- with  
26 this most recent one is exclusively non-game birds. Okay.  
27 There is no parallel consolidated national list of  
28 waterfowl of concern. It has even nationally been handled  
29 more on an ad hoc basis with ident -- you know, within  
30 species identified within flyways and flyway management  
31 plans as being of concern. So it is a separate process.  
32 There isn't as convenient a list, which on the other hand  
33 gives more flexibility, you know, with the exception of the  
34 spectacled and steller's eider, for instance, that are on  
35 the threatened list of the Endangered Species Act. Is that  
36 clear? So there are comparable lists. You would have to  
37 almost like do a pole of all the various management plans  
38 and population levels of the -- what the 30-some waterfowl  
39 that are most commonly harvested.

40

41 MS. DEWHURST: I stand corrected. One  
42 other thing to let you know, an internal thing that we are  
43 planning to do. I say we, it's primarily going to be the  
44 Migratory Bird Management staff, but I think our staff will  
45 be assisting, is to try in the future, it's probably going  
46 to take a little bit to do this, but come up with what is  
47 an equivalent of kind of a data book that like on the BCC  
48 list you have paragraphs on those birds, trying to do that  
49 for an entire list of harvested birds to give the Council  
50 annual updates. It's going to take us a lot of work to do



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1 it initially, but once we have it done, then we can just  
2 update it every year. But that way you would the status  
3 and trends for all the birds that are on our harvest list.  
4 And that's our game plan. It's going to be a lot of work  
5 and a lot of effort, but we're thinking once it's done, it  
6 will be a lot of use, too for future decisions. So that is  
7 something that we've talked about, and planning on doing  
8 that over the next six months to a year.

9

10 CHAIRMAN ALCORN: Thanks, Donna. There's a  
11 follow-up question, Austin, did you have?

12

13 MR. AHMASUK: Yeah, thank you, Mr.  
14 Chairman. It was mentioned yesterday, but it's an area  
15 that I really have no familiarity with, but it was  
16 indicated that black oystercatcher are susceptible to  
17 hunting.

18

19 CHAIRMAN ALCORN: Uh-huh.

20

21 MR. AHMASUK: Exactly what level they're  
22 susceptible to wasn't sure of, but it seems as though  
23 they're -- indicated there's concern there because they're  
24 easy to harvest, you know, where the -- I'm not sure if  
25 that's entirely correct, but it was just a matter of a bird  
26 like that being on the list because their behavior is such  
27 that they're really easy to hunt. I'm not sure if that's a  
28 measure which, you know, should be on the list. There are  
29 other -- some of these birds that are already on our list,  
30 some of them are really easy to hunt, you know, and they  
31 shouldn't -- a similar consideration. You know, I would  
32 tend to disagree with what -- maybe there's some  
33 clarification, too, I don't know.

34

35 CHAIRMAN ALCORN: All right. Bob Leedy's  
36 the one that made that statement, and he'd like to respond  
37 to that question.

38

39 MR. LEEDY: Yes. Bob Leedy, Fish and  
40 Wildlife. Vulnerability to hunting per se was not a major  
41 factor in their being on that BCC list. That had primarily  
42 to do with factors such as distribution, abundance, you  
43 know, if it's -- even a relatively -- you know, several  
44 thousands of birds in one place at one time is very  
45 vulnerable to just anything, you know. Oil, gas, whatever.  
46 So it's more looking at population and trends and status,  
47 reproductive success. The vulnerability to hunting is a  
48 secondary factor. There have been declines in black  
49 oystercatchers in some areas.

50

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1 I mean, you know, they live in that  
2 intertidal zone They're subject to a lot of disturbance  
3 and contaminants. Oil and gas in Prince William Sound hit  
4 them pretty hard for a while, though they seem to have come  
5 back.

6

7 But that was more in the context -- I was  
8 just saying yesterday we have had internal expressions of  
9 concern, because at certain times of year at least the  
10 black oystercatchers and the -- I used yellow legs, are  
11 very, very territorial, and they'll actually, you know, fly  
12 at a person rather than away from them. That kind of  
13 thing. Okay. And we aren't suggesting they be taken off  
14 the list at this point other than people being made aware  
15 that, you know, they're highly local, very territorial, and  
16 they are susceptible to over-harvest whether or not they  
17 are taken.

18

19 CHAIRMAN ALCORN: All right. Are there any  
20 other comments or questions of Donna on the status report?  
21 We have a motion and second on the table at this point.  
22 Any questions need to be relevant to the motion. Mike.

23

24 MR. SMITH: No, not under those conditions.

25

26 CHAIRMAN ALCORN: Okay. We do have a  
27 motion and second to adopt the report as presented. Is  
28 there anyone that opposes the motion?

29

30 (No opposition)

31

32 CHAIRMAN ALCORN: All right. I see none.  
33 We will move on to Item C, the State of Alaska status  
34 report. Matt Robus is willing to give that for us.

35

36 MR. ROBUS: Thank you, Mr. Chairman. I  
37 guess I need to open up with a little bit of context here.  
38 The State of Alaska's been very supportive of this process  
39 all the way back to the treaty negotiations themselves. We  
40 participated on this Council as it was being set up and  
41 ever since. So I guess I want to set it in the context of  
42 the State being supportive, and that includes a  
43 conversation last week with a member of the Governor's  
44 Office.

45

46 But at the same time, court decisions made  
47 within the State Court System after the treaty negotiation  
48 prevent the State from adopting regulations that  
49 differentiate between hunters based on where they live or  
50 how close they live to the resources. And for that reason,

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1 we've made no secret of the fact that we are currently  
2 unable to adopt regulations for State and private lands  
3 which the State manages hunting on that would define  
4 participants the same way that the Federal regs do that are  
5 going to be published here sometime next month. And that  
6 presents us with a real problem, and I must say, you know,  
7 we haven't made a secret of this, but I also gather that  
8 there's never been a full presentation in this forum before  
9 So the fact that people are apparently surprised by this is  
10 kind of a surprise to State staff, if that makes sense. I  
11 know that I've talked to people over the last couple of  
12 years, and so has Tom about the difficulty the State has in  
13 promulgating that type of regulation, our inability at the  
14 current time to do that. But the fact that we've had some  
15 press articles lately that are trying to make it look like  
16 the State is in conflict with this process made me think  
17 that it would be a good thing to go over at this Council  
18 meeting.

19

20 So the status right now is that the State  
21 cannot because of these court interpretations of the State  
22 Constitution adopt the same type of regulations that we'll  
23 see come out of this process. We have recently gone back  
24 to the Department of Law and they are presently working  
25 hard, talking to Federal solicitors and working within the  
26 State system, trying to figure out exactly what the State  
27 is going to be able to do this year in terms of the spring/  
28 summer waterfowl harvest.

29

30 And I'm going to beg off here to a certain  
31 degree, because I don't want to give any sort of  
32 misimpressions at this point until I hear back from the  
33 State's lawyers. I think by the May meeting where we get  
34 into the 2004 regulatory process, I hope to have something  
35 more solid to tell you.

36

37 But I think the one thing I can say at this  
38 point is that we internal to the State and also with Doug  
39 and his staff have talked to both the Federal and State  
40 enforcement people trying to get a feeling from them as to  
41 how they're going to approach it. And my understanding is  
42 that the State enforcement people from the Department of  
43 Public Safety are going to take a low profile approach.  
44 They are not interested in trying to, you know, catch  
45 people doing traditional activities just because they  
46 happen to be on State or private lands near villages that  
47 are going to be eligible under the Federal process. So  
48 that's about what I can say at this point. You know, I'll  
49 ask Tom to jump in if there's anything that I failed to say  
50 or said wrong, but I'm trying to tell you that the State's

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1 attitude towards the spring season is going to be  
2 supportive and permissive, and we will try to get something  
3 hammered out before the May meeting if at all possible in  
4 discussions with our law people. And I'd be happy to try  
5 to handle any questions.

6

7 CHAIRMAN ALCORN: Thank you, Matt. Are  
8 there any questions of the Council for Matt? Mike.

9

10 MR. SMITH: Yeah, Matt, would that include  
11 a formal legal opinion from the State then at the May  
12 meeting? Will we be able to have that by the May meeting?

13

14 MR. ROBUS: Through the Chair, I cannot  
15 promise a formal Attorney General's opinion or anything  
16 like that, and I'm not sure whether we really want to go  
17 there. You know, I'm willing to put whatever I can on this  
18 official record as the State position based on what I've  
19 been told up to that point. Just because of the, you know,  
20 rather short time period, I can almost say with certainty  
21 that there's won't be an official Attorney General's  
22 opinion by that time.

23

24 CHAIRMAN ALCORN: Mike, a follow up?

25

26 MR. SMITH: Yeah. And then I guess the  
27 follow up would be, Fred, do you -- do we have any  
28 solicitor's opinions or anything reflecting that issue?

29

30 CHAIRMAN ALCORN: Fred.

31

32 MR. ARMSTRONG: I've been in contact with  
33 our Solicitor's Office, and she hasn't had the opportunity  
34 to start researching this issue. It's not only the  
35 enforcement part that she has to research, there's some  
36 state's rights issues involved and a lot of other things  
37 that make this issue very complex, so she told me that  
38 she's not willing to say anything at this point. May have  
39 something by the May meeting, I don't know, but it's a very  
40 complex issue and a very delicate one that they have to  
41 handle very carefully.

42

43 CHAIRMAN ALCORN: Herman.

44

45 MR. SQUARTSOFF: Yeah, Mr. Chair. Yeah,  
46 Matt, so the people -- or your enforcement people will be  
47 well informed then on this issue that we'll be having our  
48 spring and summer, and if anybody does call into them and  
49 asks them questions on the season or anything, they'll be  
50 able to answer them I guess, especially down there in our

00184

1 Kodiak area, because we get a lot of, you know, the  
2 enforcement down there. It's pretty tough.

3

4 CHAIRMAN ALCORN: Matt.

5

6 MR. ROBUS: Through the Chair, Herman, yes.  
7 I mean, one thing we're doing is trying to prepare briefing  
8 documents for our staff inside the Department of Fish and  
9 Game so that our information centers around the state, and  
10 our area offices for that matter, have a poop sheet that  
11 helps our staff tell people what's going on.

12

13 The enforcement in this State is primarily  
14 done through a different department than Fish and Game,  
15 hence the discussions between us and Colonel Hard and his  
16 staff to try to make sure that they're fully informed, and  
17 that we have a State policy so that we're not inconsistent  
18 between departments. So it's our intention to have the  
19 State enforcement people and Fish and Game lined up with  
20 the same understanding before the season begins.

21

22 MR. SQUARTSOFF: Thank you, Matt.

23

24 CHAIRMAN ALCORN: All right. Thank you.  
25 Any other questions? Austin.

26

27 MR. AHMASUK: Yeah, thank you, Mr. Chair.  
28 I know that the of Fish and Game works -- tries to work  
29 closely with the enforcement, but I'm reminded of the  
30 Governor's State of the Union address, I think -- believe  
31 his first one in which he indicated -- State of the State  
32 address, excuse me, when -- in which he indicated that  
33 enforcement efforts will be pushed up a notch. I don't  
34 know if that has -- through this course of events, or  
35 through the amount of time that he's been there whether or  
36 not it has played out but at that time I got the impression  
37 that at least perhaps criminal -- you know, maybe social  
38 criminal things would be heavily enforced, but it didn't --  
39 at that time didn't seem that he was separating out fish  
40 and wildlife violations either. Is there -- there's a  
41 couple angles that enforcement gets from the State, and is  
42 there anything that you could add to that?

43

44 CHAIRMAN ALCORN: Matt.

45

46 MR. ROBUS: Through the Chair, Austin, I  
47 need to be a little careful, because again I'm speaking for  
48 a department other than my own, but, you know, I certainly  
49 don't think that when he was talking that way in his speech  
50 he was focusing at all on the issues this Council deals

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1 with. I think he was talking mostly about law enforcement  
2 in general, and particularly things like violent crime and,  
3 you know, human victim crime. And I also know -- I mean,  
4 it's no big secret that the protection -- the wildlife  
5 protection side of Public Safety is pretty severely  
6 stressed by budget issues right now, and there's internal  
7 policies. I think it's kind of going to clarify a little  
8 bit once budgets are actually passed. So my not very  
9 precise answer is that I don't think that he was focusing  
10 at all on those statements on increased enforcement of --  
11 during spring or summer bird seasons, but again it's not  
12 really for me to say too precisely, because I don't -- I'm  
13 not part of that outfit.

14

15 CHAIRMAN ALCORN: Thanks, Matt. Any other  
16 questions? Enoch.

17

18 MR. ATTAMUK: Yeah, just -- I come from --  
19 refresh me, I come from land that's a lot of Federal lands  
20 and private lands like KIC, NANA, and stockholders. Are  
21 you going to enforce those, too? That's the question they  
22 wanted answered back home.

23

24 CHAIRMAN ALCORN: Matt, go ahead.

25

26 MR. ROBUS: Through the Chair. Enoch, yes,  
27 I understand your question, and this is, I think for all of  
28 us the real \$64 question, because you generally have  
29 private lands around villages, and so people will first be  
30 on private jurisdictions before they get to a Federal  
31 jurisdiction in almost all cases, and the way wildlife is  
32 managed in the State, the State manages on both State lands  
33 and private lands. So the authority for the State to  
34 enforce on those private lands is there. However, going  
35 back to this conversation we had with the State enforcement  
36 people, their policy as I understand it is going to be not  
37 to be aggressively enforcing a State closure is that's  
38 where we -- if we end up with no open season on State lands  
39 as a result of all this legal stuff that's going on right  
40 now, I think the Troopers are going to take a very low  
41 profile, fairly passive approach, and -- I mean, they've  
42 got plenty of other fish to fry so to speak  
43 enforcementwise, and I don't think from that I've heard  
44 that they're going to change their posture to be more  
45 aggressive on bird seasons.

46

47 CHAIRMAN ALCORN: We have Mike and then  
48 Ralph. Mike, go ahead.

49

50 MR. SMITH: Thank you, Mr. Chair. Yeah,

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1 Matt, I'm not sure you're going to be able to answer this,  
2 or this if is more of a question toward Fred, and then  
3 maybe, you know, more work for the Solicitor. But I'm  
4 wondering if the jurisdiction of these regulations, or  
5 where they're going to extend and to what degree. And  
6 specifically what I was wondering about is whether or not  
7 we'll take the position that we have with fisheries in that  
8 it's -- these apply if we can to the high -- mean high  
9 water mark along the waterways. And I realize that that  
10 was -- you know, and as far as ANILCA goes, that's part of,  
11 you know, a big battle with ANILCA and stuff, but whether  
12 or not there's been any determination by the Solicitor's  
13 Office as to the extent and boundaries of these proposed  
14 regulations.

15

16 CHAIRMAN ALCORN: Matt or Fred.

17

18 MR. ROBUS: Through the Chair, I'll try to  
19 start, and I guess what I'll say is that anything specific  
20 I say would likely to introduce confusion and be  
21 indefensible, so, you know, I respectfully ask that we be  
22 able to come back in May and -- that's one of the questions  
23 that we obviously need to be as specific on as possible on.  
24 I'm just not prepared right now, because our assistant A.G.  
25 is asking for some time to look at these laws again and try  
26 to figure it out.

27

28 CHAIRMAN ALCORN: Fred, do you have a  
29 comment?

30

31 MR. ARMSTRONG: Thank you, Mr. Chair.  
32 Mike, you hit the crux of the issue is the jurisdiction  
33 authority. That is, you know, what the solicitors are  
34 researching right now. There's -- we have different  
35 authorities here in Alaska. We've got the Marine Mammal  
36 Protection Act as well as the -- as well as ANILCA Title  
37 VIII, and now we have Migratory Bird Treaty Act applying to  
38 spring and summer season. And how far reaching is the  
39 authority is what they're researching right now, and I  
40 don't have an answer to that.

41

42 MR. SMITH: Thank you, Mr. Chair.

43

44 CHAIRMAN ALCORN: All right. Thanks.

45 Ralph.

46

47 MR. ANDERSON: Yeah, I have a question for  
48 Matt, and one for Herman. You know, and -- but I'd like to  
49 preface it with, you know, the statement that a lot of the  
50 native allotments that have been selected under ANCSA, a

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1 lot of the corporate lands that were selected under ANCSA  
2 were done for primarily their subsistence values. I mean,  
3 traditional hunting sites and that sort of thing. I guess  
4 my question for Matt is if you're familiar with the private  
5 lands, wildlife management concept? And also for Herman,  
6 if he's been in contact with Afognak, because they're the  
7 only village corporation in the State that has got a  
8 private lands wildlife management project going. I believe  
9 they work with the ADF&G and Fish and Wildlife Service  
10 staff out on Kodiak. And I'm wondering if you've done any  
11 coordination with them, because according to the PLWM, as I  
12 understand it, that enables the private landowners  
13 management authority over fish and wildlife on their lands.  
14 And I'm wondering, Matt, if you're familiar that, and,  
15 Herman, if you've been in contact with Afognak?

16

17 CHAIRMAN ALCORN: Matt, go ahead.

18

19 MR. ROBUS: Thank you, Mr. Chair. Ralph,  
20 I'm familiar with the concept of private lands wildlife  
21 management, and we've been in contact with Alaska Village  
22 Initiatives, for instance, who -- which is trying to start  
23 up some of those types of programs. However, I'm not  
24 familiar with -- and I don't believe that actual  
25 jurisdiction for management would go to private land  
26 owners. The idea that I've been approached with is local  
27 entities getting involved in physical management efforts in  
28 habitats that are owned on privately owned lands in order  
29 to help increase wildlife numbers. Mostly I've been  
30 talking in terms of things like moose near villages, big  
31 game, but it would work with any sort of wildlife, under  
32 the theory that that either produces more wildlife for  
33 local users and/or produces some economic development  
34 possibilities in terms of guiding close to villages, that  
35 type of thing.

36

37 I think the management of those lands is  
38 one thing. The physical management. The jurisdiction to  
39 management hunting still I believe remains with the Alaska  
40 Board of Game, Board of Fish, but I could foresee that  
41 through cooperative agreements and so forth, that the local  
42 entity would have quite a bit of influence on how that  
43 management takes place. So with my current knowledge,  
44 that's about what I can say. I don't know if Herman wants  
45 to say anything.

46

47 CHAIRMAN ALCORN: Herman.

48

49 MR. SQUARTSOFF: Yeah, Mr. Chair. Ralph,  
50 yeah, I've been in contact with Afognak, you know, with all



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1 the villages down there on the island, and as far as I  
2 know, they don't have nothing themselves to where they  
3 manage their own land on wildlife. They have permits.  
4 They have permits to come in, you know, you've got to pay  
5 so much to use their land, and that's the case with most of  
6 the villages down there. And they -- and I'm pretty sure  
7 they would have mentioned it to me if this was the case.  
8 So that's about I know about it though.

9

10 CHAIRMAN ALCORN: Okay. Edgar, question of  
11 the State for the State report?

12

13 MR. HOELSCHER: Thank you, Mr. Chair. I  
14 have the same thing with when we looked at it, we have a  
15 lot of private land and my question is, you know, there's  
16 permitting allowed, you know, at some levels of hunting and  
17 do you foresee that our village, our village corporations  
18 will allow permitting and you will honor that?

19

20 CHAIRMAN ALCORN: Matt.

21

22 MR. ROBUS: Through the Chair, Edgar, if I  
23 understand the question, we realize and we have, you know,  
24 no problem and no authority even to have a problem with  
25 private land owners requiring an access permit from people  
26 who go on private lands to hunt or fish or do anything.  
27 That's different though than the authority to actually take  
28 an animal under the State's wildlife management system, so  
29 that a person would still need to have whatever harvest  
30 ticket or permit and licenses that are required by the  
31 State to take an animal. But if it is an animal on your  
32 lands, you've got the right to require a permit fee or  
33 whatever for somebody to go on those lands.

34

35 CHAIRMAN ALCORN: Thank you, Matt. Are  
36 there any other questions for the State relevant to the  
37 State report? Hearing none, thanks, Matt. We will  
38 conclude that agenda Item C.

39

40 If you will allow me, we need to insert an  
41 Item D which is to describe or discuss, very briefly I  
42 would add, Tabs 9 and then also Tabs 10 in your reference  
43 mater -- in your white binder. Tab 9 is simply  
44 correspondence from the Pacific Flyway Council to the  
45 Director. Matt was at that -- at the meeting, the last  
46 meeting, and I would ask him to make a very brief report on  
47 that.

48

49 MR. ROBUS: Mr. Chairman, I sit on the  
50 Pacific Flyway Council as Alaska's representative, and

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1 that's why I guess I'm being asked to explain this. At our  
2 recent meeting in North Carolina of all places, the Pacific  
3 Flyway Council adopted the letter shown under Tab 9 to  
4 express concern at the fact that for a variety of reasons  
5 within the Federal system, the harvest survey is -- my  
6 understanding is it's not going to go forward this year.  
7 The states at the other end of where these birds fly to  
8 have a genuine interest in how the spring and summer  
9 seasons go. I think that Herman and Ralph and Fred and  
10 Doug who have been at those meetings have seen that. And  
11 the 11 states in the flyway recognize that the purpose of  
12 this treaty and these regulations are to allow a  
13 traditional activity to occur, but that the condition is  
14 that harvest not increase, at least in a general sense, and  
15 therefore the states want to make it plain that they think  
16 that this harvest survey instrument is something that's  
17 very important to get going. And I think that after an  
18 explanation from Doug at that meeting, the states  
19 understood why it's not going to happen this year, but felt  
20 that it was still appropriate for the states that share in  
21 management of those birds want to make it really clear to  
22 the Service that they feel that keeping track of harvest  
23 here as well as in other hunts that these birds show up for  
24 is an extremely important issue, and just wanted to  
25 reinforce that in writing. So that's the explanation for  
26 the letter.

27

28 CHAIRMAN ALCORN: Thanks, Matt. Any  
29 questions? Mike.

30

31 MR. SMITH: Yeah. What is the condition of  
32 our survey for this year, Fred? Do we anticipate doing it  
33 as best as possible? Do we have money for it? What's up  
34 with it?

35

36 CHAIRMAN ALCORN: Fred.

37

38 MR. ARMSTRONG: Thank you, Mr. Chair. When  
39 we were made aware of the OMB requirement, we -- well,  
40 actually this started with the formation of the Harvest  
41 Survey Committee to come up with a statewide survey  
42 program. The Office of Management and Budget, OMB,  
43 directed us to cease and desist any activity related to  
44 harvest surveys. We tried to pursue this further and see  
45 if we could get an exception, and we were flat out denied  
46 any request to conduct an surveys. There is -- harvest  
47 surveys are tightly controlled, the way a survey is done,  
48 especially when it involves people, and the survey pattern  
49 has to be approved by the Federal Government, and so until  
50 that is -- we're going through the final rule process.

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1 Cynthia has been working very hard at -- and diligently in  
2 trying to accommodate the final rule requirements, and it's  
3 quite a lengthy process. I imagine we're about six months  
4 out yet until we get a final rule on this, and so any  
5 activity as far as harvest surveys is just not going to  
6 happen this year.

7

8 CHAIRMAN ALCORN: Mike, follow-up question?

9

10 MR. SMITH: What again is OMB's specific  
11 concern about this?

12

13 CHAIRMAN ALCORN: Fred.

14

15 MR. ARMSTRONG: Again it's the -- because  
16 it involves surveying people, they want to know the types  
17 of questions that are being asked, they want to know  
18 whether or not it's random, or selective. There's many  
19 questions involved in this. They want to know the survey  
20 type, what questions are being asked. A lot of this  
21 pertains to the Paper Reduction Act, and the fact that  
22 we're surveying people is cause enough for the Government  
23 to take a second look at our survey pattern to ensure that  
24 we're not infringing on rights of people.

25

26 CHAIRMAN ALCORN: Follow up, Mike?

27

28 MR. SMITH: I mean, I'm -- I don't know I  
29 guess I don't understand their concern. I mean, we survey  
30 for any number of species and harvest, and I guess -- I  
31 mean, I -- you know, we interview people and so on and so  
32 forth all the time, and then -- I don't know, I'm just.....

33

34 CHAIRMAN ALCORN: Thanks, Mike. Ralph.

35

36 MR. ANDERSON: I'd just like to explain  
37 that we've run into a similar problem on the Branch River.  
38 The Branch River is -- or part of the Branch River down in  
39 Bristol Bay is managed by the National Park Service, and  
40 we're working with the Park Service on a survey form for  
41 users of the river. And we're having to go through the  
42 whole OMB process, because it involves, like Fred said,  
43 asking questions. It involves surveys and -- I mean, and  
44 it's just -- it's something that OMB for some reason weighs  
45 in on every time, whenever there's contact between a  
46 Federal Agency and the public, especially surveys, they  
47 weigh in on it to -- I mean -- and each of the forms go  
48 through -- all the forms go through real careful scrutiny.

49

50 CHAIRMAN ALCORN: Yeah. I'll add to that.

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1 There -- it's just -- it's an unavoidable circumstance.  
2 The Office of Management and Budget requires that there be  
3 -- any survey funded with Federal dollars be okayed by that  
4 office. And we for many years have conducted this survey  
5 without their -- apparently without their knowledge that  
6 this was occurring, and now that they know, they're  
7 requiring that we do this. And we have to do that every  
8 other year if I'm not mistaken, we have to get their  
9 approval.

10

11 UNIDENTIFIED VOICE: Every three.

12

13 CHAIRMAN ALCORN: Every three years, okay.  
14 Every third year. But this is the biggest hurdle, because  
15 it's all new to them. In three years fortunately we will  
16 know ahead of time and will have done the process,  
17 paperwork prior to that survey. Mike.

18

19 MR. SMITH: Is the survey we're  
20 anticipating implementing here significantly different from  
21 the general survey that is already in effect across the  
22 country? Or are they reviewing that, too?

23

24 CHAIRMAN ALCORN: Austin, I'd like for you  
25 to respond to that.

26

27 MR. AHMASUK: Mr. Chair, to answer that  
28 question, the survey is generally very different from the  
29 national survey. The National Harvest Information program  
30 conducts a survey of licensed hunters, generally a very  
31 small percentage of those people who purchase licenses --  
32 duck stamps, excuse me, are surveyed. And then from there  
33 harvest is enumerated. Generally what has occurred in  
34 Alaska as you're probably well aware is a rather thorough  
35 -- generally a rather thorough survey of households and  
36 villages is conducted. A recall survey as you're probably  
37 all aware is conducted after the spring season, and a  
38 number of species, around 50 species are asked of people,  
39 what they harvest, and there has been some concern within  
40 the past few years. It's been voiced at our Co-management  
41 Council meetings just how comparable the national harvest  
42 survey is to the Alaskan survey. And the Harvest Survey  
43 Committee has been working to try and design a survey that  
44 at least answers some questions of comparability, designing  
45 a statewide survey that's uniform, that generally asks the  
46 same kinds of questions and the same kind of information  
47 can be brought and drawn from region to region in Alaska.  
48 That's basically it, but I could get into more detail if so  
49 desired, but just to answer your question quickly, that's a  
50 quick answer.

00192

1                   CHAIRMAN ALCORN: Mike, a follow-up  
2 question?

3

4                   MR. SMITH: And then so we'll be conducting  
5 -- actually there will be two surveys actually -- harvest  
6 surveys conducted, the survey that's conducted through the  
7 duck stamp program, and then the survey that we're going to  
8 conduct for subsistence harvest, is that the way it's  
9 working?

10

11                   CHAIRMAN ALCORN: Does anyone have an  
12 answer to that? Austin.

13

14                   MR. AHMASUK: I could answer that, but I'd  
15 like to invite Cynthia to help me answer that question, but  
16 basically, yeah, two surveys. Remember, there's two  
17 seasons, a fall season and a spring and summer season.  
18 However, the reason that there are two surveys is that it's  
19 widely understood, you're probably well aware, all of us  
20 are well aware, people who hunt during the spring and  
21 summer generally don't purchase license, they don't  
22 purchase duck stamps, and so therefore the need for these  
23 two, although not terribly different surveys that gather  
24 information about birds. The fall survey, of course, just  
25 answers questions about waterfowl, whereas the spring  
26 survey would ask questions about waterfowl and other  
27 non-waterfowl species. But, yeah, basically two surveys  
28 based upon the premise that during the spring and summer  
29 people don't purchase licenses or duck stamps.

30

31                   CHAIRMAN ALCORN: All right. We'll hear  
32 Ralph and.....

33

34                   MR. ANDERSON: Yeah. Where in the process  
35 is approval of the form? Where in the OMB process are we?

36

37                   CHAIRMAN ALCORN: Fred, can you respond to  
38 that?

39

40                   MR. ARMSTRONG: It's a two-part process.  
41 The first process is to publish a final rule indicating  
42 that we're going to go ahead with a second rule defining  
43 the harvest survey and the pattern. The first one is just  
44 to let the public know that if they have any concerns about  
45 us publishing a rule on the way we harvest. And that's  
46 just about closed now, the final rule?

47

48                   MS. WENTWORTH: It closes May 5th.

49

50                   MR. ARMSTRONG: Okay. And then we start

00193

1 another process, and that's the rule that, you know,  
2 establishes the survey patterns and criteria, and, Cynthia,  
3 you may expand if you can on it.

4

5 CHAIRMAN ALCORN: All right. Cynthia,  
6 would you elaborate on that?

7

8 MS. WENTWORTH: Yes. The first part that  
9 Fred just described, that closes on May 5th. It was put  
10 into the Federal Register on March 5th, a 60-day notice  
11 that we were going to apply for OMB approval, and expires  
12 on May 5th. Then on May 5th we actually apply for OMB  
13 approval, and that's what I'm working on now. And I'm  
14 trying to get it all ready so our committee can review it,  
15 our Harvest Survey Committee can review it on the 28th and  
16 29th of April. And it's a very -- I feel like I'm writing  
17 a term paper when I was back in school. It's very, very  
18 detailed and lengthy, but that's what's required. I'm  
19 using the national survey as a model for that, the National  
20 Harvest Information Program. You were talking about having  
21 the -- how we have the two surveys.

22

23 That survey, the National Harvest  
24 Information Program, is also done in Alaska, but it -- just  
25 because it is a national survey, it picks very, very few of  
26 the hunters who purchased the duck stamps. So there is a  
27 chance if you're a subsistence hunter that you could be in  
28 the harvest information program, but the chance is pretty  
29 small, because it's such a small sample compared to our  
30 subsistence harvest survey. And as Tom Rothe has said  
31 before, it will be the subsistence harvest survey that will  
32 determine the figures that we use for management, even  
33 though we are aware that there will be some overlap.

34

35 CHAIRMAN ALCORN: All right. Thank you,  
36 Cynthia. Ralph.

37

38 MR. ANDERSON: Cynthia, is there anything  
39 that this Council can do to help in the process?

40

41 MS. WENTWORTH: I can't think specifically  
42 right now, but the Harvest Survey Committee I think will be  
43 able to help in the process by looking at what I've written  
44 and making sure that it's okay. I think -- and that may --  
45 I mean, it just depends on what comments we get back, too,  
46 in the public process. We -- one of the things they stress  
47 in the whole process of what I'm trying to write is just  
48 have local people been involved in planning the survey, and  
49 so I'm documenting in what I write that we -- you know, the  
50 RITs have been involved, the contractors. I feel lucky

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1 that we've done it that way, you know, that we have had  
2 both RITs and contractors at our Harvest Survey Technical  
3 Committee meetings, because it's important to have  
4 involvement from each region in how -- that's one of their  
5 criteria is that you do consult with your people who are  
6 being surveyed as part of developing the process of how  
7 you're going to survey.

8

9 CHAIRMAN ALCORN: Thank you, Cynthia. We  
10 have a follow-up question from Austin?

11

12 MR. AHMASUK: I just had one more. Has a  
13 response to Dr. Steven Williams been prepared, and if it  
14 has, can we get a copy of it?

15

16 CHAIRMAN ALCORN: I don't think that a  
17 response has been prepared yet. This was a letter that  
18 went -- it was dated March 25th. This is about three weeks  
19 later. I've not heard that there's been any discussion in  
20 the Director's Office. And I don't know that there's  
21 actually a response being asked for, so I don't -- I  
22 wouldn't anticipate that the Agency would, you know, write  
23 a letter back to the Flyway Council. This is just  
24 basically them stating their position on it.

25

26 MR. ANDERSON: Well, it seems like some  
27 information would be provided to the Flyway Council. I  
28 mean, to -- I mean, because the Council is, you know,  
29 supporting a harvest survey, and it seems like -- it would  
30 seem appropriate for the -- you know, for someone to let  
31 them know what's -- what the deal is.

32

33 CHAIRMAN ALCORN: Yeah, and if that's the  
34 -- you know, if that's the way they receive it in  
35 Washington. I mean, this is where it's going, Washington,  
36 and if that's the way they receive it, sometimes they may  
37 staff it out to us to respond and to develop a response,  
38 but we've not been asked to do that. Mike.

39

40 MR. SMITH: Mr. Chairman, I think at the  
41 end of the letter says we would appreciate an update and  
42 briefing and offer any support and assistance that we can  
43 provide to help you attain approvals and resources  
44 necessary to conduct a program this year. And, you know, I  
45 think we should take advantage of that offer to the extent  
46 that we can.

47

48 CHAIRMAN ALCORN: Well, you know, as a  
49 way-low staffer in the Agency, I would say that's great.  
50 And I'm sorry I didn't read that, that that's -- actually

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1 they are requesting an update and a briefing. So I suspect  
2 that there will be, you know, some response, and it will  
3 probably be generated by the Division of Migratory Bird  
4 Management in Washington, D.C. If there's an action that  
5 you can see that we could take, then I'm open for  
6 recommendations. Austin.

7

8 MR. AHMASUK: Mr. Chair, the Harvest Survey  
9 Committee can probably -- we're going to be meeting the  
10 28th and 29th. We can take some action, at least just as  
11 you mentioned. The staff support to the Harvest Survey  
12 Committee, Cynthia and Bill, throughout our meetings they  
13 can draw upon the information that we've been working on in  
14 the meeting, some things that we've taken action on, the  
15 status of the harvest survey design, just where it is.  
16 Those kinds of things can be generated and brought to the  
17 next Co-management Council meeting as we're fulling  
18 intending to do.

19

20 Regarding the question that Ralph had made,  
21 how can the Co-management Council help us, it's been  
22 mentioned throughout this meeting just how the effect of a  
23 significant harvest increase will be looked upon by various  
24 people, and that's something that we're struggling with  
25 very diligently and very hard within the Harvest Survey  
26 Committee is just what effect can we -- what harvest  
27 increase can we measure with the current data that we have.  
28 How can we design a survey to capture that kind of effect?  
29 What we're finding is that the ability to do that  
30 throughout Alaska is somewhat not very uniform. In  
31 different areas of the State, the question to that answer  
32 (sic) is slightly different. The Co-management Council in  
33 its very first meeting set this committee up to look into  
34 that question of harvest increases. Within the committee  
35 we're trying to answer that question. This Council hasn't  
36 had a tremendous amount of discussion as to how we should  
37 -- at what level should we be able to document and  
38 determine harvest increases? Do we want to measure it  
39 very, very accurately, or is it somewhat accurate or  
40 somewhat moderately accurate or maybe even a very low --  
41 you know, a low precision estimate, whether or not that's  
42 adequate. You know, certainly you could say that, well, if  
43 we measure up to standards that the National Harvest  
44 Information Program has, it's generally, you know, an  
45 estimate that is derived from expanses (ph) that come from  
46 a very small percentage of the hunters, the national  
47 hunters. That's a question that we're dealing with in the  
48 committee.

49

50 You know, perhaps engaging the Council in



00196

1 something like that would be helpful. This committee's  
2 been working for several years though with not a great deal  
3 of progress. However, the way we have tried to rally  
4 efforts in this past couple meetings into looking into that  
5 area of increasing and getting our efforts up a little  
6 more. However, the set-back with the OMB approval is, of  
7 course, something that is unfortunate. It's not as Council  
8 Member Smith -- not very understandable, but it's a process  
9 that has to happen that -- it's a bureaucratic process the  
10 Harvest Survey Committee has left to the Office of  
11 Subsistence Management and Migratory Birds to get over.  
12 The Harvest Survey Committee hasn't been tremendously  
13 involved with, okay, what's the next piece of paperwork we  
14 fill out? It's been left to, you know, the bureaucratic  
15 part of the Agency to get through and so forth. But  
16 hopefully that answers, you know, some questions and offers  
17 some clarification to the council regarding that. Thank  
18 you.

19

20 CHAIRMAN ALCORN: Mike.

21

22 MR. SMITH: Yeah, and I'm not sure if  
23 Cynthia can answer this or Austin, either one is fine, but  
24 this -- are you anticipating this survey to be conducted  
25 this next go round as some sort of comparison between  
26 historical harvest limits and new harvest limits, or are  
27 the limits that we come up with next year going to be the  
28 foundation for our baseline for subsistence harvest? Can  
29 you kind of address that?

30

31 CHAIRMAN ALCORN: Cynthia.

32

33 MS. WENTWORTH: Well, I don't think that --  
34 I can't answer your question exactly. We -- but I -- to me  
35 it's important to what -- to look at what the subsistence  
36 harvest has been historically, you know, and, of course, we  
37 don't have information in many cases. I know in the Y-K  
38 Delta though we have information. Dave Klein's study back  
39 (ph) of the waterfowl and the economy of the Eskimos of the  
40 Yukon-Kuskokwim Delta. We have those figures that show the  
41 harvest was way, way higher than what it is now. And we  
42 can start with that, and we can provide information that  
43 the Fish and Game's Division of Subsistence gathered in the  
44 early 80s, we could go to there. I mean, this is just --  
45 we haven't decided yet just how we -- that the language --  
46 the treaty letter of submittal language doesn't -- is not  
47 that specific as far as this whole thing about increasing.  
48 It doesn't give a particular year when -- of baseline or  
49 anything like that.

50

00197

1                   The other thing, too, is that harvests are  
2 never static. And so we'll -- we have to have wide  
3 confidence intervals on whatever number we come up with,  
4 because harvest varies every year. And it's the same way  
5 with the National Harvest information program. They don't  
6 just give one specific number ever. I mean, it varies a  
7 lot by year, so that's why I'm not all that worried about  
8 this whole thing. I think that in a broad sense, you know,  
9 we can go by the intent of the letter of the submittal --  
10 of submittal just with whatever we gather. I mean, we'll  
11 -- you know, what we get here when we do the survey this  
12 next year, that will be important, but we'll have to look  
13 at it in the context of the 60s and the 70s and the 80s,  
14 and in a broad context, and again look at confidence  
15 intervals and a lot of -- we'll have wide confidence  
16 intervals on there. The people with HIP in Washington have  
17 stressed that to me. They said, have wide confidence  
18 intervals on this. You know, you don't want to just come  
19 up -- have one number.

20

21                   CHAIRMAN ALCORN: All right. Thanks,  
22 Cynthia.

23

24                   MS. WENTWORTH: Okay.

25

26                   CHAIRMAN ALCORN: Austin wanted to comment.

27

28                   MR. AHMASUK: Yeah, thank you, Mr. Chair,  
29 just to answer your question, from a Council member's point  
30 of view on this committee, I would stress that these  
31 harvest surveys should not be used for a need  
32 determination, or, you know, something that you're  
33 suggesting. However, these surveys use public funds. We  
34 have no control over what any other organization, how they  
35 could interpret these. Some other organization could say,  
36 well, this is a significant increase. You know, we really  
37 have no control over that. As we're well aware, the  
38 comment process of our proposed rule, a number of  
39 organizations made comments that maybe we didn't expect or  
40 we expected, but at least in the light of, you know,  
41 statistics, we're -- this Committee works very hard. We've  
42 had statisticians under a contract designing this --  
43 helping us look at elements of a harvest survey, not the  
44 harvest survey or our harvest survey, but how it can be  
45 defensible, you know, statistically, with a certain  
46 understanding, you know, what the harvest is now, what it  
47 is then, or what it was, or -- so, you know, just to answer  
48 your question. From my perspective, I've had, you know,  
49 contribution to the committee, that, you know, these  
50 shouldn't be used for harvest determination, but we can't

00198

1 control what other people or how they're going to look at  
2 it.

3

4 CHAIRMAN ALCORN: Thank you, Austin. Mike.

5

6 MR. SMITH: Yeah, thank you, Austin. No, I  
7 commend you guys on the work you've been doing, and I  
8 certainly appreciate the fact how difficult it must be for  
9 you right now.

10

11 From a statistical point of view though,  
12 how do you quantify into your calculations something that  
13 was technically illegal? And, you know, I mean, to a  
14 certain extent we have to rely upon the historical data,  
15 because that's the only data we have. But also we need to  
16 be fully aware that it was technically illegal during those  
17 periods of time, and that to compare -- it would seem to  
18 compare what is a -- I don't know, a legal, defensible  
19 subsistence harvest, to what was harvested during a time of  
20 -- that it was illegal would seem very difficult, and I'm  
21 not sure how you go about comparing those two.

22

23 CHAIRMAN ALCORN: All right. Thank you for  
24 your comment, Mike. We have a comment from Austin before a  
25 response?

26

27 MR. AHMASUK: I'm waiting for the response,  
28 Mr. Chair.

29

30 MR. ANDERSON: It seems like we're getting  
31 way too detailed here, and I think those are questions that  
32 can be -- that are probably more properly addressed to the  
33 Harvest Survey Technical Committee. The agenda item, which  
34 it addresses harvest surveys and the importance of our  
35 harvest surveys, I think would -- I mean, that's what we're  
36 -- we're dealing with the correspondence here, and in that  
37 light, make a motion that we direct staff to prepare a  
38 similar letter concurring with the Pacific Flyway Council's  
39 request, and I'd also like to ask staff to prepare  
40 correspondence to the Pacific Flyway Council to inform them  
41 of what it is that our tech -- the work of our technical  
42 committee, I mean, the problems that -- or what we're -- or  
43 what the committee is doing in terms of the reasons for not  
44 conducting the harvest surveys, and explain to them where  
45 in the process we are in getting approval for the forms.  
46 It sounds to me like, you know, we're in that process, and  
47 something like this would help to move -- you know, to get  
48 information out to not only Mr. Williams, but also to the  
49 Pacific Flyway Council.

50

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1                   CHAIRMAN ALCORN: All right. We have a  
2 motion on the table. Would you restate your motion in a  
3 very succinct way, Ralph?

4

5                   MR. ANDERSON: Okay.

6

7                   MR. SMITH: Just a point of order, Mr.  
8 Chair.

9

10                  CHAIRMAN ALCORN: All right. Mike.

11

12                  MR. SMITH: I appreciate what Ralph is  
13 trying to do here and to facilitate the expediency of this  
14 meeting, but, you know, I have questions about this stuff,  
15 and I -- you know, I just feel a little slighted in not  
16 having those questions answered at this time. And I'd like  
17 to go ahead and have Cynthia answer my question before we  
18 consider that.

19

20                  CHAIRMAN ALCORN: We don't have a second on  
21 that. I would ask the maker of the motion to hold that  
22 motion for a moment?

23

24                  MR. ANDERSON: Sure.

25

26                  CHAIRMAN ALCORN: We'll allow Cynthia to  
27 answer that. But before you do, let me say that, Mike, I  
28 also concur with Ralph's statement in that this is a very  
29 technical issue, and we have a technical committee that's  
30 designed for these types of discussions, and I would  
31 welcome you to participate in that in the future so that  
32 you can come up to speed and feel comfortable with that.  
33 Cynthia.

34

35                  MR. SMITH: Mr. Chairman, I'd like to  
36 respond to that, please. And, you know, I had no say on  
37 the adoption or the creation of this agenda or anything  
38 like that, you know, and I don't sit on the survey  
39 committee, and if you're going to suggest that I should  
40 attend those meetings to have my questions answered, I  
41 think that's inappropriate.

42

43                  CHAIRMAN ALCORN: Okay. Point is taken.  
44 Cynthia.

45

46                  MS. WENTWORTH: Okay. I appreciate Mike's  
47 point about the illegal harvest, and I can understand his  
48 worry. It's like all -- why would people report when they  
49 were taking illegal birds. And I feel for that, because  
50 I've been in this subject -- working this subject back

00200

1 since the early 70s, and it has always been illegal, but,  
2 you know, about half of this harvest is taken on the Y-K  
3 Delta, and that's where we've had a survey going since  
4 1985. I helped in originally putting it all together back  
5 in 1980. It actually started in 1980, but it wasn't done  
6 in the same statistically valid form until 1985. But still  
7 that gives us 15 years of data. And ever since I started  
8 this job in 1989, yes, it's been illegal, but, yes, we want  
9 you to tell us what we're taking so we can get this treaty  
10 amended. And out there on the Y-K Delta, you know, people  
11 don't think, oh, I'm not going to take these birds because  
12 they're illegal. They think, these birds are part of my  
13 culture, they're part of my economy, they're part of my way  
14 of life. I mean, we all know from the papers and the media  
15 what happened in Barrow when people said that it was  
16 illegal. People still take these birds, and they've been  
17 willing to report what they take over the years to help get  
18 it be legal.

19

20                   And if you look at the data over the years  
21 since 1989, you see a consistency, species by species. You  
22 see variation every year, like I explained a few minutes  
23 ago. The harvest does vary. You don't want to just take  
24 one year and say this is the harvest. But the more years  
25 that you collect the data, the more consistency you see  
26 over the years. And, I mean, what I've always said to  
27 people when they say to me, well, do you think these people  
28 are lying, you know? I say, yeah, they may be lying, but  
29 if they're lying, they're lying in a very organized  
30 fashion. You see what I mean? They're really expert  
31 studied liars, because it's just too consistent from year  
32 to year. And to me that proves that people are really  
33 reporting their take.

34

35                   And so I can understand your worry but, I'm  
36 not very worried about it, if that makes sense.

37

38                   MR. SMITH: Is this just the Y-K Delta that  
39 you.....

40

41                   MS. WENTWORTH: It's only the Y-K Delta,  
42 because that's where -- well, in starting 1995 it was  
43 Bristol Bay and also St. Lawrence Island. But Bristol  
44 Bay/St. Lawrence Island we've just done sporadically, and  
45 in other areas of Alaska we've just done one year, and as I  
46 just said, one year of data is not really good. But for  
47 Bristol Bay now we have six years of data, and it's the  
48 same way there, you know, you see -- it goes up and down,  
49 but basically it's fairly -- you know, it doesn't show that  
50 the harvest is increasing, it doesn't show that the harvest

00201

1 is decreasing, you know, in general.

2

3 Now, for instance, for spectacled eiders  
4 though, it does show that the harvest has decreased quite a  
5 bit. And I attribute that to the public education program,  
6 the work that the RITs and other people have done in the  
7 villages.

8

9 But overall, for both Bristol Bay and Yukon  
10 Delta -- and the Yukon-Kuskokwim Delta and Bristol Bay  
11 account for 60 percent of the spring harvest for all of the  
12 subsistence eligible areas. So that's over half of the  
13 spring harvest. So to me that's pretty indicative, you  
14 know. And unfortunately we don't have area data, you know,  
15 over time for the other areas of the State. That's just  
16 what this Harvest Survey Committee is working to try to  
17 develop. But for the areas where we do have it, which are  
18 the largest harvesters in the State, you know, I think it's  
19 pretty good information.

20

21 CHAIRMAN ALCORN: Thank you, Cynthia.  
22 There is a motion. Would you restate the motion if you so  
23 choose?

24

25 MR. ANDERSON: Okay. I move that the  
26 Alaska Migratory Bird Co-Management Council prepares a  
27 letter to Dr. Steven Williams concurring with the request  
28 of the Pacific Flyway Council. I guess it -- and I'll wait  
29 until after that to make another motion.

30

31 CHAIRMAN ALCORN: All right. We have a  
32 motion to adopt -- or to send a letter to the director of  
33 the Fish and Wildlife Service, Steven Williams, to the  
34 similar effect of this Flyway Council's letter, the point  
35 it's making. Is there a second?

36

37 MR. AHMASUK: Second.

38

39 CHAIRMAN ALCORN: We have a second. Any  
40 discussion?

41

42 (No discussion)

43

44 CHAIRMAN ALCORN: Hearing no discussion,  
45 does anyone oppose the motion? Hearing no opp -- Mike.

46

47 MR. SMITH: Mr. Chairman, I just had a  
48 question. Are we going to request any assistance or  
49 resources from them? And if -- in light of that question,  
50 the offer of resources necessary, does the -- and maybe

00202

1 Matt can answer this, does the Pacific Flyway Council have  
2 research dollars?

3

4 MR. ROBUS: Through the Chair, Mike,  
5 basically, no. There are sometimes for particular projects  
6 assessments to states for biological work. Other than  
7 that, dues are kicked in to help send representatives to  
8 meetings and so forth. It's a rather small budget and not  
9 much resources within the Flyway Council itself.

10

11 MR. SMITH: Thank you.

12

13 CHAIRMAN ALCORN: Ralph, so you want to  
14 respond to that question as well, clarify your motion?

15

16 MR. ANDERSON: I thought I did.

17

18 UNIDENTIFIED VOICE: Yeah, you did.

19

20 MR. ANDERSON: Yeah. The letter is simply  
21 concurring with the request of the Pacific Flyway Council.  
22 I mean, Jiminy, we need -- I mean, the request is, as I  
23 understand it, I mean, stating the importance of harvest  
24 surveys and asking what we can do to help expedite it.

25

26 UNIDENTIFIED VOICE: Asking what we can do?

27

28 MR. ANDERSON: Sure. I mean, is there a  
29 problem with that?

30

31 MR. SMITH: Well, I don't understand the  
32 letter.

33

34 CHAIRMAN ALCORN: Mike. All right. Matt?

35

36 MR. ROBUS: Perhaps I can help. I hope I  
37 can. I've got to tell you that when this letter was put  
38 together and signed, the Pacific Flyway members fully  
39 realized that we're dealing with a Federal requirement that  
40 takes it out of the hands of the Fish and Wildlife Service  
41 staff. It's a thing that we bureaucrats like to do, I  
42 guess, is to put it on the record that we feel that this is  
43 a very important point, and, you know, yeah, it would be  
44 great if the Director of the Service could magically make  
45 this different. But even if he can't, and he probably  
46 can't, we just wanted to go on record as states who have  
47 wildlife resources at stake here that we think it's an  
48 exceedingly important subject related to the AMBCC's work  
49 and the Federal regulations coming out of our work. And I  
50 would see this letter as the same type of thing. I'd be

00203

1 less -- I mean, my decision to send or not send this letter  
2 would not be based on my thoughts about whether it would  
3 really make a change this year or not, but it would be to  
4 make an official point, that this Council really thinks  
5 that this is an important part of the program that we're  
6 trying to put together here. So it's symbolic I guess is  
7 what I'm trying to say, in my mind. But I still think that  
8 it's a useful thing to do.

9

10 CHAIRMAN ALCORN: Mike.

11

12 MR. SMITH: Mr. Chairman, I don't mean to  
13 belabor this point, and I agree, I mean, it's totally, I  
14 mean, I guess, appropriate letter to tell them that, yeah,  
15 we agree that it's important that we do our surveys that  
16 we're mandated to do. But I think the -- you know, the  
17 offer -- I mean, I don't know, maybe the Pacific Flyway  
18 Council has no bearing on Office of Management and Budget,  
19 and, you know, a letter from them supporting the expediting  
20 review of our survey documents, or a letter from them  
21 supporting an increase in appropriations for our Migratory  
22 Bird Council to the Congressional delegation, or those type  
23 of things are not assistance that we want to seek from  
24 them?

25

26 CHAIRMAN ALCORN: Well, I guess I'm.....

27

28 MR. ANDERSON: The motion is pretty  
29 straight forward. My motion, if you want to change it, if  
30 you want to offer an amendment to the motion, you're  
31 welcome to do it. My motion is simply to draft a letter to  
32 Steven Williams concurring with the request of the Pacific  
33 Flyway Council.

34

35 CHAIRMAN ALCORN: All right. I'm going to  
36 call for the question. Does anyone oppose sending a letter  
37 as stated by Ralph?

38

39 (No opposition)

40

41 CHAIRMAN ALCORN: Hearing no opposition,  
42 that motion passes.

43

44 MR. ANDERSON: Mr. Chairman.

45

46 CHAIRMAN ALCORN: Ralph.

47

48 MR. ANDERSON: The second motion I'd like  
49 to make is to -- is directing staff and the technical  
50 committee to provide the Flyway Council with information of



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1 their work on this matter.

2

3 CHAIRMAN ALCORN: All right. We have a  
4 motion on the table. Is there a second?

5

6 MR. SQUARTSOFF: Second.

7

8 MS. WENTWORTH: I need a clarification.

9 You mean the Harvest Survey Committee?

10

11 MR. ANDERSON: The Harvest Survey  
12 Committee, yes. I mean, Cynthia, I imagine you'd take a  
13 big role in preparing that correspondence to let them know  
14 the status of the approval process, and to let them -- you  
15 know, to let them know the status of the surveys, that --  
16 you know, of where we're -- of what we're trying to  
17 accomplish here.

18

19 MS. WENTWORTH: Okay. I just want to make  
20 sure that I get this correct. You want them to know the  
21 status of the approval process, okay, so that.....

22

23 MR. ANDERSON: And the work of the  
24 committee, of the Harvest Survey Technical Committee.

25

26 CHAIRMAN ALCORN: All right. First Austin,  
27 then Fred and then Matt. Austin.

28

29 MR. AHMASUK: Mr. Chairman, my question was  
30 just what technical committee was it being referred to, and  
31 it's been answered.

32

33 MR. ANDERSON: The Harvest Survey Technical  
34 Committee.

35

36 CHAIRMAN ALCORN: All right. Thank you.  
37 Fred?

38

39 MR. ARMSTRONG: (Indiscernible)

40

41 CHAIRMAN ALCORN: All right. Matt.

42

43 MR. ROBUS: Thank you, Mr. Chairman, and  
44 thank you, Fred. I guess what I want to say here is just  
45 that we need to be a little careful that we don't spend  
46 time just reconstructing communication loops that I think  
47 already exist, and to some extent we're starting to talk to  
48 ourselves here. I sit on the Pacific Flyway Council, Tom  
49 Rothe is the Alaskan technical expert that sits on the  
50 Pacific Flyway Study Committee, and I believe that either

00205

1 through Tom, myself or people like you that attend those  
2 meetings, the -- at least the general activity of Austin's  
3 technical committee, the technical committee that Austin  
4 chairs, is already being transmitted to the Study  
5 Committee. So I think there's a consciousness there and I  
6 just -- I'm not sure it's really worth the time to get down  
7 in the weeds with those people. I think the symbolic  
8 support of the Pacific Flyway Council is about what's  
9 needed here, and the -- you know, the appropriate technical  
10 stuff will be transmitted through the people we already  
11 have dealing with that Council. That's my opinion.

12

13 MR. ANDERSON: Okay. Well, I withdraw the  
14 motion.

15

16 MR. SQUARTSOFF: And I'll withdraw the  
17 second.

18

19 CHAIRMAN ALCORN: All right. The motion's  
20 been withdrawn. Is there any other discussion of the  
21 Flyway Council document? I suspect not. Cynthia?

22

23 MS. WENTWORTH: Just some clarification.  
24 Your whole motion's been withdrawn?

25

26 CHAIRMAN ALCORN: Yes, it has been.

27

28 MS. WENTWORTH: We're not going to write  
29 the letter?

30

31 CHAIRMAN ALCORN: We are not.

32

33 MR. ARMSTRONG: No, the letter will be.

34

35 CHAIRMAN ALCORN: Thank you. It is after

36 12:15.....

37

38 MR. ARMSTRONG: No, this is to the.....

39

40 CHAIRMAN ALCORN: I'm sorry, Fred.

41

42 MR. ARMSTRONG: .....Technical.....

43

44 CHAIRMAN ALCORN: It's after 12:15. A  
45 little agenda check and time check. We have one  
46 significant element of business, and that is the Executive  
47 Director's report under Item 11, staff comments. Fred, any  
48 idea how long that might take?

49

50 UNIDENTIFIED VOICE: Two minutes.

00206

1 MR. ARMSTRONG: Two hours. No, I'll be  
2 just short, as brief as possible, but I need about 15, 20  
3 minutes or so to go over some of these issues.

4

5 CHAIRMAN ALCORN: Okay. So it's too much  
6 then to go and then to allow all the other comment,  
7 including public comment, so I'm going to opt for an hour  
8 and 15-minute lunch break. We will reconvene at 1:30.

9

10 (Off record)

11

12 (On record)

13

14 CHAIRMAN ALCORN: All right. Thanks all  
15 for coming back on a timely note. We have one last tab  
16 item before we get to Fred's report, and that's under Tab  
17 10. And it is the list of recommendations from the Central  
18 Flyway Council, and this was put in there as reference  
19 material I think at Mike's request. Mike, did you want to  
20 talk about this particular handout?

21

22 MR. SMITH: Yeah.

23

24 CHAIRMAN ALCORN: Use your mike.

25

26 MR. SMITH: Thank you, Mr. Chairman. While  
27 I did not specifically talk about these particular  
28 recommendations, I do know that there was some  
29 recommendations submitted to the Flyway Council concerning  
30 seasons and bag limits on white-fronted geese. And I guess  
31 that gets back to the whole -- my general discussion as to  
32 our participation in these processes, and our abilities to  
33 comment on proposed regulations and stuff. And that's kind  
34 of where I was at on this, where I was going with this  
35 thing was just to try to clarify our role in the process  
36 and how we as a panel or as a Council can participate and  
37 offer our recommendations and suggestions on Central Flyway  
38 Council deliberations.

39

40 CHAIRMAN ALCORN: Okay. So there's nothing  
41 -- there's not a particular concern about the  
42 recommendations that are here. It's more the process, and  
43 how we engage in that process?

44

45 MR. SMITH: Well, yeah, I haven't had a  
46 chance to review these recommendation number 2 and  
47 recommendation number 3 and 4. There's a recommendation  
48 number 13 that was submitted to -- from the Council  
49 Technical Committee to the Central Flyway Council, and, you  
50 know, I just received a copy of that from somebody in the

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1 wildlife -- or the refuge service, and, you know, I just,  
2 you know, was curious as to, one, how we go about reviewing  
3 what the Central Flyway Councils are considering, and how  
4 do we -- you know, how do we participate in that process,  
5 and how are we going to do that in the future, and so on  
6 and so forth.

7

8 CHAIRMAN ALCORN: Thanks, Mike. Well, we  
9 happen to have two experts here that are involved  
10 intimately with the Pacific Flyway Council and the SRC and  
11 Matt or Tom -- Tom, you raised your hand. Do you want to  
12 respond to that?

13

14 MR. ROTHE: Yeah, Mr. Chairman, I guess,  
15 you know, Mike raises a good question about what is this  
16 Council's role as far as reviewing all of the regulations  
17 that are designed for hunting in the Lower 48. I mean,  
18 we're talking about the same birds, so there is a vested  
19 interest on everybody's part. The regulations that I think  
20 Mike was referring to are in effect actually going to be  
21 restrictions from last year on some Canada goose and  
22 white-fronted hunting in Texas and a couple of other  
23 states, so I think my best estimate would be, if nothing  
24 else, it's likely to help white fronts rather than increase  
25 harvest. But I guess the way I assume my -- part of my  
26 duties are, is to take a look at those questions that come  
27 up that affect everybody. And in this case, we're in kind  
28 of new territory here for managing the goose population,  
29 and spring subsistence regs have some influence on that  
30 with the fall regs, then we have to have some way to deal  
31 with both processes.

32

33 So it was my impression that one of my  
34 duties as a kind of staffer to the Co-management Council  
35 process is to keep an eye out for anything that would have  
36 some bearing on subsistence or population management. So I  
37 do maintain good contact with the Central Flyway on those  
38 kinds of things, and the Atlantic Flyway on North Slope  
39 swans and all that, but.....

40

41 And I'm not suggesting either that you  
42 should necessarily trust me to just bring issues to your  
43 attention either, so it's pretty much up to the council to  
44 find how you become aware of these, whether you comment on  
45 them and what the involvement is.

46

47 CHAIRMAN ALCORN: Thanks, Tom. Matt and  
48 then Ralph.

49

50 MR. ROBUS: Well, I was just going to

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1 suggest that perhaps it would be useful if you tried to go  
2 through the timing of the process to give Council members  
3 an idea of when -- what's available when in terms of what  
4 Flyways put together.

5

6 MR. ROTHE: Mr. Chairman, I think in past  
7 meetings I've kind of laid out some schedules for  
8 regulatory meetings, but they're usually the same each  
9 year, so there's a set of what they call the early season  
10 regulations, this is any season, usually doves, pigeons,  
11 and anything that starts in September, but all of Alaska's  
12 hunts, fall regs are in there, too. So Flyway Councils all  
13 meet it just so happens together in March and adopt a set  
14 of recommendations for regs that -- for those early  
15 seasons. And in the process, the regs that you're  
16 mentioning, that proposal will go before the SRC in June,  
17 so actually the way it worked out is, you know, Matt will  
18 be at the table representing Pacific Flyway, and then the  
19 SRC considers those and it's published in the Federal  
20 Register so you have that sort of public opportunity to  
21 comment to comment on them.

22

23 Then late season regs, which is stuff that  
24 starts in October, which is the bulk of waterfowl  
25 regulations in the Lower 48, those are proposed at July  
26 flyway meetings where again Ralph and Herman may be at the  
27 Pacific meeting, and the same process occurs where the  
28 councils put a package of proposals together that go to the  
29 SRC for August like a mid August meeting.

30

31 UNIDENTIFIED VOICE: Last two days of  
32 August.

33

34 MR. ROTHE: Oh, okay. It shifts a little  
35 bit from year to year, but -- and again those are  
36 published, you know, for public comment. So I guess it's  
37 -- you know, they're out there for people to become aware  
38 of and read, but again many people don't read the Federal  
39 Register, and may not be aware of it. So those two  
40 processes that occur from March to June for the early  
41 season and from July to August are really key places where  
42 everybody has an opportunity to weigh in and comment. And  
43 then actually the final Federal regulations established by  
44 the Secretary are published in -- the early seasons are  
45 published usually in early August and the late seasons are  
46 published in late September.

47

48 CHAIRMAN ALCORN: Thanks, Tom. Ralph, did  
49 you have something?

50

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1 MR. ANDERSON: Yeah. I was going to say  
2 that the regulations that are in the book, or in our  
3 meeting packets here are for the sports hunt?

4

5 MR. ROTHE: Yes.

6

7 MR. ANDERSON: So that -- are there any  
8 regulations that would -- I mean, I think they'd only come  
9 from us that would be for a spring hunt. And if I remember  
10 the process correctly, Tom, tell me if I'm wrong, but, you  
11 know, the regulations that we carry with us to the Pacific  
12 Flyway Council and we present there, the Pacific Council  
13 reviews them and comes back with -- or presents  
14 recommendations on those to the SRC, right? I mean,  
15 they're published in a report of the Flyway Council meeting  
16 with their comments that are included on the  
17 recommendations that we carry with us?

18

19 CHAIRMAN ALCORN: Matt?

20

21 MR. ROBUS: Mr. Chairman, that's correct,  
22 but my understanding is, is that this Council sends  
23 proposals directly to the SRC.....

24

25 CHAIRMAN ALCORN: Uh-huh. (Affirmative)

26

27 MR. ROBUS: .....as does a flyway. And so  
28 what you're seeing out of the Pacific Flyway is an  
29 endorsement -- I mean, so far every time they've voted on  
30 these things, it's been an endorsement of proposals that  
31 relate to this process. I guess that's what I wanted to  
32 day.

33

34 CHAIRMAN ALCORN: Okay. Fred.

35

36 MR. ARMSTRONG: Yeah, Mike's right -- I  
37 mean, Matt's right, but throughout this process we send  
38 copies to all the Flyway Councils, the Pacific, the  
39 Central, Mississippi and Atlantic, and they go directly to  
40 the Service Regulations Committee. The Pacific, Central  
41 and the other flyways can review them. They -- well, they  
42 could just offer comments. The recommendations don't  
43 change in nature until they get to the SRC for action.

44

45 CHAIRMAN ALCORN: Herman.

46

47 MR. SQUARTSOFF: Yeah, Mr. Chair, yeah,  
48 Matt, maybe -- I think when we're at the Pacific Flyway  
49 Council, this last one last year, I thought I seen where  
50 they had comments for us to kind of review, too, for this

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1 Council, or correct me if I'm wrong on that.

2

3 MR. ROBUS: Through the Chair, I confess I  
4 don't remember the specifics. I'd have to look at the  
5 book.

6

7 MR. SQUARTSOFF: Because I remember seeing  
8 the concerned birds on the list. That was brought up then  
9 I remember, and something else I thought.

10

11 CHAIRMAN ALCORN: Okay. It seems to me  
12 that, Mike, your suggestion is to see how we might engage  
13 with the Pacific Flyway Council and the Central Flyway  
14 Council and the SRC in a more consultative role, is that  
15 the suggestion, or is that the comment that you're making?

16

17 MR. SMITH: Yes, thank you, Mr. Chairman.  
18 Yes, I guess so. I mean, my concern is that -- and now I  
19 appreciate the fact, you know, that we're a new body in  
20 history, you know, and it's hard to kind of break those  
21 historical processes and stuff like that, but, for example,  
22 I know that, you know, there was numerous comments made on  
23 some of our proposed rules and regulations and harvest  
24 limits and species lists, and so on and so forth, and that  
25 -- and I guess I'm a little concerned about the process in  
26 the sense that we made our recommendations. Then there was  
27 Agency staff, after we came up with our regulations, who  
28 commented on those regulations and requested changes and  
29 species be removed, ways and means restrictions, and things  
30 of that nature directly to the SRC, and we as a Council  
31 were not able to comment on them. And I was a little  
32 concerned about that, and our role in this whole process,  
33 and whether or not we feel we need to be able to comment  
34 upon proposals that we may or may not have been able to see  
35 that affect our subsistence way of life.

36

37 Now, I appreciate the fact that Fred and  
38 Bill to a certain extent got hold of individual members on  
39 issues in their specific areas, but I'm not sure that  
40 that's, you know, the way we want to attack this stuff in  
41 the future. And I just thought that as the Migratory Bird  
42 Council for Alaska, we should have a more prominent role in  
43 this process, and that we be given the opportunity to  
44 comment on any proposals that the SRC is reviewing in  
45 relationship to what we're doing up here, and I'm just not  
46 sure whether that is just a matter of timing, whether or  
47 not we need to schedule our meetings in a better fashion to  
48 address -- to be able to get those recommendations first  
49 and then to be able to respond to them at the Central  
50 Flyway Council -- or, I mean, at the SRC. And I guess, you

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1 know, I mean, that entails a lot of different things I  
2 understand, but I'm not real sure the best way for us to  
3 approach that whole issue and -- but I do have concerns  
4 about us having a meaningful and participatory role in the  
5 SRC and the Central Fly -- and the Flyway Councils.

6

7 CHAIRMAN ALCORN: Okay. Thanks, Mike.  
8 Herman, you had a comment.

9

10 MR. SQUARTSOFF: Yeah. Mike, I'd like to  
11 respond to that. We do have representation and everything  
12 down there at SRC with Ralph and myself to respond to the  
13 SRC and everything as being your representatives off this  
14 Council. And they do listen to us real well on everything,  
15 you know, that we present to them, and the questions they  
16 ask us and everything else. I feel we're well represented  
17 down there and everything, so I don't think we're really  
18 having any trouble with that.

19

20 CHAIRMAN ALCORN: Matt.

21

22 MR. ROBUS: Thank you, Mr. Chair. One of  
23 the things that Mike is talking about is the ability of  
24 Council members here to become aware of what the proposals  
25 from the flyways are that are going to go to the SRC. I  
26 think I'm hearing that.

27

28 MR. SMITH: And our ability to respond as a  
29 Council to those.

30

31 MR. ROBUS: Well, attacking the first part  
32 of that which is becoming informed, the Pacific Flyway has  
33 recently started up a web site. I think the Central also  
34 has, and I can't swear to it, but I suspect that those  
35 proposals -- basically the book that comes out of those  
36 flyway meetings either already is or will be posted on  
37 those web sites in the future, so there's a document  
38 available, and possibly available that easily to members  
39 here, and I guess I'm thinking that at least for the part  
40 where you would have the chance to review what comes out of  
41 those flyway committee meetings might -- that might be a  
42 method to get it to a dispersed group like this. Now, how  
43 this Council would decide whether and how to make a comment  
44 as a council back is a problem that we need to discuss, but  
45 I think either in hard copy form or electronic, those books  
46 of proposals to the SRC are probably available without too  
47 much problem.

48

49 CHAIRMAN ALCORN: Mike.

50



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1 MR. SMITH: Mr. Chair.....

2

3 MR. ROBUS: Tom might want to comment, too.

4

5 MR. SMITH: Mr. Chairman, I appreciate the  
6 fact that they are available, you know, and certainly as an  
7 individual I can go track those things down and spend my  
8 time on them and stuff. But my concern was more expressed  
9 toward the role of this committee and the responsibilities  
10 of this Council. And while, you know, I appreciate the  
11 fact that I can go look it upon the web if I want to, you  
12 know, we as a Council do not have the opportunity to  
13 deliberate on those things. But certainly, I mean, Herman  
14 and Ralph, I appreciate your efforts in this regard, but,  
15 for example, the removal of swans from the list. Now, we  
16 knew we were going to have problems with that. I'd like to  
17 hear what kind of advocacy was presented on our behalf for  
18 the inclusion of those swans onto the list, and whether or  
19 not, you know, that was advocated adequately on our behalf.

20

21

22 CHAIRMAN ALCORN: Tom.

23

24 MR. SMITH: I mean, that's just an example.  
25 I mean, certainly there are other things. There are birds  
26 and species, I know that there some department staff who  
27 had concerns about birds on our list, and they have gone  
28 out of their way to make calls to friends and to get people  
29 to comment to the SRC on the removal of those birds. I  
30 know that there was concerns about some ways and means that  
31 were conveyed to the SRC that did not come through this  
32 body that were adopted by the SRC. Now, while I appre -- I  
33 probably would go along with the majority of those things,  
34 the process just kind of -- doesn't sit well with me.

35

36 CHAIRMAN ALCORN: Let me see if I can just  
37 take a minute just to describe the process and the way I  
38 understand the protocol, and maybe this will help. When  
39 the treaty protocols were established, the amendments, they  
40 established this co-management body to function after the  
41 model of the Flyway Councils. And the model of the Flyway  
42 Councils is this: They are a collection of state --  
43 representatives from the states. They take the  
44 information, the status and trends information, and  
45 population data on the populations of birds that they're  
46 considering for sport harvest, and they deliberate through  
47 their technical expertise, and they make a consensus  
48 recommendation, or a recommendation let's say, to the  
49 Service Regulation Committee. And it's a recommendation  
50 only. The Service's -- Fish and Wildlife Service's

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1 Regulation Committee, it's the responsibility of that  
2 committee to hear all of the input from the councils, each  
3 -- the four Flyway Councils, including us, making five.  
4 They deliberate and they use that opportunity, the  
5 opportunity that's been described by Tom, when they meet  
6 early and then for the late season regs, and they hear  
7 input from Flyway Council representatives, and they hear  
8 input from staff, and they hear input in this -- in the  
9 last year in the case of Herman and Ralph, they also  
10 attended and provided input. And then the Service  
11 Regulation Committee goes into a closed executive session,  
12 and the only people in that room are Fish and Wildlife  
13 Service staff. The states are not there. Ralph and Herman  
14 were asked to leave. The Division of Migratory Bird  
15 Management staff were there, and Fred and I were there. We  
16 were allowed to stay because we're Service employees. And  
17 there's no advocacy role at that point. The only thing  
18 that the SRC does is they ask the technical questions of  
19 the staff on each of those recommendations, and then they  
20 take that input from staff and they make a recommendation  
21 to the Director. The Director makes the recommendation to  
22 the Assistant Secretary, and then the regs are promulgated  
23 as draft regs, and then the public input is sought. That's  
24 the process.

25

26                   And so while I hear your concern and what  
27 you're suggesting that there be a request for an addendum  
28 to that process, more consultative, we could certainly  
29 request that, but I'm not sure that there's anything that  
30 we could offer that would change it, but that doesn't mean  
31 we can't ask. That that's -- anyway, that's my assessment  
32 of the process.

33

34                   Ralph and then Tom.

35

36                   MR. ANDERSON: Correct me if I'm wrong,  
37 Mike, but I don't think Mike was asking about the process  
38 outside of the AMBCC. I think Mike was -- Mike's -- if I'm  
39 -- maybe I'm wrong, Mike, but I think your question or your  
40 concern had two angles to it. One was having to do with  
41 our ability to provide comments and recommendations on the  
42 Flyway Council proposals, and the other was not necessarily  
43 how we respond to theirs, or how we present our  
44 recommendations to them, but on taking a look at what they  
45 have, and weighing in on their proposals. Okay. So that  
46 we'd be -- we would be conducting the kind of activity that  
47 they do with our proposals. They submit to us and we  
48 submit to them. An exchange of protocols basically.

49

50                   And the other concern as I understand it is

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1 not with the process that our recommendations go through,  
2 but an internal process that could probably be really good  
3 -- could be handled or addressed by the Standard Operating  
4 Procedures Group -- Committee that we set up as far as the  
5 communications between Agency staff and the AMBCC on our  
6 recommendations and how to best handle those. Not only  
7 that, but also get -- setting up a process where -- for the  
8 regions to comment on other regions' proposals. I mean,  
9 maybe I'm wrong, Mike, but maybe I missed the boat, but  
10 that's what I heard.

11

12 CHAIRMAN ALCORN: Mike and then Fred.

13

14 MR. SMITH: Yeah, Mr. Chairman. I mean, I  
15 think you're correct, Ralph. I mean, I think there are a  
16 couple of aspects to this concern. One is an effective  
17 role in the process, and a meaningful role I guess. And  
18 then additionally I guess, yeah, department procedures.  
19 You know, I mean, it just -- while, you know, I appreciate,  
20 you know, the ability of the Department to make their  
21 recommendations and stuff like that, there was a lot of  
22 them made that were not made to us, you know. They were  
23 made after we came up with rules, after all this and stuff,  
24 and, you know, they were basically -- we were basically  
25 ignored in the Agency's recommendations in regards to a lot  
26 of these things, and so, I mean, I'm not real sure. It's  
27 almost like, you know, we're going to do our thing here,  
28 but then the Agency's going to do whatever they want to  
29 anyway, too. Now, while I appreciate that some of that is  
30 going to happen regardless, just by way of what we are and  
31 what we do, it just seems to me that, you know, that that's  
32 not the way to do it, you know. I mean, I'm really  
33 disappointed in some of the recommendations that came from  
34 staff, and our inability to comment on them. Now, you  
35 know, if that's the way we want to operate, fine, I guess,  
36 but I certainly don't like it, and I don't think that's  
37 what was intended by the protocols, and I think we just  
38 need a more meaningful process here.

39

40 CHAIRMAN ALCORN: Okay. Thank you. And I  
41 appreciate that input, and I'm going to turn it over to  
42 Fred and then Ralph, but in the meantime, Mike, you might  
43 be thinking of a recommendation that you -- you know, an  
44 idea that you might want to present to the Council. Fred.

45

46 MR. SMITH: Well, Mr. Chairman, I would  
47 like that, but I would also like participation of the  
48 agencies in this, you know. I can come up with my own  
49 recommendations, but I would like to hear some  
50 recommendations from the Agency staff on how we can fulfill

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1 our role and not be subject to, you know, having our  
2 recommendations overturned by Department staff through a  
3 different process that we have no input into.

4

5 CHAIRMAN ALCORN: All right. Thanks, Mike.  
6 Fred.

7

8 MR. ARMSTRONG: Thank you, Mr. Chair. What  
9 we're dealing here is with.....

10

11 MR. SMITH: Could I request a comment from  
12 staff on how they might help us facilitate that.

13

14 MR. ARMSTRONG: I'm trying to clarify.

15

16 CHAIRMAN ALCORN: Yes, you may, but I would  
17 like for Fred to be able to speak uninterrupted, and then  
18 Ralph and then we will ask agencies to respond to that  
19 request.

20

21 MR. ARMSTRONG: Thank you. What we're  
22 dealing with here is promulgation of regulations, and that  
23 function lies strictly with the Federal Government.  
24 Federal laws. That is an inherent responsibility that the  
25 Government cannot delegate out. We're fulfilling the role  
26 of the AMBCC by providing recommendations. Once the SRC  
27 has acted on recommendations, they go through the proposed  
28 rule process, which solicits input from all of America.  
29 The requirement is that the Agency has to respond to every  
30 comment, and if there's a good comment that we ignore, we  
31 have to justify why we ignore it, and publish that. You  
32 know, at that point it is strictly a Federal Register  
33 process, and the Agency doesn't have to solicit input from  
34 other people. They can just make a decision that's in the  
35 best interest of the birds, or whatever they're dealing  
36 with and move on and promulgate the regulations. What  
37 we've done is try to, you know, work with the affected  
38 regions to try to come up with some sort of agreement that  
39 everybody could live with.

40

41 And -- I think I'm aware of where you're  
42 coming from, Mike, and I can, you know, understand the  
43 concern you have. And it's a difficult one that I think we  
44 all have to take in stride. That's why I try to caution  
45 when we do recommendations to try to come up something  
46 concrete that we can defend, easily defend when we go to  
47 the SRC and these guys stand up and questions are asked,  
48 they can have good, sound reasoning for, and justification  
49 for keeping recommendations as they are. But it's a  
50 frustrating issue, but it's something we have to deal with.

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1                   CHAIRMAN ALCORN: Thank you, Fred. Ralph.

2

3

4                   MR. ANDERSON: I'd like to just say that  
5 I'm just as anxious as Mike to hear answers to some of the  
6 concerns, but -- and to hear recommendations, but I think  
7 the real good forum to begin formulating recommendations,  
8 you know, would be from the Standard Operating Procedures  
9 Committee, getting the committee together, and it's there  
10 that the State, the Federal -- the State agencies, the  
11 Federal agencies, and the regional representatives are all  
12 members of the SOP committee. And it seems like out of  
13 that committee, that committee can come back to us with  
14 recommendations, you know, for us to take action on.

15

16                   CHAIRMAN ALCORN: Matt and then Tom.

17

18                   MR. ROBUS: Thank you, Mr. Chairman.  
19 Having watched the SRC for a couple years now, I guess I  
20 would call it almost like a court type of situation, and we  
21 need to realize that we're -- this Council's not the only  
22 presenter that that court is listening to. And they've got  
23 the authority through recommendations to the Secretary to  
24 make the final decisions.

25

26                   And I think we also need to recognize that  
27 within each Agency, we're all multi-purpose agencies with a  
28 lot of different responsibilities, and I know that my  
29 Agency not only participates as a voting member here, but  
30 we are a -- we present the State position to the Flyway  
31 Council, and however that's modified goes on to the SRC.  
32 So there are several different presenters with different  
33 view points that the Service Regs Committee has to decide  
34 between sometimes.

35

36                   Also, within agencies there are, with the  
37 different responsibilities, there's some tension between  
38 different positions. And within the Service there are  
39 people who are tasked with managing the bird populations  
40 soundly according to biological data. There's groups like  
41 the staff to this Council whose primary job is to try to  
42 facilitate getting this knew type of hunt on the books.  
43 Those things are not seamless, and there are some tensions  
44 and arguments and whatever to be made there.

45

46                   So I don't think that you can expect this  
47 Council's view never to be modified on the way up to the  
48 decision by the SRC. But what I hear from you, Mike, that  
49 I think is a reasonable request, is that when other parts  
50 of this cooperative management process, i.e., the four

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1 other -- well, the four Flyway Councils, when they make  
2 proposals that affect populations of birds that also affect  
3 subsistence users in Alaska, there needs to be a way for  
4 you to know what's being proposed, and have an opportunity  
5 to give this Council's view back. I think that's a  
6 reasonable question. That's the type of procedure that  
7 maybe the Standard Operating Procedure Committee could make  
8 some recommendations on.

9

10 My previous comments were about how do we  
11 get the information to this group without having to call  
12 the group all into Anchorage. I think that can be done.  
13 The question remaining in my mind is how without spending  
14 the money to get everybody together and hold another  
15 meeting two more times a year. You can get -- you know,  
16 people on the Council could identify, hey, here's something  
17 affects the population of white fronts in the Interior down  
18 in, I don't know, Oklahoma or wherever. You surface that  
19 because you notice it, and somehow everybody here chimes in  
20 and some sort of a consolidated Council position gets  
21 transmitted to the Central Flyway or to the SRC, depending  
22 on the timing in the process. Maybe I'm not hearing you  
23 right, but it seems to me that would substantially improve  
24 -- or it would get you some of the things that I hear you  
25 asking for. Once it gets to the SRC and the SRC votes,  
26 nobody has much chance to get anything other than an  
27 explanation frankly. And, you know, Tom and I have been  
28 through that several times now where something that the  
29 Pacific Flyway didn't want to happen, did happen, but  
30 usually there's good reason for it, and usually we go in  
31 there and kind of try to become informed and swallow our  
32 medicine and it goes on to the Secretary and becomes  
33 regulation.

34

35 So, anyway, I think before it gets to the  
36 SRC, there is an opportunity if we can figure out how to do  
37 it. After it goes to the SRC, I think basically it's start  
38 thinking about next year.

39

40 CHAIRMAN ALCORN: Thanks, Matt. Tom. And  
41 then Mike.

42

43 MR. ROTHE: Thanks, Mr. Chairman. Yeah, I  
44 kind of wanted to follow up on what Matt was pointing out,  
45 that there's kind of parts of this. There's the  
46 communication, just being aware of what's going on. And  
47 I'll just sort of volunteer that part of my job is to be a  
48 liaison with these other four flyways on technical issues,  
49 and Bob Leedy's shop is similarly charged with keeping tabs  
50 on this stuff. If the Council wants this, you know, it's

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1 not hard for us to pull together the package, but I'll  
2 guarantee you 99.9 percent of the 100 pages you'll get is  
3 going to be boring or seem silly or won't affect anything  
4 that we have here, so sort of be careful what you ask for.  
5 But if it's important to take a look at every -- you know,  
6 sit down and take a look at what those four flyways have  
7 proposed, and do they affect any of our resources, you  
8 know, we can pull that -- the documents together.

9

10 I think the trickier thing is, and I want  
11 to kind of be careful, but to use an example, and I'm  
12 trying to avoid your example, so that maybe some other  
13 people can relate. Let's just say that -- and I guess one  
14 of my suggestions might be we might bring this up again at  
15 the next meeting, because, two things, Bob Trost (ph), the  
16 flyway representative I think plans to be here, and he's  
17 got a much more national viewpoint on how this might work,  
18 plus Ron Angland (ph) I think from Oregon Department of  
19 Fish and Wildlife is planning to come up as a Flyway  
20 Council member who wants to hear what you guys do, and that  
21 might be a good place to have a discussion of how to work  
22 together.

23

24 Let me just give you an example of one of  
25 these things where we might bump into a common issue. If  
26 cackling Canada geese continue to go down like they have  
27 for the last two years, all of us that have worked on the  
28 Y-K Delta Goose Plan don't ever want to get back in the  
29 hole again, but we have these issues where we've allowed  
30 Washington and Oregon to shoot quite a few of them to deal  
31 with their crop depravation problem. The Pacific Flyway  
32 Council kind of makes its decision based on what Washington  
33 and Oregon say. You guys have proposed seasons and dates  
34 and stuff to accommodate the subsistence hunting of those  
35 same birds. If we get into a population crimp, both  
36 processes have to deal with it, and there's got to be a  
37 dialogue, so that's the trick. It's figuring out how we  
38 should design that so it plays out.

39

40 And in Mike's case, what if Interior  
41 white-fronted geese take a dive, and right now we're --  
42 we've kind of held off on making specific recommendations  
43 just to get some more research and analysis done. But at  
44 some point, you know, if there's a real bona fide issue  
45 where we Alaskans have a problem with it, and we want to  
46 engage the Central Flyway, we're going to have to have the  
47 Central Flyway tech committee and Central Flyway Council  
48 hear what we have to say, and then we're going to have to  
49 take a look at what their regs are.

50

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1                   So I'm not sure what -- I'm not proposing  
2 any particular mechanism, but I can see at some point we're  
3 going to bump into that.

4

5                   CHAIRMAN ALCORN: Mike.

6

7                   MR. SMITH: Yeah, Mr. Chairman, that's a  
8 good example, because as, you know, me and Charlie have  
9 been appointed to the Central Flyway Council, and here they  
10 are undertaking some regulatory changes concerning  
11 white-fronted geese and stuff like that, which is our  
12 primary concern, of course. But in going to that Flyway  
13 Council, I'd like to be as well informed as possible, to  
14 certainly have my ducks in a row to the extent that I can  
15 in order to be able to make an effective presentation. And  
16 I guess, you know, that kind of goes back to my concern  
17 about being informed in a timely manner so that we can pull  
18 together so that I can request information, or that we can  
19 work together to develop a position and things like that,  
20 you know. And I guess, you know, that's -- you know, that  
21 was a good example is the white-fronted geese, because we  
22 will have to deal with them, and I fully anticipated having  
23 to make some heartfelt pleas to the Central Flyway Council,  
24 and certainly I appreciate the fact that I'm relatively new  
25 to it and stuff, and I don't know the history of it on --  
26 to make some heartfelt pleas to the councils to take into  
27 account the declining population, and hopefully get the  
28 Central Flyway Council and make recommendations to Canada  
29 and things of that nature.

30

31                   And that whole process I guess is where I'm  
32 a little, you know, confused and, you know, uninformed.  
33 And while, you know, I can undertake that effort myself to  
34 try to get up to speed on that, it would be nice to be able  
35 to rely upon Staff and other people to keep me informed,  
36 and to help in the development of those type of positions.

37

38                   CHAIRMAN ALCORN: Bill Ostrand.

39

40                   UNIDENTIFIED VOICE: I thought it was  
41 William Ostrand.

42

43                   MR. OSTRAND: Mr. Chair.

44

45                   CHAIRMAN ALCORN: William Ostrand for the  
46 record.

47

48                   MR. OSTRAND: I wanted to respond to one of  
49 Mike's comments, and that was there was quite a few  
50 comments from Agency personnel, and I think as a staff we



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1 recognize there may have been a breakdown in communication,  
2 and that may have resulted in a lot of comments during the  
3 public comment period, and we've been working to try and  
4 get the Service to work through the Council. And I think  
5 you'll see this at the next meeting where there are more  
6 proposals from the Agency coming to this Council. Thank  
7 you, Mr. Chair.

8

9                   CHAIRMAN ALCORN: Thank you. Well, I'm --  
10 I guess I'm going to claim ignorance here and at a loss for  
11 any action. There's been no motion on the table. There's  
12 been a good dialogue and suggestion by staff with the  
13 Department to supply information to the regional  
14 representatives, primarily Charlie and Mike for the Central  
15 Flyway Council, and I presume for Herman and Ralph for the  
16 Pacific Flyway Council. And I would ask that that occur,  
17 and that that information be forwarded when Tom gets it,  
18 and we will make a note to advise our Flyway Council  
19 coordinator, Migratory Bird Coordinator is the title of the  
20 person in our Division of Migratory Bird Management, to  
21 work with Tom to make sure that we get that information  
22 timely. I believe that that information will not be  
23 available until after the North American meeting in the  
24 spring each year. Is that right, Matt? Is that when they  
25 make their final suggestions?

26

27                   MR. ROBUS: Mr. Chairman, for the early  
28 season regulatory proposals from the flyway, yes, mid March  
29 or even -- last year it was early April. At the North  
30 American Wildlife Conference is when the flyways meet.  
31 Then the late season regulatory proposals would be  
32 available, let's see here, at the -- well, late in July.

33

34                   CHAIRMAN ALCORN: Tom.

35

36                   MR. ROTHE: It's going to be a little  
37 tricky. It depends on where you think input is most  
38 appropriate, because it steps through a bunch of stages of  
39 -- for example, early season, Alaska business. The  
40 Technical Committee meets in early March, early to mid  
41 March. Okay. So that's where the actual proposals start  
42 developing. So it's a possibility that an AMBCC member or  
43 regional rep might join the party at that stage when those  
44 ideas first come together. In the early season process,  
45 there is usually a week or two before the councils meet  
46 then, the Flyway Councils meet. Of course, the councils  
47 are where the kind of rubber meets the road when the  
48 proposals get firmed up. And so you could again -- you  
49 know, you will have reps at the Pacific Flyway meeting and  
50 other council meetings you might want to go to. At that

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1 stage, that's a final decision by that Flyway Council what  
2 their recommendation is. After they take action, it's no  
3 problem for me to get a packet from each flyway on what  
4 they and I can give that to you. But then your next  
5 opportunity to comment on those would probably directly to  
6 the published Federal Register, which is getting towards  
7 the end point.

8

9 CHAIRMAN ALCORN: Mike.

10

11 MR. SMITH: Do we have to wait until it's  
12 published? I mean, if we had those proposals and those  
13 recommendations of the Flyway Council, and we were able to  
14 meet somehow, we could offer recommendations, we don't have  
15 to wait until it's published or anything like that? I  
16 mean, as part and parcel of this process, we can offer our  
17 recommendations and suggestions at any time, couldn't we?

18

19 CHAIRMAN ALCORN: Tom.

20

21 MR. ROTHE: Mr. Chairman. If you want to  
22 have input early on and possibly influence the -- you know,  
23 the development of proposals, then your best shot is to go  
24 to the Flyway Technical. I mean, let's say we had a  
25 white-front thing that came up, and we said, well, by God,  
26 we don't like that. We would want to get to the Central  
27 Flyway Technical Committee before they finished their  
28 recommendation.

29

30 CHAIRMAN ALCORN: And that occurs in, you  
31 said, early March?

32

33 MR. ROTHE: Early March let's say.

34

35 CHAIRMAN ALCORN: All right.

36

37 MR. ROTHE: Then if they said, well, yeah,  
38 thanks for your input, but we're going to go forward, then  
39 your next opportunity is to appeal directly to their  
40 council meetings, which would be late March, and, yeah,  
41 you're kind of right after that, it's kind of you wait for  
42 the Service to publish their proposal. And by the way, you  
43 know, the Service doesn't necessary have to go along with  
44 the Flyway Council like Matt said, so your end -- you  
45 definitely want to comment on what the Service proposes,  
46 because that's your last good shot.

47

48 CHAIRMAN ALCORN: Edgar and then Herman.

49

50 MR. HOELSCHER: Thank you, Mr. Chairman.

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1 Is it wise to go ahead and suspend our rules and go into  
2 public comments or other comments, because we are reviewing  
3 the recommendations to the Central Flyway.

4

5 CHAIRMAN ALCORN: I'm not sure I understand  
6 your question. Would you restate your question?

7

8 MR. HOELSCHER: Since we're, you know,  
9 getting into other things other than reviewing  
10 recommendations of the Central Flyway, we're reviewing, you  
11 know, our style of, you know, ways of doing this and that,  
12 and we're including a lot of other stuff than what's on the  
13 agenda item, is it okay if we go ahead and suspend our  
14 rules and keep on discussing?

15

16 CHAIRMAN ALCORN: Okay. Yeah, it's a point  
17 of order that you're raising, is that your point?

18

19 MR. ANDERSON: That's exactly what I was  
20 going to say. It sounds like a nice way of calling a point  
21 of order.

22

23 CHAIRMAN ALCORN: Right. I think we are  
24 getting fairly detailed in the actual process and how we  
25 will get this. I think the point has been made that we  
26 need to coordinate better with the Flyway Councils. The  
27 recommendation from Ralph early on was to turn this over to  
28 our Standard Operating Procedures Committee. Is that  
29 right? Am I paraphrasing your suggestion right? To think  
30 this through and come back to this Council with a  
31 recommendation on how we might accomplish that. That's the  
32 recommendation that's been made. We would need I think a  
33 motion and order to direct that committee to do that. But  
34 I will hear your concern, Edgar, that we are belaboring a  
35 tactical process that we're describing here, and it's not  
36 on the agenda. It is out of order unless we vote to put it  
37 on the agenda. I would offer to make it a charge of the  
38 Standard Operating Committee's charge at their next  
39 meeting. Any other comment? Tom.

40

41 MR. ROTHE: Mr. Chairman, I'd just point  
42 out there's no Service member on that committee, unless you  
43 are charging Fred to help us as staff.

44

45 CHAIRMAN ALCORN: Fred is the staff that  
46 staffs that, right. And he can delegate to his staff if he  
47 needs to.

48

49 All right. Thank you. That takes care of  
50 that tab. We'll get back to the agenda. We are at a point

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1 now of inviting public comment, but I wanted to put that  
2 off and take Council comments first before we take public  
3 comment. I understand that there are a few concerns that  
4 have been expressed earlier during the meeting and they  
5 potentially come out at this point, and if they transpire  
6 into action by the Council, I wanted to allow the public to  
7 comment on our entire suite of actions that we've  
8 deliberated on.

9

10 So at this point I would like to open the  
11 floor for invitation for comments from the Council members  
12 themselves. Is there anything that anyone would like to  
13 raise? Mike, I see you thinking hard over there. Do you  
14 want a moment to gather your thoughts?

15

16 MR. SMITH: Yeah. Mr. Chairman, I  
17 appreciate our time is short here. You know, I mean  
18 there's some thing that have occurred, and I think, you  
19 know, I've expressed to a large degree my concerns about  
20 the process upon which we're currently operating and how we  
21 might effectuate some change in that in the future. I look  
22 forward to working on the Standing Operating Procedures. I  
23 think that -- you know, and I don't know, you know, it  
24 would be nice -- certainly, I mean, I think it's nice to  
25 have some Service people on there simply for -- I mean, I  
26 think what we're talking about is a timing issue to a large  
27 extent, and, you know, how to work that out. It would be  
28 nice to have those folks involved.

29

30 Another thing, I would just also like to  
31 request from Matt that, you know, we be informed of the  
32 State's concerns about anything we do here as quickly as  
33 possible. I know that, you know, we developed our list,  
34 and to a certain extent -- and I know, you know, this is  
35 before your time, of course, you know, we had birds on  
36 there, but then the State has issued through you apparently  
37 I assume as -- on the Flyway Council reps, concerns about  
38 specific species on the list and things like that. It  
39 would be nice if we had those concerns before you express  
40 them to the Flyway Councils and stuff. You know, it would  
41 be nice if we could do that.

42

43 And, you know, those are just the things I  
44 was talking about, Mr. Chairman. I appreciate your giving  
45 me the opportunity to talk to this, and your patience in my  
46 tirades over the course of the last couple of days.

47

48 CHAIRMAN ALCORN: Thank you, Mike. Are  
49 there any other comments from the Council? Mike.

50

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1 MR. SMITH: Oh, one more comment. Mr.  
2 Chairman, I'm sorry about this, but I think one of the  
3 things I was concerned about is that at our next meeting  
4 we're going to have a considerable amount of work to do,  
5 and I'm just curious as to how we want to address that? I  
6 mean, each one of these proposals we're going to have to --  
7 each one of the included communities we're going to have to  
8 come up with boundaries and things of that nature now, and  
9 those type of recommendations, which may take a  
10 considerable amount of time. Additionally I think it would  
11 behoove us to somehow get out to those communities that  
12 that is what we're doing and to seek their input on the  
13 establishment of those boundaries in some fashion, and I'm  
14 just curious if we could have some talk about that, and  
15 about our next meeting which is going to be pretty -- as  
16 well as all the proposals we're going to be deliberating  
17 and so on and so forth.

18  
19 CHAIRMAN ALCORN: All right. Enoch and  
20 then Herman and then Ralph.

21  
22 MR. ATTAMUK: Okay. By next meeting, I'd  
23 like to see someone or get answers on West Nile Virus. For  
24 my area they're getting concerned about it. We know it's  
25 not in our area yet, but we want to stay ahead of it if it  
26 do come up. We don't know if it's ever going to come here.

27  
28 And also -- and I would like to see that we  
29 should visit the population levels that was set by the  
30 agencies. I think some might be too high, because some of  
31 these birds are at these levels for 20 years, 10 years or  
32 so. I mean, we have to revisit those. That way we won't  
33 have so many birds in concern. And that's what I mean,  
34 because some places in my area in the Interior they say  
35 they can't see any birds, and in my area some birds are  
36 plentiful and some birds are not. See? I mean, we need to  
37 get the natives involved in this population level. I'd  
38 like to see that visited sometime in the future. We need  
39 to do it. And I believe it.

40  
41 CHAIRMAN ALCORN: Okay. Thank you, Enoch.  
42 Herman.

43  
44 MR. SQUARTSOFF: Yeah, Mr. Chair, I would  
45 like to thank the Council and the staff in the last two  
46 days, what we've been doing and the stuff that we  
47 accomplished. This inclusion thing wasn't the easiest  
48 thing to work on. It was a lot of work involvement and  
49 everything, and the work that the staff put in it, and then  
50 what we went through yesterday, and being able to come in

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1 consensus on everything, I think we accomplished a lot here  
2 in the last two days, and I want to thank everybody.

3

4 CHAIRMAN ALCORN: Okay. Thank you, Herman.  
5 Ralph? Okay, Ralph.

6

7 I would like to, I guess, respond to Mike's  
8 comment and concern. I think it's very valid, and that is  
9 the spring meeting as we witnessed last year was very full.  
10 We had a lot of information to try to synthesize, digest  
11 and make recommendations on. And I thought where you were  
12 going was maybe proposing a three-day agenda instead of a  
13 two-day agenda.

14

15 MR. SMITH: I almost did, Mr. Chairman. I  
16 didn't want to be the one to do that.

17

18 CHAIRMAN ALCORN: But I would, you know, be  
19 so bold as to suggest that we might think about a three-day  
20 meeting, because it's my impression that last year we were  
21 somewhat rushed. It's also my impression that this is --  
22 this upcoming meeting is probably our most critical meeting  
23 that we have annually, in that we will make a set of  
24 recommendations that will go to the SRC, and the better we  
25 understand them, the more refined they are, I think the  
26 better we talk them through, the better we are at running  
27 them through the process that they ultimately go through.  
28 That's a suggestion, but -- and I understand we're all very  
29 busy. I honestly don't know how we would get through all  
30 of these recommendations in two days given the workload  
31 that we're looking at. Fred.

32

33 MR. ARMSTRONG: Mr. Chair, I think that our  
34 idea of a work session prior to the Council meetings really  
35 hashes out a lot of the issues and make our meetings go a  
36 little faster when we have the Council meeting itself. I  
37 think if we -- we could eventually have a three-day with  
38 one day being a work session where we just kind of go over  
39 the regulations and -- you know, I understand there's a lot  
40 of issues that are out there, but this meeting is really  
41 critical and should really focus on regulatory proposals  
42 from the regions since that's the crux of the meeting.

43

44 CHAIRMAN ALCORN: Okay. Thanks, Fred.  
45 Ralph.

46

47 MR. ANDERSON: I agree with Fred, that a  
48 one-day work session seems to smooth a lot of bumps. I  
49 mean, that's the way we've operated in the past. I'm kind  
50 of surprised we didn't do a work session for this meeting,

00226

1 because a lot of the questions and concerns that were  
2 raised during, you know, the deliberations yesterday could  
3 have been answered much more quickly. And while I agree  
4 that it's important to get information out and to do those  
5 kind of things, sometimes, I mean, it's just impossible to  
6 do. And it's that one-day work session before the meeting  
7 where, you know, we don't get sidetracked in all these  
8 little details that may not seem important while we're  
9 discussing them, but turn out to be pretty important later  
10 on. But I think the work that we've done in the past  
11 couple of days is -- I feel pretty good about it. I mean,  
12 I feel like we've made accomplishments, that we've done  
13 something, you know. I feel like that we've provided  
14 communities that were left out of the treaty an opportunity  
15 to become legal like the rest of us. And I especially  
16 appreciate, you know, their patience in answering our  
17 questions, and providing us with the kind of information  
18 that we need.

19

20 CHAIRMAN ALCORN: Thank you, Ralph. Any --  
21 okay. Mike, you had another comment?

22

23 MR. SMITH: Are we still on our agenda  
24 then? Are we -- I mean, are we kind of.....

25

26 CHAIRMAN ALCORN: We are. We're having  
27 Council comments. We're under Item 10 now before we will  
28 invite public comment, and than that precedes the.....

29

30 MR. SMITH: Date and place of next meeting?

31

32 CHAIRMAN ALCORN: Well, yes, but we're  
33 going to -- the most significant thing after comment and  
34 public comment is Fred's Executive Director's report, which  
35 he said would last 20 minutes or so.

36

37 Are there any other comments by the Council  
38 before we hear public input? All right. At this point  
39 we'll close comments by the Council, at least that agenda  
40 item, and we will invite comments from the public regarding  
41 any actions that we've taken. Dario, you raised your hand.  
42 Please come to the mike and say who you are before you --  
43 for the record, please.

44

45 MR. NOTTI: Thank you, Mr. Chair. Dario  
46 Notti with AVCP. And one of AVCP's attorney has on his  
47 agenda to work on the rewrite of the Duck Stamp Act. And  
48 I've been asked to ask all of you if you would go back to  
49 your bird committees and your nonprofit boards and/or E  
50 Boards, or at least executive directors and get resolutions

00227

1 or letters of support to amend the Duck Stamp Act,  
2 something that our lobbyist and attorney can take to our  
3 Senators and Representative in Washington to get that  
4 amended.

5

6 We have a draft amendment available. I've  
7 got an 800 number at my office, and I can fax you our draft  
8 amendment and/or a copy of our resolution. Our 800 number  
9 is 800-478-3521, extension 7342. I probably should have  
10 brought that draft with me, or some xeroxes of it, but I  
11 didn't think of it as I was packing my bag.

12

13 And I'm sure all of you guys in your  
14 regions have a considerable number of hunters who are  
15 going to just refuse to buy the duck stamps as our people  
16 have. We've never ruined our land. It's still wonderful  
17 for nesting birds. And it seems to many of our hunters  
18 that the hunters on the other end of that flyway ought to  
19 be the ones paying to buy some wetlands back for the birds.  
20 Some of us do agree that everyone should chip in, but the  
21 majority of us don't agree.

22

23 And I was thinking that at the very least  
24 staff or other agencies could find us web sites or --  
25 excuse me, I'm changing my topic now. Web sites that deal  
26 with the other Flyway Councils and the SRC. I wouldn't  
27 mind being able to look up -- I would really like agendas  
28 and proposals before they're acted on, and as well as maybe  
29 some minutes of things that -- of meetings that would go  
30 along with their proposals.

31

32 And then the final thing that I wanted to  
33 comment on today was, and I may be wrong here, was the  
34 chairs saying that this committee is like the flyway, where  
35 I see whole lot of differences. And one is that my  
36 impression of the flyways is it's all states who then go to  
37 the Service. They make recommendations and then go to the  
38 SRC with those recommendations. Whereas this committee is  
39 the State, the Feds and those that are really involved, the  
40 natives, the native groups. So it seems like two extra  
41 groups there. And then the U.S. Fish and Wildlife has sort  
42 of a conflicting role where they're voting here and then  
43 they're -- the same people that are voting here are going  
44 inside the SRC and at least advising behind closed doors  
45 where the other two members of this committee can't see how  
46 they're voting -- well, not voting, but how they're  
47 advising the SRC. So it just seems that there are quite a  
48 bit of differences. And then if I'm not wrong, don't our  
49 proposals go to the flyway first, and then on to the SRC,  
50 or.....



00228

1 UNIDENTIFIED VOICE: Both ways.

2

3 UNIDENTIFIED VOICE: At the same time.

4

5 CHAIRMAN ALCORN: Okay. Let's let him  
6 finish his questions and.....

7

8 MR. NOTTI: It goes straight to the flyway,  
9 but maybe what I'm thinking of is the scheduling where we  
10 have to have our proposals in time for the flyway to at  
11 least comment on them before it goes to SRC, if it doesn't  
12 necessarily go to the flyway. And maybe I do need someone  
13 to set me straight on that. I thought somehow that our  
14 committee's proposals had to be reviewed by the flyways  
15 before they went to the SRC, and it seems that if we are  
16 the same as a flyway that it ought to be reciprocal, that  
17 we ought to be able to review those other flyways'  
18 proposals before they go on to the SRC. So I guess that's  
19 the end of my comments for today, and thank you.

20

21 CHAIRMAN ALCORN: Thanks, Dario. I have  
22 Ralph and then Matt.

23

24 MR. ANDERSON: Just to answer your question  
25 about our proposed recommendations. They take a dual  
26 track. One set of the same regulations go to the Flyway  
27 Council for review. The same set goes on to the --  
28 straight to the Service Regulations Committee.

29

30 MR. NOTTI: They can be amended on the way  
31 by the.....

32

33 CHAIRMAN ALCORN: Use your microphone. Use  
34 your.....

35

36 MR. ANDERSON: No.

37

38 CHAIRMAN ALCORN: .....microphone.

39

40 MR. ANDERSON: No. What we submit to the  
41 Flyway Council are the same regulations that we submit to  
42 the SRC. They're both submitted at the same time.

43

44 MR. NOTTI: Okay.

45

46 MR. ANDERSON: And then the reason that we  
47 go through the Flyway Council, the way I see it, I mean,  
48 it's a good process, is to -- they'll tell us what our  
49 mistakes are. I mean, that's the way I see it. I mean,  
50 and it's their comments. They don't make any changes or

00229

1 anything else. I mean, they look at our proposals as our  
2 proposals. They have comments on them, and everybody in  
3 the world is entitled to comment. I mean, anybody in the  
4 United States is entitled to comment on our proposed regs.  
5 Not only that, I mean they're published in the Federal  
6 Register once they get to the SRC level. But, no, our  
7 recommendations take a dual track.

8

9

CHAIRMAN ALCORN: Matt.

10

11

MR. ROBUS: Thanks, Mr. Chair. I agree  
12 with Ralph, and I'll just say a little bit more about that,  
13 and that is, when this Council's recommendations, proposals  
14 go before a body like the Pacific Flyway Council, you've  
15 got 11 states' worth of technical experts on what those  
16 birds when they're not in this State, but they're down  
17 south. So there's the opportunity for kind of technical  
18 advice or corrections in some cases perhaps that might make  
19 that proposal stronger. Even though the proposal itself  
20 doesn't get changed, that advice from the flyway could be  
21 incorporated into what this Council presents to the SRC.

22

23

Also what's happened to date is that in the  
24 discussion at the Pacific Flyway, you generate support for  
25 this Council's proposals so that when you're back in front  
26 of the SRC, the consultants for the flyways are supporting  
27 the AMBCC's recommendations, and I think that that  
28 strengthens it. It doesn't -- it's not like flyways are in  
29 conflict here.

30

31

Now, to go on to the other subject, I'll  
32 defend the Chair's characterization of this Council as a  
33 flyway-like body. You're right, Dario, there are some very  
34 different things about the way this is constructed and who  
35 participates, but before this Council was put into being,  
36 there were four entities that could make recommendations to  
37 the SRC for bird regulations through a long-lived  
38 cooperative relationship between the states and the Federal  
39 Government, and those were the four flyways. Now there's  
40 five entities that can make proposals direct to the SRC,  
41 this being the fifth body. And, yeah, it's different.  
42 It's not made up of 11 or 14 states. It's made up of  
43 different rural regions plus the two agencies, but the  
44 ability of this body to directly affect the regulatory  
45 process is the same as what the flyways have. And then,  
46 finally, in terms of this body going first and having the  
47 flyways comment on our proposals, but not the reverse being  
48 true, I think it's -- what Mike was bringing up, and there  
49 may be ways to get some of that taken care of through the  
50 SOP committee, and I think that's a valid concern. I mean,

00230

1 we ought to know what the flyways are producing, and they  
2 need to continue to know what this body is producing.

3

4 And maybe the other finally I'll say is I  
5 don't think that with Federal staff being included before  
6 the SRC it means that they have any advantage over the rest  
7 of us, because I don't think that they're there for any  
8 purpose other than hearing the SRC deliberate and possibly  
9 asking a technical question. I don't think you get to do  
10 any lobbying in that room over and above what's already  
11 been done by the various parties in front of the SRC.

12

13 So I understand where all your concerns  
14 come from, but having been there, I think that -- you know,  
15 I hope I've been able to satisfy most of them, because I  
16 think it's a really fair process, and I think this group  
17 has an extraordinary access to the process compared to any  
18 other group in the country except for those four flyways.

19

20 CHAIRMAN ALCORN: Thank you, Matt. Ralph.

21

22 MR. ANDERSON: And I'd also like to say --  
23 comment on the SRC comment that you had, Dario, having been  
24 there. I mean, I was at the SRC meeting last fall. We  
25 were represented at staff. Fred was there. So it -- you  
26 know, we did have -- the Council did have staff present  
27 during their deliberations. Herman and I were asked to  
28 leave, but I'm not staff. So they -- I mean, it was good  
29 that they asked us to leave. While I'm a member of the  
30 Council, you know, according to their protocols, staff can  
31 be asked technical questions, and I'm not on the Service  
32 staff. And then it's good that Fred was there. I mean, it  
33 was during breaks and things like that that we were able to  
34 get to hear from them what the SRC was talking about, what  
35 they were considering. No other member of the public has  
36 that advantage except us. No one else in Washington, D.C.  
37 in the public who weren't Federal employees, you couldn't  
38 stop anybody on the street and ask them, you know, or tell  
39 them something that was going on in the SRC meeting. We  
40 were given a pretty good advantage I think. We got to hear  
41 some of the concerns that they expressed. And while  
42 there's -- you know, while, you know, I can sense a level  
43 of distrust for the process, a level of distrust for the  
44 Agency being able to, you know, lobby behind close doors,  
45 that's something that -- I mean, I was there watching this.  
46 If I sensed any lobbying behind closed doors, believe me, I  
47 would have said something about it. But Fred was there,  
48 and if Fred sensed anything going on there that was not  
49 right, I'm sure he would have let me know, or let Herman  
50 know.

00231

1                   But, you know, if we're going to continue  
2 to, you know, carry these feelings of suspicion and those  
3 kinds of things, that really doesn't lend itself to  
4 co-management. Then we're going back to pointing fingers  
5 at each other again saying, you did this, you did that, you  
6 know, the finger will fall back on us for hunting, you  
7 know. So it works both ways. I think what we need to do,  
8 the real challenge that I said years ago when I first got  
9 involved in this was -- is the challenge of building trust  
10 amongst each other. And I've seen this Council, you know,  
11 while the membership has shifted around, I think Herman and  
12 myself and Charlie Brower are probably the oldest members  
13 of this Council, and we've seen the change in attitudes  
14 towards each other. We've seen the changes in trust, the  
15 level of trust growing. You know, and, I mean, that's what  
16 co-management is built on. I mean, it's building trust for  
17 each other, and trusting a system that has -- you know,  
18 that we feel like has worked against us for a long time.  
19 But becoming involved in the process I think is an  
20 important thing, you know. And I think we've come a long  
21 way in the past, you know, five years that I've been  
22 involved in this.

23

24                   CHAIRMAN ALCORN: Thank you, Ralph. Mike.

25

26                   MR. SMITH: Yeah, Dario, I appreciate your  
27 comments, and certainly we would at Tanana Chiefs love to  
28 participate in any letter or resolutions that we could  
29 possibly send to whoever you're sending them to.

30

31                   But I would also like to take this  
32 opportunity to request or to move that we as the Alaska  
33 Migratory Bird Council do the same thing, that we adopt a  
34 position that the Alaska duck stamp needs to be -- or that  
35 the duck stamp program needs to be amended, and that we  
36 take a positive position on that.

37

38                   CHAIRMAN ALCORN: I'm not sure that this  
39 group can do that, but I'll let the motion stand, but there  
40 are certain legal issues or legal questions, Mike,  
41 regarding that, regarding us using -- we are a  
42 federally-funded committee, our deliberations are sponsored  
43 by the Federal Government, and we are to remain neutral on  
44 any what would be perceived as lobbying or taking a  
45 position on a piece of legislation, and this is a  
46 long-standing piece of legislation. So while the motion  
47 may get a second and pass, I'm not sure that it will  
48 translate into any action or signing of a resolution or  
49 anything to that effect until we find out whether we are  
50 legally bound not to do that. Matt.

00232

1 MR. ROBUS: One comment I'd have on that is  
2 that if it went any further than this, I'm not prepared --  
3 it's a subject that I had not come to this meeting prepared  
4 to vote on representing the State. And I know how I'd vote  
5 if forced to, but I would much rather know that this was  
6 agenda and have a chance to prepare.

7

8 CHAIRMAN ALCORN: Point of order. We don't  
9 have a second for the motion. Is there a second for the  
10 motion?

11

12 MR. SMITH: Mr. Chairman, considering the  
13 comments, I'll withdraw my motion, but I think that we  
14 certainly have a role in that process and that, you know,  
15 our concerns expressed, possible recommendations and stuff,  
16 that would not violate, should not violate any Federal  
17 prohibition against lobbying. While we can offer  
18 recommendations and we do across the board on numerous  
19 things, I think that's what we can do and that's what I  
20 would say. But I withdraw my motion at this time.

21

22 CHAIRMAN ALCORN: Thank you, Mike. Is  
23 there any other comment from the public? Seeing none, we  
24 have completed that agenda item.

25

26 We are now down to the Item Number 11,  
27 staff comment, and we are ready to hear the Executive  
28 Director's report. Fred.

29

30 MR. ARMSTRONG: Okay. Thank you, Mr.  
31 Chair. It seems like we beat every issue flightless so  
32 far. I'll try to be as brief as possible. I know that  
33 people have some commitments and flights they've got to  
34 catch.

35

36 First and foremost is that -- the looming  
37 April 30th deadline. Each of the regions, you know, we  
38 sent out a letter to all the partners indicating that we  
39 need them to revisit the four guidelines that were adopted  
40 last year, those being the season, the method and means,  
41 the list of birds, and specifically under list of birds to  
42 look at the 15 other birds that remain on the BCC list and  
43 we're now tasked with documenting use and how important it  
44 is to our culture and tradition, so that's another aspect  
45 that we have to -- can look at. Keep that in mind, because  
46 I think next -- you know, in July the SRC will be asking us  
47 the same question again, how do we document use of these  
48 birds, and we have to be prepared to justify that, so take  
49 a careful look at those remaining birds and justify them  
50 accordingly.

00233

1                   CHAIRMAN ALCORN: Fred, let me interrupt  
2 you just for a moment. We're on Tab 7 is the Executive  
3 Director's written report. Patty?

4  
5                   MS. BROWN-SCHWALENBERG: Just a quick  
6 question. Fred, you're talking about 2003 regs or 2004?

7  
8                   MR. ARMSTRONG: 2004.

9  
10                  MS. BROWN-SCHWALENBERG: Okay. Thanks.

11  
12                  CHAIRMAN ALCORN: All right. Go ahead.

13  
14                  MR. ARMSTRONG: And as to the newly  
15 included areas, I think most of them have accommodated the  
16 request to submit proposals. We'll just work with the  
17 affected regions to refine them a bit more. Staff is  
18 already well aware we're tasked with that, and we'll see  
19 that it gets down. We just ask that people be, you know,  
20 note that this is on the radar screen, and that they avail  
21 themselves to us so that we can try to get complete  
22 proposals for next month's meeting.

23  
24                  Harvest surveys. I know we beat that one  
25 to death, but there's a couple more things. I think that  
26 in light of the fact that we can't conduct any harvest  
27 surveys, one of the things we could do is ask that each of  
28 you have -- you guys are out there in the field and, you  
29 know, we just -- if there's any field observations that  
30 stick out that you guys want to let us know right away so  
31 that, you know, we can at least have an idea of what's  
32 going on out there. The harvest survey did that a lot of  
33 us, and absent that, we need some sort of mechanism to do  
34 that. Field observations certainly would help so some  
35 crucial issues you guys want to let us know, get ahold of  
36 us and we'll note that for this year.

37  
38                  There's some -- in your packet, in my  
39 written report, there's some upcoming significant actions  
40 we need to address, those being we need to look at the  
41 issue of possession and transportation from included to  
42 excluded areas. We've taken upon ourselves -- we're going  
43 to start trying to look at alternatives for the Council to  
44 address next month, at least options, and have something  
45 for you at the next meeting, next May meeting. This is an  
46 issue that, you know, it's -- it could potentially become  
47 ugly if somebody was stopped and didn't have a permit for  
48 carrying birds into -- for instance, me going back home and  
49 bringing birds back and get stopped and get ticketed. It  
50 could be a problem, so that's an issue we'd like to address

00234

1 right away. Not to convenience me now, okay?

2

3 We need to establish criteria for adding or  
4 deleting birds from our list. I think that I'm going to  
5 convene a meeting of all the people that are affected by  
6 this, the State, our Council, Migratory Bird Department,  
7 Audubon, and try to come to some agreement as to criteria,  
8 because people are using different criteria for becoming  
9 concerned about certain birds, and I think that if we get  
10 together and offer input, that maybe we'd have -- there  
11 would be less decisiveness (sic) not only here but within  
12 the Service and outside, the general public.

13

14 We need to start looking at ideas of  
15 perhaps creating a birds to avoid list within the Council.  
16 That's something that I think could wait until we establish  
17 criteria. The important thing is to try to get criteria of  
18 how we add birds or delete birds and everybody's consistent  
19 in that respect.

20

21 Special projects, surveys, we have -- every  
22 year we have to do what's called an EA, environmental  
23 assessment on the regulations. We do have some birds that,  
24 you know, although we close them, that are in our region  
25 here. The specs and stellers eiders and the emperors that  
26 are going to require us to do some outreach and perhaps  
27 some special harvest surveys once we get our program in  
28 place and perhaps some other projects that we have concerns  
29 about, our people may have concerns about. We're going to  
30 have to address those. I think the Harvest Survey  
31 Committee can -- is going to work on special projects with  
32 that.

33

34 And finally we kicked around the idea of a  
35 data book that will be available to all the council  
36 members. You know, it will be a list of birds with a  
37 picture of them to let you guys know what we're all talking  
38 about, we're on the same page, stuff like that, that you  
39 guys can use as reference. If there's a concern raised by  
40 somebody, you could pull that book open to whatever bird,  
41 and it will give you the current data on them. That's I  
42 think something that will be real useful as we deliberate.

43

44 There's two meetings this month. Next week  
45 is the Emperor Goose Management Plan meeting. And that  
46 group is looking at perhaps updating or taking a look at  
47 population levels, not only the target population, but as  
48 to harvest -- the population where birds can be harvested.  
49 They meet next week. We've got a good group going. I  
50 think we'll at least have two or three meetings down the

00235

1 road before we come up with a product for the Council to  
2 take a look at.

3

4 And also at the end of the month is the  
5 Harvest Survey Committee meeting. I think we're going to  
6 start getting into the meat of the -- what the Committee is  
7 tasked with, and start identifying methodology by region.  
8 And these guys have put in some pretty heavy hours working  
9 into this and there's some heavy issues. We contracted  
10 with a statistician to give us an idea of how much surveys  
11 we can conduct in each region without impacting credibility  
12 and we have all that information now and think we can move  
13 forward.

14

15 Duck stamps. I mentioned that. We're  
16 going to try to get it to where just let your post office  
17 people know to request duck stamps, and they'll be provided  
18 right away. We'll try to get the word out on that as much  
19 as possible and do further work as far as internet access  
20 and other forms, electronic forms that people can request.  
21 Herman.

22

23 MR. SQUARTSOFF: Yeah, Mr. Chair, yeah,  
24 Fred, when the post offices request these stamps, is there  
25 any special place they'll have to do it now that we want  
26 them at this time? Could they get -- or they could get  
27 them quicker or something maybe?

28

29 MR. ARMSTRONG: There is an internet  
30 access. It's out of Texas, right? And we'll get the  
31 specifics together. I'm just beginning communication with  
32 the guy from the duck stamp office who's referred me to a  
33 lady. I have yet to call that lady and try to get  
34 everything down pat. But once we get that, we'll send it  
35 out.

36

37 MR. SQUARTSOFF: Okay. Thank you, Fred.  
38 Just for off the record, I don't even know what a duck  
39 stamp looks like. Just kidding.

40

41 MR. ARMSTRONG: I don't either.

42

43 CHAIRMAN ALCORN: Okay. Let's -- we have  
44 questions. Is it specifically on that particular item?  
45 All right. Let's let -- if we can, Edgar, if you'll hold  
46 your question until Fred gets through, I think he's on his  
47 last item.

48

49 MR. ARMSTRONG: No, I could take it now,  
50 yeah.



00236

1 CHAIRMAN ALCORN: Okay. Then Edgar.

2

3 MR. HOELSCHER: Thank you, Mr. Chair. Are  
4 these duck stamps available at the licensed vendors also?

5

6 MR. ARMSTRONG: No. No, they aren't. You  
7 know, what's happened in the past, after these duck stamps  
8 were just available for sports hunting, the sport season  
9 closed, depending on species, but I think the latest  
10 someone could go is March 10, so all those duck stamps were  
11 either returned or destroyed at that time. So there's no  
12 duck stamps available for this spring actually. Herman.

13

14 MR. SQUARTSOFF: One more, Fred, Mr. Chair.  
15 What about the State one? Do we have to.....

16

17 MR. ARMSTRONG: I'd leave it up to them.

18

19 CHAIRMAN ALCORN: We'll turn the mike over  
20 to Tom Rothe.

21

22 MR. ROTHE: Mr. Chairman, I offer to bring  
23 some duck stamps for the next meeting so you can buy them  
24 in the lobby, and we'll show Herman what they look like.

25

26 MR. SQUARTSOFF: Okay.

27

28 MR. ROTHE: Yeah, maybe a little bit of  
29 information. Federal duck stamps are kind of a separate  
30 deal. They're usually sold at all post offices and all  
31 national wildlife refuges should have them, too. They're  
32 not linked directly yet with the State system. In other  
33 words, State hunting license vendors don't have them right  
34 now. Some of them do, like the big stores, but we're  
35 working on -- our licensing people are working on linking  
36 those two up so that Federal stamps would be available  
37 through State license vendors.

38

39 State duck stamps, again we're in a weird  
40 situation where by law the valid dates for our State duck  
41 stamps are from July 1st to January 31st, so in spring  
42 there won't be any such thing as a valid State duck stamp.  
43 And they're -- but they usually are sold by licensed  
44 vendors starting after July 1st.

45

46 MR. SQUARTSOFF: July 1st.

47

48 MR. ARMSTRONG: Okay. Any others? Okay.  
49 Continuing on, switching the subject, procedural  
50 guidelines, the ones the Council adopted for petitions for

00237

1 inclusions, exclusions. I want to remind the Council that,  
2 you know, there is responsibility at the regional level.  
3 Be aware that there are requirements for public meetings  
4 and notices, adequate notices. People impacted by this  
5 have to be made aware that they're going to be petitioned  
6 for inclusion or exclusion. Please try to follow those  
7 guidelines. We'll let the partners know the same  
8 responsibility applies to them.

9

10                   One thing I noted that could be avoided,  
11 too, and could reduce the length of our meetings is Council  
12 concerns. If you've got concerns, that's what we're here  
13 for. It would be appropriate I think that you guys contact  
14 us first and see if we could hash it out at our level  
15 versus being caught blindsided and we have to hash this out  
16 long and lengthy when we could probably try to do the same  
17 thing at the office level. I'd appreciate that. It's only  
18 common courtesy. And if we have concerns, we certainly try  
19 to get them out to you guys right away. We're here to  
20 help. We're here for you guys. If you guys have got  
21 concerns, it only makes us better if we are aware of them  
22 so that we won't make the same mistake or concern over and  
23 over again.

24

25                   Travel restrictions, we mentioned that.  
26 We're on a 10 percent reduction. They're cutting things  
27 pretty close here. We'll try to work with committee  
28 members and see if we can fund them. If not, it just --  
29 this reduction came at a late notice. In fact it just came  
30 up last month, right, Doug? And they just finally gave us  
31 guidance on that, so -- and we're halfway through the year,  
32 and, you know, most of our budget is gone. We only  
33 budgeted 25,000 for four people. The bulk of our money  
34 goes out to rural Alaska, so we're left with very little,  
35 actually about 30,000 I think, because the other 5,000 goes  
36 for media expenses, the rent of the room, and stuff like  
37 that, so just be aware that we have got limitations.

38

39                   Finally before I get -- Bill has got one  
40 issue, but Donna needs the semi-annual cooperative  
41 management grant agreement reports. They were due March  
42 31st. We've only received three so far, so please get your  
43 -- the regional partner to submit them as soon as possible.

44

45                   And last, Bill has one quick issue he needs  
46 the Council's blessing on, and that's our poster. Bill.

47

48                   MR. OSTRAND: As you know, one of the  
49 charges through the treaty to the Council is outreach, so I  
50 contracted with a graphic artist to come up with a poster

00238

1 and a brochure. What I've got for you today is just a  
2 draft for your input and review of a poster. And I think  
3 the artist only made one copy of each of three drafts.  
4 I'll just pass them around. And I want you to pay close --  
5 particular attention the right-hand margin where your logos  
6 go. Oh, I have -- I guess that's it. Those are the  
7 drafts. So what I would like is your comments. And if you  
8 don't see your logo there, please send me one so that we  
9 can include it.

10

11 UNIDENTIFIED VOICE: (Indiscernible) Fish  
12 and Wildlife there's two.

13

14 MR. OSTRAND: What we did was in -- we  
15 didn't have everyone's logo.....

16

17 UNIDENTIFIED VOICE: So you just put one in  
18 there?

19

20 MR. OSTRAND: .....so we just kept  
21 repeating them. We repeated the ones we had. We hope to  
22 have ones for everyone by the time we get a final form for  
23 this.

24

25 UNIDENTIFIED VOICE: Bill, I'll get you  
26 mine as soon as I get (indiscernible)

27

28 MR. OSTRAND: All right.

29

30 CHAIRMAN ALCORN: All right. Thanks, Bill,  
31 is that it?

32

33 MR. OSTRAND: Yeah, that's it.

34

35 CHAIRMAN ALCORN: All right. There's one  
36 little bit of housekeeping that I want to suggest, that if  
37 you've enjoyed a donut the last couple of days, those were  
38 not part of the room expense. Donna Dewhurst actually went  
39 and bought donuts. If you're inclined and enjoyed them, if  
40 you wouldn't mind giving Fred a dollar or two, I think he  
41 could give that to Donna, and she would feel a little bit  
42 more.....

43

44 UNIDENTIFIED VOICE: I've got a parking fee  
45 to pay.

46

47 CHAIRMAN ALCORN: You paid your ticket.  
48 All right. Is there anything else that anyone wants to add  
49 for the good of the cause? Fred.

50

00239

1 MR. ARMSTRONG: Just, you know, I thank you  
2 for your participation. You know, I realize it's been a  
3 long two days, but we've taken some significant action, you  
4 know, yesterday, and we all need to be proud of that, and  
5 we look forward to next month's meeting.

6

7 CHAIRMAN ALCORN: Dario.

8

9 MR. NOTTI: I was just thinking about four  
10 cases of video tape, the professional grade video tape that  
11 I ran across that has 1984 Hooper Bay meeting, several  
12 visits to California by I guess it was only WCC, it wasn't  
13 AMBCC, but if any of your education is going to include any  
14 video work, I've got some that could be used as background.  
15 I just wanted to mention that.

16

17 CHAIRMAN ALCORN: Thanks. That's  
18 excellent. Are there any other comments? All right. The  
19 next agenda item is setting the date and place of the next  
20 meeting. I believe they're set. Fred, do you want to  
21 brief us on when that is?

22

23 MR. ARMSTRONG: Yeah, it's May 15 and 16.  
24 And what I think we'll include is one additional day prior  
25 to that for a work session. Our meeting will be held at  
26 the DOI Learning Center. I think we had that last summer.  
27 It's at 16th and C. You know where Cam Tui's (ph) office  
28 is, or old BIA offices were down there. That's where it  
29 will be held.

30

31 UNIDENTIFIED VOICE: What did you call it?  
32 DOI?

33

34 MR. ARMSTRONG: Yeah, Department of  
35 Interior. Cam Tui's office is located there.

36

37 CHAIRMAN ALCORN: And that information and  
38 the address will be sent out, right, with the.....

39

40 MR. ARMSTRONG: That's correct.

41

42 CHAIRMAN ALCORN: .....agenda and that.

43

44 UNIDENTIFIED VOICE: On Gambell?

45

46 UNIDENTIFIED VOICE: It's the Kaloa  
47 Building.

48

49 CHAIRMAN ALCORN: Herman. Okay. Herman?

50

00240

1 MR. SQUARTSOFF: Yeah, Mr. Chair. Yeah,  
2 Fred, since the meetings are happening on that date, I have  
3 other commitments on the 14th, and then from the 16th all  
4 the way to the 20th. I was wondering if I can request to  
5 have Kodiak propose, or their proposals starting on the  
6 15th, you know, where I'll be able to work on them that  
7 day, because I need to get back out that evening. My  
8 daughter's graduation's on the 16th, my son's birthday is  
9 on the 14th, which I missed last year.

10

11 CHAIRMAN ALCORN: All right. Why don't you  
12 just coordinate with Fred. He can do that.

13

14 MR. ARMSTRONG: We'll put you last.

15

16 CHAIRMAN ALCORN: Okay. All right.

17 Austin?

18

19 MR. AHMASUK: Do we need to make a motion  
20 for the date and place of the meeting, the three-day and  
21 work session?

22

23 CHAIRMAN ALCORN: I don't think so.

24

25 MR. ARMSTRONG: The Council set those dates  
26 already, so the motion was already in order.

27

28 CHAIRMAN ALCORN: All right. I guess a  
29 motion is in order for adjournment.

30

31 MR. ANDERSON: Move to adjourn.

32

33 MR. ROBUS: Second.

34

35 CHAIRMAN ALCORN: Thank you. Anyone  
36 opposed? Mike? We are adjourned.

37

38 (Off record)

39

40 (END OF PROCEEDINGS)

00241

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C E R T I F I C A T E

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

I, Joseph P. Kolasinski, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 142 through 241 contain a full, true and correct Transcript of the ALASKA MIGRATORY BIRD CO-MANAGEMENT COUNCIL, VOLUME II taken electronically by Nathaniel Hile on the 18th day of April 2003, at the Aspen Hotel 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 8th day of May 2003.

\_\_\_\_\_  
Joseph P. Kolasinski  
Notary Public in and for Alaska  
My Commission Expires: 04/17/04