

1 ALASKA MIGRATORY BIRD
2
3 CO-MANAGEMENT COUNCIL
4
5
6
7 VOLUME I
8
9 Department of Interior
10 Learning Center
11 Anchorage, Alaska
12
13 April 1, 2004
14 8:30 a.m.
15
16 Members Present:
17
18 Herman Squartsoff, Chairman
19 Matt Robus, Vice Chair
20
21 Attamuk
22 Doug Alcorn
23 Tim Andrew
24 Peter Divine
25 Taqulik Hepa
26 Joeneal Hicks
27 Gordon Jackson
28 Hans Nicholson
29 Patty Brown-Schwalenberg
30 Mike Smith
31
32 Executive Director, Fred Armstrong

1 P R O C E E D I N G S

2
3 (Anchorage, Alaska - 4/1/2004)

4
5 MR. ROBUS: Good morning.

6
7 I will call this session of the Alaska
8 Migratory Bird Co-Management Council to order. My name is
9 Matt Robus, I'm the Director of Wildlife Conservation for
10 the Department of Fish and Game, and I'm acting as
11 chairman today. Because of the current chairman's
12 inability to attend the meeting. As the first order of
13 business here I would like to welcome everybody and ask you
14 to join me in a moment of silence.

15
16 (Moment of Silence)

17
18 MR. ROBUS: Thank you.

19
20 I'd like to first of all apologize for not
21 being able to make the work session over the last two days.
22 My life is complicated by the Legislator these days, and
23 I've learned a little bit about what everybody was talking
24 about and I think it's a good thing some of those issues
25 were discussed at least to a certain extent, but I'm sure
26 we'll have more discussion on some pretty complicated and
27 important issues with regard to the regulations and the
28 seasons, that we're going to have in the feature. And I
29 look forward to those discussions from the States stand
30 point.

31
32 I guess the next thing we need to do is
33 make sure that we have alternates seated for those members
34 of the Council who were not able to attend today. I
35 understand that Taqulik will be acting for the North Slope
36 Borough and I understand you're the permanent alternate and
37 so Mr. Armstrong we have all the documentation we need to
38 make that so.

39
40 MR. ARMSTRONG: Yes, Mr. Chair. All the
41 alternates are permanent that are seated here. We do have
42 a letter of resignation from Austin Ahmasuk, saying he's
43 going to be unable to participate in the Council any more.
44 That was the only action that we have.

45
46 MR. ROBUS: Okay very good. The other
47 alternates that are seated include Peter I believe.

48
49 MR. ARMSTRONG: Yes. Peter Divine, Patty
50 Schwalenberg and Taqulik are the permanent alternates for

1 each region. And Tim Andrew, I'm sorry.
2
3 MR. ROBUS: Okay very good.
4
5 MR. ARMSTRONG: So everything is in order.
6 We just need to accept the resignation of Austin Ahmasuk,
7 we can read it.
8
9 MR. ROBUS: Let's get to that in a moment.
10 Mike do you have something.
11
12 MR. SMITH: Yeah thanks Mr. Chairman.
13 Would that require -- I mean Austin was chairman or he was
14 the Native Rep. of the three so we're going to have a
15 election for that again.
16
17 MR. ROBUS: That's correct. The intent
18 here is to have a caucus in just a few moments to allow you
19 to do that. With that I would ask Doug Alcorn, who's
20 informally acting as secretary this morning to go through
21 the roll and establish who we've got here today.
22
23 MR. ALCORN: Thank you, Mr. Chairman.
24
25 I'll begin with of Association of Village
26 Council Presidents.
27
28 MR. ANDREW: Here.
29
30 MR. ALCORN: Bristol Bay Native
31 Association.
32
33 MR. NICHOLSON: Here.
34
35 MR. ALCORN: Chugach Regional Resources
36 Commission. Copper River Native Association.
37
38 MR. HICKS: Here.
39
40 MR. ALCORN: Kawerak. Central Council of
41 Tlingit and Haida Indian Tribes.
42
43 MR. JACKSON: Gordon here.
44
45 MR. ALCORN: Aleutian/Pribilof Islands
46 Association.
47
48 MR. DIVINE: Peter here.
49
50 MR. ALCORN: Kodiak Area Native

1 Association.
2
3 MR. SQUARTSOFF: Here.
4
5 MR. ALCORN: Manilaaq Association. North
6 Slope Borough.
7
8 MS. HEPA: Here.
9
10 MR. ALCORN: Tanana Chief's Conference.
11
12 MR. SMITH: Here, Mr. Chairman.
13
14 MR. ALCORN: Alaska Department of Fish and
15 Game.
16
17 MR. ROBUS: Here.
18
19 MR. ALCORN: I'm here representing the U.S.
20 Fish and Wildlife Service. Mr. Chair we do have a quorum.
21
22 MR. ROBUS: Okay, thank you. With that I
23 think it would be a good idea to ask members of the
24 audience to introduce themselves. Although we're pretty
25 familiar with each other by now, Why don't we start over
26 here with Tom.
27
28 (Introductions away from microphone)
29
30 MR. ROBUS: Okay. Thank you and welcome to
31 everybody. Well as Fred mentioned one important
32 development that we need to deal with is the letter sent by
33 Austin, regarding his intent to resign the Council. Fred
34 would you like to -- I guess it's short enough you could
35 read it into the record.
36
37 MR. ARMSTRONG: Thank you, Mr. Chair.
38
39 Austin wrote, dear Co-Management Council
40 Members. I am unable to attend the March/April, 2204
41 meeting of the Alaska Migratory Bird Co-Management Council,
42 due to a sever knee injury I sustained recently. I
43 understand my absence will mean that a native seat who
44 serves as chair in 2004, will mean a vacant seat that can
45 be filled if I resign my post. Due to other obligations I
46 have made to further my education, I had intended that the
47 spring 2004 meeting would be my last so I may devote myself
48 to the myriad other subsistence issues that we all face.
49 There fore I resign my post as chair of the AMBCC Council
50 and wish you all luck in your meeting and in the future.

1 Thank you for your time and consideration,
2 sincerely, Austin Ahmasuk, Chair AMBCC.

3
4 MR. ROBUS: Thanks Fred. I am sure that
5 we're all going to miss Austin's presence a lot and other
6 people have comments here and what I suggest is that in
7 order to pick the person that's going to represent the
8 rural representatives, we have a caucus for -- I don't know
9 how long it's going to take. I know some discussions
10 happened on this before.

11
12 Herman do you have some suggestions.

13
14 MR. SQUARTSOFF: Yeah. Mr. Chair I'd like
15 to take this time now to ask that we have a native caucus
16 to fill this position of Austin's.

17
18 MR. ROBUS: Do you know how long.

19
20 MR. SQUARTSOFF: I'd say maybe 15 to 20
21 minutes.

22
23 MR. ROBUS: Okay, lets convene at -- Mike.

24
25 MR. SMITH: I just have a quick question,
26 Mr. Chairman. Fred, Kawerak did not indicate they were
27 going to appoint somebody else.

28
29 MR. ARMSTRONG: Mr. Chair. Mike, Kawerak
30 does have a permanent alternate, but they opted not to send
31 a representative to this meeting.

32
33 MR. SMITH: Thank you.

34
35 MR. ROBUS: Okay. So lets go to a caucus
36 of the representatives from around the state. Lets get
37 back together at 25 after, realizing that that means
38 probably 30 after.

39
40 We can clear the room here and let you
41 caucus right here.

42
43 (Off record)

44
45 (On record)

46
47 MR. ROBUS: Okay, we'll come back to order.
48 I would ask for a report from the caucus to determine who
49 the new representative from the rural areas is going to be.
50 Herman do you want to.

1 Hans.
2
3 MR. NICHOLSON: Thank you, Mr. Chairman.
4 The native caucus deliberated, met, discussed and the
5 recommendation from the caucus is that we would like to
6 nominate Herman Squartsoff as our chairman.
7
8 MR. ROBUS: Okay, very good. I'm not sure
9 what procedure to use other than to -- Doug.
10
11 MR. ALCORN: Thank you, Mr. Chairman. I
12 don't think we need a motion. The Native representative
13 was elected chair last fall and by action of the caucus and
14 by action of the caucus they've elected their voting
15 member. And that member by default would become the chair
16 I presume.
17
18 MR. ARMSTRONG: Mr. Chair. I think the by-
19 laws do call for elected representatives. So a motion
20 would be in order.
21
22 MR. NICHOLSON: Mr. Chairman. If I may, I
23 so move.
24
25 MR. ANDREW: I second.
26
27 MR. ROBUS: It's been moved and seconded.
28 Is there any opposition to the nomination of Herman to be
29 the representative for the rural caucus and to take over as
30 chair for the remainder of this cycle.
31
32 (No opposition)
33
34 MR. ROBUS: Seeing and hearing no
35 opposition. Herman congratulations and I will happily pass
36 the gavel in your direction.
37
38 CHAIRMAN SQUARTSOFF: Thank you there Vice
39 Chair. I was waiting to see some opposition here on a
40 April fools thing, but nothing alright. Good way to start.
41 Hey, I appreciate it guys, and you're going to have to bare
42 with me, it's been awhile since I've chaired a meeting, and
43 I'm going to kind of do this native style too, so it's
44 going to be a little relaxed. If I need any technical
45 advice I think I can look over here at Doug on my right, so
46 he can help me out on that one.
47
48 Well lets get the meeting back to order. I
49 think, where did you leave off at Matt. Roll call was
50 done, review adoption of the agenda. Is that were we are

1 at.

2

3 MR. ROBUS: Correct. Yes.

4

5 CHAIRMAN SQUARTSOFF: So if the Council
6 will so go ahead and look at the agenda, is there anything
7 to add on to it. Yes, Hans.

8

9 MR. NICHOLSON: Mr. Chairman. I believe we
10 have to insert adoption of meeting minutes.

11

12 CHAIRMAN SQUARTSOFF: Okay. That was of
13 the last meeting you're referring, right. Doug.

14

15 MR. ALCORN: Thank you, Mr. Chairman. I
16 would like to add two items for discussion. The first item
17 that I would like to add would be a discussion of a
18 proposal of a revised process for reviewing and taking
19 action on proposals. I would like for that discussion to
20 occur at the 1:30 pm, today agenda.

21

22 CHAIRMAN SQUARTSOFF: Yeah go ahead.

23

24 MR. ARMSTRONG: Mr. Chair. If there is
25 going to be any changes to the proposals or the proposal
26 process. I think it should occur prior to us deliberating
27 on proposals. If there's going to be deferrals or changes
28 that would be the appropriate time.

29

30 CHAIRMAN SQUARTSOFF: Doug, first and then
31 Mike.

32

33 MR. ALCORN: I'll defer to Mike.

34

35 CHAIRMAN SQUARTSOFF: Okay, go ahead Mike.

36

37 MR. SMITH: Yeah I was just curious as to
38 exactly what you were talking about Doug. Because I think
39 Fred has a point, if we are to discuss the process, by which
40 we review these proposals the decision needs to be made as
41 to whether or not we do it prior to our current proposals
42 or do our current proposals under our existing process.
43 And then adopt any further changes to that process for the
44 next cycle.

45

46 CHAIRMAN SQUARTSOFF: Thank you, Mike. Go
47 ahead Doug.

48

49 MR. ALCORN: Thanks, Mr. Chairman. And
50 that's the reason why I'm suggestion it go at the 1:30

1 item. Because what we have there is a review of the
2 proposal consideration process and when we talk about that
3 process, it's just how we will go through and decide on
4 each of the proposals.
5

6 I have a proposal from the Fish and
7 Wildlife Service which would frankly be to extend the
8 consideration time into the future and I have a hand out
9 that I would make. So before we would begin discussion of
10 the proposals at 1:35 I would recommend that we have that
11 discussion that's why I'm adding it right there.
12

13 CHAIRMAN SQUARTSOFF: Thank you, Doug. Go
14 ahead again Mike.
15

16 MR. SMITH: Yeah, thank you, Mr. Chairman.
17 I guess that would -- I guess I don't know what exactly --
18 I mean I guess without seeing the proposal I'm not sure
19 whether or not we should consider it at this time. We
20 don't have to adopt it certainly at that time and we can
21 just defer it until the next cycle if it becomes too much
22 of an issue.
23

24 CHAIRMAN SQUARTSOFF: All right. How about
25 the rest of the Council, how do you guys feel. Would that
26 be a good time to put t in right at 1:30 then. Everybody
27 pretty much agree. Okay, that sounds good then Doug.
28

29 MR. ALCORN: And the other item, Mr.
30 Chairman. Is to add a discussion that was left over from
31 the prior meeting. Looking under Tab 2, the minutes, it's
32 actually the draft actions from our meeting last fall. On
33 page four of that meeting we had a discussion of the
34 process it's the third high lighted item down on page four.
35 A discussion of the process for inviting non-resident
36 relatives to participate in the harvest.
37

38 The action that we made at that time was to
39 have Bill Ostrand do a little bit of research and I would
40 like to suggest that we add a report from him and a
41 discussion under the 10:30 item this morning under
42 committee reports. And I would just suggest that we add
43 that report as a last item on that list.
44

45 CHAIRMAN SQUARTSOFF: The one after the
46 Technical Committee.
47

48 MR. ALCORN: Right.
49

50 CHAIRMAN SQUARTSOFF: Okay.

1 MR. ALCORN: And that's all I have to
2 recommend for change.
3
4 CHAIRMAN SQUARTSOFF: Well thank you Doug,
5 I keep shutting my dog gone thing off every time I want to
6 speak. Tim and then Doug.
7
8 MR. ANDREW: Thank you, Mr. Chair. I don't
9 really have too much experience on this Council. AVCP of
10 our Waterfowl Conservation Committee had sent in three
11 resolutions and would like to have them discussed at some
12 point during the meeting process. I'm not sure were
13 exactly to insert it. They appear in the table of contents
14 in Tab 16.
15
16 CHAIRMAN SQUARTSOFF: You're saying Tim
17 these are resolutions and they are not part of your
18 proposals then.
19
20 MR. ANDREW: Yeah, Mr. Chairman. They're
21 not exactly proposals, they don't appear in proposal format
22 they are more of a position of our Waterfowl Conservation
23 Committee.
24
25 CHAIRMAN SQUARTSOFF: You guys do have
26 proposals in here, I believe too though don't you.
27
28 MR. ANDREW: We do have three proposals.
29
30 CHAIRMAN SQUARTSOFF: Would it be an
31 appropriate time maybe then -- does the Council think to
32 bring them up at that time with their proposals. Yes,
33 Doug.
34
35 MR. ALCORN: I'll express my opinion. I
36 don't think it's germane to the discussion of the proposals
37 to discussion resolutions and mix the two discussions. I
38 would rather have a discussion on proposals, separate from
39 the discussion of the resolution.
40
41 CHAIRMAN SQUARTSOFF: Thank you, Doug.
42
43 MR. ROBUS: I would agree with Doug on
44 that. I think that they are separate issues and it would
45 be good to hear about the resolutions, but they're not the
46 same discussion as the proposals that we'll be taking
47 action on.
48
49 CHAIRMAN SQUARTSOFF: All right. Taqulik
50 and then Mike.

1 MS. HEPA: Thank you, Mr. Chair. In other
2 meetings that I've participated in there seems to be a
3 place on the agenda for like village concerns. That would
4 be the appropriate time to bring up different -- because we
5 have a resolution we passed as well that I brought with us,
6 but it's related to a proposal so I'll bring mine up then.
7 But for other proposals that are resolutions that aren't
8 pertaining to proposals. There should be a spot on here
9 for that.

10
11 CHAIRMAN SQUARTSOFF: Right, can you see a
12 spot, I mean a time place where you might be able to think
13 it might fit.

14
15 MS. HEPA: I guess under public comments.
16 Thank you.

17
18 CHAIRMAN SQUARTSOFF: Okay. Mike and then
19 Doug.

20
21 MR. SMITH: Yes, Mr. Chairman. That was
22 just going to be my suggestion is that since AVCP their
23 conservation, you know, is not officially a part of this
24 process. I certainly think it would fall under the public
25 comment process, and certainly should be able to be brought
26 up at that time.

27
28 CHAIRMAN SQUARTSOFF: Okay, thank you Mike.
29 Doug.

30
31 MR. ALCORN: Thank you, Mr. Chairman. I
32 agree with the suggestion, I was looking at that as well.
33 There is a place, unfortunately it's at the end of the
34 meeting for Council comments. And I guess suggest that
35 maybe in future meetings that we have a place in the early
36 part of the first day for Council comments, as well as a
37 place at the end for sort of closing comments.

38
39 CHAIRMAN SQUARTSOFF: Yeah, maybe we could
40 try to fit it close to the committee reports or something.
41 Maybe right after invitation of public comments then. Yes,
42 Mike.

43
44 MR. SMITH: Yeah, Mr. Chairman. I think --
45 I would think that the Council comments are intended to be
46 part of our discussion in regards to what we are doing here
47 today and the finalization of what we've done here. That
48 would be what I would think that the Council comments were
49 intended to solicit, is just our final comments on our
50 meeting and what we've done here and anything that we need

1 to say in that regard. I still think I guess that, you
2 know, that that should be reserved -- that Council comments
3 should be reserved to what we've done here over the last
4 day or two. I still think that it should fall under public
5 comments.

6
7 CHAIRMAN SQUARTSOFF: Thank you, Mike.
8 Doug.

9
10 MR. ALCORN: I agree with that. I have one
11 other item that I wanted to add. I misspoke when I said
12 that.....

13
14 CHAIRMAN SQUARTSOFF: Right okay well,
15 sorry Doug. Does the rest of the Council feel then that we
16 should put the resolution thing in the discussion with Tim
17 by public comments. You guys feel that would be okay.
18 Fred.

19
20 MR. ARMSTRONG: We've got two public
21 comments, today and tomorrow, so which one do you want to
22 put it in.

23
24 CHAIRMAN SQUARTSOFF: You want to take the
25 first one Tim, or tomorrow. Let's say today I would think
26 you would want to do it today.

27
28 MR. ANDREW: Yeah today please.

29
30 CHAIRMAN SQUARTSOFF: Doug.

31
32 MR. ALCORN: Thank you, Mr. Chairman. It's
33 just a matter of I guess house cleaning. The other agenda
34 item that I would suggest is the election of the secretary.
35 I'm functioning as the secretary now, but in our review of
36 the by-laws that's an elected position. And we did not
37 elect the secretary position last fall. I would suggest we
38 do that after we approve the agenda.

39
40 CHAIRMAN SQUARTSOFF: You bet, sounds good
41 Doug. I'm going to rely on you Doug too on the additions,
42 I can't write as fast as you, as the secretary. Okay, does
43 anyone have anything else, any other changes or anything to
44 the agenda. I seen myself, I seen one typo in the minutes
45 on page four. Where the motion on taxidermy they put the
46 date 1904, it should be 2004, in there. If we could change
47 it to that before we accept it.

48
49 MR. ARMSTRONG: Mr. Chairman. We need to
50 adopt the agenda first.

1 CHAIRMAN SQUARTSOFF: Right. But I mean
2 that's one of the changes.
3
4 MR. ANDREW: Mr. Chairman. I move to adopt
5 the agenda as amended.
6
7 CHAIRMAN SQUARTSOFF: Motions been made can
8 I hear a second.
9
10 MR. ROBUS: Second.
11
12 CHAIRMAN SQUARTSOFF: Made and seconded.
13 Any more discussion.
14
15 (No comments)
16
17 CHAIRMAN SQUARTSOFF: Consensus of the
18 Council.
19
20 (No objections)
21
22 CHAIRMAN SQUARTSOFF: So moved. The next
23 one then would be, the next item on the agenda is the
24 election of the secretary, the one that was just added in
25 there. Can I hear a nomination -- go ahead Doug.
26
27 MR. ALCORN: Thank you, Mr. Chairman. We
28 typically were rotating from the three members of the
29 executive committee, and I'll volunteer it's not something
30 that I covet. I'm glad to let anybody else do it but I'll
31 volunteer for lack of any other nominations.
32
33 CHAIRMAN SQUARTSOFF: Hans.
34
35 MR. NICHOLSON: Mr. Chairman, thank you. I
36 nominate Doug Alcorn.
37
38 MS. HEPA: Second.
39
40 CHAIRMAN SQUARTSOFF: Motions been made and
41 seconded, and it's been even thirded so. Is there any more
42 discussion. If none, everybody agree on that.
43
44 MR. HICKS: Call for question.
45
46 CHAIRMAN SQUARTSOFF: Question's been
47 called for, Everybody in favor.
48
49 IN UNISON: Aye.
50

1 CHAIRMAN SQUARTSOFF: There you go.
2
3 MR. SMITH: Mr. Chairman. I have no
4 problem at all with Doug doing all the work.
5
6 CHAIRMAN SQUARTSOFF: Thank you. Okay, the
7 next one here is the executive session of AMBCC.
8
9 MR. ARMSTRONG: Mr. Chair, that's in regard
10 to finances.
11
12 CHAIRMAN SQUARTSOFF: Okay, that's what I
13 was going to ask. Thank you Fred. So at this time --
14 Hans.
15
16 MR. NICHOLSON: Mr. Chair. Do you want to
17 bring up approval of meeting minutes first.
18
19 CHAIRMAN SQUARTSOFF: Where did we at that.
20 Sorry I'm one step ahead here. Okay, we need to bring up
21 the adoption of our minutes from our last meeting, I think
22 it was October the first of 2003. Like I mentioned earlier
23 the typo on that on Page 4 under motion on taxidermy.
24
25 MR. ARMSTRONG: Mr. Chair. You need a
26 motion to adopt first.
27
28 CHAIRMAN SQUARTSOFF: Sorry.
29
30 MR. ANDREW: Move to adopt.
31
32 CHAIRMAN SQUARTSOFF: Can I hear a motion
33 to adopt the minutes of October.
34
35 MS. HEPA: I so move.
36
37 CHAIRMAN SQUARTSOFF: Tim did.
38
39 MS. HEPA: Okay.
40
41 CHAIRMAN SQUARTSOFF: Seconded.
42
43 MS. HEPA: Second.
44
45 CHAIRMAN SQUARTSOFF: Okay motions been
46 made, seconded, question, and discussion. Now am I in the
47 appropriate spot here Fred to talk on the change on that
48 date of 1904, it should be 2004. It would be nice if we
49 were back there we wouldn't have to worry about the treaty,
50 it wasn't messed with 1916.

1 MR. SMITH: Or duck stamps.
2
3 CHAIRMAN SQUARTSOFF: Or the duck stamp
4 issue, yeah. Does anyone else on the Council they might
5 want to add or see that might need to be changed on the
6 minutes. Seeing none then, call for question then.
7 Taqulik.
8
9 MS. HEPA: Thank you, Mr. Chairman. On
10 Page 3 under committee appointments, it says it was
11 seconded by Mr. Hepa, it should be Ms. Hepa.
12
13 CHAIRMAN SQUARTSOFF: Okay. Thank you
14 Taqulik.
15
16 MR. HICKS: Mr. Chair.
17
18 CHAIRMAN SQUARTSOFF: Yes, Joeneal.
19
20 MR. HICKS: Under, on Page 2 at the bottom
21 motion to look into harvest limitations. I'm kind of
22 confused on the wording any way.
23
24 CHAIRMAN SQUARTSOFF: Matt can I have you,
25 since you made that motion on Page 2, motion to look into
26 harvest limitation.
27
28 MR. ROBUS: What's the question.
29
30 CHAIRMAN SQUARTSOFF: The question is, he's
31 not sure on what you were asking there.
32
33 MR. HICKS: I understand what the motion is
34 it's just it sounds like a long drawn out writing, in other
35 words it could be shortened or more brief. And the same
36 thing at the bottom of Page 3 it's not Mr. Hick it's Mr.
37 Hicks.
38
39 CHAIRMAN SQUARTSOFF: What did you say Joe
40 on Page 3.
41
42 MR. HICKS: Yes. Page 3 where it says
43 committee appointments.
44
45 CHAIRMAN SQUARTSOFF: Right. Yes, Doug.
46
47 MR. ALCORN: I'll pass.
48
49 CHAIRMAN SQUARTSOFF: Okay, thank you. So
50 Joe you're asking to have that one shortened it could kind

1 of be -- well they -- what I see is it looks like they just
2 carried the whole thing into where they did appoint the
3 committee members and everything else under that.

4
5 MR. HICKS: It just needs to be more
6 clarified that's all.

7
8 CHAIRMAN SQUARTSOFF: Yeah, okay thanks.
9 Yes, Doug.

10
11 MR. ALCORN: Thank you, Mr. Chair. It
12 seems to me that this is basically cutting and pasting of
13 what was said, the transcripts of the meeting. When we
14 elected to have a synoptic version of the minutes to look
15 at a list of actions for the Council it was my intent that
16 the staff would try to synopsize the motion if necessary.
17 This is one example of where it could have been shortened
18 and made more concise I suppose.

19
20 CHAIRMAN SQUARTSOFF: Thank you, Doug. I
21 believe that the Staff's deal was trying to do what they
22 can out of all -- well the transcripts is probably thicker
23 than the thing that we're looking at here right now. So,
24 we got to give them a little bit of leeway, I think they
25 are doing a good job on it trying to bring it down.

26
27 Okay, thank you. If there is nothing else
28 on this one, I'll call for question on this.

29
30 MR. SMITH: Question, Mr. Chairman.

31
32 CHAIRMAN SQUARTSOFF: Okay, Mike. How does
33 the Board feel on the adoption.

34
35 (No comments)

36
37 CHAIRMAN SQUARTSOFF: Everybody in favor.

38
39 IN UNISON: Aye.

40
41 (No Opposing votes)

42
43 CHAIRMAN SQUARTSOFF: Okay, so moved.

44
45 Okay, now I believe we are in the executive
46 session, or is there other additions. No, okay, at this
47 time I so move that we go into Executive Session.

48
49 (Off record)

50

1 (Executive Session)
2
3 (On record)
4
5 CHAIRMAN SQUARTSOFF: Call the meeting back
6 to order.
7 Okay, we are now at invitation for public
8 comments. I'd like to go ahead and open the floor for any
9 public comments. Yes, Matt.
10
11 MR. ROBUS: Mr. Chairman. I know that Ron
12 Anglund, who's representing the Pacific Flyway has a few
13 remarks to make. I would ask you to invite him to the hot
14 seat at his convenience, if there's nobody in line in front
15 of him.
16
17 CHAIRMAN SQUARTSOFF: Okay, Ron would you
18 like to step forward please. Thank you.
19
20 MR. ANGLUND: Mr. Chairman, members of the
21 Council, thank you for this opportunity. As a
22 representative for the Pacific Flyway they wanted me to
23 express our thanks for your combined efforts between the
24 Native American Villages and the user groups and the State
25 and the Federal Government. To come up with joint
26 recommendations for harvest and work out some of these
27 important details.
28
29 We think that that's a very important thing
30 for you to be doing and we appreciate that you are working
31 cooperatively to do that. We also view your proposals with
32 interest and how they could impact bird populations, from
33 both a positive and negative stand point. That birds
34 migrate down to the lower states and that we also impact
35 through our hunting seasons and through some of actions and
36 how we can convey those concerns back and forth to each
37 other and view our representation on the Council and here
38 with you as a important way to do that.
39
40 We also look at interest with proposals
41 that would establish new traditions of harvest in areas
42 where they haven't occurred in the past or not part of your
43 traditional uses. And what impacts those might have on
44 bird populations so we appreciate this opportunity to be
45 and we'll continue in the future, and serve as that
46 important link between -- I'll serve as that important link
47 between you and the Flyway Council.
48
49 CHAIRMAN SQUARTSOFF: Thank you very much
50 Ron. Does anyone have any questions for Ron. Mike and

1 then Doug.

2

3 MR. SMITH: Yeah, thank you, Mr. Chairman.
4 I just got a few questions here. Yeah Ron, where do we
5 start with this. First I guess that you mentioned that new
6 traditions and impact of that on the harvest. We of course
7 don't know what that impact is yet until we get some good
8 harvest information in and stuff like that to make those
9 type of determinations. Is that the only one really of
10 concerns that the Flyway Council has, or are there other
11 issues -- I mean do they have concerns like with our bird
12 lists or any other concerns.

13

14 And then I guess just kind of another
15 question. And maybe you could just go ahead and talk to
16 all of these I guess. One is, I was not able to attend the
17 last Flyway -- Central Flyway Council meeting which I was a
18 representative to, because I had some emergencies come up
19 and stuff. So I was not able to attend that, and I guess
20 my concern is one, whether or not they had the opportunity
21 to discuss the White Fronted harvest in Canada. Over the
22 course of the last couple years or so, we reduced the
23 harvest in parts of the United States and stuff like that.
24 But the biggest impact appears to be in Canada when they
25 get to Canada. I was curious as to whether or not the
26 Flyway Councils had an opportunity to talk with Canada
27 about possibly, postponing their sports harvest season, for
28 a couple of weeks or something like that. To help
29 facilitate our preservation of the Interior White Fronted
30 Geese.

31

32 And then the next question I guess is in
33 regards to the Duck Stamp provisions. Does the Flyway
34 Councils ever take into account the Duck Stamps and then
35 suggest possible exemptions to the SRC or anything like
36 that in regards to the Duck Stamps. Do they ever take any
37 positions or request regulation changes or anything like
38 that in regards to Duck Stamps.

39

40 MR. ANGLUND: Mr. Chairman and Mike. As I
41 understand it you had three different concerns or questions
42 that you asked of me. First was the bird list.....

43

44 MR. SMITH: Sorry Mr. Chairman. It was
45 just -- I just threw that out as an example to the possible
46 other concerns that they may have.

47

48 MR. ANGLUND: We have taken a very high
49 level look at the bird list as it was presented. We're
50 still in the process of compiling information on the status

1 of the birds that are on the list in the various States.
2 And obviously if there were a particular species on that
3 list that is listed with any of our states then we would
4 want to entertain some discussions between this Council and
5 the Flyway, about what those impacts are.

6
7 Because we're trying to take into account
8 provisions on our end that usually have some regulation
9 restrictions, not just from a hunting stand point, usually
10 from a habitat protection and everything else. So it's
11 very important for us to be able to articulate not only
12 what's going on here in Alaska but what's going on in our
13 end. So, we're still in the process of evaluating that.

14
15 MR. SMITH: Quick follow up on that one Mr.
16 Chairman. Then you might anticipate in the future that the
17 Flyway Councils either taking a position on our bird list
18 or offering removal of certain birds from that list.

19
20 MR. ANGLUND: Mr. Chair and Mike. Yes
21 that's correct. As far as the White Fronted harvest in
22 Canada. We're not the Central Flyway, we're the Pacific
23 Flyway and we have had some discussions about harvest over
24 all. But we have not really gone into a great deal of
25 depth or detail as far as proposing any restrictions or
26 modifications to the Canadian seasons at this time.

27
28 The Duck Stamps provisions. The Council
29 it's self has not really had a chance to discuss that at
30 this point. I just became away of it this week when I saw
31 the proposals and the will be something that I think we
32 would want to have a discussion about, in our July meeting.
33 So I would be reluctant to really kind of represent the
34 Council in how they might feel about that. I know from an
35 Oregon perspective we feel very strongly that the Duck
36 Stamp is a very valuable tool and we fully support and
37 encourage the use of that.

38
39 MR. SMITH: Mr. Chairman, through the
40 Chair. Has the Flyway Councils taken -- ever taken any
41 position on the Duck Stamps and have requested changes or
42 exemptions to the SRC, in regards to the Duck Stamp.

43
44 MR. ANGLUND: Mr. Chairman and Mike. I'm
45 not sure, I've only been on the Council now for a couple of
46 years and I haven't had anything from the past. I know
47 Matt, he's been on the Council a little longer --
48 associated with it a little longer and he might have some
49 more information on that.

50

1 MR. SMITH: Thank you, Mr. Chairman.
2
3 CHAIRMAN SQUARTSOFF: Your welcome, Mike.
4 Yeah Matt you want to respond to that real quick. Thank
5 you Ron.
6
7 MR. ROBUS: Thanks Mr. Chair. Having been
8 on the Council now since '99 I believe. And spending the
9 last three years as a consultant going to the SRC. I don't
10 recall any instance where that issue has come up as a
11 recommendation from any Flyway Council to the SRC. Duck
12 Stamps, you know, assumed to be part of the nation wide
13 migratory bird regulatory package, or system. I don't
14 recall it coming up during that time frame.
15
16 MR. SMITH: Mr. Chairman, if I might.
17 Maybe I could get some clarification then. It's my
18 understanding that the Duck Stamp, I mean I appreciate the
19 fact that's a completely different piece of legislation and
20 stuff. But it's also my understanding that the SRC
21 develops and provides the regulations for the
22 implementation of that Duck Stamp process is that correct.
23 And if not then who does develop the regulations and stuff
24 for the Duck Stamps.
25
26 CHAIRMAN SQUARTSOFF: Yeah, Doug.
27
28 MR. ALCORN: Thank you, Mr. Chairman. I
29 believe that the SRC is establishing sport hunting
30 regulations and now subsistence regulations with our
31 process engaged. And they're fulfilling the requirement
32 under the Migratory Bird Treaty Act, for establishing
33 regulations. The Duck Stamp is separate legislation like
34 you mentioned, and the SRC -- that's not a regulatory or
35 regulation impacted requirement. That's a legislative
36 requirement so the SRC doesn't have the authority to
37 recommend change in that. The way I understand it.
38
39 CHAIRMAN SQUARTSOFF: Mike.
40
41 MR. SMITH: I mean I just want to know who
42 develops the regulations for the Duck Stamps.
43
44 CHAIRMAN SQUARTSOFF: Right. I don't think
45 it's the point in time be asking a lot of this right now.
46 Because we are just asking Ron to come and give us a little
47 bit of the Flyway Council and some of the questions you've
48 asked him were great. But I don't think -- we're kind of
49 getting side tracked on this one here, so.
50

1 Go ahead Tom, Tom Rothe. Can you come step
2 up.

3
4 MR. ROTHE: I just wanted to -- if you
5 noted that Mike's question about White Fronted Goose issue
6 of the Pacific Flyway.

7
8 CHAIRMAN SQUARTSOFF: That was Ron's next
9 one that he was.....

10
11 MR. ROBUS: He covered it.

12
13 CHAIRMAN SQUARTSOFF: No he covered it
14 sorry.

15
16 MR. ROTHE: Just to maybe provide a little
17 report on Mike's regions concerns with the rest of us on
18 Interior Alaska White Fronts. A technical group has been
19 formed with the Central Flyway, myself and Russ Oates
20 representing the Pacific Flyway and Alaska, and Mississippi
21 Flyway.

22
23 We plan to get together some time this
24 spring, early summer to start revising the Mid-continent
25 White Fronted Goose plan, which includes those birds. We
26 would be looking at developing some restrictive regulations
27 for the whole population and then that would be the time
28 where we would look at any special provisions for the
29 Interior Alaska birds. We hope to have kind of a first
30 rough draft of that plan by fall, and at the winter
31 technical meetings is when we would really get into it.
32 And we were talking about the need to get with you and
33 other folks from Alaska to plug into that process so our
34 target would be to move a revised management plan to all
35 three Flyway Councils including the Pacific, I think it's
36 next July.

37
38 CHAIRMAN SQUARTSOFF: Go ahead, Mike.

39
40 MR. SMITH: Yeah, I'll be real quick Mr.
41 Chairman. Yeah, I am the representative of the Pacific so
42 I would really like to participate in that process if at
43 all possible. And certainly I appreciate that fact that
44 you have established a committee.

45
46 Thank you.

47
48 CHAIRMAN SQUARTSOFF: Thank you, Tom for
49 the input there. Yeah Ron do you have anything else or
50 sorry Doug.

1 MR. ALCORN: Thank you, Mr. Chairman. I do
2 have I guess one, a comment for you Ron. And that is that
3 since you are our liaison, point of contact. If you have
4 15 business cards that would be great if you could
5 distribute those, if not make sure that your name and
6 address and phone number at least get in the record so that
7 we have ways to contact you. So that it's widely known.

8
9 The other point that I want to make and
10 it's regarding Mike's question about developing an opinion
11 on the AMBCC list of species that are recommended to be
12 open for harvest. Correct me if I'm wrong but I believe
13 that the Pacific Flyway makes recommendations on game
14 species and not on non-game species. Is that correct.

15
16 MR. ANGLUND: Mr. Chair and Doug.
17 Basically that's correct, our concerns on the other species
18 would be from the State's stand point on overall harvest of
19 migratory birds and what those impacts maybe. In providing
20 that directly back to the AMBCC.

21
22 CHAIRMAN SQUARTSOFF: Thank you, Ron.
23 Yeah, before you leave I appreciate you coming, taking the
24 time to be with us and all that, and representing the
25 Flyway Council. And we also discussed among ourselves that
26 we want to try to send an invitation to the Pacific Flyway
27 Council to come meet with us. Or even if you guys could
28 have one of your meetings here, up here, you know, in
29 Alaska close to us and then we could work together and have
30 a Co-meeting or something with you guys.

31
32 MR. ANGLUND: Certainly Mr. Chair. I think
33 that would be an appropriate thing to do. Also would like
34 to remind you that our July meeting is in Sun Valley, Idaho
35 this summer. The Pacific Flyway study committee meeting is
36 from July 19th through the 22nd. And the Flyway Council
37 it's self is on July 23rd, and we would certainly like to
38 have attendance there by members of this Council.

39
40 CHAIRMAN SQUARTSOFF: Right, I will be Ron,
41 traveling down for that and also Joeneal the two of us
42 representing the Council.

43
44 MR. ANGLUND: Excellent.

45
46 CHAIRMAN SQUARTSOFF: Thank you.

47
48 MR. ANGLUND: Thank you.

49
50 CHAIRMAN SQUARTSOFF: Do we have any other

1 -- yes. Eric. Sorry Eric couldn't remember your name.

2

3 MR. JOHNSON: Good morning Mr. Chair,
4 members of the Council. My names Eric Johnson, I'm the
5 tribal rights attorney with the Association of Village
6 Council Presidents. In my comment today I would like to
7 start with a general observation, which I'll then speak
8 more specifically to as to three of the proposals that are
9 before this Council.

10

11 I've been following this process now for
12 three years and attending a number of these meetings with
13 all of you. It seems to me that over the last three years
14 what I've seen is, what I'd call a fundamental disagreement
15 as to what the legalization of the spring and summer hunt
16 was all about. AVCP and I believe most of partner
17 organizations have understood that the hunt would be
18 minimally regulated. Preserving the customary and
19 traditional nature of the hunt, in accordance with the
20 promise of the protocol that any regulation of the hunt
21 would be consistent with customary and traditional uses.

22

23 In contrast I think Federal Agency staff
24 and enforcement personnel appear to have a very different
25 understanding, that the hunt would be regulated in a manor
26 largely similar to other hunts. That this level of
27 regulation is an inevitable bi-product of legalization and
28 so needs to be accepted even if it hasn't customary and
29 traditionally been so.

30

31 Both of these understandings I think may
32 just result from peoples back grounds. I think the native
33 participants are in this process are used to hunting in
34 kind of an open customary and traditional manner in the
35 spring and summer. I think the agency staff is used to a
36 regulatory process that's more elaborate. I think in
37 specific with the proposals that are now before this
38 Council I think we see this fundamental disagreement here
39 with three proposals.

40

41 The first one is the Fish and Wildlife
42 Service proposal to extend the close period to 60 days.
43 Yesterday in the work session I heard some of the native
44 participants say that, you know, that the custom and
45 tradition in their regions. Is that people don't harvest
46 brood rearing birds and goslings anyway. It seems that the
47 Federal Staff response is if that's the case then why not
48 close this period in the regulations. But it seemed to me
49 that the native regional representatives would appear to
50 take an opposite approach, that if customs and traditions

1 in the villages protect these birds and say that you don't
2 go hunting birds that are brood rearing then why do you
3 need a regulation.

4
5 The second proposal is the Fish and
6 Wildlife Service proposal to trim down the list of birds
7 that are open to harvest to only those birds that are of
8 primary traditional importance. The Federal Staffs
9 suggestion it seems, from what I've heard has been that if
10 you don't hunt a species any much anyway, then why have it
11 on the list. Where as it seems that from what I'm hearing
12 from the native participants in this process there's more
13 of a feeling that things should be kept open. That the
14 customary and traditional opportunistic nature of the hunt
15 should be preserved.

16
17 And finally the third proposal where I
18 think this fundamental disagreement has been reflected is
19 AVCP's proposal on not having State hunting licenses
20 required. You know, it seems like the native view from
21 what I've been hearing the last couple of days is that
22 licenses undermine the customary and traditional nature of
23 the hunt. And are pretty much alien to peoples customs and
24 traditions and how they wish to carry out the spring hunt.
25 Where as the Federal view appears to be that if duck -- if
26 hunt licenses or duck stamps serve any conservation purpose
27 that it's irrelevant if they are inconsistent with
28 customary and traditional uses as any regulation of the
29 hunt might arguable seen that way any way.

30
31 So in summary I think, really there's just
32 a conflict here, that I think people need to think about.
33 Just two very different interpretations of what the
34 protocol is all about, and I want to mention that there's a
35 cannon of construction that I think probably most of you
36 are familiar with in Federal Indian Law. That where a
37 statuted or a treaty has been passed to benefit Native
38 Americans that any ambiguity should be interpreted in favor
39 of the natives. I think here, I think that cannon should
40 guide the way people work through this process, you know,
41 if the native understanding coming out of the protocol
42 amendments was that this was going to be a largely open
43 hunt, customary and traditional with minimum regulation. I
44 think that's a pretty basic understanding.

45
46 I guess I would like to ask the Federal and
47 State representatives in this process to really try to
48 think outside the box, and to not just conclude that
49 greater and greater levels of regulation are necessary. I
50 think peoples traditions in the villages do offer

1 meaningful protection for birds and we don't always have to
2 fill all the empty spaces with regulations. I think a
3 basic assumption is this process is that peoples traditions
4 already protect birds and, you know, some things I think
5 can be left to those traditions. We don't have to have,
6 you know, a very specific regulation for everything.

7
8 I just wanted to mention too that, you
9 know, there's a precedent for this kind of a more
10 traditional, less regulated harvest in the Marine Mammal
11 Protection Act. Where the Federal Government regulates
12 when there's a depletion of a stock but basically leaves it
13 to native folks to take care of marine mammals themselves
14 and works with them cooperatively. And I'd hoped that
15 this process could function more like that too with just
16 the regulations that are really necessary to provide the
17 structure that's need.

18
19 Unless there's any questions that's all I
20 have to say.

21
22 CHAIRMAN SQUARTSOFF: Yeah Eric. I
23 appreciate that, before any questions are shot out, you
24 made some good points on that and everything too. But also
25 I'd like to see coming from your guys's stand point as
26 lawyers and stuff and solicitors, to be able to see the
27 native level on the way we do things and all that. And
28 understand it and interpret the protocol kind of the way
29 that we do. That would be appreciated also. Is there any
30 questions for Eric.

31
32 Tim.

33
34 MR. ANDREW: Thank you, Mr. Chairman. Just
35 a comment, perhaps extending that invitation to understand
36 the native point of view also to the SRC, because they are
37 a very integral part of the decision making process here
38 too.

39
40 CHAIRMAN SQUARTSOFF: Thank you, Tim. Any
41 other questions for Eric. Thank you, Eric.

42
43 MR. JOHNSON: Thank you.

44
45 CHAIRMAN SQUARTSOFF: Yeah, thank you. Do
46 we have any other public comments. Sorry Tim, oh we got
47 Tim on the resolutions. Go ahead if you would please.
48 Okay every body Tab 16.

49
50 MR. ANDREW: Thank you, Mr. Chairman. For

1 the record my name is Timothy Andrew, I'm the Director of
2 Natural Resources for AVCP, I'm also Myron's alternate at
3 the Co-Management Council. Today we have sent in three
4 resolutions that our regional body had adopted in December.
5 I believe December 18th, of 2003 at their regular fall
6 meeting.

7
8 If you look at the first resolution 03-
9 1201. That resolution basically called for the law
10 enforcement section of Fish and Wildlife Service to be
11 brought back into Alaska. We have -- the reason why our
12 regional body had adopted this resolution is because we had
13 a long standing relationship with the Regional Director
14 here in Anchorage for Alaska region, Region 7. They have
15 long been our co-signatory to the
- Plan,
16 and we had developed a working relationship with the
17 Regional Director and also with the Regional Refuge Manager
18 as well, in how we deal with certain provisions of the
19 Goose Management Plan, and conservation measures that are
20 expressed in the Goose Management Plan with in the area.

21
22 The other driving force behind the adoption
23 of this resolution was, some of the trends that were
24 occurring with in the region as far as fish violations.
25 Since they were completely outside the realm of the
26 authority of the Refuge Managers, were some of the law
27 enforcement activity that had happened with in the area,
28 they have chosen to ignore the pleas or the ways of doing
29 things with in the area. The way the Refuge Manager would
30 rather deal with situations but they choose to take the
31 matters to the Federal Courts and chosen venues in
32 Anchorage and in Fairbanks to deal with some of these
33 citations. This is something that our villages -- it's
34 completely alien to our villages to be brought from, you
35 know, from their area, from there's some villages of 250
36 people to be brought into a community of Anchorage or to
37 the Community of Fairbanks, were there's 80,000 to 300,000
38 people. Being brought before a alien court system and our
39 Regional Management bodies believed that the system that we
40 had prior to fallout of the September 11th, 2001 incident
41 was working well for the Region and as far as how it worked
42 for the Goose Management Plan.

43
44 Mr. Chairman if I may go on, I'll go on to
45 the next resolution, unless you want to take any questions.

46
47 CHAIRMAN SQUARTSOFF: No let's go ahead and
48 do all three and then if anybody has any questions they can
49 shot them at you after.

50

1 MR. ANDREW: Okay, thank you. The next
2 resolution 03-1202 is reaffirmation of the previous
3 resolutions that were adopted in 1998. One was a
4 resolution that was opposing the development of a road
5 through the Izembek Refuge, primarily to protect our -- the
6 staging area for the black brandt that come and nest in our
7 area. Which is a vital subsistence species and also to
8 protect the Emperor Goose area as well.

9
10 The other resolution that we had in '98,
11 98-0202, I believe was the resolution that called for
12 responsible oil development in the NPR-A, specifically in
13 Lake Teshekpuk it's an area that's important to the non-
14 breeding populations of the black brandt, some of the
15 failbeaters (ph) and also the non-breeding of brandt
16 migrate up to that are to molt and we believe that should
17 take -- or the development in that area should take that
18 into consideration when development does occur, or proposed
19 development is to occur.

20
21 The next resolution 03-1203 came out of
22 concern for the nesting areas and also for the
23 environmental integrity of the tundra within our area
24 basically calls for the people in the villages and others
25 to utilize existing trails and travel routes in order to
26 minimize disturbance to nesting birds and nesting site
27 selection birds and also to preserve the environmental
28 integrity.

29
30 Thank you, Mr. Chair.

31
32 CHAIRMAN SQUARTSOFF: You're welcome there
33 Tim. Anybody have any questions here for Tim. Mike.

34
35 MR. SMITH: Thank you, Mr. Chairman. It's
36 not really a question I guess other than just a statement,
37 you know, on this last resolution in regards to the trails
38 and roads being established by snowmachines and stuff. I
39 think -- I was just at the recent State of Alaska Board of
40 Game meeting and one of the things that they did was to
41 open up a previously closed area to air boats. The impact
42 on water foul and nest grounds never came up during the
43 course of that discussion. It occurred to me at that time
44 that it certainly needed to, it's certainly has been, I
45 think well proven that air boats have a very detrimental
46 effect on nesting grounds, nesting areas. There was no
47 presentation at the Board of Game meeting in that regards,
48 so I think -- you know, I appreciate this resolution and
49 I'm think -- I'm not sure where I'm going with this. I
50 think it's a concern that the AMBCC needs to take into

1 account is the opening up of areas to, especially in the
2 Minto Flats area for air boats.

3
4 CHAIRMAN SQUARTSOFF: Yeah, thank you,
5 Mike. I think it's in our methods and means regulation
6 that you can't use the air boat.

7
8 MR. SMITH: Yeah for the harvest of birds.

9
10
11 CHAIRMAN SQUARTSOFF: Right.

12
13 MR. SMITH: But they're going to be, you
14 know, going over there for harvesting moose and everything
15 else. There going to be cruising all over the flats area
16 and I know there's not a lot we can do about that. But I
17 think we should at least be able to present in some fashion
18 our concerns to the Department, to the Board of Game and
19 those people in that regards.

20
21 CHAIRMAN SQUARTSOFF: Okay, thank you Mike
22 on that. Ron I need to ask you what are you asking the
23 Council with these resolutions. Tim, sorry.

24
25 MR. ANDREW: What we're basically doing is
26 expressing our opinion to the Co-management Council. This
27 is where we stand on these issues, we're not soliciting any
28 type of proposal as a result of these, we're just
29 expressing our opinion.

30
31 CHAIRMAN SQUARTSOFF: All right thank you
32 very much Tim. Do we have any other public comments out
33 there at this time. If not then we'll go ahead and keep
34 proceeding on our agenda. Next item we have, hey we're not
35 doing too bad we're only about an hour behind. So
36 committee reports, the first one will be Mr. Alcorn on
37 exclusion/inclusion criteria process.

38
39 MR. ALCORN: Thank you, Mr. Chairman. If
40 you will all turn to Tab 3 in your binder, you'll find the
41 recommendation of the committee. I'll start by giving you
42 just a little history of the committee. The committee has
43 on it Joeneal Hicks, myself, Mike Smith and Stanley Mack,
44 we were appointed at the last fall meeting. This was --
45 our charge was to develop a recommendation for a process to
46 use in addressing proposals to exclude communities from the
47 harvest. And we took the approach of asking Fred as staff
48 to take a look at the five criteria that were established
49 for including communities that are published in our, what I
50 refer to as our procedural regulations, published I think

1 in 2001.

2

3

4 There were five criteria and we asked Fred
5 to take a look at that and to sort of take a crack at
6 putting a process together, which he did and then we began
7 to discuss as a committee. We talked about it in some
8 detail yesterday in the workshop, and I have a number of
9 revisions, as we were talking about it yesterday, I was
10 writing down some of the suggested revisions. But in a nut
11 shell it asks that a letter be submitted by the proposer to
12 the Fish and Wildlife Service or the AMBCC actually the
13 staff at the Fish and Wildlife Service office. During the
14 petition period and that it identifies the individual and
15 then address the five criteria that exist now. Like I said
16 earlier those criteria have been reworded to read somewhat
17 in the opposite of the way they're worded in the procedural
18 regulations.

18

19

20 It also requires a fundamental difference
21 in the approach and that is the petitioner would be
22 required to present his or her petition at a meeting
23 convened by the Regional Management Body. And that would
24 be in or in the vicinity of the community that's being
25 proposed for exclusion. Once the proposal is mailed in to
26 the Co-management Council then it begins a process that we
27 laid out in eight steps, which is basically to have an
28 objective review either by a contracted employee or
29 reviewer, evaluator or by the Technical Committee. The way
30 the process read there it was, we had identified the
31 Technical Committee doing that review, and it was pointed
32 out yesterday in that discussion that was duplicative of
33 the work that we had contracted out with Dr. Huntington
34 last year. So I've made a suggestion to add a little bit
35 of language there, when we begin to discuss this.

35

36

37 There's also Item 3 under the AMBCC review
38 process. I will admit right now that we didn't have
39 consensus on our committee, there were three of us that
40 were supported and one that was supportive only to the
41 point where this would generate discussion today, that we
42 could lay it out on the table. I won't speak for Mike but
43 I'll let him elaborate on that later if he wants to. Item
44 3 is probably a critical step in this in that it requires
45 two things that must be met. It makes -- it sets up the
46 condition that all of the criteria that are established
47 must be satisfied. If the petitioner fails to satisfy all
48 of those -- any one of those criteria then there would be
49 no action. Then also it establishes a recommendation for a
50 percentage of the community to be considered that must me
51 those criteria, depending on how they are worded, either

1 meeting them or fail to meet them. We discussed that as a
2 majority which just turns out to be 51 percent, but that in
3 the committee when we deliberated that there was no -- we
4 weren't settled on that that was only something for
5 discussion sake at that time.

6
7 Then it finally carries out the remainder
8 of the process, describes the remainder of the process and
9 how the Council will then expect and analysis and report by
10 the Regional Management Body of the proposal, the one that
11 is, you know, that has that community that's been proposed
12 for exclusion. They'll have to do an analysis and report
13 back with a recommendation to the Council, whether they
14 support or don't support the proposal. And ultimately then
15 the Council would then make that decision whether or not we
16 would recommend that that community be included or
17 excluded.

18
19 And then finally then on the last page
20 there were four items under public notices, these are
21 really kind of conditions or actions that management bodies
22 have to comply with. To make sure that there's adequate
23 public notification. And it was suggested in conversation
24 yesterday about this that those four steps actually be
25 inserted into the submittal process under Item 2. They
26 would become a fourth Item -- excuse me they wouldn't be
27 under Item 2 they would be under a fourth step, following
28 the third step. The third step on the second page says the
29 petitioner presents the petition in a public meeting
30 convened by the regional management body as described
31 below. Then it was suggested that this public notice
32 process be inserted as a Step 4 and I would suggest that
33 that be Four, A,B,C and D. Then followed by what was step
34 four would become Step 5.

35
36 That's essentially the report of the
37 process we went through. In hearing the discussion I've
38 tried to re-work some of the language, and I would like to
39 offer that now for discussion sake. If you would take out
40 a pen and follow with me for just a moment, I'll suggest
41 some of the changes.

42
43 Under Item 2 on the first page. The way it
44 reads now it says a second letter should also be addressed
45 to the AMBCC for each community being petitioned, must
46 contain the following. I suggest that we strike after
47 must, strike contain the following and add in, must explain
48 how the community does not practice or have a history of
49 the following traditions.

50

1 CHAIRMAN SQUARTSOFF: Could you repeat that
2 one more time. Thank you.

3
4 MR. ALCORN: I'll repeat that. Sure will.
5 Must explain how the community does not practice or have a
6 history of the following traditions.

7
8 And then I followed that by revising Items
9 A through E, by striking, the words, under Item A, striking
10 documentation indicating a community does not demonstrate.
11 I just struck that out and then put a capital "A", starting
12 with a pattern of use.

13
14 Under Item B, I struck documentation that
15 residents show, I struck that out. Then just put "A", I
16 struck no, also and then just put, a pattern of consistent
17 harvest, and then carried that sentence through.

18
19 Under Item C I struck, documentation
20 indication that a community does not, I struck all that.
21 And I just put a capital "P", Practice down the handing
22 down of, then I just continued that out.

23
24 Under Item D, I struck, documentation of
25 the absence of, and I just wrote capital "A", A use pattern
26 which indicates that, then I inserted, spring and summer
27 and then migratory birds are shared just continued on. So
28 the way it reads now under Item D, it says, A use pattern
29 that indicates that spring and summer, migratory birds are
30 shared or distributed, so on and so forth.

31
32 Under Item E, I struck, documentation of
33 the absence of, and made "A" a capital "A", A use pattern.
34 So I think that that may read grammatically, more correctly
35 grammatically. And spring and summer down on the bottom
36 I'm sorry I missed that one on Item E. Purposes upon
37 spring and summer.

38
39 And then on the next page Item 3, excuse me
40 following Item 3 I inserted, for A,B,C and D, which is just
41 the public notice page. I just inserted those items under
42 a new Item 4. And then item 4 becomes Item 5. Under the
43 AMBCC review process Item 2 I reworted, The Alaska
44 Technical Committee will meet in January of each year to
45 review the petitions for exclusion, and then I struck from
46 the words and all the way through the end of the sentence
47 and I struck, the committee will also review the petitions.
48 So I combined those two sentences and now it reads, The
49 Alaska Technical Committee will meet in January of each
50 year to review the petitions for exclusion, to ensure that

1 they are complete and the criteria for exclusion have been
2 address, period. Then I inserted a new sentence, this work
3 maybe duplicated or solely accomplished by a contracted
4 evaluator.

5
6 CHAIRMAN SQUARTSOFF: Can you repeat that
7 one more time, Doug.

8
9 MR. ALCORN: Sure. The last sentence in
10 Item 2 would read. This work maybe duplicated or solely
11 accomplished by a contracted evaluator.

12
13 CHAIRMAN SQUARTSOFF: Thank you.

14
15 MR. ALCORN: One other change, under Item
16 7. The AMBCC will allow adequate time on the agenda for
17 the public to testify during the meeting and will act on
18 the proposal.

19
20 I took the liberty, just to make those
21 changes based on the comment and for discussion now. The
22 only other thing I want to point out, is under Item 3 of
23 the AMBCC process, that percentage is something that's
24 still to be discussed and decided on by this body if we
25 want a percentage at all.

26
27 That's my report.

28
29 CHAIRMAN SQUARTSOFF: All right. Thank
30 you, Doug. I think Matt might have some questions here on
31 this for you.

32
33 MR. ROBUS: Thank you, Mr. Chairman. I
34 just have one at the moment. Doug, under the AMBCC
35 process, Item 5 where it talks about recommendation being
36 submitted with in four weeks. Is that with in four weeks
37 prior to the spring meeting.

38
39 MR. ALCORN: Mr. Chair.

40
41 CHAIRMAN SQUARTSOFF: Yes, Doug.

42
43 MR. ALCORN: That's right. That's the way
44 it reads because there has to be time enough for the staff
45 to get that and distribute that to the Council members
46 prior to the meeting.

47
48 MR. ROBUS: Through the Chair. That's what
49 I figured, but I think the way it's written it could be
50 either side of the meeting and it needs to be clear that

1 it's supposed to be a month before the meeting.
2
3 CHAIRMAN SQUARTSOFF: Maybe you could add
4 the word prior in there or something, four weeks prior.
5
6 MR. ROBUS: Prior to the annual meeting.
7
8 CHAIRMAN SQUARTSOFF: Yeah, to the annual
9 meeting.
10
11 MR. ROBUS: Thank you.
12
13 CHAIRMAN SQUARTSOFF: Thank you Matt.
14 Anybody else on this committee want to add anything to what
15 Doug said, Mike.
16
17 MR. ARMSTRONG: Mr. Chair.
18
19 CHAIRMAN SQUARTSOFF: Sorry, Fred.
20
21 MR. ARMSTRONG: There's a lot of confusion
22 yesterday about the responsibilities, either of the AMBCC
23 or the public. I think that we need to insert some
24 language somewhere, that indicates that the petitioner
25 bear's the responsibility of providing the information to
26 the Council. I think that was one area of contention we
27 had yesterday, that hasn't been addressed.
28
29 CHAIRMAN SQUARTSOFF: I don't know sorry I
30 wasn't here yesterday. Doug you have a comment on that
31 maybe.
32
33 MR. ALCORN: Yeah, I guess I do. I felt
34 like it was implicate if this was cleaned up and the way it
35 reads, it's implicate that the letter under Item 2 on the
36 first page. That the letter should also be addressed to
37 the AMBCC for each community being petitioned. Must then
38 explain how the community does not practice or have a
39 history of the following traditions. So that implies to me
40 that the onus or the burden of proof is on the petitioner,
41 to explain why they do not do the following -- they do not
42 have a history of practicing the following traditions.
43
44 So I felt like it was implicate.
45
46 CHAIRMAN SQUARTSOFF: Yes. Mike. Are you
47 done fred did that satisfy your.....
48
49 MR. ARMSTRONG: That satisfies some of the
50 concerns. Then there was concerns raised about from people

1 in the audience, about who's doing what. I just want to
2 make sure that we don't have no more concerns, or a missing
3 part, who's responsible.

4
5 CHAIRMAN SQUARTSOFF: Thank you, Fred.
6 Yeah, Mike.

7
8 MR. SMITH: Thank you, Mr. Chairman. Where
9 to start on this thing, a couple of things I guess.

10
11 CHAIRMAN SQUARTSOFF: You got about eight
12 minutes then we are going to have lunch. Just kidding
13 Mike.

14
15 MR. SMITH: Thank you, Mr. Chairman. Eight
16 minutes might not be enough time. I guess a couple of
17 things. Just in regards to specifically, that Doug has
18 presented now at this meeting and the changes to it. In
19 regards to No. 2 on the first page, where he has inserted,
20 must explain that a community does not practice or have
21 historical, whatever. I'm not sure what explain means in
22 that regards and I, you know, if we're going to put the
23 onus upon the petitioner to prove I think is more of a
24 term, I mean explain I don't know what means. But I know
25 prove means something different, so I mean I think the
26 petitioner should be compelled to prove that these
27 communities do not meet these criteria. And not
28 necessarily just explain why they don't, I think we need a
29 little more definitive proof to that.

30
31 In regards to the whole process to
32 excluding communities I have real concerns about that. It
33 appears the intent of the proposals is to limit the harvest
34 -- limit the perceived harvest of a bunch of communities
35 that may or may not have a substantial impact on the
36 harvest of birds. We have no information indicated that
37 they do, we have no harvest data, we have nothing to
38 indicate that there is going to be a substantial impact.
39 Now granted we can assume that there might be an impact,
40 and certainly I think there probably will be. But to what
41 extent that impact is going to hurt the populations or not
42 I think is still questionable.

43
44 Secondly I don't think we have the
45 processes in place to start excluding communities and I
46 think there are other avenues upon which we can facilitate
47 the concerns the Federal Staff as to the increase of
48 harvest. One of those possible provisions we can do is
49 corridors, we've talked in our meetings about the
50 possibility of corridors along the highway systems. You

1 know, no harvest with in one or two miles of the highway
2 corridors. Also I came up with the reason and I'm not sure
3 during the work session and certainly I'm sure she did but
4 the regional solicitor was apparently at the work sessions.
5 And possibly gave some comment in regards to the
6 transmittal letter.

7
8 We have relied upon the letter of
9 transmittal, letter of submittal to dictate that non-
10 natives are going to be allowed to hunt in these included
11 areas. And while we've adopted that and we've gone allow
12 with that and so on and so forth, and I remember the
13 discussions we had about the distinctions between the
14 protocols, the exact language of the protocol and the
15 language of the letter of submittal. And it was the
16 decision of this body and the solicitor's office and stuff
17 that we had to rely upon the letter of submittal to include
18 non- natives in the harvest. Well if we are going to rely
19 upon the letter of transmittal for that, I think we should
20 also rely upon the letter of transmittal for what we need
21 to do here.

22
23 If you all have your books, I'd just like
24 to go ahead and take your attention to the letter of
25 transmittal, I'm not sure I had my book here, but if you've
26 all found the letter of transmittal. I have my own copy
27 mixed up -- marked up. But if we are going to rely upon
28 the letter of transmittal for the inclusion of non-natives
29 into the spring and harvest hunt. Then I think we should
30 also rely upon the letter of transmittal to qualify that
31 hunt.

32
33 On Page 7, of the letter of transmittal,
34 it's Page 7 at the top, VII. If you look down at the
35 second paragraph where it say's paragraph 4B, concerns
36 subsistence hunting in Alaska, by indigenous inhabitants of
37 Alaska and then in parenthesis it says understood for the
38 purposes of protocols, meaning Alaska Natives and permanent
39 resident non-natives, with legitimate subsistence hunting
40 needs. Now that says to me very distinctive classes of
41 hunters out there. That is one, it automatically goes to
42 Alaska Natives, but two it also applies to non natives
43 assuming they can prove a legitimate subsistence hunting
44 need.

45
46 That language is actually reiterated twice,
47 there on that paragraph 4B and then if you go to the second
48 page on domestic implications it says it again. Includes
49 non native permanent residents of these villages who have
50 legitimate subsistence hunting needs. That envisions to me

1 a process by which non natives who can demonstrate a
2 legitimate subsistence need can participate in that hunt.

3
4 Now I wasn't here for the work sessions and
5 I understand that the solicitors had different opinions as
6 to that and I guess I need to get just a little bit
7 clarified as to what position she has taken, in that
8 regard. So I mean I guess, I think we have a couple of
9 options by which to address the inclusion and exclusion and
10 the concern by staff that, you know, harvest is going to be
11 increased and stuff like that. Without going through this
12 process of excluding whole communities. I guess if that
13 language -- what does that language mean, I mean I guess is
14 the definitive question here. If we're going to just say
15 all non natives, I don't think that's what the letter of
16 transmittal says. And if we're going to rely upon that
17 letter of transmittal then we should rely upon it in it's
18 entirety and not just pick and choose.

19
20 And that's I guess in a nut shell my
21 position on this process that we've gone through here.

22
23 CHAIRMAN SQUARTSOFF: Thank you, Mike.
24 Doug.

25
26 MR. ALCORN: Thank you, Mr. Chairman. Mike
27 I guess I wrote down notes from two principal comments that
28 I heard you make. And one was that you didn't feel it was
29 appropriate to exclude communities without a process in
30 place. And in fact that's what we are trying to establish
31 is a process, so.

32
33 Regarding the particular proposals that we
34 have this year to exclude. Those will be taken up later
35 today or tomorrow in discussion, and I think that the
36 comment is a valid comment and I hear what you're saying.

37
38 The second statement that you make though,
39 regarding the letter of submittal, maybe I can add some
40 clarification. And that is, in our discussions with our
41 Regional Solicitor, Laurie Adams, yesterday in specifically
42 regarding the language in the letter of submittal, I think
43 Hans pointed that out, that that language did occur in this
44 letter of submittal and this what essentially her response.
45 That we have the treaty amendment which is the law and that
46 takes precedent over any other language that describes
47 what the law is.

48
49 We have the second level, the second tier,
50 that I guess the Federal Government gives deference to, is

1 the ratification language that's part of the Congressional
2 Record. When the Senate ratified this, they put in the
3 official Congressional Record, language that describes
4 their meaning. What they intend -- how they interpret the
5 law and what they intend for it to mean, and in fact they
6 describe or they define indigenous inhabitant and that
7 definition of indigenous inhabitant is the very definition
8 that occurs in the letter of submittal, but it is more
9 broad than the language in the letter of submittal.

10

11 The letter of submittal of course is the
12 letter that the Secretary of the State, Warren Christopher,
13 sends with the law that's been signed by the, or the treaty
14 that's been negotiated by that department with in the
15 executive branch of the government. He sent that as a
16 cover letter to the Senate for ratification and that was
17 his interpretation. That was our solicitor's interpretation
18 of the priorities or the tiers that's a third tier of
19 interpretation and it doesn't carry with it as much
20 authority as the second tier which is the ratification
21 language that goes in the Congressional Record.

22

23 So because of that and because of the more
24 broad definition of indigenous inhabitant occurring in the
25 Senate ratification language which is the Congressional
26 Record. That's why the interpretation is that we are
27 unable to require a non native to defend the legitimacy of
28 the hunt.

29

30 And so I don't know if that clarifies it,
31 you may still disagree, but that's the way I understood it
32 explained yesterday.

33

34 CHAIRMAN SQUARTSOFF: Thank you Doug.

35

36 MR. SMITH: Mr. Chairman.

37

38 CHAIRMAN SQUARTSOFF: Yes, Mike.

39

40 MR. SMITH: I don't understand that I
41 guess. You know, and certainly I guess before I'm willing
42 to go along with any of this exclusion or inclusion -- or
43 any of the exclusion stuff I would like a written opinion
44 then, from the solicitor. Outlining what exactly leg --
45 non natives with legitimate subsistence hunting needs
46 means, in that regards.

47

48 I guess I don't understand what she says,
49 and regional solicitors have been wrong on numerous
50 occasions.

1 CHAIRMAN SQUARTSOFF: Yeah, I guess you're
2 all done now Doug. If there are no more questions I
3 suggest we break for lunch and come back at 1:15. But
4 before we go I'd like to comment a little bit on this.

5
6 Doug mentioned a level, we need to bring
7 our solicitors and our lawyers and everybody else down to
8 our level. Who did they amend this treaty for, was it for
9 the solicitors, lawyers or for us people to finally be
10 legal to go out and do our customary/traditional harvest.
11 Who was this treaty amended for, us or them, you know, we
12 interpret a lot differently a lot of times than they do.

13
14 So that's what I'm going to leave you all
15 on. Thank you.

16
17 (Off record)

18
19 (On record)

20
21 CHAIRMAN SQUARTSOFF: Okay, we'll go head
22 and call this meeting back to order. I think when we left
23 off we were with Doug and them on the exclusion --
24 exclusion/inclusion criteria and process and we were
25 looking at what Council comments on that, I think. Hans.

26
27 MR. NICHOLSON: Thank you, Mr. Chairman. I
28 guess as a last comment in the discussion, on the review
29 process 1 through 8. I think we added a No. 9, and that
30 would be to notify the affected community by mail, after
31 publication.

32
33 CHAIRMAN SQUARTSOFF: Okay, thank you.
34 Yes, Matt.

35
36 MR. ROBUS: Mr. Chairman. I guess I would
37 see that in the language of No. 8 -- than No. 9 as Hans
38 described necessarily, talks about all interested
39 parties, affected parties.

40
41 CHAIRMAN SQUARTSOFF: All right, what do
42 you think Hans.

43
44 MR. NICHOLSON: I think that covers it.

45
46 CHAIRMAN SQUARTSOFF: Okay, so we don't
47 need a nine.

48
49 MR. ROBUS: Mr. Chair.

50
CHAIRMAN SQUARTSOFF: Yes, Matt.

1 MR. ROBUS: Thank you, Mr. Chair. Another
2 comment here. No. 2 under the review process, the sentence
3 that you added in Doug regarding contractors, you know, I
4 view the accomplishment of the evaluation. That's the
5 agencies responsibility, how ever the agency chooses to do
6 that I'd say is fine. I'm not sure that we need to be
7 explicit, I guess I'm not sure whether that sentence needs
8 to be there, because the agency is going to have to get it
9 done one way or the other.

10
11 So I guess I'd suggest it's not necessary
12 to add that.

13
14 CHAIRMAN SQUARTSOFF: What does the Council
15 prefer on that one. Doug and then Hans.

16
17 MR. ALCORN: Thank you, Mr. Chairman. I
18 think that -- I think you're right Matt, I'm not sure that
19 it does need to be in there. I was just trying to
20 accommodate a concern that during the discussion of the
21 process, when Joeneal was describing the process in the
22 work group, or the work shop. We made mention of the fact
23 that we'd contracted with Dr. Huntington, in the past and
24 anticipate doing that in the future if not with him, with
25 others. And the question was raised, if the Technical
26 Committee is doing that, isn't that duplicating what's
27 already been done and is that necessary.

28
29 So that's why I put that sentence in there,
30 that allows for the duplication. Sometimes redundancy is a
31 good thing when you are looking for objective evaluation.
32 Or can be accomplished by a contracted employer or
33 evaluator, if the Technical Group has not had an
34 opportunity to meet and make those kinds of analysis. So
35 it seemed to me that it was more comprehensive by having
36 that sentence in it.

37
38 CHAIRMAN SQUARTSOFF: Thank you, Doug.
39 What's the preference here. Go ahead Matt.

40
41 MR. ROBUS: I was going to make a comment
42 and try not to be humorous when I say bureaucrats to write
43 into something that something maybe duplicated may not be a
44 good strategy. My personal preference is to go with the
45 least amount of language that gets the job done. Again I
46 just see that as unnecessarily explaining that a agency has
47 a variety of ways to accomplish something. That's just my
48 opinion, I'm not going to say anything more one way or the
49 other I guess.

50

1 CHAIRMAN SQUARTSOFF: Okay thank you, Matt.
2 What's the preference of the Council, you all want to
3 scratch that one sentence Doug added in then or what Matt's
4 suggesting. Yes, Joeneal.

5
6 MR. HICKS: I suggest leaving it in there,
7 because if I remember correctly we had some questions about
8 what the Technical Committee, in other words had to do, in
9 other words -- data, documentation, et cetera. I believe
10 it was felt that, correct me if I'm wrong here, an
11 ecologist would probably better well served by review the
12 petitions, on a professional type of level. Ensuring that
13 all paper work, et cetera, are submitted correctly and more
14 concisely, or has the relevant data in it.

15
16 Am I correct in that.

17
18 CHAIRMAN SQUARTSOFF: Yes, Doug. Thank you
19 Joe.

20
21 MR. ALCORN: I think the answer to that
22 Joeneal. Is that when we did talk yesterday that the
23 discussion centered around the Technical Committee, looking
24 at the proposal and ensuring that the criteria are
25 addressed. And we talked in the context of step one, which
26 was that the staff originally had a role which was to
27 ensure that those were addressed and we actually took that
28 role out, away from the staff. I think we dropped it down
29 for the Technical Committee.

30
31 CHAIRMAN SQUARTSOFF: Thank you, Doug. Yes
32 Fred.

33
34 MR. ARMSTRONG: Mr. Chair. I'm kind of
35 leery of that, I think -- I mean what -- staff get the
36 petitions, I think they could just adequately check to see
37 if whether or not the criteria have been met and leave it
38 at that. We have an independent reviewer, will always take
39 the role of review to ensure that information is adequate
40 and meets the criteria.

41
42 The Tech Committee's role is ever evolving
43 and multiple tasks have been assigned to it. I don't know
44 if you want to charge that committee with another layer of
45 review when it's not necessary, I think it's duplicative, I
46 think the Tech Committee could meet and determine whether
47 or not additional information should be sent to the
48 regional bodies when they consider the proposals.

49
50 I don't know if we just want to add another

1 layer of review and I don't think it's necessary.

2

3 CHAIRMAN SQUARTSOFF: Thank you, Fred. And
4 I kind of agree with you on that. Doug.

5

6 MR. ALCORN: Thank you, Mr. Chairman.
7 That's -- I think that's the reason why I worded this
8 sentence, the first sentence and then the second sentence.
9 It said the work could be duplicated or solely accomplished
10 by the, you know, the contracted evaluator. And I really
11 -- I can go either, I think that there are probably things
12 that are probably more important for us to discuss and I
13 think it relates to Item 3.

14

15 I'll do anything the Council wants to do
16 regarding 2. I really don't have a preference on that one.

17

18

19 CHAIRMAN SQUARTSOFF: Yeah Joe.

20

21 MR. HICKS: Again I would go either ways,
22 you know, also. But if I remember again correctly if the
23 AMBCC staff was to review this stuff there's constraints in
24 regards to money and budgeting and stuff like that. I
25 thought that's the reason why it would go this route. But
26 again I'm favorable, whatever easier.

27

28 CHAIRMAN SQUARTSOFF: Yes, Fred. Thank
29 you, Joe.

30

31 MR. ARMSTRONG: Could I offer just some
32 advice maybe. We could just stipulate that Alaska
33 Technical Committee will meet in January of each year to
34 review the petitions for exclusion. And provide additional
35 information if necessary. That was one of the tasks that
36 was signed to the Tech Committee.

37

38 CHAIRMAN SQUARTSOFF: All right. Okay,
39 thank you Fred. Yes, Mike, and then Matt.

40

41 MR. SMITH: Thank you, Mr. Chairman. You
42 know, it just occurred to me that the Technical Committee
43 is responsible for looking at all proposals. So why would
44 these proposals be any different.

45

46 CHAIRMAN SQUARTSOFF: Thanks, Mike. Matt
47 did you have anything.

48

49 MR. ROBUS: Thanks Mr. Chairman. My
50 comment is in response to Fred's. And that is that he cut

1 out what I think is an important part of that first
2 sentence. Which is that the Committee will ensure that
3 those exclusions are complete and that the criteria for
4 exclusion have been addressed. I mean to me that's the
5 function that's trying to be high lighted in this bullet,
6 or this item. So I don't mind kind of what you've
7 suggested, but I think that that phrase needs to be
8 included there, Because that is the function that is being
9 -- that is the reason for that item to be there in my view.

10

11

12 CHAIRMAN SQUARTSOFF: Thank you, Matt.
13 Hans and then Tom.

14

15 MR. NICHOLSON: I guess my opinion is that
16 I just wanted to rest assured that authority won't be taken
17 away from the Technical Committee. I do believe we have
18 more important issues to move. I can agree one way or the
19 other, but as long as we get that information and it's
20 reviewed. You know, in No. 3 we have a -- I think it was
21 mentioned before that we have language. The last sentence
22 of Item No. 3 that we still need to address.

23

24 CHAIRMAN SQUARTSOFF: Correct Hans. Yeah,
25 Tom. Tom's on the Technical Committee I believe.

26

27 MR. ROTHE: I'm on every committee. Mr.
28 Chairman. Just some perspective on the task. I think the
29 Technical Committee is pretty diligent about looking at
30 whether all the parts are there to help you make a
31 decision. In this case these inclusion, exclusion analysis
32 involved more than just kind of pulling together some
33 numbers at hand. I guess from the Department of Fish and
34 Game's point of view it involves looking at harvest data
35 that we have.

36

37 But it also involves looking back through
38 ethno-graphic records and studies of, you know, different
39 cultural practices in different regions. And that requires
40 usually somebody like an Anthropologist, or somebody with
41 those skills, and we don't have it on the Technical
42 Committee. But I will put forward that our subsistence
43 division does a lot of that and they're available and
44 willing to look into these kinds of this, and given that
45 Jim Simon is on the Technical Committee, he would be a
46 person I would look to for that kind of work.

47

48 CHAIRMAN SQUARTSOFF: Thank you, Tom. Then
49 in a sense what Tom's saying right now, too, then is we
50 don't really actually need to worry about that sentence

1 Doug wanted to add in there. That we might have this stuff
2 provided by us, so. Is that the wishes of the Council.
3 Yes, Doug.

4
5 MR. ALCORN: Mr. Chairman. Just to move us
6 off this. I would suggest that we just strike the last
7 sentence and move on to Item 3.

8
9 CHAIRMAN SQUARTSOFF: Is that agreeable.
10 Sorry, Matt.

11
12 MR. ROBUS: That's very agreeable to me.
13 But I have a question about what we're doing, as I often do
14 when I try to do my work. We're in the section called
15 Committee Reports, and yet we seem to be saddling up to
16 thinking about action. Before we talk more about the 50
17 percent and whether that should be changed, or whatever.
18 It would help me to try to get a sense for where we're
19 going here. Are we merely trying to get a read out of what
20 the committee's have done or are we going to try to approve
21 something that the committee's have submitted.

22
23 CHAIRMAN SQUARTSOFF: Yeah you got a good
24 point there, Matt. With the reports I don't think we
25 should be making any decisions it should have been in here
26 down when some other place. Doug.

27
28 MR. ALCORN: Thank you, Mr. Chairman. I
29 guess under what I've viewed as our charge as a Committee.
30 I felt like we were asked to develop a process for
31 consideration by the Council and at some point adoption.
32 It may not have to be at this meeting, But that's sort of
33 the way I've viewed our charge, and the way we addressed it
34 as a Committee was to develop a process.

35
36 CHAIRMAN SQUARTSOFF: Yeah thank you, Doug.
37 Yeah, Bill. I feel there you've got a good point there
38 Doug. But we should have had something else separate in
39 here set for discussions not off of a report, like Matt's
40 saying.

41
42 MR. OSTRAND: Mr. Chair. I just wanted to
43 point out that there is a slot, 4 o'clock tomorrow on the
44 agenda for proposed procedural guidelines for exclusion.

45
46 CHAIRMAN SQUARTSOFF: Thank you, Bill.
47 Doug.

48
49 MR. ALCORN: Thank you, Mr. Chairman. I
50 think there is a more substantive issue and I've made it

1 twice and I think I've heard Hans suggest that there's
2 another issue. That is this concept of identifying a
3 threshold for a community for exclusion. It's also a
4 concern of the Fish and Wildlife Service that we are going
5 to be asked to consider proposals for inclusion again this
6 year as we did last year. And yet there's an unanswered
7 question, and that question in the mind of my agency is
8 that what does it take for a community to be -- what
9 percentage of individuals with in that community need to
10 meet these criteria. Does it have to be one percent, 10
11 percent, 50 percent.

12
13 Does it have to just be one individual that
14 meets the criteria for including a community. That
15 question relates to the process that we've established for
16 including communities, it also relates by coincidence to
17 the question that we are dealing with right now. Which is
18 for excluding communities, and that to me is substantive
19 issue that I would like to have discussed. It would be out
20 of order and I admit it if we force a discussion to discuss
21 -- force a discussion on an additional criteria for
22 including, but it is in order right now when we are talking
23 about the process for exclusion.

24
25 But the logic applies to me in both ways.

26
27 CHAIRMAN SQUARTSOFF: Thank you, Doug.
28 Yes, Mike.

29
30 MR. SMITH: Thank you, Mr. Chairman. I
31 guess I would agree but I think there's some rather
32 distinctions between the two types of proposals before us
33 today. The included communities are for the purposes --
34 for the limited purposes of egg gathering and not
35 necessarily the harvest of birds. The exclusion process is
36 for the exclusion of whole communities of individuals who
37 now are indigenous inhabitants, under the definitions.

38
39 I guess my concern is one if in fact we are
40 going to adopt this sentence definition of indigenous
41 inhabitant to included non natives. The assumption is that
42 those people have by definition of being included in the
43 term indigenous inhabitant, have the customary and
44 traditional use determinations. Having said that, I guess
45 and specifically -- so I mean, I guess, I think there's
46 some distinction that we can make between the two types of
47 proposals that are currently before us.

48
49 Just one final thing, I guess in regards to
50 the overall exclusion.....

1 CHAIRMAN SQUARTSOFF: Mike, can I cut you
2 off on that. We will have time, I just found in here like
3 Bill pointed out for the include/exclusion there's a
4 process tomorrow at 1:15 for the review process procedures
5 for the inclusion. We'll have time for that tomorrow so we
6 can go ahead and move on with our reports.
7

8 MR. SMITH: No, I appreciate that Mr.
9 Chairman. I guess my comment was simply going to be that I
10 don't think we are ready to adopt an exclusion process at
11 this meeting. Regardless of whether we discuss it tomorrow
12 or not.
13

14 CHAIRMAN SQUARTSOFF: All right thank you,
15 Mike. Like I said it's been awhile since I've chaired so
16 I'm going to try and see if I can keep it on track a little
17 bit here. Thank you.
18

19 Okay so I think if you don't have anything
20 else to report on your committee Doug. We'll go ahead and
21 move on to the next one. That will be the Standard
22 Operating Procedures, and I handed that out to you guys and
23 that's my report. I'll be a little more brief, it's kind
24 of short right here, you know, it looks short but it took
25 us two days to come up with what we did write on here.
26

27 There was Doug Alcorn, Alex Patimurioff,
28 and myself, we weren't able to get Mike and then Tom had
29 some medical reasons he wasn't there. So it was the three
30 of us and we met on the 25th and the 26th. What we decided
31 our charter for the committee our role is to annually read
32 over the bylaws and the SOPs that we're establishing and
33 any other procedural policy documents. And we'll also
34 develop off of that recommendations for the AMBCC.
35

36 Then that last day and a half we went over
37 and revised the six standing operation procedure chapters
38 and there was a lot of good lengthy discussion on that, you
39 know, it took us awhile to do that. We also revised --
40 worked on revising Article 2 in the bylaws for Council
41 recommendation. We're not really, you know, set -- I don't
42 think we are really set to present any of this stuff to the
43 Council yet.
44

45 Then we also identified procedural issues
46 such as, invitations to hunt in villages and the regional
47 harvest areas. I know that's been a good hot discussion
48 with everybody, Inclusion and exclusion, enforcement
49 issues, proposal submissions and consideration, license
50 requirements and then policy in lieu of regulations,

1 regional representation, management body or partner and
2 minutes of the meeting and adoption. Those were the things
3 that we discussed and we want to add into the SOP besides
4 the chapters that were already there. And we decided to
5 kind of to combined our guideline book, I forgot what the
6 heck, right here, this one anyway, our reference book and
7 the SOP together, make them into one book. Where would be
8 for us on that -- adding all this other stuff that I
9 mentioned here.

10

11 That's pretty much what we did that, you
12 know, that we did for them two days, which it was quite a
13 bit. It may not look like it here on paper but we did
14 cover a lot of territory and I think we did make good head
15 ways as far as the SOP Committee, right now to get some SOP
16 guidelines into place. I think we should be able to have
17 that ready by the next meeting this fall. Alex has been
18 working on it, well he's not here right now, he's doing
19 something else for me, but he kind of compiled a lot of
20 this stuff that we came up with together. Bill did help us
21 a little bit on that, you know, the times he popped in
22 there too.

23

24 So that's about all I have to report unless
25 Doug has something else to add on to that. Anybody have
26 any questions on that, if not like I says we should have
27 stuff in place for the Council in our next meeting on the
28 SOPs.

29

30 Thank you.

31

32 Harvest limits will be Matt. Thank you.

33

34 MR. ROBUS: Thank you, Mr. Chairman. This
35 will be a short report and will help us catch up on the
36 time line, which is the only good think I can claim for
37 this right now.

38

39 We have made no progress on this committee
40 and that's entirely rested at my feet. A year ago when I
41 made my request that this committee be formed and we
42 decided to go ahead and do it. I had not yet been
43 appointed to the job I'm in now and this past year just has
44 been a situation were I haven't been able to devote time to
45 it.

46

47 Having said that and apologizing to the
48 group for not being able to do more. I still think it's an
49 important issue and I guess the main reason I can think of
50 right now is that if not soon then eventually there will

1 probably be a species or species group for which there is a
2 conservation issue identified. And when this gets back to
3 the SRC level or at some point on the way back to the SRC
4 we get the so called light switch affect. Where if it's
5 totally open and there's a conservation problem you may
6 find that it all of a sudden goes totally closed. I think
7 that the Council, still think that the Council would be
8 wise to have some approaches and procedures figured out by
9 that point, so that there would be at least a possibility
10 of salvaging some sort of open opportunity to take those
11 birds for subsistence, even in the context of a
12 conservation issue that's got the SRC's attention.

13

14 So I won't say much more now but I think
15 that's a reason for us a continue to pursue this line.
16 I'll do my best to convene the group this time around. And
17 I'll take any questions or whatever else people want to
18 say.

19

20 CHAIRMAN SQUARTSOFF: You bet. Thank you,
21 Matt. Joe.

22

23 MR. HICKS: Matt are you, let's see has the
24 Harvest Committee members changed or is it still the same.

25

26

27 CHAIRMAN SQUARTSOFF: No.

28

29 MR. ROBUS: Through the Chair. It's still
30 the same although to tell you the truth I'd have to go back
31 into the minutes and find out if all the members who were
32 on it at that point still are on the Council. And I'll do
33 that.

34

35 CHAIRMAN SQUARTSOFF: All right, thank you,
36 Joe. And Matt we accept your apology, it's not just you,
37 yourself to blame there. Some of us also on the committee,
38 but as you said you're really busy on your job, that's the
39 same for all the rest of us, just committing ourselves to
40 just being on this Council is plenty enough with our having
41 to be on subcommittees off of that. So we are all busy.

42

43 Thank you.

44

45 Our next committee would be the Harvest
46 Survey Committee, and Austin is not here so I'm assuming
47 Cynthia will step up to the plate there on that one. Thank
48 you. Could you go ahead and key the mike there too Cynthia
49 and identify yourself before you start and all of that.

50

1 MS. WENTWORTH: Yes, I'm Cynthia Wentworth,
2 the harvest survey coordinator for the Migratory Bird Co-
3 Management Council. What I'm going to do today in the
4 interest of time is just run through the power point
5 presentation, that I gave originally at the Bird
6 Conference, two weeks ago and then again in Bethel at the
7 RIT training meeting last week.

8
9 This is my first power point presentation
10 so you'll just have to bear with me. Let's see I need to
11 get the mike a little closer to me I think here.

12
13 The first thing I stress is that the
14 harvest survey is now no longer just a Fish and Wildlife
15 Service survey, it's a Co-management Council survey.
16 Annual harvest information is needed to set adequate
17 regulations, monitor the status and trends of migratory
18 bird populations, and be consistent with the National
19 Migratory Bird Harvest Information Program.

20
21 The accompanying report to the treaty
22 amendment specifies the need for harvest monitoring, that
23 harvest estimates will be collected cooperatively. ADF&G,
24 Fish and Wildlife Service, the Native Regional Partner
25 Organizations and that harvest monitoring is the foundation
26 for the recommendations on regulations concerning
27 spring/summer harvest. And it's even more important to
28 adequately monitor the harvest of species who's populations
29 are uncertain, some sea duck, sea birds and shore birds to
30 ensure species are not put at risk by over harvest. Annual
31 harvest monitoring will help the Service take educational
32 and regulatory steps if necessary to protect the species.

33
34 Begging in 2002 more focus was places on
35 documenting harvest of individual species of shore birds
36 and sea birds. We increased the number of species surveyed
37 from 40 to 50 and we switched from black and white to color
38 survey forms with improved drawings. We produced two color
39 identification posters in the Yup'ik language and the
40 Inupiat language. And then beginning in 2004 we added
41 survey forms for Interior and Southern Coastal Alaska. I
42 want to pass around the survey forms there's three of them
43 here, you can just take a look at them. The main survey
44 form which covers Western Coastal Alaska and then Interior
45 and Southern Coastal.

46
47 No harvest survey was conducted in 2003 due
48 to the legal spring season, approval was required from the
49 Federal Office of Management and Budget. We received this
50 approval the day after the Council, our last Council

1 meeting, October 2nd. To add species or change survey
2 forms in any way we must go through this OMB approval
3 process again. Okay the potential respondent universe or
4 sample frame of our survey is the subsistence eligible
5 areas of Alaska, up to 7,000 people, up to 26,000
6 households, up to 188 communities. We have stratified
7 random sampling both by geographic strata, were we sampled
8 two thirds of the villages in each strata and then activity
9 strata where we sampled 40 percent of the high households,
10 that take over 10 birds per year normally. Fifteen percent
11 of the low households between one and 10 birds per year and
12 10 percent of the none households, zero birds per year
13 usually. We may use higher sampling rates for species of
14 special concern.

15
16 Now, this is what I just passed out to
17 everybody, this is our harvest survey structure that was
18 approved at the Council meeting last October as part of the
19 recommendations. You'll see there I've written on what
20 I've handed out to you. The harvest survey coordinator is
21 Fish and Wildlife Service, that's currently me, and I have
22 an assistant part time named Nancy Norvell. My duties you
23 can read right down there, I can hardly even see them from
24 here, but there's what my duties are. I'll try to read
25 them, Outreach Coordinator, Overall Management, Statewide
26 Report Writing, The OMB approval process if we have to go
27 through it again and keeping up with it, and then
28 administrating the contracts with the various organizations
29 and the MOUs with the Service, the Refuge's for the various
30 projects.

31
32 Under here though, under the Harvest Survey
33 Coordinator, the assistant coordinators, and I know you
34 can't quite see all that up there, but Fish and Game
35 Department -- State Fish and Game as three Assistant
36 Regional Supervisors in their subsistence division. And
37 right now we're using two of those -- two of those Regional
38 Supervisors to be the Assistant Coordinators. The one over
39 here is for Interior, Western, Arctic Alaska and that's Jim
40 Simon. The one here is for Southcentral Alaska, that's Ron
41 Stanik who's going to add his comments here if we have a
42 chance. The interns will be the ones that check the data
43 as it comes in from the Field Coordinators down here. Down
44 here we have got 17 projects currently, we are hoping to
45 have at least another one here this year.

46
47 The Field Coordinators of course they get
48 the data from the village surveyors and the Field
49 Coordinators are either Refuges or contractors, you know,
50 State or native contractors or our Tribe Organization here.

1 Then the data management is also done by Fish and Game up
2 here, so the data starts out down here comes into the Field
3 Coordinators, the Field Coordinators then work with the
4 Assistant Coordinators here, who check this data in the
5 field.

6
7 One of the reasons we designed all this is
8 that we have pretty stringent travel restrictions going on
9 right now in the Fish and Wildlife Service, and it's just
10 way to expensive and unwieldy for me to go check the data
11 in these places. Some of the organizations can get in the
12 data to were it's ready to go in up here. some of them
13 really need help with that, because we are doing a lot of
14 technical stuff with this activity stratification. Our
15 data in 2001 and 2002 is just -- the reason we still don't
16 have 2001 and 2002 is we didn't have a good way to manage
17 the data. But now these people here already have people
18 stationed in the field places like Bethel, Dillingham and
19 so forth that can check that data when it comes in and make
20 sure that it's in a condition where it can go in here. It
21 also has this whole new organization also has a way of
22 standardizing everything, because in the past we've had one
23 kind of data from this, you know, one kind of form this
24 place and another type from another place and so forth.
25 This way it will all be standardized and then get in up
26 here.

27
28 This shows our 17 field projects, four are
29 being done right by the refuges themselves, Innoko,
30 Nowitna, Togiak, Yukon-Delta. Six are being done by ADF&G
31 contracts on National Wildlife Refuges, so the refuge staff
32 may help out some, Alaska Peninsula, Izembek, Kanuti,
33 Tetlin, Yukon Flats, Arctic, and Kodiak. And then the
34 other five are being done under ADF&G contracts in areas
35 where we don't have refuges, so there's -- so ADF&G
36 contracts has what 12 there. Then the Native Organization
37 contracts are going to do two projects, Bristol Bay Native
38 Association and Kawerak and just this morning Ron and I met
39 with North Slope Borough people so can try and get another
40 one going here, we'll potential have three down here. This
41 year we're not doing one in North West Arctic Alaska, we
42 hope to get that going by next year.

43
44 Now I'll go over the results that are on
45 the web site, these results are from '92-'95 to 2000 and
46 they do -- it is somewhat like comparing apples and
47 oranges, because there's some different methodologies
48 involved. But still it's the best data that we have, and
49 this data shows the total of 236,000 birds taken average
50 per year during this time span. Again we don't have data

1 yet for '01 and '02 because we've got to get it analyzed
2 and of those 236,000 birds about half of them are ducks,
3 and about a third of them are geese. And the main ducks
4 taken are pintails and mallards, followed by black
5 scooters. The main geese taken are lesser Canada geese,
6 cackling Canada geese, white fronted geese, and brandt.
7 The main sea birds taken, which is right here, this 20,800
8 are murre and auklets.

9
10 Okay, here's the egg harvest for the same
11 time period, 115,300 eggs, most of them are sea bird eggs,
12 as you can see. And these are mostly murre and gull eggs.
13 Over here you've got the goose and duck eggs, here which of
14 course are pretty important as well. And Crane eggs, Swan
15 eggs of course are real big right here. Here this shows
16 the harvest by area for spring and summer. Now the total
17 number of birds taken on average in the spring and summer
18 was a 164,600 and of that almost half were taken on the Y/K
19 Delta, the Yukon-Delta National Wildlife Refuge is
20 responsible for about 48 percent of that harvest from the
21 data that we have. After that is Bering Straights, you can
22 see then Northwest Arctic, then Bristol Bay, Interior and
23 so forth.

24
25 In the fall 71,400 birds taken in the fall,
26 again on the Y/K Delta is where you have the highest har --
27 or the largest number of birds taken in the fall as well as
28 spring and summer. The Y/K Delta accounts for 28 percent
29 of the harvest here, after that you've got Bering Straight,
30 then Kodiak Island is the third largest harvester in the
31 fall, then Bristol Bay is fourth. Bristol Bay and
32 Aleutian/Pribilofs there are just about tied, then
33 Northwest Arctic and then Interior.

34
35 Then the egg harvest by area, you see here
36 that the 115,300 eggs, Bering Straight is where the largest
37 number of eggs are taken, followed by Bristol Bay. Then
38 after that Northwest Arctic and Y/K Delta are just about
39 the same on their numbers of eggs, then Aleutian/Pribilofs,
40 Kodiak, North Slope.

41
42 There's my address. Now if we have time we
43 wanted to -- Ron was going to talk some about the harvest
44 in the hubs, but I don't know if we have time to go on or
45 what.

46
47 CHAIRMAN SQUARTSOFF: Yeah, thank you
48 Cynthia. Yeah, we'll have time for Ron. But one thing I
49 want to point out to you and what we've did in the past
50 ever since we started the Council. All the data that we've

1 been getting is old stuff and I know we've stressed this in
2 the past. Hopefully we can get some current stuff to rely
3 on.

4
5 MS. WENTWORTH: Well that's what were
6 working on.

7
8 CHAIRMAN SQUARTSOFF: Good thank you. If
9 Ron wants to go ahead. Yes. Patty, before Ron starts.

10
11 MS. BROWN-SCHWALENBERG: Are we going to
12 ask questions first.

13
14 CHAIRMAN SQUARTSOFF: Yeah go ahead. Sorry
15 if I didn't allow time for the questions.

16
17 MS. BROWN-SCHWALENBERG: It's alright.
18 Just a couple of quick questions. At what level of number
19 of households do you go from surveying all the households
20 to the percentage, the 40, the 15, 10.

21
22 MS. WENTWORTH: You mean the size of the
23 village.

24
25 MS. BROWN-SCHWALENBERG: Yeah.

26
27 MS. WENTWORTH: Well we haven't -- that's
28 one of the things our committee needs to make a definite
29 ruling on. We've had it on our agenda to do that, but just
30 for this year what I'm having the training -- the RIT
31 training that we did last week in Bethel we said probably
32 up to 30 households we would just do them all. You know,
33 it's somewhat problematic because of our funds, it was
34 really really difficult to divide this very limited amount
35 of money among 17 projects. We don't really have, you
36 know, enough to go around and so that's why we can't do
37 more in that regard. But for sure if a village only has 20
38 households then we've been saying to do them all, but it
39 also depends on the about of hunting in the place. You
40 know, in a place where there really isn't very much hunting
41 you know, Ron can explain that better because he works more
42 in those areas. But you target just the hunting households
43 in those places, you don't try to do all of them.

44
45 MS. BROWN-SCHWALENBERG: And then the other
46 question was, what is the difference between contracting
47 directly with a Native Organization as opposed to going
48 through Fish and Game. How is that determination made, I
49 noticed that were two Native organizations that contracted
50 directly with Fish and Wildlife and the rest were under

1 subcontract with Fish and Game.

2

3 MS. WENTWORTH: That just has to do with
4 the experience that they've developed as far as being able
5 to do this project. You know, the peo -- both Kawerak and
6 BBNA have really shown a lot of proficiency in the past and
7 as far as being able to run the whole project and the
8 projects are fairly big too. You know, places where
9 there's just really small projects it's more efficient to
10 have it contracted with a larger entity. I know that's
11 come up a lot over the years, on the Y/K Delta and
12 sometimes in Bering Straights where we've had individual
13 villages that wanted to contract with us for harvest
14 surveys and it's just not economically efficient to do
15 things that way, cost wise for real small places to have
16 individual contracts. It's more efficient to subcontract
17 in situations like that.

18

19 MS. BROWN-SCHWALENBERG: Thank you.

20

21 MS. WENTWORTH: Yeah.

22

23 MR. SMITH: Yeah Cynthia.

24

25 CHAIRMAN SQUARTSOFF: Yeah Mike.

26

27 MR. SMITH: Sorry Mr. Chairman I just took
28 advantage of your not looking at me.

29

30 CHAIRMAN SQUARTSOFF: Okay, I got you.

31

32 MR. SMITH: Could you tell me what the
33 costs of some of those projects are, I mean I think I
34 wanted to explore what Patty was talking about a little
35 bit. The use of regional non-profits to conduct some of
36 these surveys. And could you tell me like the comparative
37 cost between having BBNA versus the Department of Fish and
38 Game.

39

40 MS. WENTWORTH: Well, yeah I could get out
41 our budget chart out of my briefcase there.

42

43 MR. SMITH: I guess my point is, is it more
44 efficient cost wise to have the NGO's do this type of
45 thing.

46

47 MS. WENTWORTH: Well actually it's not,
48 because the NGO's charge a higher overhead than Fish and
49 Game does, Just from that perspective. We try to tailor
50 this to the realities of each region and where the

1 experience was in each region as far as ability to do this,
2 we tried to find the people who've had experience in doing
3 it. Because this year we just don't have the start up
4 money to train a bunch of people who haven't done it
5 before. It's kind of a proven ability type of thing given
6 our real limited resources.

7

8 CHAIRMAN SQUARTSOFF: Yeah Mike.

9

10 MR. SMITH: Do you have plans to change
11 that.

12

13 MS. WENTWORTH: I don't personally. But I
14 think, you know, there are a lot of players in this game
15 now and we certainly may in the future. The way I see it I
16 guess just is not part of my plan really, but just the way
17 I tend to think about this. If there's people out there,
18 for instance that helped with the survey this year, say if
19 I've just talked about Wildlife Refuges now. If there's
20 people on the staffs of Wildlife Refuges that really help
21 out a lot for instance, and I think oh wow they really have
22 the ability to go ahead and do it next year, that type of
23 thing. Or in the villages like some of the work that Fish
24 and Game is doing, if they see during their work with some
25 of these subcontracts, say oh boy, those people could
26 really do it themselves and it's a large enough group to
27 make it economically efficient then maybe that would be how
28 we would do it. So I relied a lot on that or we've relied
29 a lot on that.

30

31 CHAIRMAN SQUARTSOFF: Okay thank you, Mike.

32

33

34 MR. SMITH: Yeah, Mr. Chairman thank you.
35 I mean I guess I would like for us to explore that concept.
36 Because certainly it's my understanding that this whole
37 process during the original negotiations was to empower the
38 local, regional and Native Organizations to conduct a lot
39 of this work on their own. I would like to see us just to
40 try and move in that direction.

41

42 CHAIRMAN SQUARTSOFF: Okay, Taqulik first.

43

44 MS. HEPA: Thank you, Mr. Chairman. Just a
45 couple of things came to mind about participating in this.
46 When we do our harvest surveys in the communities for all
47 species, we met with the City Council and basically we had
48 to go and tell them -- provide them with justification how
49 this would benefit the community. And I fore see a
50 problem, you know, something for use to think about for all

1 regions, it's not in our customary and traditional, custom
2 to go and set bag limits per person. What we do in our
3 community to sell, you know, to collect harvest information
4 is to tell them we want to justify and document community
5 need, what each community needs, how many caribou, how many
6 fish per community not based on if the individual household
7 or individual person. That's something to think about I
8 really think that going based on a community need instead
9 of giving individual harvest limits per person, is
10 something to think about in the direction for this Council.

11
12

13 MS. WENTWORTH: Yeah, I totally personally
14 agree with that. I used to live in Kaktovik 20 years ago
15 and it was a big concern of mine then. I know that there
16 were a few people Herman Ashana and everything that did the
17 sheep hunting for the whole community and that individual
18 bag limits would be totally inappropriate. One of the
19 reasons we designed this survey with activity
20 stratification is that that targets the high hunters in the
21 community, the people who hunt for the whole community and
22 make sure that data is accurate. You know we do it by
23 community, I personally am not into individual bag limits
24 at all as far as subsistence is concerned. And I feel like
25 I've done everything I can to tailor this survey with
26 activity stratification and everything so we get good
27 community estimates.

28

29 MS. HEPA: I'd just like to add to that
30 too, Mr. Chairman. And a good example besides Kaktovik
31 well probably for Kaktovik too. When a whaling crew
32 catches a whale that crew has the responsibility of
33 harvesting enough ducks and geese to provide soup at (In
34 Native) because they host (In Native) and basically they
35 feed the whole community. And in Barrow you have a good
36 thousand people that come to that feast, and that crew has
37 to go out and harvest enough geese to provide for that
38 ceremony.

39

40 Thank you.

41

42 CHAIRMAN SQUARTSOFF: Thank you Taqulik.

43 Fred.

44

45 MR. ARMSTRONG: I just wanted to emphasize
46 to the Council that a lot of the contracts and then amounts
47 were really driven by the amount of money we have
48 available. Three hundred thousand dollars for a whole
49 State doesn't go very far. We had to make a tough decision
50 of omitting Northwest Alaska and now we've got to figure

1 out a way next year to how to include them. So it's a real
2 dilemma the overhead charges that NGO's have are negotiated
3 agreement with the Federal Government we can't deviate from
4 that and some of them range from 28 percent to 55 percent
5 and with the small amount of contracts that are awarded
6 most of the money would be eaten up by administrative
7 expenses so we have to take that into consideration also.
8 It's just -- if we had 3 million dollars we would be able
9 to do a lot and empower regional management bodies to do a
10 lot of the stuff, but we don't that's just reality.

11

12 Thanks.

13

14 CHAIRMAN SQUARTSOFF: Thank you Fred.

15 Hans.

16

17 MR. NICHOLSON: Thank you, Mr. Chairman.
18 Just comment positive comment by the way. You know, BBNA
19 does work for Cynthia, we do surveys by contract from the
20 Service, there are positive -- there's a positive aspect to
21 contracting with Native Organizations such as the Regional
22 Non-profits. No. 1 you know, the villages appreciate that
23 we ask permission to conduct research in the first place.
24 No. 2 they appreciate us employing village residents,
25 provides jobs and income. And No. 3, you know, they review
26 the harvest numbers so, you know, in my opinion, you know,
27 it's very well positively received in this manner. The
28 work that Cynthia does and that she allows us to do is very
29 well received in our region.

30

31 CHAIRMAN SQUARTSOFF: All right, thank you
32 Hans. Yeah Cynthia were you going to say something.

33

34 MS. WENTWORTH: I was just going to respond
35 that BBNA helped develop our methodology starting in 1995.

36

37

38 CHAIRMAN SQUARTSOFF: All right, Mike did
39 you have something.

40

41 MR. SMITH: Yes, Mr. Chairman. I would
42 agree with the previous statements and also, you know, our
43 residents are much more willing to provide accurate and
44 true information to us verses State or Federal people
45 coming in. I think that's pretty much a proven record. In
46 the issue of overhead, well I won't get into that I don't
47 have a department administration paying my rent, so I won't
48 get into that. But I would be curious as to what the
49 indirect rate is for the State.

50

1 MS. WENTWORTH: Yeah it's 10.7 percent, Mr.
2 Chairman.

3
4 MR. SMITH: All right. Well that kind of
5 goes to prove my point I guess. Because if they're
6 indirect -- if that is in fact the case, their indirect
7 doesn't take into account the same things ours does. That
8 is rent, telephone services and things of that nature, you
9 know. In regards to what was said previously too, while I
10 appreciate that fact we want to make most of the best use
11 of our money I don't necessarily want to supplement the
12 lack of State general fund dollars for the State either.

13
14 CHAIRMAN SQUARTSOFF: Than you, Mike. If
15 there's no further questions for Cynthia, maybe we can have
16 Ron finish the report.

17
18 Thank you.

19
20 MR. STANIK: Thanks Mr. Chairman.

21
22 CHAIRMAN SQUARTSOFF: State your name for
23 the record.

24
25 MR. STANIK: Ron Stanik, Division of
26 Subsistence, Department of Fish and Game.

27
28 CHAIRMAN SQUARTSOFF: Thank you.

29
30 MR. STANIK: I'd like to pick up on the
31 complexity of setting o up something like this, is very
32 difficult if you want, I'll be glad to share with you the
33 difficulty or at least the complexity of it. Any time you
34 have input it's very much appreciated and the Harvest
35 Survey Committee would be very much appreciated of your
36 input and we will take into consideration all the comments
37 that we hear about this and I want to emphasize that the
38 Harvest Survey Committee has the responsibility to over see
39 basic mechanics of how this survey is set up. And we have
40 some of the members here, Austin was our Chairman and he'll
41 be greatly missed, because he has a lot of insight and
42 ability to do this kind of work, so I hope the Council
43 appoints another Chairman sometime for our Committee.

44
45 As far as contracting and the way this is
46 set up and the way our responsibilities go and how we
47 gather the information. It looks like the Department of
48 Fish and Game has a lot here. Mostly it's coordination,
49 just in my area alone I have to figure out how to do this
50 throughout the Aleutian Islands, throughout our

1 Southcentral area here as well as partner with Hans to do
2 Southwest Alaska. And it is primarily a belt driven by
3 people's ability -- also Kodiak Island, Herman I'm not
4 forgetting you.

5
6 So and all these areas are new with regards
7 to this harvest survey. One of the problems that we have
8 is, and people have expressed this to us and we are well
9 aware of it is that there are many things going on in
10 communities regarding harvest surveys. So we tried to
11 couple this with other things that we were doing this year,
12 and this year we had -- our division had four different
13 survey types of activities going on with in the Gulf Coast
14 of Alaska. We were working in 15 communities with the oil
15 spill surveys, we tried to couple it but the budget process
16 didn't work for us.

17
18 So now we have to go in and it's going to
19 be a second visit to some of the communities. But in order
20 to over come some of that we partner for example SERC to
21 help us with coordinating the activities and hiring people
22 in three of the four Chugach communities that we want to
23 sample. We're partnering with KANA to do all the Kodiak
24 communities, so our division staff aren't directly going to
25 those places to do this work we are hiring people in each
26 of those communities if the non-profits choose to do that
27 or if they are going to hire one person to do it, it's up
28 to them. So we negotiate these things through these
29 contracts, so we're just really a pass through on a lot of
30 this stuff and helping coordinate, because the Fish and
31 Wildlife Service can't do it alone they just can't.

32
33 So we also have the responsibility for data
34 management and that in itself means that we need to have --
35 we need to be talking to everybody out in the field doing
36 the work, knowing that the informations being collected,
37 it's going to be done on time, how it's being done. So
38 being involved in the process and coordinating with people
39 just for the data management function alone is a big task.
40 So what I do is write these subcontracts to the non-profits
41 or to communities, I have for example one with Tyonek, one
42 with SERC, I have one with St. George Island, we have one
43 with KANA, and we have one with Joeneal to work in the
44 Copper Basin, so those are the ones that I have. Jim Simon
45 has responsibility, he and Mike Kufski have responsibility
46 for working in the Tanana Region and Southwest Alaska, or
47 Western Alaska. How these things work out in the end is
48 based on the ability on some of the villages themselves or
49 the entities, the nonprofits over to figure out how it's
50 going to work. So it's not just we're going to do it, we

1 go there and do it, that's not the way it works, we try to
2 negotiate with everybody to see that it gets done properly
3 and according to the way they want it, you know, if they
4 want to review the data that's their prerogative they
5 should do that. We try to agree on these things when we
6 write these contracts, so we're trying to make this work in
7 every way we can.

8
9 It's just this year things have been really
10 greatly delayed by the budget process, so we may not be
11 able to get into the field in some places on time, we
12 wanted to have a lot of this done already so that people
13 would have their survey forms in front of them and be able
14 to go out and do this and it is voluntary so people don't
15 have to have the survey forms in order to go hunting, but
16 we would like to have it to them. We will get it to them
17 here this month, you know, all the areas. What else could
18 I say, I could say a lot I guess, and go on about this
19 process of organizing things.

20
21 MS. WENTWORTH: You were going to explain
22 about the hubs.

23
24 MR. STANIK: Oh the hubs. One of the
25 dilemmas that we had with the Harvest Survey Committee in
26 having enough money and enough resources to go out and do
27 all the places, was that in our strategy our statistical
28 sampling strategy we planed to interview people in all the
29 hubs every year. And then depending on how many
30 communities were in each of the regions, sample two-thirds
31 of those communities in all the regions. Then there's a
32 process for selecting which communities would be sampled
33 with in the region. It's very costly to go into the hubs
34 and for some of the places the amount of information we
35 actually get out of them is very little compared to what we
36 would have to spend there. So in some of the places we've
37 decided to do a enrolment process, where people would just
38 come in and self enroll and volunteer to participate in the
39 harvest survey voluntarily, so in Bethel, Dillingham,
40 Kodiak, Tok, Unalaska and Nome we're going to do -- have an
41 agreement with either if there's a refuge office there or a
42 nonprofit or a Native Organization that we can set up a
43 station where people can come in. Say they are going to go
44 out hunting and then we would give the survey forms if the
45 would be willing to participate. So it's going to be a
46 little difficult there because it's convincing people that
47 we need the information and it's important to do this. So
48 there's going to be a lot of out reach work that needs to
49 be done, by different entities, by everybody actually to
50 make it work.

1 Then in places like Barrow and we're not
2 doing Kotzebue, but in Barrow at least the idea would be
3 that they would come up with a way of contacting hunters
4 and doing a stratified sample. Already the borough has an
5 information collection activity that they do and so this
6 would fit in probably pretty well with what they already do
7 in terms knowing who does what and stratifying those
8 households and gathering the information, so they have it
9 set up. It will be a little more costly that way but we
10 are going to do it.

11
12 So we'll see how it works with the hub
13 process this next year, if it works pretty well, other wise
14 we'll have to come up with some alternative way of doing
15 it.

16
17 CHAIRMAN SQUARTSOFF: That's good. I'm
18 glad that this is finally going to happen, because I
19 mentioned just a little while back not even 10 minutes ago
20 or so about old data. You know, we're finally -- it's real
21 critical because we just started our season last year and
22 then we're going to have another season this year. It's
23 real critical to find out what's happening out there, for
24 everybody to know.

25
26 Any body got any questions for Ron.

27
28 MR. STANIK: Can I just add one thing, I
29 see Gordon sitting here and I want to recognize that we had
30 intended to have some money to work in Hoonah and I don't
31 know what we are going to do about that yet. Because we
32 didn't get any money to do that and we still have some
33 things to sort out with our budget. So we do want to -- I
34 want to recognize Gordon and we plan -- I know he's worked
35 closely with Mike Turek in various things that they are
36 doing in the C&T process for some of the other communities
37 in Southeast so there will likely be other communities
38 coming on if they pass, pass the C&T process. But in the
39 future we have to figure them in as well as a Manilaaq
40 area.

41
42 CHAIRMAN SQUARTSOFF: That's good I think
43 we had Tim first, then Gordon, and Taqulik.

44
45 MR. ANDREW: Thank you, Mr. Chair. Ron you
46 brought up a process that you tend to undertake in dealing
47 with harvest surveys in the hub communities. Our regional
48 management body WCC would really like to know about the way
49 harvest surveys are being conducted in the area and what
50 the information is used for. This is something -- this is

1 the first I've heard about the intent of doing this in the
2 hub communities so I would like for you to come and present
3 this methodology to our WCC prior to starting the process.

4

5 Thank you.

6

7 CHAIRMAN SQUARTSOFF: Thank you, Tim.

8

9 MS. WENTWORTH: Yes, we went through that
10 last week while I was in Bethel. Loui Andrew is in charge
11 of doing the survey in Bethel so, he's talking about doing
12 radio announcements and everything like that. So I think
13 if you get with Loui, you'll find out -- I'm working with
14 Loui on that, and if you get with Loui you'll see how it's
15 going to be done and everything. He can explain it at the
16 WCC meeting, I don't have any more travel money to come
17 back there, unless somebody finds me some extra money. I'd
18 love to come, I love going to Bethel, but I don't know,
19 Loui is in charge of that.

20

21 CHAIRMAN SQUARTSOFF: Okay, thank you.
22 Gordon.

23

24 MR. JACKSON: Yeah, thank you very much. I
25 guess you're just going to have to accept our count.
26 Actually that's what we are going to do, making sure that
27 the communities that are included, keep a count of the eggs
28 taken in Hoonah and if you include Yakutat, Prince of
29 Whales. I think that you'll find them pretty honest. I
30 think that they will do a good job.

31

32 CHAIRMAN SQUARTSOFF: Fred after Taqulik.

33

34 MS. HEPA: Thank you, Mr. Chair. I was
35 just a little concerned about will be the implications for
36 the areas that aren't covered in the survey now, let's
37 suggest the Northwest Arctic Borough and hopefully we'll
38 get, you know, our process started so we can gather the
39 information, but based on, you know, the intent of
40 collecting the surveyed information. And you knows if you
41 will get adequate funding to cover all areas.

42

43 CHAIRMAN SQUARTSOFF: Ron you want to.

44

45 MR. STANIK: I don't know what the
46 implications are for not getting the information, we won't
47 have much information -- we won't have any information for
48 those areas for 2004, I know that. There's a possibility
49 if you wanted to know what is it usually, you know, what
50 might it be like from 2000 or the last time they collected

1 information there. You could maybe use that information in
2 place as an estimate, but the idea of the survey is to
3 establish a trend, or look at the trend. It's not going to
4 be absolute numbers that we're going to get from this, and
5 in places where we're -- all places where we sample at 40,
6 15 and 10 percent you have to expand that information into
7 the total population, so you're building an estimate.
8 That gives us this trend information over a period of years
9 and that doesn't reveal it's self until a couple years.
10 So, you know, it takes some time to build this trend
11 analysis, that is intended to be in result of the harvest
12 survey.

13
14 MS. HEPA: Yeah, and I think that's exactly
15 what I wanted to hear from you. Was that you need to
16 collect multiple years of good data in order to make a
17 estimate of what the community need or the regional need
18 is.

19
20 Yeah thank you.

21
22 MR. STANIK: I'm not sure that the intent
23 is to establish need, I don't think it is. It's to
24 establish a trend in the harvest and it has to do with the
25 language in the protocol that talks about no significant
26 increase relative to the continental populations. So it's
27 linked to some language, but I don't know that it has to do
28 with need. Maybe somebody could clarify that again for the
29 Council.

30
31 CHAIRMAN SQUARTSOFF: Thank you, Ron.
32 Fred.

33
34 MR. ARMSTRONG: Hoonah already indicated
35 they've been doing this for years, that they are going to
36 provide the harvest information to us. So they are already
37 covered.

38
39 MR. STANIK: That would be great, freight
40 charge.

41
42 MR. ARMSTRONG: Yeah. And to expand on
43 your point of what you just mentioned. The treaty not only
44 says that we're not going to increase the harvest levels,
45 but we're not to create new traditions and we have to keep
46 that in mind when we come up with these petitions for
47 inclusion or exclusion.

48
49 CHAIRMAN SQUARTSOFF: Thank you, Fred.
50 Yes, Cynthia and then Mike.

1 MS. WENTWORTH: I just wanted to add one
2 thing about this thing, you said that when the Feds and
3 State come, Mike that people don't want to cooperate. I
4 know that in terms of organization, you know, we have
5 Federal, State and Native, but in terms of who's actually
6 doing the survey, just about everybody who's actually
7 collecting the data in the villages is a native person.
8 Maybe working for the Fish and Wildlife Service or working
9 for the Department of Fish and Game, but they are a native
10 person.

11
12 Again I was just in Bethel last week where
13 I trained I think eight, Ken I think you have eight Refuge
14 Information Technicians, I'd have to look at my trip
15 report. But the Y/K Delta is by far the biggest harvester
16 in the State in the spring and summer, like I showed in my
17 information. We've got eight RIT's there who are going out
18 gathering this information in the 38 villages out there.
19 They are out there distributing the forms so they will be
20 in the households as of tomorrow. Then we -- I also
21 trained three Native Field Coordinators, from our three
22 other Refuges, all four of the Field Coordinators are
23 natives. Clair Demientieff in Holy Cross is going to do
24 the survey herself, Pat Maderos in Nulato is doing the
25 survey himself. So there is that native contact, that to
26 me is really crucial for the success for the reporting on
27 the forms.

28
29 CHAIRMAN SQUARTSOFF: Thank you. Is there
30 anymore, yeah Mike, sorry.

31
32 MR. SMITH: Yeah I just wanted to comment a
33 little on what you said too. I mean I appreciate that
34 their natives but they are also Federal employees and not
35 only do we see, Federal employees, coming out questioning
36 what we harvested that year. But we see State, question
37 how many fish we took, we see the State and the Feds
38 questioning how many moose we took, we see them questioning
39 berries, non-salmon species, and now it's birds. So I
40 think the accumulative affect of all that tends to make
41 villages a little reluctant to participate.

42
43 Secondly I guess, in regards to her
44 concerns about this information, I think it's real crucial
45 that we be real careful with what this information does
46 come out with. If what in fact it will establish is
47 numbers, and numbers often times get transformed into
48 amounts necessary for subsistence, things of that nature.
49 I just -- it's kind of coincidental, I guess I just
50 reviewed a proposal to stratify by households the harvest

1 of subsistence caught salmon in Norton Sound. And I
2 question that because that harvest information is
3 information that was generated over the last 10 years with
4 a very declining resource.
5

6 In regards to the stratification, in
7 regards to duck harvest, what we are going to see is
8 depending upon how many years they go back, a harvest level
9 that was technically illegal. That is before the protocol
10 was signed there was harvest levels that will be taken,
11 hopefully, not taken into consideration in this process.
12 That the stratification will only take into account the
13 last couple when the harvest is legal. Assuming that it
14 doesn't then we're in fact stratifying harvest levels
15 during a time when it was illegal and I don't think that
16 those represent.....
17

18 CHAIRMAN SQUARTSOFF: Yeah Mike. Let's
19 kind of try to stick to the point here if we can, okay on
20 this. You know they are just giving their report and all
21 that. So we are not really getting into the debate of the
22 issue, and all that.
23

24 Thank you. Yes.
25

26 MR. SMITH: Mr. Chairman. I thought I was
27 on point.
28

29 CHAIRMAN SQUARTSOFF: Thank you. Do you
30 have anything further Ron or Cynthia. Yes, Fred. Sorry.
31 Tim.
32

33 MR. ANDREW: Thank you, Mr. Chairman. I'd
34 just like to tell Cynthia and Ron that the water foul
35 conservation committee meeting for the fall, it's already
36 been done in December and also the spring was already
37 conducted on the 18th of March. It's kind of disturbing to
38 me that you're going to be doing some harvest surveys out
39 there without the permission or without the conciliation of
40 our regional bodies, our regional management body. I'm
41 responding the way I'm responding because, you know, when
42 it gets to them they're going to be a little disturbed
43 about it.
44

45 MS. WENTWORTH: I'm really disturbed to
46 hear that too, because I didn't hear anything about -- I
47 asked, several times I asked the RIT's last week, I was
48 there for four days. I asked them when the WCC meeting was
49 going to be for the spring and they said they thought it
50 was sometime in April, that no one ever said March 18th to

1 me, so something happened.

2

3 CHAIRMAN SQUARTSOFF: Go ahead.

4

5 MR. ANDREW: Thank you, Mr. Chairman. Yeah
6 did realize it was extremely short notice for the last WCC
7 meeting to occur, we did send notice out to the Refuge,
8 that we were having the meeting there and we did not
9 anticipate participation by the Refuge but we did notify
10 them of the meeting, that it was happening and the sole
11 purpose of the meeting was to discuss these proposals that
12 are before the AMBCC and to discuss other matters that came
13 to the WCC.

14

15 MS. WENTWORTH: Yeah. I'm concern because
16 I never heard -- you're saying that you wished I could have
17 been there, but I'm concerned about the process here. I
18 never heard about it, if I'd about it maybe I could have
19 tried to been -- I don't know with travel, but I mean we
20 could have tried to cover it some how, if I'd heard about
21 it.

22

23 MR. ANDREW: Mr. Chairman. I don't really
24 don't want to get into a debt about the lack of informing
25 each other.

26

27 MS. WENTWORTH: No, I'm not trying to get
28 into a debate. I'm just trying clarify the process so that
29 doesn't happen again.

30

31 MR. ANDREW: Mr. Chairman.

32

33 CHAIRMAN SQUARTSOFF: Go ahead, Tim.

34

35 MR. ANDREW: I'm trying to be respectful to
36 the Chair. I'm talking through the Chair. You know, I'm
37 sure you had previous knowledge about you intent to conduct
38 surveys, perhaps communication with my office or with
39 Myron. That you were intending to conduct this survey
40 perhaps we would've -- It would have gave us an indication
41 that we needed to invite people from your office to come to
42 this meeting.

43

44 MS. WENTWORTH: I'm confused here.

45

46 CHAIRMAN SQUARTSOFF: Yeah, were are you
47 getting at Tim. Maybe if you could discuss this with her
48 to find out after, it would maybe it would be a little
49 better. Then another thing I'd like to point out to the
50 Council, maybe hopefully when somebody's giving a report,

1 somebody asks the question lets try to let them respond
2 back and forth to each other before we have somebody else
3 cut in. So they will be able to finish asking what they
4 want to know.

5
6 Thank you. Mike.

7
8 MR. SMITH: Mr. Chairman. I would
9 appreciate that is you did that as well.

10
11 CHAIRMAN SQUARTSOFF: Thank you.

12
13 MR. SMITH: And not cut me off any more.
14 Secondly in regards to what Tim's said. I mean I think I
15 appreciate his concern, because I've seen that in my Region
16 a lot. The RIT's do not represent the native communities
17 and I've seen that happen all the time, the Departments and
18 both State and Federal relied upon their RIT's to represent
19 the native communities in their regions, but they don't.

20
21 CHAIRMAN SQUARTSOFF: Thank you Mike. Ron
22 you got something else.

23
24 MR. STANIK: If I can just address Mike's
25 concern there that I just talked to Jim Simmon a little
26 while ago. He told me that he hasn't met with you to talk
27 about the survey process formally but we intend to do that,
28 because we don't know exactly how it's going to be done in
29 all the TCC places. So that's up for negotiations, I'll
30 say and that's probably what we want to do, and we don't
31 want to be out there doing something people don't know
32 about and they don't understand. First of all also that we
33 don't get their consent to do, because it is informed
34 consent that we're supposed to process we're supposed to
35 follow.

36
37 CHAIRMAN SQUARTSOFF: Yeah thank you Ron.
38 Doug.

39
40 MR. ALCORN: Thank you, Mr. Chairman. I
41 guess I'm going to express a little bit of frustration in
42 the way this conversation has gone. We have for the past
43 two years we've had a Harvest Survey Committee that's
44 worked very very hard through very very difficult and
45 complicated process to establish this survey. We tasked
46 them with developing a State wide survey, knowing that we
47 had to expand this from the Y/K Delta historical surveys to
48 a State wide survey. With at very fixed and finite budget
49 of 300,000 dollars and we saddled them with this task of
50 designing the survey.

1 First of all to cover the State and to give
2 us an idea of how much it was going to cost to do that.
3 And then we said thank you very much but you've got 300,000
4 dollars, now what can you do with 300,000 dollars. Granted
5 that there are probably better ways to accomplish this
6 survey when we are fully funded, but I have complete
7 confidence in the committee that has a composition that
8 represents this Council not just the agencies. Because
9 Austin was the Chair, I felt confident that there was a
10 representative from the Native caucus on that Committee and
11 could interject these kinds of concerns.

12
13 I feel that's frustrating to our -- and
14 it's disingenuous of this committee to go on the offensive
15 toward our staff that have worked for two years now to do
16 this. I support the report, I support the approach that
17 they've taken and I think that the suggestions that we may
18 be making here can be viewed into the future and not taken
19 in a hostile way, but taken in a constructive way, so that
20 we can have a comprehensive and fully acceptable approach
21 to this survey in the future.

22
23 CHAIRMAN SQUARTSOFF: Thank you Doug.
24 Anybody else. What was that Fred.

25
26 MR. ARMSTRONG: I said let's move on.

27
28 CHAIRMAN SQUARTSOFF: Okay, thank you very
29 much. Ron and Cynthia. The next one we have is the
30 Technical Committee, and Fredenburg and Andrew. The
31 Technical Committee, Fredenburg and Andrew, I don't know
32 who Fredenburg and Andrew are. I know one Andrew.

33
34 MR. ANDREW: Did you want me to take it
35 from this position.

36
37 CHAIRMAN SQUARTSOFF: No, probably go up --
38 go up there it would be a little better if you can.

39
40 MR. ANDREW: It's going to take me a few
41 minutes to get organized here. I kind of messed up my
42 shuffle here.

43
44 CHAIRMAN SQUARTSOFF: Well if you have it
45 all right there go ahead and do it right there. That's
46 fine, you don't need to move if you have it right there.
47 We got just two more then maybe we can take a break how's
48 that.

49
50 Thank you. Go ahead Tim.

1 MR. ANDREW: Thank you, Mr. Chairman. The
2 Technical Committee met twice over the year, we had a
3 meeting on January 26th and 27th, 2004 at which time Connie
4 Fredenburg of APIA and myself were elected as Co-Chairs of
5 this Committee. During that meeting we had some discussion
6 on the mission and purpose of the Technical Committee.
7

8 We also discussed a number of proposals for
9 inclusion by four Southeast Communities, we reviewed the
10 information needs, we've expressed those information needs
11 to the four communities. In which I'm not sure what the
12 response was from the four communities of Craig, Klawock,
13 Yakutat and Hydaburg. We've expressed the information
14 needs and we did not discuss the inclusion -- we did not
15 discuss the inclusion of those four communities with in
16 this last Technical Committee meeting that we had. I'm not
17 sure, Bill if you could help me, what happened with that.
18

19 CHAIRMAN SQUARTSOFF: If you do Bill step
20 up to the mike, please.
21

22 MR. ANDREW: My apology for putting you on
23 the spot.
24

25 MR. OSTRAND: Maybe Tom should come up here
26 as well. We could put Tom on the spot as well. I do
27 remember that we sent all four communities letters, because
28 I drafted them, so I remember that. And then the coach
29 here signed them, of those we got a response from Yakutat,
30 who was the only community that supplied additional
31 information.
32

33 MR. ANDREW: Okay, Thank you. Thank you
34 for clarifying that. The Kawerak proposal that they had
35 submitted in wanting to utilize the -- or utilize the live
36 decoys in the process of using the nets. There were some
37 information needs that addressed there but we did not get
38 the information back from them, that was tabled, that was
39 missing. The Committee also felt they needed to separate
40 the species into individual proposals because one of them
41 appeared to be, one of the birds of conservation interest.
42 The sea birds, section or there was a reference to sea
43 birds on the proposal that needed to be changed to auklets,
44 because that was the intent of the proposal.
45

46 On the Tundra Swan proposal we needed at
47 the meeting in January there was a need to clarify the
48 geographical area and clarify the numbers. The proposal
49 was resubmitted to include -- to clarify the areas as you
50 can see in the book that you have in front of you, it

1 included a map of the area that the Tundra Swan closure
2 would be, would encompass. The Tundra Swan proposal would
3 be on Tab 8. And the geographical area is expressed as
4 this on page -- it doesn't have a page on it but it's this
5 one here.

6
7 As far as the bar-tailed godwit in the
8 January meeting there was a need to identify any
9 information in proposal versus previous proposal. Reworked
10 to close part of the -- reworked and quote, part of
11 regulation that rests international issues, how to work
12 with other nations, because there were two nations that did
13 harvest the bar-tailed godwit. The nations of China and
14 also New Zealand.

15
16 We worked covering egg laying and nest
17 sight selection to allow for egg take then closed until
18 fleg -- oh excuse me that was the next proposal.

19
20 MR. OSTRAND: Maybe it would be better if
21 we have these comments as these proposals came up. Because
22 you're going to be giving them again.

23
24 MR. ANDREW: Okay.

25
26 CHAIRMAN SQUARTSOFF: Yeah that would make
27 sense.

28
29 MR. ANDREW: Okay, great. In any case the
30 Technical Committee met twice both in January and the one
31 recently beginning the week of March 29th, in which we did
32 take up some of these proposals. We addressed the needs
33 that needed to be covered and leave the remaining finite
34 portions would be -- will be showed during the
35 deliberations process.

36
37 CHAIRMAN SQUARTSOFF: All right, thank you
38 Tim. Anybody have any questions for Tim or Bill or Tom or
39 Russ.

40
41 MR. ALCORN: I have a question Mr. Chair.

42
43 CHAIRMAN SQUARTSOFF: Okay, Doug.

44
45 MR. ALCORN: Thank you, Mr. Chairman. The
46 question that I have is, regards the agenda, I may not be
47 seeing it, but there's a discussion an extensive discussion
48 of the criteria for identifying birds for what we refer to
49 as the Birds of Conservation Interests. Am I missing
50 something here Fred or Bill, is there a place where we will

1 make a decision by the Council to make a decision on this
2 recommendation.

3

4 MR. OSTRAND: I don't have the agenda in
5 front of me, but I believe it's next item after the
6 reports.

7

8 CHAIRMAN SQUARTSOFF: Yeah, we got you
9 coming Bill then we have the Birds of Conservation Interest
10 is next.

11

12 MR. OSTRAND: So those are really both
13 things that Technical Committee have been working on.

14

15 CHAIRMAN SQUARTSOFF: Thank you, Bill.
16 Thank you Doug. No questions for Tim or Bill, Tom or
17 anybody. Will go ahead and move on, oh yes Mike.

18

19 MR. SMITH: Yeah, Mr. Chairman, Thank you.
20 Assuming that we adopt this list of the BCI list then, if
21 the Technical Committee could while they do that, think
22 about options we have for addressing those. It seems like
23 the intent is to develop some options, should we put a bird
24 on the list what are we going to do about it now that it's
25 on the list. And I would hope that we would just have some
26 insight from the Technical Committee, in that regards.

27

28 MR. OSTRAND: I believe Tom is going to
29 give a presentation on the Birds of Conservation Interest,
30 is that true Tom.

31

32 MR. ROTHE: Yeah you're following agenda
33 item, I guess based on guidance from Tim.

34

35 CHAIRMAN SQUARTSOFF: Yeah we are going to
36 be discussing it here pretty soon. Thank you Mike. Do you
37 have any thing further.

38

39 MR. SMITH: No thank you Mr. Chairman.

40

41 CHAIRMAN SQUARTSOFF: Okay, thank you.

42

43 MR. ANDREW: Mr. Chairman.

44

45 CHAIRMAN SQUARTSOFF: Yes, Tim.

46

47 MR. ANDREW: This draft copy that you have
48 in front of you, the Technical Committee has not had the
49 opportunity to review it and properly consider it.

50

1 CHAIRMAN SQUARTSOFF: Oh you haven't seen
2 it yet.

3
4 MR. ANDREW: We probably need to have a
5 quick meeting of the Technical Committee to discuss it
6 further.

7
8 CHAIRMAN SQUARTSOFF: Yeah we could do
9 that. You guys want to try to do that now, we'll take a
10 little break. Does that sound okay. Okay, you bet, we'll
11 let the Technical Committee review this one thing and then
12 in the meantime we'll have a break.

13
14 Thank you.

15
16 (Off record)

17
18 (On record)

19
20 CHAIRMAN SQUARTSOFF: Can we call the
21 meeting back to order please, can all the Council members
22 come back in. Okay I think we'll turn the mike back over
23 to Tim.

24
25 MR. ANDREW: Thank you, Mr. Chair. We had
26 a quick meeting and this document is going to be presented
27 to the Council for your review and comments to see how
28 you'd like to proceed with it. And Tom is here to answer
29 any questions.

30
31 CHAIRMAN SQUARTSOFF: So you guys are
32 presenting this to the Council right now for review.

33
34 MR. ROTHE: Mr. Chairman. Just a little
35 more back ground. The Council charged us last year with
36 the idea of developing some kind of process or outline to
37 create this Birds of Conservation Interest. So the
38 Technical Committee in January had an initial discussion to
39 start looking at how we would put that process together.
40 And then just the other day before the Council Workshop we
41 spent another half a day kind of working on it in more
42 detail. So this is not intended for your action or review
43 in a short in a term.

44
45 CHAIRMAN SQUARTSOFF: Okay, because it's
46 right after Bill's report, that item is on the agenda. We
47 could either if you want to discuss it now and get it over
48 with, we'll bypass it down there. We probably should do it
49 while you got it fresh in your mind I would think. You
50 know of what you guys just discussed out there and not do

1 it later. Go ahead and go for it.

2

3 MR. ROTHE: Yeah I won't forget about this.

4

5

6 CHAIRMAN SQUARTSOFF: Okay, Tom.

7

8 MR. SMITH: How old exactly are you.

9

10 MR. ROTHE: Why am I here. Well as I said
11 this is the first really rough cut that the Technical
12 Committee has made. These are my words on the paper so
13 this does not represent the views of the Technical
14 Committee itself or their representative organizations. We
15 put some ideas on a flip chart, I translated it into a
16 couple pieces of paper and that's just about as rough as it
17 is.

18

19 The Council gave us an idea, at least that
20 there are some species that we want to high light because
21 we have conservation concerns. This is partially in
22 reaction to the SRC telling us that there were some species
23 that they wanted us to be very careful with and review. So
24 the Council's decision was to create it's BCI birds so that
25 you have an opportunity to develop your own priority
26 species to look at. And then at least as Mike suggested
27 earlier that leads to some sort of action, either an
28 outreach plan, some project that comes out of this to start
29 getting answers to deal with.

30

31 So what you have here is basically in a
32 couple parts. I'd say at this stage don't worry about the
33 paragraphs, I just tried to do a little introductory
34 wording there, but the main parts are first of all. How
35 does a bird become of conservation interest. We did a
36 brainstorm a list of kinds of things that would trigger a
37 look at these, the population status. If there's not very
38 many or if they've gone down recently, you want to take a
39 look at it. Population distribution, is it a population
40 that's shrinking in size or range or for example, red-
41 legged kittiwakes, it occurs only on one island, and it
42 might have a problem that you're really concerned with. So
43 distribution is another criteria.

44

45 Environmental process, these are mostly
46 natural but the population that are affected by El Nino's
47 and oscillations in the ocean and earthquakes, volcanos,
48 you name it. That can come up and bite us too on some of
49 these bird populations. Move obvious ones are human uses
50 of birds, both subsistence and sport harvest obviously have

1 an affect on some of these populations so that may trigger
2 concern somewhere. The last category is of course
3 commercial and industrial kinds of activities, from
4 development.

5
6 These are the kinds of things, just
7 generically listed, any one of which might trigger a
8 concern by anybody, about a certain bird population. Then
9 of course it would be up to the Co-Management Council,
10 somebody would have to put this on the table as saying I'm
11 concerned about black brandt or Interior Alaska white
12 fronted geese or something. And then the Council would
13 have an opportunity to look at these criteria.

14
15 The second part in here is kind of, other
16 things that the Council may want to consider. Like what do
17 we know right now about this problem, what activities are
18 already being done as far as management, research or
19 outreach or whatever. Are there alternatives, and the
20 Technical Committee would be expected to put together a
21 list of things that could be done. So job No. 1 by the
22 Council would be to say, put this bird in this category and
23 then the Tech. Committee would try to give you some
24 choices. The other thing that we recognize is that it
25 depends on much the problem bothers people. You know if
26 something's in trouble we usually hear from it, form
27 somebody, and then somebody is going to be affected by
28 whatever we recommend. The level of concern is an issue.

29
30 So that's just in rough form, kind of what
31 we have come up with so far as a kind of a process that you
32 might take a look at. And before any body gets to alarmed
33 this list of birds that's attached is not any kind of
34 formal nomination of the birds that would be on the list.
35 What we did is simply looked at any bird that was on any
36 kind of list from somebody. The Services Birds of
37 Conservation Concern, the Threatened and Endangered List,
38 the States Special Species of Concern List. Many of these
39 are one that you've already talked about in some context in
40 having a concern. So this is just maybe a starting menu
41 that you might think about in the future.

42
43 So I guess without going on any further,
44 because we haven't all had a change to look at this we are
45 simply providing this as our first rough product. Our
46 intention depending on what you direct us to do would be to
47 maybe work toward a more complete product by October.

48
49 CHAIRMAN SQUARTSOFF: That sounds good Tom.
50 Appreciate it since most of you sit on that Tech.

1 Committee, I imagine there isn't too many questions from
2 the Council.

3

4 So thank you. Bill you're up for grabs
5 next here. You were going to give a report on invited
6 hunter ended harvest area or something.

7

8 MR. OSTRAND: I thought that was tomorrow.

9

10 CHAIRMAN SQUARTSOFF: No, we added it on
11 with Committee reports.

12

13 MR. OSTRAND: I apologize for
14 misunderstanding. I would have ran back to the office and
15 got out the actual report. I'll have to give you an oral
16 summary at this time. If you prefer to put it off till
17 tomorrow I can bring you the actual copies of the report
18 that I put together. I e-mailed to everyone on the
19 Council.

20

21 CHAIRMAN SQUARTSOFF: Okay, we'll put it
22 off Bill and you can go ahead and start on the staff
23 report. Is that the material that you have there.

24

25 MR. OSTRAND: Yes.

26

27 CHAIRMAN SQUARTSOFF: Thank you.

28

29 MR. OSTRAND: Okay, I wanted to report on
30 the SRC Report, on the SRC's action, they met back on --
31 I'm looking at my calendar so I can give you the exact
32 date, I think it was the 18th of February, yes the 18th of
33 February. They reviewed letters from the AMBCC.

34

35 MR. ALCORN: Mr. Chairman. A point of
36 order.

37

38 CHAIRMAN SQUARTSOFF: Yes, what.

39

40 MR. ALCORN: We've gone into the staff
41 report and I'm not sure that we've had the discussion of
42 the AMBCC Birds of Conservation Interest.

43

44 CHAIRMAN SQUARTSOFF: Yes, we just did.

45

46 MR. ALCORN: That was that.

47

48 CHAIRMAN SQUARTSOFF: Doug. That was it
49 with Tom.

50

1 MR. ALCORN: Well I was confused because we
2 hadn't heard the report that I recommended earlier today,
3 that we have a staff report from Bill. So we were out of
4 order then, where are we now, we are on the AMBCC Staff
5 Reports.
6
7 CHAIRMAN SQUARTSOFF: Right if you were
8 listening, that's what I said we were going into it and do
9 your staff report.
10
11 MR. ALCORN: All right. Thank you.
12
13 CHAIRMAN SQUARTSOFF: Thank you Doug. Yes
14 Mike.
15
16 MR. SMITH: Yeah Mr. Chairman. You know
17 this is extremely confusing, I'd like to make a motion to
18 adjourn for the day.
19
20 CHAIRMAN SQUARTSOFF: Can I hear a second
21 to that motion.
22
23 MR. NICHOLSON: Seconded.
24
25 CHAIRMAN SQUARTSOFF: Meeting adjourned.
26
27 MR. ALCORN: Wait that needs to be decided
28 by.....
29
30 CHAIRMAN SQUARTSOFF: April fools.
31
32 (Laughter)
33
34 MR. ALCORN: Now I am confused.
35
36 CHAIRMAN SQUARTSOFF: We had to do it.
37 Thank you guys.
38 MR. ALCORN: We did that once before.
39
40 MR. ROBUS: Hey, I was on the way out of my
41 seat, man.
42
43 CHAIRMAN SQUARTSOFF: We discussed this
44 this morning in our caucus. Thank you Mike.
45
46 MR. ROBUS: I thought that's what the
47 Technical Committee was doing.
48
49 CHAIRMAN SQUARTSOFF: Sorry about the
50 interruption. Bill you can go ahead and proceed. We are

1 actually on the Staff Reports right now with Bill Ostrand.

2

3

4 MR. SMITH: If I might add you might
5 remember this.

6

7 CHAIRMAN SQUARTSOFF: I pretty sure
8 everybody, well breaking me in here thank you.

9

10 MR. ANDREW: Mr. Chairman.

11

12 CHAIRMAN SQUARTSOFF: Yes, Tim.

13

14 MR. ANDREW: Maybe it was not a good idea
15 to call a meeting to order on April 1st.

16

17 CHAIRMAN SQUARTSOFF: That's right. A lot
18 of confusion.

19

20 MR. SMITH: Doug you should have seen the
21 look on your face.

22

23 CHAIRMAN SQUARTSOFF: You got the mike,
24 Bill.

25

26 MR. OSTRAND: Okay. The SRC on February
27 18th met to act upon the proposals from the Alaska
28 Migratory Bird Co-Management Council, and public comment
29 period on the proposed rules. The Council sent in two
30 letters one was to, they were both signed by Austin.

31

32 The first letter -- these are behind Tab
33 15. The first letter addresses, allowing the use of
34 subsistence harvested birds for scientific purposes and the
35 prohibition of Taxidermy on birds taken for subsistence.
36 Both those were accepted by the SRC.

37

38 The second letter is a reply to the SRC on
39 11 birds of conservation -- excuse me, 11 birds that were
40 remanded back to the Alaska Migratory Bird Co-Management
41 Council, 10 of which were birds of conservation concern.
42 So Austin signed a letter on behalf of the Co-Management
43 Council, addressing five of 11 birds. And they were the
44 red throated loon, black oyster catcher, Arctic tern,
45 Aleutian tern and the whiskered auklet. And then the
46 letter is basically signed leaving further discussion of
47 the six remaining birds to the regions. The SRC choose to
48 keep these identified birds on the list and to delete the
49 six remaining birds. So they had received letters from
50 ADF&G and Kawerak asking for more birds to be kept on the

1 list. Then they had received letters from Audubon and
2 other entities requesting that all 11 birds be taken off
3 the list.

4
5 That was the major actions of the SRC. The
6 changes were made to the proposed rule, making into final
7 and it's to be published on Friday, reflecting these
8 changes.

9
10 CHAIRMAN SQUARTSOFF: All right, Bill.
11 Anybody got any questions for Bill. Go ahead Mike.

12
13 MR. SMITH: Yes, Mr. Chairman. I'm sorry
14 Bill I was busy reading the letters, but the Service
15 Regulatory Committee looked favorably upon both the letters
16 then.

17
18 MR. OSTRAND: Yes, they did.

19
20 MR. SMITH: Okay, thank you.

21
22 CHAIRMAN SQUARTSOFF: Thank you Mike. No
23 further questions. Let's move on to I believe Donna's next
24 and she's not here Fred are you going to give a brief on
25 Donna's. The next two are both Donna's.

26
27 MR. ARMSTRONG: I'll tackle all three of
28 them.

29
30 CHAIRMAN SQUARTSOFF: Okay, thank you. The
31 next three are Fred's so we are going to move right through
32 them. Doug there will be three of them and then that will
33 be it on the Staff Reports.

34
35 MR. ARMSTRONG: Okay, Very short and sweet.
36 Regulations for the '04 season will be published tomorrow.
37 I think Donna gave you guys some advanced copies, if not
38 let me know, we'll try to get copies for each of the
39 council members. Public notices should have gone out to
40 all the radio stations, all the media that our external
41 affairs, handles that aspect of it.

42
43 The public book as I speak is at the
44 publishers office. We're making I think 30,000 copies, to
45 go to each, again I say box holder and eligible communities
46 in Alaska, as well as Refuge Offices and State Offices that
47 request them. Now this is a easy to read handbook that
48 explains the regulations in brief.

49
50 Any questions as I go just raise your hand.

1 Mike.

2

3 MR. SMITH: Thank you, Mr. Chairman. It's
4 not a question per se, but just a statement I think what we
5 can expect after this is sent out to those households. Is
6 an increase in harvest, I think those people are going to
7 become aware of their rights and their abilities to harvest
8 those animals. I mean while I think it needs to be done, I
9 think we should expect that it'll certainly increase the
10 interest in spring harvest.

11

12 CHAIRMAN SQUARTSOFF: Thank you, Mike.

13

14 MR. ARMSTRONG: Any other questions,
15 comments. As far as the budgets concerned I presented to
16 you last fall a budget for this year. You can expect a 10
17 percent reduction from that total that we presented, we've
18 been given the numbers and if Doug wanted to further
19 elaborate on that. I have not much more to say to that
20 other than we usually start with about 850 and then have to
21 reduce it by another 10 percent again, so it's a pretty
22 drastic cut.

23

24 CHAIRMAN SQUARTSOFF: Thank you, Fred.

25 Doug.

26

27 MR. ALCORN: Thank you, Mr. Chairman. Yeah
28 the budget situation is as it is in any Federal Agency at
29 this point. We're being asked to identify ways that we
30 would reduce our budget. For next year we are probably
31 looking at a flat or less than flat, an absolute reduction
32 in funding. Don't know what the percentages are this year
33 we are looking at about a two and three quarter percent
34 reduction for 2004. Next year I anticipate a similar
35 reduction, 2006 we just went through an exercise to
36 identify a 10 percent reduction, seven and a half percent
37 reduction and a two and a two and half increase from where
38 we are. So it's not looking good for the Council at this
39 point.

40

41 CHAIRMAN SQUARTSOFF: Thank you Doug.

42

43 MR. ARMSTRONG: Just a final note these are
44 accumulative reductions, so we get reduced and then we get
45 reduced further again from the amount that's provided to
46 us. It's just really bleak.

47

48 CHAIRMAN SQUARTSOFF: Yeah, Patty.

49

50 MS. BROWN-SCHWALENBERG: Yeah I have a

1 question for Doug. Does the budget when it comes to the
2 Fish and Wildlife, because it was a Congressional
3 Appropriation. Does it come as it's own line item or does
4 that just get added to the Services budget and then you
5 kind of have to wade through all the programs to carve out
6 a portion for the Council.

7
8 MR. ALCORN: The way our money comes to
9 this program is it's given, as what we refer to as a sub-
10 activity number. And that sub-activity is -- the number is
11 1231 funds and it's for Migratory Bird Management
12 Nationwide. Our entire nation wide program is funded under
13 the 1231 sub activity. And we traditionally had a million
14 dollars combined, which was -- some of that was 1231
15 dollars and we had about a hundred thousand dollars coming
16 to us from 1261, sub-activity which is refuge money which
17 actually helps fund some of our harvest survey staff work.
18 That's how our budget is compiled and the way the money is
19 allocated from the Washington Office, we have all received
20 equal share in our reductions.

21
22 So every program that is funded under 1231
23 is receiving the equal reduction. Just for your
24 information the Migratory Bird Management Program, the
25 Division, the budget in the division in Washington, D.C. is
26 identified a 4.4 million dollar deficit this year, in it's
27 budget. We have actually petition the director to
28 reprogram 500,000 dollars just to make us survive. We have
29 a number of positions that are left vacant in Washington
30 and across the country actually. But that's sort of the
31 severity of the reductions. So to make any less of a
32 reduction in this program, would be a difficult thing to
33 request, simply because the deficit is already demonstrated
34 in the other sub-activity, the other activities funded with
35 that sub-activity account.

36
37 CHAIRMAN SQUARTSOFF: Thank you Doug. Yes,
38 Bill and then Mike.

39
40 MR. OSTRAND: Mr. Chairman. I think it was
41 last week Stanley Mack went to Washington, D.C., you know
42 he's the mayor of Cold Bay, I think. He was there on
43 community business, but he lobbied on behalf of the Council
44 for more money. So I guess we'll see how successful
45 Stanley has been in the up coming year or two.

46
47 CHAIRMAN SQUARTSOFF: Thank you Bill.
48 Mike.

49
50 MR. SMITH: Yeah Doug I was wondering if

1 you could just offer you're insight on our ability -- we're
2 unique in regards to the regions in that we have this body
3 to deal with. It just doesn't seem fair to our region that
4 we have to absorb those cost, you know, from your program
5 dollars. My question I guess is what is your perception
6 about getting a specific line item designated for us, I
7 mean all that would really simply take is a Congressional
8 Action on the part of Stevens to say I'm going to ear mark
9 this amount of money for the Alaska Migratory Bird Co-
10 Management Council.

11

12 CHAIRMAN SQUARTSOFF: Thank you, Mike.
13 Doug.

14

15 MR. ALCORN: That's something that
16 certainly could occur. It has to come from outside the
17 Fish and Wildlife Service, we certainly can't be involved
18 in any lobbying effort. But the way that occurs is exactly
19 what you described, it's just a line item appropriation.
20 The language that occurs for some of our other ear marked
21 funds, the way the language reads is it says, this much
22 moneys made available to the Fish and Wildlife Service to
23 conduct this business and it will be funded fully. That's
24 always the sort of parenthetical statement that keeps the
25 discretion of the director. The director then can't go use
26 that money to equally distribute when reductions are
27 mandated by the Congress and other budget reduction areas.

28

29

30 MR. SMITH: If i just might follow up Mr.
31 Chairman.

32

33 CHAIRMAN SQUARTSOFF: Yes.

34

35 MR. SMITH: Doug could you help me develop
36 that kind of thing. I mean, I think we can make a case
37 that it's not fair for your region to absorb the cost of
38 this new body. I would be more than happy to work with you
39 to try to -- I mean if you could -- I mean I understand
40 you've got to kind of keep your distance from this and
41 everything like that. But I think that we as an
42 organization possible can request that, and certainly us as
43 individual organizations can request it.

44

45 CHAIRMAN SQUARTSOFF: Yeah Mike and then
46 Doug if you guys can -- I know you are really interested in
47 doing all this and everything, Mike to try and help Doug
48 out. But can you guys do this on a break time or something
49 maybe.

50

1 MR. ALCORN: Mr. Chair.
2
3 MR. SMITH: No, I wasn't anticipating on
4 doing now nor in the future at some other point.
5
6 MR. ALCORN: The answer is no.
7
8 CHAIRMAN SQUARTSOFF: You can't do it.
9 Sorry Mike I guess he can't do it. If there is no other
10 further questions I'd like to move on.
11
12 Thank you. We're on review of proposal
13 consideration process and it says Chair here and I think
14 I'm going to kind of turn that over to Fred if he doesn't
15 mind. On the proposal review consideration process. I
16 kind of wasn't there yesterday when you were discussing a
17 lot of this stuff. Or Hans maybe then.
18
19 MR. NICHOLSON: Mr. Chairman. I believe we
20 do have prior to that revised process for reviewing
21 proposals. The amended agenda that we mentioned this
22 morning.
23
24 CHAIRMAN SQUARTSOFF: Oh did we add
25 something in there, sorry. Doug was supposed to bump my
26 elbow.
27
28 MR. ALCORN: Well actually I had it
29 inserted after or in the context of this discussion. But I
30 can certainly do that right now if you want rather than
31 talk about the process that we've engaged in.
32
33 CHAIRMAN SQUARTSOFF: Sure sounds good.
34
35 MR. ALCORN: Okay, I'm going to hand out --
36 pass this out to individuals on the Council. And you can
37 feel free to share it with the audience, I made plenty of
38 copies.
39
40 This is a proposal that is developed in
41 response to something that we were, that I was advised of
42 in counsel with some of the Council members. That was,
43 that we've been cautioned the Fish and Wildlife Service has
44 been cautioned that we have been going to quickly and the
45 advice that I've received is to slow down essentially.
46
47 In response to that, and I didn't take that
48 message lightly, in response to that I talked to my boss
49 the Regional Director, and I laid out sort of the issues
50 that were described to me and the concerns that were

1 expressed. Rowan Goulds then asked me to develop this
2 briefing paper. What it does is lays out sort of the back
3 ground for the reason for this proposal, the concerns that
4 have been expressed and then he also asked me to think
5 about some options I would suggest to him for consideration
6 and then to make a recommendation to this Council.

7
8 If you will bear with me it won't take but
9 a few minutes, I will go through the options that have been
10 discussed and this came out of my thinking and discussion
11 with my boss.

12
13 Option 1 basically would recommend a
14 postponement of action on this years proposals. Because of
15 that concern that we are going to fast and pushing to hard.
16 And essentially what it would do it would recommend no
17 change. We have to make as Council, make a recommendation
18 for regulations year in and year out. So if we were to
19 defer action on any of the proposals this year we would
20 have to make a recommendation for the coming season, the
21 2005 season.

22
23 So Option 1 simply suggests that the
24 regulation that will be in place tomorrow rollover into a
25 second year and that we then take the year -- the 12 months
26 that that gives us to continue deliberating on these
27 proposals that we have in front of us for action during
28 this meeting. And those processes that we've heard
29 reported and we're discussing. It would also require one
30 of the other concerns that I've heard expressed was that
31 the Fish and Wildlife Service has submitted proposals,
32 agencies submit proposals as we expected to do during this
33 proposal process.

34
35 But those proposals were submitted without
36 a lot of discussion and a lot of consideration for how they
37 would be discussed in the regions. The request was that
38 any time the Fish and Wildlife Service, and I'm going to
39 also sort of read between the lines and suggest that the
40 Fish and Game also would probably be requested to do this.
41 But when those proposals come from agencies that we try to
42 make an effort to go to those areas that are affected and
43 present those, when your regional management bodies meet to
44 present the proposals to allow us to present the sort of
45 the thinking behind it, the logic behind it and see if we
46 can create a better understanding of the issues that are
47 being raised. And use the time to fully and more
48 comprehensively discuss that.

49
50 The issue that we are faced with now, with

1 the current timing we submit proposals in the fall and we
2 are expected to vet those proposals in the regions and then
3 make a decision in the spring. In discussion in the
4 workshop, in discussion of the proposals for inclusion and
5 potentially for exclusion. Those are very complex by their
6 very nature and they are difficult to go through that
7 process and have them adequately considered before we make
8 a decision in the fall.

9
10 So this option, Option 1 would require an
11 extension of the period of consideration from a four month
12 consideration period to a 12 to 16 month consideration
13 time. It would also require the Service to come and make
14 those presentations. It would roll over the '04
15 regulations into the '05 regulations. And I think that's
16 all that we have in that option.

17
18 Option 2 is essentially the same with the
19 exception of the Council would be encouraged to recommend
20 -- to take immediate action on those proposals for this
21 year. Those of which we do have consensus on, and those
22 that we can't reach consensus on roll those over for
23 discussion over the course of the next year. But also move
24 toward extending the deliberation period and the vetting
25 period to a 12 month to 14,16 month period as opposed to
26 the four month that we have right now.

27
28 It would also include adopt -- well it
29 wouldn't include adoption of this seasons regulations
30 because we would actually be making recommendations that
31 would revise those regulations that we have in place. It
32 also includes as a last bullet the Service or the State of
33 Alaska Agency proposers to go and make those presentations
34 in the affected regions.

35
36 Option 3 on the back page it would consider
37 all of the proposals for the '05 season, which are the
38 proposals we have before us this week and we would remain
39 on the four month schedule but that we would still suggest
40 and require that agency proposers to present these
41 proposals when practical in those regions.

42
43 Option 4 essentially is no Change. And
44 those are sort of the suite of options that I sent to my
45 Regional Director at his request and he had suggested that
46 Option 2 seemed to be one that he would favor and moving
47 toward an Option 1 in the future. Which would be to
48 prolong the discussion, that's the essential change.
49 Prolonging the discussion and creating this process where
50 by we would present those proposals in the regions.

1 So that's recommendation that I'm bring
2 forward. At this time before we begin to deliberate the
3 discussion of the proposals for this year.

4
5 And I would so move.

6
7 CHAIRMAN SQUARTSOFF: It's been moved can I
8 hear a second on this.

9
10 MS. BROWN-SCHWALENBERG: Second.

11
12 CHAIRMAN SQUARTSOFF: Seconded by Patty.
13 Matt.

14
15 MR. ROBUS: Ready for discussion.

16
17 CHAIRMAN SQUARTSOFF: Yeah ready for
18 discussion.

19
20 MR. ROBUS: Thanks, Mr. Chair. I've got
21 several different remarks but I guess lets start with the
22 concept of elongating the review period. I guess I favor
23 more chance for the regions to be able to go back to the
24 local communities and vet these things. I do feel by the
25 times we get to these meetings, and as much work as
26 everybody does we still feel like we are kind of taking a
27 leap on some things. However I think there's a big
28 question as to how much we elongate the process. I thought
29 about this for a little bit because Doug and I had kind of
30 chatted about this type of possibility a little while ago.

31
32
33 I guess I'm concerned that if we have an
34 annual process but that each set of regs is going to be in
35 play for a year of 15 months, we're going to start having
36 problems keeping track of things I think, at least I would.
37 There's probably for all of organizations not to deal with
38 these things until the last possible moment anyway at least
39 in a lot of cases. So I think those are kind of the down
40 sides.

41
42 The up sided that I can think of is that it
43 might make it possible for us to get out proposals into the
44 early season SRC meeting which might and I defer to the
45 experts in the Service who could tell me otherwise. It
46 might me that we wouldn't get into this yearly crash effort
47 to try and get the regulations in affect by the time the
48 spring season starts. So that would be an up side to it
49 but I guess in amongst these options there may be a option
50 1A or 2A were we elongate the review process, allow

1 regulation proposals to go back out to the areas around the
2 State. After the Council gets a chance to discuss them at
3 least once, but without prolonging as long as a year.

4
5 I guess I'll just ask the question is it
6 possible to make the fall meeting a meeting where we take
7 action on deferred proposals. That's kind of a procedural
8 question for the group at large. Doug I don't know if you
9 thought about that in terms of going through these options
10 or not, but that would be a elongation, that would be not
11 quite as long as the full year.

12
13 CHAIRMAN SQUARTSOFF: Thank you Matt. Yes,
14 Doug.

15
16 MR. ALCORN: Thank you, Mr. Chairman. I
17 did think about that a little bit and the reason that I
18 didn't elect to propose that as an option. Was for the
19 reason that we elected, we as a Council decided to meet in
20 the spring and in the fall. Because I'm not sure how much
21 that would be by us, because during the spring and the summer
22 that's the hunting and fishing and gathering time. So I'm
23 concerned that we may not be buying a whole lot of
24 activity. We may be prolonging by six months but not
25 really gaining that much of an advantage. So I was hoping
26 to allow for the fall extensions, sort of the early
27 winter/fall time when folks have already done their hunting
28 and gathering and they are begging to have time during the
29 winter.

30
31 CHAIRMAN SQUARTSOFF: Yeah thank you Doug.
32 My comment on this is, you know, prolonging it to me would
33 be a lot better for my region down there. Like Doug was
34 just saying maybe fall, for me the best time for me to get
35 around down there on the island is early spring or in the
36 fall time due to weather. I can't travel to the villages
37 out there, and there's only six of them. Winter months are
38 just no way, if I do get out to one I can be out there for
39 a week or two weeks or whatever, you know, I can't afford
40 to do that. It would make it a lot more sense for me to
41 get, you know, have that little bit more time. We didn't
42 even get to review these proposals in my area at all.

43
44 Thank you. Gordon.

45
46 MR. JACKSON: Yeah Mr. Chairman. I would
47 just speak in favor of the Option 2. Basically take in
48 proposals that we have consensus, I say this for a reason.
49 We in Southeast Alaska have created the Southeast Inter-
50 tribal Fish and Wildlife Commission. Part of the goals

1 that we have is reviewing some of the proposals relating to
2 birds. The most popular proposal has been taking of
3 seagull eggs in Southeast over the last, you know, several
4 years.

5
6 We had followed the time frames and
7 procedures very carefully that have been put out by the
8 rules and regulations. We have several proposals for
9 inclusions in our packet, and I think we've done a pretty
10 good job, the information is complete and has been reviewed
11 by the Central Council and the Division of Subsistence, The
12 Division of Subsistence assisted quite nicely with Mike
13 Turek and others. We held public hearings on those
14 proposals and let everybody know about it and it wasn't
15 until those public hearings were held that it was passed on
16 to our commission and all of them passed unanimously and
17 sent to this commission.

18
19 So I think that we followed it pretty
20 nicely and I don't think we're moving real quick, and they
21 are only eggs. There's probably millions of them in
22 Southeast Alaska. So I would suggest, you know, at least
23 the ones with consensus -- I don't think our proposals are
24 going to be in anyway controversial in my opinion, I think
25 they would probably be passed unanimously in here. But
26 these folks have worked real hard in these villages and
27 have a feeling that maybe they can kick into gear the rules
28 and regulations on this so the can be included in the
29 treaty. So I would suggest that the ones with consensus be
30 passed on and approved and moved on.

31
32 CHAIRMAN SQUARTSOFF: Thank you, Gordon.
33 If you are done. Fred and then Mike and Hans.

34
35 MR. ARMSTRONG: Thank you, Mr. Chairman.
36 I've been out on medical leave for the last couple months
37 and haven't been able to weigh in on this but I guess I
38 have an administrative experience I feel compelled to
39 provide at least some input without first conferring with
40 my supervisor.

41
42 Never the less I think that if we would
43 look at the different options perhaps modify them somewhat
44 Option 2 taking action on the proposals, if we do have
45 consensus on the proposals makes sense, deferring the rest.
46 I think looking at the regulatory calendar as a whole I
47 just kind of hate to make a drastic change right in
48 midstream. To go from and annual of one year to two year
49 or a year and a half, I think we can look at tweaking the
50 regulatory calendar with increasing the regional response

1 time to maybe six months. I feel like what Matt has said,
2 you know, like extending the response time will not be to
3 beneficial because we will all end up doing everything at
4 the last minute like we've done for the last five years.

5
6 I think that if we acted on petitions for
7 inclusion/exclusion in the fall time that would take a lot
8 of burden off and extend the period but acting on the
9 proposals that we have consensus on first, deferring the
10 rest but making a separate cycle for the inclusion and
11 exclusion. Because they do require more time anyway. I
12 just find it hard -- it's going to be hard to track
13 regulations that far out and have the Council respond to
14 them and pretty soon we are going to be in this an in
15 year/out year type of thing, which regulations are we going
16 to try to modify or change and it's going to be too far out,
17 the response time is going to be too great, or reaction
18 time.

19
20 CHAIRMAN SQUARTSOFF: Thank you Fred. Mike
21 was next.

22
23 MR. SMITH: Thank you, Mr. Chairman. I
24 think I would tend to agree with Gordon and Matt right now.
25 I mean I think it's already within our authority to defer
26 proposals, you know, just simple rules of this body and
27 Roberts indicates that we can defer proposals for future
28 consideration. Now whether or not that consideration takes
29 place at the fall meeting or the spring meeting, I mean I
30 guess I can understand that kind of concern. I think I
31 would kind of tend to go along with Matt, in on those
32 specific proposals that have a considerable amount of
33 controversy surrounding them that we could defer them for
34 that six month period.

35
36 Now I appreciate your observations, Doug
37 too that a lot of harvest and stuff is taken place during
38 that period of time. It tends to be that the more
39 controversial issues are very technical in nature and that
40 often times we just need a little more time to flush out
41 the details on certain things, and clarify certain
42 provisions. I guess I would suggest for the limited number
43 of proposals that would get deferred till the fall time
44 that we could probably take care of those during that
45 period of time.

46
47 CHAIRMAN SQUARTSOFF: Thank you Mike. Hans
48 and then Doug.

49
50 MR. NICHOLSON: Thank you, Mr. Chairman.

1 When our regional body met, you know, we felt compelled to
2 make decisions based for conservation purposes. That's why
3 we commented even on the exclusion, but an overriding issue
4 from our regional body was lack of information and the
5 short time line to make a decision. I tend to agree with
6 Doug on the Service recommendation on Option 2 and then
7 moving towards No. 12 ultimately but, you know, during the
8 workshop I made the statement.

9
10 Can we adjust the calendar somewhat so that
11 we could more readily, you know, meet our task. But due to
12 the calendar the SRC, it's kind of difficult, but what is
13 important is that, you know, when these regional bodies
14 meet if someone was there, whether or not it's from staff
15 from the AMBCC or delegates from the Service or Fish and
16 Game or who ever could present what ever case. I agree
17 also with Matt, you know, we need to take care of business
18 we can't just keep putting it off, I think each year we
19 will probably see more and more petitions for proposals I
20 think.

21
22 And I agree with I forgot who it was that
23 says that, you know, that we kind of procrastinate, we kind
24 of put it off until we finally have to take action on it,
25 you know, it's human nature. But I think that process
26 could be detrimental to the success of this Council because
27 we need to, you know, I can't emphasize enough that we need
28 to take care of business, but not to the extent that we
29 should be hasty. Our Council struggled, you know, with the
30 lack of information and feeling compelled that we need to
31 make comment on these proposals.

32
33 I think we are still in the learning stage,
34 I think maybe we'll adjust our calendar, but I think if we
35 had another month or two where we could -- the window of
36 opportunity for our regional bodies to meet and discuss,
37 especially if someone was on hand to explain everything to
38 us, I think our task would be a whole lot easier.

39
40 CHAIRMAN SQUARTSOFF: Thank you, Hans.
41 Yeah, Doug.

42
43 MR. ALCORN: Thank you, Mr. Chairman. I
44 think the suggestion that a decision if we were to go ahead
45 an defer action in the future for these kinds of proposals,
46 until the fall meeting. We really haven't bought ourselves
47 anything, the reason we meet in the spring and the reason
48 we have tried to make decisions in that very short window
49 is because the Service Regulation Committee meets in July,
50 late July, early August, and that's the late season process

1 that they have a meeting. That's the process that we're
2 sort of plugged into, and when we meet in the spring then
3 that gives us time to do the staff work and then submit
4 that.

5
6 Sometimes it even allows us to meet
7 sometime during the early summer and finalize our
8 recommendation that goes to the SRC. If we don't make a
9 decision until the fall then we still don't get involved
10 with the SRC process until the following year. So we
11 really haven't bought -- by making the decision in October
12 we've missed this year. I'll just use this year for
13 example if we were to defer action until the fall we will
14 have missed the SRC process for the '05 season. So we
15 really wouldn't have bought ourselves any advantage by
16 making that decision in the fall.

17
18 CHAIRMAN SQUARTSOFF: Thank you Doug.

19
20 MR. HICKS: First let me say that I agree
21 with all of you. I do think that we do need some kind of
22 time line or guide line to go by. I mean our time here,
23 like for instance today, could have been better spent
24 without a lot of discussion, in other words had we been
25 more knowledgeable about these certain issues, we would
26 probably be on tomorrow's agenda by now. So, you know, I'm
27 kind of leaning towards Option 1 and even Option 2, I kind
28 of throw it back and forth here. I think that we should
29 kind of like be slow at first and make a gradual change
30 over time. In other words knowledge is a virtue, in other
31 words I'm not one to make really rash decisions and then
32 turnaround and say oh-no what did I do, tomorrow. In my
33 opinion I say, you know, maybe Option 1 might be a better
34 and then work into Option 2, just make it a gradual change,
35 but I'm game so.

36
37 CHAIRMAN SQUARTSOFF: Thank you Joe. We
38 Have Matt, next and then Mike and then you Doug.

39
40 MR. ROBUS: Mr. Chair in response or in
41 following on to Doug's statement. I agree that if we defer
42 to the fall it doesn't -- we would still have to wait until
43 the next SRC cycle to get the reg put in place. So in that
44 way it buys you nothing over waiting, you know, until the
45 next spring meeting. But I think what it does buy and
46 maybe I'm over emphasizing this, because I'm easily
47 confused, but I really think we need to try to keep from
48 having two sets of proposals out there at the same time.
49 One for the next regulatory year and another for the year
50 after that. I think that that's going to be very confusing

1 in communities and people are going to not be sure of which
2 rules are going to go into effect at anyone time. So I
3 guess I'm thinking we ought to try to keep it from
4 developing into that type of multi layered proposal
5 situation.

6
7 I guess that's all I had to say.

8
9 CHAIRMAN SQUARTSOFF: Thank you Matt.
10 Mike.

11
12 MR. SMITH: Thank you Mr. Chairman. I
13 guess my concern is that -- Doug in response to what you
14 were saying about it, not really buying us any time, I
15 think it does. The reason I say that is because, what
16 we're talking about are proposals that come to us this year
17 that have kind of extreme situations involved with them
18 circumstances, whatever -- controversial ones what have
19 you. At the fall meeting we will be focused on those, we
20 won't have the whole bevy of proposals in front of us we'll
21 be able to focus our attention those proposals that have
22 caused the greatest concern.

23
24 I think that might even be more beneficial
25 to the process, so that in the spring time, we can focus on
26 the new proposals. To separate, I think to -- it might
27 even address a little bit what Matt was talking about
28 having two sets of proposals out there. If we do it that
29 way we get to focus in the fall time for the proposals for
30 that year that have caused us concern and then come the
31 next spring we can focus on the new proposals and just move
32 on.

33
34 I that's I guess my thought and I guess I'm
35 in favor of Option 2.

36
37 CHAIRMAN SQUARTSOFF: Yeah, thank you Mike.
38 Doug I think is next and then Taqulik.

39
40 MR. ALCORN: Thank you Mr. Chairman. What
41 that would allow us to do, would be to -- if we were to
42 make those decisions in the fall, this coming fall that
43 would allow us to engage in to the early season, SRC
44 process which is when all of the Alaska sport hunting
45 regulations go through and the SRC considers those in that
46 early season regulation process. That might allow us to
47 engage earlier and to start our work earlier and therefore
48 would ensure at least a higher probability that we'd get
49 our regulations passed through the Department and published
50 prior to the start of the season and not be forced into

1 what we were last year, which is publish in July, which was
2 absolutely unacceptable.

3

4 CHAIRMAN SQUARTSOFF: Thank you Doug.
5 Taqulik is next and then I'd like to step in there a little
6 bit if I can too.

7

8 MS. HEPA: Thank you Mr. Chair. I just
9 wanted to for Matt's, oh he's gone.

10

11 CHAIRMAN SQUARTSOFF: He's scared of you.

12

13 MS. HEPA: Yeah, for Matt's concern about
14 over laying and looking at two different proposals during
15 the same time. It might be something to think about to
16 look at the States system, how they deal with different
17 regions during different times. Like I think it's ever two
18 years they get a chance to look at the Arctic Regions to
19 consider proposals. I don't know, Matt would probably know
20 better if that might help in this situation. But I do
21 agree that we are moving a little bit to fast in such an
22 early stage of this Council.

23

24 CHAIRMAN SQUARTSOFF: Okay, Taqulik thanks.
25 Yeah my opinion on this. I can't where Matt's coming from
26 I don't know, I can't see two sets of regulations to work
27 on, or proposals for two different years. If we defer this
28 year on the next year, those would be the proposals we
29 would work on next spring not no new ones coming in. I
30 would see the ones that we deferred to be the ones to work
31 on, instead of having new ones come in. Like Taqulik said,
32 and everybody else has been saying, we're all echoing each
33 other on not enough time, you know, we need to have this
34 time.

35

36 I feel now I can not make a decision on
37 some of these proposals because we didn't go through them
38 in our region down there. I didn't -- like I said I
39 couldn't get out and I feel this process that we've been
40 doing for the last five years, the way this Councils
41 supposed to work is from the bottom up. I feel if I make
42 my decisions now I'm coming down on my people, you know,
43 and I don't want to do that. I want to be able to come up
44 with them knowing they helped me make these decisions here
45 for these proposals. So, you know, that's kind of the way
46 I look at it, I could see maybe recommendation No. 2 for me
47 now. But like I said I'd have a hard time making that
48 decision on some of them.

49

50 Doug, oh Fred then Doug.

1 MR. ARMSTRONG: I just, you know, we're
2 staff so you guys provide us with the direction -- policy,
3 direction. I just want to remind you guys that these are
4 recommendations that come out of this Council, you still
5 got the Flyway and then SRC to deal with. If you're going
6 to wait a couple years to react, you need to remember
7 that's what we have to live with. So that's why I was
8 saying, you know, there's the response time -- that's why
9 we try to have a fall meeting after the SRC meets so we can
10 react to their decisions.

11
12 So just keep that in mind.

13
14 CHAIRMAN SQUARTSOFF: Yeah, Fred, but if we
15 defer them or postpone them, you know, once we do it one
16 time then we'll be setting that process already and it's
17 not going to be a whole lot.....

18
19 MR. ARMSTRONG: If I could follow up, Mr.
20 Chairman. I think there's been some proposals that we've
21 made recommendations on and they've change substantially by
22 the time the SRC acted on them and a lot of people were not
23 happy. Just remember what we have to live with once you
24 make the decision.

25
26 CHAIRMAN SQUARTSOFF: Right, okay. Thank
27 you Fred. Doug and then Mike.

28
29 MR. ALCORN: Thank you Mr. Chairman. I
30 think it's with in or constant with Roberts Rules of Order,
31 that the maker of the motion as long as there's agreement
32 by the Chair and the seconder of the motion, to accept
33 friendly amendments. I would with your permission would
34 entertain friendly amendments to the motion, which was to
35 adopt Option 2 moving toward Option 1.

36
37 CHAIRMAN SQUARTSOFF: Is that agreeable
38 with the one that seconded. Patty. No more discussion,
39 any more discussion.

40
41 (No comments)

42
43 CHAIRMAN SQUARTSOFF: All those in favor.

44
45 IN UNISON: Aye.

46
47 (No opposing votes)

48
49 CHAIRMAN SQUARTSOFF: Cool, Option 2.
50

1 MR. SMITH: Mr. Chairman, if I might just
2 comment. I think I appreciate what Fred said about having
3 two sets of things in front of us. And I don't think
4 that's what we would do in this situation, if we deferred a
5 proposal to the fall meeting I would expect for us to act
6 on that proposal at the fall meeting. That way in the
7 spring time we would not have two sets of proposals in
8 front of us.

9
10 CHAIRMAN SQUARTSOFF: Thank you, Mike.
11 Then we can go to the next line item, is the review of the
12 proposal consideration process. Correct me if I'm wrong on
13 that one Doug. It was just brought to my attention that
14 Option 2 does not say anything deferring the proposals to a
15 fall meeting. So we either need to add that in there or
16 something real quick.

17
18 Doug, yes.

19
20 MR. ALCORN: Thank you Mr. Chair. At this
21 point it's out of order, but I think what Mike said, is not
22 out of order. Which would be, that if our Council agreed
23 to defer action to be made at the fall meeting it's our
24 prerogative to do that.

25
26 CHAIRMAN SQUARTSOFF: Okay, then that's
27 good. Well we need to kind of I think put that in motion
28 form then. Because that's not what we adopted here in this
29 motion. So I think you need to make that in a motion form.

30
31
32 MR. ROBUS: I'm happy to think that the
33 Council can defer individual proposals to a time certain,
34 and if we want to take action in the fall on something like
35 a exclusion proposal. That would over ride this general
36 policy that we just past apparently, that makes sense to
37 me.

38
39 CHAIRMAN SQUARTSOFF: Okay, thank you Matt.
40 Okay yeah Gordon.

41
42 MR. JACKSON: Well it could easily table
43 until fall, it's all you have to have is a motion on the
44 floor.

45
46 CHAIRMAN SQUARTSOFF: Right you could do
47 that too. Right, you're right. Thank you Gordon. Anyone
48 else. Okay, so then I guess we are then on review of
49 proposal consideration process. And can I give that to
50 Fred, would you want to take that Fred.

1 MR. ARMSTRONG: Sure.
2
3 CHAIRMAN SQUARTSOFF: Thank you.
4
5 MR. ARMSTRONG: Want to take a short five
6 minutes first.
7 CHAIRMAN SQUARTSOFF: Yeah can we take a
8 five minute break please. Thank you.
9
10 (Off record)
11
12 (On record)
13
14 CHAIRMAN SQUARTSOFF: Can we call this
15 meeting back to order, please. Go ahead Fred, do you want
16 to go ahead and take the floor. I have a calendar here if
17 you need it Fred.
18
19 MR. ARMSTRONG: Thank you Mr. Chair. Okay,
20 hopefully we are getting down to business and addressing
21 proposals. Under Tab 1 or, yeah one. You have the meeting
22 protocol, this is the order that we'll follow when we're
23 addressing the proposals and acting on them.
24
25 First of all we'll have the introduction of
26 the proposal or the petition, by staff or Dr. Huntington,
27 who's our independent anthropologist. Then we have ADF&G
28 staff analysis, followed by the Service -- U.S. Fish and
29 Wildlife Service staff analysis. Technical Committee will
30 be able to weigh in after that, and we have an opportunity
31 for the public to weigh in on the proposal. There are
32 extra copies over on the table over there of the proposals
33 that the Council will be addressing. Then we go to Council
34 discussion and at that time, till the Council recognizes
35 somebody it will be limited to Council. And if need be, if
36 there's a vote call the Native Contingent can go into
37 Caucus, and come out with a vote. The final will be the
38 Council action or vote on the proposal.
39
40 That's pretty much the same as in the past,
41 with the inclusion of the Technical Committee input.
42
43 CHAIRMAN SQUARTSOFF: Thank you Fred. Yes,
44 Mike.
45
46 MR. SMITH: Yeah Mr. Chairman. For the
47 sake of expediency I was wondering if we might be able to
48 consolidate some of these proposals into blocks. I think
49 that some of them certainly might be conducive to that.
50 The proposals concerning the exclusion of communities, I

1 think we could possible take no action on that, in light of
2 the fact that we haven't adopted our procedures yet, and
3 the processes by which we are going to do that. So that
4 would get rid of approximately six of the proposals right
5 off the bat.

6
7 My other suggestion, and I understand that
8 this might be a little difficult. Is in regards to
9 Gordon's proposals on the taking of eggs. I think that --
10 certainly, I'm not sure but I would guess there might be
11 some unanimous consent in that regards, I understand
12 there's a couple of those proposals that might have birds
13 associated with it in that. In talking with Gordon, we
14 think that that maybe wrong and that the proposals to
15 include the harvest of birds should come under their own
16 face, so the intent would be to remove any reference to the
17 taking of birds and limit it to just the taking of eggs.
18 That would alleviate three more of the proposals, so we
19 would have approximately half of the proposals done already
20 and that might be beneficial for time.

21
22 CHAIRMAN SQUARTSOFF: Yeah thank you Mike.
23 I'll just try to ask Doug if we could do that, I don't know
24 the exact process is we can or not. Doug do you know.

25
26 MR. ALCORN: Mr. Chair. I don't know the
27 answer to that. The way we've decided on proposals in the
28 past was to take them one by one. What Mike is suggesting
29 makes sense, but there are some unique things I guess about
30 each proposal that would warrant discussion. So I just
31 don't know what the answer is.

32
33 MR. ARMSTRONG: Mr. Chair.

34
35 CHAIRMAN SQUARTSOFF: Yes, Fred.

36
37 MR. ARMSTRONG: The Treaty speaks to
38 petition by community or communities, it's the Council
39 actions and recommendations. So I believe the appropriate
40 venue would be to address each of these petitions for
41 inclusion and exclusion individually.

42
43 CHAIRMAN SQUARTSOFF: Thank you. If that's
44 the

45
46 MR. SMITH: Why was that?

47
48 MR. ARMSTRONG: The Treaty amendments and
49 how it's worded it mentioned that a community may petition
50 the Council for inclusion. It doesn't talk about a blanket

1 set of communities, but for a specific purpose.

2

3 MR. SMITH: Mr. Chairman. I appreciate
4 that, but I don't think that precludes us from making them
5 a block.

6

7 CHAIRMAN SQUARTSOFF: Yeah, Matt. You want
8 to respond to that.

9

10 MR. ROBUS: Mr. Chairman. I see a shade of
11 difference between the two blocks that Mike identified. I
12 would agree with him that we should be able to combined the
13 communities under the exclusion petitions. Just because I
14 think we are at a conceptional or procedural state where we
15 are not ready to go forward on those. So I can see moving
16 to clump those together.

17

18 The Southeast proposals, I'm not sure what
19 would be most efficient, and I don't want to discuss it so
20 much that it makes the whole thing longer any way. To the
21 extent that the arguments are the same for those
22 communities, I think that doing one and then just repeating
23 the same arguments carry might be the fastest way to go
24 through, and they are some individual variations in those
25 that we are going to have to treat. So it might just work
26 out fastest to do them individually, but keeping the
27 arguments in mind for the previous community.

28

29 Mr. Chair.

30

31 CHAIRMAN SQUARTSOFF: All right, thank you
32 Matt. That does make sense. What do you think Mike.

33

34 MR. SMITH: That's perfectly fine Mr.
35 Chairman. I knew the Southeast proposals were going to be
36 kind of that way and I was just trying to help Gordon out.

37

38 CHAIRMAN SQUARTSOFF: Thank you. So then I
39 guess we'll get started on the first proposal.

40

41 MR. SMITH: Mr. Chairman.

42

43 CHAIRMAN SQUARTSOFF: Oh sorry, Patty.

44

45 MS. BROWN-SCHWALENBERG: In keeping with
46 our previous action before the break, we're suppose to be
47 taking immediate action on proposals for the '05 season
48 that have consciences. So I'm wondering how we're going to
49 determine which ones we have consciences on.

50

1 CHAIRMAN SQUARTSOFF: That's right, you're
2 correct. On the one motion that we just adopted. Yes
3 Matt, or Doug. Sorry.

4
5 MR. ALCORN: Thank you Mr. Chairman. I
6 believe with the motion that we just passed that we still
7 are needing to discuss individual proposals and if we do
8 not reach consensus by default they are held over until the
9 next spring meeting. Or actually until we determine when
10 we want to take action on them, which could be in the fall
11 by our own prerogative.

12
13 CHAIRMAN SQUARTSOFF: Yeah well I guess.
14 Yes, Matt.

15
16 MR. ROBUS: Mr. Chairman. I feel badly
17 even going here because I was the one that was out of the
18 room during the meat of the discussion on the issue that
19 just passed. Rule me out of order if you want to, but it
20 almost seems to me that the consensus we ought to develop
21 on deferring proposals. Is that we all agree that a
22 proposal ought to be deferred, personally I would still
23 think that the Council would want to be able to vote a
24 proposal up or down with a two to one vote. If we agreed
25 that we wanted to decide the issue now, I don't know maybe
26 we should just erase the tape for that part, for what I
27 just said. But it seems a little bit ducking our job, if
28 anything with a split vote gets put off, something like the
29 exclusion proposals I think we can come to a consensus that
30 they ought to be put of for procedural reasons. I'm not
31 sure we should just give up the opportunity to vote
32 proposals up or down.

33
34 Thank you.

35
36 CHAIRMAN SQUARTSOFF: Yeah thank you, Matt.
37 Maybe I should suggest then that right now for the next
38 half hour to 40 minutes that we as the Council, go back in
39 the executive session. Go over these proposals, figure out
40 which ones we want to -- are going to have consensus on,
41 and start off with them in the morning.

42
43 MR. ALCORN: Mr. Chairman.

44
45 CHAIRMAN SQUARTSOFF: Yes, Doug.

46
47 MR. ALCORN: I couldn't support that,
48 because this is a public process, and I believe we have an
49 audience here that expects to hear the deliberation of
50 these. And it's not an executive session issue. I think

1 that one of the things that I suggested when we were
2 discussing the former motion, was that I was open to
3 friendly amendments.

4
5 I at this time would move to suspend the
6 rule of the day. Which means that we suspend the agenda
7 and that we would insert a discussion -- further discussion
8 of the motion that we just passed. That's the motion, that
9 I would make.

10
11 MR. NICHOLSON: And I'll second that.

12
13 CHAIRMAN SQUARTSOFF: Motions been made and
14 seconded. Yeah, Fred.

15
16 MR. ARMSTRONG: Now is that a move for
17 reconsideration, or just further discussion.

18
19 MR. ALCORN: I would move for
20 reconsideration.

21
22 MR. ARMSTRONG: Thanks.

23
24 MR. ALCORN: For friendly amendments.
25 Would you like for me to restate the motion.

26
27 CHAIRMAN SQUARTSOFF: Please.

28
29 MR. ALCORN: I would move that we suspend
30 the rule of the day, which is suspending the agenda that
31 was adopted, for consideration of the prior motion that we
32 just passed. For reconsideration and friendly amendments,
33 so that we can make a discussion that we all support and
34 all understand.

35
36 CHAIRMAN SQUARTSOFF: Thank you. Yes,
37 Mike.

38
39 MR. SMITH: I guess I'm a little confused
40 as to what that amendment might look like.

41
42 CHAIRMAN SQUARTSOFF: Doug.

43
44 MR. ALCORN: It remains to be seen. I just
45 willing to entertain friendly amendments for discussion,
46 and they would have to pass, they would again have to pass.
47 What I'm suggesting we do is just open it up for discussion
48 and amendments.

49
50 CHAIRMAN SQUARTSOFF: Matt.

1 MR. ROBUS: Thank you Mr. Chair. And Doug
2 I really appreciate you getting us to where we are at this
3 moment. I would like to try to turn the language around in
4 Option 2 a little bit. So that the consensus that would
5 need to be there in order to defer a proposal would be
6 exactly that. If we agree in discussion that we're not
7 ready to vote a proposal up or down, that's the consensus
8 that would bump us to the fall or the spring time. If we
9 take different positions on a proposal but feel that we do
10 want to take -- in other words if we don't decide to defer
11 it, to let us all have a chance to think about it and take
12 it out to the regions and come back one more time to
13 discuss it at a future meeting. Then I would advise that
14 we go ahead and vote that's kind of our job as I see it.
15 So that is a not very efficiently worded amendment, Mr.
16 Chairman.

17
18 CHAIRMAN SQUARTSOFF: Thank you Matt. Yeah
19 Gordon, or Hans sorry. Man I'm getting tired we got to get
20 out of here.

21
22 MR. JACKSON: I'm sorry but I just don't
23 think we have any way out of this except to say that we
24 have a public -- we are a public body, and we have to go
25 through the whole proposals. And basically we have to say
26 in the end after we hear everybody's suggestions, is there
27 a consensus. If there's no consensus then someone moves to
28 table it to the fall. If there's consensus, someone moves
29 to say, I move to adopt, period. I think there's no way
30 around it we just have to move forward, just move forward.

31
32 Mr. Chairman

33
34 CHAIRMAN SQUARTSOFF: Thank you Gordon.
35 Mike.

36
37 MR. SMITH: I would agree with Gordon, in
38 that vein. I mean I guess we're under consideration,
39 right, reconsideration.

40
41 CHAIRMAN SQUARTSOFF: Right there's a
42 motion on the floor.

43
44 MR. SMITH: I'm out of line then. I was
45 going to start making motions Mr. Chairman.

46
47 CHAIRMAN SQUARTSOFF: Yes, Tim. Then Doug.

48
49 MR. ANDREW: I'm extremely confused and I
50 maybe the only one that's extremely confused. Where

1 exactly are we, I know there's a motion to reconsider, with
2 amendments was there a second.

3

4 CHAIRMAN SQUARTSOFF: Yeah there was a
5 second. Thank you Tim, Doug.

6

7 MR. ALCORN: Thank you Mr. Chairman. Let
8 me see if I can characterize this in one minute or less.
9 We in the Fish and Wildlife Service made this a proposal,
10 we adopted it a half hour ago. Apparently there was some
11 confusion because as soon as we broke I had about five
12 people here asking questions and it became very clear to me
13 that there was some misunderstanding and then there was
14 some sort of complexities with the phrase consensus.

15

16 What I had envisioned here was, when I
17 mentioned consensus in Option 2 that's consensus of support
18 not consensus of rejection. So those that we have
19 consensus to support and adopt. I was suggesting that we
20 adopt for this season, those that we do not have consensus
21 or three votes of support it would be deferred until this
22 option says until next fall. But I think we all agreed
23 that we could elect to take action next fall, this proposal
24 says to take action next spring. That's the way I
25 understood it and now Matt has offered a amendment to
26 suggest that consensus -- if we have consensus of support or
27 consensus to reject, if we have consensus to reject then we
28 would no longer need to defer it.

29

30 Is that what you are suggesting Matt.

31

32 CHAIRMAN SQUARTSOFF: Thank you Doug. Yes,
33 Matt.

34

35 MR. ROBUS: Through the Chair. No, what I
36 was suggesting is that we shouldn't back away from voting
37 on an issue just because we don't have consensus to adopt
38 it. So I was trying to say that if the kind of consensus
39 that I could support is that if we all decided that we are
40 not ready to take on an issue yet, I fully in support of
41 deferring that to a future meeting.

42

43 CHAIRMAN SQUARTSOFF: Thank you Matt. Fred
44 and then Patty.

45

46 MR. ARMSTRONG: Gordon explained everything
47 quite eloquently, and I wished we move in that direction.
48 Because there's the issue of consensus that the Council
49 would have to agree the principle that these proposals are
50 agreed upon. We have to develop a consent agenda format,

1 publicize the ones that the Council agrees on prior to
2 acting on the other proposals, and we haven't even gotten
3 there. So I think we just need to move forward for now
4 with Gordon's suggestion that we, you know, address each of
5 the proposals one by one.

6
7 CHAIRMAN SQUARTSOFF: Patty. Thank you,
8 Fred.

9
10 MS. BROWN-SCHWALENBERG: As the seconder of
11 the original motion. My definition of consensus or the way
12 I understood it, was that there will be consensus on which
13 one we would be able to vote on, whether they were voted up
14 or down, and consensus on which ones we felt need to be
15 deferred. I'll throw that one into the mix of stuff I
16 guess.

17
18 CHAIRMAN SQUARTSOFF: Yes, Mike.

19
20 MR. SMITH: Mr. Chairman. I guess I don't
21 understand Fred and Gordon's perception. If we take up
22 like the exclu -- and I'm primarily thinking of the
23 exclusion proposals. I don't necessarily think we need to
24 or have to take up each one of those individually. I think
25 possibly we could take up one just to set the stage and
26 possibly combined them or something. I guess my concern is
27 having to take up six proposals that we all agree on, you
28 know, we shouldn't even be talking about them right now. I
29 guess that's what I'm concerned about, that's all I was
30 trying to accomplish was to expedite the process by which
31 we could do these.

32
33 CHAIRMAN SQUARTSOFF: Thank you, Mike.
34 Yes, Fred.

35
36 MR. ARMSTRONG: The premise we are
37 operating under is maximum public participation. We can't
38 forget that each proposal we have to provide the public an
39 opportunity, if we could insert that that would be fine
40 too. Because if we don't get it at this level we're going
41 to get it at the National level anyway. You know, that's
42 only my concern.

43
44 CHAIRMAN SQUARTSOFF: Thank you, Fred.
45 Doug did you have anything.

46
47 MR. ALCORN: I apologize for causing all
48 this confusion. I thought I understood it, but apparently
49 I didn't explain it very well. We have a motion on the
50 table to offer an amendment, I wonder if Matt could clearly

1 state the amendment and we would vote that up or down and
2 then I would, since we have suspended the order of the day,
3 I would follow that up with an additional motion to resend
4 the motion that we passed earlier. But that's not a
5 motion, yet.

6
7 CHAIRMAN SQUARTSOFF: Tim. Thank you,
8 Doug.

9
10 MR. ANDREW: Thank you Mr. Chairman. I
11 have not heard a vote to suspend the rules to even consider
12 talking about what we're talking about now.

13
14 CHAIRMAN SQUARTSOFF: You're right that's
15 why were still in discussion I thought, so hopefully it was
16 going to come down the line here.

17
18 MR. ANDREW: So I would like to call a
19 point of order.

20
21 CHAIRMAN SQUARTSOFF: Thank you. Yes,
22 Doug.

23
24 MR. ALCORN: I would ask that you call the
25 question to suspend the rule.

26
27 CHAIRMAN SQUARTSOFF: I will call the
28 question to suspend the rule. All those in favor.

29
30 IN UNISON: Aye.

31
32 CHAIRMAN SQUARTSOFF: Thank you.

33
34 (No opposing votes)

35
36 CHAIRMAN SQUARTSOFF: Doug.

37
38 MR. ALCORN: Well we are in order now, but
39 we had an amendment offered by Matt. I've asked him to
40 restate it and I suggest that we call the question on the
41 amendment. If it fails, I'm willing to offer another
42 motion, since we've already suspended the rules which would
43 resend the action that we took, and move on with each of
44 our propo -- each of the proposals that we feel like we
45 need to address today and tomorrow.

46
47 MR. SMITH: Why would you need to re.....

48
49 CHAIRMAN SQUARTSOFF: Hold it a minute
50 Mike. Go ahead and turn your mike on.

1 MR. SMITH: I'm sorry. Your original
2 proposal is now up for reconsideration so I don't think we
3 would have to resend our previous action. Because that
4 previous action is now up for reconsideration.

5
6 CHAIRMAN SQUARTSOFF: Yes, Doug.
7

8 MR. ALCORN: Well maybe I don't understand
9 fully. What's up for consideration is an amendment to the
10 motion that was passed. Okay, if we've done that then
11 that's fine I wouldn't have to follow with another motion.

12
13
14 CHAIRMAN SQUARTSOFF: So if we don't have
15 -- oh, Tim.

16
17 MR. ANDREW: Yeah thank you, Mr. Chair. I
18 would like a clarification on the amendment, the proposed
19 amendment to this.

20
21 CHAIRMAN SQUARTSOFF: Fred.

22
23 MR. ARMSTRONG: When you voted to
24 reconsider it -- voted reconsider the Option 2, so that
25 everybody agrees it's kind of off the table now. The whole
26 Council agr -- there's no amendment, we're back to square
27 one, we're reconsidering the vote that you guys took.

28
29 CHAIRMAN SQUARTSOFF: Go ahead, Doug. When
30 your done with this and if there's not going to be a motion
31 on the floor, I recommend that we go ahead and recess until
32 tomorrow morning so everybody's minds will be a little more
33 clear.

34
35 MR. ALCORN: Thank you. I'm ready to make
36 a motion. I make a motion that we -- well we have a motion
37 to consider an amendment. The amendment has not been
38 stated, I suggest that we state the amendment and we vote
39 yeah or nay.

40
41 MR. ROBUS: Mr. Chairman, I'll try. And I
42 think what I'm going to say is pretty similar to what Patty
43 said, her notion was when she seconded the original go
44 around. And I think this is compatible with Gardenias
45 procedure. That is to change Option 2, so that the
46 consensus that we would develop is whether to defer a
47 proposal to a future meeting. Instead of only acting on
48 proposals at this meeting for which there is a consensus
49 that they should pass.

50

1 Am I making sense to anybody other than
2 myself.

3
4 CHAIRMAN SQUARTSOFF: So that's the motion
5 you have on the floor there. Do I hear a second to the
6 motion.

7
8 MS. BROWN-SCHWALENBERG: I'll second it.

9
10 CHAIRMAN SQUARTSOFF: Second Patty. Any
11 more discussion. Yes, Doug.

12
13 MR. ALCORN: The way I heard you explain
14 that Matt, I'm not sure that it's different than what I
15 interpreted the original motion to be. Which was if there
16 is consensus of support it passes. If there is not
17 consensus of support it's deferred. That's different than
18 what I heard, okay, well, then I'm not hearing you.

19
20 MR. ROBUS: Through the Chair. Yes, it is
21 different. Without regard to whether we have a consensus
22 whether we want to pass something or defeat something. I
23 think the consensus we should be developing which may just
24 be regular procedure as Gordon stated, is if we feel that a
25 proposal or a set of proposals is not something that we
26 want to act on now. If the consensus is that we defer it,
27 we putting it to a future meeting whether it be fall or
28 spring. Otherwise we may have consensus and vote it 3-0,
29 we may have consensus and vote it 0-3, or we may have a
30 split vote. But I don't think we should give up our
31 ability for this group to vote on a proposal if we decide
32 we want to handle it at this meeting.

33
34 Does that help.

35
36 CHAIRMAN SQUARTSOFF: Yes, Matt. But then
37 we actually won't be voting on it, it'll be by consensus of
38 the whole Council, so it won't be a 3-0 vote or anything
39 like that. It'll just be by consensus of all of us.
40 That's the way -- well that's the way all of the proposals
41 have been done before, by consensus as a Council not by a
42 vote with the three entities.

43
44 MR. ALCORN: Mr. Chair.

45
46 CHAIRMAN SQUARTSOFF: Yes, Doug.

47
48 MR. ALCORN: Thank you, Mr. Chairman. I
49 guess the way I understand the original motion and the now
50 the proposed amendment. I'm not going to support the

1 original motion as amended and opt to allow this entire
2 discussion to die. And we would go back to the original
3 procedure and process that was described by Fred.

4

5 CHAIRMAN SQUARTSOFF: Thank you, Doug.
6 Tim.

7

8 MR. ANDREW: Thank you Mr. Chair. My
9 understanding of the motion for the amendment, is to go
10 through the proposals one by one, if we have a consensus to
11 defer it is going to be deferred. If we have a consensus
12 to proceed with and that being a proposal into regulation
13 or be forwarded to the Service -- or continue on with the
14 process that consensus will continue. For some odd reason
15 I don't see any change from the current.

16

17 CHAIRMAN SQUARTSOFF: Yes, Gordon and then
18 Doug. Thank you Tim.

19

20 MR. JACKSON: Well let me explain my
21 position again. Couple years ago I think we adopted the
22 meeting protocol for reviewing proposals, which included
23 introduction of proposals and goes onto Council discussion
24 and action. The action would be yes or no. The concern I
25 have is basically this, we're a public body and we have
26 people in the audience and some people feel really strongly
27 about these proposals that were submitted from the local
28 level. Some have come forward and will be given some maybe
29 some public discussion. But if we miss this portion of it
30 we open ourselves up for a lot of criticism or even
31 litigation like I've seen in the past. So that's one of
32 the reason why I said, we're stuck, we have to take each
33 individual proposal, and follow the proposal protocol that
34 we adopted, move forward, listen to everything and vote it
35 up or down.

36

37 If it doesn't have any support it has to be
38 deferred or just tabled to the fall like we were saying.
39 For our own protection I think we just have to go through
40 the whole thing one by one.

41

42 CHAIRMAN SQUARTSOFF: Thank you Gordon.
43 Mike.

44

45 MR. SMITH: Yeah Mr. Chairman. We have the
46 public comment period, and I think that doesn't operate,
47 you know, pretty much differently than the State Board of
48 Game or the Board of Fish. If you have an issue with a
49 proposal and you want to speak to it, you come speak to it
50 at the public process section -- public comment section of

1 our agenda. I don't think we review the -- each individual
2 proposals and then ask the audience if there is anybody out
3 there that wants to speak to it. Now we can do that, I
4 think that is certainly within our prerogative to do that.
5 But I think that becomes an extremely burdensome process and
6 I think the State and the Feds to a certain extent have
7 experience with that and that's why they do their public
8 comments at the beginning of the meetings and then get into
9 their deliberations. I don't think we take public comments
10 during deliberations.

11
12 MR. JACKSON: Mr. Chairman. We do it's,
13 No. 5, public comments.

14
15 CHAIRMAN SQUARTSOFF: Right it's there.
16 It's under public comments. Yes, Doug. Thanks Gordon.

17
18 MR. ALCORN: Well that was exactly the
19 point I was going to make. Last year when we did go
20 through the -- we had one separate meeting, I believe it
21 was in April for inclusion. We did consider every proposal
22 and went through that protocol and we allowed the public to
23 comment before we voted.

24
25 CHAIRMAN SQUARTSOFF: Yes, Mike.

26
27 MR. SMITH: Mr. Chairman. Then I suggest
28 that we just go ahead and continue on with our process and
29 every time we take a vote that we just solicit public
30 comments on it. You know, every time we take up a proposal
31 that we solicit public comment on it, but I don't think
32 that limits us from moving a suite of proposals as a block.

33
34
35 CHAIRMAN SQUARTSOFF: Yes, Doug. Thank you
36 Mike.

37
38 MR. ALCORN: I would ask to call for the
39 question. Which is the amended motion, to adopt Option 2.
40 It's my understanding that if it does not pass then we have
41 not adopted anything on this piece of yellow paper and we
42 are back to the normal process and the protocol.

43
44 That's what I understand. And I would call
45 for the question.

46
47 CHAIRMAN SQUARTSOFF: One minute. Yes,
48 Matt.

49
50 MR. ROBUS: Thank you Mr. Chair. I

1 understand it the same way that Doug just described it.
2 I'd just like to say though that while a lot of may not
3 take pride in the past discussion in terms of efficient. I
4 think it's been really useful, because I think we do have a
5 feeling now, we think it's not a bad idea in some cases to
6 defer proposals to the fall meeting, or even to the next
7 meeting. And that can be done under the regular procedure
8 that the Board has available to it. So I don't think this
9 has all been wasteful at all, we got our thoughts together.

10

11 With that I'm ready for the question.

12

13 CHAIRMAN SQUARTSOFF: Question's been
14 called for. All those in favor signify by saying aye. On
15 the amendment to the.....

16

17 MR. ROBUS: The vote is on the Option

18 2.....

19

20 CHAIRMAN SQUARTSOFF: As amended, right.
21 All those in favor signify by saying aye.

22

23 IN UNISON: Aye.

24

25 CHAIRMAN SQUARTSOFF: Those opposed same
26 sign.

27

28 IN UNISON: Nay.

29

30 CHAIRMAN SQUARTSOFF: Did the nay's carry.

31

32

33 MR. ALCORN: Show a sign of hands and count
34 them.

35

36 CHAIRMAN SQUARTSOFF: Okay. Let's say all
37 those in favor by aye, show your hand.

38

39 MR. SMITH: If I might Mr. Chairman. I
40 think there's some confusion as to the as to the vote. If
41 we vote no on this then we go back to our original
42 procedures and we just operate like we have in the past.
43 If we vote yes on it then we have to take it up again.
44 Just for the clarification that's where we're at.

45

46 CHAIRMAN SQUARTSOFF: Right another thing
47 that we need to go back to also is that anything that we
48 vote on here, we're not actually having to come on to a
49 vote, we all have to have all by consensus. So we all have
50 to agree on this or not. Yes, Doug.

1 MR. ALCORN: I guess another point of
2 order. When you don't have consensus as the chair then you
3 can call for a vote of the executive committee which is the
4 three voting entities.
5
6 CHAIRMAN SQUARTSOFF: That's what I was
7 trying to explain. So do we want to try this again. Go
8 ahead Doug.
9
10 MR. ALCORN: Mr. Chair. I would say a vote
11 of the executive committee is in order.
12
13 CHAIRMAN SQUARTSOFF: I guess.
14
15 MR. ANDREW: Mr. Chair.
16
17 CHAIRMAN SQUARTSOFF: Yes, Tim.
18
19 MR. ANDREW: Clarification on the voting.
20 Are we voting for the amendment or on the amendment now.
21
22 CHAIRMAN SQUARTSOFF: Yes, that's what we
23 were supposed to be voting on the amendment of Option 2.
24
25 MR. ANDREW: So this is an amendment to
26 Doug's motion. Which was to reconsider this.
27
28 CHAIRMAN SQUARTSOFF: Yes, Gordon or Hans,
29 sorry. We got to get out of here.
30
31 MR. NICHOLSON: Thank you Mr. Chairman.
32 Just a clarification from the chair, exactly what a yes
33 vote means and what a no vote means. Because apparently I
34 was some what confused.
35
36 CHAIRMAN SQUARTSOFF: Thank you Hans.
37 That's what I was going to say. Just to make sure that you
38 guys understand our voting and some of you people, you
39 know, haven't been here. So we either got to come to this
40 vote by consensus, everybody agrees on it or not. One way
41 or another we're going to have to go into our three votes,
42 with the three entities. So we got to make sure everybody
43 really understands that. I think that's what Hans is
44 asking. No vote means then, I guess, the amendment don't
45 pass. If we all agree to that, then it will go as it
46 stands and we don't have to go into our vote with our three
47 entities.
48
49 MR. SMITH: Mr. Chair. What it also means
50 is this gets taken off the table.

1 CHAIRMAN SQUARTSOFF: Right it gets taken
2 off the table also.
3
4 MR. NICHOLSON: A no vote would mean that
5 we would go by the regular standard meeting protocol.
6
7 MR. SMITH: No, the yes vote would mean
8 that we would adopt this.
9
10 MR. NICHOLSON: I speak in favor of voting
11 no. Then you go right back to Roberts rule of order and
12 basically you'd go through the proposals, and the ones that
13 do not have consensus you just make a motion. I move that
14 it be deferred to the fall, period, that's all.
15
16 MR. HICKS: I second.
17
18 CHAIRMAN SQUARTSOFF: Now, we can't do
19 that, we already got that. But I think we should re-vote
20 on this, because everybody wasn't really clear on what it
21 was.
22
23 MR. ANDREW: You know, the motion to
24 reconsider, the amendment that is brought forth to
25 reconsider has some implications on how proposals are going
26 to be addressed. Or how proposals are going to be
27 introduced and proceeded forth.
28
29 CHAIRMAN SQUARTSOFF: Go ahead Fred. Fred
30 you want to go ahead and tell them.
31
32 MR. ARMSTRONG: No we just proceed status
33 quo as we've been doing the past. We put the proposal in
34 to the record and then we have the different agencies say
35 their piece and then the Council deliberates and we take
36 action, yeah or nay, or defer. Basically that's how we've
37 been operating under that premise.
38
39 MR. JACKSON: This is real democracy in
40 action Mr. Chairman.
41
42 CHAIRMAN SQUARTSOFF: What was that Gordon,
43 sorry. Yes, Doug.
44
45 MR. ALCORN: If I can I'd like to just
46 characterize my understanding of this and then call for the
47 question. I think that if we.....
48
49 CHAIRMAN SQUARTSOFF: One second. Can you
50 guys sit down so you can clearly understand what Doug's

1 saying and then we are going to call for the question
2 again.

3

4 MR. ALCORN: An hour and half ago, I
5 introduced this idea to prolong the decision making process
6 by 12 months. We passed that motion we then suspended the
7 rule to reconsider the rule to reconsider this. The
8 suggestion then was to accept friendly amendments, and I as
9 the maker of the motion and the seconder which was Patty,
10 agreed to receive friendly amendments. The amendment has
11 been made, my understanding that, if we vote the amendment
12 down we vote the original motion down as well. There is no
13 change from the status quo that we adopted at the begging
14 of this meeting and this then goes away. We won't consider
15 it again because it would be out of order, and then we
16 would ressus -- or we would reinstate the rule of the day
17 which is going back onto the agenda. So a no vote means
18 this fails in entirety we just throw it away.

19

20 CHAIRMAN SQUARTSOFF: All right in other
21 words we wasted all our time, but that's fine. It's a
22 learning process, so everybody clearly understand that.
23 We'll call for the question again.

24

25 MR. NICHOLSON: Question.

26

27 CHAIRMAN SQUARTSOFF: Question has been
28 called for. All those in favor on the amendment signify
29 by.....

30

31 MR. NICHOLSON: Mr. Chairman, if you're
32 unsure on what the vote is maybe you should roll call or
33 show of hands.

34

35 CHAIRMAN SQUARTSOFF: Okay, but if we go to
36 that process then if we don't all agree then we're going to
37 have to go into the other voting. Yes, Doug.

38

39 MR. ALCORN: Thank you, Mr. Chair. It's no
40 problem to call for the vote as the Chair. It's just
41 simple procedures that if you don't have consensus you call
42 for a show of hands by the three voting entities. So I
43 suggest that you call the question, if you do not have
44 consensus then call the vote.

45

46 CHAIRMAN SQUARTSOFF: We'll do it. Right
47 does anybody have any objections to this.

48

49 MR. ALCORN: Yes, I object. Because I'm
50 going to vote no.

1 MR. ROBUS: We're going to vote no.
2
3 MR. ALCORN: So I object to the passage of
4 this motion. It's late, can I suggest that you call for
5 those in favor of the motion. If you hear yea's and then
6 you say any that oppose the motion, if you hear na's. Then
7 you don't have consensus, and then you will say then I will
8 call for the vote of the three voting entities and we will
9 cast our votes.
10
11 CHAIRMAN SQUARTSOFF: That sounds good.
12 Okay, lets try this one more time. And I'm giving you all
13 about five minutes and I'm out of here. Let me call for
14 the question again, please.
15
16 MR. SMITH: Question's been called.
17
18 CHAIRMAN SQUARTSOFF: Okay questions, been
19 called by Mike. All those in favor signify by saying yea.
20
21 (No aye votes)
22
23 CHAIRMAN SQUARTSOFF: All those opposed
24 signify by saying -- that's it, right.
25
26 (No comments)
27
28 MR. ALCORN: If you didn't here a yea then
29 you didn't get a yea.
30
31 CHAIRMAN SQUARTSOFF: That's what we want.
32 Then motion failed, thank you. I'm going to call the
33 recess of this meeting and then we'll go ahead and
34 reconvene at I think it's scheduled for nine o'clock in the
35 morning. That way everybody will be able to get their
36 heads together here.
37
38 Thank you.
39
40 (PROCEEDINGS TO BE CONTINUED)

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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 02 through 110 contain a full, true and correct Transcript of the ALASKA MIGRATORY BIRD CO-MANAGEMENT COUNCIL, VOLUME I taken electronically by Nathaniel Hile on the 1st day of April 2004, starting at 8:30 a.m. at the Department of Interior Conference Room 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 23rd day of April 2004.

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08 _