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U.S. FISH AND WILDLIFE SERVICE  
ALASKA MIGRATORY BIRD CO-MANAGEMENT COUNCIL

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Public Meeting

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May 14, 2002

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Hampton Inn

11

Anchorage, Alaska

12

13 MEMBERS PRESENT:

14

15 Wayne Regelin, Chair, ADF&G

16 Doug Alcorn, Vice Chair, USF&WS

17 Ralph Andersen, Secretary, BBNA

18 Stanley Mack, APIA

19 Stanley Ned, TCC

20 Edgar Hoelscher, AVCP

21 Enoch Shiedt, Maniilaq Association

22 Gloria Stickwan, CRNA

23 Herman Squartsoff, KANA

24 Frank Kavairlook, Kawerak, Inc.

25 Gary Kompkoff, CRRC

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P R O C E E D I N G S

(Anchorage, Alaska - 5/15/02)

(On record)

CHAIRMAN REGELIN: Good morning. Welcome to the meeting. We have a lot of things on the agenda but I think that we'll be able to move through them fairly rapidly but it will probably end up taking most of the day before we're done. For the record, my name is Wayne Regelin. I work for the Department of Fish and Game and we rotate the Chair of the Council and it's my turn to be the Chair until May and then I think Doug gets to do this. Traditionally, we start our meeting with a moment of silence.

(Moment of silence)

CHAIRMAN REGELIN: All right thank you. The next item of business will be to seat two new members. The first is Edgar Hoelscher is going -- I think -- did I pronounce that right Edgar Hoelscher from AVCP and we have a letter here appointing him from the AVCP Council. Is there any objection to seating Edgar as a member of the Co-Management Council?

(No audible responses)

CHAIRMAN REGELIN: Hearing none, that will be the action of the Board.

The second new person on the Board is Gary Kompkoff from Chugach Corporation and welcome Edgar [sic]. Is there any objection to seating Edgar [sic] as a representative of Chugach?

MR. ANDERSEN: Gary.

CHAIRMAN REGELIN: I looked at him and said -- sorry Gary.

MR. KOMPKOFF: No, Gary from the Chugach Regional Resources Commission.....

CHAIRMAN REGELIN: Yeah. Resources Commission. I just read that and realized that they're separate entities. So he will be the representative from the Chugach Regional Resources Commission.

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1 (No audible responses)

2

3 CHAIRMAN REGELIN: Hearing no objections  
4 that will be the action of the Council and welcome to the  
5 Board. We've been going at this for a couple of years so  
6 -- but it's not that complicated. I think we can all  
7 figure it out -- help you figure it out as we go along.

8

9

10 Fred, do you want to do the roll call and  
11 establish by the Board and establish the quorum? Or  
12 excuse me, our secretary does that.

13

14 MR. ARMSTRONG: It's the secretary.

15

16 CHAIRMAN REGELIN: Ralph.

17

18 MR. ANDERSEN: Okay. Alaska Department  
19 of Fish and Game.

20

21 CHAIRMAN REGELIN: Present.

22

23 MR. ANDERSEN: United States Fish and  
24 Wildlife Service.

25

26 MR. ALCORN: Present.

27

28 MR. ANDERSEN: Aleutians/Pribilof Islands  
29 Association.

30

31 MR. MACK: (No audible responses)

32

33 MR. ANDERSEN: Association of Village  
34 Council Presidents.

35

36 MR. HOELSCHER: Here.

37

38 MR. ANDERSEN: Bristol Bay Native  
39 Association. That's me. Central Council of Tlingit and  
40 Haida Indian Tribes.

41

42 MR. JACKSON: (No audible responses)

43

44 MR. ANDERSEN: Chugach Regional Resources  
45 Commission.

46

47 MR. KOMPKOFF: Here.

48

49 MR. ANDERSEN: Copper River Native

50 Association.

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1 MS. STICKWAN: Here.

2

3 MR. ANDERSEN: Kawerak, Inc.

4

5 MR. WEYIONANNA: Here. Mr. Kavairlook  
6 is not here right now. He just (indiscernible - away  
7 from microphone)

8

9 MR. ANDERSEN: Okay. Kodiak Area Native  
10 Association.

11

12 MR. SQUARTSOFF: Here.

13

14 MR. ANDERSEN: Maniilaq Association.

15

16 MR. SCHIEDT: Here.

17

18 MR. ANDERSEN: North Slope Borough.

19

20 (No audible responses)

21

22 MR. ANDERSEN: Absent. Tanana Chiefs  
23 Conference.

24

25 MR. NED: Here.

26

27 MR. ANDERSEN: Mr. Chairman we have a  
28 quorum.

29

30 CHAIRMAN REGELIN: Thank you. The next  
31 thing we usually do is go around the room and just have  
32 introductions so that we can attach faces to names.  
33 We'll start here with Ralph and just go around and just  
34 give your name and what town or what organization you  
35 represent.

36

37 MR. ANDERSEN: My name is Ralph Andersen.  
38 I'm the Natural Resources Program Manager for Bristol Bay  
39 Native Association. I'm here representing the Yaquillrit  
40 Kelutisti Council which is the migratory bird council for  
41 the Bristol Bay Region. I'm also the secretary of this  
42 group.

43

44 MR. SQUARTSOFF: Herman Squartsoff from  
45 the village of Ouzinkie, right next to Kodiak Island. I  
46 represent Kodiak Area Native Association and the villages  
47 around Kodiak Island.

48

49 MR. KOMPKOFF: I'm Gary Kompkoff and I'm  
50 President of the Village Council in Tatitlek representing

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1 the Chugach Regional Resources Commission.

2

3 MR. ALCORN: I'm Doug Alcorn and I'm  
4 Assistant Regional Director for the U.S. Fish and  
5 Wildlife Service in the Alaska Region and I'm the Vice  
6 Chair of this Council.

7

8 MR. ARMSTRONG: Fred Armstrong. I'm the  
9 Executive Director for the Council from the village of  
10 Anchorage.

11

12 (Laughter)

13

14 MS. STICKWAN: Gloria Stickwan  
15 representing the Copper River Region, Copper River Native  
16 Association.

17

18 MR. SHIEDT: Attamuk, Maniilaq  
19 Association, Kotzebue.

20

21 MR. HOELSCHER: Edgar Hoelscher. I'm  
22 from Hooper Bay. I represent AVCP-WCC.

23

24 MR. NED: I'm Stanley Ned. I work for  
25 Tanana Chief originally from Allakaket.

26

27 MR. MACK: Stanley Mack. I represent the  
28 Aleutian/Pribilof Islands Association from Cold Bay.

29

30 MR. OSTRAND: Bill Ostrand from the U.S.  
31 Fish and Wildlife Service. I work as staff to the  
32 Council.

33

34 MR. BETHUNE: My name's Steve Bethune  
35 from the Alaska Department of Fish and Game here in  
36 Anchorage and I'm staff to the Council.

37

38 MR. ROTHE: Tom Rothe, Waterfowl  
39 Coordinator with Alaska Department of Fish and Game.

40

41 MR. OATES: Russ Oates, Chief of  
42 Waterfowl Management, Migratory Birds, Fish and Wildlife  
43 Service, Anchorage.

44

45 MS. KLAUDI: Klaudia Jo Klaudi, Pribilof  
46 Island Association and the Coordinator for the Alaska  
47 Migratory Birds and this gentleman will be taking my  
48 place.

49

50 MR. McGLACHEN: I'm Greg McGlachen

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1 Natural Resources Coordinator for Aleutian/Pribilof  
2 Islands Association. A new position has been created by  
3 the Board and based in Anchorage.

4

5 MR. NOTTI: Dario Notti, AVCP Natural  
6 Resources Department, Resource Specialist.

7

8 MR. STANEK: Ron Stanek, Department of  
9 Fish and Game, Subsistence Division.

10

11 MS. BROWN-SCHWALENBERG: Patty Brown  
12 Schwalenberg, Executive Director of the Chugach Regional  
13 Resources Commission.

14

15 MR. ROBUS: I'm Matt Robus with the  
16 Alaska Department of Fish and Game and I represent Alaska  
17 on the Pacific Flyway Council.

18

19 MR. STEVENS: I'm Bob Stevens, U.S. Fish  
20 and Wildlife Service and I'm staff to the Migratory Bird  
21 Co-Management Council.

22

23 MS. ARMSTRONG: Barbara Armstrong,  
24 Coordinator for North Slope and Seward Peninsula for  
25 Office of Subsistence Management.

26

27 MS. DEWHURST: Donna Dewhurst, U.S. Fish  
28 and Wildlife Service, Subsistence Office.

29

30 MR. JAMES: Joel James representing the  
31 Native Village of Gambell.

32

33 MR. WEYIONANNA: Edwin Weyionanna,  
34 representing the Native Village of Shishmaref.

35

36 CHAIRMAN REGELIN: All right. I think  
37 that was everyone. Thank you. It's helpful to kind of  
38 attach faces to names.

39

40 Next items was a review of the adoption  
41 of the agenda. It's on the second page of your workbook  
42 where there -- and there's two -- front and back side to  
43 that page. Are there any changes or additions to the  
44 agenda?

45

46 MR. ARMSTRONG: Mr. Chairman.

47

48 CHAIRMAN REGELIN: Yes sir, Fred.

49

50 MR. ARMSTRONG: Kodiak area, KANA, has

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1 requested to be moved up to the top please.

2

3 CHAIRMAN REGELIN: Yes.

4

5 MR. ARMSTRONG: And also they would like  
6 to move Kawerak back to the bottom because we haven't  
7 received their proposal yet and we need time to review  
8 it.

9

10 CHAIRMAN REGELIN: Thank you, Fred. So  
11 what we're going to do is we'll move Kodiak up to the  
12 very first part of the review because Herman is going to  
13 have to leave in the middle of the afternoon and we want  
14 to make sure we get through his and then Kawerak, the  
15 people are on their way and we still have not seen what  
16 their proposal is so, we'll put them last so that the  
17 people have a chance, hopefully, to read through that.  
18 If not, we'll have to take a break prior to taking that  
19 up so that staff members and the Council members can read  
20 through it and get -- it points out that we need to have  
21 these proposals out ahead of time so that everybody has  
22 an opportunity to read it. I think that our new  
23 procedures will take care of that.

24

25 Herman.

26

27 MR. SQUARTSOFF: Yeah, Mr. Chair, we do  
28 have their proposal but they did mention last night they  
29 might do some changing right? I think that's what they  
30 were going to do.

31

32 CHAIRMAN REGELIN: Yes, I think they're  
33 expecting some modifications to their proposal.

34

35 MR. SQUARTSOFF: Right.

36

37 CHAIRMAN REGELIN: Any other changes to  
38 the agenda?

39

40 MR. ARMSTRONG: Mr. Chair.

41

42 CHAIRMAN REGELIN: Yes, Fred.

43

44 MR. ARMSTRONG: Just a clarification for  
45 the people who just had their first opportunity to view  
46 the agenda. We are going to take a rather lengthy lunch  
47 break from 12:00 o'clock on and reconvene at 2:30 and the  
48 purpose for that is at 1:30 we will have a public meeting  
49 on procedural regulations that have recently been  
50 published as a Proposed Rule and we'll be taking comments

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1 at that time.

2

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CHAIRMAN REGELIN: Thank you, Fred, and everyone is -- Council members, that public hearing will be in this room. You're more than welcome to sit at the table to listen to the public testimony and speak yourself if you wish to.

8

9 MR. ANDERSEN: Mr. Chairman, I have a question.

11

12 CHAIRMAN REGELIN: Yes, sir.

13

14 MR. ANDERSEN: Will the public comments be recorded and reported?

16

17 CHAIRMAN REGELIN: I believe they will, yes.

19

20 MR. ARMSTRONG: That's correct.

21

22 CHAIRMAN REGELIN: Yes.

23

24 MR. ANDERSEN: Thank you.

25

26 CHAIRMAN REGELIN: And the other way that there's the Federal Register you can provide written comments to and I believe the cut-off -- the final date for public or written comments is May 24th. Is that correct?

31

32 MR. ARMSTRONG: That's correct. If I could add onto that. If you haven't had a chance and would like to comment, there's additional times this evening from 7:00 o'clock to 10:00 o'clock whenever. Tonight here in this meeting. The Council won't be required to be here but if you want to provide comments it's an additional time.

39

40 MR. ANDERSEN: When is action expected to be taken on the Federal Register notes? If you could review the schedule with us for the.....

43

44 MR. STEVENS: Bob Stevens, Fish and Wildlife Service. The comment period -- oh I'm sorry, you're referring to the procedural regulations.

47

48 MR. ANDERSEN: Yes.

49

50 MR. STEVENS: Okay. The comment period



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1 ending May 24th is my hope to have the final rulemaking  
2 written in the following week, so it should go back to  
3 Washington, D.C. early to mid-June. I would say mid-June  
4 probably would be the best estimate on that. And they  
5 assure us back there that they can get it through the  
6 system and to the Federal Register within 30 days. I  
7 would allow a little more time than that just to make  
8 sure. But they see it as a priority and they are going  
9 to try to move it through. There probably will not be  
10 significant changes to it. There will be some changes  
11 that they're going to need to look at but I think it will  
12 go through quickly. It then needs to sit for 30 days  
13 once it's published before it becomes effective. Our  
14 hope is that it will be effective by August.

15

16 MR. ANDERSEN: Thanks.

17

18 MR. HOELSCHER: Mr. Chairman.

19

20 CHAIRMAN REGELIN: Yes.

21

22 MR. HOELSCHER: I move to adopt our May  
23 14th meeting agenda.....

24

25 CHAIRMAN REGELIN: Excuse me, I  
26 didn't.....

27

28 MR. HOELSCHER: I'm moving to adopt the  
29 meeting agenda as presented.

30

31 CHAIRMAN REGELIN: Okay. Do I have a  
32 second?

33

34 MR. SQUARTSOFF: I'll second.

35

36 CHAIRMAN REGELIN: Okay. Any objections  
37 to adopting the agenda as written and with the  
38 modifications we made on the order.

39

40 (No audible responses)

41

42 CHAIRMAN REGELIN: Hearing none, that  
43 will be the action of the Council.

44

45 So thank you, Bob, and I think that  
46 hopefully sometime in mid-August, maybe late August we  
47 should have the first go around of the procedural regs  
48 all finalized. I know we're all anxious to get that  
49 done.

50

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1                   The next item on the agenda is an  
2 opportunity for public comment. Is there anyone in the  
3 audience that would like to address the Council? Yes,  
4 Patty, go ahead. Come up to the microphone and please  
5 state your name and affiliation for the record.

6  
7                   MS. BROWN-SCHWALENBERG: Hi, my name is  
8 Patty Brown-Schwalenberg. I'm the Executive Director of  
9 the Chugach Regional Resources Commission. I just had a  
10 comment. Yesterday during the work session we discussed  
11 putting in a petition for for inclusion some of the  
12 communities in the Chugach region and I'm just wondering  
13 if the item under inclusion/exclusion process would be  
14 the proper time to bring that up or when can we discuss  
15 that?

16  
17                   CHAIRMAN REGELIN: That's late in the day  
18 and I think that's probably fine to do that now. It  
19 would be nice if you could maybe -- if you have a  
20 petition that you could -- the staff could maybe make  
21 copies so we all could take a look at it when you present  
22 it.

23  
24                   MS. BROWN-SCHWALENBERG: So when?

25  
26                   CHAIRMAN REGELIN: It looks like  
27 inclusion/exclusion thing is at.....

28  
29                   MS. BROWN-SCHWALENBERG: It's a separate  
30 thing?

31  
32                   CHAIRMAN REGELIN: .....at 4:00 o'clock.

33  
34                   MS. BROWN-SCHWALENBERG: Oh, okay.

35  
36                   CHAIRMAN REGELIN: It's at about 4:00  
37 o'clock. If that time isn't convenient to you.....

38  
39                   MS. BROWN-SCHWALENBERG: No, that's fine  
40 I can -- during the long lunch break then we can make  
41 copies and bring them.

42  
43                   CHAIRMAN REGELIN: Very good.

44  
45                   MS. BROWN-SCHWALENBERG: Thank you.

46  
47                   CHAIRMAN REGELIN: All right, thank you.  
48 Thank you, Patty. Anyone else have a comment that they'd  
49 like to make to the Council at this time?

50

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1 (No audible responses)

2

3 CHAIRMAN REGELIN: All right, thank you.  
4 Hearing none, we'll move on and we'll move into old  
5 business. The item we have there is the issue of closure  
6 by species.

7

8 MR. ANDERSEN: Mr. Chairman.

9

10 CHAIRMAN REGELIN: Ralph.

11

12 MR. ANDERSEN: Before I make my motion to  
13 move that item off the table, I just want to preface my  
14 motion by the fact that my primary reason for tabling it  
15 is that it seemed to me that it came to us by surprise  
16 and we didn't have time at the last meeting to -- before  
17 the last meeting to review it and take the list of birds  
18 back to our regional councils or anything like that. I  
19 believe that now that we've each had some time to look at  
20 the document that we've all had an opportunity to review  
21 it with our council members, if that's the case.  
22 Especially hearing no objection from the Kodiak region, I  
23 make a motion that we -- that we consider or that we take  
24 off the table closure by species.

25

26 MR. ALCORN: I'll second it.

27

28 CHAIRMAN REGELIN: Is there a place on  
29 the -- in the book where we should look?

30

31

32 MR. ALCORN: That's three or four pages  
33 back.

34

35 CHAIRMAN REGELIN: Okay. Thank you.  
36 Okay, two or three pages behind the agenda.

37

38 MR. ALCORN: I'd like to speak to the  
39 motion.

40

41 CHAIRMAN REGELIN: Go ahead, Doug.

42

43 MR. ALCORN: Thank you Mr. Chair. Yeah,  
44 Ralph, I do appreciate your concern in the fact that  
45 there was no process that we had established to allow  
46 advanced review by Council members and I certainly  
47 appreciate the concern that everyone expressed having to  
48 make -- being asked to make a decision and vote on it as  
49 a Council, and didn't mind delaying it to this meeting.  
50 I would like to say though that this is a list that --

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1 other than the Canada Goose for Semidi Islands has been  
2 in place -- these birds, I guess, have been birds that  
3 have been -- concerns have been expressed about these  
4 birds and have been addressed under the Goose Management  
5 Plan for special consideration, so we didn't feel like we  
6 were pulling anything real new on the Council, but this  
7 was also a list -- in the absence of a process that we  
8 had to introduce this, this was a list that I was able to  
9 develop in consultation with the various programs in our  
10 regional office of Fish and Wildlife Service. It came  
11 with a lot of discussion with my counterparts in other  
12 programs and I thought that it was a pretty fair  
13 compromise.

14

15                   When we talked -- when I spoke with my  
16 counterparts there were other species of birds that they  
17 had real concerns about. But we were -- Fred and I, I  
18 think, were cautioning those folks that these birds  
19 wouldn't take anyone by surprise. But the other birds I  
20 think, are still of concern. There are some other birds  
21 that are not on this list that we will present when we  
22 have a process in the future for consideration. These  
23 are the ones that settled out after discussion.

24

25                   MR. ANDERSEN: My motion was to take it  
26 off the table. So we -- and it's been seconded.

27

28                   CHAIRMAN REGELIN: Yes. Okay. Does  
29 it.....

30

31                   MR. ANDERSEN: So, the next item is just  
32 to take it off the table.

33

34                   CHAIRMAN REGELIN: Yes. Just a minute,  
35 Enoch. Before we -- the motion was to take it off the  
36 table and the second. Is there any objection to taking  
37 this off the table.

38

39                   (No audible responses)

40

41                   CHAIRMAN REGELIN: Hearing none, then we  
42 have the proposal on the list of species that will be  
43 excluded from harvest before us and Doug's comments are  
44 pertinent. Other comments from Council members?

45

46                   MR. SQUARTSOFF: Yeah, Mr. Chair, like I  
47 mentioned down in the Kodiak area we always respect the  
48 list of birds that are on the endangered list and all  
49 that and everything so, we do not -- you know, we don't  
50 mess with them. We leave them alone and all that stuff.

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1 MR. ANDERSEN: Mr. Chairman, I move that  
2 we approve the draft of this list that's in the meeting  
3 packet.

4

5 CHAIRMAN REGELIN: And do we have a  
6 second to that motion to approve?

7

8 MR. SQUARTSOFF: I'll go ahead. Yes.

9

10 CHAIRMAN REGELIN: Herman approves it.

11 Let me just.....

12

13 MR. ANDERSEN: Herman seconds it.

14

15 CHAIRMAN REGELIN: Herman seconded it,  
16 not approved it. I'll get into this, I hope. Let me  
17 review real quickly so everybody knows what's before us  
18 is that this action that we're about to take would  
19 exclude from harvest in the 2003 spring and summer season  
20 the harvest of spectacled eiders, Steller's eiders,  
21 emperor geese, and Canadian geese that occur only on the  
22 Semidi Islands. And then it would exclude two species  
23 from eggging during this same spring and summer from  
24 cackling Canada geese and for black brant. Comment,  
25 Enoch.

26

27 MR. SHIEDT: Yeah. Like I states last  
28 few meetings on our black brants, we got high numbers and  
29 I hate to see an area be put in their -- in the species  
30 that they're declining, but when in an area they're high  
31 in numbers. Because like I states last time we had a lot  
32 of black brants and we do see a lot of black brants and I  
33 hate to see my area be put in a list where we know we are  
34 plentiful in the numbers. Like I say, each unit is  
35 different. We have to think of what we see because I  
36 need to see your stable numbers saying this is our stable  
37 numbers for an area where there be in stable level.  
38 Because when my people are saying -- and even me  
39 personally when I see black brant by the thousands and in  
40 their nesting area exactly where I come from, between  
41 Kotzebue, Buckland and Deering, and versus Evik [sic]  
42 area. I mean, I hate to see my people be put in there  
43 saying we can't get these or hunt these what we have high  
44 in numbers. I could see -- I could respect other areas,  
45 yes.

46

47 CHAIRMAN REGELIN: Fred, did you have a  
48 comment or Herman.

49

50 MR. SQUARTSOFF: Yeah, Mr. Chair, Enoch

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1 you're talking just getting the geese right?

2

3 MR. SHIEDT: Yeah.

4

5 MR. SQUARTSOFF: The brant here or just  
6 saying.....

7

8 MR. SHIEDT: Just the brants.

9

10 MR. SQUARTSOFF: The brant, just the  
11 eggs. Not touching the eggs.....

12

13 MR. SHIEDT: Yeah but it doesn't really  
14 matter if you got -- if your numbers are high in birds,  
15 you should have number high in eggs. There two of the  
16 same things.

17

18 MR. SQUARTSOFF: Do you guys gather the  
19 eggs?

20

21 MR. SHIEDT: We do gather the black brant  
22 when we -- when we do get them. We know where they're  
23 at, but they're hard to get to. Real hard. Right now  
24 I'll guarantee you, nobody's going to go pick them  
25 because the conditions are real terrible right now.

26

27 MR. SQUARTSOFF: Right, yeah. It was the  
28 -- the concern here was just the egg -- taking the geese  
29 with them -- was just the egg.

30

31 CHAIRMAN REGELIN: Thank you. Fred.

32

33 MR. ARMSTRONG: Thank you Mr. Chair. I  
34 just want to remind the Council that the birds and the  
35 eggs, the species listed, have been a part of the closed  
36 season policy for a number of years and basically what  
37 we're doing is just formalizing that policy and make it  
38 into a regulation. I'd like to ask Mr. Russ Oates from  
39 the Migratory Bird Department to address this, if he may.

40

41 CHAIRMAN REGELIN: Yes. Russ, would you  
42 come up to the microphone and provide some biological  
43 background on this?

44

45 MR. OATES: Thank you Mr. Chairman. I  
46 just wanted to mention I understand that in Northwest  
47 Alaska there they were seeing more brant this last year  
48 and we believe that that was probably a reflection of a  
49 large -- and extra large number of birds that did not  
50 breed successfully on the Yukon Delta and they moved

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1 along the coast and up to the Teshekpuk Lake are to molt,  
2 which is what often happens when they have a bad breeding  
3 year. The population survey suggested that the numbers  
4 overall are still below the population objectives  
5 established by the Pacific Flyway Council and we did  
6 document substantially reduced nesting success on the  
7 five major nesting colonies on the Yukon Delta and  
8 numbers were way down there. I believe they were the  
9 lowest we've ever recorded in terms of next success on  
10 those major colonies.

11

12 At the same time, numbers of birds seen  
13 molting on the Teshekpuk Lake area on the North Slope  
14 were, I believe, the highest we've ever recorded up there  
15 in 15 years of counting the birds in there, which  
16 supports our theory that the failed breeders on the Yukon  
17 Delta migrated up the coast to molt in the Teshekpuk Lake  
18 area. This does not reflect a substantial increase in  
19 the number of total brant in the Pacific Flyway, just a  
20 change in the distribution, which caused the birds to be  
21 more visible along the northwest coast there during that  
22 time period.

23

24 CHAIRMAN REGELIN: Thank you, Russ.  
25 Ralph.

26

27 MR. ANDERSEN: Russ, you mentioned  
28 population objectives that were set by the Flyway  
29 Council.

30

31 MR. OATES: Yes.

32

33 MR. ANDERSEN: Can you explain to us what  
34 criteria that was used in determining the population  
35 objectives? When the population objective was reached  
36 and what was the basis for setting that population  
37 objective? Is it being reconsidered now?

38

39 MR. OATES: It has been reconsidered and  
40 it has been lowered and in the most recent version of the  
41 Pacific Flyway Management Plan for brant, the objective  
42 has been lowered and another change that was made in the  
43 Pacific Flyway Management Plan was that the western high  
44 arctic population of brant, also known as the gray belly  
45 brant, which formerly were clumped in with the black  
46 brant have been separated out as a separately managed  
47 population with a separate population objective. I have  
48 to double check my numbers with my associate here behind  
49 me, Mr. Rothe, but I believe that the objective was  
50 reduced from -- the total objective was reduced from

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1 185,000 for combined black brant and gray belly brant to  
2 somewhere in the neighborhood of 162 is that correct Tom?

3

4 MR. ROTHE: Correct, 150 black.

5

6 MR. OATES: I'm sorry?

7

8 MR. ROTHE: One.....

9

10 MR. OATES: Yeah, 150 black and 12,000  
11 gray bellies. So, the objective has been reduced. Now,  
12 there's a little bit of a murky history as to where the  
13 original objective came from, but it was based on a high  
14 count that was observed many years ago and the brant did  
15 undergo, or have undergone a slow population decline  
16 during the '60s '70s, '80s, and even into the '90s and  
17 they seem to be somewhat stable at this point in time but  
18 they are still species that we do have concern about  
19 throughout the Flyway at this point.

20

21 MR. ANDERSEN: That's a reduction of  
22 35,000 birds. Are you familiar with the emperor goose  
23 population -- the population objectives for that goose?

24

25 MR. OATES: I believe that's -- I believe  
26 the population objective for that is 150,000 based on the  
27 spring survey.

28

29 MR. ANDERSEN: Has it ever reached that  
30 population objective?

31

32 MR. OATES: Historically it was at that  
33 level in a survey that was done, I believe it was in the  
34 late '60s, early '70s, it was at that level, but it --  
35 there was a gap where the survey wasn't done for about 15  
36 years or so, and when the survey was reinitiated, the  
37 population was considerably less than that and declined  
38 up through the mid-'80s and has since been -- has  
39 increased a little bit I believe, but it's actually  
40 stable to possibly slowly increasing at this point  
41 currently well below the Pacific Flyway population  
42 objective.

43

44 CHAIRMAN REGELIN: Thank you, Russ.  
45 Other questions for Russ?

46

47 MR. SHIEDT: I got one.

48

49 CHAIRMAN REGELIN: Enoch.

50



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1 MR. SHIEDT: Your fall surveys done for  
2 the birds, brant and geese, versus spring, because spring  
3 -- if you do it the wrong time of the season -- you get  
4 it at springtime they're going to be dispersing to their  
5 nesting areas.

6

7 MR. OATES: The brant are surveyed in the  
8 winter in January when they're aggregated in their  
9 wintering areas in Mexico, California, Washington,  
10 Oregon, British Columbia and Alaska. The emperor geese  
11 are surveyed in the spring as they are migrating up the  
12 Alaska Peninsula coast. They are also surveyed on the  
13 breeding grounds when they're dispersed for breeding and  
14 they're surveyed in the fall as they migrate back down  
15 the Alaska Peninsula coast.

16

17 The surveys tend to agree there's a  
18 little bit of difference between the various surveys, but  
19 they all agree that the population of emperor geese have  
20 not recovered. The brant survey has been -- it's proven  
21 to be a pretty solid survey and the Pacific Flyway felt  
22 it was good enough that they adopted that as the official  
23 management survey number for brant.

24

25 MR. ANDERSEN: Russ, I have another  
26 question. If -- if the population of black brants or the  
27 population objective of black brants remain at the  
28 185,000 would it not be considered recovered as well?  
29 Unless the population objective was lowered, wouldn't it?  
30 I mean, is that what happened, that somewhere along the  
31 way somebody decided that 185,000 birds was probably too  
32 many?

33

34 MR. OATES: I can't really explain the  
35 rationale for lowering the population objective.

36

37 MR. ANDERSEN: But see, I mean 35,000  
38 birds, Russ, is a pretty big -- pretty big change and if  
39 -- I mean -- if you were at the last meeting I raised a  
40 similar concern with the emperor geese. If the  
41 population has never reached its objective in the past 50  
42 years, maybe it's not the goose pop -- maybe it's not  
43 something wrong biologically, maybe the number was so  
44 arbitrarily selected that it will never reach that number  
45 ever again in the history of the world.

46

47 CHAIRMAN REGELIN: Tom, I think, Rothe  
48 can you give us a brief -- do you know the background of  
49 why the number was reduced?

50

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1 MR. OATES: Just one quick comment and  
2 then I'll.....

3  
4 CHAIRMAN REGELIN: Oh, yes, please.

5  
6 MR. OATES: I personally believe that  
7 with careful management, both emperor populations and the  
8 brant populations can be recovered to levels that will  
9 allow for more liberalized harvest opportunity.

10  
11 CHAIRMAN REGELIN: Shall we let Tom  
12 answer this question and then we'll come back with  
13 Herman.

14  
15 MR. ROTHE: Yeah, I'm not going to  
16 disagree at all with what Russ said. I just want to make  
17 sure that everybody understands the discussions about the  
18 brant objective, as Russ said, we're looking at an  
19 objective of 185,000 that was set way back in 1979 and  
20 there were only two surveys in all of history that came  
21 close to that so, I guess the determination was made that  
22 that's really not -- that wasn't a reachable goal and as  
23 you're suggesting that if you get to a point where you  
24 just don't think that you can ever get that many birds  
25 then you might want to consider changes, So the  
26 biologists in the Flyway took a look at all the data --  
27 we had a population model that was doing using all the  
28 information on how productive brant are, how many are  
29 taken for harvest throughout the Flyway, everything else,  
30 so it was a combined analysis of what affects the  
31 population and looking at the historical levels, that led  
32 us to believe that 150,000 is achievable. It's a  
33 reasonable goal, but it is considerably lower than 185,  
34 but we think we can get there.

35  
36 At the present time, they're above 120 so  
37 they're, you know, they're in a range where we would like  
38 to see more. There's no emergency going on, but we think  
39 we have a reasonable goal. The AVCP Waterfowl  
40 Conservation Committee adopted that new objective with  
41 us, so we're pretty comfortable with it.

42  
43 MR. ANDERSEN: I have a follow-up  
44 question for Tom. Tom, can you tell us your views of the  
45 emperor geese population objective. I mean, and answer  
46 the similar -- or the same questions I asked of Tom  
47 [sic]?

48  
49 MR. ROTHE: Well, I think we at the  
50 beginning of the YK Goose Management Plan thought that

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1 historical survey was a reasonable count back then.  
2 Unfortunately there was a gap in survey information so we  
3 don't know exactly what happened between the mid-'60s and  
4 1980 or so. Over the years we have discussed whether we  
5 should amend that objective to, you know, if the  
6 population can't get to 150,000 then we should talk about  
7 it. And I guess I would suggest that this is an  
8 opportunity for the Council to perhaps encourage an  
9 interregional review of emperor goose information.

10

11 I'm not in a good position to evaluate  
12 whether we could get 150,000 again, but I do know that we  
13 did see declines from the early '80s to the mid-'80s to  
14 where we had serious problems and right now there's not  
15 much of a hint that they're improving, so I guess  
16 regardless of where we would all decide in the future  
17 where to set the objective, we're still at a low level  
18 for emperor geese and we still have to wrestle with those  
19 problems.

20

21 MR. ANDERSEN: I have one follow-up. The  
22 reason I'm raising these questions is not because I -- I  
23 mean, this is not for any evil reasons. We're going  
24 through the process of adopting this draft of birds that  
25 are excluded from -- and their eggs, as Fred mentioned  
26 it's to -- that we're formalizing the closed season  
27 policy. What I'd like to formalize is our traditional  
28 harvest of emperor geese and our traditional harvest of  
29 black brant. If we're going to be formalizing things on  
30 one hand, I think we need to also formalize our  
31 traditional use of those species.

32

33 CHAIRMAN REGELIN: Thank you, Ralph.  
34 Herman.

35

36 MR. SQUARTSOFF: Mr. Chair, Russ, you  
37 were saying, what, the black brant population is 150?  
38 Around 150,000?

39

40 MR. OATES: I believe the count this past  
41 winter was in the neighborhood of 130,000.

42

43 MR. SQUARTSOFF: Oh, 130 and you say  
44 you're trying to reach the level of, what, 185?

45

46 MR. OATES: One hundred and fifty black  
47 brant and 12,000 light belly brant -- gray belly brant.

48

49 MR. SQUARTSOFF: Okay. So you're at  
50 about 135. How long has that level been there, about 135?

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1 MR. OATES: It's been jumping around  
2 between 120, 135 range for a few years now, but it.....

3

4 MR. SQUARTSOFF: But it's been pretty  
5 stable.

6

7 MR. OATES: Well for the last few years,  
8 if -- if you look at the average numbers of brant counted  
9 on the winter survey of decade by decade, it declined in  
10 the '60s, '70s, '80s and '90s.

11

12 MR. SQUARTSOFF: But it's been coming  
13 back up a little though, right?

14

15 MR. OATES: Well, just the last few years  
16 it's been jumping around. I don't -- I'm sorry I don't  
17 have the numbers with me.

18

19 MR. SQUARTSOFF: Right yeah, but I -- the  
20 feeling I'm getting and I'm thinking of Enoch and them --  
21 you know like they say there's a lot in their area and  
22 all that and everything else and then it's -- to me it  
23 doesn't sound like it's really that bad, you know. I  
24 wouldn't see why they couldn't taking up there like they  
25 traditionally have been.

26

27 And another thing too is they come  
28 through our area, I'm assuming. That was another thing  
29 that I was trying to push with the Council that we need.  
30 I was stressing that we need to have posters and Bill has  
31 been trying to help me get posters with different ducks  
32 and all that and everything of all of the individual  
33 geese, I mean, we need to have good posters to identify  
34 these birds in order to be able to tell which ones we're  
35 taking and not taking anyway. I mean, we got some at  
36 home a week or so ago and I couldn't tell which ones they  
37 were, if they were the black or the other ones you know,  
38 just by the book I had. I mean that was not very  
39 identifiable at all to be able to tell which geese I was  
40 getting.

41

42 MR. OATES: Are you referring to the  
43 differences between the gray belly brant and the  
44 black.....

45

46 MR. SQUARTSOFF: Yeah, I guess.....

47

48 MR. OATES: .....brant or the other  
49 species of geese as well.

50

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1 MR. SQUARTSOFF: Well, no, just the  
2 brants.

3  
4 MR. OATES: The brant.

5  
6 MR. SQUARTSOFF: Between the two brants.  
7 Yeah, I couldn't tell the difference there. I tried to  
8 identify them as soon as I got them home and got the book  
9 and tried to identify them. I still think we should have  
10 something out there on each individual one where we could  
11 really identify it real well. We need it.

12  
13 Thank you.

14  
15 CHAIRMAN REGELIN: Doug.

16  
17 MR. ALCORN: I think Tom has something.

18  
19 CHAIRMAN REGELIN: Tom, response.

20  
21 MR. ROTHE: Just one comment about, I  
22 guess, what I think our management strategy is at this  
23 stage is, as Russ said the brant population has trended  
24 slightly downward and they may come up and down, but I  
25 guess we're not saying that there's a problem with the  
26 harvest of birds because as long as the levels of recent  
27 times are taken, there's not a problem. I guess one  
28 thing we think is a conservation measure, is the  
29 importance of not disturbing the big brant colonies and  
30 taking eggs during the breeding season, so 80 percent of  
31 that population that was on the Yukon Kuskokwim Delta,  
32 big colonies. Ten percent is on the North Slope where  
33 these colonies come and go and they're fairly sensitive.  
34 So, that's why the proposal here is really to not have  
35 eggging in the colonies which could cause us to develop a  
36 problem. And especially in here right now on the YK  
37 where it looks like predation is also going to be an  
38 important thing that will affect these birds.

39  
40 CHAIRMAN REGELIN: Thank you, Tom. Next  
41 Doug and then Enoch.

42  
43 MR. ALCORN: Thank you, Mr. Chairman.  
44 Tom or Russ, would you be able to describe the  
45 conservation efforts that are occurring outside of Alaska  
46 for black brant or emperor geese?

47  
48 MR. OATES: I can talk a little bit about  
49 that. I can't give you all the numbers, maybe Tom will  
50 know them better. In the area where the gray belly brant

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1 winter, which is in Puget Sound area of Washington, they  
2 basically had a closed brant season, off and on, for  
3 years. Very, very brief and restricted hunting  
4 opportunities when it is open. They haven't killed any  
5 brant there for a couple of years now.

6

7 In Oregon, they've got a very brief  
8 season, with a very small bag limit, I don't know the  
9 exact numbers on it, but I think last year they killed  
10 maybe 20 brant. California, they've got a little bit  
11 longer season and they killed a few hundred brant, but  
12 the combined West Coast, Lower 48 brant harvest was just  
13 a few hundred birds.

14

15 In Mexico, we've been monitoring the  
16 harvest down there and we estimate maybe a couple of  
17 thousand total. So, if you put it in a big picture, we  
18 believe that there's maybe between two and 3,000 brant  
19 harvested in Mexico and the coastal -- West Coast states  
20 of the United States and the bulk of the birds are  
21 actually harvested in Alaska, most of them by subsistence  
22 hunters.

23

24 MR. ANDERSEN: What percentage of the  
25 population are harvested by subsistence hunters?

26

27 MR. OATES: Well, we don't have any  
28 numbers from the North Slope. We believe it could be as  
29 many as several thousand birds, but from Western Alaska,  
30 I think it's -- we would be estimating only, I don't know  
31 Tom, what do you think, three, 4,000 maybe?

32

33 MR. ROTHE: I think the total subsistence  
34 take for everything is somewhere between 10 and 12,000,  
35 so 10 percent of the population.

36

37 MR. OATES: Yeah. And maybe 3,000 to use  
38 the term "sporthunt" harvested. Other conservation  
39 efforts in the Lower 48 and Mexico in the wintering  
40 areas, we've been actively working with the Mexican  
41 conservation organizations to attempt to protect the  
42 wintering areas in Mexico. There have been major  
43 developmental threats in the last five years down there.  
44 These birds are heavily dependent on the coastal lagoons  
45 and bays in the West Coast of Baja, Mexico in particular  
46 and the area that where 50 percent of the total Pacific  
47 brant population spent the winter during the El Nino year  
48 a few years ago, was proposed to be turned into a resort  
49 area. This would have eliminated that area completely as  
50 a brant wintering area and working with the Mexican

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1 government and the conservation organizations, that  
2 effort was put down.

3

4                   But the primary thing that saved it was  
5 the fact that gray whales spent the winter there and the  
6 whale watchers and lovers all went to bat and protected  
7 -- got the area protected, at least for the short term.  
8 Other things that are being done, these birds are very  
9 dependent upon submerged aquatic beds of vegetation and  
10 right now there's a fairly limited effort, but at least  
11 some effort, to identify all the aquatic beds and map  
12 them and try to take measures to protect them. In the  
13 state of Oregon, there's two agencies basically working  
14 against each other. The Department -- the Oregon  
15 Department of Agriculture is actively promoting the  
16 shellfish farming industry and some of their preferred  
17 areas to put these shellfish farms are in the areas that  
18 support submerged aquatic beds that are important for  
19 brant winter food and migration food. So the Oregon Fish  
20 and Game Department finds themselves a little bit at odds  
21 with the Agriculture Department, but the threats to  
22 habitat on the wintering area are very significant.

23

24                   In Mexico, also there is a problem with  
25 shellfish farming encroaching on some of these submerged  
26 aquatic beds, so it's something it's a major concern all  
27 up and down the Flyway because those wintering areas are  
28 vital to keep the birds in good shape so they can come  
29 back up to Alaska and breed successfully. So, it's a  
30 Flyway wide effort and I would say the three West Coast  
31 states have a very restricted brant harvest at this  
32 point. Very, very limited or no brant harvest in some  
33 cases and trying to do some things about those aquatic  
34 beds and migration and wintering habitats. So, these are  
35 some of the conservation efforts that are going on on the  
36 West Coast in the wintering areas.

37

38                   CHAIRMAN REGELIN: Thank you, Russ.

39 Enoch.

40

41                   MR. SHIEDT: Yeah, we know they've been  
42 heavily impacted in the wintering grounds. Also here,  
43 under predator control we know the Natives are part of  
44 the predator control, but there's bears, seagulls, the  
45 all kinds of birds you see out there and foxes that do  
46 disturb. So, you need to look at how much on your level  
47 -- how much is being impacted with predator control  
48 versus us. We, as here in the North something's  
49 declining, we always have to pay for it. We need to  
50 worry about the wintering grounds, too, see? Why, always

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1 we, as Natives and we just take them for subsistence, and  
2 we always be impacted. We always be hurt here.

3

4 MR. OATES: I agree that there has been  
5 some sacrifice on the part of the subsistence hunters  
6 here. The sport hunters have paid a heavy price on the  
7 West Coast of the U.S. and until recently there was one  
8 individual from the state of Washington that called me  
9 about once a month just absolutely chewing my ear off, do  
10 something, we haven't had a brant season down here, do  
11 something. Can't you do something. I've heard a lot of  
12 complaints from folks in Washington and I know there's  
13 some concern. There's concern that brant hunting in  
14 Washington and Oregon is a dying sport. That is a major  
15 problem because those hunters down there are your allies  
16 in terms of helping protect the brant wintering areas  
17 and, I mean, we really hate to see that happen because  
18 they're our allies, too. They have some clout with their  
19 legislators and agency folks there to keep brant in the  
20 public eye and support the conservation of brant.

21

22 CHAIRMAN REGELIN: Thank you, Russ.  
23 First Herman and then Ralph.

24

25 MR. SQUARTSOFF: Yeah, Mr. Chair, Russ  
26 and Tom, what Enoch was saying a while ago was, you know  
27 the amount of eggs that they do gather of the black brant  
28 to me sounded like, you know, hardly anything at all. He  
29 says they're hard to get at and all that and everything  
30 else. I don't know if it's only in their region or their  
31 area that eggs are gathered. You know, it seemed like it  
32 wouldn't hurt the population that much. Of course what  
33 he's saying also there's, you know, the predators and all  
34 that. And then the sport -- this sport thing and  
35 subsistence are two different things. We need to have  
36 the food before you go out and start playing around with  
37 the ducks and the geese. The sport people only eat part  
38 of it. They only eat the breast. The majority of the  
39 people. We eat the whole darn thing. We don't waste  
40 nothing on it. So, that's a whole lot of difference  
41 there in between sport and subsistence hunting.  
42 Providing for food is what you're doing.

43

44 Thank you.

45

46 MR. OATES: I'd just like.....

47

48 CHAIRMAN REGELIN: Just wait a minute.

49

50 MR. OATES: Okay.



00025

1 MR. ANDERSEN: I want to say first that I  
2 think we're taking the right approach and even with the  
3 closed season policy in managing or regulating our  
4 actions. If we tried to regulate the birds it would be  
5 impossible. I mean, I know cases such as Kijik River  
6 where management of the runs there was tried. There was  
7 efforts to manage fish populations by managing the  
8 resources. I think that's really the wrong approach.  
9 The most we can do is manage the things that we can  
10 control and that's us.

11

12 In terms of the black brant it seems like  
13 we're taking the right approach there, too, but I think  
14 we need to protect the species by making sure that  
15 sufficient eggs are able to hatch so that we're able to  
16 sustain the population. I was happy to see Cynthia  
17 Wentworth walk in because I have some questions on --  
18 regarding the harvest numbers of egg taking black brants.  
19 I have some questions on the harvest of emperor geese  
20 because it seems like as long as -- as long as we're  
21 going through a process of formalizing closed season  
22 policy, we also need to legitimize, I think, our harvest.  
23 I mean, they're -- emperors are not -- there isn't a  
24 harvest set for them, they are still being harvested.  
25 Cynthia knows that. We have -- she has numbers and those  
26 are the questions I was going to ask her if she can come  
27 up and answer them.

28

29 MS. WENTWORTH: I didn't bring any stuff  
30 with me. If you want I can go back to the office and get  
31 all of my statistics. Just a few minutes ago.....

32

33 CHAIRMAN REGELIN: Just wait a minute.

34

35 MS. WENTWORTH: .....when you were  
36 talking about the brants.....

37

38 CHAIRMAN REGELIN: We're not going to  
39 have a free flowing discussion from the audience. We'll  
40 have you come to the table if you have a question. Russ,  
41 would you -- you had a response. Just a minute.

42

43 MS. WENTWORTH: Oh. Okay.

44

45 MR. OATES: I'll just speak briefly.  
46 Herman, the primary concern for brant egging is the large  
47 colonies on the Yukon Delta. We had an incident last  
48 year where there was one of the colonies that was hit  
49 really hard by eggers and there are a few small colonies  
50 on the North Slope as well that we have some concern

00026

1 about, but I don't know of any areas on Northwest Alaska  
2 that we have concerns.

3

4 Just one brief comment -- okay, I'll  
5 stop. I'll talk to you at the break.

6

7 CHAIRMAN REGELIN: I guess one of the  
8 things, Herman, and everybody needs to remember, we're  
9 not closing the harvest of the birds.....

10

11 MR. SQUARTSOFF: Right, I understand  
12 that.

13

14 CHAIRMAN REGELIN: ..... just the eggs  
15 because they're such huge colony nesters. And it sounded  
16 to me like what Russ was saying, the influx of birds into  
17 the area anyhow were the birds that failed to nest so  
18 they're not going to have eggs up there to start with.

19

20 Now, Doug did you want to make a comment  
21 and then we can have Cynthia come up.

22

23 MR. ALCORN: I would also like to address  
24 the concern I think that Enoch and Ralph both mentioned,  
25 which is to establish that it is a customary and  
26 traditional harvest. This is a recommended closure for  
27 just the 2003 season and black brant and emperor geese  
28 are on the master list. So, it's not excluding those  
29 birds or their eggs from being taken in the future years.  
30 This is a one-year proposal.

31

32 CHAIRMAN REGELIN: Thank you. Stanley  
33 had his hand up next.

34

35 MR. NED: Yeah, I was just going to say  
36 that is a customary and traditional thing, like Doug just  
37 mentioned, but I think that if we start cutting back on  
38 the people up there on their traditional food it would be  
39 like telling them, hey you got to go on a diet this year  
40 because we don't have enough eggs for you to harvest, you  
41 know. I think what we could do is probably limit the  
42 amount of eggs that they harvest and not cut them off  
43 right in the beginning, you know. It would really hurt.  
44 Because if you do that in my region with the limited  
45 amount of moose in that area, and caribou and the bears,  
46 with predation rate going pretty high and taking the  
47 other that we're leaving behind, it just don't make  
48 sense, you know. We need to do something with the  
49 predators on the eggs, too, like the fox and the eagles  
50 and the other predators in there.

00027

1                   CHAIRMAN REGELIN: Stanley.

2

3                   MR. MACK: Just a follow-up question, or  
4 a comment on the predator control. Has the Department  
5 decided when and how they will control that in the YK  
6 area, as they have done now on the Aleutians?

7

8                   MR. OATES: We've entered into some  
9 discussions regarding the possible control of foxes in  
10 the vicinity of the -- at least some of the brant  
11 colonies on the YK Delta. It's not an easy thing, like  
12 it used to be, because you've got a very litigious  
13 environment out there. People that are really opposed to  
14 the concept of predator control and it's not a given that  
15 we can just go out and do that on a national wildlife  
16 refuge.

17

18                   MR. MACK: The reason I brought that up  
19 is because of the incident that took place out on the  
20 Aleutians, particularly in the Shumagin Island and the  
21 Sanak Island district where they went out and destroyed  
22 the predators. So they say they were predators. Yet,  
23 they were cattle that was on the island for 50 years.  
24 They destroyed them but they did not destroy the foxes  
25 that were on the island. I think there was one down on  
26 Shelikof now they're starting to kill off all the cattle  
27 on there because they claim that the cattle has a direct  
28 impact on the nesting of the birds on the island.

29

30                   With that in mind, I was just wondering  
31 if there was anything that the Department was going to do  
32 in regards to predator control in the other nesting  
33 areas?

34

35                   CHAIRMAN REGELIN: Sounds like that some  
36 discussions are going on but predator control is a very  
37 decisive issue. Go ahead.

38

39                   MR. OATES: Just quickly. It's different  
40 when it's a species that's been introduced into an area  
41 as opposed to a native predator that was there all along.  
42 There is a distinction there made by the public and the  
43 managers.

44

45                   CHAIRMAN REGELIN: Enoch.

46

47                   MR. SHIEDT: Just one quick -- the reason  
48 why I brought this up is, I hate to see my people -- and  
49 we put it on a list saying we can't get these eggs and  
50 they cite them and they're taking their outboard motors,

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1 their boats away, their other livelihood. But, I'll  
2 guarantee you, we don't take no more than 200 birds but  
3 the customary -- what I'm after is the customary we take  
4 it when we're there but it's a hard process for us to --  
5 we don't really go after them. But enforces start  
6 citing, the court's going to take the guy's poor boat  
7 away, outboard, you know, six, \$7,000 outboard motor. If  
8 the numbers are high in my area, I hate to -- I'm not  
9 going to agree to this because of that.

10

11 CHAIRMAN REGELIN: All right, Cynthia,  
12 would -- excuse me, did you have a comment?

13

14 MR. KOMPKOFF: I was just wondering what  
15 do you expect to result from the discussion that we're  
16 having here?

17

18 CHAIRMAN REGELIN: We're going to take  
19 action here to either adopt this list or modify it.....

20

21 MR. KOMPKOFF: Oh, okay.

22

23 CHAIRMAN REGELIN: .....here soon.  
24 Because we've got a full days of work ahead of us.  
25 Before I bring Cynthia up here, I'd like to recognize  
26 that Frank Kavairlook has arrived. I think a plane must  
27 have gotten in from the Kotzebue area and I think  
28 somebody else came -- a couple of other people walked in,  
29 too. I don't know if they were on the same airplane  
30 but.....

31

32 MR. KAVAIRLOOK: It's hard to fly south  
33 this time of year.

34

35 CHAIRMAN REGELIN: Yeah. Did you  
36 get.....

37

38 MR. KAVAIRLOOK: I've got some people  
39 here from Koyuk. There's Morris Noshonak from Stebbins,  
40 Joel James from Gambell, and Edwin Weyionanna from  
41 Shishmaref. That covers our region.

42

43 CHAIRMAN REGELIN: Okay.

44

45 MR. KAVAIRLOOK: I apologize for being  
46 late.

47

48 CHAIRMAN REGELIN: That's fine and did  
49 you get the book that has the agenda. The white book?

50

00029

1 MR. KAVAIRLOOK: No. We got the black  
2 book.

3  
4 CHAIRMAN REGELIN: We'll get you a copy  
5 of the white here so that you have all the motions and  
6 all the things we're going to do. All right.

7  
8 Next. Cynthia, we had a question. Ralph  
9 has some questions about the harvest of emperor geese and  
10 brant, I believe.

11  
12 MS. WENTWORTH: Yes. If you'd like I'll  
13 go back to the office and get my data. I didn't think to  
14 bring it all with me over here.

15  
16 MR. ANDERSEN: Well, maybe we can do that  
17 this afternoon, Cynthia, because I think it's important  
18 enough for us to take a look at. I mean, if we're  
19 closing seasons on certain birds, I think that the  
20 traditional harvest, you know, the numbers from your  
21 surveys that are done really need to be considered. What  
22 I'm concerned about is that in closing excluding emperor  
23 geese, and I know we get some at Bristol Bay, I know we  
24 harvest some. If we exclude them and not recognize or at  
25 least acknowledge the traditional harvest, then we'll be  
26 making outlaws out of people that are practicing the  
27 traditional activity, the subsistence activity. That's  
28 something that I want to avoid. I really don't want to  
29 continue our discussion of this or hold action up on this  
30 until after we received your -- the information. But I'd  
31 like to set some time aside this afternoon for you to  
32 give us a short presentation on your data because I think  
33 it's really important for us to consider it as we go  
34 through this process.

35  
36 MS. WENTWORTH: Okay. Okay.

37  
38 CHAIRMAN REGELIN: All right. I'll  
39 figure out just when we're going to do that later this  
40 afternoon but I think just what you're asking for is the  
41 harvest levels in the different parts of Alaska of these  
42 two species.

43  
44 MS. WENTWORTH: You want to just focus on  
45 emperors and brant then, huh?

46  
47 MR. ANDERSEN: Emperor and brant eggs if  
48 we could.

49  
50 MS. WENTWORTH: Okay.

00030

1 CHAIRMAN REGELIN: The brants or just the  
2 eggs?

3

4 MR. ANDERSEN: No, the brants are okay.  
5 They're not listed from harvest. It's just the eggs of  
6 the brants that are.....

7

8 MS. WENTWORTH: Okay. Okay. One thing  
9 though I should make clear is we don't have any data from  
10 the North Slope, except that we have about 300 brant  
11 reported taken in Kaktovik. Otherwise, we have no other  
12 information from the North Slope.

13

14 MR. ANDERSEN: Do you have any egg  
15 harvest information?

16

17 MS. WENTWORTH: Zero. North Slope.....

18

19 MR. ANDERSEN: I mean from anywhere in  
20 the state?

21

22 MS. WENTWORTH: Oh, yeah. Oh certainly.  
23 Yes, we have egg information from other areas, from the  
24 YK Delta and Bristol Bay we have it just about every  
25 year.

26

27 MR. ANDERSEN: Okay.

28

29 MS. WENTWORTH: So, I'll go back and  
30 gather up what I have on those two species and -- want me  
31 to make copies for everyone?

32

33 MR. ANDERSEN: Sure.

34

35 MS. WENTWORTH: Okay.

36

37 MR. ANDERSEN: Appreciate it. Thank you,  
38 Cynthia.

39

40 CHAIRMAN REGELIN: Thank you. Edgar  
41 first and then Doug.

42

43 MR. HOELSCHER: Thank you, Mr. Chairman.  
44 Getting back to the black brant issue and the eggling  
45 issue, as you know AVCP agreed to the proposal that was  
46 presented from the guideline for -- you know, harvesting  
47 guidelines that was 120,000 and now it is -- AVCP agreed  
48 to the drop down of 90,000 so, why is -- there's so much  
49 concern about egg taking when you reduced the level from  
50 120,000 to 90,000?

00031

1                   CHAIRMAN REGELIN: Russ, or Tom, can you  
2 address that question?

3

4                   MR. ROTHE: I think I mentioned earlier  
5 that right now the brant population is reasonably stable  
6 or declining very slowly and so I think that the approach  
7 we've taken with the Goose Management Plan for quite a  
8 while is that the harvest of birds -- as long as the  
9 harvest of birds is at the level it has been, it's  
10 probably not a big problem, but the taking of eggs is a  
11 little bit of an extra stress on the birds because of the  
12 problem of going into colonies and disturbing birds.  
13 There's a cycle, particularly with foxes, where we'll get  
14 predation affecting big colonies. In the bad days of the  
15 1980s some of these brant colonies didn't produce more  
16 than 20 percent of nest success.

17

18                   So, right now I think the approach is  
19 that if we can minimize disturbance during the breeding  
20 season and maintain production from those colonies that  
21 that will help us keep the brant population going upward.  
22 If we get a double affect of a high fox year, which it  
23 looks like it may be this year, and eggging occurring in  
24 the colonies, the combination may create a real low  
25 production year and difficulties for the population.  
26 It's mainly the big colonies at Kochick (ph) Bay and  
27 those places.

28

29                   CHAIRMAN REGELIN: Thank you. Doug, and  
30 then Stanley.

31

32                   MR. ALCORN: Yeah, thank you,  
33 Mr. Chairman. I have a question for Tom or Russ. I  
34 guess I'm asking you to speculate, based on your  
35 experiences in watching populations of other birds and  
36 how quickly they can recover. Could you speculate, are  
37 we looking at one year, two years, five years to recover,  
38 or could it -- can a population recover that quickly, or  
39 are we looking at a long-term gradual recovery of this  
40 population in your estimation?

41

42                   MR. ROTHE: I think for brant we know  
43 that they're not as productive as Canada geese and white-  
44 fronts so they're not going to respond very quickly.  
45 We've got basically two approaches. The fastest way to  
46 get more birds is to stop shooting adults. That's a  
47 little tougher solution. So, I guess what we're saying  
48 as a half step is, let's try to keep the production up on  
49 the major colonies and hopefully we'll gradually get an  
50 increase going. With brant, my characterization is not

00032

1 that we've got a big problem with brants but we want to  
2 make sure that they're easing up rather than easing down.

3

4 CHAIRMAN REGELIN: Thank you, Tom.  
5 Stanley.

6

7 MR. NED: I think that we'll be -- sooner  
8 or later we'll be addressing the predator issue and I  
9 think we should start talking about it now and probably  
10 need to put it on the next agenda. Because if we have --  
11 if we start restricting people from harvesting their  
12 traditional food, we need to try to do something with the  
13 predators also, the foxes, the eagles, the otters, the  
14 bears, the seagulls, whatever might be taking these  
15 birds. So, I think we should put it on the next agenda.

16

17 CHAIRMAN REGELIN: Okay. Other comments  
18 on this proposal. Other discussion. Frank.

19

20 MR. KAVAIRLOOK: Can I hear the motion?

21

22 CHAIRMAN REGELIN: The motion that we  
23 have before us is to adopt the proposal -- we'll just  
24 call it Proposal A, which is on the fourth page of your  
25 white book. It would prohibit the harvest of -- during  
26 the 2003 season of four species of birds -- actually  
27 three species of birds throughout the state and then  
28 Canada geese on the Semidi Islands, which is way out in  
29 the middle of nowhere. The other action in the same  
30 proposal would be to prohibit the taking of eggs from two  
31 species, cackling Canada geese and black brant and those  
32 would both be on a statewide basis.

33

34 Ralph.

35

36 MR. ANDERSEN: I have a question.  
37 Because this draft Proposal A addresses the 2003  
38 spring/summer season, does this mean that we'll be  
39 considering this on an annual basis?

40

41 MR. ALCORN: Yes, I envision a process  
42 where we, the Fish and Wildlife Service, the Department  
43 of Fish and Game, any of the regions would be able to  
44 present their proposals annually for our Technical  
45 Committee to review those.

46

47 CHAIRMAN REGELIN: So that is the motion  
48 before us and we need to decide how we want to deal with  
49 that.

50



00033

1 Enoch.

2

3 MR. SHIEDT: One quick question. For the  
4 Canada goose, it can be taken just only in the islands  
5 only on this proposal here.

6

7 CHAIRMAN REGELIN: No. No. No. They can  
8 be taken everywhere in Alaska except on that island.

9

10 MR. SHIEDT: Okay. You make an exception  
11 of one area could be harvested. Why can't you make an  
12 exception of black brant eggs being taken in my area  
13 then? If you could do it in one area, why can't you do  
14 it in the other? Because I got high numbers, like I say.

15

16 CHAIRMAN REGELIN: Herman.

17

18 MR. SQUARTSOFF: Yeah, Mr. Chair. No,  
19 it's not -- you can't take these Canada goose in that  
20 area. It's saying you can't. It's not saying you can,  
21 Enoch, on this. It's excluded. There's only a limit of  
22 100.....

23

24 CHAIRMAN REGELIN: Yeah. Okay.

25

26 MR. SQUARTSOFF: I still know what you're  
27 saying -- I mean, I would like to see where you could  
28 harvest some of the eggs.....

29

30 MR. SHIEDT: And they're targeting an  
31 area.....

32

33 MR. SQUARTSOFF: .....in your area.

34

35 MR. SHIEDT: .....I'm willing to target  
36 my area. We don't get that many eggs anyhow, but still I  
37 hate to see somebody get cited.

38

39 MR. SQUARTSOFF: Right.

40

41 CHAIRMAN REGELIN: Doug.

42

43 MR. ALCORN: Thank you, Mr. Chairman. I  
44 certainly appreciate that Enoch and I would hate to lose  
45 an outboard, too. When we discussed this with my other  
46 counterparts in my other programs this was a species  
47 that, like Tom said, is not a species that there's fear  
48 of extinction or anything, but there are certain concerns  
49 about the biology of these animals and the fact is, when  
50 they -- I don't know what the proper word is -- when the

00034

1 congregate in a large colony and then they're disturbed,  
2 then their nesting brooding success goes way down. Even  
3 though there are lots of lots of birds in your region,  
4 those birds populate other regions at other times of the  
5 year and so, I guess I would say that it's not a function  
6 of the number of birds in any one area, it's a function  
7 of the overall population being below what the experts,  
8 and I'm not an expert, but I depend on the information  
9 that I get from those experts. Those concerns are that  
10 disturbance of that large colony may prohibit successful  
11 reproduction in that colony. Even though there may only  
12 be a gathering of a couple hundred eggs from your region,  
13 that may result. It's speculation. But it could result  
14 in larger impact in failure of successful hatching and  
15 rearing of those young. So, the impact is not -- the  
16 direct impact, I don't think is the concern. Two hundred  
17 eggs, I'm sure could be supported. But, it's the  
18 consequence of collecting those 200 eggs might affect the  
19 hatching of thousands of eggs. I think that's where the  
20 concern lies.

21

22 CHAIRMAN REGELIN: Gloria.

23

24 MS. STICKWAN: I was wondering if we  
25 could table this until we get information from the  
26 harvest this afternoon? Otherwise we'll just be sitting  
27 here talking and talking about it and won't know -- can't  
28 make a decision until she gets back with the harvest  
29 data.

30

31 CHAIRMAN REGELIN: Are you making a  
32 motion that we table?

33

34 MS. STICKWAN: Yeah, until we get the  
35 information from Cynthia and then we could bring it up  
36 again.

37

38 MR. MACK: Second.

39

40 CHAIRMAN REGELIN: Yeah. There's a  
41 motion made I guess that, when we vote, is there -- does  
42 anyone have objection to tabling this until Cynthia comes  
43 back with some information after lunch that we can all  
44 look at?

45

46 Cynthia. You can't -- you must come to  
47 the table. We have to have -- if you're going to speak  
48 so you're on the tape.

49

50 MS. WENTWORTH: Mr. Chairman, if you'd

00035

1 like I can go get the information right now.

2

3 CHAIRMAN REGELIN: That would probably be  
4 the best and we can take it up maybe when you come back  
5 and we will try to do that. That would be the best for  
6 our schedule. We have a motion before us to table. It's  
7 non-debatable. Is there objection to tabling this until  
8 we have the information before us.

9

10 MR. SQUARTSOFF: Mr. Chair, we have our  
11 other motion on the floor, too.

12

13 CHAIRMAN REGELIN: This take precedent  
14 over the motion on the floor and it will be tabled. That  
15 motion will be tabled unless someone objects.

16

17 (No audible responses)

18

19 CHAIRMAN REGELIN: Okay so we're going to  
20 table this for a while.

21

22 I want to mention one thing about the  
23 process that we use because we have three new people that  
24 probably haven't been through it. We strive and work  
25 very hard to try to reach consensus rather than vote on  
26 issues. That's why you hear me ask if there's any  
27 objection. What we have to realize that we're an  
28 advisory body, the actions that we take don't become  
29 regulation, they become recommendations that goes through  
30 the Flyway system and to the Service Regulations  
31 Committee. We feel like we really increase our influence  
32 at the SRC if we have unanimity.

33

34 If we have issues that we don't have  
35 consensus on, then we vote and only three people vote.  
36 There's one Federal representative, one State  
37 representative and one Native representative because the  
38 Council is set up to have three equal parts. So, if we  
39 do that, usually, I think Fred is your rep -- Ralph is  
40 your representative to be the vote.

41

42 MR. ANDERSEN: What we usually do is  
43 caucus to designate a person.

44

45 CHAIRMAN REGELIN: Okay. So it doesn't  
46 -- it's individual each time. If that happens, if we  
47 decide we're going to have to vote on this then we'll  
48 have a short caucus and then you'd come back and we would  
49 take the vote. I just wanted to explain that because some  
50 of you probably weren't -- I mean you probably read it

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1 but until you're living it, it doesn't mean as much. So,  
2 that's what we'll do. Right now we've got that tabled.  
3 When Cynthia comes back we'll probably interrupt. I  
4 think we'll take a 10 minute break. Try to be back here  
5 right around 10:00 o'clock. We're going to start with  
6 Kodiak, the proposals on Kodiak. I want to start that  
7 just in case we get bogged down so that we can get --  
8 make sure we hear Herman's region.

9

10 (Off record)

11

12 (On record)

13

14 CHAIRMAN REGELIN: All right. Let's go  
15 ahead and get started. One quick announcement before we  
16 begin. There's a sign-in sheet at the back of the room.  
17 If you haven't signed in, please do so. We'd like to keep  
18 a record of who attends the meetings. I think that  
19 everyone that does gets minutes and gets on our  
20 newsletter that we will have some day and that kind of  
21 thing. Who were we -- Gloria -- here we are. I'm not  
22 sure. Gloria may have had to run for a minute.

23

24 Okay we're ready to begin. The purpose  
25 of this meeting or the main purpose and there's two other  
26 main purposes, but why we had to have a special meeting  
27 at this time was to get our recommendations on the  
28 regulation proposals finalized so that they can move  
29 forward in the process to the Flyway Council and on to  
30 the Service Regs Commission. I think we have nearly  
31 everyone and all of the regions have made proposals and  
32 we'll go through them in order, but we're going to start  
33 with Kodiak because of Herman's schedule.

34

35 The process that we want to have as this  
36 moves, first, I'll say which region we're going to take  
37 up and then we will have the person from that region make  
38 a motion that we adopt their proposal and a second. The  
39 next thing I will do is ask Bill Ostrand to very briefly  
40 give us an overview of what that proposal is, in a minute  
41 or two, it proposes to have a closed season here and  
42 those things. So, just kind of give us a quick overview  
43 of what it does. Then we will ask staff, Tom Rothe and  
44 Russ Oates, if they have any biological concerns with the  
45 proposal or if they have any technical concerns that, for  
46 instance, it's not consistent with the treaty or that  
47 kind of thing. And then we will enter into discussions  
48 and the regional representative can amplify on it if they  
49 feel that Bill -- on what Bill said and that kind of  
50 thing. But what I'm trying to do is have a uniform

00037

1 process that we do for each proposal that comes before  
2 us.

3

4 We won't ask Tom or Russ their opinion on  
5 whether the proposal should be -- for an opinion on the  
6 proposal except just to say that it looks fine or we have  
7 a biological concern with this species or with this -- or  
8 it doesn't meet the rules and explain why. And then  
9 we'll move on. So is that satisfactory? Anybody have a  
10 comment on doing it that way? It's not written in stone,  
11 it's just that we talked about it amongst ourselves and  
12 thought that that's the process that would work.

13

14 (No audible responses)

15

16 CHAIRMAN REGELIN: Well, we'll try it. If  
17 it doesn't -- if we want to change it, it's our process.  
18 We can change it a little different, but I think it's  
19 important for us to start having some uniform ways of  
20 doing business consistently so that -- as this moves up  
21 the system. So if everyone, in your white book under  
22 Proposal 8 -- or under Tab 8, excuse me, would be the  
23 proposal for the Kodiak Island region. And I would  
24 entertain a motion to adopt.

25

26 MR. SQUARTSOFF: Mr. Chairman, Herman  
27 here, Kodiak Region, I would like to so move that we  
28 adopt recommendation number one, season and closure for  
29 the Kodiak Island region.

30

31 MR. ANDERSEN: Second.

32

33 CHAIRMAN REGELIN: Thank you. The motion  
34 has been made and seconded.

35

36 REPORTER: Who seconded, Mr. Chairman?  
37 I'm sorry.

38

39 CHAIRMAN REGELIN: Ralph Anderson  
40 seconded.

41

42 REPORTER: Sorry.

43

44 CHAIRMAN REGELIN: Would you give us a  
45 quick overview, Bill.

46

47 MR. OSTRAND: Sure. just ahead of the  
48 numbered section in your booklet, there is a summary of  
49 the proposals and the KANA season runs from March 11th to  
50 August 31st, with the egg gathering season May 1 to June

00038

1 20th. They have a 30-day closure that runs from June  
2 21st to July 21st. This proposal has not changed since  
3 it was introduced and approved at the last Council  
4 meeting.

5

6 CHAIRMAN REGELIN: Okay. Let's -- well  
7 let's use the pro -- Tom, do you have any biological or  
8 technical concerns.

9

10 MR. ROTHE: No.

11

12 CHAIRMAN REGELIN: Okay. Now we're in a  
13 different situation here because we adopted this at the  
14 last meeting but then we gave everybody an opportunity to  
15 go back and make any changes if they wanted to, so,  
16 Herman, you want to speak to your proposal and if there's  
17 no changes we probably can just let the action stand from  
18 the last meeting.

19

20 MR. SQUARTSOFF: Right. Yeah, Mr.  
21 Chairman, I didn't make any changes and we're still  
22 standing the way we were. I guess everybody had a chance  
23 to read it in this book, and we're kind of doing like a  
24 spring and summer. The spring one goes from March 11th  
25 to June 20th. The egg gathering period May 1 to June 20.  
26 We allowed ourselves plenty of time in there on either  
27 side of the egg gathering just for enforcement purposes  
28 just so we don't get stuck due to the weather and all  
29 that and everything else that happens down there. If  
30 it's a warmer summer -- or spring, they'll lay earlier.  
31 If it's a later then they'll lay a little later. So, I  
32 wanted to make sure we had plenty of time in there is  
33 what we did there.

34

35 Also, the list that I was missing, I got  
36 the master list here so we can attach that to my  
37 recommendation if you guys don't mind. I would like to --  
38 while we're on that, I would like to see if we can't  
39 change where it has geese that we could put all Canada  
40 geese on there instead of just Canada goose, because  
41 there's about five species, right? We adopted that in  
42 our last meeting, but I mean if it's worded all Canada  
43 geese I would feel more comfortable on that. And then if  
44 we could also add under shorebirds, if we could add  
45 common snipe. I think the other two regions added it in  
46 there. That would be good to add to that list.

47

48 CHAIRMAN REGELIN: Okay let's.....

49

50 MR. SQUARTSOFF: And that's about all the

00039

1 comments I have on it.

2

3

CHAIRMAN REGELIN: Thank you. I think we  
4 have a motion before us to -- on the list of species, the  
5 broad list to change it where it says Canada geese.....

6

7

MR. ANDERSEN: Point of order,  
8 Mr. Chairman, my motion was to adopt recommendation  
9 number one. I didn't address any additions or any of the  
10 lists or anything else. I think in following protocol,  
11 we need to act on.....

12

13

CHAIRMAN REGELIN: Yeah. I believe  
14 you're right, Ralph, because the list -- the two  
15 changes.....

16

17

MR. ANDERSEN: .....but you're welcome to  
18 make that motion at some other time.

19

20

CHAIRMAN REGELIN: .....will affect all  
21 regions.

22

23

MR. SQUARTSOFF: Okay. Well I was told  
24 to bring it up at this time while I had my proposal, so  
25 that's why I'm bringing it up now.

26

27

MR. ANDERSEN: Well, we're just handling  
28 proposals only at the time.

29

30

MR. SQUARTSOFF: Right. Right.

31

32

CHAIRMAN REGELIN: Well let's finish work  
33 on this proposal and then we will adopt -- we'll move  
34 into this issue.

35

36

MR. SQUARTSOFF: Sure that's fine. No  
37 problem.

38

39

CHAIRMAN REGELIN: Okay. I think that  
40 Kodiak region has been ahead of a lot of people for quite  
41 a while because of Herman's good work and we appreciate  
42 it. Are there.....

43

44

MR. SQUARTSOFF: Backing from my buddy  
45 Ralph here, that's where I got the good work.

46

47

CHAIRMAN REGELIN: We appreciate your  
48 work on it too. I guess that because we're going to have  
49 some little changes, let's go ahead and just -- we'll  
50 readopt this, I think, rather than say we already did

00040

1 just to keep the record and everything straight. Are  
2 there any objections to accepting this proposal?

3

4 (No audible responses)

5

6 CHAIRMAN REGELIN: Hearing none, that  
7 will be the action of the Council so we're done with the  
8 Kodiak region. You have.....

9

10 MR. SQUARTSOFF: Thank you.

11

12 CHAIRMAN REGELIN: .....formal  
13 regulations and now you -- why don't make your motion at  
14 this point on those two changes to .....

15

16 MR. SQUARTSOFF: The master list?

17

18 CHAIRMAN REGELIN: .....the master list.

19

20 MR. SQUARTSOFF: Yeah. I'd like to so  
21 move that we change -- we make two changes on the master  
22 list. It being under geese, changing it from Canada  
23 goose to all geese, all Canada geese, sorry. And then  
24 under shorebirds, adding common snipe.

25

26 MR. ANDERSEN: Second.

27

28 CHAIRMAN REGELIN: Thank you. Any  
29 discussion on that motion.

30

31 (No audible response)

32

33 CHAIRMAN REGELIN: Any objections to that  
34 being the action of the Council.

35

36 (No audible response)

37

38 CHAIRMAN REGELIN: Hearing none, that  
39 will be the action of the Council and we will add the  
40 common snipe and we will change it so that it ways all  
41 Canada geese. All right. Thank you.

42

43 MR. SQUARTSOFF: Thank you, Mr. Chair.

44

45 CHAIRMAN REGELIN: On the agenda, for  
46 Frank's information, before you arrived we went through  
47 and made a couple of modifications to the agenda, Frank.  
48 We moved Kodiak up to the beginning, as you probably  
49 figured out by now and we also moved Kawerak to the  
50 bottom and that's because we wanted to have opportunity



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1 for staff and Council members to read through the  
2 proposal that you just brought with you. So, we'll do  
3 that. I just didn't want you to wonder why we skipped  
4 over you if we get to it. So, I think that probably over  
5 the break at lunch we'll ask everybody to try to make  
6 sure they read that and see if they have any comments.

7

8 MR. KAVAIRLOOK: Fred just pass.....

9

10 CHAIRMAN REGELIN: Excuse me, I couldn't  
11 hear what you just said.

12

13 MR. KAVAIRLOOK: Yeah, Fred just passed  
14 out copies of our proposal.

15

16 CHAIRMAN REGELIN: Yes. Everybody should  
17 have just got copies passed out of the proposal from  
18 Kawerak.

19

20 Okay. The next region that we will take  
21 up will be the Aleutian/Pribilof Islands. Stanley.

22

23 MR. MACK: Yes, Mr. Chairman. In your  
24 packets there is a proposal that's been changed as of  
25 yesterday and there's been a hand out to all of you folks  
26 of the revised proposal and it is before you.

27

28 UNIDENTIFIED MALE: I didn't get a copy.

29

30 MR. MACK: You didn't get a copy.

31

32 CHAIRMAN REGELIN: Excuse me, Stanley. is  
33 the copy of the amended changes in the book, in the white  
34 book yet?

35

36 MR. MACK: No.....

37

38 CHAIRMAN REGELIN: Oh.

39

40 MR. MACK: .....they were handed out this  
41 morning.

42

43 CHAIRMAN REGELIN: I see okay. Has staff  
44 had a chance to read through these and are aware of them?

45

46 MR. OSTRAND: Stanley presented these  
47 yesterday.

48

49 CHAIRMAN REGELIN: Okay. So you have had  
50 a opportunity to take a look at them.

00042

1 MR. OSTRAND: Yes.

2

3 CHAIRMAN REGELIN: Okay. So, I think --  
4 do we have a motion.....

5

6 MR. MACK: I move that we adopt this  
7 proposal.

8

9 MR. ANDERSEN: Second.

10

11 CHAIRMAN REGELIN: All right we're moved  
12 and seconded. Bill, would you give us a summary of this  
13 motion.

14

15 MR. OSTRAND: Okay. API/AS divided their  
16 region up into. three subregions, northern, central and  
17 western, and they have separate seasons. The northern  
18 region is the Pribilof Islands opens March 11th and the  
19 season closes June 30th. The closed period is from July  
20 1st to August 31st. Stanley, is that correct?

21

22 MR. MACK: Yes, that's correct.

23

24 MR. OSTRAND: Okay. Formerly there was a  
25 special eggging season.

26

27 MR. MACK: We had that at the office,  
28 that's covered, you got it.

29

30 MR. OSTRAND: Okay. The central region  
31 season is from March 11th to June 15th. There's a  
32 closure from June 16th to July 15th and then season  
33 reopens July 16th and closes again August 31st. For the  
34 western region the season opens March 11th to June  
35 15th.....

36

37 MR. MACK: July.

38

39 MR. OSTRAND: .....July 15th, thank you.  
40 Season closes July 15th to August 16th and then reopens  
41 August 17th to August 31st.

42

43 CHAIRMAN REGELIN: Thank you, Bill.

44

45 MR. OSTRAND: Oh, and I should add that  
46 there APIA submitted a list as part of their proposal,  
47 which adds four species to the list. I don't know if the  
48 Council wants to address that at the same time they  
49 address the seasons.

50

00043

1                   CHAIRMAN REGELIN: Did they add these to  
2 the master list or to the.....

3

4                   MR. OSTRAND: Yes, to the master list.

5

6                   CHAIRMAN REGELIN: Okay. Let's take that  
7 up after we adopt the season periods. Tom and Russ, do  
8 you have any biological or technical concerns with this  
9 proposal?

10

11                   MR. OATES: Mr. Chairman, I would just  
12 make an observation here that I am not going to  
13 recommend any changes, but I do want to observe that the  
14 closed period for the western region seems unusually  
15 late. I don't have -- compared to other regions of the  
16 state, I don't have any data at this point in time. I'm  
17 trying to get some information to bring to bear on it,  
18 but at this point it will just be an observation and I  
19 will try and research that a little bit for future  
20 regulations process. Just an observation.

21

22                   CHAIRMAN REGELIN: Thank you. Tom, did  
23 you have a comment?

24

25                   MR. ROTHE: Not having looked at a map or  
26 anything, just so we're real clear on the boundaries of  
27 the regions.

28

29                   MR. MACK: You want me to explain that?

30

31                   MR. ROTHE: No, no, just at some  
32 point.....

33

34                   CHAIRMAN REGELIN: Are they -- are the  
35 boundaries clearly described in writing somewhere?

36

37                   MR. MACK: Yeah, we got that somewhere  
38 here.

39

40                   CHAIRMAN REGELIN: I see it now. Thank  
41 you. I didn't get this until just now. I probably got  
42 it yesterday, but didn't realize it. Okay. Stanley, did  
43 you have anything else you'd like to add on your  
44 comments?

45

46                   MR. MACK: No, not really.

47

48                   CHAIRMAN REGELIN: The only comment I  
49 have is I'm not sure why we need three regions in such a  
50 little place.

00044

1 (Laughter)

2

3 MR. MACK: We are little. But we're  
4 spread out for 1,800 miles.

5

6 CHAIRMAN REGELIN: I'm sorry. Any  
7 discussion, comments, or concerns that anybody wants to  
8 express?

9

10 (No audible responses)

11

12 CHAIRMAN REGELIN: Again, another good  
13 job.

14

15 MR. OSTRAND: They did a great job  
16 yesterday in that short order of time.

17

18 CHAIRMAN REGELIN: All right.

19

20 MR. SQUARTSOFF: Maybe the staff can see  
21 if they can't hire you on next year when we do our  
22 proposals or something.

23

24 CHAIRMAN REGELIN: All right. Are there  
25 any objections to making this the action of the Board?

26

27 (No audible response)

28

29 CHAIRMAN REGELIN: Hearing none, that  
30 will be the action of the Board. This proposal has been  
31 adopted.

32

33 Okay. Next is the Bristol Bay Native  
34 Association, I believe it's under -- oh no, excuse me,  
35 under two, it's AVCP proposal and it's under tab number  
36 two.

37

38 Excuse me, Fred, go ahead.

39

40 MR. ARMSTRONG: Mr. Chairman, there is  
41 the list of species that.....

42

43 CHAIRMAN REGELIN: Oh, I certainly  
44 forgot. We need to go back to Stanley and you can make a  
45 motion on the species list, the master list.

46

47 MR. MACK: Mr. Chairman, I move that we  
48 include the added species to the master list.

49

50 CHAIRMAN REGELIN: And what are they?

00045

1 Can you name them, Stanley?

2

3 MR. OSTRAND: You want me to read them  
4 for you?

5

6 MR. MACK: Go ahead.

7

8 MR. OSTRAND: They are the North American  
9 common teal, slaty-backed gull, Cassin's Auklet, short-  
10 eared owl, and the greater yellow leg.

11

12 MR. SQUARTSOFF: I'll second the motion.

13

14 CHAIRMAN REGELIN: Okay. Thank you. Are  
15 there any biological concerns from our two biologists  
16 that aren't listening.

17

18 (Laughter)

19

20 MR. OATES: I'm listening. We're not  
21 sure what species the North American common teal is.  
22 That was what.....

23

24 CHAIRMAN REGELIN: Oh, I see.

25

26 MR. OATES: .....but we were listening.

27

28 CHAIRMAN REGELIN: Do you have any  
29 biological concerns with adding these species to the  
30 master list.

31

32 MR. OATES: No.

33

34 CHAIRMAN REGELIN: Any discussion?

35

36 (No audible response)

37

38 CHAIRMAN REGELIN: Any comments?

39

40 (No audible response)

41

42 CHAIRMAN REGELIN: Any objection to  
43 adding these four species to our master list?

44

45 (No audible response)

46

47 CHAIRMAN REGELIN: Hearing none, that  
48 will be the action of the Board. Now we're ready to move  
49 to AVCP. Their proposal is under tab number two. Edgar.

50

00046

1 MR. HOELSCHER: Thank you, Mr. Chairman.  
2 I move to adopt Association of Village Council  
3 Presidents, the Waterfowl Conservation Committee  
4 proposals.

5  
6 MR. ANDERSEN: Second.

7  
8 CHAIRMAN REGELIN: Okay. The motion has  
9 been made, seconded by Ralph Andersen. Bill, would you  
10 give us a brief overview.

11  
12 MR. OSTRAND: Sure. There's several  
13 components to the AVCP proposal. I'll go over the  
14 seasons first. The season runs from March 10th to August  
15 31st. I believe that should be March 11th. Thirty-day  
16 closure period will be announced by Fish and Wildlife  
17 Services and will be determined in consultation with  
18 local subsistence hunters and the WCC.

19  
20 MR. HOELSCHER: Mr. Chairman, in that  
21 section I would like to include set and announced to the  
22 public by and the inclusion would be the Yukon Delta  
23 National Wildlife Refuge Office. That is number one and  
24 that would be on number two. It's done on number two,  
25 three and then on the second page, right about the third  
26 paragraph down there would be the same thing. Where it  
27 was accidentally not included in there.

28  
29 Thank you.

30  
31 CHAIRMAN REGELIN: Ralph.

32  
33 MR. ANDERSEN: Edgar, is part of your  
34 region in the Togiak National Wildlife Refuge?

35  
36 MR. HOELSCHER: I don't think so. Yukon  
37 Delta.

38  
39 MR. ANDERSEN: Platinum and Good News Bay  
40 are they in AVCP?

41  
42 MR. HOELSCHER: I think so, yeah.

43  
44 MR. ANDERSEN: But aren't they included  
45 in the Togiak National Wildlife Refuge?

46  
47 MR. HOELSCHER: I think they are.  
48 There's technicalities to there where -- there's entities  
49 out there that include here and don't include them there.  
50

00047

1 MR. ANDERSEN: So if you're calling for  
2 the -- I mean, since this regulation is going to apply to  
3 the villages in your region, as long as you're listing  
4 the YK Refuge, would it be reasonable to include the  
5 Togiak Refuge as well, for those villages that are in  
6 that refuge?

7  
8 MR. HOELSCHER: I think I would have the  
9 same situation with Mr. North Slope. If they come into  
10 our area, they abide.....

11  
12 MR. ANDERSEN: But those -- but those  
13 villages are in your region.

14  
15 MR. HOELSCHER: Right.

16  
17 MR. ANDERSEN: Okay. For everybody else  
18 they'll be listening to the Yukon Delta, but for those  
19 villages does it mean that they -- who do they get the  
20 announcement from?

21  
22 MR. HOELSCHER: Well, if they're within  
23 their region than they abide by our proposals and  
24 regulations and that they would have to be included.

25  
26 MR. ANDERSEN: So you would be -- you  
27 would not need to hear from the refuge managers in Togiak  
28 Refuge for those villages.

29  
30 MR. HOELSCHER: No. Their side is their  
31 business. Our side is our business.

32  
33 CHAIRMAN REGELIN: Okay. I think we have  
34 an amendment to the proposal and I believe it's on page  
35 one of the -- of where it starts out it's not numbered.  
36 Page three it says at the top, Waterfowl Conservation  
37 Committee, April 9th. And number one, after fish and  
38 wildlife series, you have a comma and it would say Yukon  
39 Delta National Wildlife Refuge.....

40  
41 MR. HOELSCHER: Uh-huh. (Affirmative)

42  
43 MR. OATES: .....and you'd do that also  
44 under number two. Okay so wa can make sure that Fred  
45 would have that. So that -- what we're doing -- what the  
46 amendment does is in three places where it's appropriate  
47 we change it from saying by the U.S. Fish and Wildlife  
48 Service, it would say by the Yukon Delta National  
49 Wildlife Refuge of Fish and Wildlife Service. Okay.  
50 We're clear on that.

00048

1 Doug.

2

3 MR. ALCORN: Thank you, Mr. Chairman. I  
4 would like to speak to the amendment. I think I can  
5 satisfy Ralph's point in making a statement that the  
6 chain of command and protocol in the Fish and Wildlife  
7 Service is that the Regional Director makes all those  
8 kinds of policy calls and, while he or she has the  
9 prerogative to delegate that responsibility to any  
10 particular individual, in this case it would be the  
11 manager of the YK Delta Refuge. I would like to see the  
12 amendment use the phrase Alaska -- instead of U.S. Fish  
13 and Wildlife Service I would just suggest use U.S. Fish  
14 and Wildlife Service, Alaska Region Regional Director,  
15 and then continue on. Then that gives the Regional  
16 Director due recognition and he also has, like I said,  
17 the ability or prerogative to delegate that  
18 responsibility to the YK Delta Manager. But that would  
19 be a more acceptable use of terminology.

20

21 CHAIRMAN REGELIN: I guess more  
22 appropriate way.....

23

24 MR. ALCORN: More appropriate.

25

26 CHAIRMAN REGELIN: .....for the -- would  
27 you consider that a friendly amendment and we would  
28 revise that?

29

30 MR. HOELSCHER: I would.

31

32 CHAIRMAN REGELIN: I will make -- you can  
33 make sure that Fred has the words down. But what it  
34 would say is, rather than a specific refuge, to the  
35 Regional Director of the Alaska Region. On the technical  
36 -- just on the amendment now, are there any biological or  
37 technical concerns?

38

39 MR. OATES: Just one comment  
40 Mr. Chairman. That approach of designating Regional  
41 Director also by sort of umbrella coverage includes the  
42 very substantial role that the Division of Migratory Bird  
43 Management plays annually in the nesting studies that are  
44 done on the Yukon Kuskokwim Delta in our very  
45 collaborative approach in working with the refuge to  
46 determine these dates.

47

48 CHAIRMAN REGELIN: All right, thank you.

49 Tom.

50



00049

1 MR. ROTHE: Maybe a question. This is a  
2 kind of a whole new experiment on how to do things in the  
3 Goose Management Plan, the announcement was an informal  
4 announcement, it wasn't regulatory, can Fred or somebody  
5 address how -- would this be done as a Federal emergency  
6 order of some sort?

7

8 CHAIRMAN REGELIN: We will get to that  
9 when we pick up the -- we're on the amendment only right  
10 now. We will come back that when we get back to the main  
11 motion. But I want to deal with the amendment and get  
12 that done and then we will come back to your comment. Is  
13 there any objection to the amendment to change the  
14 language so that rather than saying U.S. Fish and  
15 Wildlife Service it will say Regional Director Alaska of  
16 the Alaska Region, U.S. Fish and Wildlife Service?

17

18 (No audible response)

19

20 CHAIRMAN REGELIN: Hearing none, that  
21 will be the action of the Committee. That amendment has  
22 been adopted. Now we're back to the main motion and it  
23 is -- we've had -- Bill has given us a quick summary of  
24 that the season dates and closures would be, and now  
25 we're ready for the biological and technical input.  
26 Either Tom or Russ, whoever wants to go first.

27

28 MR. OATES: Just one comment  
29 Mr. Chairman. I discussed the criteria that the Yukon  
30 Delta Refuge staff used for establishing those closure  
31 dates just very recently and they told me that the  
32 closure was called at such point in time it was  
33 determined by the field camps that egg laying was  
34 initiated by a fair percentage of the birds, which in the  
35 early days was an attempt to establish a closure when  
36 early, very early in the nesting season. That makes that  
37 criteria a little bit inconsistent with the  
38 recommendations that we've been making on this handout  
39 and so I would say that the Division of Migratory Bird  
40 Management will work with the refuge staff to modify  
41 those criteria that increase the opportunity for egg take  
42 early in the season and make it consistent with the  
43 criteria that we use for these other recommendations that  
44 I passed out.

45

46 CHAIRMAN REGELIN: Thank you, Russ. Tom,  
47 did you have a comment?

48

49 MR. ROTHE: Just my question again would  
50 be how mechanically would the Service legally do a

00050

1 closure in regulation, do you know?

2

3 CHAIRMAN REGELIN: I think that -- I  
4 would have that concern too. I think what has to happen  
5 is the Service Regulations Committee will have to adopt  
6 this, which will be a delegation of authority back to, I  
7 guess, the Regional Director and AVCP to take this  
8 action. I think it's -- we're not sure what they would  
9 do. Is this the only one that we're talking about that is  
10 not fixed dates? I think -- well let's have some discuss  
11 -- what are other people thinking? Is this something  
12 that we should do? Ralph.

13

14 MR. ANDERSEN: I was just thinking that  
15 Edgar's proposal reflects how it's done now. Tom just  
16 said it was done by informal announcement and that if we  
17 legitimize and recognize the way things are doing now by  
18 it is written in the proposal, we leave things just the  
19 way they are. It seems like we wouldn't be throwing a  
20 wrench into finely tuned gears. Because I know they've  
21 spent years working on the management plan there. It  
22 seems like if we're going to be making -- adding  
23 authorities and designating something that might require  
24 Federal Register notices, that might require the whole  
25 Federal process involved, then I think it's something  
26 we'd want to avoid. If we can have it maybe revert back  
27 to the way Edgar had originally proposed it, which  
28 reflects or is amendment of the Yukon Delta National  
29 Wildlife Refuge, then that -- I mean if that's the way it  
30 works now, why change it?

31

32 I mean, is it because we want to give  
33 Mr. Allen some recognition or is it because we want to --  
34 I'm not quite sure of the procedure myself.

35

36 CHAIRMAN REGELIN: First. Well, were you  
37 going to answer the question, Fred?

38

39 MR. ARMSTRONG: No, I was just going to  
40 expand on his.

41

42 CHAIRMAN REGELIN: Why don't you -- let's  
43 have the answer, and then we'll go to Edgar.

44

45 MR. ARMSTRONG: Thank you. When I had  
46 the opportunity to attend the Waterfowl Conservation  
47 Committee meeting along with Mike Reardon, the Refuge  
48 Manager, who actually invited me out there -- I'll let  
49 you know right now AVCP Waterfowl Conservation Committee  
50 spent considerable amount of time trying to figure out

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1 different scenarios of how they can comply with the  
2 request here. It's a diverse region interior, coastal  
3 and different tributaries that are impacted by decisions  
4 such as this, and we finally reverted back to what  
5 they've been doing all along which is management plan and  
6 that system works. I think that was the only way  
7 Mr. Reardon, the Refuge Manager, concurred with the  
8 ultimate decision that the WCC made and he's willing to  
9 play that role. He's been doing it for a while and he's  
10 comfortable with that. As far as recognizing the Regional  
11 Director, it's just a matter of department protocol.

12

13 MR. ANDERSEN: Practically speaking  
14 though.....

15

16 MR. ARMSTRONG: The decisions really are  
17 made -- you know, he's delegated that authority down but  
18 it's really a matter of department protocol.

19

20 MR. ANDERSEN: Sure. I understand that.  
21 What I'm -- and if he isn't -- if Mr. Reardon isn't  
22 authorized, wouldn't he go and seek authorization?

23

24 CHAIRMAN REGELIN: Doug.

25

26 MR. ALCORN: Sure he can seek  
27 authorization but I don't think that's -- that doesn't  
28 seem to me to be the issue that's really germane. It  
29 seems to me, what's germane is what is formerly been a  
30 policy is now becoming formal regulations. When we got  
31 from policy to regulations, a whole new cast of  
32 characters is involved and a whole new set of rules is  
33 involved, and I'm not sure that the regulation making  
34 process, which is a formal process and it includes  
35 rulemaking -- annual rulemaking I presume, I'm not sure  
36 that it allows the kind of flexibility that we're talking  
37 about in this particular proposal. Maybe Matt could  
38 speak to that with his experience with the Flyway  
39 Council.

40

41 MR. HOELSCHER: Can I get in before  
42 everybody -- I've been kind of sitting back.

43

44 CHAIRMAN REGELIN: Yes.

45

46 MR. HOELSCHER: Like Fred stated, you  
47 know, it took us some considerable time to come to an  
48 agreement with this issue. Like Fred said, we looked at  
49 different scenarios and you know, nature comes and gives  
50 when it wants to. It doesn't give you dates when you

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1 should do it. That's why we use that scenario. Let  
2 nature do its work. We pick what we need to pick and  
3 we're done. Like from -- it's been customary and  
4 traditional. My father, my grandfather and so on. They  
5 take when it's time to take. They're not given dates.

6

7 CHAIRMAN REGELIN: I guess -- Herman.

8

9 MR. SQUARTSOFF: Yeah, Mr. Chair, I  
10 understand exactly what Edgar is saying because like for  
11 my area it was a little easier for me to put dates in  
12 there because within a week or two, they're either  
13 nesting or whatever. I see where these guys are coming  
14 from on this in not putting that date in there because  
15 of, like you say, nature. You don't know when it's going  
16 to happen. That's exactly what you guys did is what it  
17 sounds like to me. I can see this being that way and  
18 leaving it up to them to know exactly when it's going to  
19 happen and put that day and time in there then.

20

21 CHAIRMAN REGELIN: Well, I guess -- what  
22 I see is an attempt to try to continue to do what has  
23 been working.

24

25 MR. SQUARTSOFF: Right.

26

27 CHAIRMAN REGELIN: And I think that we  
28 should try -- I'm comfortable with trying that. I think  
29 we're breaking new ground on the whole thing and I  
30 understand it's working. I think that it doesn't make  
31 any difference if it's Dave Allen or the Regional  
32 Director of the refuge because the same people are going  
33 to be making the decision and it's obvious that it's the  
34 refuge along with migratory waterfowl staff. To me if  
35 the Fish and Wildlife Service is more comfortable  
36 referring to the Regional Director, I don't think it  
37 changes anything that's in reality happening.

38

39 I guess the worry I have is we don't know  
40 -- we're recommending this and I think we should. I  
41 worry a little bit about what happens if we get to  
42 Washington, D.C. and the Regs Committee wants a fixed  
43 date. And maybe off the record we should -- because  
44 Ralph will be there, Matt will be there, we'll want to  
45 make a strong argument, but we don't want to lose the  
46 thing, so maybe if you have an alternative if -- that we  
47 would only even raise if it was the only way we could  
48 save the season out there. But I guess I think that they  
49 realize we're struggling, we're trying to do this new and  
50 we should try some innovative things as we're beginning.

00053

1 That is sort of my attitude, is let's -- we should --  
2 let's try this.

3

4 MR. SQUARTSOFF: I think so.

5

6 CHAIRMAN REGELIN: I think it's been  
7 working and I guess we're moving from a more informal way  
8 of doing it to regulations and that's -- so there's more  
9 players involved.

10

11 Other comments? Ralph.

12

13 MR. ANDERSEN: I think Tom raises a -- I  
14 don't mind trying anything new and I think Tom raises a  
15 good point as far as practical application. The concern  
16 that I have is something I think we should try to avoid  
17 which is going through a long, formal, dragged out public  
18 hearing process in order to open and close a season.

19

20 CHAIRMAN REGELIN: I totally agree.

21

22 MR. ANDERSEN: You know, having to  
23 publish something in the Federal Register and all that.  
24 If we can somehow accomplish that -- address that  
25 somewhere in here then I think we will be way ahead of  
26 the game.

27

28 CHAIRMAN REGELIN: First Russ and then  
29 Stanley.

30

31 MR. OATES: Thank you, Mr. Chairman. I  
32 just wanted to comment. I certainly support the method  
33 that has been used in the past to set this date. I think  
34 it's a good interactive approach between the subsistence  
35 users, the people on the ground collecting the data, the  
36 biologists and the refuge folk. So, I support that  
37 approach. I would say, however, if you are forced into a  
38 situation with the Service Regulations Committee where  
39 you do have to fix a date, we collect data on the timing  
40 of nesting every year. We have since 1985, and the  
41 information in the handout that I provided yesterday  
42 provides the average date that we feel would -- based on  
43 20 days before hatch and 10 days post hatch closure from  
44 data collected on the Yukon Delta by biologists.

45

46 I've been out there every year except one  
47 since 1989 during June collecting data on nesting and  
48 this information provides the best average closure period  
49 to allow good opportunity for egg take the first 10 days  
50 of incubation and during the egg laying period. So, if

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1 you have to have a date, you might consider this date  
2 that we.....

3

4 MR. ANDERSEN: I don't have my handout.

5

6 MR. OATES: Okay. Well it was June 9th  
7 to July 8th. So, if you're forced into that box, we  
8 offer this for your consideration.

9

10 CHAIRMAN REGELIN: Well, I guess our  
11 action officially is going to be just what AVCP is  
12 proposing.....

13

14 MR. OATES: Right.

15

16 CHAIRMAN REGELIN: .....all I'm saying  
17 is.....

18

19 MR. OATES: We concur, Mr. Chair.

20

21 CHAIRMAN REGELIN: .....off the record  
22 and we don't need to talk any more on the record about  
23 it, but we may decide we don't want to do that. It  
24 wouldn't be wise but we want to make -- we want to push  
25 for what we have and I think that everybody understands  
26 what we're trying to do and it's an innovative approach.  
27 We can't have it where it's cumbersome. If they just  
28 have to be able to delegate that authority back to AVCP  
29 and the Fish and Wildlife Service Regional Director.

30

31 Doug.

32

33 MR. ALCORN: Thank you, Mr. Chair. I  
34 will commit that between now and the time the SRC meets  
35 that we will do some staff work and find out what  
36 opportunities exist for this kind of management approach  
37 and we'll try to get that answer. That's all we can  
38 offer.

39

40 CHAIRMAN REGELIN: All right, thank you,  
41 Doug.

42

43 Stanley, I'm sorry I missed you. You had  
44 your hand up earlier.

45

46 MR. NED: Yeah. I think it's -- this  
47 Yukon Delta plan has been in place since 1985 and it's  
48 been working for a long time you know and why try to  
49 throw a wrench into it, like Ralph said. I wish that we  
50 could do it throughout the different regions and leave it

00055

1 the same way. If we're going to take this down to  
2 Washington, might as well just take it with their plan  
3 there.

4

5 CHAIRMAN REGELIN: Oh, I agree and I  
6 think that we have a real strong case to say it's  
7 innovative but it's been working for many, many years and  
8 it does work and we should -- let's make it formal now.  
9 The only difference I see is it's more formal.

10

11 Did anyone else have a comment that they  
12 wanted to make? I didn't want to leave anybody out and I  
13 knew -- okay.

14

15 (No audible responses)

16

17 MR. ANDERSEN: No objections.

18

19 CHAIRMAN REGELIN: Does anyone have any  
20 objections to adopting the proposal as amended?

21

22 (No audible response)

23

24 CHAIRMAN REGELIN: Hearing none, that  
25 will be the action of the Committee that we now have a --  
26 the regulations on the 30-day closure. Now I believe  
27 there's additional parts for -- AVCP has other motions.  
28 Edgar, I believe it's.....

29

30 MR. HOELSCHER: To adopt the migratory  
31 bird listing?

32

33 CHAIRMAN REGELIN: I guess -- did you --  
34 there was a motion here on Goose Management Plan that you  
35 wanted us to -- I thought the motion was to adopt it as a  
36 regulation, which may not fit the regulation, but you  
37 wanted the Council to somehow endorse the concept and the  
38 plan, or am I -- did that get taken care of yesterday?

39

40 MR. HOELSCHER: Bill.

41

42 CHAIRMAN REGELIN: Bill.

43

44 MR. OSTRAND: Yesterday we brought up  
45 AVCP is proposing to put the Goose Management Plan into  
46 regulation and we discussed it briefly. But, of course,  
47 no action is taken during the workshop.

48

49 CHAIRMAN REGELIN: Okay. Do we need to  
50 take action on that now? Ralph.

00056

1 MR. ANDERSEN: I was just going to say  
2 just what you said. It sounded to me like work is being  
3 done that way in that direction and I guess I have  
4 Wayne's question, too. Do we need to take any action on  
5 it now or should we wait? Because I don't know if we  
6 have it in front of us the whole plan.

7

8 MR. OSTRAND: The whole plan is in your  
9 packet.

10

11 MR. ANDERSEN: Oh, it is?

12

13 MR. OSTRAND: Yes.

14

15 CHAIRMAN REGELIN: Fred.

16

17 MR. ARMSTRONG: Thank you, Mr. Chair. I  
18 think the focus of this particular meeting was just to  
19 adopt some recommendations to at minimum open a legal  
20 hunt for spring and summer harvest of migratory birds in  
21 Alaska. The AVCP has gone one step further and submitted  
22 a proposal to adopt the AVCP's Goose Management Plan. I  
23 think that -- I'm kind of struggling with how we can  
24 address this because, one, they want the Goose Management  
25 Plan to be recognized, but two, I think we're kind of  
26 getting ahead of the game here. So, I'm not sure how we  
27 can reach a compromise on that.

28

29 CHAIRMAN REGELIN: Edgar.

30

31 MR. HOELSCHER: I'll go ahead and move to  
32 adopt this new proposal of -- called the Yukon Kuskokwim  
33 Delta Goose Management Plan shall remain in effect,  
34 insofar as it is consistent with the regulations in this  
35 part, or so long as all signatories to the Plan continue  
36 to agree to the Plan. I think that would solve your  
37 technical difficulties with that.

38

39 CHAIRMAN REGELIN: Would you re-read that  
40 for us.

41

42 MR. HOELSCHER: Okay. The Yukon  
43 Kuskokwim Delta Goose Management Plan shall remain in  
44 effect insofar as it is consistent with the regulations  
45 in this part for so long as all signatories to the Plan  
46 continue to agree to the Plan. That kind of clarifies  
47 everything.

48

49 CHAIRMAN REGELIN: Okay. Thank you.

50



00057

1 MR. HOELSCHER: I did move on that one.

2

3 CHAIRMAN REGELIN: Okay. There is a  
4 motion on the table. Do we have a second?

5

6 MR. NED: Second.

7

8 CHAIRMAN REGELIN: Fred, comment.

9

10 MR. ARMSTRONG: Thank you, Mr. Chair. I  
11 think I should state on record that, even though we're  
12 opening a legal season for spring/summer, it doesn't  
13 negate the Goose Management Plan. That Plan still  
14 remains in effect. There are signatories to that Plan  
15 and this Council I don't think would want to negate the  
16 positive impact it has. So, to address your concern, it  
17 still remains in effect.

18

19 CHAIRMAN REGELIN: Ralph.

20

21 MR. ANDERSEN: I was going to add to that  
22 I think it's important that we not only recognize  
23 existing co-management plans, but we -- endorsing their  
24 plan Edgar, raises comfort level, then it's causing no  
25 other affects anywhere else. It's not going negatively  
26 impact anything that we're doing. I think it adds  
27 strength to our efforts.

28

29 CHAIRMAN REGELIN: A comment or a thought  
30 that I had is it's probably not appropriate to adopt the  
31 entire plan, at least at this time, as regulation, but I  
32 think that it's very important to endorse it, recognize  
33 it and to endorse it. I'm not -- I'm not sure -- we  
34 probably want a resolution to do that or we could just  
35 have a motion, but I'm not -- is the language that Edgar  
36 read, does that -- is than an endorsement, as such. Is  
37 that adequate or should we have different language.

38

39 Herman.

40

41 MR. SQUARTSOFF: Mr. Chair, my comment on  
42 this is I don't think that the Council, right now, should  
43 be adopting anything like that.....

44

45 MR. ANDERSEN: We're not adopting.

46

47 MR. SQUARTSOFF: Yeah, but I mean the  
48 proposals that we're working on now is just for the  
49 spring and summer hunt of 2003. The main one, what this  
50 special meeting was for and like he says, the Plan is

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1 still in effect. Nothing has been changed, so I don't  
2 think the Council should take any kind of action to  
3 further whatever on it. I mean, it's there, we don't  
4 really need to do anything.

5

6 MR. ANDERSEN: But what harm does it  
7 cause?

8

9 MR. SQUARTSOFF: I'm not saying that  
10 there are any harm.....

11

12 MR. ANDERSEN: So what's -- what's.....

13

14 MR. SQUARTSOFF: .....it's just that it's  
15 something that it's not in a special meeting. When you  
16 have a special meeting that's what you do in a special  
17 meeting. That's all we're supposed to do. That's what  
18 I'm saying.

19

20 MR. ANDERSEN: This wasn't a special  
21 meeting.

22

23 MR. SQUARTSOFF: I'm not -- no harm  
24 against it or anything it's just procedure.

25

26 MR. ANDERSEN: This was not a special  
27 meeting. This is a regular meeting. A scheduled  
28 meeting.

29

30 CHAIRMAN REGELIN: It's on the --  
31 provided beforehand and it's before us. I think we need  
32 to decide what to do and I don't think we have any -- I  
33 hear anybody that doesn't think we want to endorse and  
34 recognize the Plan. I think technically it's just what's  
35 the most effective -- or best way to do that.

36

37 Doug.

38

39 MR. ALCORN: I would just like to make a  
40 point that there's a real distinction between endorsement  
41 and recommending it as regulation. What we are doing --  
42 the recommendation, as I understand it, as a Council we  
43 endorse the concept of the Goose Management Plan and the  
44 fact that it's been successful.

45

46 MR. ANDERSEN: And I think we should hold  
47 it as a flagship of co-management.

48

49 MR. ALCORN: I think we're all proud of  
50 it.

00059

1 MR. ANDERSEN: We all should be if we're  
2 not. It's really a good effort. It's a good model for  
3 the local subsistence users, the village councils and the  
4 Fish and Wildlife Service and the State working together  
5 to address an issue. I think it's a great thing.

6  
7 CHAIRMAN REGELIN: How would you like to  
8 proceed? Would you like to -- I guess Edgar suggested  
9 this and.....

10  
11 MR. HOELSCHER: That would just cover,  
12 you know, help to establish that, I think, in regards to  
13 our regulations and policies.

14  
15 CHAIRMAN REGELIN: Do you have a sugges  
16 -- I guess from my experience, the way that you kind of  
17 give more emphasis to what we're doing would be to sort  
18 of pass a resolution as a Council which would recognize,  
19 praise it and endorse it. And we would write that  
20 language up and it could be resolution number one from  
21 the Council and these would have a date and they stay  
22 there for a long, long time.

23  
24 MR. ANDERSEN: Frame it.

25  
26 CHAIRMAN REGELIN: They've got a lot of  
27 praise for it already.

28  
29 MR. HOELSCHER: Thank you, Mr Chairman.  
30 Are you entertaining a motion for resolution to pass?

31  
32 CHAIRMAN REGELIN: Well, I guess we've  
33 got a motion on the board with your motion and you could  
34 withdraw your motion or you could amend it or you could  
35 -- we can work on it.

36  
37 MR. HOELSCHER: What was recommendation  
38 of the Council that I should do?

39  
40 MR. ANDERSEN: My suggestion is to  
41 withdraw your motion, with Ned's okay, and direct staff  
42 to draw up a resolution along the lines of your motion  
43 which he has copies -- Fred has copies of to present to  
44 us this afternoon and it shouldn't be very long.

45  
46 CHAIRMAN REGELIN: I think it's very easy  
47 to do and then we could adopt it later this afternoon.

48  
49 MR. ANDERSEN: So my suggestion is to  
50 withdraw your motion along with Stan's approval.

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1 MR. HOELSCHER: I so do move to go ahead  
2 and withdraw my motion.

3

4 MR. NED: I withdraw my second.

5

6 CHAIRMAN REGELIN: All right. I'll just  
7 ask staff to work with Edgar and draft a resolution for  
8 Council that would recognize the value of the Plan and  
9 endorse it. Are there other issues on AVCP region that  
10 we need to discuss?

11

12 Bill.

13

14 MR. OSTRAND: Yes, there are a couple of  
15 more. AVCP complied with the letter that Fred sent out  
16 to submit a list. They endorsed this list and they also  
17 submitted a list that was asked for, for birds to be  
18 harvested in 2003. I want to point out at this time that  
19 I think only four of the regions did that so we don't  
20 have consistent compliance with that list and we  
21 discussed at the workshop how we should deal with that  
22 yesterday. One of the things that we discussed was when  
23 we submit our package to the SRC, we only submit two  
24 lists. The master list of birds that can be potentially  
25 harvested and those that are closed to harvest and we'd  
26 leave it at that. So there is that list that AVCP put  
27 together for birds to be harvested in 2003.

28

29 CHAIRMAN REGELIN: Based on the action or  
30 discussions at the workshop you're recommending that that  
31 doesn't need to have action taken on it now. Is that  
32 what I heard you say?

33

34 MR. OSTRAND: Yes.

35

36 CHAIRMAN REGELIN: Any discussion from  
37 Council? We don't have to put it under a motion if  
38 everybody thinks agreed yesterday that was a wise thing  
39 to do.

40

41 Doug.

42

43 MR. ALCORN: It's my understanding  
44 Mr. Chairman, that if a region hasn't submitted a  
45 specific list of birds, which we referred to earlier as  
46 the annual list, then the master list applies.

47

48 MR. SQUARTSOFF: Yeah. That's what we  
49 agreed on last meeting.

50

00061

1 MR. ALCORN: The logic behind -- the  
2 reasoning behind having a smaller list annually is so  
3 that we're not as large a target to those detractors that  
4 may want to take away from this process. As we refine  
5 our annual regulation recommendations, that list will be  
6 smaller if those birds aren't harvested.

7  
8 CHAIRMAN REGELIN: So, I think what I'm  
9 getting a sense of is that we don't need to take action  
10 on this list. But I want to make sure that Edgar is  
11 comfortable with that.

12  
13 MR. HOELSCHER: I am. This list was  
14 reviewed by our committee.

15  
16 CHAIRMAN REGELIN: Ralph.

17  
18 MR. ANDERSEN: I think the best thing to  
19 do is to approve the list, right?

20  
21 CHAIRMAN REGELIN: Okay.

22  
23 MR. ANDERSEN: Because they've offered  
24 one and whether -- this would ensure in a double way that  
25 the master list applies. That way we it will be in  
26 regulation for more recommendation form.

27  
28 CHAIRMAN REGELIN: Okay. So, all right,  
29 we're working on -- under AVCP it's page 15. It's got a  
30 list of species that starts out, the first one is the  
31 tundra swan. Edgar I would entertain a motion to adopt  
32 that.

33  
34 MR. HOELSCHER: Mr. Chairman I so move to  
35 adopt the listing of the migratory birds for potential  
36 harvest by subsistence hunters for 2003.

37  
38 CHAIRMAN REGELIN: Thank you.

39  
40 MR. SQUARTSOFF: I'll second.

41  
42 CHAIRMAN REGELIN: Seconded by Herman.  
43 Tom and Russ, do you have any biological concerns about  
44 any of the species on that list?

45  
46 MR. OATES: Well, I think the U.S. Fish  
47 and Wildlife Service has agreed to combine the closed  
48 list of those species included in the statewide closure  
49 policy. I'm sorry, what's the correct phrase for that?  
50

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1 MR. OSTRAND: Species closed to harvest.

2

3 MR. OATES: Yeah, what he said. But, I  
4 just wanted to say that in future season considerations  
5 that we're probably going to be talking about such  
6 species as bristle-thighed curlew, possibly the red-  
7 throated loon and yellow-bill loon and possibly others  
8 because we do have some concerns about these species.

9

10 CHAIRMAN REGELIN: Thank you, Russ.

11 Edgar.

12

13 MR. HOELSCHER: Thank you, Mr. Chairman.  
14 He just mentioned maybe at a time it will come and so  
15 right now we're just adopting this listing. So, we don't  
16 need to go into that forecasting what we need to see  
17 later. At the time it will come, it will come.

18

19 CHAIRMAN REGELIN: Tom.

20

21 MR. ROTHE: Technical clarification. If  
22 it's not on this list, is it closed or is it just we go  
23 by the master list for open and closed.

24

25 MR. ANDERSEN: Go by the master list.

26

27 CHAIRMAN REGELIN: I think -- the way I  
28 understand it we still go by the master list.

29

30 MR. ARMSTRONG: That's correct. We have  
31 a master list and then another list that restricted list,  
32 birds closed. So, I think the point of clarification is  
33 to put on record is that the list that was sent out to  
34 the regions was adopted as a guideline for the regions to  
35 react to. It's been widely misunderstood and  
36 misinterpreted by various groups, but we're trying to get  
37 a sense of what's out there, what's being harvested and  
38 birds that are restricted will end up on the list, but  
39 because at some point in time if we have proper  
40 management, these birds can eventually be harvested  
41 again. That's the intent to keep them on there. There  
42 are concerns we've missed them as closed.

43

44 CHAIRMAN REGELIN: Doug.

45

46 MR. ALCORN: I guess I am a little  
47 confused now after what I heard Ralph and Fred say. I  
48 was under the understanding that the master list was  
49 simply the list of those birds potentially harvested, but  
50 that every year when the Service Regulation Committee

00063

1 establishes regulations for this state, and those are  
2 specific to regions, those regions will say what are --  
3 or those regulations would specify what birds are open to  
4 harvest in that particular region for that year. That's  
5 the way I understand the process to work. And I was  
6 under the understanding that these would be the birds  
7 that we would recommend be open for harvest in the 2003  
8 season.

9

10 MR. SQUARTSOFF: In that region.

11

12 MR. ALCORN: In that region.

13

14 CHAIRMAN REGELIN: If it isn't, I don't  
15 know what.....

16

17 MR. ALCORN: It's moot.

18

19 CHAIRMAN REGELIN: .....effect it would  
20 have.

21

22 MR. ALCORN: That's the point of clarity  
23 for my sake, I guess. That's different than what I  
24 thought I heard Ralph and Fred.....

25

26 CHAIRMAN REGELIN: Herman.

27

28 MR. SQUARTSOFF: Yeah, Mr. Chair, the way  
29 I look at this. This is one that they normally,  
30 probably, Edgar, I guess that you would harvest in that  
31 area, but to me I would still have that master list to  
32 fall on in case they did get some other species that was  
33 there so they wouldn't get in trouble on it. I mean,  
34 they have something to fall back on with that master  
35 list. It would also cover them. That's the way I look  
36 at it.

37

38 CHAIRMAN REGELIN: I think we've had  
39 problems with these two lists. We've got a master list  
40 that's potential and then we got a list of what can't be  
41 taken that year. Now, I'm not sure -- every region -- I  
42 get -- I am very confused, and if I am -- maybe nobody  
43 else is, but somebody try to explain it to me.

44

45 First Edgar and then Doug.

46

47 MR. HOELSCHER: Thank you, Mr. Chairman.  
48 Like Doug stated, there's a national listing. That's the  
49 bona fide listing no matter where in the United States.  
50 Is that what you were saying? That is -- that national

00064

1 listing has practically all the birds in there also.

2

3 MR. ALCORN: No, that's not the list I'm  
4 referring to. That's in -- help me out, Bob, or, I know  
5 that Karen Lang knows the part. It's in the Code of  
6 Federal Regulations, Part 10. Is it 50 CFR Part 10?

7

8 MR. ARMSTRONG: Yeah.

9

10 MR. ALCORN: It's in that part that there  
11 are just about every species of migratory bird known to  
12 exist in North America, I think is on that list. The  
13 Migratory Bird Treaty Act applies to those birds. That's  
14 different than my understanding of the utility of the two  
15 lists that we're talking about here. The master list  
16 that we've refer to is the list of birds that we  
17 identified as being potentially harvested in the spring  
18 and summer seasons in Alaska. That's smaller than the  
19 larger list that's in the Code of Federal regulations.  
20 From that list -- that's the statewide list of birds  
21 potentially harvested. The way I understand the process  
22 to work is that each region was to take that list back  
23 and look at that list, the master list we're referring  
24 to, and say in our region we harvest a smaller subset of  
25 those.

26

27 If you want to identify every bird on  
28 that list, that's your prerogative. But, this list is  
29 actually smaller than the master list that we've  
30 discussed earlier today. And the way regulations  
31 processes work is the Service Regulation Committee will  
32 pass a regulation that would open the season for these  
33 birds specified. That's the way you have it listed under  
34 your recommendations -- under your title. It says the  
35 Annual List of Migratory Birds Open to Harvest for the  
36 AVCP Region. Open to harvest by subsistence hunters.  
37 So, the way you have it titled is the way I understand it  
38 to work, and so, Herman's assumption I don't think is  
39 accurate. If the Service Regulation Committee passes a  
40 regulation that says it's open to these birds, these are  
41 the birds that are open to harvest, not the master list.

42

43

44 MR. SQUARTSOFF: You can't fall back on  
45 the master list.

46

47 MR. ALCORN: No.

48

49 CHAIRMAN REGELIN: So, if we adopt this  
50 then -- and it will go up to the Service Regulations



00065

1 Committee and the species are on there that you guys  
2 named will be open unless they change it someday. That's  
3 action that you would like us to take?

4

5 Edgar.

6

7 MR. HOELSCHER: Thank you, Mr. Chairman.  
8 Like I stated, the committee from my region reviewed that  
9 and as presented, so that is the listing that I would  
10 support.

11

12 CHAIRMAN REGELIN: Thank you. Ralph.

13

14 MR. ANDERSEN: I was just going to say  
15 that, Doug, your understanding is correct. However, in  
16 some cases, some regions, including mine, didn't have  
17 time enough to go to the villages and to do what magic we  
18 need to do in our regions to refine the list to the birds  
19 in our specific region. So, we adopted, for convenience  
20 sake and to save time, was the list that was -- this  
21 Council adopted and forwarded down. Which doesn't mean  
22 that next year -- I mean, we'll be coming back with an  
23 annual list next year, and the same thing with, I think  
24 with everybody else. All the other regions in the room.  
25 I mean, going through this process the first time for --  
26 this is the first time for all of us. I think we're  
27 learning as we go along and I think what we need to do is  
28 be patient with each other.

29

30 CHAIRMAN REGELIN: I think I'm back on  
31 track and I under -- what we did earlier at the beginning  
32 of the meeting is, on a statewide basis, we took -- we  
33 said we're not going to take this back to the Steller's  
34 eiders, which are on the master list. So, they're not  
35 going to be -- we are not recommending a season on those.  
36 It will be closed. I think that it's very wise what AVCP  
37 did and other regions that looked at the birds. Some  
38 didn't have time and will catch up next year. But what I  
39 said at one time in the past meeting is -- people  
40 watching these lists and if there's something on the  
41 master list that you don't eat in your region, then let's  
42 take it off. Because, we don't need to give people  
43 ammunition, and the Red Throated Loon Society is probably  
44 going to already be upset.

45

46 MR. ANDERSEN: The Woodpecker Society.

47

48 CHAIRMAN REGELIN: The Woodpecker  
49 Society. I don't think we got any woodpeckers out here.  
50 But, you know, so there's a good reason for what you guys

00066

1 did and continuing to refine this so that it only  
2 includes what's eaten.

3

4 Edgar.

5

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

7 If we are going to have problems with this listing, I  
8 don't think we would have problems adopting the master  
9 list.

10

11 MR. ANDERSEN: I don't think there's a  
12 problem either list.

13

14 CHAIRMAN REGELIN: I think your list is  
15 good. All right. Any other comment on -- and the motion  
16 before us is to adopt this list of species that will be  
17 open season for the spring and summer in the AVCP region.  
18 Any opposition or anybody opposed to that action?

19

20 (No audible response)

21

22 CHAIRMAN REGELIN: Seeing none, that will  
23 be the action of the Council. Bill, are there other --  
24 is there any other action?

25

26 MR. OSTRAND: Yes. Yes, Mr. Chair. You  
27 recall in the methods and means, there is provision for  
28 the regions to implement regional methods and means.  
29 AVCP has chosen to do so. There's a proposal to allow  
30 the use of boats to take non-nesting molting birds.

31

32 CHAIRMAN REGELIN: Can you identify where  
33 in the big packet it is. Is it at the end or the  
34 beginning or.....

35

36 MR. OSTRAND: I think it's.....

37

38 CHAIRMAN REGELIN: It's after the big  
39 species list.

40

41 MR. OSTRAND: Yeah.

42

43 CHAIRMAN REGELIN: Again I think it's --  
44 AVCP is ahead of the rest of the regions. Thinking about  
45 methods and means because they've been working on this  
46 through their waterfowl.....

47

48 MR. OSTRAND: It's page 19 of the.....

49

50 CHAIRMAN REGELIN: I've got it. Thank

00067

1 you, Bill. Page 19 if you didn't catch that. Okay.  
2 Edgar, would you like to make a motion?

3

4 MR. HOELSCHER: I would like to move to  
5 adopt the means and methods of the Alaska spring and  
6 summer season as presented.

7

8 CHAIRMAN REGELIN: Thank you.

9

10 MR. ANDERSEN: Second.

11

12 CHAIRMAN REGELIN: It's been seconded.  
13 Are there any technical or biological concerns with this  
14 proposal, Russ or Tom?

15

16 (No audible response)

17

18 CHAIRMAN REGELIN: Okay. Hearing none,  
19 we'll give you a minute to think about it. Any  
20 discussion? Any -- I'm not -- I think that -- what  
21 we've all agreed to earlier is we wanted to keep it very  
22 simple as we went forward this first time and have  
23 seasons, the close dates and a list of species. Is it  
24 wise, from a strategic point of view, to have this  
25 included or not. I think that's the question. Not that  
26 it's appropriate or not, but if we leave it off it would  
27 be allowed. Are we better off to wait and think through  
28 and go in with a package with all the -- as a statewide  
29 and then as a package from the regions on methods and  
30 means? I guess I'm open to discussion right now. I'm  
31 not sure what is the smartest way to go forward.

32

33 MR. ANDERSEN: Did we approve a guideline  
34 for methods and means?

35

36 MR. ALCORN: Yeah, we approved that  
37 originally, back in.....

38

39 CHAIRMAN REGELIN: Speak up. The  
40 question was did we approve a guideline for methods and  
41 means, and we had something very general.

42

43 MR. ARMSTRONG: Yes, it's located on page  
44 two.

45

46 CHAIRMAN REGELIN: Which tab? Of this  
47 tab?

48

49 MR. ARMSTRONG: AVCP.

50

00068

1                   CHAIRMAN REGELIN: That's part of the  
2 procedural regs that are being done right now? Or where  
3 would those be going forward?

4

5                   Doug.

6

7                   MR. ALCORN: Mr. Chairman, the way I  
8 understand it is we adopted this in the December meeting,  
9 December of 2002 [sic].

10

11                   CHAIRMAN REGELIN: Yes.

12

13                   MR. ALCORN: It was adopted in that each  
14 region could come in and -- it was adopted with this  
15 caveat and that's the parentheses that are up in the very  
16 first sentence. It says, unless otherwise allowed by  
17 specific regional regulation. This is a specific  
18 regional regulation that's being offered.

19

20                   CHAIRMAN REGELIN: Okay. So was I  
21 incorrect a minute ago when I said it would be allowed if  
22 we don't take action anyway? I'm not sure.

23

24                   MR. ANDERSEN: I think we need to take  
25 action because it's -- Doug is right.

26

27                   CHAIRMAN REGELIN: Okay. Edgar.

28

29                   MR. HOELSCHER: He mentioned the taking  
30 of non-nesting molting birds by boat, but I don't see  
31 that proposal. Is it there?

32

33                   MR. OSTRAND: Yes, it's on page 19 is  
34 your regional proposal on the use of boats for taking  
35 non-nesting birds.

36

37                   MR. HOELSCHER: I didn't see it. I was  
38 looking at this blue thing here.

39

40                   MR. OSTRAND: Oh, okay.

41

42                   CHAIRMAN REGELIN: Okay. First Russ and  
43 then Herman.

44

45                   MR. OATES: Yes, Mr. Chairman, I  
46 apologize, I wasn't aware of this proposal until just  
47 now. Thinking about this a little bit, I think using  
48 boats, as it states in the proposal, to crowd birds to  
49 the end of a lake or the bend of a river, has potential  
50 to be a problem. I think potentially it could cause --

00069

1 depending upon how many boats are involved and how many  
2 birds are involved, I think we'd have some real concerns  
3 about it until we understand better how many birds we're  
4 talking about and how many boats and what the potential  
5 is for very large numbers of birds being taken under  
6 these scenarios, so I have some real reservations about  
7 seeing something like this go forward.

8

9 CHAIRMAN REGELIN: Herman.

10

11 MR. SQUARTSOFF: Yeah, Mr. Chair. I  
12 believe we need to adopt this according to the way I'm  
13 reading it here on methods and means, that first page  
14 unless otherwise allowed by specific region. This is the  
15 way they traditionally got it. They're not using guns.  
16 They're doing their traditional way of gathering.

17

18 CHAIRMAN REGELIN: They're not using  
19 guns?

20

21 MR. ANDERSEN: No, they're using guns.

22

23 MR. SQUARTSOFF: Well, the way I'm  
24 reading here it's saying that the traditional form of  
25 hunting has been used since before we had guns when  
26 hunters were forced to get the birds.....

27

28 Well, am I reading it wrong then, Edgar?  
29 You guys.....

30

31 MR. HOELSCHER: It has been -- I grew up  
32 in the same process. It's passed on from generation to  
33 generation and today they're still doing it.

34

35 MR. SQUARTSOFF: Without the use of  
36 weapons right?

37

38 MR. HOELSCHER: Right, at times.

39

40 MR. SQUARTSOFF: I don't see any problem  
41 with that.

42

43 CHAIRMAN REGELIN: Bill.

44

45 MR. OSTRAND: Wayne, I think you had the  
46 question as to whether this would be illegal already  
47 under the -- under the -- on our methods and means regs  
48 that were already passed. I think that number "H", the  
49 use of any type of vehicle, aircraft or boat for the  
50 purposes of concentrating, driving, rounding or stirring

00070

1 up any migratory bird, that might be interpreted to make  
2 illegal.

3

4 CHAIRMAN REGELIN: Yes. I would agree.  
5 If we do not adopt this proposal, then it would be  
6 illegal to, you know, move -- use the boat to move  
7 molting birds around. Other discussion, comment? Tom  
8 and then Doug.

9

10 MR. ROTHE: Not to complicate things, but  
11 having nit-picked the regs a bunch and --I just want to  
12 point out that if you read "H" it was my impression for a  
13 long time that what we were really concerned with was  
14 motorized vehicles. "H" as it reads now would prohibit  
15 any boat like a canoe, raft, canoe whatever. I don't  
16 think that's the intent, right? So, at some point you  
17 may want address what "H" is. Maybe address motorized.  
18 This proposal would be an exception to that, of course.

19

20 So, I guess in terms of biological  
21 impact, I would kind of echo some concerns about the use  
22 of motorized boats that drive birds, which is -- molting  
23 birds are really susceptible to disturbance and the  
24 lowest peak of their body condition any time during the  
25 year, so motoring around can really have effects on birds  
26 that you don't take for food.

27

28 CHAIRMAN REGELIN: Doug and then Stanley.

29

30 MR. ALCORN: I'll pass.

31

32 CHAIRMAN REGELIN: Stanley.

33

34 MR. MACK: Well, on motorized vehicles,  
35 they're in place now in the refuges, aren't they?  
36 Everywhere it's prohibited, any type of motorized so  
37 we're asking for an exception here now.

38

39 MR. ANDERSEN: I have a question for  
40 Edgar. Edgar, you guys use skiffs and kickers?

41

42 MR. HOELSCHER: Right.

43

44 CHAIRMAN REGELIN: Doug.

45

46 MR. ALCORN: I remembered what I was  
47 thinking. When we made this exception to this list of  
48 prohibited methods and means. At least it was my --  
49 maybe it was a wrong assumption, but I was under the  
50 assumption that this Council -- that this was not to say

00071

1 that it was solely at the call of the region. That --  
2 but like is being presented here, it would be presented  
3 to this Council for a decision. So, it's not -- I guess  
4 it's not an implicit authority to just have carte blanche  
5 authority to make that call.

6

7 MR. ANDERSEN: I have another question.  
8 Edgar, is this addressed in the Plan? In your Plan?

9

10 MR. HOELSCHER: Yes it is. I think so.

11

12 MR. ANDERSEN: What's the -- how is --  
13 where can we find it?

14

15 MR. HOELSCHER: In the Goose Management  
16 Plan?

17

18 MR. ANDERSEN: Yeah.

19

20 MR. HOELSCHER: I don't this -- this  
21 methods and means are separate from the Goose Management  
22 Plan.

23

24 MR. ANDERSEN: Oh, okay.

25

26 CHAIRMAN REGELIN: Any other comments or  
27 discussions? Herman.

28

29 MR. SQUARTSOFF: You know, I need to  
30 bring it up again one more time. I don't know why but  
31 it's the way I'm reading it. The following devices and  
32 methods of harvest are prohibited unless, okay it says  
33 unless. To me I'm reading the key word here, otherwise  
34 allowed by specific regional regulation. And they're  
35 proposing one here. A specific one. So, that should nil  
36 number "H" out of there. Because they're proposing one  
37 themselves out of their region.

38

39 MR. ALCORN: Well, I.....

40

41 CHAIRMAN REGELIN: Go ahead, Mr. Alcorn.

42

43 MR. ALCORN: Thank you, Mr. Chairman. I  
44 guess, Herman, I'm the one that actually offered that  
45 language, and it was my intent to get us sort of past  
46 what I was sort of viewing as an impasse when we were  
47 talking about the use of using live birds as decoys.  
48 That was the issue. I think that there are some methods  
49 and means here that are less damaging or potentially  
50 damaging to a flock of birds or to the resource in

00072

1 general and I do know that there are specific  
2 prohibitions to using motorized water craft, motorboats,  
3 in the harvest of these birds elsewhere. I believe.....

4

5 MR. SQUARTSOFF: Those are the sports  
6 regs though.

7

8 MR. ALCORN: Right. But I believe  
9 that.....

10

11 MR. SQUARTSOFF: We're not sportsmen.

12

13 MR. ALCORN: .....I understand that, but  
14 my point is this. I think that particular use of that  
15 equipment is going to raise a major flag in the Pacific  
16 Flyway Council and the SRC and I would not be able to  
17 support the proposal.

18

19 CHAIRMAN REGELIN: Ralph.

20

21 MR. ANDERSEN: I think a lot of our  
22 traditional subsistence practices raise major flags all  
23 over the place, Doug. Part of our reason is to  
24 legitimize traditional practices, and acknowledge  
25 traditional subsistence methods, then I think it's really  
26 appropriate for -- I see this as an appropriate  
27 recommendation. Because if you'd ask anybody anywhere if  
28 they like to see blood and guts, that's the way we  
29 harvest our subsistence take. You're going to hear them  
30 say no. Saying that we're going to be raising red flags  
31 I think is -- I've got to say again that a lot of our  
32 traditional subsistence harvesting methods raise red  
33 flags all over the place already. But we've been doing  
34 it for such a long time that we need to acknowledge them.

35

36 CHAIRMAN REGELIN: Doug and then Edgar.

37

38 MR. ALCORN: Yeah, you're point is well  
39 taken, Ralph, and I appreciate that and I'm going to  
40 harken to what I hear from my technical expert.

41

42 MR. ANDERSEN: Oh, I thought you were  
43 going to say from your heart.

44

45 (Laughter)

46

47 MR. ALCORN: I leave my heart at home  
48 when I come to work. But I have to side with my  
49 technician, my biologist and so I won't support it, but I  
50 do appreciate what you're saying. I agree with you.



00073

1                   CHAIRMAN REGELIN: First Edgar and then  
2 Fred.

3  
4                   MR. HOELSCHER: Thank you. Like Herman  
5 stated, it's traditional. We used to -- my ancestors  
6 used to use oars and paddles and then the Western society  
7 came up with boats and motors, you know, modern stuff.  
8 This has been going for years and like I stated before,  
9 we only take what we need. We don't take more than what  
10 we need. That's still traditional. No matter where we  
11 are within the state of Alaska. It's traditional. We  
12 just take what we need.

13  
14                   CHAIRMAN REGELIN: Okay. Fred.

15  
16                   MR. ARMSTRONG: I think that issue that  
17 AVCP raises is not only confined to AVCP. There are  
18 other regions that have similar activities. Ralph is  
19 exactly right, we're trying to legitimize hunting  
20 practices that have occurred for years. Western  
21 society's way of thinking is difficult and vice versa.  
22 We think working for a conservation agency some of the  
23 things that people do in different regions are  
24 inappropriate. But that's a tradition that has been  
25 occurring. I think how we -- as co-management, I look at  
26 in terms of the blending of two different systems of  
27 management together to try to come to an end result,  
28 which is management of conservation.

29  
30                   It's going to be a difficult sell and I  
31 have that as one of my priorities in the future is to try  
32 to put together a briefing that -- we've got to educate  
33 all of these Flyway councils in the subsistence  
34 practices. This is really an issue of not only the way  
35 of doing things, but it's access. It's an access issue.  
36 People have to understand there's no roads in rural  
37 Alaska where we can have access to fish and game and  
38 really that's where motorized vehicles will have to come  
39 into play because we had to have some way to get to the  
40 resource. It's difficult to try to mesh those two  
41 together and still try to appease everybody. We're not  
42 going to be able to do that. We're not going to appease  
43 everybody with this. Come to the table with an  
44 understanding that we're going to try to work together to  
45 bring this forward so present and not take a "this is it"  
46 type of attitude. Try to be open to how we can overcome  
47 some of this.

48  
49                   CHAIRMAN REGELIN: Thank you, Fred.  
50 Stanley.

00074

1 MR. NED: Yeah, I was just thinking about  
2 what Fred and what Ralph and Edgar have been saying. I  
3 think we're just going to have to hammer at it, keep  
4 hammering at it and we've been doing this for --since  
5 time immemorial, you know. I think one of the problems  
6 we're having now is having the people on the western side  
7 of things accept our ways of harvesting our food  
8 traditionally. We've been doing this all the time and  
9 it's just that they just haven't accepted our way of  
10 life. I think we should try to accept this and see where  
11 we can go with it. We know we're going to get bombarded  
12 from people on the Outside, especially the special  
13 interest groups. But, if we keep holding back and saying  
14 you know, gosh, what are we going to go hunting with?

15

16 CHAIRMAN REGELIN: Thank you, Stanley.  
17 Enoch.

18

19 MR. SHIEDT: Well, I support the method.  
20 We used to take them by kayak. When we go out there  
21 we're out in our boats and we run into the birds so we go  
22 after them with our boats. I kind of run on water. The  
23 way I hear what he's saying is, they're looking it at as  
24 a sporthunter's point of view. We don't harvest no more  
25 than what we need, like he say. Other places they  
26 harvest just to hunt. Here we do it for food. It's  
27 completely different thing. That's why we use the boat.  
28 If we can't use the boat, we can't go out there  
29 completely. We're going to just stay in town. We have  
30 to use our boats. The way we've been using -- I remember  
31 when I was in camp when I was five years old. We used to  
32 try to go get them with kayak. I used to get nothing  
33 because I used to be the smallest one and the slowest  
34 one. Same thing with our boat motors. You make the  
35 wrong turn in the channel and they're gone in a few  
36 minutes.

37

38 CHAIRMAN REGELIN: Thank you. Ralph and  
39 then you.

40

41 MR. ANDERSEN: I was just going to say  
42 that I appreciate what Fred said and Stanley and the  
43 others. It's -- motor -- I mean, something that we have  
44 to accept is that Alaska Native cultures have progressed  
45 technology wise, just as fast or as quickly as everybody  
46 else. Because if they're going to go back to traditional  
47 methods, you guys would still be in covered wagons and we  
48 would still be in our snow -- you know, dog teams and  
49 sleds. We'd have no gas stations. We'd have no need for  
50 paved roads. So if we're being required -- and I think

00075

1 it's not fair to require us to use -- paddle our canoes,  
2 when you're allowed to use -- the Western society is  
3 allowed to use cars and motor boats. Why are we held up  
4 to a different standard? Why can't we be held up to the  
5 same standard as you and given the same kind of courtesy  
6 and the same kind of acknowledgement on our abilities to  
7 advance as a people, as you have been, or as the Western  
8 society have been.

9

10 Our traditional methods and needs of -- I  
11 lived in Barrow for 20 years. I learned whaling up  
12 there. The traditional method of harvesting a bowhead  
13 whale was with a harpoon. Since bombs and more humane  
14 methods of harvest have been advanced by Western society,  
15 the culture has adopted it. Just as Edgar was talking,  
16 and Enoch was saying, traditionally it was using kayaks  
17 and paddling canoes. As motors became available, we  
18 adopted them, too. If we're going to be talking about  
19 going back to traditional ways, again my question is, why  
20 are we held up to a different standard? Why can't the  
21 same standards and the same recognition of our  
22 advancement in the world be acknowledged as well?

23

24 CHAIRMAN REGELIN: Thank you, Ralph.

25 Herman.

26

27 MR. SQUARTSOFF: Yeah, Mr. Chair, Ralph  
28 kind of touched base a little bit on what I was going to  
29 mention, but to follow with Edgar, Enoch, Stanley and all  
30 that, the motorized thing. We adapted to Western ways.  
31 To us down there, a lot of us were calling it the new  
32 Alutiiq tradition on a lot of things that we've been  
33 adapting to that we're having to change to. By using the  
34 motorized boat and everything, is one of the most --  
35 you're talking raising red flags on the traditional  
36 things we do -- one of the best ways, the humanely way to  
37 go get something is to get it quick, you know, instead of  
38 piddling around with it. Go up to it, get up to it right  
39 away, you shoot it, whatever. You're going to have less  
40 crippled ducks, geese, whatever you're after and all  
41 that. Less stress on the population, on the geese or  
42 whatever you're hunting. There's going to be less stress  
43 on it. You're going to get in there, get what you want  
44 like Edgar and them do. We do the same practice down  
45 there. We take what we want only. We don't have to go  
46 on the sport side of it from October to whenever,  
47 January. Or you got to get these ducks at a certain time  
48 and put them in the freezer. We do it as we get our  
49 method going here if they're season in the spring/summer  
50 then we go along with the sport ones in the winter. We

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1 only go out and get so many. That's all we take. And  
2 you do it once in a while. It's going to be less impact  
3 on the birds once we start doing it. There's going to be  
4 less taken. I can almost guarantee it will happen down  
5 there. But it's a good humanely way to do it. You got to  
6 get out and get them right away. If you don't do it,  
7 you're going to have a lot of crippled ducks, stuff like  
8 that and you're shooting them out of range and everything  
9 else. It's a simpler, easier method to do and I think we  
10 should adopt this one right here, the proposal.

11

12 CHAIRMAN REGELIN: Okay. Gary.

13

14 MR. KOMPKOFF: I just have one brief  
15 comment, I guess. I would hate to think that the  
16 traditions are going to be ignored and we're only going  
17 to propose what we think would be accepted. I'd really  
18 hate to think that this is the way the Council is going  
19 to do business.

20

21 CHAIRMAN REGELIN: Well, I guess on my  
22 comments, I go back to what we discussed when we were  
23 amending the treaty and I've been doing this since 1990,  
24 I think, or '89 when we started trying to do this. As we  
25 went through the whole process, what our goal was was to  
26 legalize the spring and summer harvest because it's a  
27 tradition that's been going on and there was always --  
28 current practices were going to be allowed and everybody  
29 felt that there was going to -- the harvest level was not  
30 going to be increased. We'd have a better handle on it  
31 because it would be legal and we'd probably get better  
32 reporting and we'd know what was going on out there. No  
33 one anticipates that it's going to increase the harvest --  
34 spring and summer harvest in Alaska unless something --  
35 we've miscalculated. And, I guess, that if this is a  
36 traditional way that they take ducks and geese, I would  
37 say, until we have an indication that that's causing harm  
38 to the population, I'd be reluctant to say we shouldn't  
39 do it because I think that's not what the intent of what  
40 we were doing for the last 12 years has been.

41

42 So I guess that's my take on it. I think  
43 it's something that we know is out there and maybe a way  
44 that somebody can harvest large numbers of ducks when  
45 they can't fly. We can monitor that and if we feel like  
46 that it's being excess from what it used to be, or  
47 harvest levels are going high then we can change it. But,  
48 that would be my take on it right now.

49

50 Doug.

00077

1 MR. ALCORN: Thank you, Mr. Chairman.  
2 I've listened to what you all had to say and I fully  
3 appreciate your prospective and I'd like to -- for the  
4 sake of a few of those that, for Gary and maybe Edgar, I  
5 made this statement at the last meeting. That is, I wear  
6 kind of two hats at this meeting. One is that I  
7 represent the U.S. Fish and Wildlife Service as a region,  
8 I represent the Regional Director and we make  
9 recommendations as a Council to the Service Regulations  
10 Committee. That Service Regulations Committee is a group  
11 of Regional Directors from across the country that get  
12 together and they take the input from the Flyway Councils  
13 and then they are charged with actually making the  
14 recommendations -- or making the regulations for harvest  
15 of migratory birds.

16  
17 The way they function is to solicit input  
18 from their technical staff, from their regional folks,  
19 their biologists, as well as the recommendations that  
20 they get from the Flyway Councils. We have -- our charge  
21 is to advise the SRC in accordance with our mission. Our  
22 mission is to work with folks to conserve species. That's  
23 our mission in this agency. So that's the hat I have to  
24 wear and I can't place myself in jeopardy of advising or  
25 concurring with this vote as a Council member and then  
26 contradicting that vote when I work through my Regional  
27 Director through this process.

28  
29 So, my vote will stand and I would  
30 suggest you call the vote.

31  
32 MR. ANDERSEN: Well, I'm just  
33 disappointed Doug, since you're the one that created the  
34 exception clause in the guideline. I'm just disappointed  
35 that you're choosing now to object to your own -- to  
36 implement something that you created yourself.

37  
38 CHAIRMAN REGELIN: All right. Before us  
39 we have the proposal which would allow the use of boats  
40 for the taking of molting and non-nesting birds in the  
41 AVCP region. Fred.

42  
43 MR. ANDERSEN: Mr. Chairman, I'd like to  
44 call a caucus of the Native representatives.

45  
46 CHAIRMAN REGELIN: Fred.

47  
48 MR. ARMSTRONG: Before a caucus occurs, I  
49 think -- we're not even looking at alternatives here. I  
50 think before we go to a vote let's look at different

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1 alternatives that could be suggested such as; one, you  
2 know, that I could think of deferring because there's  
3 other regions involved and set up a committee to try to  
4 address this issue. Work with Fish and Wildlife and the  
5 other affected parties to come to -- see how we could get  
6 beyond this barrier that is so prevalent right now. I  
7 think that would be one way that we certainly could look  
8 at it.

9

10 I kind of hate to see -- you know, the  
11 charge of the treaty was to legitimize activity that's  
12 been going on, to recognize a hunt, but there's --  
13 different standards have been set on both sides and  
14 somehow we've got to kind of agree. That would be one  
15 thing I think we could suggest. There are probably other  
16 ways we could overcome this is amending the language to  
17 be more suitable. Those are suggestions.

18

19 CHAIRMAN REGELIN: Okay. First Gary and  
20 then Gloria.

21

22 MR. KOMPKOFF: Just -- I guess I need to  
23 understand something. The votes in this room are done by  
24 consensus? Everything is done by consensus?

25

26 CHAIRMAN REGELIN: No.

27

28 MR. ANDERSEN: Unless -- no. I mean, the  
29 consensus -- everything is done by consensus until there  
30 is an objection. When there is an objection we have an  
31 option of calling for a vote. In order to consolidate  
32 the Native vote into one, we normally call a caucus and  
33 appoint the person -- we need to reach consensus in our  
34 Native group first, then we appoint the person to  
35 vote.....

36

37 MR. KOMPKOFF: Then there's three single  
38 votes, the Native caucus, the Fish and Game, the Fish and  
39 Wildlife Service?

40

41 MR. ANDERSEN: If you were involved in  
42 meetings for the past two years, we spent a lot of time  
43 arguing that point. There's a possibility of the Natives  
44 being outvoted every single time.

45

46 MR. KOMPKOFF: So.....

47

48 MR. ANDERSEN: But still, if we vote no --  
49 our vote will be on record I think is the important  
50 thing. We can carry our message beyond the meeting room.

00079

1 MR. KOMPCKOFF: We can only do as a group  
2 what the U.S. Fish and Wildlife Service agrees to or what  
3 the Fish and Game agrees to then?

4

5 MR. ANDERSEN: Or they can do what we  
6 agree to. Because we're equal partners here. If there's  
7 an objection, and if you were at the last meeting you  
8 would have seen that I objected to a list of birds that  
9 caused it to be tabled that the Fish and Wildlife Service  
10 had proposed.

11

12 CHAIRMAN REGELIN: Gloria.

13

14 MS. STICKWAN: I was just thinking I  
15 agree with Fred that maybe we should just defer this and  
16 set up a committee for people to work on this issue.

17

18 CHAIRMAN REGELIN: Stanley.

19

20 MR. NED: I was just thinking about it  
21 too. It seems like everything that we do traditionally  
22 has to wind up in the court system for it to either be  
23 okayed or we become criminals. I sure hate to see it  
24 going that direction. It looks like it's on a downhill  
25 slide on that one right there.

26

27 CHAIRMAN REGELIN: Doug.

28

29 MR. ALCORN: Thank you, Mr. Chairman. I  
30 don't -- I hope that you all don't misunderstand me. I'm  
31 not opposed to using motor boats for the purposes of  
32 taking birds. The way this reads it's to crowd birds to  
33 the end of the lake or the bend of a river. That's  
34 different than using one as a conveyance to the hunting  
35 ground. It's the actual use of the boat in this  
36 particular case is the way I understand -- the objection  
37 that I heard from the biologists.

38

39 MR. ANDERSEN: But, Doug, even when --  
40 even in the exception that you have provided for, it  
41 includes what you're objecting to now.

42

43 MR. SQUARTSOFF: Right.

44

45 MR. ANDERSEN: I don't see any rea -- if  
46 -- if we're going to be coming back here after spending  
47 time trying to reach a compromise and if the proposal  
48 still remains to be the use of those purposes and there's  
49 still an objection, I don't see any reason for trying to  
50 work toward a compromise. Does this mean that we need to

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1 continually compromise our traditional practices? Does  
2 this mean that we need to continually compromise our  
3 traditional ways? I don't think so. I don't think it's  
4 right for us to compromise our own subsistence activity.

5

6 CHAIRMAN REGELIN: Stanley and then  
7 Enoch.

8

9 MR. ANDERSEN: They're non-negotiable as  
10 far as I'm concerned.

11

12 MR. NED: It's at the time where we can't  
13 back down anymore. How far are we going to go? I'm  
14 going to make a stand right there on this one. We're  
15 going to go whether they have regulations on us or not.  
16 People are going to go hunting.

17

18 CHAIRMAN REGELIN: Enoch.

19

20 MR. SHIEDT: Yeah, we're right -- our  
21 backs are right to the wall on this one here. We use  
22 boats. I think what we need to do here is just take the  
23 word "to crowd" off.

24

25 MR. ANDERSEN: But, Enoch, again, that's  
26 compromising the proposal and Edgar's proposal should  
27 stand jus the way that it was adopted by his council.

28

29 CHAIRMAN REGELIN: Stanley.

30

31 MR. MACK: With regard to Enoch's comment  
32 on crowding. I guess we have to look at it as how far  
33 this -- if we do approve this at this advisory meeting,  
34 how far will this go when it hits the Flyway Council?  
35 Have to understand. And the other thing is that, yes  
36 indeed, we are using boats in the sportshunting activity  
37 now. They're using them all the time. There's an  
38 exception. There's always -- when there's a law put in,  
39 there's always someone there who can take that law apart  
40 and use it to their benefit and I've seen it done. They  
41 drive. Yes, you can crowd birds. They do it in the  
42 sportsfishing or sportshunting, excuse me. They get them  
43 into an area and then they can stop. They're not moving.  
44 They're in the water and they take the birds. Plain and  
45 simple.

46

47 CHAIRMAN REGELIN: Ralph.

48

49 MR. ANDERSEN: I think Wayne has probably  
50 the best suggestion. If it turns out that this is causing



00081

1 more harm to the populations -- to the bird population  
2 then we need to let you know. But I think to say no to  
3 begin with is.....

4

5 UNIDENTIFIED MALE: Is not right.

6

7 MR. ANDERSEN: .....is not right.

8 Because we will be de-legitimizing the traditional  
9 practice.

10

11 CHAIRMAN REGELIN: Edgar.

12

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

14 Like we are stating, traditional. Doug stated unless  
15 otherwise allowed by specific regional regulation.  
16 Mr. Chairman, you stated hopefully to legalize  
17 spring/summer harvest. We're right in there where  
18 traditionally we've been doing this. With your  
19 statements, and Doug's statement in black on white, this  
20 is from our region. We've done this a long time, but  
21 still, like Ralph said, and Stanley said, we're the ones  
22 who always bend. We don't want to bend no more.

23

24 CHAIRMAN REGELIN: Okay. Fred.

25

26 MR. ARMSTRONG: I'm just trying to think  
27 of ways to get around this and I think that -- I remember  
28 -- I recall the Federal Board had a similar issue with  
29 caribou where they used the snowmachines to get caribou.  
30 I think that what they came up with -- the term was  
31 ultimately to position the caribou in order for them to  
32 harvest. I think it's just a matter of semantics here  
33 that can get us beyond that. If that's any help it's  
34 something I would like you guys to consider. It is a way  
35 that was ultimately accepted by the Federal Board, use  
36 the term position the birds.

37

38 CHAIRMAN REGELIN: Okay. What I'd like  
39 to do is have a caucus of the Native contingent. Would  
40 like to caucus and decide what you want to do. Whether  
41 you want to come back to vote or to do something  
42 different. I'd like to -- I think it should be -- if  
43 it's going to take very long then we can break for lunch,  
44 but what I'd like to do is have the caucus and come back  
45 and resolve this issue so after lunch we can move on  
46 because we have got a lot of work to do. We've got  
47 through -- we're on our third region and we've got 10 and  
48 we got other things. Okay. All right. You want to  
49 just.....

50

00082

1 MR. ANDERSEN: Recess.

2

3 CHAIRMAN REGELIN: We'll take a recess  
4 while you guys caucus and I think just go back in the  
5 corner, in the back hallway, or lobby, out there where  
6 they serve breakfast.

7

8 (Off record)

9

10 (On record)

11

12 CHAIRMAN REGELIN: Call the meeting back  
13 to order. Ralph.

14

15 MR. ANDERSEN: Mr. Chairman, before we  
16 take action on the proposal before us, I'd like to offer  
17 an amendment that we all agreed to in caucus. Under  
18 recommendations, it should read, and I'll read the whole  
19 thing for the record. "The Waterfowl Conservation  
20 Committee recommends that the devices and methods  
21 contained in the attached list of devices and methods are  
22 prohibited during the spring and summer migratory bird  
23 subsistence hunting season in the AVCP region, except  
24 that boats may be used for positioning the hunter."

25

26 Under justification, the new words being  
27 "positioning the hunter" and scratching off "the taking  
28 of molting and non-nesting birds." Under justification,  
29 "The Waterfowl Conservation Committee recommends that the  
30 list of prohibited devices and methods that was presented  
31 at the March 2002, ANBCC meeting to be approved is the  
32 list for prohibited methods and means except a boat or  
33 boats may be used to position the hunter." Scratching  
34 off that "non-nesting molting birds may be hunted by use  
35 of a boat or of", and scratching "to crowd birds to the  
36 end of a lake or the bend of a river."

37

38 That's the amendment that I'm offering.

39

40 CHAIRMAN REGELIN: All right. Thank you.  
41 Do we have a second to that amendment.

42

43 MR. HOELSCHER: I'll second.

44

45 CHAIRMAN REGELIN: All right. Edgar  
46 seconded the motion. We have now an amendment before us.  
47 Doug.

48

49 MR. ALCORN: I didn't have a comment.

50

00083

1 MR. ANDERSEN: Mr. Chairman, I just like  
2 to add that this is -- we will not be setting a precedent  
3 by this. The precedent has already been set for  
4 positioning the hunter by the Federal Subsistence Board.  
5 So, this isn't a new terminology.

6

7 CHAIRMAN REGELIN: Okay. Very good.  
8 Does everyone understand the amendment?

9

10 (No audible response)

11

12 CHAIRMAN REGELIN: Any comments?

13

14 (No audible response)

15

16 CHAIRMAN REGELIN: Discussion?

17

18 (No audible response)

19

20 CHAIRMAN REGELIN: Clarification?

21

22 (No audible response)

23

24 CHAIRMAN REGELIN: Okay. Are we ready?  
25 Did you decide in your caucus who was going to cast the  
26 vote?

27

28 MR. ANDERSEN: Oh, we first take action  
29 on the amendment.

30

31 CHAIRMAN REGELIN: Oh, first on the  
32 amendment. Is there any objection to the amendment?

33

34 (No audible response)

35

36 CHAIRMAN REGELIN: Hearing no objection  
37 that will be the action of the Committee and make sure  
38 that we get it written down exactly the right way. I  
39 think they have it read for you. Okay. Now, the main  
40 motion is back before us, as amended. Any comments?

41

42 Doug.

43

44 MR. ALCORN: Thank you, Mr. Chairman. I  
45 would like to speak to the motion. The Fish and Wildlife  
46 Service would support the motion as amended if we can  
47 make a point for the record that this is a proposal that  
48 has not benefited from the Technical Committee review and  
49 that, in the future, the way I envision this process to  
50 work is that proposals will come before, not only staff,

00084

1 but before the Council, and having had the benefit of  
2 that kind of review and recommendations from the  
3 Technical Committee. With that noted and with that  
4 process noted and the desire to see that process  
5 instituted prior to the 2004 season, we could support  
6 this proposal.

7

8 MR. ANDERSEN: I think the same applies  
9 to every other proposal that comes before us. All the  
10 other proposals didn't receive the same benefit. Not  
11 only was this -- this isn't the only one.

12

13 CHAIRMAN REGELIN: The only thing I'd  
14 like to add before we finalize this is that, I think  
15 people have some concerns and we just don't know if it's  
16 going to happen that it could really increase harvest, at  
17 least in local areas and, we don't know that. If it  
18 happens then I think we keep a close eye on that and if  
19 we run into a conservation concern, we would address it  
20 as a Council at that time. I think that we have to be  
21 very careful to do that and we -- as we've set as our  
22 charter and the treaty, conservation is our number one  
23 concern. We -- I guess I feel very comfortable in  
24 adopting this because at this point in time I don't think  
25 we know we have a conservation concern and, to me, it  
26 really fits the intent of what we -- the path we've  
27 started down over 10 years ago.

28

29 Doug.

30

31 MR. ALCORN: One last statement. I would  
32 like to say that I do appreciate the amendment and the  
33 effort to make this palatable and I think that amendment  
34 does make it much, much more palatable for.....

35

36 MR. ANDERSEN: I call for the question,  
37 Mr. Chairman. The caucus has appointed me to or  
38 designated me to carry the vote.

39

40 CHAIRMAN REGELIN: Very good. We had --  
41 we won't need to vote because we got consensus.

42

43 Edgar has a quick comment and then.....

44

45 MR. HOELSCHER: Thank you, Mr. Chairman.  
46 Under hunting methods, item "H" our region would like to  
47 have an exception in regards to this amendment.

48

49 CHAIRMAN REGELIN: That's what we're --  
50 if we pass this it will -- you will have that exception.

00085

1 Is there any objection to this proposal as amended, that  
2 will allow the use of boats to position hunters in the  
3 AVCP region?

4

5 (No audible response)

6

7 CHAIRMAN REGELIN: Hearing no objection,  
8 that will be the action of the Council.

9

10 Now, it's 12:18, do you guys -- I'd like  
11 your thoughts, do you want to try to have Cynthia run  
12 through real quick her presentation on this harvest or do  
13 you want to take a break and do it after lunch?

14

15 MR. SQUARTSOFF: I need to go check out  
16 of my room before 12:30, so.....

17

18 CHAIRMAN REGELIN: All right, well let's  
19 do it after lunch. I know that a lot of you guys --  
20 you're welcome to come back at 1:30 for the public  
21 meeting. I guess -- I would urge you to get back here,  
22 because if there's just nobody here that wants to talk at  
23 the public meeting, maybe we can get started a little  
24 earlier. I know that we've got to be careful to.....

25

26 MR. ANDERSEN: How about if we came back  
27 like at 2:00 o'clock.

28

29 CHAIRMAN REGELIN: Yeah. So we'll try to  
30 come back at 2:00 o'clock. Gloria.

31

32 MS. STICKWAN: Can we just punch holes,  
33 stick all these in our packet?

34

35 CHAIRMAN REGELIN: Yes, we can. All  
36 right, we're adjourned until 2:30, but be here at 2:00  
37 o'clock because if there's just nobody that wants to talk  
38 to us or to give public record, we'll do it.

39

40 (Off record)

41

42 (On record)

43

44 CHAIRMAN REGELIN: All right let's bring  
45 the Council meeting back into session and I'll watch the  
46 door if somebody comes in and looks like they're ready to  
47 testify then we'll stop and let them do that, but I think  
48 we've got a lot of work left to do this afternoon and we  
49 don't have a lot of time left. The only thing that's for  
50 certain in -- two things are for certain. We need to be

00086

1 done by 7:00 o'clock and we need to finish today because  
2 I don't think anybody wants to be here tomorrow.

3

4 We're back onto the very first thing on  
5 our agenda in old business to try to hear a very brief  
6 report on the harvest of emperor geese and the harvest of  
7 black brant eggs in the different parts of Alaska before  
8 we take action on closing -- the potential action on  
9 closing these species. So, Cynthia do you want to  
10 reiterate your question Ralph to Cynthia and then she can  
11 give us an.....

12

13 MR. ANDERSEN: I'm trying to remember  
14 what it was.

15

16 CHAIRMAN REGELIN: I can tell you.

17

18 MR. ANDERSEN: All right.

19

20 CHAIRMAN REGELIN: Cynthia, the specific  
21 things that Ralph was questioning was, can you give us an  
22 estimate of the harvest of black brant eggs in different  
23 parts of Alaska. I think probably the big question at  
24 this point is, we know that there -- in the different  
25 regions how significant that harvest is on what data that  
26 you have available. The second part would be on emperor  
27 geese what is the harvest of the different parts of the  
28 region. Go ahead.

29

30 MS. WENTWORTH: Okay. First I should  
31 just say for anyone who didn't hear on this top thing  
32 that was handed out, the 2001 figures are preliminary,  
33 They're probably going to change. The brant estimate is  
34 probably going to go down, but you want to write on there  
35 that those 2001 figures are preliminary. Secondly, I  
36 want to say that all of our egg harvest data is what I'd  
37 say, really spotty. I don't consider it real accurate.  
38 It tends to be quite a bit less accurate than the bird  
39 harvest data and that's why I include bird harvest data  
40 with egg harvest data because I think -- I think there's  
41 a lot of people out there that just don't want to report  
42 their egg take. So, I -- I just don't -- after 13 years  
43 of being in this job, I just don't take the egg -- I mean  
44 I don't think anyone's lying, I just think there's a lot  
45 of egg take that's not reported. I think that if we want  
46 to look at what's happening we have to look at the bird  
47 harvest data too.

48

49 So, if you just look at the top one here,  
50 you can see what that is, but I'd rather you flip the

00087

1 page over. Flip your top page over and you can see the  
2 bird harvest there on the back side for emperors and  
3 brants, 1,352 emperors in 2000 and brant is 4,002. Then  
4 the 10-year average is 1,911 for emperors and 2,258 for  
5 brant. The eggs for the YK Delta are on the third page  
6 there. We have an average -- I'll just say the average  
7 here because I know about the time. There's an average  
8 of about 300 emperor geese over the last 10 years --  
9 geese eggs, goose eggs, and an average of about 565 brant  
10 eggs over the last 10 years. Those are averages. As you  
11 can see that in 2000 brant eggs was almost 1,300 and then  
12 -- if it's okay it's easier to just give emperor and  
13 brant stuff at the same time as I go through all this.

14

15                   The next one you have there is the Togiak  
16 Refuge and the average for Togiak for the six years that  
17 we have data, '95 to 2000, is 168 for emperors and 826  
18 for brant. Then on the reverse side you see eggs and  
19 that's very low. For emperor take we have zero eggs, for  
20 black brant take we have 23 eggs. Again, I myself don't  
21 have a whole lot of confidence in this egg data.

22

23                   Then on the third page we've got Bristol  
24 Bay. We have survey data there for every other year '95,  
25 '97, and '99 and we will have data for 2001. We're  
26 working on that. Emperor geese we've got 58 taken.  
27 Black brant we have 231, three year average. Then for  
28 eggs we have nothing. That's on the back. We don't have  
29 anything reported there.

30

31                   For the Alaska Peninsula Becharof, the  
32 six year average, '95-2000, is 165 emperors, 172 brant  
33 and if you turn that over, again we have an average of  
34 one emperor goose egg and zero black brant eggs. So  
35 again, not very much there.

36

37                   Then if you want to go to the Bering  
38 Straight Region, we only have one year of data for Bering  
39 Straight but I'm happy to report that we're starting a  
40 survey there again this year and we hope to have more  
41 data here in the future. But our one year is a report  
42 that -- for most villages it's 1995, although there is a  
43 few villages in there where it's even earlier than that.  
44 So if you look on that handout, we've got brant as 2,600  
45 brant total for that year and if you turn that over to  
46 the third page, our brant harvest -- brant egg harvest  
47 just says zero but there are a whole lot of bird eggs  
48 there where it says species unspecified. Almost 2,000  
49 bird eggs taken where the species is unspecified. Then  
50 on goose eggs, there is 113 taken where the species is

00088

1 unspecified. Okay.

2

3

4                   The next thing I have here is, again,  
5 just one year of data for the Northwest Arctic Region.  
6 That's all we've got but we are starting a survey there  
7 this year, 2002, and you can see emperor geese 117 were  
8 taken, brant 734. Then on the next page -- you have to  
9 flip all the way over to the back on there, table 12 has  
10 the egg harvest. We have zero for emperor, we have seven  
11 for brant. Again, not very much.

11

12

13                   So then, I over the years have compiled  
14 some data for this YK Delta report, but I put in figures  
15 -- harvest figures for other areas as well. That's  
16 called table eight here, which we handed out, which is on  
17 emperor harvest the next thing here. You can see that  
18 the sport harvest has been closed every since -- the last  
19 time we had a sport harvest was 1985 and after that it's  
20 always been closed. The big part of the take there is on  
21 the YK Delta, but we also have take for Bristol Bay on  
22 here -- on this chart. That's fairly straight forward.  
23 However, with brant it gets a lot more complicated  
24 because they're taken in a lot more areas. This chart  
25 tight here has the brant estimates that we've had. I  
26 added figures for 2000 and then Tom Rothe just give me  
27 some stuff that I hadn't seen -- a compilation that he  
28 did that has figures for Mexico, too, which is something  
29 that's missing from this chart. Every since 1995, I was  
30 not able to get the harvest for Mexico, and he's -- yeah,  
31 he'll go ahead and pass out the Mexican stuff. He's been  
32 able to get more stuff for '98 and '99 for Oregon and  
33 California, too. I'm glad. I'm going to copy that  
34 because I've tried and tried to get that stuff without a  
35 lot of luck. Anyway, you can see from this chart that  
36 Tom is passing out it's really more up to date than this  
37 right here, as far as harvest from Mexico, California,  
38 Oregon and Washington estimates.

38

39

40                   On the back of this brant thing that I  
41 did also is more data by area. It's just another way of  
42 compiling it. It's a little more recent. It's 1999-2000  
43 and 2000 to 2001. You probably want to ignore the figure  
44 at the very top of that, the HIP stands for the Harvest  
45 Information Program. That figure there is for the entire  
46 U.S. and includes more than Pacific black brant so that's  
47 just kind of misleading. It does show the sport harvest  
48 there at the top for Alaska, 1,400 in 1999 and 400 in  
49 2000. I wish I -- I assume it's on -- yeah, it's right  
50 here on Tom's chart, too, 1999, 1,400 and 2000, 400.

50



00089

1                   CHAIRMAN REGELIN: Thank you for that  
2 brief report. At this time I'd entertain a motion to  
3 bring Proposal A off of the table.

4

5                   MR. ANDERSEN: So move. Cynthia.....

6

7                   CHAIRMAN REGELIN: Yeah, we'll probably  
8 have questions. Okay. It's been motioned. Anybody  
9 object to bringing this off the table?

10

11                   (No audible response)

12

13                   CHAIRMAN REGELIN: Okay. The issue  
14 before us now is Proposal A, which has two parts. One to  
15 close the four species to harvest of birds on a statewide  
16 basis, the eiders, emperor geese, and for Semidi Islands  
17 the Canada goose, and eggng would be prohibited for  
18 cackling Canada goose and black brant. That's the  
19 proposal before us at this time.

20

21                   Any questions for Cynthia.

22

23                   MR. ANDERSEN: I have a question. The  
24 fluctuations in numbers here on table eight.....

25

26                   MS. WENTWORTH: Table eight. Which area  
27 are you referring to? Which area of Alaska?

28

29                   MR. ANDERSEN: The Alaska emperor goose  
30 populations.

31

32                   MS. WENTWORTH: Oh, I see. Yeah, okay.

33

34                   MR. ANDERSEN: Okay. There are  
35 fluctuations of numbers ranging from 21,000 in '92, '93  
36 from 71,350 to 52,500. That's 21,000 animals or birds.  
37 We have another fluctuation in 1995 and '96 of close to  
38 36,000 birds.

39

40                   MS. WENTWORTH: Are you looking -- oh,  
41 you're looking at the population here?

42

43                   MR. ANDERSEN: Yeah. How are those  
44 fluctuations accounted for?

45

46                   MS. WENTWORTH: That's not a question for  
47 me, as far as population stuff, that's out of my area.

48

49                   MR. ANDERSEN: Oh okay.

50

00090

1 MS. WENTWORTH: Is there someone else  
2 that maybe.....

3

4 CHAIRMAN REGELIN: Russ, can you come up  
5 and address that question?

6

7 MR. OATES: Thank you, Mr. Chairman. We  
8 -- the data represented in this table are from our spring  
9 survey, which is the survey that the Pacific Flyway has  
10 identified as the management survey for this species.  
11 These surveys are flown every spring and some years some  
12 of the birds are probably missed. Other years there's a  
13 possibility that additional birds are double counted. It  
14 depends on the movements of the birds. It takes about  
15 three days of flying to complete this survey. We  
16 understand that there is some sampling error from one  
17 year to the next and, therefore, the reason that is why  
18 we use a three-year average, a running three-year average  
19 as a management number. We do not use individual years  
20 just because we recognize that these surveys are not --  
21 they do not represent perfection. That generally would  
22 account for the variability that you see here.

23

24 CHAIRMAN REGELIN: Thank you, Russ.

25

26 MR. ANDERSEN: Cynthia, you've given us a  
27 bunch of information on harvest levels. Which areas in  
28 Alaska would you say harvest more black brant eggs than  
29 others?

30

31 MS. WENTWORTH: The YK Delta by far.  
32 People there are really dependent on eggs and I think  
33 that probably based on hear say, I'd say it's probably  
34 under estimated. That's my feeling about it. Egg --  
35 reporting of egg take has always tended to be more spotty  
36 than reporting of bird take. There's a -- partly it's --  
37 the variances is quite a bit greater and one of the  
38 reasons for that is just because not that many people go  
39 eggging. But, given that not very many -- given that the  
40 egg -- people who go eggging compared to people that go  
41 birding is a real small percentage of the total people  
42 who take birds. If you double that percentage by the --  
43 by the -- can't explain -- it wouldn't change that much  
44 in terms of numbers but it might be that only half the  
45 people are reporting their egg take, if you can follow  
46 what I mean.

47

48 MR. ANDERSEN: Uh-huh.

49

50 MS. WENTWORTH: That's why I think it's

00091

1 really important to look at the bird take, as well as the  
2 egg take when you consider what is going to be needed for  
3 eggging because I just feel like a lot of that eggging  
4 isn't reported. I get some of my information from female  
5 Native employees who have worked for us. Actually one of  
6 them is in your region. But females -- women tend to  
7 know a lot about the eggging. That's more the purview of  
8 females and that's another reason too about the  
9 reporting, if the man in the household is filling out the  
10 form, sometimes I just wonder if the women aren't putting  
11 down the eggs they take.

12

13 But the egg -- another thing about the  
14 egg take is that it -- again the variances for egg take  
15 are much higher than for bird take. That's a statistical  
16 term, but basically what that means is that it fluctuates  
17 a lot more. If you just look at these figures -- look at  
18 the figures on table two on the third page here for  
19 brant egg take. There's just a lot of fluctuation from  
20 year to year in the numbers there. Again, it wouldn't  
21 surprise me if the actual take was twice as high as  
22 what's on there. But that doesn't mean that -- that most  
23 people are not reporting their egg take. Because --  
24 there's a small -- I think there's a small percentage of  
25 people that do eggging, even though a lot of the take  
26 isn't being reported, if that makes any sense.

27

28 CHAIRMAN REGELIN: Thank you. Enoch.

29

30 MR. SHIEDT: Cynthia, I respect your  
31 survey and I think I'm the one that did part of it. But,  
32 at the time with Fish and Game when we were doing it, I  
33 had a question on the stats they were picking. I said  
34 these are the people that take black brants, these are  
35 the people that take -- and they're not on the list. Not  
36 one of the people that camp or take majority of the  
37 brants in my area. The reason why they fluctuate depends  
38 on the conditions out there. If the conditions are bad,  
39 the take will be small. This year's going to be one of  
40 them probably for the whole state. Our take of birds or  
41 eggs is going to be small.

42

43 MS. WENTWORTH: Enoch can testify to the  
44 accuracy of this right here a lot better than I can  
45 because he did the survey there.

46

47 MR. SHIEDT: Yeah, and that's why I got  
48 the -- the stats of people that actually harvest the  
49 birds and harvest the eggs of black brants in my area  
50 weren't surveyed at all, even I wanted them to be. I

00092

1 told Fish and Game, I said, yeah, but we need these  
2 figures. I mean, they would be a little bit different.  
3 They would be higher but not that much higher.

4

5 MS. WENTWORTH: That's right.

6

7 MR. SHIEDT: That's what I'm saying.

8

9 MS. WENTWORTH: Yeah.

10

11 CHAIRMAN REGELIN: Ralph.

12

13 MR. ANDERSEN: I have a question for  
14 Russ. Of the different regions in the state, where would  
15 you say the critical brooding grounds are -- breeding  
16 grounds are? Where do the majority populating of black  
17 brants gather to nest?

18

19 MR. OATES: We believe that somewhere in  
20 the vicinity of 80 percent of Pacific brant breed on the  
21 Yukon Kuskokwim Delta and most of them are in the five  
22 major colonies.

23

24 MR. ANDERSEN: So the colonies that --  
25 are there any colonies in the Maniilaq region?

26

27 MR. OATES: I was talking to Enoch about  
28 that and he said there are a few small clusters of brant  
29 in that area and I'd love to sit down with him with a map  
30 so he could show me because I'd love to know. I wasn't  
31 aware of any colonies at all.

32

33 MR. ANDERSEN: So if egg taking takes  
34 place at those small colonies they don't -- is it your  
35 opinion that they wouldn't have a big impact on the  
36 Pacific black brant population?

37

38 MR. OATES: Well there's two ways of  
39 looking at that and I don't want to get complicated or  
40 long winded here, but one of the questions I asked Enoch  
41 when I was speaking to him about this over the lunch  
42 break was, do you -- have you heard any stories  
43 historically of there being larger numbers of brant  
44 nesting in his area, say 50 years ago? And his answer  
45 was no. One of my questions was, is this potentially a  
46 remnant population, breeding population in this area, or  
47 does it have the potential to be the nucleus of an  
48 expanded population in the future? And for those reasons  
49 I expressed some concern about take of eggs in that area.

50

00093

1 But, with regard to the total brant  
2 population at this point in time, the take of eggs in  
3 that small number of brant is probably, I would say,  
4 inconsequential.

5

6 MR. ANDERSEN: Thank you.

7

8 CHAIRMAN REGELIN: To add to that I  
9 believe the other area that we mentioned this morning is  
10 about 10 percent of the colonies of black brant nest on  
11 the North Slope.

12

13 MR. OATES: That's our belief.

14

15 CHAIRMAN REGELIN: Yeah. And the rest  
16 are just scattered around. Okay. Thank you. I know  
17 that there was talk of an -- discussion of an amendment  
18 to this proposal. Ralph.

19

20 MR. ANDERSEN: Mr. Chairman, I'd like to  
21 propose an amendment to the second part of the draft  
22 where it says species to be excluded from egg taking.  
23 I'd like to add in there that the exclusion applies to  
24 the Yukon Delta and the North Slope areas where the  
25 primary colonies are located and that in other colonies  
26 such as the small ones around Enoch's region, there may  
27 be others elsewhere, but where the major colonies are  
28 located that those areas be excluded and that the in the  
29 smaller areas be allowed.

30

31 CHAIRMAN REGELIN: Okay. Do we have a  
32 second to that motion?

33

34 MR. SQUARTSOFF: Yeah, I'll second it.  
35 That sounds good.

36

37 CHAIRMAN REGELIN: Okay. To clarify. I  
38 think the way to probably read this in regulatory  
39 language is "black brant eggs may be taken except in AVCP  
40 and North Slope Borough regions." Okay. Discursion.  
41 Any comments or discussion on this?

42

43 (No audible response)

44

45 CHAIRMAN REGELIN: Do -- or we should ask  
46 -- or follow our procedures. Do the biologists have any  
47 biological concerns with this action -- with this  
48 amendment?

49

50 MR. OATES: Well, assuming that the

00094

1 information that Enoch provided me is accurate, it seems  
2 like there's not much potential for expanded breeding  
3 populations of black brant in that area and on that basis  
4 I think it's probably okay.

5

6 CHAIRMAN REGELIN: Okay. Thank you. On  
7 the amendment itself, is there any more discussion?

8

9 (No audible response)

10

11 CHAIRMAN REGELIN: Is there any objection  
12 to adopting the amendment that will allow taking of black  
13 brant eggs throughout the state except in AVCP region and  
14 North Slope Borough region?

15

16 (No audible response)

17

18 CHAIRMAN REGELIN: Hearing none, that  
19 will be the action of the Council. Now we have the main  
20 mention before us, which I titled early this morning  
21 Proposal A. Any discussion?

22

23 (No audible response)

24

25 CHAIRMAN REGELIN: Hearing none, is there  
26 any objection to the adoption of Proposal A which would  
27 exclude from harvest during the 2003 season, spectacle  
28 eider, Steller eider, emperor geese, Canada geese with  
29 the amendment on the eggging, cackling Canada geese eggs  
30 cannot be taken and brant eggs can only be taken -- or  
31 could not be taken in two of the regions. Any objection  
32 to that motion? Yes.

33

34 MR. KAVAIRLOOK: I have a comment to  
35 make. If it's possible I would like the representative  
36 from Gambell to come up and speak on behalf of his  
37 people. There was a concern that was brought to us at  
38 the first meeting with regards to hunting emperor geese  
39 and if it's okay with the rest of you I'd like to.....

40

41 MR. ANDERSEN: After we take care of this  
42 proposal.

43

44 MR. KAVAIRLOOK: Okay.

45

46 CHAIRMAN REGELIN: Yeah, let's finish  
47 what we have before us and then we can do that.

48

49 MR. KAVAIRLOOK: All right.

50

00095

1                   CHAIRMAN REGELIN: So, are there any --  
2 we have a proposal before us as amended. Is there any  
3 objection?

4  
5                   (No audible response)

6  
7                   CHAIRMAN REGELIN: Hearing none, that  
8 will be the action of the Council.

9  
10                  Briefly, I didn't remember the name of  
11 the person that you wanted to have come up.

12  
13                  MR. KAVAIRLOOK: Joel James.

14  
15                  MR. JAMES: Thank you. Frank, I believe  
16 it's in our proposal.

17  
18                  MR. KAVAIRLOOK: Yeah.

19  
20                  MR. JAMES: Would you folks care to  
21 listen to the proposal instead?

22  
23                  CHAIRMAN REGELIN: Well, I guess that  
24 probably the most appropriate thing.....

25  
26                  MR. JAMES: My concern is in the  
27 proposal.....

28                  CHAIRMAN REGELIN: Excuse me. It's  
29 probably most appropriate if this is relevant to the  
30 proposal from Kawerak region maybe we should have him  
31 speak at that point in time.

32  
33                  MR. KAVAIRLOOK: Okay, but is this going  
34 to affect the proposal?

35  
36                  CHAIRMAN REGELIN: No, this was -- this  
37 was.....

38  
39                  MR. KAVAIRLOOK: I mean, we're taking  
40 action on it before proposal is heard.

41  
42                  CHAIRMAN REGELIN: Well we'd have to pass  
43 another proposal that would amend this if we were going  
44 to allow harvest of one of these species.

45  
46                  MR. KAVAIRLOOK: Okay.

47  
48                  CHAIRMAN REGELIN: But I think the way to  
49 address that is probably when we take it up with your  
50 region rather than right now, it doesn't fit in here.

00096

1 MR. KAVAIRLOOK: Okay. Thank you.

2

3 CHAIRMAN REGELIN: Thank you and we'll  
4 have you come back a little later. Under tab C we'll  
5 move on to the Bristol Bay Council recommendations. Yes.

6

7 MR. OSTRAND: Wayne, AVCP has one more  
8 item under their.....

9

10 CHAIRMAN REGELIN: Oh, sorry. Where is  
11 it.

12

13 MR. HOELSCHER: It's the resolution.

14

15 MR. OSTRAND: It's the resolution.

16

17 CHAIRMAN REGELIN: Oh yes, we -- has  
18 everybody had an opportunity to read the resolution that  
19 was typed up and handed out a few minutes ago? It's the  
20 titled -- I guess we'll make it Resolution 1-02 so that  
21 refers to the year. So it would be 1-02. If you haven't  
22 read, let's take a minute and let everyone read it real  
23 briefly so we don't have to read it out loud.

24

25 MR. ALCORN: I think it would be faster.

26

27 (Pause)

28

29 CHAIRMAN REGELIN: All right it looks  
30 like people have finished reading it. Edgar, would you  
31 like to speak to the resolution?

32

33 MR. HOELSCHER: This resolution is in  
34 regards to what we were talking about earlier, so I'll go  
35 ahead and move to adopt Resolution 01-02.

36

37 CHAIRMAN REGELIN: Thank you.

38

39 MR. SQUARTSOFF: I'll second.

40

41 CHAIRMAN REGELIN: Thank you. It's been  
42 motioned and seconded. I've read through it. It looks  
43 like it has the intent that I was hoping it would to  
44 provide recognition of the value of it and recognition  
45 that still, even as we move forward will continue to have  
46 value. Further discussion? Russ.

47

48 MR. OATES: Can I ask a question? My  
49 recollection is that just this year, wasn't it, this  
50 Goose Management Plan was signed again and it's a two



00097

1 year -- it has a two-year life. My question is, how  
2 would this relate to things like changes in the species  
3 closure list for the second year of the cycle?

4

5 CHAIRMAN REGELIN: I think that all this  
6 does is acknowledge what's happened in the past and it  
7 still is on the books. It has nothing -- regulation  
8 process will be -- continue on as we are doing right  
9 now.

10

11 MR. OATES: Okay. Thank you.

12

13 CHAIRMAN REGELIN: It has to. They are  
14 two separate issues. Interrelated but separate. All  
15 right. Any further comment?

16

17 (No audible response)

18

19 CHAIRMAN REGELIN: Any objection to  
20 adopting this resolution?

21

22 (No audible response)

23

24 CHAIRMAN REGELIN: Seeing none, that will  
25 be the action of the Council. Now, I think we're done  
26 with ACVP's suite of proposals. Very good. Thanks.

27

28 Next we move on to under tab three, I  
29 believe it's Bristol Bay Native Association. Ralph.

30

31 MR. ANDERSEN: I think we need to follow  
32 the process.

33

34 CHAIRMAN REGELIN: The process is for you  
35 to.....

36

37 MR. ANDERSEN: Oh, I move to adopt.

38

39 CHAIRMAN REGELIN: Thank you.

40

41 MR. ANDERSEN: I forgot.

42

43 CHAIRMAN REGELIN: They can't move to  
44 adopt. Anybody want to second it or are we going to let  
45 Ralph's just die.

46

47 (Laughter)

48

49 CHAIRMAN REGELIN: I think we got to  
50 second.

00098

1 MR. SHIEDT: I'll second.

2

3 CHAIRMAN REGELIN: All right. Bill.

4

5 MR. OSTRAND: This proposal was proposed  
6 at the last meeting and there were no changes to the  
7 seasons and closures. The season is March, I believe it  
8 should be March 11th to August 31st and the closure  
9 period is June 15th to July 15th.

10

11 CHAIRMAN REGELIN: Thank you. Are there  
12 any technical or biological concerns?

13

14 MR. ROTHE: I don't think I dare raise  
15 any objections to this one.

16

17 (Laughter)

18

19 CHAIRMAN REGELIN: It's appropriate to  
20 just say no.

21

22 MR. ROTHE: No.

23

24 CHAIRMAN REGELIN: And we can move along  
25 quicker. Discussion?

26

27 (No audible response)

28

29 CHAIRMAN REGELIN: We've already passed  
30 this once.....

31

32 MR. ANDERSEN: Well we reviewed it  
33 yesterday.

34

35 CHAIRMAN REGELIN: And we reviewed it  
36 again. To be consistent, is there any opposition to  
37 adopting this as the action of the Council?

38

39 MR. ALCORN: I just want to speak to the  
40 date. That is March 11.

41

42 CHAIRMAN REGELIN: We knew that. It has  
43 to be by law. Yes.

44

45 MS. STICKWAN: I just have a question  
46 about number five. I guess that's a statement just in  
47 there. Question number five on there.

48

49 MR. ANDERSEN: That's just a statement.

50

00099

1 MS. STICKWAN: Statement?

2

3 CHAIRMAN REGELIN: Yeah, it doesn't have  
4 any -- it's just a statement of fact. We have no  
5 authority as a body over the fall seasons. All right.  
6 So we will -- any objection to adopting this?

7

8 (No audible response)

9

10 CHAIRMAN REGELIN: Hearing none, that  
11 will be the action of the Council.

12

13 Next we move on to -- there's no one here  
14 from Tlingit and Haida and they don't have any proposals  
15 before us because they're going to have to petition to  
16 get in, so we'll move on to the Chugach Regional  
17 Corporation. I believe it should be under tab five but  
18 my tab five is blank. But I think -- oh wait, I have it  
19 sorry. It was handed out yesterday. Tom.

20

21 MR. ROTHE: Just a comment for the  
22 Council's information. Fish and Wildlife Service is  
23 working with the village of Hoonah for Southeast to get a  
24 permit to take eggs under the special provisions they  
25 were interested in. So I just wanted to let you know  
26 that the Service and the Department are going to develop  
27 a permit for them and they know that next year they can  
28 file a permanent petition.

29

30 CHAIRMAN REGELIN: Thank you, Tom. Okay.  
31 Before us is the Chugach Regional Resource Commission  
32 proposal. Would you like to make a motion to adopt?

33

34 MR. KOMPKOFF: I move to adopt the  
35 recommendations of the Chugach Regional Resources  
36 Commission and also present a petition of the Chugach  
37 Regional Tribes for the season.

38

39 CHAIRMAN REGELIN: Thank you very much.  
40 I think that first let's do the regulation -- or no we  
41 can't adopt regulations for this one.

42

43 MR. ANDERSEN: Mr. Chairman, I move that  
44 we defer action on the proposals until we first -- until  
45 after we take action on the petition to include.

46

47 CHAIRMAN REGELIN: Yes, that's -- that  
48 will have to be the process that we use, so have you got  
49 a petition that we handed out petition to staff and/or  
50 anyone?

00100

1 MR. KOMPKOFF: Staff just handed one out,  
2 didn't he.

3

4 CHAIRMAN REGELIN: The -- where we are  
5 with Chugach Regional Corporation is that it is one of  
6 the generally excluded areas.

7

8 MR. KOMPKOFF: It's the Chugach Regional  
9 Resources Commission, not the Regional corporation.  
10 That's a big difference.

11

12 CHAIRMAN REGELIN: Excuse me. I know --  
13 I know there is and I've said it that way for so many  
14 years I keep reverting, so correct me or wave at me every  
15 time I do it. The -- we know that the process and the  
16 way the treaty is being read and interpreted, the  
17 villages within the Chugach Regional Resource Commission  
18 area -- region have to petition to be included. At this  
19 point in time, we don't have a process in place yet to  
20 take action on their petition. What we've asked them to  
21 do at the workshop yesterday was to present a petition to  
22 us today so that we could accept that petition and  
23 hopefully, once we have procedural regs in place and a  
24 process that move forward with to take action, to include  
25 or to exclude villages and areas, that we can move  
26 forward more rapidly once that process is in place. So,  
27 what we'll do is accept your petition and then probably  
28 have to table it until we are ready -- have the  
29 procedures in place to do that.

30

31 Gloria.

32

33 MS. STICKWAN: Is the petition and a  
34 letter the same thing? Because that's what you told me  
35 to do the last time was submit a letter and that's what I  
36 did at the last meeting.

37

38 CHAIRMAN REGELIN: Yes.

39

40 MS. STICKWAN: Is it the same thing,  
41 you're just calling it different?

42

43 CHAIRMAN REGELIN: I think it's the same  
44 thing. We're just calling it a petition right now and  
45 we'll title your letter a petition, too.

46

47 MS. STICKWAN: Okay.

48

49 CHAIRMAN REGELIN: Because I think -- I  
50 think either way. It's just a request to be considered

00101

1 and I think a petition may give it a little bit more  
2 weight. Herman.

3

4 MR. SQUARTSOFF: Yeah, Mr. Chairman, I  
5 was going to ask you if I can be excused now. I got my  
6 ride coming.

7

8 CHAIRMAN REGELIN: We will miss you but  
9 we'll let you go.

10

11 MR. SQUARTSOFF: All right thanks. I sure  
12 appreciate being with you guys and working with you guys  
13 again and I wish I could have stayed to finish the  
14 meeting, but my older boy called. It's his birthday  
15 today so I better get home tonight.

16

17 CHAIRMAN REGELIN: All right.

18

19 MR. ALCORN: Thank you, Herman.

20

21 CHAIRMAN REGELIN: Thank you. Edgar.

22

23 MR. HOELSCHER: Thank you, Mr. Chairman.  
24 So you would need a motion to accept this petition then?

25

26 MR. ANDERSEN: We already have a motion  
27 on the floor to, so you need withdraw the motion to  
28 approve.

29

30 CHAIRMAN REGELIN: Yes. That's right.  
31 We should -- what we need to do -- my error and I'm  
32 sorry, Gary, is have you withdraw your motion to approve  
33 and we will just then work on your petition and we will  
34 accept it and it will be on file.

35

36 MR. KOMPKOFF: Okay. I withdraw my  
37 motion.

38

39 CHAIRMAN REGELIN: I can't remember who  
40 the second was.

41

42 MR. ARMSTRONG: I think.....

43

44 CHAIRMAN REGELIN: Fred.

45

46 MR. ARMSTRONG: Just a matter of  
47 clarification, Mr. Chair. I think his motion can stand,  
48 I think we just defer action on it until the appropriate  
49 time.

50

00102

1 MR. ANDERSEN: Either way.

2

3 CHAIRMAN REGELIN: I think it's -- it has  
4 the same -- we know we want to bring it up and we'll take  
5 it up at our first opportunity to do that. I'm not sure  
6 who the second was, but I'm sure he concurs.

7

8 (Laughter)

9

10 CHAIRMAN REGELIN: It's the prerogative  
11 of the Chair and if he doesn't he better speak up -- or  
12 she. So I think that procedurally we needed to have that  
13 taken off the table and now we have your petition before  
14 us and I think if we just keep it on file -- our  
15 intention is to take this up at our first opportunity  
16 once we have a process where we can take action on it.

17

18 MR. KOMPKOFF: My petition.....

19

20 CHAIRMAN REGELIN: And your -- and your  
21 regulation proposals. Excuse me, sir?

22

23 MR. KOMPKOFF: The recommendations then  
24 are also deferred until the petition can be addressed?

25

26 CHAIRMAN REGELIN: Yes, because we can't  
27 act -- yes, that's correct. We don't have an -- any way  
28 to act on them until we include you -- until those -  
29 until we take action to include or exclude.

30

31 MR. KOMPKOFF: Oh, all right.

32

33 CHAIRMAN REGELIN: Does everyone  
34 understand? We're sort of in the same situation with the  
35 Copper River area that's generally excluded and we don't  
36 -- because of the -- we're just getting started and  
37 organized and we don't have all of the procedural  
38 regulations in place.

39

40 MR. KOMPKOFF: When do you expect that  
41 those will be in place to be.....

42

43 CHAIRMAN REGELIN: We went over this  
44 morning that's one of the questions and we hope about  
45 mid-August they will be in place. We probably won't be  
46 able to take action on them because our next meeting is  
47 scheduled -- I think it will be October. But, just in  
48 case we would meet before that, we wanted to have  
49 everything ready and the staff can have it all worked  
50 through and ready to work on. Fred.

00103

1 MR. ARMSTRONG: Patty, did yo want  
2 to.....

3  
4 MS. BROWN-SCHWALENBERG: Yeah, I just had  
5 a quick question. Patty Schwalenberg here. We also  
6 included in the letter request of the Solicitor's opinion  
7 regarding the generally excluded communities  
8 interpretation. I was wondering if we could make sure  
9 that we get a copy of that.

10  
11 CHAIRMAN REGELIN: That you get a copy  
12 of.....

13  
14 MS. BROWN-SCHWALENBERG: The Solicitor's  
15 opinion about the generally excluded communities. The  
16 interpretation that the Chugach communities are excluded.  
17 We talked about it yesterday that, you know, roaded --  
18 Gulf of Alaska roaded area.

19  
20 CHAIRMAN REGELIN: Yes, I understand and  
21 it's in your letter and I guess if they have anything in  
22 writing from the Solicitor I'm sure it would be made  
23 available, but I don't know if anything was in writing.

24  
25 Do you know, Fred?

26  
27 MR. ARMSTRONG: It wasn't -- there wasn't  
28 a formal response from the Solicitor. It's been in  
29 consultation with her to discuss the issue here. She  
30 advises that because the treaty language is unclear.  
31 Initially it included Chugach Regional Resource  
32 Commission or Chugach Region with the generally included  
33 areas. However, because they are not -- it is not  
34 clearly specified in the language, she cautioned us  
35 against including them for this regulatory cycle until we  
36 get the process for inclusion and exclusion finalized and  
37 the criteria establishing the included areas so that we  
38 can implement that process.

39  
40 MR. KOMPKOFF: How can it be the  
41 Solicitor's opinion then if it's not a formal or written  
42 opinion. I don't understand how that is even considered.

43  
44 CHAIRMAN REGELIN: Doug.

45  
46 MR. ALCORN: Thank you, Mr. Chairman. It  
47 takes -- when we ask for a Solicitor's opinion on -- an  
48 official opinion, it takes six months to a year to get.  
49 This question began to come up, I don't know exactly when  
50 we began to discuss this, but it's sort of matured or

00104

1 evolved as we've talked about it and it became obvious to  
2 us that when you read the protocol there are areas in it  
3 that are specifically included, areas that are  
4 specifically excluded and then there are gray areas that  
5 are not included or excluded. It boils down to the  
6 definition of roaded area, and that hasn't been defined  
7 legally. So that what the Solicitor has advised us to do  
8 as a body is to define that.

9

10 MR. KOMPKOFF: So why were they  
11 automatically exclude it rather than automatically  
12 include it? Because they're neither.

13

14 MR. ALCORN: Well, they're neither and  
15 there's this premise in the protocol and that is that the  
16 regulations are not intended to increase harvest or  
17 increase expectation of harvest, I guess, is my  
18 interpretation. The way the language reads it's not to  
19 increase harvest that's the intent. So, I think the  
20 Solicitor is advising us to err on the side of  
21 conservative or a cautious interpretation of that until  
22 we have the process in place to include and exclude,  
23 number one, which we don't have. And, number two a  
24 definition of roaded area for the Gulf of Alaska areas.  
25 We just don't have those yet and that's the only  
26 explanation I can give you.

27

28 MR. KOMPKOFF: That's not a very good  
29 one.

30

31 CHAIRMAN REGELIN: First Edgar and then  
32 Stanley.

33

34 MR. HOELSCHER: Thank you, Mr. Chairman.  
35 Is it possible to do an emergency order or an emergency  
36 request on behalf of our friends in the Gulf? Because as  
37 you know, last summer in my area we -- every time salmon  
38 came around we were fishing and all of the sudden they  
39 said you're closed every other day.

40

41 CHAIRMAN REGELIN: I think that we talked  
42 about this yesterday and because of the way the cycle is  
43 we have to work through this Flyway Councils then the  
44 Service Regulations Committee which will start meeting in  
45 July and we know that we won't have procedural  
46 regulations by then. I believe the Regulations Committee  
47 will meet in August, probably before these are done.  
48 Now, so in reality there is just -- we're going to miss  
49 the 2003 season.

50



00105

1 I think what we have to make sure that  
2 happens is that we have everything in place and we take  
3 action at appropriate times so that the regulations will  
4 be in place for both Copper River and the Chugach area in  
5 the next season and that's unfortunately the best we can  
6 do at this time. Any further comment on what we have?

7

8 So what we have now with the Chugach  
9 area is that it will be -- Chugach Regional Resource  
10 Commission will be that we have their petition, we have  
11 your proposed regulations and that we will take those up  
12 at the very first opportunity that we can with the intent  
13 of having you included in the system as soon as possible.  
14 Any other comments on that? Stanley.

15

16 MR. NED: I was just thinking about what  
17 you said earlier. We could include them until it's  
18 proven that we can't include them in there. We could go  
19 either way. Doesn't really matter.

20

21 CHAIRMAN REGELIN: I think that if we did  
22 that we'd be going against the advise of the Federal  
23 Solicitor and I think that as we're starting to get  
24 organized and do things, that might not be a wise move  
25 right now.

26

27 MR. NED: Okay. Okay.

28

29 CHAIRMAN REGELIN: And, legally, it  
30 would probably have some real problems. All right, we're  
31 ready to move on to, excuse me.....

32

33 MR. ANDERSEN: I have one more question.

34

35 CHAIRMAN REGELIN: Sorry.

36

37 MR. ANDERSEN: It says in the protocol  
38 under domestic implementation, it says something about a  
39 test for designation of subsistence harvest areas. Is  
40 the test yet -- has the test yet been developed?

41

42 MR. ARMSTRONG: It's in -- if I may

43 Mr. Chairman?

44

45 CHAIRMAN REGELIN: Go ahead, Fred.

46

47 MR. ARMSTRONG: It's in the proposed rule  
48 under the criteria for inclusion/exclusion. Once that is  
49 finalized our intent is to try to proceed with some of  
50 the petitions. If you'll note that we had to put in the

00106

1 petition for inclusion, submit the proposals, and Gloria  
2 will do the same thing. Further down on the agenda  
3 you're going to look at procedures for  
4 inclusion/exclusion process. That process will be used  
5 to implement that criteria to determine the test for how  
6 a community will be included or excluded. So all of  
7 those that are sort of fitting together if there's enough  
8 interest in the Council will perhaps address these in a  
9 special, maybe telephonic conference, but until the  
10 procedural regs are finalized we really can't do  
11 anything.

12

13 CHAIRMAN REGELIN: Thank you, Fred. I  
14 guess that I would be urging us to schedule a  
15 teleconference to do these things if I thought we could  
16 do them in time to get into the 2003 cycle, but the  
17 reality of it is we can't.

18

19 Gloria.

20

21 MS. STICKWAN: Just for my own regions  
22 I'd rather take our time and not do it teleconference  
23 because I'd rather be in person to speak to you people if  
24 I have concerns rather than over the phone.

25

26 CHAIRMAN REGELIN: All right. I think  
27 that Gloria makes a good point because we're setting  
28 brand new ground and it's going to be difficult issues as  
29 we go through them. Maybe not so much in the Chugach  
30 region but in her region there may be some areas that are  
31 on the borderline, tough calls for us as a Council.

32

33 So, I think we're ready to move on to the  
34 next -- the next region is the Copper River Native  
35 Association. We're very much in the same situation as  
36 Gloria just spoke.

37

38 MS. STICKWAN: At the last meeting I  
39 presented the letter, but I don't know what happened to  
40 the letter.

41

42 CHAIRMAN REGELIN: Well, I think that the  
43 letter, which we'll call it a petition now will be  
44 retained until we have the procedural rights.

45

46 MS. STICKWAN: Stanley went to get  
47 another copy of it and I'll sign it and.....

48

49 CHAIRMAN REGELIN: Oh, okay. That will  
50 be -- we'll handle that just like we will the Chugach

00107

1 region and I -- I don't -- have you gone far enough --  
2 have you submitted proposed dates in that.

3

4 MS. STICKWAN: Yeah.

5

6 CHAIRMAN REGELIN: I guess the only thing  
7 we'll do is, you know, you're on a schedule to do that so  
8 when you're ready we'll take votes. Other questions or  
9 comments about Copper River? Very similar cases. Are we  
10 ready to move on to the next region?

11

12 (No audible responses)

13

14 CHAIRMAN REGELIN: The next region is  
15 Maniilaq Association. Enoch. It's under tab nine.

16

17 MR. SHIEDT: I make a motion on this  
18 proposal with the changes in there from April.

19

20 CHAIRMAN REGELIN: Well, let's get the  
21 amendment -- let's get the motion on the floor and then  
22 if we need to make amendments we can.

23

24 MR. ANDERSEN: Second

25

26 CHAIRMAN REGELIN: Second. Okay. Shall  
27 we let Bill go through it first and then if there's  
28 amendments we will come back Enoch, in a minute.

29

30 MR. OSTRAND: Okay. Maniilaq proposal  
31 was presented at the last Council meeting and approved by  
32 the Council. There are some changes to the proposal to  
33 actually lengthen the period of time in which birds are  
34 protected in their nesting period. The current proposal  
35 is as follows. The season runs from April 1st to the  
36 31st of August. There is an egg gathering season from  
37 the 20th of May to the 10th of June. A seabird egg  
38 gathering season from the 3rd of July to the 12th of  
39 July. There is also a period of time to collect nesting,  
40 non-nesting and molting waterfowl. That runs from the  
41 1st of July to the 31st of July. The closure for the  
42 protection of nesting birds runs from June 1st to June  
43 30th. All migratory bird harvest is closed from the 1st  
44 of August to the 14th and reopens on the 15th. One thing  
45 that's not quite clear when you read through this is that  
46 the hunting of birds is actually closed from the 1st of  
47 June all the way until the 15th of August with the  
48 exception of the take of non-nesting molting birds.

49

50 CHAIRMAN REGELIN: Okay. Very good.

00108

1 MR. OSTRAND: So what Enoch did was  
2 extend -- just move back the day for the opening for the  
3 protection of nesting birds.

4

5 CHAIRMAN REGELIN: Okay. Before we get  
6 into amendments, let's follow our process. Are there any  
7 biological or technical concerns that you have?

8

9 MR. OATES: I have a question with regard  
10 to the information at tab nine, and it says "egg  
11 gathering season for migratory birds other than seabirds  
12 shall be May 20th to June 10th." So I'm a little  
13 confused on when the full closure is. My understanding  
14 is that the closure of egg take and harvest, the 30-day  
15 closure must be simultaneous for those two things.

16

17 MR. ROTHE: That's the way I read it.

18

19 MR. OATES: Yeah, is that -- I'm a little  
20 bit confused. Maybe I'll just ask.....

21

22 CHAIRMAN REGELIN: I lost track because I  
23 thought I was going to be able to follow it and I lost --  
24 wherever you were, I lost.

25

26 MR. OSTRAND: I apologize for that.

27

28 CHAIRMAN REGELIN: Did you read off of  
29 something that we don't have in our white book?

30

31 MR. OSTRAND: No, I read off of the  
32 summary.

33

34 CHAIRMAN REGELIN: Oh, off of the  
35 summary.

36

37 MR. OSTRAND: Yes. Yeah, if you look at  
38 behind tab nine, what Enoch has done is, in bold,  
39 inserted the changes and the old dates are still there.

40

41 MR. OATES: Does that conflict -- does  
42 the second item, the harvest being closed for nesting  
43 birds June 1 to June 30 seems to conflict with the next  
44 to the last of the bullets here, egg gathering season for  
45 migratory birds other than seabirds shall be May 20 to  
46 June 10.

47

48 MR. OSTRAND: Okay. Well, the thing to  
49 keep in mind is that the actual closure runs from the 1st  
50 of June to the 15th of August with this -- with the

00109

1 exception of this opening and for taking non-nesting  
2 molting birds.

3

4 MR. ALCORN: From June 10th to August  
5 10th, so a 61 day closure?

6

7 MR. OSTRAND: Yes.

8

9 MR. ALCORN: But there is a seabird egg  
10 gathering season July 3 to July 12.

11

12 CHAIRMAN REGELIN: I guess the question  
13 is, does this meet the technical requirements of the  
14 treaty to have a simultaneous 30-day closure for both  
15 taking of eggs and birds.

16

17 MR. OSTRAND: We discussed this at length  
18 at the last meeting and the Council agreed to it. Doug  
19 withheld his support of the measure. What Enoch did is  
20 went back to his region and extended the date. So, that  
21 -- the way that I interpreted this to indicate is that  
22 there is this very long period of time in which birds  
23 that are sitting on a nest are protected from  
24 disturbance. There is this exception with taking of  
25 molting non-nesting waterfowl. There is also a period in  
26 which seabird eggs may be taken.

27

28 MR. ANDERSEN: So the short answer is  
29 what?

30

31 CHAIRMAN REGELIN: Is it a yes or no?

32

33 MR. ANDERSEN: A yes or no.

34

35 MR. OSTRAND: Yes.

36

37 MR. ANDERSEN: Okay.

38

39 MR. OSTRAND: That's my interpretation.

40

41 MR. ANDERSEN: All right.

42

43 MR. OATES: It appears that there's a 10-  
44 day overlap between the closure for nesting birds and the  
45 egg gathering season. That's what appears to me.

46

47 MR. OSTRAND: Yes there is. When --  
48 that's the 10 days that Enoch moved the date back. It  
49 didn't used to be that overlap. So, between this 10-day  
50 period you cannot take adult birds but you can take their

00110

1 eggs.

2

3 MR. ALCORN: And we're distinguishing between  
4 seabirds and waterfowl?

5

6 MR. SHIEDT: No.

7

8 UNIDENTIFIED SPEAKER: No, we don't have to  
9 do that.

10

11 MR. ALCORN: I guess I don't understand the  
12 last  
13 sentence then, the seabird.....

14

15 MR. SHIEDT: The seabirds are completely  
16 different than migratory birds.

17

18 MR. ALCORN: Would it be.....

19

20 MR. SHIEDT: Egg picking only. We don't take  
21 seabirds at all, we just take their eggs.

22

23 MR. ANDERSEN: Geez, it seems you could  
24 simplify that by saying, the egg gathering season for  
25 migratory birds shall be May 20th to June 10th. Seabird egg  
26 gathering season shall be July 3 to July 12. That makes it  
27 pretty straightforward and clear to me.

28

29 MR. OSTRAND: Okay.

30

31 MR. OATES: Would it be more consistent with --  
32 by saying, the harvest of nesting birds will be closed June  
33 11th to July 10th? That would give you overlapping closures  
34 on the.....

35

36 MR. SHIEDT: Okay, reason why this date  
37 changed, we talked real lengthy about this one but an elder  
38 came up forward to us -- and forwarded it to us that right  
39 around June, 1st of June, first week of June when they used  
40 to live way above Kobuk, they used to get birds. You know,  
41 he's more into the interior, I think. You know, but just for  
42 the respect of an elder saying, this traditionally is what we  
43 did. We talked lengthy on this one here. We're still  
44 comfortable with June 10th but out of respect of knowledge  
45 that was given to us by an elder from above Kobuk saying when  
46 he was way up in Maniilaq River, right around that time he  
47 picked eggs when he run into them.

48

49 MR. ANDERSEN: How many people actually do  
50 that, Enoch?

00111

1 MR. SHIEDT: Just only that -- only one in  
2 the village in Kobuk and that's the upper -- above Maniilaq  
3 River. That's it. But that's traditional, see. But that's  
4 what we used to do. But they don't do it any more. They  
5 don't camp there anymore. Completely. And I still will be  
6 comfortable if you wanted to change it to June 10th.

7

8 MR. OATES: Well, you know, just for what  
9 it's worth, Enoch, the period that we identified based  
10 on.....

11

12 MR. SHIEDT: I understand what you're saying.

13

14 MR. OATES: .....those criteria were June  
15 13th to July 12th closure.

16

17 MR. SHIEDT: There's a nine day difference,  
18 yeah.

19

20 MR. OATES: So that would give you the  
21 opening up until that point. Opportunity.

22

23 CHAIRMAN REGELIN: So we're okay.

24

25 MR. OATES: Yeah, from that perspective. I  
26 was just -- my question was the lack of overlap of the close  
27 for the nesting birds and the egg take.

28

29 CHAIRMAN REGELIN: Okay.

30

31 MR. OATES: I mean, if you folks.....

32

33 MR. SHIEDT: Okay, yeah.

34

35 CHAIRMAN REGELIN: Very good.

36

37 MR. OATES: If that's consistent in your  
38 mind, that's fine.

39

40 CHAIRMAN REGELIN: All right, let's see if we  
41 can write it in English so we can all understand it next  
42 time. And we'll move on.

43

44 Stanley and then we'll let.....

45

46 MR. NED: I think Ralph hit the nail right on  
47 the head when he said that we'll just move that up, you know.  
48 Would you repeat what you said in there, that will make it --  
49 just simplify it right there.

50

00112

1 MR. ANDERSEN: For the egg gathering -- the  
2 egg gathering season for migratory birds shall be May 20th to  
3 June 10. Seabird egg gathering season shall be July 3  
4 through to July 12. I mean, just leave that the same as it  
5 is. Just scratch out, other than seabirds.

6  
7 MR. NED: That will cover your.....

8  
9 MR. SHIEDT: Yeah, that will cover it.

10  
11 CHAIRMAN REGELIN: Okay. Very good.

12  
13 MR. ARMSTRONG: Vote.

14  
15 CHAIRMAN REGELIN: I don't think we need it.  
16 It just clarifies it so, it's the same words, it just makes  
17 it read better. Enoch, did you have an amendment? Did you  
18 cough it up?

19  
20 MR. SHIEDT: Those are on the days we were  
21 going to talk about, see.....

22  
23 CHAIRMAN REGELIN: Okay, yeah.

24  
25 MR. SHIEDT: And he came up with that there.  
26 I could live with that closure from June 10th.

27  
28 CHAIRMAN REGELIN: Very good. Were there any  
29 other biological or technical issues, Tom or Russ? Thank  
30 you.

31  
32 MR. ROTHE: I'm still confused about the  
33 overlap on these dates. I don't.....

34  
35 MR. SHIEDT: That's what we just changed.  
36 Change it. We just change it.

37  
38 CHAIRMAN REGELIN: We're all right.

39  
40 MR. SHIEDT: We get rid of that June, why  
41 don't we change it back to June 10th. To June.....

42  
43 UNIDENTIFIED SPEAKER: And July.

44  
45 MR. SHIEDT: And that will make two changes,  
46 from June 10th to July 10th.

47  
48 MR. ALCORN: For the sake of the group, could  
49 somebody read this through and we can scratch out what we're  
50 not going to have in here, these dates?



00113

1 MR. SHIEDT: Okay.

2

3 MR. ALCORN: Let's go to the first sentence.

4 The spring migratory bird harvest shall be open April 1.....

5

6 MR. SHIEDT: Yeah.

7

8 MR. ALCORN: To.....

9

10 CHAIRMAN REGELIN: May 31.

11

12 MR. SHIEDT: May 31.

13

14 MR. ALCORN: Okay. Second line. The harvest  
15 shall be closed for nesting birds June 10....

16

17 MR. SHIEDT: 10 to -- July 10th.

18

19 MR. ANDERSEN: Or 9th, whatever.

20

21 MR. ALCORN: July 9th, that's 30 days. Okay.

22 The summer season for taking molting, non-nesting waterfowl

23 shall be July 1 to July 31. No change?

24

25 MR. SHIEDT: No change.

26

27 MR. ALCORN: Same for the second -- for this

28 next line?

29

30 MR. SHIEDT: Except for the August 10th, it's

31 supposed to be the 14th.

32

33 MR. ALCORN: Which is the one that you're

34 proposing, August 10?

35

36 MR. SHIEDT: Yeah.

37

38 MR. ALCORN: Okay, so August 1 to August 10.

39 The fall season for the taking of all migratory reopens

40 August.....

41

42 MR. SHIEDT: 15.

43

44 MR. ALCORN: 15. And closes.....

45

46 MR. SHIEDT: September.

47

48 MR. ALCORN: August 31?

49

50 UNIDENTIFIED SPEAKER: August 31.

00114

1 MR. ALCORN: August 31 is the date that we  
2 have purview for.

3  
4 MR. SHIEDT: Okay.

5  
6 MR. ALCORN: Or authority for. And the  
7 second to the last sentence, egg gathering season for  
8 migratory birds shall be May 20 to June 10th.

9  
10 MR. SHIEDT: Yes.

11  
12 MR. ALCORN: Seabird egg gathering season  
13 shall be July 3 to July 12.

14  
15 MR. SHIEDT: Yes.

16  
17 CHAIRMAN REGELIN: Okay, any -- that's the  
18 proposal before us. It meets the requirements that we need.  
19 Any further discussion or comment?

20  
21 (No audible responses)

22  
23 CHAIRMAN REGELIN: Does anyone have any  
24 opposition to adopting this proposed regulation?

25  
26 (No audible responses)

27  
28 CHAIRMAN REGELIN: Hearing none, that will be  
29 the action of the Council.

30  
31 MR. SHIEDT: Potentially harvest list, too.

32  
33 MR. OSTRAND: Oh. The Manillaq region  
34 adopted the potentially harvested species.

35  
36 CHAIRMAN REGELIN: They just adopted the  
37 entire list?

38  
39 MR. SHIEDT: Yes.

40  
41 CHAIRMAN REGELIN: Do we need to take any  
42 action then to do that or not?

43  
44 MR. OSTRAND: I believe we don't.

45  
46 CHAIRMAN REGELIN: You just have the list of --  
47 in your region.....

48  
49 MR. SHIEDT: Uh-huh. (Affirmative)

50

00115

1                   CHAIRMAN REGELIN: Everything on the master  
2 list will be.....

3

4                   MR. SHIEDT: Yeah, I went through every  
5 village.

6

7                   CHAIRMAN REGELIN: .....for harvest. Okay.  
8 We're done with Maniilaq Corporation.

9

10                  MR. SHIEDT: Now can I go?

11

12                  CHAIRMAN REGELIN: No, not a chance. The  
13 next one --are we ready to do the North Slope Borough? They  
14 have no one here to represent them but I know yesterday,  
15 Fred, that you were in discussions with them and faxed them  
16 information. Can you bring us up to speed on where we are  
17 with the North Slope Borough?

18

19                  MR. OSTRAND: Yes, I attempted to call --  
20 contact the North Slope Borough. What I found out is Charlie  
21 is gone and Robert Sudan is supposedly in town but the  
22 wildlife program was unable to reach him. I asked them to  
23 have him call me at night at home. I checked this morning; I  
24 checked at lunch to see if he had called in. So they're non-  
25 responsive. They're -- when I asked yesterday if there was  
26 anyone I could talk to, there was no one. And since this  
27 proposal has arrived -- and I don't recall the date.....

28

29                  CHAIRMAN REGELIN: It's under Tab 10.

30

31                  MR. OSTRAND: Yes.

32

33                  CHAIRMAN REGELIN: There's a proposal that  
34 came in April 22nd.

35

36                  MR. OSTRAND: Yes. We've not been able to  
37 contact anyone on the North Slope.

38

39                  MR. ANDERSEN: Mr. Chairman, I move to  
40 approve the proposal that's been presented.

41

42                  MR. NED: Second.

43

44                  CHAIRMAN REGELIN: Thank you. Would you --  
45 the proposal that we have from April 22nd, would you  
46 summarize it briefly?

47

48                  MR. OSTRAND: Sure. The season -- this is  
49 all the proposal contained was a season for egg gathering  
50 which runs from the 1st to the 30th of June and then the 30

00116

1 day closure period which runs from the 10th of June to July  
2 10th. And there's an overlap here and when you consider the  
3 overlap, there is only a 10-day closure period in which the  
4 nests are protected.

5

6 CHAIRMAN REGELIN: And that's why we needed  
7 to get back with them.....

8

9 MR. OSTRAND: Right.

10

11 CHAIRMAN REGELIN: .....to tell them that  
12 they.....

13

14 MR. OSTRAND: There were two suggestions  
15 during the workshop yesterday. One was to drop the egg  
16 gathering season and adopt their 30-day closure. And the  
17 other one came from migratory bird management and I -- do you  
18 remember what that one was?

19

20 MR. ROTHE: Closure.

21

22 MR. OSTRAND: Oh, closure from 26th of June  
23 to the 25th of July.

24

25 CHAIRMAN REGELIN: So now, what was the first  
26 one?

27

28 MR. OSTRAND: To simply delete the egg  
29 gathering period and then adopt their proposed 30-day  
30 closure. So.....

31

32 CHAIRMAN REGELIN: That would come the  
33 closest to staying with what they have and it would eliminate  
34 10 days of their taking, is what it would do, I believe.  
35 Isn't that correct?

36

37 MR. ALCORN: Twenty.

38

39 MR. OSTRAND: Twenty days of their eggging.

40

41 MR. ALCORN: Twenty days.

42

43 CHAIRMAN REGELIN: Okay, any discussion?  
44 Ideas?

45

46 MR. ANDERSEN: I move -- I don't like doing  
47 this but because Charlie and those guys aren't here but I  
48 think in order for us to move forward with the full package  
49 of proposals, something is needed. And the discrepancies of  
50 the egg gathering overlap and the hunting overlap would be

00117

1 taken care of if we simply delete the open season for the egg  
2 gathering. With the understanding that the egg gathering  
3 will continue during their normal times but then -- this is a  
4 tough one.

5

6 MS. STICKWAN: We have.....

7

8 CHAIRMAN REGELIN: Gloria.

9

10 MS. STICKWAN: In the regulations we state  
11 somewhere that if they don't come up with their own proposals  
12 that we'll abide by the US Fish -- existing. Isn't that  
13 right?

14

15 MR. ANDERSEN: I think that was changed.

16

17 CHAIRMAN REGELIN: Fred, go ahead.

18

19 MR. ARMSTRONG: I think at the last meeting  
20 the Council adopted sort of a process when a region wasn't  
21 responsive to the guidelines. The first one was that Fish  
22 and Wildlife will work the affected region and if that still  
23 hasn't resolved anything then the Council will make the  
24 recommendations on their behalf until such time as they, the  
25 region, can come up with proposals that will meet the intent  
26 of the protocol.

27

28 MR. ANDERSEN: Okay, so.....

29

30 CHAIRMAN REGELIN: Go ahead.

31

32 MR. ANDERSEN: .....if we deleted the open  
33 egg gathering season part in their proposal, would that meet  
34 the protocol requirements?

35

36 MR. OSTRAND: It would meet the 30 day  
37 requirement, yes.

38

39 CHAIRMAN REGELIN: First Russ and then Fred.

40

41 MR. OATES: Yeah, I would just say I agree  
42 that it would be the simplest thing to delete the egg  
43 gathering season but it appears to me -- well, I don't know.  
44 That was one of the reasons I was asking yesterday, Ralph,  
45 about your perception of the importance of egg gathering and  
46 we use the historical data from the North Slope to calculate  
47 a period that will provide a good opportunity for egg  
48 gathering, which is why we came up with the June 26th to July  
49 25th closure. And our intent there was to provide a good  
50 opportunity for egg gathering. And that would provide, I

00118

1 believe, 16 days beyond the closed season that they have here  
2 for additional egg gathering. So I'm just saying if egg  
3 gathering is more important then I would say that this  
4 closure would -- that I propose would be more liberal in  
5 terms of allowing egg take opportunity.

6

7 MR. ANDERSEN: Could you give me those dates  
8 again so I can.....

9

10 MR. OATES: June 26th to July 25th.

11

12 MR. ANDERSEN: Thank you, June 26th to  
13 July.....

14

15 MR. OATES: Yeah. And that again is based on  
16 a calculation of average 20 days before hatch and 10 days  
17 after hatch for the species identified as being important in  
18 the North Slope for eggs.

19

20 MR. ANDERSEN: So the open migratory bird,  
21 including seabirds, egg gathering from 1 to 30 June, those  
22 dates would change? Because that opens the egg gathering  
23 season.

24

25 MR. OATES: Well, this would -- the proposal  
26 that I have here would allow egg take until June 26th. Which  
27 is more liberal opportunity for egg take than their closed  
28 season of 10 June to 10 July.

29

30 MR. ANDERSEN: Okay, so their open egg  
31 gathering would be from June 1 to June 25th?

32

33 MR. OATES: Yes -- or well, from May or  
34 whenever until June 25th.

35

36 CHAIRMAN REGELIN: We have to have 30 days  
37 where both are closed.

38

39 MR. OATES: Right, and that's what my  
40 proposal is, a closure.

41

42 CHAIRMAN REGELIN: Okay, read the whole thing  
43 then.

44

45 MR. OATES: Okay.

46

47 CHAIRMAN REGELIN: Because I am totally lost.

48

49

50 MR. OATES: Okay.

00119

1                   CHAIRMAN REGELIN: I can't follow this, guys.  
2 We're bouncing around. One time it's what's open and the  
3 next time it's what's closed. We -- I don't know if  
4 everybody is as confused as me.

5  
6                   MR. OATES: Based on the historical nesting  
7 data from the North Slope, our proposed closure or suggested  
8 closure would be 10th of.....

9  
10                  CHAIRMAN REGELIN: No, no. Give us -- okay,  
11 give us the closures then.

12  
13                  MR. OATES: The closure would be June 26th to  
14 July 25th. That's a 30-day closure.

15  
16                  CHAIRMAN REGELIN: That's for eggs.

17  
18                  MR. OATES: Eggs and birds.

19  
20                  CHAIRMAN REGELIN: Okay, that's where you --  
21 I didn't realize you were talking about both.

22  
23                  MR. OATES: Eggs and birds.

24  
25                  CHAIRMAN REGELIN: Okay.

26  
27                  MR. ALCORN: Russ, in your opinion, you said  
28 the dates that you're proposing is, in your opinion, actually  
29 a more liberal season for them?

30  
31                  MR. OATES: Okay.

32  
33                  MR. ALCORN: Allows them more opportunity.

34  
35                  MR. OATES: Let me clarify that.

36  
37                  MR. ALCORN: Okay.

38  
39                  MR. OATES: What they've done here is, they  
40 have got -- the Council has determined that they've got  
41 conflicting things here with their open egg gathering from 1  
42 to 30 June and their closure from 10 June to 20 July. So one  
43 of the proposals was to drop the open egg gathering as they  
44 have it and that would a closure, which by law, would be for  
45 birds and eggs of 10 June to 10 July. And what I'm saying  
46 is, if you did that, you would truncate the egg gathering  
47 period by cutting off an additional two weeks on the end of  
48 it. And I'm saying that our proposal here would provide an  
49 additional two weeks of egg gathering opportunity as opposed  
50 to the top bullet in the proposal from the North Slope

00120

1 Borough. That's all I'm saying. If egg gathering is  
2 important, I'm saying that our proposal would offer more egg  
3 gathering opportunity.

4

5 CHAIRMAN REGELIN: Yeah. All right.

6

7 MR. ANDERSEN: Mr. Chairman, I have an  
8 amendment that I'd like to propose. That on the first bullet  
9 that it reads, closes spring/summer migratory bird hunting  
10 and egg gathering to protect nesting -- we'll say nesting  
11 birds -- from 26 June to 25 July. Delete the next paragraph.  
12 Delete the next bullet.

13

14 CHAIRMAN REGELIN: We have an amendment  
15 before us. Do we have a second?

16

17 MR. ALCORN: I second.

18

19 CHAIRMAN REGELIN: Second by Doug Alcorn.  
20 Discussion. I think, you know, it makes -- we're trying --  
21 we don't have them here to help us so we're trying to do the  
22 best we can. Fred.

23

24 MR. ARMSTRONG: Since I'm probably going to  
25 have to respond to North Slope, now in my response am I  
26 supposed to say, based on a recommendation from the Fish and  
27 Wildlife Service that this proposal be amended? Because I  
28 feel kind of uncomfortable going against a region's  
29 recommendation.

30

31 MR. ANDERSEN: Me too, but.....

32

33 MR. ARMSTRONG: But lacking their input I  
34 guess I could just sight that as.....

35

36 MR. ANDERSEN: In the policy and procedure  
37 that we adopted at the last meeting.

38

39 MS. STICKWAN: They were here when we adopted  
40 those.

41

42 MR. ARMSTRONG: I just want to be clear.

43

44 CHAIRMAN REGELIN: Excuse me, Gloria.

45

46 MS. STICKWAN: They were here when we adopted  
47 those.

48

49 MR. ALCORN: Actually they weren't, I don't  
50 think.



00121

1 MR. ARMSTRONG: Mr. Chairman, if I may, I did  
2 speak with Charlie's -- Charlie Brower's deputy and she has  
3 been trying her best to get a hold of the appropriate people  
4 without any success. It's not that we've dropped him; we've  
5 tried.

6

7 CHAIRMAN REGELIN: Okay, so we have the  
8 amendment before us. Any further comments or discussion on  
9 the amendment?

10

11 (No audible responses)

12

13 CHAIRMAN REGELIN: Is there any opposition to  
14 enacting the amendment -- approving the amendment?

15

16 (No audible responses)

17

18 CHAIRMAN REGELIN: Hearing none, that's the  
19 action of the Council. We have the main motion before us  
20 which would close the taking of birds and eggs on the North  
21 Slope Region from June 26 to July 25. Any further discussion  
22 or comment?

23

24 (No audible responses)

25

26 CHAIRMAN REGELIN: Is there anyone opposed to  
27 approving this proposal?

28

29 (No audible responses)

30

31 CHAIRMAN REGELIN: Hearing none, that will be  
32 the action of the Council. And we'll communicate with them  
33 and try to keep working with the North Slope Borough  
34 because.....

35

36 MR. ARMSTRONG: We still have the other  
37 guidelines.....

38

39 CHAIRMAN REGELIN: Do we have more things  
40 that we need to do -- go ahead, Fred.

41

42 MR. ARMSTRONG: Mr. Chair, this is only one  
43 segment that they responded to. There's also the restricted  
44 species, the list of species, the method and means that --  
45 are we going to assume that the Council is adopting those on  
46 their behalf, too, or.....

47

48 CHAIRMAN REGELIN: Well, I think that on the  
49 list of species, the most liberal thing we can do is just  
50 assume that they want to use the list of species that can

00122

1 taken on the North Slope Borough, knowing that some of them  
2 probably don't exist up there and they will refine it later.

3

4 MR. ARMSTRONG: And the season is going to be  
5 the liberal, March 11th through August 31st?

6

7 CHAIRMAN REGELIN: Yes.

8

9 MR. ARMSTRONG: And just assume that the  
10 Council has adopted everything or.....

11

12 CHAIRMAN REGELIN: That would be my  
13 assumption. Is there discussion about that or do we need a  
14 motion to put that on the table? Doug.

15

16 MR. ALCORN: We did -- I think we did adopt  
17 those in December or March systematically through those two  
18 meetings as statewide guidelines. And my impression is, is  
19 they apply unless something else is offered by the region.

20

21 CHAIRMAN REGELIN: Okay. Is everybody -- are  
22 you feeling comfortable with that?

23

24 MR. ARMSTRONG: Yeah.

25

26 CHAIRMAN REGELIN: I think that Doug is  
27 right. We talked about doing that as the broad base and we  
28 can be more limited if a region wishes to within that. Okay,  
29 very good. Our next one is Tanana Chiefs Conference under  
30 Tab 11. Stanley.

31

32 MR. NED: I move that we adopt TCC's proposal  
33 with a couple amendments on there. One is to add the  
34 comments not to the master list. The second one is a change  
35 on the third -- one, two, three, four -- fourth sentence  
36 down. The summer season for taking all the migratory birds,  
37 including molting waterfowl, shall be July 15 through August  
38 31. I had September 30th but then we changed that to August  
39 31. The other change I'd like to make on there is down on  
40 the bottom paragraph, the Tanana Chiefs region encompasses  
41 235,000 square miles. I'd like to put square miles in there  
42 instead of acres. They'd jump all over my butt if I go back  
43 and say acres.

44

45 (Laughter)

46

47 MR. ALCORN: Are you trying to annex real  
48 estate?

49

50 CHAIRMAN REGELIN: Should we let him make

00123

1 that change or -- okay, thank you. Do we have a second to  
2 that motion?

3

4 MR. SHIEDT: I'll second.

5

6 CHAIRMAN REGELIN: Okay, with those minor  
7 adjustments that Stanley mentioned. Would you briefly  
8 summarize and I'll do my -- I'll do better to follow this  
9 time, I promise.

10

11 MR. OSTRAND: Okay, this is a simple one.  
12 The season runs from the 1st of April to the 31st of August.  
13 There's an egg gathering season from May 1 to June 15 and the  
14 30 day closure runs from June 15th to July 15th.

15

16 CHAIRMAN REGELIN: Let's -- okay, on just the  
17 seasons and dates, do we have any biological issues or  
18 technical issues?

19

20 MR. OATES: I just wanted to ask Stanley why  
21 there's a four day difference between our dates and his  
22 dates?

23

24 MR. NED: We got birds coming in in the  
25 middle of January.

26

27 MR. OATES: Okay.

28

29 CHAIRMAN REGELIN: All right. I think the  
30 first thing we'll do is adopt the seasons and bag limits  
31 before us and then we will take up.....

32

33 MR. ANDERSEN: You said bag limits?

34

35 CHAIRMAN REGELIN: Oh, excuse me. It kind of  
36 goes together. The season dates that we have and then we  
37 will come back to the list of species. Any further comment  
38 on the proposal before us from Tanana Chiefs?

39

40 (No audible responses)

41

42 CHAIRMAN REGELIN: Is there any opposition to  
43 adopting the regulation proposal before us?

44

45 (No audible responses)

46

47 CHAIRMAN REGELIN: Hearing none, that will be  
48 the action of the Council. The second item that Stanley  
49 mentioned was adding the common.....

50

00124

1 MR. NED: Snipe.

2

3 CHAIRMAN REGELIN: Was it the common snipe to  
4 the master list? Did we do that earlier with the.....

5

6 MR. OSTRAND: Yeah, we already did that.

7

8 MR. SHIEDT: We did that.

9

10 CHAIRMAN REGELIN: So we only need to do that  
11 once. So we did that. Are there other issues related to  
12 Tanana Chiefs?

13

14 MR. OSTRAND: Just one very minor thing, was  
15 that the list that's in the book is an older one but Stanley  
16 agreed to go by the newer list.

17

18 CHAIRMAN REGELIN: Okay. So that's all for  
19 Tanana Chiefs. Let's take a 10 or 15 minute break. We'll  
20 come back and we'll do Kawerak.

21

22 (Off record)

23

24 CHAIRMAN REGELIN: All right, let's call the  
25 meeting back to order. And before we begin the discussion of  
26 the Kawerak proposals, I have one other piece of business  
27 that's not on the agenda. We have a member of the Migratory  
28 Bird Co-Management Council staff that is going to retire  
29 soon. He's worked with us since we started this process a  
30 long time ago and that's Bob Stevens. Bob's going to go on  
31 and do other things and enjoy life a little bit more starting  
32 May -- or June 3rd, I believe. So this will be his last  
33 meeting with us and we had a plaque made up for Bob. Come on  
34 up here, Bob.

35

36 UNIDENTIFIED SPEAKER: I call a special  
37 meeting.

38

39 CHAIRMAN REGELIN: I think he probably would  
40 retire early. But it says, Bob Stevens, in recognition for  
41 your dedication and service to the Alaska Migratory Bird Co-  
42 Management Council, May 14th, 2002. And thank you for all  
43 your (indiscernible - applause).

44

45 MR. STEVENS: Thank you. And I think what's  
46 more important than the plaque, because we were just talking  
47 earlier, today is really special because I think we're seeing  
48 history made here. I see regs coming, congratulations.  
49 Thanks.

50

00125

1                   CHAIRMAN REGELIN: Well, thank you, Bob. We  
2 really -- I know everybody on the Council appreciates all the  
3 hours and hours that you put in in making the whole thing  
4 work for us.

5

6                   MR. STEVENS: It has been a pleasure.

7

8                   CHAIRMAN REGELIN: Okay. Okay, we're ready  
9 to move on to the Kawerak proposal. It's probably -- I'm not  
10 quite sure where it is in our -- oh, seven was handed. Is it  
11 under seven or did we.....

12

13                   MR. OSTRAND: It's a handout.

14

15                   CHAIRMAN REGELIN: It's a handout. It's a  
16 new handout. There it is. All right. Frank, would you like  
17 to make a motion to put it on the table?

18

19                   MR. KAVAIRLOOK: Okay, I make a motion to  
20 pass the Bering Strait Norton Sound Migratory Bird Council  
21 proposal adopted on 18th of April and 13th of May. We had a  
22 meeting at the same time that you were having a meeting  
23 yesterday, that's why this proposal came in a little late.  
24 We were meeting by teleconference with the rest of the  
25 communities and three gentlemen seated back there and myself.  
26 Along with Austin and Sandra. With this motion I'd like to  
27 make a couple of quick changes, if I can. Since everybody is  
28 changing March 10th to March 11, I'd like to have that change  
29 done. And also to include, under item three, season openings  
30 for Stebbins and St. Michael to include Stuart Island. It's  
31 over there, the geographic area between Point Romanoff and  
32 Canal Point and these two communities would like the Stuart  
33 Island to be included in that area.

34

35                   MR. ANDERSEN: Which paragraph are you on?  
36 What page?

37

38                   CHAIRMAN REGELIN: Page 3, I believe.

39

40                   MR. KAVAIRLOOK: Page 3, on the very bottom.  
41 Both item A and B.

42

43                   CHAIRMAN REGELIN: How did A change, Frank?

44

45                   MR. KAVAIRLOOK: To include Stuart Island.

46

47                   CHAIRMAN REGELIN: Stuart?

48

49                   MR. KAVAIRLOOK: Stuart. S-T-U-A-R-T. They  
50 use that area a lot for egg gathering. And to change March

00126

1 10 to March 11.

2

3 CHAIRMAN REGELIN: Okay, thank you. Do we  
4 have a second for that motion?

5

6 MR. SHIEDT: Second.

7

8 CHAIRMAN REGELIN: Okay, Bill, do you want to  
9 summarize for us what is in this proposal?

10

11 MR. OSTRAND: I'll give a -- I'll try but I'm  
12 not as familiar with this proposal as the others. But I'll  
13 follow along the same sequence that we have and it starts out  
14 with the seasons and the closures. There's a separate season  
15 and closure for Stebbins and St. Michaels and now Stuart  
16 Island. Frank, I imagine you want to put an A here, Stuart  
17 Island as well. Their season begins April 15th and I don't  
18 see where it ends. I see -- does it end on August 31st?

19

20 MR. ALCORN: Look at Item 5, Bill, there's  
21 the Stebbins and St. Michaels, presumably Stuart Island 30  
22 day closure.

23

24 MR. OSTRAND: Okay, that's the 30 day closure  
25 but I was just going to.....

26

27 MR. ALCORN: Yeah.

28

29 MR. OSTRAND: .....first state when the  
30 season opens and closes.

31

32 CHAIRMAN REGELIN: August 31.

33

34 MR. OSTRAND: I guess -- yes, under 4, Bering  
35 Strait region's seasons closures, August 31st. So that  
36 includes the entire region. Is that right, Frank?

37

38 MR. KAVAIRLOOK: Uh-huh. (Affirmative)

39

40 MR. OSTRAND: Okay. And then the closure for  
41 Stebbins, St. Michaels and Stuart Island is June 15th to July  
42 15th. For the remainder of the Bering Strait region, the  
43 season opens March 13th and closes August 31st and there are  
44 two separate 30 day closures. There is a closure for  
45 waterfowl from June 15th to July 15th and a closure for other  
46 birds from July 20th to August 20th.

47

48 CHAIRMAN REGELIN: Okay, let's deal with just  
49 the season dates at this time. Any technical concerns with  
50 the dates?

00127

1 MR. OSTRAND: None from me.

2

3 CHAIRMAN REGELIN: Yeah, it looks to me like  
4 it meets the criteria set out in the treaty. And we'll move  
5 on to the other pieces of this in a minute. Tom.

6

7 MR. ROTHE: Just a quick comment. I notice  
8 that in a number of these proposals the dates are off by like  
9 one day. And when it gets put in official regulatory  
10 language it would probably be from through specific dates.  
11 So it might shift by one day as you have to reword the  
12 things.

13

14 CHAIRMAN REGELIN: Those things the staff can  
15 usually work through. And are there any comments or  
16 discussion about these season dates and the 30 day closures  
17 within those dates?

18

19 (No audible responses)

20

21 CHAIRMAN REGELIN: Is there anybody opposed  
22 to this proposal?

23

24 MR. ALCORN: I'm not opposed, I would like  
25 some clarification, Mr. Chair.

26

27 CHAIRMAN REGELIN: Yes, go for it.

28

29 MR. ALCORN: Going back to the opening, the  
30 first page, methods and mean proposals.....

31

32 CHAIRMAN REGELIN: We're going to get to  
33 that.....

34

35 MR. ARMSTRONG: We're just doing opening.....

36

37 MR. ALCORN: Just opening and closures, okay.

38

39 CHAIRMAN REGELIN: And then we'll take up  
40 another proposal. Okay. So we're just -- this one is just  
41 specific to the season dates and the 30 day closures. Okay,  
42 hearing not opposition, that will be the action of the Board.  
43 Bill, go for it, the next item.

44

45 MR. OSTRAND: Okay, it's following the  
46 sequence that we used before, the next thing we discussed are  
47 the list. And Kawerak has proposed a list and I haven't had  
48 a great deal of time to look at it. But I did notice that it  
49 contains a number of species that are not on the master list  
50 and I can name the ones that I found here, if you'd like.

00128

1                   CHAIRMAN REGELIN: Yes, why don't you read  
2 that. Tell us the -- we have quite a -- where we are, we  
3 have the master list that we've been working off of. And  
4 this list adds -- I don't know how many but numerous --  
5 several -- 15 or 20 species to that list. And we should  
6 first find out what the list is, if there's any problems, and  
7 then we can decide if we should add those list -- all this to  
8 the master list so that they could be taken. So go ahead and  
9 -- why don't you read through the ones that are new species  
10 that may be added to the master list.

11

12                   MR. OSTRAND: Okay, these are -- there are  
13 many shorebirds. The solitary sandpiper, wandering  
14 tattler.....

15

16                   MR. ANDERSEN: Can you read them slowly?

17

18                   MR. OSTRAND: Okay.

19

20                   CHAIRMAN REGELIN: Tell us where -- are you  
21 on Page 1 or 2?

22

23                   MR. OSTRAND: No, I didn't find any on the  
24 first page.

25

26                   CHAIRMAN REGELIN: Okay.

27

28                   MR. OSTRAND: I'm going on Page 2 and I'm  
29 about three quarters of the way down the page.

30

31                   MR. ROTHE: Eurasian wigeon.

32

33                   CHAIRMAN REGELIN: All right.

34

35                   MR. OSTRAND: No, the Eurasian Wigeon I  
36 checked, is on the list. Yes. Okay. Is everyone with me  
37 now. Okay. The solitary sandpiper, the wandering tattler,  
38 the spotted sandpiper, the upland sandpiper, the whimbrel --  
39 and skipping down -- ruddy turnstone, the black turnstone,  
40 red knot, semipalmated sandpiper, Western sandpiper. And on  
41 the next page, Baird's sandpiper, long-billed dowitcher. And  
42 then skipping down to seabirds, the dovekey, the Kittlitz's  
43 Murrelet. And then, again shifting down to the end, we have  
44 the great horned owl and the northern hawk owl.

45

46                   MR. ALCORN: And the short eared owl is.....

47

48                   MR. OSTRAND: The short-eared owl is already  
49 added by APIA.

50



00129

1 MR. ALCORN: It was?

2

3 CHAIRMAN REGELIN: Okay, so that's 16 new  
4 species. First thing would be a biological concern about  
5 putting any of those on the list of species that could  
6 harvested and I know there's one -- did you guys pick it up?  
7 Russ.

8

9 MR. OSTRAND: Are you talking about  
10 Kittlitz's murrelet?

11

12 CHAIRMAN REGELIN: Yes.

13

14 MR. OSTRAND: Yeah, that's a species that's  
15 being considered for listing under the Endangered Species Act  
16 at this point, so.

17

18 CHAIRMAN REGELIN: Yeah, I think it's more  
19 than just being considered, it's about to be listed and it's  
20 going to be, you know, it probably would be very  
21 counterproductive. I would say that they are extremely few  
22 and far between in that part of the world but they probably  
23 do occur there. But they're very rare and they don't occur --  
24 many of them don't occur anywhere any more. So I would say  
25 that we would -- that would be a real difficult one for us to  
26 put on there and I wouldn't think it would stay if we  
27 recommended it.

28

29 MR. KAVAIRLOOK: Okay, which one was that?

30

31 MR. OSTRAND: Kittlitz's murrelet.

32

33 CHAIRMAN REGELIN: It's on the second page,  
34 about 10 up.

35

36 MR. OSTRAND: Okay.

37

38 CHAIRMAN REGELIN: Kittlitz's murrelet. It's  
39 on the third page, sorry.

40

41 MR. OSTRAND: Ten from the bottom of the  
42 list.

43

44 CHAIRMAN REGELIN: What do you think, Frank?  
45 Is that something that's vital to anybody?

46

47 MR. KAVAIRLOOK: No, no. Austin was going  
48 through that bird book so he -- him and Sandra made up this  
49 list and no, I don't have no problem with.....

50

00130

1                   CHAIRMAN REGELIN: Thank you. Any others  
2 that you want to speak to, Tom or Russ? The dovekey. I  
3 don't believe -- does that occur in that part of the world?

4  
5                   UNIDENTIFIED SPEAKER: Rarely. Yeah, former  
6 seabird.

7  
8                   MR. OSTRAND: I was a former seabird  
9 biologist. There was a sighting of dovekeys on St. Lawrence  
10 Island and they had lunch with the Pacific seabird group. At  
11 their meeting they showed a video of it and the room was  
12 packed.

13  
14                   CHAIRMAN REGELIN: I got a feeling that they  
15 probably don't eat many and if they did, they might make  
16 television. I guess, what do you think guys? Is that one --  
17 it's an extremely rare bird, it's an Asian bird.

18  
19                   MR. KAVAIRLOOK: Remove that from the list.

20  
21                   CHAIRMAN REGELIN: If we can -- should we  
22 delete that, Frank?

23  
24                   MR. KAVAIRLOOK: Yes.

25  
26                   MR. OSTRAND: There's no population concerns  
27 about dovekeys. They're about -- they're one of the most  
28 abundant birds in the world but they just rarely show, them  
29 predominantly from the Atlantic.

30  
31                   CHAIRMAN REGELIN: The Atlantic. Just the  
32 wrong part of the world for them.

33  
34                   MR. OSTRAND. Yes.

35  
36                   CHAIRMAN REGELIN: Are there any others that  
37 anybody else would see that might raise real concerns?

38  
39                   (No audible responses)

40  
41                   CHAIRMAN REGELIN: Okay, what we've got -- we  
42 have two choices, I think, as a council. We can just add  
43 these to the master list and if that happens, then we need to  
44 -- if that's what we decide, then we need to decide what  
45 about these other regions who say we're just working off the  
46 master list who obviously most of them aren't going to be  
47 able to take a lot of these birds because they just don't  
48 occur there. So that's the way we need to think about it.  
49 First with Stanley and then Ralph.

50

00131

1 MR. NED: I think it would be a good idea to  
2 add them to the master list and work by our regions and then  
3 whatever we don't harvest that -- because I haven't gone to  
4 all my villages yet on this and I think I need to run it by  
5 them before I decide on which one I'll leave out and do then.

6

7 CHAIRMAN REGELIN: Ralph.

8

9 MR. ANDERSEN: I was going to say that -- but  
10 until then I think the proposal is, if you read it, number 2,  
11 it says the following list of birds 99 are used for  
12 subsistence in the Bering Strait Norton Sound region. So I  
13 think this proposal is specific to the Bering Strait Norton  
14 Sound area. And then I think it can be probably easier until  
15 we find -- you know, we could come back with birds from the  
16 other areas as well that are specific to them. You know what  
17 I mean?

18

19 MR. NED: The reason why I say that is  
20 because I see they have the great horned owl and the snowy  
21 owl and the northern hawk, which we also harvest when we need  
22 to. So I think I need to check that. We put it on the  
23 master list too.

24

25 CHAIRMAN REGELIN: I guess my opin -- what --  
26 I think we should add it to the master list. The question I  
27 have is, there are several regions that were just working off  
28 the master list. Do we want to add all of these species or  
29 do we just want to just work off the original master list for  
30 those other regions. And I guess the reason I say that is,  
31 some of these birds are going to create some real raised  
32 eyebrows. And let's, you know, we don't want to infuriate  
33 people unnecessarily. We aren't going to leave something off  
34 that we shouldn't. That people are eating. But, you know,  
35 that's my only thing.

36

37 MR. ANDERSEN: And that was my reason for  
38 keeping this, you know, keeping it for Bering Strait Norton  
39 Sound.

40

41 MR. ALCORN: I would -- once again I'm going  
42 to lean on my biologist expert across the table from me. But  
43 I think that as a matter of process, when we had the master  
44 list that we approved at the last meeting, that was the list  
45 that I took to my other programs in the Fish and Wildlife  
46 Service and we discussed at great length. And this is kind  
47 of an 11th hour addition of five or six birds that I think at  
48 some point I'm going to have to vet with my other program  
49 managers. And I would -- hearing no opposition from Russ, I  
50 would support the inclusion of this for this region but not

00132

1 to amend the master list until I have an opportunity to run  
2 it by my folks.

3

4 CHAIRMAN REGELIN: Stanley.

5

6 MR. NED: You know, we're just starting to  
7 find out where we've made mistakes and, you know, we're still  
8 new and mistakes -- and I don't see why we should include it  
9 in the master list, you know. I mean, we should include it  
10 in there until we decide on what we harvest and what we  
11 don't. We might, for example, I left some things out that  
12 should have been in the master list.

13

14 CHAIRMAN REGELIN: Sure. And I guess.....

15

16 MR. NED: And I don't think we should cut  
17 short and say, hey, we're going to stop here.

18

19 CHAIRMAN REGELIN: I think that, Ned, in the  
20 next two or three years I think that list will be refined and  
21 there will be a master list and then each region will just,  
22 you know, have what they take and that kind of thing. Fred.

23

24 MR. ARMSTRONG: Well, he just said what I was  
25 going to say. It's going to be recurring for a while on an  
26 annual basis until everybody is comfortable and then we'll  
27 move it up but we realize we're just in the beginning stage.  
28 I think, Stanley, you could just, you know, if you wanted to  
29 use the master list but also refer to the other region's list  
30 of birds too, that'll help.

31

32 CHAIRMAN REGELIN: Okay, so we have -- the  
33 proposal before us is to adopt this list with new inclusions,  
34 minus those two that we crossed out, for -- that will become,  
35 I guess you'd say the new master list but we're not going to  
36 modify all of the other regions. And they can figure out the  
37 best regulatory language to use to put that together. Ralph.

38

39 MR. ANDERSEN: Couldn't we have the bird  
40 listing that's proposed here be the list -- be considered  
41 their annual -- the bird list -- birds for annual harvest?  
42 Their annual harvest list?

43

44 CHAIRMAN REGELIN: I guess that could happen  
45 but I don't think that you're -- it has to be on the master  
46 list or it can't be harvested.

47

48 MR. ANDERSEN: Oh, okay. Okay.

49

50 CHAIRMAN REGELIN: That's the technical

00133

1 problem. So is everybody clear on what we're about to vote  
2 on? Or -- we don't care about you.

3

4 MR. ANDERSEN: So it is to add the birds to  
5 the master list.

6

7 CHAIRMAN REGELIN: Right -- I'm sorry. This  
8 is the bird -- just the motion would be to add -- the new  
9 master list would include all these species but it would --  
10 only region that would include these six other -- 14 now --  
11 would be the northwest or the Bering Straits. And it creates  
12 a problem for you in that we have a broader master list but  
13 it only has a season in one region. I don't know how else to  
14 do it, Doug, because we -- unless you can think of a smarter  
15 way.

16

17 MR. ALCORN: I'm not that smart.

18

19 CHAIRMAN REGELIN: I think that we're --  
20 unless we want to just leave them off, we don't have any  
21 option.

22

23 MR. ANDERSEN: Well, but we need to keep them  
24 on -- put them on the master list in order to have them be --  
25 to be.....

26

27 CHAIRMAN REGELIN: And on.....

28

29 MR. ANDERSEN: .....eligible for subsistence  
30 harvest.

31

32 CHAIRMAN REGELIN: Right. On the master list  
33 we could have an asterisk that says these are for only hunted  
34 or taken in this region. All right. Any more comment,  
35 discussion on that -- this issue?

36

37 MR. KAVAIRLOOK: It's the Kittlitz's murrelet  
38 and the other one was dovekey?

39

40 CHAIRMAN REGELIN: Dovekey. Just a little  
41 bit above the Kittlitz's murrelet. Is there any opposition  
42 to adoption of this proposal?

43

44 (No audible responses)

45

46 CHAIRMAN REGELIN: Hearing none, that will be  
47 the action for the board.

48

49 MR. ALCORN: Mr. Chairman.

50

00134

1 CHAIRMAN REGELIN: Yes.

2

3 MR. ALCORN: I'd like the record to show that  
4 I abstained from the vote.

5

6 CHAIRMAN REGELIN: Okay.

7

8 MS. STICKWAN: Was there a vote?

9

10 MR. ALCORN: Well, abstained from the  
11 consensus.

12

13 CHAIRMAN REGELIN: It was the consensus and  
14 he doesn't -- we don't need to.....

15

16 MR. ANDERSEN: He doesn't agree or disagree.

17

18 CHAIRMAN REGELIN: Yeah, okay. Bill, the  
19 next point.

20

21 MR. OSTRAND: Okay, I'll go on to the  
22 regional methods and means proposals. And there are four of  
23 them. The first one is to allow the harvest of migratory  
24 birds without the use of a plug in the magazine of shotguns.  
25 I'd interpret the methods and means that were passed by the  
26 Council to already allow -- not require the use of a plug in  
27 the shotgun.

28

29 CHAIRMAN REGELIN: Yeah, I think that's the  
30 way we've all interpreted that. So I don't think you need to  
31 have that specific because it's just not part of the packet.

32

33

34 MR. KAVAIRLOOK: Is that for both seasons?

35

36 MR. ANDERSEN: Just the spring.

37

38 CHAIRMAN REGELIN: We have not ability to  
39 make recommendations as a body on the fall season. Go ahead.

40

41 MR. OATES: Just a quick question. But for  
42 the fall season though, the hunters would then have to put a  
43 plug in their gun to hunt in the fall season?

44

45 CHAIRMAN REGELIN: Yeah.

46

47 MR. OATES: Good. Thank you.

48

49 MR. OSTRAND: Okay. Number 2 is to allow the  
50 harvest of migratory birds on St. Lawrence Island and Little

00135

1 Diomedede with use of traps, snares and nets.

2

3 CHAIRMAN REGELIN: Is that consistent with  
4 anything -- Tom, go ahead.

5

6 MR. ROTHE: Well, Fred and I couldn't figure  
7 it out and Bob doesn't have his records here. But in  
8 previous meeting notes, the Council distributed methods and  
9 means guidelines that address that by amending the language  
10 to say that taking with live -- taking waterfowl with live  
11 decoys was prohibited, leaving it open that you could take  
12 auklets or whatever. I don't know if anyone remembers  
13 whether the Council's official guidelines were amended like  
14 that. If so, we don't need this specific item.

15

16 UNIDENTIFIED SPEAKER: You just skipped an  
17 item though.

18

19 MR. ROTHE: Okay, it's applicable to number 2  
20 as well. Number 2, I thought we don't have traps, snares or  
21 nets listed as a prohibited method.

22

23 CHAIRMAN REGELIN: Yeah, so if we didn't list  
24 them, they would be.....

25

26 MR. ROTHE: Be good to go.

27

28 CHAIRMAN REGELIN: Okay, and so we don't need  
29 to make that specific point because they're already allowed.  
30 And then next one was live decoys on Little Diomedede Island.  
31 And I don't know, does anybody recall -- Fred, do you know if  
32 we're -- what does this say?

33

34 MR. ALCORN: This is what we originally  
35 adopted back in December.

36

37 CHAIRMAN REGELIN: And is it silent on -- oh,  
38 there's waterfowl.

39

40 MR. ALCORN: Just said waterfowl is used to  
41 specify waterfowl and not seabirds, if that was the comment  
42 in discussion, we all concurred with that.

43

44 CHAIRMAN REGELIN: Bill.

45

46 MR. OSTRAND: Mr. Chair, the reason that was  
47 written that way, you know, just to speak to waterfowl for  
48 the use of live decoys, was to allow the use of live decoys  
49 on Little Diomedede. However, there's been some discussion  
50 that it may be -- the methods and means may be more

00136

1 acceptable if we ban the use of live decoys and then accepted  
2 an exception like this for Little Diomedede and that would be  
3 more up front that -- indicating that it just happens on one  
4 island in Alaska.

5

6 CHAIRMAN REGELIN: Okay. Doug.

7

8 MR. ALCORN: Mr. Chairman, the way that the  
9 statewide guidelines were adopted, it just says, taking  
10 waterfowl using live birds as decoys. And so, I think it's  
11 consistent with what you're suggesting. And then a proposal  
12 that may come in from Kawerak -- or that has -- would be the  
13 regional exception that we've made allowances for.

14

15 CHAIRMAN REGELIN: Okay. So that's one that  
16 we do need to take action on, one way or the other. And  
17 what's number 4? Is back to.....

18

19 MR. OSTRAND: The number 4 is to allow the  
20 harvest of migratory birds from a moving boat that clearly  
21 does not intend to overtake the natural ability of the  
22 migratory birds to flee.

23

24 CHAIRMAN REGELIN: Now, we discussed that at  
25 length this morning. Was that specific though to AVCP or was  
26 that -- I'm trying to recall. Russ.

27

28 MR. OATES: I'm not going to offer an  
29 explanation, I'm just going to ask a question. What is this --  
30 purpose of this? Is this different that what we talked  
31 about this morning or is this -- are we talking about molting  
32 bird? Are we talking about flighted birds? What -- Ralph.

33

34 MR. ANDERSEN: I think the difference here is  
35 there -- that the proposal is from a moving boat but it  
36 doesn't address whether they are -- well, I guess this is a  
37 question we could ask of Frank, whether they're for the  
38 purpose of concentrating, driving rally or storing up any of  
39 the migratory birds.

40

41 MR. KAVAIRLOOK: Well, a lot of times when  
42 people are going from maybe to camp and they're in a boat,  
43 they're in a moving boat. And on their way, they get the  
44 birds. And it's not the same as driving the way Edgar's  
45 people do it but it's just that you're in a moving boat. And  
46 since it's there you go ahead and take them on the trip. But  
47 it's -- and Austin explained it clearly that it's not to  
48 chase to the bird down. It's not to like drive right up to  
49 the birds and shoot them. I don't know, that's the  
50 explanation he gave to me to.....



00137

1                   CHAIRMAN REGELIN: Okay. I think the  
2 question is, you know, we've got all these that we had  
3 already adopted two meetings ago that prohibited certain  
4 things and we were going to start out slowly. Are we -- do  
5 we -- what we have in those, does that prohibit the activity  
6 that Frank just described?

7

8                   MR. ALCORN: Yes. The way I read the book.

9

10                  CHAIRMAN REGELIN: This -- which one?

11

12                  MR. ALCORN: H.

13

14                  MR. ANDERSEN: Driving, rallying or stirring  
15 up?

16

17                  CHAIRMAN REGELIN: Yeah, see he's not -- the  
18 purpose isn't to drive, rally.....

19

20                  MR. OATES: My question, are we talking about  
21 flightless birds or flighted birds that just happened to be  
22 flying by while people are in transit?

23

24                  UNIDENTIFIED SPEAKER: Yeah.

25

26                  MR. OATES: That's the latter?

27

28                  UNIDENTIFIED VOICE: Probably both of them.  
29 Flying birds, any birds.....

30

31                  MR. KAVAIRLOOK: Opportunistic harvesting.

32

33                  CHAIRMAN REGELIN: Fred.

34

35                  MR. ARMSTRONG: I think it's like an  
36 incidental take thing. When you hunt, you know, normally it --  
37 a lot of times you just can't go out and say you're going to  
38 hunt for this and hunt for that. It usually crops up --  
39 opportunistic hunters and I guess I'm a little confused with  
40 the four methods and means that were presented here. Was  
41 that the extent of what Kawerak wanted from the list of --  
42 that was adopted by the Council?

43

44                  MR. KAVAIRLOOK: Yeah.

45

46                  MR. ARMSTRONG: That was the only ones that  
47 they wanted for the region?

48

49                  MR. KAVAIRLOOK: That's the ones that were  
50 discussed at our meeting.

00138

1                   CHAIRMAN REGELIN: Well, it looks to me like  
2 if we started into this, we're going to have refinements at  
3 future meetings and we're going to have to decide this issue.  
4 But for right now, based on what we did in December, the  
5 activity that he's describing is not prohibited.

6  
7                   MR. OATES: My question is, I just want to  
8 clarify it, it seems to me the way this is written, that that  
9 would not allow herding of flightless birds. Correct? And  
10 that's.....

11  
12                  MR. KAVAIRLOOK: Yeah.

13  
14                  MR. ANDERSEN: And, you know, another point  
15 too is, rather than -- you know, the list that the Council  
16 adopted are the things that we can't do. Their list is kind  
17 of different. They take the flip side of things that they  
18 could do, which is, you know, kind of confusing because you  
19 think of methods and means as being prohibitive but in this  
20 case they're allowing it. Which is a good -- I mean, which  
21 is a different approach.

22  
23                  CHAIRMAN REGELIN: Bill and then Tom.

24  
25                  MR. OSTRAND: Frank and I -- well, not Frank  
26 and me, Oscar, who is on the regional board and Austin and  
27 the staff had an extensive conversation about this and my  
28 understanding of what the intent here is to is a moral  
29 judgment about using high powered boats to overtake and  
30 rundown birds. And Oscar and Austin felt that that was  
31 inappropriate and wanted to ban that within their region.  
32 And that was the intent of regulation number 4 and didn't  
33 feel that the existing set of regulations would prohibit  
34 that.

35  
36                  MR. ANDERSEN: But the prohibited methods and  
37 means already allow those -- the four things to happen.

38  
39                  MR. OSTRAND: Right, except number 4. At  
40 least they did not feel that the methods and means would  
41 prohibit someone from...

42  
43                  CHAIRMAN REGELIN: Well, it doesn't prohibit  
44 somebody from doing that but we're not going to go back in  
45 and modify that list that we get in.....

46  
47                  MR. OSTRAND: No, this is a regional  
48 proposal.

49  
50                  CHAIRMAN REGELIN: Right.

00139

1 MR. OSTRAND: It's says on the top here,  
2 recommendations for spring and summer subsistence regulations  
3 in the Bering Strait region. So this is a supplemental --  
4 these are supplemental regs for the Bering Strait region.

5  
6 CHAIRMAN REGELIN: Doug.

7  
8 MR. ALCORN: So if I understand you, then  
9 this is actually a more restrictive interpretation or  
10 application of that.

11  
12 MR. OSTRAND: Yeah, that's my understanding  
13 after our phone conference.

14  
15 CHAIRMAN REGELIN: Well, if we wanted to make  
16 this consistent then with the way we've done other things, it  
17 would say that it is not allowed to overtake migratory birds  
18 with a boat and to shoot them. You know, but I guess I'm not  
19 sure that it's -- how important it is at this point to add  
20 that but it's a regional request.

21  
22 MS. STICKWAN: It's a regional issue.

23  
24 CHAIRMAN REGELIN: But I think that -- do you  
25 want to adopt it the way it's written or do you want to  
26 change -- what form here -- okay, but Tom.

27  
28 MR. ROTHE: Just a comment on the practical  
29 nature of this. I guess I'd defer to Frank to maybe explain  
30 what the intent was but in terms of actual hunter in the  
31 field, I'm not sure how they would interpret this and whether  
32 this would be enforceable, you know, to determine whether the  
33 bird is flightless or not when you're zipping up with a boat.  
34 And whether in practice most hunters would, you know, back  
35 off and not go after the bird. So I don't know how to deal  
36 with that.

37  
38 CHAIRMAN REGELIN: Fred.

39  
40 MR. ARMSTRONG: I'm wondering if they're  
41 getting them confused with Title VIII regulations, which  
42 strictly prohibit shooting from a moving boat?

43  
44 CHAIRMAN REGELIN: Yeah, probably.

45  
46 MR. ARMSTRONG: Because that's one of the  
47 method and means that they would -- Title VIII has adopted.  
48 And I don't know if that's in response to that or -- I'm a  
49 little confused myself.

50

00140

1 CHAIRMAN REGELIN: Bill.

2

3 MR. OSTRAND: Well, in our discussion, again  
4 in the teleconference, they, Oscar and Austin wanted it to be  
5 legal to take birds as you move up river or you're motoring  
6 down the coast. But he was concerned about individuals with  
7 high powered boats that overtake birds, run them down and  
8 shoot them. And so this is the language that it looks like  
9 that Austin tried to craft to prohibit that sort of thing.  
10 He wanted to be -- in our discussions he made it very clear  
11 that he wanted to be able to continue to take birds as you  
12 motor up river.

13

14 MR. ANDERSEN: Mr. Chairman, if there are no  
15 biological or technical problems with these, then I say we go  
16 ahead and approve them.

17

18 CHAIRMAN REGELIN: Okay, so what we have  
19 before us then would be -- 1 and 2 we decided are legal and  
20 there's no reason to restate that -- they're allowable on  
21 both of those. So then before us would be on method addition  
22 -- regional methods and means just for this region would be  
23 to allow the harvest of crested aukelets using live decoys  
24 only on Little Diomed Island. And the fourth one would be  
25 to allow the harvest of migratory birds from a moving boat  
26 that does not intend to overtake birds that are fleeing. And  
27 we may want to think a little bit about exactly how that's  
28 worded. So that's the motion before us with those two.

29

30 Further discussion? Fred.

31

32 MR. ARMSTRONG: Mr. Chairman, we do have our  
33 deputy law enforcement person here. Perhaps he could shed  
34 light on some of their concerns they would have with these  
35 proposals. I think it's appropriate that we hear from him.

36

37 CHAIRMAN REGELIN: Go ahead and come on up  
38 and just sit here at the end. I think they left.

39

40 MR. OBERHOLTZER: Thank you, Mr. Chairman.  
41 My name is Steve Oberholtzer, I'm the Deputy Assistant  
42 Regional Director for Law Enforcement for the Fish and  
43 Wildlife Service in the Alaska region. Mr. Armstrong asked  
44 me to address number 4 from a law enforcement standpoint.  
45 Some of the concerns we might have with it. It would be very  
46 tough to prove beyond a reasonable doubt that a boat does not  
47 intend or does intend to overtake birds while it's moving up  
48 river. I see everyone struggling with where to draw the line  
49 as far as how fast the boat is going or what their intent is.  
50 But from an enforcement standpoint, you may want to consider

00141

1 that it will be unenforceable if it's a requirement that we  
2 prove that the boat was clearly intending to overtake birds  
3 or that it wasn't clearly intending to overtake birds.

4

5 As another side note on the use of boats to  
6 take birds, I've worked it all over the country in the Lower  
7 48 and there is a lot of incentive on days when the birds  
8 aren't flying and they're not moving, one of the first things  
9 you normally see down there is jump in the boat and whether  
10 or not they're going back toward the ramp, as far as trying  
11 to get more gear from their vehicle or -- I mean, you'll hear  
12 a bunch of different reasons why they're out in the boat but  
13 the fact of the matter is they're normally out there to stir  
14 up birds or to run them down. So, I'm not saying that's how  
15 it would work here, I'm just saying there's a lot of  
16 incentive to use the boats and it's very tough from an  
17 enforcement standpoint if there's a lawful reason why they're  
18 out there in the boat and they're shooting birds out. It's  
19 tough to draw a line and say this is legal and this is not if  
20 can you shoot from the boat while it's moving.

21

22 CHAIRMAN REGELIN: Okay, thank you, Steve.

23

24 MR. ANDERSEN: But under our methods and  
25 means, it's still a -- shooting from a moving boat is not  
26 prohibited. So you still could do it then.

27

28 CHAIRMAN REGELIN: I guess that it's one of  
29 those things that -- can you really hit anything from a  
30 moving boat and how many down that.....

31

32 MR. ANDERSEN: Could be a good shot.

33

34 CHAIRMAN REGELIN: You know, would want to do  
35 that. Stanley.

36

37 MR. NED: Do we have a motion on the floor to  
38 adopt it now or.....

39

40 CHAIRMAN REGELIN: Bill presented it, we did  
41 not -- no, I guess I -- we do not have a motion. We decided  
42 we didn't need to take any action on number 1 and 2 so now we  
43 need -- if we're going to try to adopt or take action on 3  
44 and 4, we would need a motion.

45

46 MR. NED: So moved.

47

48 CHAIRMAN REGELIN: Gloria.

49

50 MS. STICKWAN: Oh, is there a motion? I was

00142

1 just going to make a motion if there wasn't.

2

3 CHAIRMAN REGELIN: Yeah, he just so moved so --  
4 I don't know if you heard him. Yeah, we'll let you second.

5

6 MS. STICKWAN: Yeah.

7

8 CHAIRMAN REGELIN: So now.....

9

10 UNIDENTIFIED SPEAKER: Gloria seconds.

11

12 CHAIRMAN REGELIN: Gloria seconded it. We do  
13 have a motion on the table now to adopt parts 3 and 4 on the  
14 methods and means for the Bering Straits, Norton Sound  
15 region.

16

17 Further discussion? Doug.

18

19 MR. ALCORN: Thank you, Mr. Chairman. I'm  
20 having real trouble -- struggling with this one because I  
21 just heard from our law enforcement division that this is  
22 something that's unenforceable. And while I understand and  
23 appreciate the concern that the Regional Council is trying to  
24 make clear, I'm not sure that it adds anything that we don't  
25 already have in the statewide guidelines. Simply because  
26 it's not interpretable -- or not enforceable, I guess. From  
27 what I understand, it's difficult to prove intent. So I  
28 would hate to put my law enforcement folks in kind of a  
29 jeopardy position of being asked to enforce this one and  
30 there's no way they feel like they can. So I don't know that  
31 I can support the motion, I don't think I can.

32

33 CHAIRMAN REGELIN: Before we proceed, was  
34 there an objection to separating the question and working on  
35 proposal 3 and then doing proposal 4 separately. Because it  
36 looks like there's no -- I think the concerns that we have  
37 are number 4 and how it should be worded and if it's even  
38 necessary to add anything to it. Ralph.

39

40 MR. ANDERSEN: I have a question for --  
41 regarding the methods and means proposals altogether. Are  
42 they necessary to begin with since they are not disallowed or  
43 they are not prohibited in the statewide guidelines?

44

45 CHAIRMAN REGELIN: It's true.

46

47 MR. ANDERSEN: If they're not prohibited then  
48 I don't know if they are even necessary.

49

50 CHAIRMAN REGELIN: Should we -- an option

00143

1 would be for us to say we'll take, you know, no action on  
2 this or to table it because it's not necessary to do this.  
3 Doug.

4

5 MR. ALCORN: Well, I think that's true for  
6 number 4 but I think that it does -- there is a need to make  
7 an allowance in item 3 because that is prohibited under the  
8 general statewide guidelines.

9

10 MR. ANDERSEN: No, it's not.

11

12 CHAIRMAN REGELIN: No, it's not.

13

14 MR. ALCORN: Oh, that's for waterfowl. I'm  
15 sorry.

16

17 MR. ANDERSEN: So none of these items in the  
18 methods and means proposal are really necessary because they  
19 are not prohibited already.

20

21 CHAIRMAN REGELIN: Did you have your hand up,  
22 Stanley? Just go ahead.

23

24 MR. NED: Yeah, I withdraw my motion then, if  
25 that's the case, you know.

26

27 MS. STICKWAN: Withdraw the second.

28

29 CHAIRMAN REGELIN: I guess I'd like to let  
30 Frank, you know, Frank what.....

31

32 MR. KAVAIRLOOK: I can take this back then if  
33 there's -- like what Ralph said, I'll just go along with  
34 deleting item 4.

35

36 CHAIRMAN REGELIN: Sure. Well, I think you  
37 were, you know, your region was trying to be helpful and say,  
38 you know -- and I guess what -- the one number 3, we want to  
39 make sure that, you know, it's one little island and they  
40 probably -- few people probably do that. I think it's  
41 allowed now. But it might be wise for us to have that  
42 listed. I guess I think it would be smart on the part of the  
43 Council to put that in as a regional proposal right up front --  
44 we're not trying to hide anything from anybody. They do,  
45 you know, use live decoys to take this species of bird --  
46 it's very little done -- and do that. Again, we probably  
47 don't have to. It's your call.

48

49 MR. ANDERSEN: I'd say maybe for the next  
50 cycle that's something we could consider but for now I

00144

1 think.....

2

3

CHAIRMAN REGELIN: Okay.

4

5

MR. ARMSTRONG: And we make life easier.

6

7

CHAIRMAN REGELIN: All right. That  
8 simplified it. The next thing we have before us is, Bill,  
9 there's more on Bering Straits.

10

11

MR. OSTRAND: Yes. Species closures.  
12 Species closed to subsistence harvest are A, spectacle eider  
13 and stellar's eiders are closed to subsistence harvest. And  
14 B, Brant white-fronted goose and cackling Canada goose are  
15 closed to subsistence harvest during the molting period only.

16

17

CHAIRMAN REGELIN: Okay. Well, number A is  
18 consistent with what we already have as a statewide closure.  
19 B is not. Is there -- and I know that we're back into -- oh,  
20 this isn't the emperor still. I know we're going to let the  
21 person from Gambell Island, I think, was going to come up.  
22 But that was about emperor geese. Emperors aren't on this  
23 list anywhere, are they?

24

25

MR. OATES: They're closed for the state.

26

27

CHAIRMAN REGELIN: Excuse me?

28

29

MR. OATES: That's the point. Emperors are  
30 currently closed for the state so this would open them for  
31 the region, I'm assuming.

32

33

CHAIRMAN REGELIN: All right. Well, why  
34 don't we allow the person -- I can't remember your name --  
35 from Gambell come on up. Or you can just sit over here next  
36 to Frank and just.....

37

38

MR. JAMES: The subsistence hunters from St.  
39 Lawrence Island asked us to have an open season for emperor  
40 geese during the spring and summer because those are the only  
41 species of geese that arrive in harvestable numbers.

42

43

CHAIRMAN REGELIN: Okay, Stanley.

44

45

MR. NED: What's your name again?

46

47

MR. JAMES: Joel James.

48

49

CHAIRMAN REGELIN: Joel, do they take  
50 significant numbers of emperor geese on St. Lawrence then?



00145

1 MR. JAMES: No, they don't take significant  
2 numbers.

3  
4 CHAIRMAN REGELIN: But it's the only one that  
5 you get up there. This would, I guess, be a regional  
6 exemption to our emperor goose statewide closure. Any  
7 comments or thoughts or discussions? What's the Council  
8 wishes? Doug.

9  
10 MR. ALCORN: Have we allowed our two  
11 biologists to make comments?

12  
13 CHAIRMAN REGELIN: Sure. Would you like to  
14 talk about the biology of the situation? Russ and then Tom.

15  
16 MR. OATES: Well, given the current  
17 population status and trend on emperor geese, we've  
18 recommended a statewide closure on all take of emperor geese  
19 and their eggs.

20  
21 CHAIRMAN REGELIN: Did you have anything to  
22 add to that, Tom, or.....

23  
24 MR. ROTHE: Yeah, just a comment that I think  
25 at the last meeting the Council sort of directed the techno  
26 committee or directed a commencement of a interregional  
27 management planning process to look at the whole situation.  
28 I think for statewide, I guess our best guesstimates from the  
29 early 1990's would have been that about 4,500 emperor geese  
30 are taken but the majority, over half, is on the YK Delta.  
31 The next biggest contributor would be Bristol Bay, with an  
32 eighth of the harvest and Aleutian Peninsula with another  
33 eighth of it. So there are small numbers taken in St.  
34 Lawrence and a few of the other regions in the north.

35  
36 CHAIRMAN REGELIN: All right. Thank you.  
37 Ralph.

38  
39 MR. ANDERSEN: And you're right. I started  
40 to make that motion but I pulled it back because Bob told me  
41 that the Pacific Flyway Council was beginning a process to  
42 reevaluate the management plan. One thing is pretty clear,  
43 you can close the season on birds all you want, the thing is  
44 that if it's the only bird that you get, it's the only bird  
45 that arrives in any kind of numbers, it's the only bird  
46 that's available for subsistence uses and the subsistence use  
47 has been practiced for thousands of years, for a long time,  
48 the practice isn't going to stop. And I think part of our  
49 charge here is in areas where the traditional and customary  
50 use has been established, that our job as a council is to

00146

1 legitimize and acknowledge those practices. One of the  
2 things that -- one of the problems that I had and I couldn't  
3 get a clear answer from anybody this morning was with the  
4 emperor goose population and was whether the number was based  
5 on size when the population objective was established or  
6 somebody just pulled the number out of the air saying, hey,  
7 this is a cool number that maybe we should shoot for 150,000.

8

9 Russ, you did say that, you know, some early  
10 bird population estimates showed it that it reached 150,000  
11 birds at one period of time and for some reason that was set  
12 as a population objective. What I'd like to make is a motion  
13 to -- for the technical committee. I mean, this time I'm  
14 going to follow it through and not stop because the Flyway  
15 Council might be doing something. Because I think it's  
16 important that our Council does. And I move that the  
17 technical committee ought to take a review and a reassessment  
18 of the emperor goose population objective in consultation  
19 with the -- in coordination with the Pacific Flyway Committee  
20 that's set up to do this, if they do have one. Because my  
21 believe is that the population objective could be arbitrarily  
22 high. But that's only by opinion. But what I'd like to  
23 have, again, move the technical committee that we have  
24 established for our Council to take that project and report  
25 back to us. I've got to think of a good time, I mean because  
26 first we need to put together a study plan and that sort of  
27 thing. I'd say within a year of the status -- of the  
28 progress or even sooner than that if possible.

29

30 CHAIRMAN REGELIN: Would you say, Ralph, in  
31 time for consideration for the 2004 season? Whatever time  
32 that's done.

33

34 MR. ANDERSEN: Yes. With interim  
35 reports.....

36

37 CHAIRMAN REGELIN: Okay.

38

39 MR. ANDERSEN: .....as we're able to pull it  
40 together.

41

42 CHAIRMAN REGELIN: Other thoughts? Doug, did  
43 you have anything else?

44

45 MR. ALCORN: Well, did you make that a  
46 motion?

47

48 MR. ANDERSEN: Yes, I did.

49

50 MR. ALCORN: Okay.

00147

1                   CHAIRMAN REGELIN: We need a -- do we have a  
2 second for that motion?

3

4                   MR. NED: I'll second.

5

6                   CHAIRMAN REGELIN: Seconded by Stanley.  
7 Okay, discussion. Go ahead, Russ.

8

9                   MR. OATES: The population objective  
10 certainly has been an issue in the past and probably will  
11 continue to be. But I think one of the more significant  
12 things that we look at is the trend of the population. We  
13 have concurred with allowing limited harvest on other species  
14 that are below population objective because we have seen  
15 increasing population trends and we have felt that those  
16 populations could withstand limited harvest. At this point  
17 in time we don't have a clear, significant increase in trend  
18 on emperor geese. And so we are recommending the closure  
19 because we don't feel that emperor geese can withstand  
20 additional harvest and the current level of harvest is  
21 contributing to the population failing to increase. Our goal  
22 is to reduce the harvest to as near zero as possible so the  
23 population will begin to increase again. And the reason we  
24 want the population to increase is so there can be increased  
25 hunting opportunity for everyone.

26

27                   CHAIRMAN REGELIN: Thank you, Russ. Ralph.

28

29                   MR. ANDERSEN: I was just going to say that  
30 I'd find your trends to be even questionable because you're  
31 not -- because of the numbers and the fluctuation from year  
32 to year. You're not able to get an accurate count of the  
33 birds with fluctuations of 30,000 from one year to the next.  
34 So, I mean, I'd even question your population trends because,  
35 I mean, if you see populations jump 30,000 between -- from  
36 one year to the next or decline 30,000 from one year to the  
37 next and you're not able to account for that decline in any  
38 way -- which is a question that I asked previously -- then  
39 I'd even question the science that's going into that.

40

41                   MR. OATES: I presented to you the  
42 information from the survey that's identified by the Pacific  
43 Flyway Council as the official management survey but we do  
44 other surveys. And with -- there is certainly some variation  
45 but the one -- there's several other surveys. We do four  
46 annual surveys and they all suggest similar trends. So we  
47 feel fairly confident that the population is stable and  
48 possibly very slightly increasing because we have several  
49 surveys that suggest the same thing.

50

00148

1 CHAIRMAN REGELIN: Okay, Stanley and then  
2 Tom.

3  
4 MR. NED: Question, and I've eluded to this  
5 before, was the amount of birds that you counted, this survey  
6 that you've done, and the number of birds in the nesting  
7 areas that, if you folks have done that, I see the dates are  
8 the '70s. The surveys were being done and the numbers were  
9 up in the early '60s, in our area alone, they weren't done by  
10 aircraft as they are today. They were done by boats, dorys,  
11 the Fish and Wildlife guys out of Cold Bay did that. And  
12 then they were done by local people. Today they cannot get  
13 to areas that they would like to get to to make surveys  
14 because of the weather. And I'm wondering if those numbers  
15 are just put in there as an estimate in that area.

16  
17 MR. OATES: The 1964 survey was an aerial  
18 survey and it was.....

19  
20 MR. NED: In the Aleutians?

21  
22 MR. OATES: It was done in the same area that  
23 it's done today by one of our most experienced pilot  
24 observers.

25  
26 MR. NED: In the '60s.

27  
28 MR. OATES: Yes, Jim King did that survey.

29  
30 MR. NED: Jim?

31  
32 MR. OATES: Uh-huh.

33  
34 CHAIRMAN REGELIN: Okay.

35  
36 MR. ANDERSEN: That was about 40 years ago.

37  
38 CHAIRMAN REGELIN: Ralph -- or I mean, excuse  
39 me, Frank. Oh, Tom first and then Frank.

40  
41 MR. ROTHE: Just a couple of comments on  
42 having another look at what's going on with emperor geese.  
43 First of all, the Pacific Flyway Council looks to us in  
44 Alaska to take the lead on emperors. You know, people in  
45 California aren't that concerned so the management plan that  
46 we created in 1988 was written by all of us in Alaska and it  
47 was updated in '94. So there's nothing sacred about the  
48 Flyway Council plan other than that if we undertake a new  
49 planning process, the Pacific Flyway Council would hopefully  
50 adopt that as whatever we would like to do. Ralph, you made

00149

1 a comment about where the 150,000 came from and indeed we did  
2 kind of pull it out of the air because it was the best thing  
3 we had at the time. But I'll remind you that we spent two  
4 years working with AVCP's waterfowl conservation committee to  
5 come to agreements on what we wanted to shoot for. So -- and  
6 we shouldn't take that lightly.

7

8                   Everybody hoped that we could get that many  
9 bird. Now we've got the goose management plan says that we  
10 should really not have any hunting until we get to 80,000.  
11 And we're a little over 70,000 now. But as Russ mentioned,  
12 the breeding bird indexes on the breeding grounds are  
13 starting to tip back downward a little bit and, you know,  
14 it's one of those things where if they decline again, we're  
15 in trouble. And we don't want to go backwards. Everybody on  
16 the YK Delta agrees the worst thing possible is to go into  
17 another decline. I would wholeheartedly the idea of a  
18 reexamination with all the parties involved to figure all  
19 this stuff out in the future.

20

21                   CHAIRMAN REGELIN: Thank you, Tom. Frank.

22

23                   MR. KAVAIRLOOK: I'm wondering what the  
24 migratory route is as far as where they go to and where they  
25 end up at. If they go by St. Lawrence Island, for sure that  
26 they must be going over to Russia. And if it's going to take  
27 for them to come back up, maybe we have to do a treaty with  
28 Russia to get those numbers back up.

29

30                   MR. OATES: They are -- I think they're  
31 covering under the Russian treaty and one of the things we're  
32 doing is we're trying to help the Russians do a survey over  
33 there to learn all the areas where the emperor geese are  
34 breeding and molting. And we're actually providing them with  
35 some assistance. We're going to send a biologist over this  
36 year to do a survey of breeding and molting areas for emperor  
37 geese. Because they've had very little opportunity to do any  
38 kind of survey work over there. So we're trying to help them  
39 understand where their emperor geese are and how many they  
40 have so they can better protect their emperor geese as well.  
41 So we agree with your thoughts on that.

42

43                   CHAIRMAN REGELIN: All right. The motion  
44 before us -- and let's get this done -- we've got a motion  
45 before us to have our technical committee of our council work  
46 with the Flyway Council and reevaluate the population goals  
47 and the status of the emperor geese. I believe that's the  
48 essence of the motion, I don't have the exact words. And  
49 let's finish and speak directly to this motion and then we  
50 can decide if there's any, you know, if we want to just leave

00150

1 it there and say we'll have to come back in the next year for  
2 St. Lawrence Island or if we want to do something at this  
3 point in time. Is that okay with everyone?

4

5 (No audible responses)

6

7 CHAIRMAN REGELIN: All right. Any more  
8 discussion specific to the motion to have the technical  
9 committee work with the Flyway Council to reevaluate the  
10 status of the emperors and our population goals? Ralph.

11

12 MR. ANDERSEN: Well, according to what Tom  
13 just said -- the Flyway Council -- part of my motion is  
14 really not necessary. That to be undertaking an  
15 interregional review and reassessment of the emperor goose  
16 management plan, if I got you right.

17

18 MR. ROTHE: I think just sort of out of  
19 protocol, the Pacific Flyway Council encompasses all  
20 waterfowl in the west. So if we came up with a plan, we  
21 would ask the Council to approve us and join us in the thing.

22

23 MR. ANDERSEN: Okay, so it's okay the way I  
24 have it stated?

25

26 MR. ROTHE: Sure.

27

28 MR. ANDERSEN: Okay.

29

30 MR. OATES: May I suggest that we offer them  
31 the opportunity to participate. My guess is they'll say, go  
32 do a good job and send us a final product.

33

34 CHAIRMAN REGELIN: All right. Any further  
35 discussion on this issue? On this specific motion?

36

37 (No audible responses)

38

39 CHAIRMAN REGELIN: Okay, is there any  
40 opposition to adoption of this proposal -- or this motion?

41

42 (No audible responses)

43

44 CHAIRMAN REGELIN: Hearing none, that will be  
45 the action of the Council. Now we've got two ways to go. We  
46 can say to the people at St. Lawrence that we're going to  
47 study this issue and take it up again next year or we could  
48 try to monitor something on a regional level this year.  
49 What's the wishes of the Council? Russ.

50

00151

1 MR. OATES: I just have a question. Do we  
2 have any -- is anyone counting the number of emperor geese  
3 taken on St. Lawrence Island right now? I mean the number of  
4 birds taken I think would be of real interest to the group in  
5 terms of its consideration of all the issues related to this.

6

7

8 CHAIRMAN REGELIN: Well, I don't know if  
9 anybody has any specific data. That's why I asked.....

10

11 MR. OATES: I would say it would be really  
12 good to do a study if we don't have one.

13

14 CHAIRMAN REGELIN: Cynthia has her hand up.  
15 Why don't you come up and sit up here for a second. Tom,  
16 while she's getting settled, did you have something?

17

18 MR. ROTHE: Just a comment that the Fish and  
19 Wildlife Service actually provided money to our subsistence  
20 division to do a special effort of surveys for I think it was  
21 emperors, brant and eiders a few years ago and their basic  
22 estimate was 12 birds from St. Lawrence, although those are  
23 typically highly variable estimates. It's a small number of  
24 birds.

25

26 CHAIRMAN REGELIN: Cynthia, did you have  
27 anything that you could add?

28

29 MS. WENTWORTH: Uh-huh, I do. If you look at  
30 these handouts I gave you around 2:00 o'clock, you have a  
31 table 11, bird species harvested, Bering Strait region.

32

33 CHAIRMAN REGELIN: Just read it, what it is.

34

35 MS. WENTWORTH: Okay, you'll see emperor  
36 geese, 13; brant, 15.

37

38 CHAIRMAN REGELIN: And that's in that entire  
39 region? Do you think that's mostly from St. Lawrence Island?

40

41 MS. WENTWORTH: Well I just read St. Lawrence  
42 Island.

43

44 CHAIRMAN REGELIN: Oh, okay.

45

46 MS. WENTWORTH: That's why I wanted everyone  
47 to look at the chart and you can see how it's divided down.  
48 There is a number for the Bering Strait mainland and there's  
49 a number for St. Lawrence Island and Diomed Island. I  
50 suppose that conceivably I think it could be from Diomed but  
I don't think they are. I think those are probably from St.

00152

1 Lawrence. And then there's a total here for emperors and  
2 brant. And I'm just looking at the eggs here too. With the  
3 eggs, it's the same way. And brant and emperor both say zero  
4 eggs.

5

6 CHAIRMAN REGELIN: Okay.

7

8 MS. WENTWORTH: This though, I should point  
9 out, is only one year's data. So I can see why you're  
10 suggesting more. Just basing everything on one year's data  
11 is pretty risky. But we are planning to do a survey there  
12 this next year. We're in the process right now of working  
13 with Sandy Tibone (ph) of Kawerak to do a survey in Bering  
14 Strait, including St. Lawrence Island.

15

16 CHAIRMAN REGELIN: Okay, thank you. It  
17 sounds like we're talking probably an annual harvest of  
18 probably less than 25 birds. Some years it may be a lot less  
19 and some years they may take a little bit more. And it's  
20 probably the only ones they're going to get. Anybody have  
21 any direction they want to try to move this?

22

23 MR. ALCORN: Do we have a motion on the  
24 table?

25

26 CHAIRMAN REGELIN: No, we're looking for one  
27 though.

28

29 MR. ALCORN: Move to adopt.

30

31 CHAIRMAN REGELIN: I guess we have -- the  
32 motion would be -- I don't understand the species closure.  
33 By adopting it the way it is, we're going to open that area  
34 to brant -- I mean, emperor geese? I don't know why we can't  
35 do things straightforward. Russ.

36

37 MR. OATES: I have a question. Part B of the  
38 species closure, did we open that for discussion yet?

39

40 CHAIRMAN REGELIN: We just did.

41

42 MR. OATES: Okay, could I comment on it?

43

44 CHAIRMAN REGELIN: Yes.

45

46 MR. OATES: This shows having brant, white-  
47 fronted geese, cackling Canada geese closed to subsistence  
48 harvest during the molting period. And this seems to me to  
49 be overly restrictive in the face of what the current state  
50 guidelines are. I think the only thing we wanted to see was



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1 brant and cackling Canada geese closed to take of eggs. And  
2 so this second part, brant, white-fronted geese and cackling  
3 geese closed during molting period seems to go beyond what  
4 the biology suggests we should do in terms of being  
5 restrictive.

6

7 CHAIRMAN REGELIN: I guess the thing to do,  
8 we need to put a motion on the board to deal with part B that  
9 would probably not be more restrictive than we are elsewhere  
10 and isn't more restrictive than is necessary. And that  
11 would, I guess, at the same time allow the harvest of emperor  
12 geese on St. Lawrence Island.

13

14 MR. OATES: Given the amendment that occurred  
15 earlier with regard to brant in this area, consistent with  
16 Enoch's area, that would mean the only -- this part B would  
17 only say, cackling Canada geese are closed to subsistence  
18 harvest of eggs. That would be the only thing to make it  
19 consistent, I believe. Correct me if I'm wrong, anyone in  
20 here, with what the intent of the current species closures  
21 would be.

22

23 CHAIRMAN REGELIN: I guess we -- Fred.

24

25 MR. ARMSTRONG: I'm sorry but I guess need  
26 clarification on this. Is Kawerak saying that you can --  
27 brant, white-fronted geese and cackling Canada geese are  
28 closed to subsistence harvest during the molting period only  
29 and -- I guess I'm not clear of the intent of that.

30

31 CHAIRMAN REGELIN: Can you help us out,  
32 Frank?

33

34 MR. KAVAIRLOOK: Yeah. Would that mean that  
35 everything else is included or -- that you ask  
36 (indiscernible). I'm probably going to have to get back with  
37 Austin on this one.

38

39 CHAIRMAN REGELIN: All right. Well, I guess  
40 that what we need to do -- I think we don't need to be more  
41 restrictive than we need to be. What I'd like now is someone  
42 to make a motion -- Russ can't make a motion; he's not a  
43 member of the Council. Somebody needs to make a motion so  
44 that we can put it on the board and do this. Doug.

45

46 MR. ALCORN: Thank you, Mr. Chairman. I  
47 would move that we amend proposal A that we adopted earlier  
48 today. We had an amendment proposal right before we adopted  
49 it, which made allowance for the Maniilaq region to harvest  
50 black brant eggs. And we could make another amendment that

00154

1 would allow subsistence harvest of emperor geese on St.  
2 Lawrence Island only in the Kawerak region. That would be a  
3 second amendment to proposal A.

4

5 MS. STICKWAN: I second.

6

7 MR. ALCORN: That's one way to resolve the  
8 confusion on this proposal. That's this amendment.

9

10 CHAIRMAN REGELIN: I realize that some people  
11 feel like we should have a statewide closure but we're  
12 looking at the reality of taking 15 geese a year and making  
13 it legal and having people buy into the system and I think  
14 that's pretty important for us. So we have a motion before  
15 us with a second to allow the harvest -- and technically  
16 we'll put this as make it part of that proposal A. Doug.

17

18 MR. ALCORN: Yes, and that's the condition  
19 that we placed on proposal A, the way I understand it, it is  
20 for the 2003 season only. It's not in perpetuity. It will  
21 be reconsidered for the 2004 season.

22

23 CHAIRMAN REGELIN: Russ.

24

25 MR. OATES: I was just going to ask our  
26 Council member if he was comfortable with making that  
27 decision based on one year of subsistence harvest data.

28

29 MR. ALCORN: I think that's the -- the  
30 reality of the situation is that it's one island only. It's  
31 harvest of one island and not the entire region. And I think  
32 the whole condition of this motion and this proposal is to  
33 re-access this statewide species closure every year. And  
34 even if it's double that, if it's 30 birds, I'm not sure that  
35 that's going to do irreparable harm, in my opinion. I would  
36 leave it Tom and Russ to refute that but I'm not sure that it  
37 would do irrefutable harm -- irreparable harm to the  
38 population. I would also like to make a point, and that is  
39 this, that this proposal from Kawerak came at the last minute  
40 without having due process of review by my program and my  
41 counterpart. Ralph opposed the approval of this list, of  
42 proposal A, at the March meeting on a principle that we  
43 hadn't allowed due process. And I am uncomfortable with  
44 making the motion.

45

46 MR. ANDERSEN: He's trying to stick it to me  
47 now.

48

49 MR. ALCORN: I'm uncomfortable with making  
50 the motion based on the same principle. But the reality is,

00155

1 I don't think, number 1, that harvest is going to change out  
2 there, with or without a regulation. And number 2, it is  
3 caveated with a one year allowance until we have better  
4 information.

5

6 CHAIRMAN REGELIN: Thank you. And I guess  
7 that -- I understand that we all are trying to figure out how  
8 to deal with this at the 11th hour and at the last moment.

9

10 Stanley.

11

12 MR. NED: I think before we kill all the  
13 goose on that island, I'll call for question on it.

14

15 MR. ANDERSEN: Before we what?

16

17 MR. NED: Before we kill all the geese on the  
18 island, I'll call for question.

19

20 CHAIRMAN REGELIN: Yes, Cynthia.

21

22 MS. WENTWORTH: I just realized I made a  
23 mistake. I stand corrected. We have some later data that I  
24 just was in such a rush to bring back here this morning I  
25 forgot. We have some other data from St. Lawrence Island  
26 that was done -- a survey that was done by Susan Georgette  
27 and people from Kawerak for the following year, '96. And I  
28 need to go back and check that. I'm sure it's very similar  
29 but anyway, I just need to, for the record, that I made a  
30 mistake in saying that that's only years data. I apologize.

31

32 MS. STICKWAN: Is a motion on the floor?

33

34 CHAIRMAN REGELIN: Yeah.

35

36 MR. ARMSTRONG: Could I?

37

38 CHAIRMAN REGELIN: Fred, go ahead.

39

40 MR. ARMSTRONG: Thanks, Mr. Chairman. I just  
41 -- I know we need to try to proceed and try to accommodate  
42 all interests. I was just thinking about AVCP and their  
43 years of effort to try to reduce the number of -- the harvest  
44 in their region and we're down to three villages out of 53  
45 that are in compliance. And I just think we're kind of  
46 sending mixed messages here and I'm a little concerned about  
47 what may occur in the AVCP region. I mean that's just a  
48 point I need to bring out.

49

50 MR. KAVAIRLOOK: Well, the AVCP has all

00156

1 different kinds of species too. They could go to a different  
2 species to hunt and they have migratory birds of all sorts.  
3 But St. Lawrence Island, this is the only one that comes to  
4 their area.

5

6 MR. ARMSTRONG: I mean the fact is there's --  
7 we've worked so hard to try to -- the Service has worked so  
8 hard with AVCP.....

9

10 MR. KAVAIRLOOK: I understand what you're  
11 saying.

12

13 MR. ARMSTRONG: .....to try to restrict the  
14 harvest of these birds.

15

16 CHAIRMAN REGELIN: All right.

17

18 MR. ARMSTRONG: We've done a good job.

19

20 CHAIRMAN REGELIN: Would you like to address  
21 that issue, Edgar, and then we need to get -- we need to  
22 focus on the.....

23

24 MR. HOELSCHER: Thank you. I'm not against  
25 Kawerak, they're my upper neighbors, but according to the GNP  
26 and the migratory bird treaty act, you know, it's the law.  
27 It's states that, you know, that these are closed for  
28 species. And I'm kind of leery about my people hearing that  
29 they can do it up there; why can't we do it down here.

30

31 MR. WEYIONANNA: You folks have the luxury of  
32 how many different species.....

33

34 CHAIRMAN REGELIN: Okay, we need to -- we've  
35 got a motion before us. The question was called. I know  
36 that it's causing some concern and I think -- I'm concerned  
37 about it. Doug.

38

39 MR. ALCORN: Thank you, Mr. Chairman. I made  
40 the motion for discussion sake and clarity because I see that  
41 as a way to get beyond the confusion. And I kind of made  
42 that motion to make a point also or to be allowed to make  
43 that point, that it is the 11th hour and it hasn't passed any  
44 kind of review in my agency. And so I step out on a limb by  
45 making that motion for discussion sake. But I sense that  
46 there's some real concern about passing this as an exception  
47 to the goose management plan and I would retract my motion if  
48 the second would allow it.

49

50 MR. ANDERSEN: Well, I'll turn around and

00157

1 make it if you do that.

2

3 CHAIRMAN REGELIN: Yeah, I know it and I  
4 understand that we're putting everybody in a box and that's  
5 why we have got to have a process where we have -- people  
6 have time to do this. At this stage though, I think that  
7 when you take a look at the big picture, my inclination is  
8 that it's a proposal that's probably worthy of passing.  
9 Gloria.

10

11 MS. STICKWAN: We gave his region able to get  
12 eggs from a brant. So I think we should be able to do this  
13 for this region too. And they have a good point that they're  
14 -- the emperor geese is the only migrating bird that goes to  
15 their island. I mean, it's the only one they can hunt and  
16 eat. I mean, that's why they're asking for this.

17

18 MR. ANDERSEN: So Doug withdrew his motion.  
19 I made it and you seconded it.

20

21 MS. STICKWAN: And that would be the reason  
22 why we're doing this, I would think.

23

24 CHAIRMAN REGELIN: You're making the same  
25 motion that Doug withdrew.

26

27 MR. ANDERSEN: Yeah.

28

29 CHAIRMAN REGELIN: And Russ had a.....

30

31 MR. OATES: We made a distinction between the  
32 take of eggs and the take of adult birds. And I realize  
33 we're talking about small numbers of birds but we don't  
34 equate eggs to adult birds because the survival rate on eggs  
35 is extremely low under any circumstances. And once adult  
36 geese are grown, their survival rate is much, much higher and  
37 they're much more likely to make a significant contribution  
38 to the next generation at that point. And we believe they're  
39 somewhere in the vicinity of in excess of 6,000 birds that  
40 migrate through this area and route to Russia. So that's  
41 kind of a group of birds. We don't know how much more than  
42 that but at least that many go through, so.....

43

44 MR. ANDERSEN: Well, I think we've just about  
45 talked this to death. I mean, wasn't the question called  
46 before?

47

48 MS. STICKWAN: Yes.

49

50 MR. ALCORN: On the old motion.

00158

1 MR. ANDERSEN: Well, I'll call for the  
2 question on the new motion.

3  
4 CHAIRMAN REGELIN: All right. The motion  
5 before us is to allow the harvest of black brant on -- or I  
6 mean emperor geese on St. Lawrence Island for one year. Is  
7 there anybody opposed to this motion?

8  
9 MR. ALCORN: I'm sorry, Mr. Chairman, but I  
10 have to oppose it.

11  
12 MR. ANDERSEN: I call for a roll call vote.

13  
14 CHAIRMAN REGELIN: Do you need to caucus?

15  
16 MS. STICKWAN: No.

17  
18 MR. ANDERSEN: Do we need a caucus?

19  
20 MS. STICKWAN: No.

21  
22 MR. ANDERSEN: No. Let's do a roll call.

23  
24 CHAIRMAN REGELIN: Fred, would you call the  
25 roll?

26  
27 MR. ARMSTRONG: Sure.

28  
29 CHAIRMAN REGELIN: A yes would be to allow a  
30 harvest for one year and a no vote would be to have no  
31 harvest.

32  
33 MR. ARMSTRONG: State of Alaska.

34  
35 CHAIRMAN REGELIN: Yes.

36  
37 MR. ARMSTRONG: Fish and Wildlife Service.

38  
39 MR. ALCORN: No.

40  
41 MR. ARMSTRONG: Alaska Natives.

42  
43 MR. ANDERSEN: Yes.

44  
45 MR. ARMSTRONG: Two to one.

46  
47 CHAIRMAN REGELIN: Okay. Are there other  
48 proposals for the Bering Straits that we need to do? Tom.

49  
50 MR. ROTHE: Was item B covered in that as

00159

1 well or.....

2

3

MR. KAVAIRLOOK: Delete that portion.

4

5

6

CHAIRMAN REGELIN: Would you repeat that, Frank? I didn't hear what.....

7

8

9 B.

MR. KAVAIRLOOK: We'll just delete that item

10

11

CHAIRMAN REGELIN: Delete item B?

12

13

14 from.....

MR. KAVAIRLOOK: Yeah. Just remove it

15

16

CHAIRMAN REGELIN: Tom.

17

18

19

20

21

MR. ROTHE: If you wanted to stay consistent with the statewide guidelines that you have before, then item B would only have to address the no harvest of cackling Canada goose eggs.

22

23

CHAIRMAN REGELIN: I guess.....

24

25

MS. STICKWAN: But you said to delete it.

26

27

MR. ALCORN: Want clarity?

28

29

CHAIRMAN REGELIN: Yes.

30

31

32

33

MR. ALCORN: The original proposal A does address the taking of goose eggs; it does not address the taking of the adult Canada goose.

34

35

MR. ROTHE: Okay. You're covered.

36

37

MR. ALCORN: So it's moot.

38

39

40

41

CHAIRMAN REGELIN: It's covered. Okay. We can delete that. And does that complete our action then on Kawerak region?

42

43

MR. OSTRAND: I believe it does.

44

45

CHAIRMAN REGELIN: I believe so.

46

47

48

49

50

MR. KAVAIRLOOK: Thank you and I want to apologize to Doug for not having our proposal in the format that he wanted. We had it in our minutes for April 15th and I was supposed to bring that up at that time and I was very

00160

1 uncomfortable with how I was bringing it up and I apologize  
2 for that. Thank you for passing this vote.

3

4 CHAIRMAN REGELIN: Okay, the next item on the  
5 agenda is the inclusion/exclusion process. And I don't know  
6 whether Fred was going to talk about that or if Bob was going  
7 to walk us through what that process includes. It's under  
8 tab 12 in your book. Were you going to do it Fred or was  
9 Bob?

10

11 MR. ARMSTRONG: Okay, yeah I -- thank you.

12

13 CHAIRMAN REGELIN: Whichever.....

14

15 MR. ARMSTRONG: Mr. Chairman, the procedural  
16 guidelines for determining inclusion/exclusion of communities  
17 in the spring/summer harvest of migratory birds in Alaska.  
18 This, in preparation for -- hopefully we have finalized  
19 regulations -- procedural regulations in the criteria for  
20 inclusion/exclusion. We need a, kind of a fair and impartial  
21 process for how we act on petitions for inclusion/exclusion.  
22 And so I went through the exercise of trying to think out the  
23 process. I brought it up at the work session yesterday and  
24 we had considerable discussion about whether or not this  
25 should be a process for not only inclusion/exclusion but all  
26 the other proposals that we receive. And I think it was  
27 agreed upon that we just focus this on inclusion and  
28 exclusion. And basically the thrust behind this is really my  
29 concern for due process for communities that maybe wouldn't  
30 have the knowledge of a petition that's been brought forward.  
31 That we give them ample opportunity, ample public notice and  
32 opportunity to comment on any proposal that effects them.  
33 And make it a public meeting -- require public meetings, too.  
34 Not only at the regional level -- the regional councils would  
35 be responsible for conducting a public hearing -- public  
36 meeting and acting on the proposal and submitting a  
37 recommendation to the statewide DA and BCC which in turn  
38 would review all the information and act on it and submit a  
39 proposal to SRC. Basically that's the thrust of it. And  
40 just again, kind of thinking down the road where the  
41 procedural regs are finalized, and if the Council wants, we  
42 would have a process already in place to address petitions  
43 for inclusion or exclusion.

44

45 CHAIRMAN REGELIN: Okay, thank you, Fred, for  
46 running through that. I know that we saved quite a lot of  
47 work yesterday, I believe, at your -- at work session. Are  
48 there any comments, discussion at this point? I think we're  
49 all running out of gas. Well, if you aren't; I am for both  
50 of us. I think that we probably need to adopt this process



00161

1 or what -- Fred says it requires adoption of form. I think  
2 it just -- by form you mean this.....

3

4 MR. ARMSTRONG: Exactly, yes.

5

6 CHAIRMAN REGELIN: The process. I think that  
7 we need to, as a group, say, yes, that's the process that  
8 we're going to use for inclusion/exclusion. And is there any  
9 more discussion? It looks -- you know, I think it's  
10 thorough. We'll probably tweak it as we go down the road and  
11 learn how it uses. And I guess the other thing is, as we go  
12 down, you know, probably in a couple -- two or three years  
13 we'll pretty much be out of the business of being included or  
14 excluded. But we'll then -- we'd probably at the same time  
15 maybe need the staff to put together procedure guidelines for  
16 just proposals in general. And I think Fred is aware of that  
17 and is working on that as we go. So if there are any -- is  
18 there any more discussion?

19

20 (No audible responses)

21

22 CHAIRMAN REGELIN: Is there anyone opposed to  
23 the procedural guidelines on inclusion/exclusion that are in  
24 the -- under tab 12? Is there anyone opposed to it?

25

26 (No audible responses)

27

28 CHAIRMAN REGELIN: Okay, hearing no  
29 opposition, that will be the action and we will approve those  
30 guidelines and then Fred will probably have some more general  
31 ones for general other proposals in the next meeting. The  
32 next item under -- for us to discuss -- and we're up to 4:15,  
33 we're only an hour late. And it's a -- just two more. We  
34 got -- this is a timeline for submission of proposals.  
35 Again, it's this idea of timeline and getting things in so  
36 that we know we have a due process and all the different  
37 groups that need to review things can do it. Fred, would you  
38 again walk us through what your proposed timeline for  
39 proposals is?

40

41 MR. ARMSTRONG: Okay.....

42

43 CHAIRMAN REGELIN: Or staff, if you will.

44

45 MR. ARMSTRONG: Yeah, I'll just defer to  
46 Bill. I had Bill work on this and he can probably, quicker  
47 than I, review the timelines.

48

49 MR. OSTRAND: Okay, let's see. This -- I  
50 tried to incorporate in here our already adopted program for

00162

1 the annual cycle. So number 1 speaks to proposals from  
2 regions which intend the Council to approve for inclusion in  
3 the regional -- excuse me, this is from the -- proposals from  
4 the regions which are intended for Council approval for  
5 inclusion in the regulation packet to be submitted to the  
6 service regulations committee shall be submitted three weeks  
7 prior to the spring meeting. Okay, and then number 2 is  
8 proposals from the technical committee which are intended for  
9 review by the regional management bodies shall be submitted  
10 two weeks prior to the fall meeting. Provided that the  
11 proposals are complete, contain recommended language,  
12 justification and all supporting document -- that means here  
13 is, there needs to be no staff work done to the proposals  
14 from the technical committee that can come in two weeks  
15 before the fall meeting.

16

17                   Proposals from the public may be submitted at  
18 meetings at anytime however, to have proposals placed on the  
19 meeting agendas and to be included within the meeting's  
20 information packets, they must be submitted two weeks prior  
21 to the meetings. The public proposals require staff work to  
22 ready them for consideration by the AMBCC, they must be  
23 submitted three weeks prior to the meetings. And the fourth  
24 one, proposals from the State of Alaska and the Fish and  
25 Wildlife Service must be submitted two weeks prior to  
26 meetings. If agency proposals require staff work to ready  
27 them for consideration by the AMBCC, they must be submitted  
28 three weeks prior to meetings.

29

30                   MR. ARMSTRONG: And if I may.....

31

32                   CHAIRMAN REGELIN: Fred.

33

34                   MR. ARMSTRONG: .....Mr. Chairman, the reason  
35 why we're requesting this is that we need time to get the  
36 proposals, get copies made, sent out to the appropriate  
37 regions and have time for them to react to them. We also  
38 need time for the State and the Federal government staff to  
39 view and react to the proposals. So it's very difficult when  
40 we get -- in the future -- we was getting proposals that are  
41 last minute and we've have no chance to review them. And so  
42 a lot of times there may be proposals where we don't know  
43 what the intent is and so we need time to work on those  
44 things, with issues such as that. So I'm the Council to  
45 adopt this so that everybody knows that there are timelines  
46 we will have to follow.

47

48                   CHAIRMAN REGELIN: Did you work through this  
49 yesterday too at the work session or did you get to this?

50

00163

1 UNIDENTIFIED SPEAKER: We didn't get to it.

2

3 MR. ARMSTRONG: We didn't get to it.

4

5 CHAIRMAN REGELIN: Okay. Well, Doug and then  
6 I've got a question.

7

8 MR. ALCORN: Yeah, I just have one comment.  
9 Item 3 seems to be fairly subjective. If it requires staff  
10 work it's got to be coming in three weeks -- I would opt just  
11 to say they've got to come in three weeks prior.

12

13 CHAIRMAN REGELIN: Well, I'm confused. I  
14 thought any proposal from the public that was specific to a --  
15 you know, that would go out to the effected region for them  
16 to look at before it came to Council. And that's not what 3  
17 says, is it?

18

19 MR. OSTRAND: Well, that was some of the  
20 discussion that occurred yesterday. What we also discussed  
21 was if a proposal could come in from the public at anytime,  
22 but if it doesn't come in in time to get into the annual  
23 cycle, it will go into the following year's cycle. I think  
24 that's what you're suggesting, really.

25

26 CHAIRMAN REGELIN: Ralph.

27

28 MR. ANDERSEN: I agree with Wayne's  
29 assessment here because it seems like any time any proposal  
30 comes in from the public, I don't think this stuff is really  
31 necessary. Because then the staff would then forward it to  
32 the effected Regional Council. Okay, so then it could fall  
33 under the Regional Council, step one, right? So that -- I  
34 mean, unless they're addressing statewide issues. Unless the  
35 proposals are addressing statewide issues, could be the  
36 difference here. Such as the -- or is it the methods and  
37 means, the other guidelines that we establish. You know, I  
38 mean unless the public proposals address the guidelines that  
39 we establish and if they can be considered by this Council.  
40 But if they address regulations specific to a region, then  
41 I'd expect staff to forward them to the effected regions.

42

43 CHAIRMAN REGELIN: Fred.

44

45 MR. ARMSTRONG: Mr. Chairman, it's not that  
46 we're going to wait until the final two weeks and send them  
47 to the regions. We'll get them, log them in and make copies  
48 and send them out to you guys. It's just that we need a  
49 cutoff date where after that cutoff date we won't except any  
50 more proposals. That's kind of what we're trying to refer

00164

1 to. I think we need -- there's a little room for  
2 wordsmithing here but we need a cutoff date for submission of  
3 proposals.

4

5 CHAIRMAN REGELIN: Oh, I agree with you  
6 completely Fred but I'm not sure that you have enough -- you  
7 know, if you get it two weeks and you send it out to the  
8 regions.....

9

10 MR. ARMSTRONG: I mean, that will be the  
11 final -- that's the last -- if we get anything under two  
12 weeks, we'd just say it's non-responsive or it will have to  
13 wait until the next regulatory cycle.

14

15 CHAIRMAN REGELIN: But I guess the part I'm  
16 worried about is, you get it at the deadline of two weeks and  
17 see then by the time you send it out to the regions they got,  
18 you know, seven or eight days to look at it and they probably  
19 aren't even going to meet.

20

21 MR. ARMSTRONG: Yeah.

22

23 CHAIRMAN REGELIN: And that's what -- I'm  
24 just, you know, trying to think this whole thing through.  
25 Tom, do you have a suggestion?

26

27 MR. ROTHE: Sure I do.

28

29 CHAIRMAN REGELIN: Don't allow public  
30 proposals. I know that solution.

31

32 MR. ROTHE: I think -- and Ralph especially  
33 can correct me if I'm wrong -- but I think as we were trying  
34 to lay out how the annual schedule would go, we talked about  
35 the importance of an annual call for proposals that would  
36 happen in fall. So if you had publics that wanted to get  
37 involved, they would submit their stuff primarily in fall so  
38 there was time to get to the regions. If you get a public  
39 proposal that drops in the bucket right before the spring  
40 meeting, it's going to be tough to do it. So we need to  
41 emphasis the call for proposals in the fall as our primary  
42 annual way of getting input.

43

44 CHAIRMAN REGELIN: You know, it just dawned  
45 on me, maybe what we need to say is that public proposals  
46 need to be submitted two week prior to the fall meeting and  
47 it may not be any action would be taken until spring.

48

49 MR. ANDERSEN: I have a question on the  
50 schedule that we approved in December, didn't the call for

00165

1 proposals -- wasn't that -- did we set a date for in the fall  
2 for a proposal deadline which would free us all winter to get  
3 the proposals reviewed and put into the right forms.

4

5 MR. ARMSTRONG: We set a date for the -- I  
6 think we set the month of October for the meetings. I don't  
7 think we addressed the proposals.

8

9 MR. ALCORN: This is the table you're  
10 referring to, right Ralph?

11

12 MR. ANDERSEN: Yeah.

13

14 MR. ALCORN: Okay.

15

16 CHAIRMAN REGELIN: Go ahead and review it.

17

18 MR. ALCORN: It's in the black binder, under  
19 the red tab.

20

21 MR. ANDERSEN: Call for proposals in  
22 February. Review proposals in March. So it's  
23 February/March. So that -- I kind of -- I mean, if we're not  
24 going to be acting on them until July, late July, that gives  
25 us almost a whole winter to put together -- no, we have the  
26 call for proposals through the whole month of February. At  
27 the end of February, beginning of March, we review the  
28 proposals from the regions or we could even put it out from  
29 the public. Then we really don't take action on them, we  
30 don't make recommendations until late July. So that the  
31 schedule that we set out makes the whole timeline thing null  
32 and void because we're not talking two weeks here and there  
33 because we're -- all that work will take place during the  
34 winter between February and late July.

35

36 CHAIRMAN REGELIN: Tom.

37

38 MR. ROTHE: This, under March, Ralph, this  
39 Council would have to adopt any recommendations in March to  
40 get them in the system. Like we're doing now in May but  
41 normally March.

42

43 MR. ARMSTRONG: Just have the October through  
44 March window of opportunity, that's all.

45

46 CHAIRMAN REGELIN: Well, here's an idea that  
47 I would say, in the fall we usually are going to have a  
48 meeting in October. So 30 days prior to that we could have a  
49 call for that and those things have to be turned in. We  
50 could maybe discuss them in general and talk about them at

00166

1 that fall meeting. Work on them, they go to the right  
2 regions and we work on them if these are public proposals and  
3 all of our proposals too. And then staff would have a lot of  
4 time and we would take them up for final action -- for action  
5 then in March. That's not unusual the way they do it with  
6 the Federal Subsistence Board or the State Board of Game.  
7 You have a call several months ahead of time telling you what  
8 the subjects are. And our time would be whether we wanted to  
9 have a standard call every year in September. We do that so  
10 that they come in and then we know what we're going to be --  
11 it kind of lays out our work for the next year. But we want  
12 to give the -- Annette, maybe -- we want to be able to have  
13 the Regional Councils have a fall meeting and be able to come  
14 in with things too though. So I don't think that we've quite  
15 got this thought all the way through. Of all of the pieces  
16 and parts that have to fit together.

17

18                   Ralph.

19

20                   MR. ANDERSEN: So if we issued a call for  
21 proposals in October rather than February, would that work?  
22 At the same time we're doing -- we identify management issues  
23 and develop regulation guidelines for regional consideration.  
24 You know, the action item under -- on the schedule there. If  
25 we added in there, issue call from proposals at that time  
26 after we've developed the guideline. Would that work, Tom?

27

28                   MR. ROTHE: If you wanted to make sure that  
29 the regions got to look at all the proposals that came in,  
30 yeah, you could do it that way. And then you'd have  
31 submissions from whoever and then this Council would develop  
32 its annual guidelines for potential changes and it all could  
33 go back to the regions after the October meeting.

34

35                   CHAIRMAN REGELIN: Stanley had a comment.

36

37                   MR. MACK: Question. I'm in the dark because  
38 I'm new here. The public, when they submit the proposal --  
39 we're talking about the public when we've already established  
40 when the regional councils have to get theirs in, right?

41

42                   CHAIRMAN REGELIN: No, we're working on that.

43

44                   MR. MACK: That's what we're talking about  
45 when they say public?

46

47                   CHAIRMAN REGELIN: No.

48

49                   UNIDENTIFIED SPEAKER: With the issue -- no.

50

00167

1 MR. MACK: Because I thought that's what we  
2 were talking about, was the public.

3

4 CHAIRMAN REGELIN: Under tab 12.....

5

6 MR. MACK: Yeah.

7

8 CHAIRMAN REGELIN: There's 1, 2 and 3 and one  
9 of them is, you know, from the councils.

10

11 MR. MACK: Yeah, that -- I got that. The  
12 first one, number 1, proposed by the Council.

13

14 CHAIRMAN REGELIN: Well, I think what we need  
15 to do is sit down -- here's one we're going to have -- you  
16 know, just take a big calendar and think the whole process  
17 through. I'm not sure we can think it through here in the  
18 next few minutes. I don't, you know -- I've done it on lots  
19 of things but it takes -- you know, you want to think about  
20 it and leave it there and then come back and try to drill  
21 holes through it. And at this time of day, my brain isn't  
22 working that way.

23

24 MR. ALCORN: It seems to me we had just two  
25 real trigger dates. The first trigger is in the fall meeting  
26 when proposals have to be submitted to the Council to be  
27 distributed to the regions. And then the regions take that  
28 winter period to look those over, develop their  
29 recommendations, submit them in a timely fashion so that all  
30 the Council members can have them for review prior to the  
31 March meeting. The March trigger -- well, the March date is  
32 the date we actually make a decision to recommend to the SRC  
33 what the year out -- the out year's seasonal regulations  
34 would be. So those are the two -- kind of the two milestones  
35 each year that we're looking at. The way this timeline that  
36 we adopted back in December reads, it doesn't really include  
37 the submission of draft proposals in October. And I think  
38 that's really the one thing that we need to add in that any  
39 public proposal needs to be submitted two to three weeks  
40 prior to that meeting to the staff so that they can  
41 distribute to the regional -- or to all the Council members.  
42 We come to the October meeting and have a discussion of  
43 those.

44

45 MR. MACK: That was my question, was that the  
46 public or I guess I'm looking at a Joe Blow coming in and  
47 saying, I have this resolution or this proposal to submit.  
48 Why wasn't it submitted to your regional for them to.....

49

50 CHAIRMAN REGELIN: Yeah.

00168

1 MR. MACK: Or you have it on the date or at  
2 the meeting they can submit a proposal for action. I don't  
3 think that's right.

4

5 CHAIRMAN REGELIN: Yeah, what we want to do  
6 is make sure.....

7

8 MR. MACK: What I want to do is make sure  
9 that the Regional Council takes care of it. What you have,  
10 the Regional Councils have already incorporated all of the  
11 proposals from within the region and submitted to the Council  
12 or for the meeting. I don't understand why there was a  
13 reason for the public to put in a proposal unless  
14 (indiscernible - simultaneous speech).

15

16 CHAIRMAN REGELIN: Well, the process requires  
17 that they get allowed.

18

19 MR. ANDERSEN: It's a public process and  
20 anybody in the United States can send -- or any citizen can  
21 send to us a proposal that effects your hunting season down  
22 in Cold Bay. And what we're trying to do is set up a process  
23 where those proposals that come in here to staff or to  
24 anybody else are sent to you rather than to the Council.

25

26 MR. MACK: Okay. Okay.

27

28 CHAIRMAN REGELIN: Well, it looks to me like  
29 what we probably -- in our October -- we have a meeting each  
30 year as a Council in October and in March. For the October  
31 meeting, we aren't taking action on regulations that have to  
32 fit into a cycle real fast. It's sort of a work session. We  
33 review biology, we think about what we're going to do and we  
34 talk about big issues and then we look at our work load. If  
35 we have all the proposals ready and, you know, we can kind of  
36 discuss them and say this is a proposal that effects two  
37 regions and they take it home with them. But we all know  
38 what it is and we know they're going to have to come back and  
39 get it back to staff three weeks before the March meeting and  
40 all those things. Then we're all on the same timeline.  
41 Because what you guys -- the regions will be coming in in  
42 October and saying, we're thinking about all these things  
43 too. And they'll have proposals for us to get in the mill.

44

45 MR. ARMSTRONG: So like maybe if we do a  
46 couple proposals in August and then have a deadline and then  
47 you guys will consider them all and then we can shoot them  
48 out to the regions then.

49

50 CHAIRMAN REGELIN: Am I missing anything



00169

1 guys? I'm thinking without a lot of.....

2

3 MR. MACK: I think you're right, just put a  
4 deadline on that -- just put a deadline on all proposals,  
5 then you can (indiscernible - simultaneous speech)

6

7 CHAIRMAN REGELIN: We need to -- this is  
8 important, guys, to think of a process that's very logical;  
9 provides the adequate time for staff and for regions to deal  
10 with this.

11

12 MR. ANDERSEN: I have a suggestion. Rather  
13 than taking action on the draft that's in front of us, I  
14 mean, we can reconsider the timelines that we adopted back in  
15 December. If we allow for the call for proposals to be  
16 issued in early August with the deadline in September, that  
17 would give staff -- or even in July. Yeah, with the deadline  
18 in -- if we did it in early August, deadline in September or  
19 the end of August, that would give staff enough time to  
20 forward and package the proposals for consideration or review  
21 anyway at the October meeting.

22

23 CHAIRMAN REGELIN: Yeah, because we're just  
24 going to be reviewing them at October and getting our ducks  
25 in a row, I'd guess you'd say. Doug.

26

27 MR. ALCORN: For clarity, Ralph, are these  
28 all proposals, including regional proposals?

29

30 MR. ANDERSEN: Call for proposals.

31

32 MR. ALCORN: Okay.

33

34 CHAIRMAN REGELIN: So the regions will have  
35 to -- you know, and they may not be all finalized and put in  
36 final form until the deadline before March. But we know it's  
37 there and there's a proposal and it might be modified a  
38 little bit.

39

40 MR. ARMSTRONG: Early August?

41

42 MR. ANDERSEN: Early August I'd say and have  
43 it close in early September. That would give you time, you  
44 know, give all of us time to put them and package them in the  
45 right kind of forms. Do you have anything, Matt?

46

47 CHAIRMAN REGELIN: Matt does a lot of this  
48 for the State Board, I know. He's our.....

49

50 MR. ROBUS: Thanks, Mr. Chairman. It seems

00170

1 to me that early August might be a good time although not all  
2 that convenient for the public who are out fishing and doing  
3 things in the summer, including hunting. But I think one  
4 month between your call and your deadline for proposals is  
5 pretty short. You might want to move that into September,  
6 give the public and the regions a little more time to turn  
7 out their proposals and I think you'd still have time to make  
8 your October meeting with your package.

9

10 MR. ANDERSEN: Or back it up, have it start  
11 in early June and end it in August.

12

13 CHAIRMAN REGELIN: You know, all we say is  
14 we're going to October -- it depends on if it's in late  
15 October, we can go till the 15th of September and still have  
16 30 days to get everything done. And I think we're usually  
17 towards the late October. And I think what Matt is saying is  
18 let's give the public and everybody, you know, like a six  
19 week window of opportunity, rather than a month.

20

21 UNIDENTIFIED SPEAKER: That will work.

22

23 CHAIRMAN REGELIN: And it might, you know, be  
24 kind of nice to standardize it but our meeting is probably  
25 going to float back and forth by two or three weeks in  
26 October and so we may move that date.

27

28 MR. ANDERSEN: And then just on the timelines  
29 that are in the draft there, it seems like two weeks seems to  
30 be the constant throughout except for the regions. You're  
31 asking the regions to come in three weeks and everybody else  
32 come in two weeks. That was another question I was going to  
33 ask about.

34

35 CHAIRMAN REGELIN: But if we do it this way,  
36 it would all be consistent and the same.

37

38 MR. ARMSTRONG: If we just amend the  
39 timeline. That's where it becomes moot.

40

41 MR. ANDERSEN: The December, yeah. If we  
42 amended the timeline that we approved in December for the  
43 call for proposals to go out in early August or late July,  
44 whichever.....

45

46 MR. ARMSTRONG: I'll just put August 1.

47

48 MR. ANDERSEN: Okay, so in early August have  
49 a call for proposal.

50

00171

1 UNIDENTIFIED SPEAKER: Motion.

2

3 MR. ANDERSEN: And that would mean that we'd  
4 also need to delete that in February.

5

6 CHAIRMAN REGELIN: Yeah, we don't need to do  
7 it then.

8

9 MR. ANDERSEN: I'll work on this and.....

10

11 MR. SHIEDT: We need a good laugh -- Bob,  
12 you're glad you're retiring?

13

14 CHAIRMAN REGELIN: Well, I think, you know,  
15 Fred will be able to sit down and revise this based -- do you  
16 feel comfortable revising it.....

17

18 MR. ARMSTRONG: Yeah.

19

20 CHAIRMAN REGELIN: .....based on the input  
21 you have? And we can all take another hard look, you know,  
22 with fresh mind and wide awake. We need to walk through an  
23 annual cycle in our minds.

24

25 MR. ALCORN: Do we need a motion to do that?

26

27 CHAIRMAN REGELIN: I think we need a motion  
28 to amend the draft timeline and Fred will get a copy of  
29 amended timeline back to us. Or we need -- somebody make a  
30 motion.

31

32 MR. ANDERSEN: Okay, I move that we amend the  
33 timeline that we adopted in December to reflect the call for  
34 proposals to be issued in early August and have that item  
35 deleted in the February -- what's listed there as February.

36

37 MS. STICKWAN: I think we need to be specific  
38 on the date. You can't say early August or early July.

39

40 MR. ARMSTRONG: Okay, August 1. Deadline  
41 September 15. And I'll work on cleaning it up.

42

43 MR. ANDERSEN: Okay, August 1 to December 15.

44

45 CHAIRMAN REGELIN: Okay, does everyone  
46 understand the motion? Further discussion? Anyone opposed  
47 to the motion?

48

49 (No audible responses)

50

00172

1                   CHAIRMAN REGELIN: That will be the action of  
2 the Council. We're getting there, guys. The next step --  
3 Doug.

4  
5                   MR. ALCORN: I need to ask one question since  
6 we're still on this timeline. When we deleted the call for  
7 proposals from regions in the public, we don't have in here,  
8 the way I read this, a deadline for when those finalized  
9 regional proposals come back to staff prior to our March  
10 meeting. There needs to be some allowance for that so that  
11 the Service and the Department of Fish and Game can look at  
12 those proposals with their staff.

13  
14                   UNIDENTIFIED SPEAKER: What color tab are we  
15 on?

16  
17                   MR. ALCORN: This is the red tab still.

18  
19                   CHAIRMAN REGELIN: So same one. So I guess  
20 what we want to -- you know, it's hard to say three weeks  
21 because the meeting is going to move around.

22  
23                   MR. ALCORN: Right. I think that the call  
24 for proposals from regions wasn't a call for draft proposals,  
25 it was a call for final proposals. So I think it's still  
26 pertinent to have that language in there but just add call  
27 for final proposals from regions. And that's in February.  
28 So that that will allow roughly a 30 day window so that staff  
29 can review those.

30  
31                   CHAIRMAN REGELIN: That's wise and forces  
32 regions to have meetings in February and get everything done,  
33 is what it does. Okay, are we clear on that, Fred?

34  
35                   MR. ARMSTRONG: Yeah.

36  
37                   CHAIRMAN REGELIN: That's kind of an addition  
38 to your -- all right. Yes, sir. Edgar.

39  
40                   MR. HOELSCHER: One of our staff people would  
41 like to put a point of concern to the Council. Can I have  
42 him speak quickly.

43  
44                   CHAIRMAN REGELIN: On this subject.

45  
46                   MR. HOELSCHER: Yes.

47  
48                   CHAIRMAN REGELIN: Yes.

49  
50                   MR. HOELSCHER: Go ahead, Mr. Notti.

00173

1 MR. NOTTI: Okay, you put out the call in  
2 August, the way I understand; it closes in September; it  
3 comes here in October. Then you assign it; over the winter  
4 we look at it in the regions then it comes back here in  
5 March. If it's amended here in March, do we get another  
6 option to look at it again? Which it maybe.....

7

8 CHAIRMAN REGELIN: No, because it would have  
9 to enter into the cycle.

10

11 MR. ANDERSEN: So after the initial review,  
12 you'll be sent back to the regions after we -- the first  
13 review, the October review, with the final proposals to be in  
14 here February.

15

16 CHAIRMAN REGELIN: Doug.

17

18 MR. ALCORN: Well, I hear what Dario's saying  
19 and I think we can use this year as a model, even though this  
20 was a new year. I think that that's a pretty astute  
21 observation that there may be, after discussion by the  
22 Council, some changes that will come about. Just like this  
23 year, we had to postpone action and wait until this  
24 particular meeting to take final action. And I don't want to  
25 preclude that option as a Council to meet in a special  
26 session.

27

28 CHAIRMAN REGELIN: Yeah, okay. As we get  
29 more procedures and more accustomed to doing this, I can't  
30 imagine that that's going to be necessary very often, if  
31 ever. Tom.

32

33 MR. ROTHE: Yeah just, Dario, there's still  
34 the full public process that comes after the Council submits  
35 its stuff to the Fish and Wildlife Service. So if the region  
36 really had some serious problem, you know, just during the  
37 public comment period, fire it in. I can't believe the SRC  
38 wouldn't put some weight to a region that wanted to make an  
39 adjustment.

40

41 CHAIRMAN REGELIN: Yeah, I think it's a good  
42 point that we have to think about. And I guess nothing is  
43 locked in stone. And we thought we were going to be done at  
44 our April meeting and then we had one in May. So those  
45 things will happen, especially as we're still learning how to  
46 do this. The next thing in -- Tom.

47

48 MR. ROTHE: They pay me to look at details  
49 and I guess I'm going to have to bring up again a small but  
50 maybe important point in finalizing this batch of regs. On

00174

1 your methods and means statement that I think the Council has  
2 adopted, item H about vehicles would really benefit from  
3 insertion of the word motorized vehicles unless you want to  
4 prohibit canoes and stuff like that.

5

6 CHAIRMAN REGELIN: I think -- tell us where  
7 to find that.

8

9 MR. ROTHE: There's a page 2 under tab 2.

10

11 UNIDENTIFIED SPEAKER: Motorized vehicles.

12

13 CHAIRMAN REGELIN: And I think that Tom has a  
14 point that was everyone's intent. Does anyone want to make a  
15 motion to make that technical change?

16

17 MR. ANDERSEN: So moved.

18

19 MR. ALCORN: Second.

20

21 CHAIRMAN REGELIN: Any discussion?

22

23 (No audible responses)

24

25 CHAIRMAN REGELIN: Hearing none, is there any  
26 opposition to that technical amendment?

27

28 (No audible responses)

29

30 CHAIRMAN REGELIN: Hearing none, that will be  
31 the action of the Council. Bill.

32

33 MR. OSTRAND: I hate to do this because I  
34 know you're really tired but I have one of those other  
35 technical picky things.

36

37 CHAIRMAN REGELIN: What is it.

38

39 MR. OSTRAND: It's on the list of birds that  
40 are on there and when it talks -- has split -- one of the  
41 species that we have on the list into two species. I'm sorry  
42 I didn't bring this to your attention earlier. The lesser  
43 golden-plover is now the Pacific golden-plover and the  
44 American golden-plover. I just want the Council's approval  
45 to make that change on the list.

46

47 CHAIRMAN REGELIN: I think that's a technical  
48 change that you have the authority to do because we've  
49 decided we were going to follow that AUG lists.

50

00175

1 MR. OSTRAND: Okay, great. Sorry.

2

3 CHAIRMAN REGELIN: That's all right. That's  
4 why we pay you. I'm not sure why we pay Tom yet.

5

6 (Laughter)

7

8 MR. ROTHE: You can find out in August.

9

10 CHAIRMAN REGELIN: The next subject is,  
11 anybody from the public would like to address the Council on  
12 any issue that we've talked about or anything else?

13

14 UNIDENTIFIED SPEAKER: Remember, we're tired.

15

16 CHAIRMAN REGELIN: Going once -- yes, sir.  
17 You need to come up to the -- so that you're on the -- I  
18 can't remember your name, I'm sorry.

19

20 UNIDENTIFIED SPEAKERS: Joel James.

21

22 CHAIRMAN REGELIN: Joel.

23

24 MR. JAMES: I'm Joel James from Gambell and  
25 I'd just like to give my thanks for the body here.

26

27 CHAIRMAN REGELIN: You're welcome. Thank  
28 you. Next item is staff comments from anybody but Tom  
29 because I'm afraid to let him talk. Anybody from staff?  
30 Bob.

31

32 MR. STEVENS: Just very quickly. The four  
33 representatives from the Bering Strait regional management  
34 body have asked for an abbreviated briefing on non-toxic shot  
35 tomorrow morning. And so that is going to be done at the  
36 Fish and Wildlife Service office at 11:00 o'clock. Anybody  
37 that would like to come to that is invited. It shouldn't  
38 take more than an hour and a half, depending on how many  
39 questions there are. But this is something that they felt  
40 they really needed to get more exposure to and you're all  
41 invited to it to participate in that. And when you come in,  
42 if you decide to do that, come in to the guard station and  
43 just ask for me.

44

45 CHAIRMAN REGELIN: There's one issue that I  
46 want to.....

47

48 MR. STEVENS: 11:00 o'clock.

49

50 CHAIRMAN REGELIN: We have two very important

00176

1 meetings coming up out of the State. One of them is the  
2 Flyway Council meeting that will be -- Tom and Matt will go  
3 to it to represent the State and there should be two members  
4 from our Council going. And it's Ralph and who is the other  
5 one?

6

7 MR. ARMSTRONG: Herman.

8

9 CHAIRMAN REGELIN: And Herman. And then the  
10 second one is to go to the Service regs committee meeting in  
11 Washington DC. Matt will be there -- Robus -- because he  
12 represents the Pacific Flyway for this next two years on that  
13 council. And that's really fortunate because he'll be there.  
14 And I think it's the same two people that will go. And it's,  
15 you know, at least one of you guys, it's just going to be  
16 vital as we present this stuff to both groups. And I know  
17 you'll put it on your calendars.

18

19 MR. ANDERSEN: I know at the last Council  
20 meeting -- the last Flyway activity meeting, I believe there  
21 was some sort of committee, Tom was kind enough to forward me  
22 a copy of the email. One thing that I found to be lacking  
23 though, and I don't mean to be sounding like I'm complaining  
24 but we haven't heard much from the Fish and Wildlife Service  
25 as far as letting us know when these things are going to be  
26 happening. Because according to the rules that we made, the  
27 bylaws, Fish and Wildlife Service is to pay our room and  
28 board and our tickets and that kind of thing. And we just  
29 hadn't heard any.....

30

31 MR. ALCORN: Got your calendar?

32

33 MR. ANDERSEN: I can get one.

34

35 MR. ALCORN: I can give you the date right  
36 now.

37

38 MR. ARMSTRONG: Well, actually Tom had handed  
39 out a list of meetings and dates.

40

41 CHAIRMAN REGELIN: Well, why don't you get  
42 together when we're done here and.....

43

44 MR. ANDERSEN: Or just send me an email.

45

46 CHAIRMAN REGELIN: Yeah, send him an email  
47 because I know everybody needs to plan their schedules ahead  
48 and do that. So was there other staff comment because I  
49 moved on faster than I maybe should have on that. But I  
50 thought about that and I didn't want to lose it.



00177

1 MR. ARMSTRONG: Very quickly. There is in  
2 your binders, the pockets, is a -- we kind of brainstormed  
3 and identified tasks to addressed or initiated this year.  
4 And I'd like you guys to take a look at that because there's  
5 some issues that I'm sure you guys would want to be involved  
6 in and have some discussion about. We don't have time today  
7 but this is really some of the stuff and there's quite a few  
8 that we're going to have to overcome and don't let it become --  
9 be on the road and going in third gear here. So there's a  
10 lot of work to be done. You need to come prepared and  
11 identify some of these issues that can be delegated to some  
12 of the committees. But be prepared to work on these. We're  
13 all partners here now.

14

15 And I think one last thing before I close.  
16 I'd like to thank Bob Stevens for the months that I've worked  
17 with him. He's really helped me in transitioning into this  
18 job and have too many conflicts. It's been a learning curve  
19 for me as well as you guys and Bob has been a backbone in how  
20 I've gained and matured in this job here. And I'd just like  
21 to thank you. I'm going to miss you. We also have Donna  
22 Dewhurst coming in as a lateral move. Seeing that we've got  
23 a lot of work to do, the easiest thing, knowing that the  
24 process for hiring with the Federal system takes up to a year  
25 or even longer, we had to figure out how we could get  
26 somebody in right away and Donna has all the necessary  
27 background to move right in. So she'll be starting next week  
28 and working with Bob. Bob will be here for a couple of  
29 weeks, kind of having her learn the ropes until June 3.  
30 Thanks everybody for having your proposals just -- try to get  
31 your proposals in time so that we can respond to them and not  
32 have so much deliberation as we did with some of these today.

33

34 CHAIRMAN REGELIN: All right. First Doug and  
35 then Russ.

36

37 MR. ALCORN: Thank you, Mr. Chairman. Yeah,  
38 this list of tasks that Fred was discussing. I think we went  
39 over it a little too quick. We have talked round about for  
40 two meetings now the use of our technical committee. And we  
41 still do not have a charge, to the best of my knowledge, for  
42 that technical committee to ask them to convene, ask them to  
43 begin considering issues or considering proposals that we  
44 will submit. Russ eluded to that today, that there birds on  
45 the list of species that we as an agency have concern. And  
46 we think that we need to charge the technical committee with  
47 beginning to look at these kinds of issues. And I think that  
48 waiting until the October meeting is going to wait too late  
49 for the 2004 proposals and season. I would like to charge  
50 the technical committee with working with staff this summer

00178

1 to begin to address some of the issues that are on this list.  
2 And I would leave it to staff to work with the chairman of  
3 that committee, whom I don't even know who that person is, to  
4 identify key issues that are relevant and pertinent to the  
5 October meeting and subsequent meetings. And I'll make that  
6 a motion.

7

8 CHAIRMAN REGELIN: Okay. Anybody want to  
9 second?

10

11 MR. MACK: Second.

12

13 CHAIRMAN REGELIN: Okay, second. I know we  
14 got a lot of work to do and I think it's just a plea as a  
15 motion to work with Fred and get moving forward on a lot of  
16 issues. And I know we've had staff turnover and we're going  
17 to have some more. But I think that I see real progress,  
18 guys. And I feel like we're moving forward -- we're moving  
19 in the right direction and not at a terribly slow pace right  
20 now. But I guess I'm not -- who is head of the technical  
21 committee?

22

23 MR. ARMSTRONG: Well, they haven't even met  
24 and there's not even a charge yet, so -- what I can do is, if  
25 you guys don't mind, I'll just query everybody and try to  
26 convene a meeting of the technical committee.

27

28 CHAIRMAN REGELIN: Okay, do you want to --  
29 we've got a motion to.....

30

31 MR. ALCORN: Invigorate.

32

33 CHAIRMAN REGELIN: .....invigorate the  
34 technical committee. Any discussion? Any opposition?

35

36 (No audible responses)

37

38 CHAIRMAN REGELIN: Hearing none, that will be  
39 the action of the Council. Russ.

40

41 MR. OATES: I just had a couple of things.  
42 The main one really was what Doug eluded to, was to get the  
43 technical committee going. And one of the first, I think,  
44 ways to -- if you use the term -- invigorate the technical  
45 committee would be to get a chair and give them a charge.  
46 Not a charge card but a mission and that will probably get  
47 things going. But I think it's really important that that  
48 get under way. There's any number of things as we look back  
49 over how this whole process has gone this year that the  
50 technical committee probably could have smoothed out some of

00179

1 the rough spots before we ever got to this meeting, for  
2 instance, and work through things. And as a member of that  
3 committee, I look forward to working with those of you that  
4 are involved.

5

6 And the other thing I wanted to say, this is  
7 a really, I think, a momentous occasion. I've been involved  
8 developing these regulations and I think this group has got a  
9 lot to be proud of. I've been involved with wildlife  
10 management and the regulations process for over 20 years --  
11 one State agency and two different Federal agencies. And  
12 I've disagreed with constituents and other agency people over  
13 the years and I would say wildlife is an extremely emotional  
14 issue. But I would say that this group treated me as an  
15 agency bureaucrat with as much courtesy as I've ever seen.  
16 I've been yelled at and I've been attacked and I just want to  
17 thank you for the professional and courteous manner in which  
18 you have dealt with me as I have provided our agency's  
19 position on various things. Thank you.

20

21 MR. NED: Here. Here. Do you want to go  
22 outside now?

23

24 CHAIRMAN REGELIN: Did you want the last  
25 word, Tom?

26

27 UNIDENTIFIED SPEAKER: Just move to adjourn.

28

29 CHAIRMAN REGELIN: No, we're not ready to  
30 adjourn. We've got to set the time and place of the next  
31 meeting.

32

33 UNIDENTIFIED SPEAKER: Right.

34

35 CHAIRMAN REGELIN: Is that what you were  
36 going to do?

37

38 MR. OSTRAND: Yeah, I've just got comments --  
39 I wanted to make just a brief comment. I want to ask folks  
40 to leave the black binders. Those are the reference binders  
41 we'll pass out at the next meeting. Please leave the white  
42 binders and if you could leave the tabs too, that would be  
43 helpful. The tabs are actually more expensive than the  
44 binders.

45

46 MR. ALCORN: But take the material.

47

48 MR. OSTRAND: But take the material. One  
49 more thing. I'm sorry, but I have to say something about  
50 Bob. I don't know how I'm going to get along without him.

00180

1 CHAIRMAN REGELIN: The last thing we need to  
2 do is set the time and place of the next meeting, which will  
3 be in October at some point. Fred, have you got suggestions  
4 or a date picked for us or are we wide open?

5

6 MR. ARMSTRONG: I know the first week is the  
7 Alaska Native Tribal Council, AFN -- is it the third week or  
8 is that the last week?

9

10 CHAIRMAN REGELIN: The month starts on a  
11 Tuesday but we could do it the week -- is AFN the week of the  
12 21st?

13

14 MR. ARMSTRONG: 21st, yeah, probably be the  
15 middle of the week, if possible.

16

17 CHAIRMAN REGELIN: Okay.

18

19 MR. ALCORN: I would recommend October 15.  
20 It's the only week I'll have available that entire month.  
21 It's a holiday week but that's the only week I have.

22

23 UNIDENTIFIED SPEAKER: Labor day.

24

25 CHAIRMAN REGELIN: Are we concerned.....

26

27 MR. ARMSTRONG: Thursday, Friday.

28

29 MR. ANDERSEN: No, I think AFN usually goes  
30 like the third week.

31

32 MR. ARMSTRONG: On that week.

33

34 MR. ANDERSEN: Yeah, that week.

35

36 MR. ARMSTRONG: No, the 15th. The third week  
37 is October 21.

38

39 MR. ANDERSEN: It's usually the third week.

40

41 MR. ARMSTRONG: That would be this week here  
42 and that would be the 14th through.....

43

44 MR. ANDERSEN: I think they had said 20 --  
45 whatever, the 23rd.

46

47 UNIDENTIFIED SPEAKER: 21 is a Monday.

48

49 MR. ARMSTRONG: The week of the 22nd is the  
50 AFN.

00181

1 UNIDENTIFIED SPEAKER: Is it? Yeah. So we  
2 could do it before I sail out on Monday and Tuesday.

3  
4 CHAIRMAN REGELIN: Monday and Tue -- 14th and  
5 15th.

6  
7 UNIDENTIFIED SPEAKER: Monday's a holiday.

8  
9 UNIDENTIFIED SPEAKER: Columbus Day is the  
10 14th.

11  
12 UNIDENTIFIED SPEAKER: That is a Federal  
13 holiday.

14  
15 UNIDENTIFIED SPEAKER: Oh, is it.

16  
17 CHAIRMAN REGELIN: And the 18th is a State  
18 holiday.

19  
20 UNIDENTIFIED SPEAKER: I want to say like,  
21 Pocahantas Day.

22  
23 CHAIRMAN REGELIN: The 18th is a State  
24 holiday. So can we do it like Tuesday and Wednesday?

25  
26 UNIDENTIFIED SPEAKER: Yeah, let's have it on  
27 the holiday so we'll get what we want.

28  
29 MR. ARMSTRONG: We could have a work session  
30 in the afternoon Tuesday and meeting on Wednesday.

31  
32 CHAIRMAN REGELIN: Yeah.

33  
34 MR. ARMSTRONG: Okay.

35  
36 CHAIRMAN REGELIN: Does that work for  
37 everybody?

38  
39 UNIDENTIFIED SPEAKER: Dates?

40  
41 CHAIRMAN REGELIN: It would be October 15 and  
42 16. It's a Council meeting.....

43  
44 MR. ANDERSEN: It's National Boss Day.

45  
46 CHAIRMAN REGELIN: National -- yeah. It's a  
47 good time for us all to be gone. Any other -- does that  
48 work? Anybody -- you know, Ted will finalize this and get it  
49 out on email to people. Any other comments to come before  
50 the Council? Anybody think of anything they needed --

00182

1 Council members -- they want to add?

2

3

MR. ANDERSEN: Move to adjourn.

4

5

CHAIRMAN REGELIN: We have a motion to

6 adjourn.

7

8

MR. ALCORN: Second.

9

10

CHAIRMAN REGELIN: We're out of here.

11

12

(Meeting adjourned)

13

14

(END OF PROCEEDINGS)

