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ALASKA MIGRATORY BIRD

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CO-MANAGEMENT COUNCIL

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Dimond Center Hotel

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Anchorage, Alaska

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October 1, 2003

20

9:00 a.m.

21

22 Members Present:

23

24 Doug Alcorn, Federal F&W, Chair

25 Austin Ahmasuk, Vice Chair,

26 (Kawerak, Inc./Bering Strait Native Corporation)

27 Matt Robus, State F&G, Secretary

28 Copper River Native Association

29 North Slope Borough

30 Aleutian/Pribilof Islands Association

31 Kodiak Area Native Association

32 Manilaaq Association

33 Association of Village Council Presidents

34 Central Council of Tlinget and Haida Indian Tribes

35

36 Executive Director, Fred Armstrong

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P R O C E E D I N G S

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(On record - 9:00)

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CHAIRMAN ALCORN: Good morning, I'd like to call this meeting of the Alaska Migratory Bird Co-Management Council to order. We have an agenda in the binders that you have in front of you. We're going to follow the order -- I'll ask for some additions in a moment, but at this start of the meeting, I'd like to begin with a moment of silence out of respect for our beliefs, so just a quick moment. Thank you.

13

14

(Moment of silence)

15

16

CHAIRMAN ALCORN: Thank you very much. The first order of business is to seat alternates. We have a letter from AVCP seating Jennifer Hooper as the vice -- Myron Naneng is representative for AVCP. And we have Taqulik representing the North Slope Borough for Charlie Brower who was unable to make it. And Hans Nicholson representing the BBNA.

23

24

In looking at the agenda, I'm going to suggest that we alter the order of the agenda.

26

27

MR. ARMSTRONG: You need a motion to approve.

29

30

CHAIRMAN ALCORN: Oh, I'm sorry, we need a motion to approve the alternates.

32

33

MR. ROBUS: So moved.

34

35

UNIDENTIFIED VOICE: Second.

36

37

CHAIRMAN ALCORN: We have a motion and second. Any opposition to the motion to seat the alternates?

40

41

(No audible responses)

42

43

CHAIRMAN ALCORN: Hearing none, they're seated. All right. I'm confused by my agenda because I've got arrows drawn all over it. I tried to rearrange some of the order. I would like to begin with introductions, that's the fifth item. Begin with introductions and then we will do a roll call, establish a quorum and then I'm going to ask that we appoint the Native voting representative to the Executive Board. So with that I

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1 would like to begin with introductions. Stanley, would you  
2 start?

3

4 MR. MACK: Stanley Mack, Aleutian/Pribilof  
5 Islands Association.

6

7 MR. JACKSON: My name is Gordon Jackson,  
8 I'm the representative from Tlinget-Haida Central Council  
9 in Juneau. Thanks.

10

11 MR. SQUARTSOFF: Yeah, Herman Squartsoff,  
12 Kodiak Area Native Association.

13

14 MR. AHMASUK: Austin Ahmasuk, Bering Strait  
15 Native Corporation.

16

17 MR. ARMSTRONG: Fred Armstrong, the  
18 Executive Director for the Council.

19

20 CHAIRMAN ALCORN: I'm Doug Alcorn, I'm the  
21 Assistant Regional Director for the U.S. Fish and Wildlife  
22 Service in this Alaska region for migratory birds and State  
23 programs and current Chair of the Council.

24

25 MR. ROBUS: I'm Matt Robus, Director of the  
26 Division of Wildlife Conversation in Alaska Department of  
27 Fish and Game and I serve as the Secretary for the Council  
28 at the present time.

29

30 ATTAMUK: Thank you. My name is Attamuk.

31

32 MS. HEPA: My name is Taqulik Hepa and I'm  
33 representing the North Slope Borough.

34

35 MR. NICHOLSON: Hans Nicholson, Bristol Bay  
36 Native Association.

37

38 MS. HOOPER: Jennifer Hooper, I'm Deputy  
39 Director of the Natural Resources Department for AVCP.

40

41 CHAIRMAN ALCORN: Thank you. At this time  
42 I'd ask the Secretary to do the roll call.

43

44 MR. ROBUS: Thank you, Mr. Chairman.  
45 Association of Village Council Presidents.

46

47 MS. HOOPER: Here.

48

49 MR. ROBUS: Bristol Bay Native Association.

50

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1 MR. NICHOLSON: Here.  
2  
3 MR. ROBUS: Chugach Regional Resources  
4 Commission.  
5  
6 (No audible responses)  
7  
8 MR. ROBUS: Copper River Native  
9 Association.  
10  
11 MR. HICKS: Here.  
12  
13 MR. ROBUS: Kawerak.  
14  
15 MR. AHMASUK: Here.  
16  
17 MR. ROBUS: Central Council of Tlinget and  
18 Haida Indian Tribes.  
19  
20 MR. JACKSON: Here.  
21  
22 MR. ROBUS: Aleutian/Pribilof Island  
23 Association  
24  
25 MR. MACK: Here.  
26  
27 MR. ROBUS: Kodiak Area Native Association.  
28  
29 MR. SQUARTSOFF: Here.  
30  
31 MR. ROBUS: Manilaaq Association.  
32  
33 ATTAMUK: Here.  
34  
35 MR. ROBUS: North Slope Borough.  
36  
37 MS. HEPA: Here.  
38  
39 MR. ROBUS: Tanana Chiefs Conference.  
40  
41 (No audible responses)  
42  
43 MR. ROBUS: Alaska Department of Fish and  
44 Game is present. U.S. Fish and Wildlife Service.  
45  
46 CHAIRMAN ALCORN: Present.  
47  
48 MR. ROBUS: Mr. Chairman.  
49  
50 CHAIRMAN ALCORN: Thank you. We do have a

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1 quorum. At this point we need to do some administrative  
2 work, the regional representatives need to vote or elect a  
3 voting representative, so would you like to caucus? How  
4 would you like to do that? You want to stay in here, you  
5 want us to move?

6

7 UNIDENTIFIED VOICE: No, we can go and  
8 caucus.

9

10 CHAIRMAN ALCORN: Whatever you prefer.

11

12 UNIDENTIFIED VOICE: Yeah, we'll go out.

13

14 CHAIRMAN ALCORN: Okay. We'll take a five-  
15 minute recess.

16

17 (Off record)

18

19 (On record)

20

21 CHAIRMAN ALCORN: We're waiting on one or  
22 two folks to come back to the table, but in the meantime,  
23 while we're waiting, could we do introductions in the  
24 audience, beginning with Tom Rothe, you want to start  
25 there, Tom.

26

27 MR. ROTHE: Tom Rothe, Waterfowl  
28 Coordinator, Alaska Department Fish and Game.

29

30 MR. TAYLOR: Eric Taylor, regional refuge  
31 biologist for U.S. Fish and Wildlife Service.

32

33 MR. TROST: Bob Trost, for the Fish and  
34 Wildlife Service, Pacific Flyway representative.

35

36 MR. STEINER: Jim Steiner, Regional  
37 Supervisor Interior, Western and Arctic Regions,  
38 Subsistence Division Alaska Department Fish and Game.

39

40 MR. STANEK: Ron Stanek with the Department  
41 Fish and Game, Division of Subsistence.

42

43 MR. OATES: Russ Oates with Migratory Bird  
44 Management, U.S. Fish and Wildlife Service Anchorage.

45

46 MS. DEWHURST: Donna Dewhurst, I'm on Fred  
47 Armstrong's staff.

48

49 MR. NORVILLE: Vince Norville, I'm  
50 assisting Cynthia Wentworth.

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1 MS. WENTWORTH: Yeah, I'm Cynthia  
2 Wentworth, I'm Subsistence Harvest Survey Coordinator with  
3 the Migratory Management Council.

4

5 MR. LEEDY: Bob Leedy, U.S. Fish and  
6 Wildlife Service Migratory Bird Manager.

7

8 MR. OBERHOLSTER: Steve Oberholster,  
9 Assistant Special Agent in Charge for Fish and Wildlife  
10 Service in Alaska.

11

12 MR. SUDAN: Good morning, Robert Sudan  
13 (indiscernible - away from microphone)

14

15 MR. OSTRAND: Bill Ostrand, Fish and  
16 Wildlife Service and I work as staff to the Council under  
17 Fred.

18

19 MR. HILE: I'm Nathan Hile, I'm the  
20 recorder.

21

22 CHAIRMAN ALCORN: Thank you. At this time  
23 we would ask for a report from the caucus.

24

25 UNIDENTIFIED VOICE: Seriously deadlocked.

26

27 (Laughter)

28

29 CHAIRMAN ALCORN: Okay. We have no quorum.  
30 We actually do have a quorum of the voting representatives,  
31 we have two, we need one more.

32

33 MR. SQUARTSOFF: Yeah, Mr. Chair, we  
34 appointed Austin Ahmasuk.

35

36 CHAIRMAN ALCORN: All right. And thanks,  
37 Austin, and by default and by our by-laws, I think, you are  
38 rotating as the Vice Chair. So you'll be taking.....

39

40 MR. SQUARTSOFF: I'll so move that we  
41 appoint Austin.

42

43 CHAIRMAN ALCORN: Okay. I'm not sure  
44 that's necessary to appoint him. Is it to appoint him?

45

46 MR. ARMSTRONG: Yeah.

47

48 ATTAMUK: Second.

49

50 CHAIRMAN ALCORN: Okay. We have a motion

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1 and a second to appoint Austin as the Vice Chairman. Any  
2 opposition?

3

4 (No audible responses)

5

6 CHAIRMAN ALCORN: Hearing none, Austin is  
7 appointed at the Vice Chair.

8

9 All right. We're at the point where we are  
10 going to invite public comment prior to -- oh, excuse me.  
11 Right, we'll accept public comment prior to adopting the  
12 agenda, according to the way this agenda is written. So is  
13 there anybody in the audience that would like to address  
14 the Council before we adopt the agenda for the day?

15

16 (No audible responses)

17

18 CHAIRMAN ALCORN: All right. Seeing none,  
19 we're down to 9:35, review and adoption of the agenda. A  
20 motion would be in order to adopt and then to amend, if  
21 necessary.

22

23 MR. SQUARTSOFF: I'll so move.

24

25 CHAIRMAN ALCORN: Motion to adopt the  
26 agenda.

27

28 MR. AHMASUK: Second.

29

30 CHAIRMAN ALCORN: And we have a second. Is  
31 there any comment?

32

33 (No audible responses)

34

35 CHAIRMAN ALCORN: All right. I've  
36 determined that we need to go into executive session after  
37 the first discussion item, A, the Harvest Survey Committee,  
38 so I would like to amend the agenda by inserting an  
39 executive session at that point.

40

41 MR. ARMSTRONG: For the purpose of?

42

43 CHAIRMAN ALCORN: For the purpose of  
44 discussing how we will implement the harvest survey in 2004  
45 and beyond and to discuss finances.

46

47 Are there any other changes to the agenda?

48

49 MR. ROBUS: Did you want to list the other  
50 topics?

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1                   CHAIRMAN ALCORN: Right. At this point  
2 under the item J, other topics, we need to off them now  
3 before we pass the motion, otherwise it would be out of  
4 order to discuss the agenda for the meeting. I have two  
5 items that I would like to offer or add to the agenda. One  
6 is to discuss the potential informal gathering of the Co-  
7 Management Council annually or semi-annually for an  
8 informal session to just kind of as an opportunity to get a  
9 sense of where we're headed. It would not be a public  
10 meeting, it would be a small group of folks. I'd like to  
11 add that as a discussion item. And I would also like to  
12 add a discussion item regarding the procedural regulations  
13 and the -- I'll call it an administrative requirement that  
14 we have, to manage the invitation process in the regions.  
15 That's something that is required of us and we have not  
16 taken action. I'd like to add those two items. Is there  
17 any other? Russ.

18

19                   MR. OATES: Yes, Mr. Chairman, this is just  
20 a question actually. In comparing the topics from  
21 yesterday and today's, there's an item left out in today's  
22 agenda which may not merit further discussion, but there  
23 was a gentleman here yesterday -- or at the workshop  
24 yesterday from Gulkana that had a high degree of interest  
25 in newly included areas and I know he wanted to bring to  
26 the Council's attention some ideas he had about criteria.  
27 And I don't see him here today and I'm not sure that it  
28 really merits going on the agenda because he may not be  
29 here today, but I didn't know if that was something that  
30 the Council felt merited further discussion and some kind  
31 of action on it.

32

33                   CHAIRMAN ALCORN: Criteria for what, Russ?

34

35                   MR. OATES: The business about the newly  
36 included areas and he was -- related to that he was talking  
37 about determination of who in the newly included areas --  
38 the period -- how long they lived there and criteria for  
39 determining whether or not they were residents and things  
40 like that. It was related to a discussion yesterday.

41

42                   MR. HICKS: Mr. Chair.

43

44                   CHAIRMAN ALCORN: Joneal.

45

46                   MR. HICKS: I am familiar with that. I did  
47 talk with him yesterday, he is from Gulkana.....

48

49                   MR. OATES: Right.

50



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1 MR. HICKS: .....and his name is Ray Nealy.  
2 It was the same concern that I had yesterday in regards to,  
3 say, Tazlina being part of Glennallen and stuff like that.  
4 He just wanted criteria, something developed so that they  
5 could be excluded.

6

7 MR. OATES: Yeah. Well, I just didn't know  
8 if that was something that should be discussed here and I  
9 didn't want it to be left out. That's all.

10

11 CHAIRMAN ALCORN: Okay. Thanks for bring  
12 that to our attention. We do have item E, criteria for  
13 exclusion of communities and they are, in fact, at this  
14 point the same criteria. So we can have that discussion at  
15 that point.

16 All right. Any other additions to the  
17 agenda?

18

19 MR. MACK: Mr. Chairman, yesterday we  
20 discussed the taxidermy of subsistence caught birds and I  
21 thought that was going to be an agenda item at this  
22 meeting. Is that correct? There was concern.

23

24 CHAIRMAN ALCORN: Fred, you telling me some  
25 of the guidelines.

26

27 MR. ARMSTRONG: We can identify them -- Mr.  
28 Chair, maybe I could clarify that. The real purpose of the  
29 fall meeting is to identify guidelines for the '05 season,  
30 so that could be identified as an issue that the public, as  
31 well as the Council, could submit proposals on. And I  
32 would suggest that moving item D down to the bottom, last,  
33 after we discussed a lot of these issues, perhaps they  
34 could be termed to be one of the guidelines that we can  
35 address during the '05 season.

36

37 MR. MACK: That issue would be discussed at  
38 that time then?

39

40 MR. ARMSTRONG: Yes, the main purpose is to  
41 identify issues relevant to regulations that we could have  
42 the public, as well as the Council, regional bodies, submit  
43 proposals.

44

45 MR. ROBUS: Do we need a motion?

46

47 CHAIRMAN ALCORN: Well, we have a motion to  
48 approve the agenda as it was, we've had a number of  
49 suggestions for alteration, does the maker and the second  
50 of the motion agree with those friendly amendments, I'll

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1 call them.

2

3

MR. SQUARTSOFF: Yes, I so move on it.

4

5

MR. AHMASUK: I agree.

6

7

CHAIRMAN ALCORN: And who was the second?

8

9

MR. AHMASUK: Second is me.

10

11

CHAIRMAN ALCORN: Okay. All right.

12 Hearing no opposition that will be our agenda. I'll just  
13 state the changes for the record. We're going to add a  
14 discussion of an informal gathering of the Council annually  
15 or semi-annually, we will have a discussion of an  
16 administrative procedure that is required under the  
17 procedural guidelines for managing the invitations to  
18 included areas and we will also add a discussion of  
19 taxidermy when we are discussing item D, the 2005  
20 regulatory guidelines. And we're going to shift those to  
21 the last discussion item preceding other. And we have an  
22 executive session, I'm sorry, I forgot to see that one.  
23 All right, those are the changes. Seeing no opposition,  
24 hearing no opposition, we'll adopt the agenda as I've just  
25 stated.

26

27

All right. We're ready to move into new  
28 business and in an informal procedure, under Robert's  
29 Rules, we're allowed to hear reports, we're allowed to  
30 discuss items without a motion on the table and that's, in  
31 effect, how we're going to be functioning through the  
32 course of most of these items today. So the first order  
33 of business is Harvest Survey Committee Report and  
34 recommendations. Who's going to give that report? Austin.

35

36

MR. AHMASUK: Thank you, Mr. Chairman.

37 Under Tab 3, we have the subsistence Harvest Survey  
38 Committee proposal. And yesterday, Mr. Chairman, you  
39 identified six subjects that the Harvest Survey Committee  
40 should look at, at future committee meetings. And I would  
41 propose that with the proposal, when the Co-Management  
42 Council takes action on the proposal, that you direct the  
43 Committee to specifically look at those six issues.

44

45

Also, Mr. Chairman and Council, there were  
46 two other discussion items that you briefly typed out for  
47 us, item A and item B on the Harvest Survey Report  
48 discussion paper, which the Council should have before you.  
49 We had talked at great length regarding the Harvest Survey  
50 Committee at yesterday's work session and I guess at this

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1 time I'd like to open it up for any questions on the  
2 harvest survey proposal.

3

4 CHAIRMAN ALCORN: All right. Fred, I'm  
5 going to turn to you. Are we going to hear a synopsis of  
6 the report?

7

8 MR. ARMSTRONG: It's before you.

9

10 CHAIRMAN ALCORN: Yeah, I'd like to hear a  
11 synopsis of the report. There may be folks in the  
12 audience, I know there's one that was not here yesterday  
13 and I think, for the record, we need to have the report  
14 given.

15

16 MR. AHMASUK: Okay. I can give a brief  
17 report of the proposal. Under Tab 3, I'd like to bring  
18 your attention to the first page there, the Committee  
19 members are myself as Chair; Rick Link, U.S. Fish and  
20 Wildlife Service; Hans Nicholson, Bristol Bay Native  
21 Association; Russ Oates, U.S. Fish and Wildlife Service;  
22 Tom Rothe, ADF&G; Ron Stanek, ADF&G; Robert Sudan, North  
23 Slope Borough. The report was drafted by Bill Ostrand and  
24 a great deal of technical assistance was provided by the  
25 members indicated on the front page there.

26

27 The proposal is briefly introduced on Pages  
28 5 through 7, and the Harvest Survey Committee has been in  
29 existence now for -- well, since the inception of this  
30 Council. It has not be formulated as a standing committee  
31 and that's one of the recommendations that we're asking the  
32 Council to take up, is formulated the Harvest Survey  
33 Committee as a standing committee.

34

35 The primary design of the harvest survey,  
36 as it was mentioned yesterday, came as a result of costs  
37 measures that needed to take place. A design was  
38 formulated in which portions of villages throughout the  
39 eligible areas in Alaska would be surveyed. And then  
40 additionally portions of households in villages would be  
41 surveyed, as was talked about yesterday.

42

43 The proposal talks about coordination that  
44 needs to take place between persons or organizations who  
45 may contract with the Fish and Wildlife Service regarding  
46 harvest surveys. The design, as it's laid out now  
47 indicates and suggest that two-thirds of the villages of  
48 eligible areas be surveyed. And then further beyond that,  
49 that hunter households be stratified according to hunter  
50 activity level, high hunting activity level, low hunting

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1 activity and a non-hunting activity level. And then a  
2 subsample of the households, according to those hunting  
3 activity levels be surveyed at a 40/15/10 percent  
4 subsampling rate respectively.

5

6 As was mentioned yesterday in the work  
7 session, the Harvest Survey Committee primarily and solely  
8 discussed the harvest survey design. We did not make very  
9 many attempts at finding sources of funding to complete the  
10 harvest survey as is laid out with the various project  
11 objectives with the regions and the administrative portions  
12 that were laid out by Cynthia yesterday. Essentially the  
13 entire Harvest Survey Program, as laid out before you,  
14 costs in the neighborhood of \$700,000, roughly half of that  
15 is administrative costs, which goes to the U.S. Fish and  
16 Wildlife Service Harvest Survey Program. An additional  
17 portion is contracted out to the Alaska Department of Fish  
18 and Game for data management and analysis, primarily under  
19 part-time work and coordination with the Fish and Wildlife  
20 Service. The remaining portion of the budget, on Pages --  
21 after Page 21, is laid out there for the Council in tabular  
22 form. And, as you can see there, it totals \$346,000. It  
23 was indicated yesterday that less than half of the funding  
24 is available for this project. And so the proposal, as  
25 it's laid out now, major portions of it, of course, are  
26 going to be unfunded.

27

28 The primary activities for 2004 are going  
29 to be in with the regions. I don't imagine that the  
30 administrative portion -- well, funds will be dedicated  
31 towards that, I imagine cost saving measures within Fish  
32 and Wildlife Service will be discussed between contractors  
33 and between the Fish and Wildlife Service. I would expect  
34 that major portions of the administrative costs will be  
35 eliminated and not funded.

36

37 As indicated in the proposal, this is our  
38 first time go around, actually a second time go around for  
39 a harvest survey of this caliber, with this stratified  
40 hunting household. It was done in 2003 and then as the  
41 Council is aware, the Office of Management and Budget  
42 required that full compliance with OMB, Paperwork Reduction  
43 Act compliances, take place and that was -- that process  
44 has been undergone and the survey design, all the  
45 appropriate forms have been approved and are ready to go  
46 for 2004.

47

48 After Page 21 you have the budget and a  
49 listing of species and some of the forms that are used in  
50 the various regions across Alaska. At this point, Mr.

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1 Chairman and Council, we're asking that the Council approve  
2 the proposal as is indicated under Tab 3, with the  
3 understanding that it's a first time go around under this  
4 newly approved OMB harvest survey design for Alaska for the  
5 spring and summer, with the understanding that there is not  
6 complete funding dedicated toward the project and some cost  
7 saving measures are going to have to take place within Fish  
8 and Wildlife Service primarily for the benefit of the  
9 regions. Like I mentioned earlier, the administrative  
10 portion of the survey design, the Committee felt was  
11 necessary, but unfortunately that portion will probably not  
12 be funded.

13

14 I cannot tell you at this point what  
15 regions of Alaska are going to be surveyed. There are  
16 grant agreements currently with all of the regions  
17 throughout Alaska, perhaps some coordination between the  
18 current grant agreements and the Harvest Survey Program  
19 could be worked out. I don't know what those details could  
20 be at this point, but I would imagine that some  
21 coordination of those funds will take place.

22

23 And at this point I would like to call to  
24 the table, for Council discussion, Bill Ostrand and Cynthia  
25 Wentworth to add any additional comments. And perhaps  
26 other members of the Committee would like to give comment  
27 as well. If that's appropriate, Mr. Chairman? Okay.  
28 Cynthia and Bill.

29

30 CHAIRMAN ALCORN: Yeah, thanks, Austin. Go  
31 ahead, Cynthia and Bill Ostrand. Introduce yourself with  
32 the mic on for the record and then are we going to.....

33

34 MR. OSTRAND: I'm Bill Ostrand with the  
35 Fish and Wildlife Service.

36

37 MS. WENTWORTH: Yes, I'm Cynthia Wentworth,  
38 Subsistence Harvest Survey Coordinator with the Migratory  
39 Bird Management Council, Fish and Wildlife Service.

40

41 CHAIRMAN ALCORN: All right. Are there any  
42 things that you two would like to add from having worked  
43 with the Committee, add to the report that Austin just  
44 gave?

45

46 MS. WENTWORTH: I'd just like to add a  
47 clarification. Our survey has not been approved by OMB  
48 yet, we're in the final stages however, and we really hope  
49 it's going to be approved.

50

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1                   CHAIRMAN ALCORN: Okay. So any decision  
2 that we make regarding our course of action for the 2004  
3 season are pending approval or contingent on the approval  
4 of OMB to conduct our survey.

5

6                   MS. WENTWORTH: Yeah. Also it's very  
7 important that we stick to the plan that we submitted to  
8 OMB for approval, we can't decide to do the survey a  
9 different way now at this point, we have to do it according  
10 to the way we submitted or else we have to do a new  
11 submission.

12

13                   CHAIRMAN ALCORN: All right. Does anyone  
14 on the Council have any questions of these two that are at  
15 the table?

16

17                   (No audible responses)

18

19                   CHAIRMAN ALCORN: Okay. Thank you, Cynthia  
20 and Bill. Before I'm going to ask for any action from the  
21 Council, for the benefit of those in the audience and for  
22 the record, this was a discussion item that we discussed  
23 for three or four hours yesterday at our workshop. And the  
24 workshop is designed to be an informal exchange of  
25 information between the experts and some of the policy  
26 makers and managers that are sort of a mix on this Council.  
27 And it was just so that we would get a better understanding  
28 of what's being proposed here.

29

30                   And what came out of that discussion were  
31 what I -- as I was taking notes is six issues that I jotted  
32 down and I passed them around to all of you at the table, I  
33 didn't make it a handout because it's not official. But  
34 what I do want to do is read those and see if there are  
35 issues -- that you understand the issue as I read it, and  
36 if there are corrections that need to be made, offer them  
37 at that time.

38

39                   So I'm going to read items one through six,  
40 the issues that I wrote down. The first issue is that we  
41 need to discuss -- excuse me, we need to decide a course of  
42 action for conducting the 2004 harvest survey. That's in  
43 the context of the budgetary limitations that we have and  
44 the full recognition that the proposal is for nearly twice  
45 or more than twice the funds that we have available for  
46 that. So that's going to be a management decision that  
47 we're going to have to discuss.

48

49                   The second issue is that we need to ensure  
50 that the surveys that are conducted in the villages are

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1 coordinated with other survey efforts by other agencies and  
2 with the regional representatives, you all that are around  
3 this table, to make sure that we are in agreement in  
4 conducting these surveys.

5

6                   The third item that we discussed was that  
7 we need to establish criteria to define what's referred to  
8 as a small, medium or large village in the proposal.

9

10                   The fifth [sic] issue that we identified  
11 was that our current budget does not cover the special  
12 studies that are recommended in the Harvest Survey  
13 Committee Report. Special surveys are, for examples, those  
14 that might address species of conversation concern that's  
15 come to our attention. There may be a need for an effort  
16 to survey harvest of a species by an area or statewide by  
17 species. However, the Harvest Survey Committee or those  
18 that are involved in conducting the survey feel is needed,  
19 we would need to provide for that kind of a special survey.

20

21                   And, finally, the Harvest Survey Committee,  
22 the surveyors and the regional coordinators need to  
23 coordinate amongst themselves as the surveys are planned  
24 and conducted to ensure that we have statistically reliable  
25 data. And that was a recommendation that Hans brought up  
26 in the latter discussion in the afternoon.

27

28                   Those are the six issues that I wrote down  
29 in my notes, I'm wondering if there are any others that you  
30 recall. Taqulik.

31

32                   MS. HEPA: Thank you. Didn't you have  
33 outreach listed as number 7?

34

35                   CHAIRMAN ALCORN: Right, I have a couple of  
36 other items that has been suggested that we address and  
37 those I have listed as other discussion items.

38

39                   MS. HEPA: Okay.

40

41                   CHAIRMAN ALCORN: And those I think could  
42 be considered under a separate motion or separate order of  
43 business.

44

45                   MS. WENTWORTH: Mr. Chairman.

46

47                   CHAIRMAN ALCORN: Cynthia.

48

49                   MS. WENTWORTH: I might have missed  
50 something here, but you got number 6 the one that Hans

00016

1 suggested.

2

3 CHAIRMAN ALCORN: Right, number -- yeah,  
4 the other.....

5

6 MS. WENTWORTH: Can you say that for me  
7 again or is this typed?

8

9 CHAIRMAN ALCORN: No, I didn't make this a  
10 handout. The sixth was that the Harvest Survey Committee,  
11 the surveyors, that is those that are conducting the  
12 survey, and the regional coordinators or the regional  
13 representatives, I probably wrote the wrong word there,  
14 need to coordinate amongst themselves, as the surveys are  
15 planned and conducted to ensure statistically reliable data  
16 is collected.

17

18 MS. WENTWORTH: Right, I got that as five,  
19 I'm sorry, I must have missed one.

20

21 CHAIRMAN ALCORN: Okay. Cynthia, you can  
22 come back and look at this after, I'll show you to you  
23 since you're the coordinator for this group.

24

25 MS. WENTWORTH: Yeah, I need to know what I  
26 have to implement here, I'm missing one of the six.

27

28 CHAIRMAN ALCORN: We want to keep you in  
29 the dark.

30

31 MS. WENTWORTH: Okay. Yeah.

32

33 CHAIRMAN ALCORN: Okay. Those are the  
34 issues. Are there any other issues that you recall that I  
35 didn't get jotted down? Austin.

36

37 MR. AHMASUK: Thank you, Mr. Chairman.  
38 There are members of the Harvest Survey Committee in the  
39 audience who contributed a great deal to our discussions,  
40 Tom Rothe, Russ Oates, Ron Stanek and Robert Sudan. If  
41 they would like to make comments, I'd like to invite them  
42 as well.

43

44 CHAIRMAN ALCORN: Okay. We would invite  
45 you to the table now if there's any other input.

46

47 (No audible responses)

48

49 CHAIRMAN ALCORN: I see none. All right.  
50 At this point a motion would be in order. Herman.



00017

1 MR. SQUARTSOFF: Yeah, Mr. Chair, I got one  
2 more that we kind of -- Enoch brought up yesterday on the  
3 predator issue and stuff like that. If maybe -- I suggest  
4 that we can add that on to this list here, be collected in  
5 the surveys, you know, people could be asked about  
6 predation and all that stuff out there, the bears, birds  
7 and everything else.

8

9 CHAIRMAN ALCORN: All right. The reason I  
10 didn't write that one down is because I was thinking when  
11 -- Enoch, when you made that statement that it was not  
12 necessarily something that would be captured in a survey,  
13 but it would be an issue that we would address separately  
14 as a Council, that was my impression. Enoch, do you want  
15 to clarify?

16

17 ATTAMUK: Yeah, because the takers and the  
18 harvesters in our region see this problem coming up in the  
19 future of predators having an impact in our birds. And in  
20 the end we're going to get blamed for it, but we have to,  
21 because I see it lots, big time, when they do call me. I  
22 just don't sit in the office, I go check myself. You know,  
23 and we see it and it's happening all over, just not in my  
24 region, big time problems from mainly bears, Jaegers and  
25 foxes.

26

27 CHAIRMAN ALCORN: Austin.

28

29 MR. AHMASUK: Thank you, Mr. Chairman. I  
30 think that that's a very, very important part of reporting  
31 harvest data. And the regions when they contract with Fish  
32 and Wildlife surveys for the harvest survey, they should  
33 keep in mind that they're free to add in any qualifying  
34 date, you know, not necessarily quantified, but any  
35 predator aspects, environmental aspects, diseases. I'm  
36 sure that the Fish and Wildlife Service, others, ADF&G, who  
37 coordinate with the region on these surveys can assist with  
38 qualifying the harvest data as it may relate to aspects of  
39 predators, environment, diseases, social changes. The  
40 regions are a central component to report write-up, so, you  
41 know, the regions are free to add in those aspects.

42

43 CHAIRMAN ALCORN: All right. Actually, you  
44 know, I said a motion is in order, I'm not sure a motion is  
45 in order, I'd like to take us into executive session if  
46 there's no other discussion. But before we do that, I  
47 would like to hear any other public comment prior to us  
48 having an executive session and discussion. Does anyone  
49 wish to offer for the Council to consider?

50

00018

1 (No audible responses)

2

3 CHAIRMAN ALCORN: Okay. Seeing none, I'm  
4 going to an ask for an executive.....

5

6 MR. ROBUS: We have one.

7

8 CHAIRMAN ALCORN: Oh, did we have one?

9

10 JOHN: Yeah.

11

12 CHAIRMAN ALCORN: Okay, John, would you  
13 like to come up and identify yourself?

14

15 JOHN: Yeah, I'm with Togiak Refuge, U.S.  
16 Fish and Wildlife Service and I work as a liaison for the  
17 Refuge and interpreter. I'd just like to mention that two  
18 that -- to mention from my region and that's a King Eider  
19 and Common Eider. Those are the two that hunters are  
20 mentioning as being low and I'd like for this Council to  
21 make sure that those are the two that came from our region  
22 as a concern.

23

24 CHAIRMAN ALCORN: Okay, thanks, John. Any  
25 other public comment before we go into executive session?

26

27 (No audible responses)

28

29 CHAIRMAN ALCORN: Okay. Hearing none, I'd  
30 like to do that at this point.

31

32 (Off record)

33

34 (On record)

35

36 CHAIRMAN ALCORN: I'd like to call this  
37 group back to order. Coming out of executive session, I'll  
38 report that we had discussions of the Harvest Survey  
39 Committee Report, we had discussion of our current budget  
40 in the context of the report and we talked about staffing  
41 needs, we talked about administrative needs and we talked  
42 about what are intentions are for the future. And I'm just  
43 going to leave it at that as the report.

44

45 I'm going to open the floor, a motion would  
46 be in order regarding the report on Harvest Survey  
47 Committee. Matt.

48

49 MR. ROBUS: Mr. Chairman, I would like to  
50 make a motion incorporating several different pieces of

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1 thought here. I move that we approve, in concept, the  
2 proposal contained in the Harvest Survey Committee's Report  
3 and have the motion state that the Council intends to  
4 conduct the survey according to that plan to the extend  
5 that funding allows. I would also move as part of this  
6 motion to make the Harvest Survey Committee a standing  
7 Committee to continue to address needs to supplement or  
8 alter the Survey Program as time goes along. And I would  
9 refer the that Committee the six issues that were  
10 identified in yesterday's discussion as topics that that  
11 Committee could provide useful advice on.

12

13 MR. AHMASUK: Second.

14

15 CHAIRMAN ALCORN: All right. We have a  
16 motion and a second. Is there any discussion?

17

18 (No audible responses)

19

20 CHAIRMAN ALCORN: Before I call for the  
21 vote, is there any input that the public would like to  
22 provide before we -- or staff before we vote?

23

24 (No audible responses)

25

26 CHAIRMAN ALCORN: Okay. Hearing none, any  
27 oppose the motion as stated?

28

29 (No audible responses)

30

31 CHAIRMAN ALCORN: Hearing no opposition,  
32 the motion carries.

33

34 All right. We are to item B, the BCC list  
35 of birds remanded back to the Council. As I mentioned  
36 earlier, these are informal agenda items, informal in the  
37 sense that there's no motion needed for discussion. This  
38 was just an item that is on the agenda. I'm going to ask  
39 Fred, if you would, just to give us a brief update on where  
40 we are and what the issue is about?

41

42 MR. ARMSTRONG: Thank you, Mr. Chair. The  
43 July meeting of the Service Regulations Committee reviewed  
44 the Council's recommendations for '94 regulations and for  
45 the most part adopted your recommendations. However,  
46 they've identified 11 birds that needed further attention.  
47 And unlike in prior years where they put the birds out for  
48 the entire national public to comment on, they provided  
49 more of a directive this time and has asked the AMBCC to  
50 provide documentation of traditional use of these 11 birds

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1 that are in Tab 4. You'll note there's one bird that's not  
2 on the BBC list and the Wandering Cackler. That was also  
3 remitted back to the Council.

4

5 The Proposed Rule, as Doug indicated  
6 yesterday, will be published, perhaps, in November and with  
7 a 60-day comment period. The Service Regulations Committee  
8 chair has indicated that he wants a full 60-day comment  
9 period in regard to our regulations this time, last year we  
10 just had a short 30-day period and they want to afford the  
11 public much more -- and us an opportunity. So I think a  
12 lot of the discussion yesterday spoke for itself as far as  
13 the regions providing documentation of traditional use and  
14 we'll try to incorporate that here and submit them on to  
15 the SRC.

16

17 CHAIRMAN ALCORN: All right. Thanks, Fred.  
18 The discussion yesterday was about -- in some detail about  
19 how the SRC has asked the Council to consider these birds  
20 and there was also some discussion, recommendation, by the  
21 folks that were participating, not necessarily on this  
22 Board, but some of the folks in the audience, that criteria  
23 would be good to identify how these birds are -- well,  
24 first of all, the BCC, the Birds of Conservation Concern  
25 list is a list that is mandated under law or regulation,  
26 I'm not sure which, for the Service to publish every fifth  
27 year. And it publishes the birds that the Service has a  
28 biological concern for the continued survival of the  
29 population or for -- you got some number of issues that  
30 might be affecting the birds. The Service is mandated to  
31 publish the list. And that's what the Service has done in  
32 the past.

33

34 And I think one of the things that's been  
35 discussed is whether we, as a Council, want to look at that  
36 data and the word used yesterday was refute, I'm not sure  
37 that we -- you know, it's our intention to refute anything,  
38 but to understand and to look at those species that are  
39 listed so that we understand why they're listed, that we  
40 address the issue of the use of those birds for  
41 subsistence. That we have -- our charge, as Fred said, is  
42 to come back to the Service Regulation Committee, the SRC,  
43 and to justify why we recommend that those birds be  
44 harvested, based on our traditions or history of use of  
45 those birds.

46

47 And the thought is, is that we don't have a  
48 standard criteria established, set of criteria or single  
49 criteria established, for determining whether or not those  
50 birds are -- I'll use the phrase critical, although I

00021

1 realize it leaves a lot to the imagination on how to  
2 interpret that, but are essential or that are important.  
3 Any phrase that we want to use, that was the discussion  
4 item that came out. And I'll leave it at that, that  
5 there's no motion on the table right now, but that was the  
6 way we kind of went around yesterday in the discussion.

7

8 Are there any comments? Austin and then  
9 Taqulik.

10

11 MR. AHMASUK: Thank you, Mr. Chairman. I  
12 can't remember whether or not any of these species here  
13 before us is part of a case I'm going to mention, but  
14 because the BCC report is just too exhaustive and the  
15 listings are too many for me to remember, but some of the  
16 bird species on the BCC list are on some regional list  
17 somewhere. And then it appears that magically they have  
18 been -- they get elevated to a national concern and then  
19 get on the national BCC list. And for some of the species  
20 I would argue -- Arctic Tern and Red-throated Loon, that  
21 may be the case, I can't remember, but somehow that  
22 elevating it to a national list seems flawed, I guess, and  
23 I was wondering if there was anybody here who can speak to  
24 that issue. And if it's a proper time right now to take up  
25 whether or not a bird is on the list or should be on the  
26 list or off the list?

27

28 CHAIRMAN ALCORN: Okay. Matt, go ahead.

29

30 MR. ROBUS: I believe that confusion of  
31 terms is creeping in here, at least in my mind it is. And  
32 I think there's a difference between the birds that have  
33 been remanded to the Council by the SRC and the BCC list.  
34 I think if the a bird is remanded by the SRC, that's for  
35 the purpose of having us try to justify whether it should  
36 remain on the list or not, on the list of birds that can be  
37 taken for subsistence or not and it doesn't add it to the  
38 national BCC list.

39

40 A further confusion for me is I'm trying to  
41 think back here and read through the minutes, I believe we  
42 established, at least, the concept of Birds of Conversation  
43 interest list that would be this Council's list at that  
44 July meeting. And I confess I was foggy enough at the time  
45 that we did that that I forget some of the details, but I'm  
46 wondering how that -- I think what we need to concentrate  
47 on is a list of this Council's that we are going to try to  
48 get better information on use in the regions for  
49 subsistence and some of those will undoubtedly be on the  
50 Birds of Conversation Concern list, but that's only one of

00022

1 the mechanisms that was used to put birds on the group that  
2 was remanded to us. So I don't know if that's helping or  
3 hurting, but it seems to me that we need to focus on the  
4 BCC list and figure out what that is and maybe use that as  
5 our mechanism to carry forward concerns or debates or  
6 whatever.

7

8 CHAIRMAN ALCORN: Enoch.

9

10 ATTAMUK: Yeah, this might not be --  
11 basically on that BCC list here that the birds that maybe  
12 we should use a different approach that the birds that are  
13 list for Manilaaq area is not taken for food, except the  
14 eggs are taken, that's all. And we don't take any eggs  
15 except for the Tern that was taken by a kid when we did our  
16 survey and we don't hardly harvest those eggs at all in our  
17 region, when I did the surveys here. Is it possible to use  
18 a different for the BCC, because some of these birds are  
19 not taken for food at all, except the eggs are taken.

20

21 CHAIRMAN ALCORN: Yeah, to respond to that  
22 comment, I think that the SRC response to our request to  
23 open birds for harvest and then we would have -- in the  
24 context of what you're saying, we would have to say that we  
25 are eggging certain species in certain regions if that's  
26 part of a future regulation proposal. We don't have that  
27 right now, what we have are these birds that are opened to  
28 harvest statewide is the way our regulations read with some  
29 exceptions.

30

31 Fred, go ahead.

32

33 MR. ARMSTRONG: Mr. Chair, that's just the  
34 type of information that we'd be seeking is if a bird -- if  
35 you're gathering eggs of a bird that's on that list and it  
36 certainly would warrant some attention as far as keeping  
37 the bird out of the nest, so that kind of information is  
38 going to be helpful. The treaty is not only specific to  
39 the harvest of birds, but also eggging, so we got to keep  
40 that in mind.

41

42 CHAIRMAN ALCORN: Herman.

43

44 MR. SQUARTSOFF: Yeah, Mr. Chair, you know,  
45 in our talks through yesterday, you know, I think I made a  
46 suggestion maybe we should have a list of just the egg  
47 gathering, the ones we utilize for egg gathering and ones  
48 for actual harvest, you know, I think, coming from the  
49 regional levels would help on that a lot. We might be able  
50 to, by then, eventually eliminate this list, you know,

00023

1 coming up with the list down there.

2

3

CHAIRMAN ALCORN: Okay. Taqulik.

4

5

MS. HEPA: Thank you. So we've been  
6 tasked, you know, to provide documentation that these -- if  
7 we have documentation or justification that these birds are  
8 used for subsistence purposes. But one question I had is  
9 what about birds, such as the Red-throated Loon that may be  
10 incidently taken with a net, if it, you know, gets tangled  
11 in a net. And I know that people on the North Slope will  
12 use those birds, even though they didn't harvest them, but  
13 they'll use those birds for either their meat or their  
14 feathers for clothing. So would that justification or  
15 documentation need to be documented about that type of use?

16

17

CHAIRMAN ALCORN: Well, you're asking me a  
18 technical question, I would suggest that each regional  
19 representative that is charged with identifying use of  
20 those birds identify the use objectively and if that's how  
21 the birds are taken then I would identify it that way.  
22 That's just my advice to you.

23

24

MS. HEPA: Yeah.

25

26

CHAIRMAN ALCORN: But our proposal is to --  
27 excuse me, Fred, go ahead.

28

29

MR. ARMSTRONG: I would just be careful how  
30 you phrase that, I think you're opening up another can of  
31 worms, I think if -- just be clear what you're trying to  
32 say because how you say it is going to be interpreted  
33 different by some of the people. Just say some people who  
34 have nets out -- we have to understand that this bird is at  
35 huge risk and we have a huge state and because Cormorants  
36 or a certain bird is listed, you know, to some people they  
37 think that bird is harvested statewide, so we've got some  
38 -- a lot of educating of the public to do as far as the  
39 bird list is concerned. And, you know, just being on this  
40 job for the last couple of years I kind of would want to  
41 shift focus away from this bird list, but keeping in mind  
42 that we do have some conversation concerns with some of  
43 these birds.

44

45

I mean, you could state that, you know,  
46 incidental catch of these birds is by nets happens, but the  
47 subsistence user generally takes that home for consumption,  
48 I mean, you may phrase it in that respect. Because, yeah,  
49 you're right, we don't waste food.

50

00024

1 MS. HEPA: If it's there then people will,  
2 you know, take the opportunity to utilize it, it's not that  
3 they put the net there to catch the bird, but it's  
4 something -- you know, the Loons like the fish, so.....

5

6 CHAIRMAN ALCORN: All right. Thanks,  
7 Taqulik. Herman.

8

9 MR. SQUARTSOFF: Yeah, Mr. Chair, Taqulik,  
10 that was one of the reasons why I think our list is so  
11 broad and so big, was at one time we had a big concern on  
12 the incidental catch is why we had a lot of these birds and  
13 everything on our -- we were worried about enforcement. So  
14 I think now I don't -- I can't really speak to how much  
15 they'll pressure us on an incidental catch, something that  
16 we're not actually targeting, you know, if we do get one  
17 incidentally once in a while I think we can start trimming  
18 our list down and taking some of these birds off our areas,  
19 not worry about that anymore, hopefully, you know, until  
20 the time comes and see what happens. I would think we  
21 could work that way and start trimming that list down a lot  
22 more. Thank you.

23

24 CHAIRMAN ALCORN: Austin then Taqulik.

25

26 MR. AHMASUK: Thank you, Mr. Chairman. I'm  
27 going to suggest something, I think, and prepare something  
28 for the Council's consideration for comments to SRC. We  
29 don't have the specific information right now that the SRC  
30 has asked for, but we do have the next best thing and  
31 that's a harvest survey information for various areas for  
32 some of the species of birds. But I would suggest that we  
33 entertain the possibility of writing a letter to the SRC  
34 responding to their comments along those lines, that we  
35 have information that's not immediately what they're  
36 seeking, but it's the next best think, and that's harvest  
37 survey information. But I'd like to have more discussion  
38 on that.

39

40 MS. HEPA: I just wanted to mention, too, I  
41 don't know if this is the right place, but Loons in our  
42 culture play sort of a spiritual role, you know, we sing to  
43 them to bring fish and good luck and then when a Loon gets  
44 stuck in your net it brings good luck to your family and so  
45 we use that skin in our ceremonials and our dances, so I  
46 just wanted to mention that part of our culture here.

47

48 CHAIRMAN ALCORN: Matt.

49

50 MR. ROBUS: Thanks, Mr. Chairman, just



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1 asking Austin to clarify his thought a little bit. I  
2 assume you mean that letter would be offered but the  
3 discussion we had regarding the need for the regions to  
4 provide additional information within that comment period  
5 for the Proposed Rule would still stand? So this would be  
6 kind of a first step?

7

8 MR. AHMASUK: Yeah, it would -- and it  
9 wouldn't be the all inclusive response that they are asking  
10 for, but what is the time -- what are the time constraints  
11 that we have to deal with for a response? I can't remember  
12 what they were.

13

14 CHAIRMAN ALCORN: Well, the way I  
15 understand it, the Proposed Rule has already been submitted  
16 by staff from here to the Washington office, as soon as  
17 that Proposed Rule, which is the regulation that would be  
18 published, goes through what we call the surname process,  
19 which is approval at all the higher levels in our agency,  
20 it eventually will be signed by the Assistant Secretary  
21 within the Department of the Interior. Then it become  
22 published and that's probably in, I'm going to say, no  
23 earlier than mid- to late November and then there would be  
24 a 60-day comment period that we would be allowed to submit  
25 our comments. And that's been our instruction from the  
26 Chairman of the Service Regulations Committee, is to  
27 provide our input during that process. So I'm going to  
28 guess, it's a guess right now, but I'm going to guess mid-  
29 November to mid-January.

30

31 Austin, go ahead.

32

33 MR. AHMASUK: Okay. Thank you, Mr. Chair.  
34 Well, in that regard, then, I'm pretty comfortable about  
35 suggesting some of these species we take -- the comment  
36 that I mentioned regarding that we do have harvest  
37 information, it's not the ultimate information that they  
38 have, but I would suggest that the Red-throated Loon, the  
39 Arctic Tern and the Aleutian Tern, as well as the Whiskered  
40 Auklet, we make comment on.

41

42 Yesterday I mentioned the Red-faced  
43 Cormorant, but I think that the distribution of that bird  
44 is pretty limited. And where harvest of the Cormorant  
45 occurs, I don't think it's the Red-faced Cormorant.

46

47 The shorebirds I'm willing to say that a  
48 number of those small shorebirds should be eliminated and  
49 make comment on them as well. We can't pull out specific  
50 shorebird harvest information, so -- but at this time I

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1 would suggest that we make the comments that I mentioned  
2 regarding the Red-throated Loon, Aleutian Tern, Arctic Tern  
3 and Whiskered Auklet.

4

5 CHAIRMAN ALCORN: All right. Then you're  
6 suggesting that we remain silent, as a Council, on the  
7 other species?

8

9 MR. AHMASUK: Yes, Mr. Chairman, silent,  
10 but give the SRC the -- I guess the comfort that other  
11 information will be coming. The reason I say the Aleutian  
12 Tern is because they nest right with Arctic Tern colonies,  
13 they nest in the same colony. And then a number of Auklet  
14 species, a whole slue of them were harvested in our area  
15 and in other areas as well, purely based on harvest  
16 information, just looking at the tables that we were  
17 supplied with yesterday that, you know, those birds, we can  
18 make comment on them right now and get that in those  
19 comments in there and hope we stimulate the regions to  
20 respond.

21

22 CHAIRMAN ALCORN: Any other thoughts?  
23 Stanley.

24

25 MR. MACK: Yes, Mr. Chairman, I agree with  
26 Austin that we should then get on record as to requiring  
27 the Council to make comment, if that be the case, then I so  
28 move that the Council be directed to make comment on these  
29 particular birds that were addressed.

30

31 CHAIRMAN ALCORN: All right, we have a  
32 motion, do we have a second?

33

34 MR. ROBUS: Second.

35

36 MR. AHMASUK: I'll second it.

37

38 CHAIRMAN ALCORN: All right. We have a  
39 motion and second to provide written comment to the Service  
40 Regulation Committee. I'm going to read the -- I think I  
41 have four species, the Red-throated Loon, the Arctic Tern,  
42 the Aleutian Tern and Whiskered Auklet. Were there any  
43 others that you mentioned, Austin?

44

45 MR. AHMASUK: Herman may want to amend the  
46 motion.

47

48 CHAIRMAN ALCORN: All right. Herman.

49

50 MR. SQUARTSOFF: Do you have the Black

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1 Oystercatcher on there?

2

3 CHAIRMAN ALCORN: And to provide comment on  
4 the Black Oystercatcher. All right, the motion is for five  
5 species, one, two, three, four, five that I've counted.  
6 I'll name them, it's the Red-throated Loon, the Black  
7 Oystercatcher, the Arctic Tern, the Aleutian Tern and  
8 Whiskered Auklet. These are of those 12 species that are  
9 -- 11 of which that are on the Service's Birds of  
10 Conversation Concern list and our list also includes the  
11 Wandering Tattler, which is, as I understand, is not on the  
12 BCC.

13

14 All right. We have a motion and seconded,  
15 do we have any discussion? All right. I'm going to ask  
16 for public comment in just a moment, Bob.

17

18 (No audible responses)

19

20 CHAIRMAN ALCORN: Bob, would you like to  
21 come to table. Bob Trost, identify yourself and turn the  
22 mic on, please.

23

24 MR. TROST: Bob Trost, I'm with Fish and  
25 Wildlife Service and I'd just like to advise the Council of  
26 the process issue that's involved here. And that is this  
27 letter would be in a comment to a Proposed Rule which is  
28 not yet published and so the comment period is not yet  
29 opened at this time. And since you're going to have to  
30 wait for the publication of the Proposed Rule to send this  
31 letter, it might be in your best interest to consolidate  
32 your individual regional inputs as well with the letter and  
33 send one bit of correspondence that addresses the issue as  
34 a whole. If it were to be received when there was no  
35 opened comment period, quite frankly, I'm not sure how our  
36 system would deal with it.

37

38 CHAIRMAN ALCORN: Austin.

39

40 MR. AHMASUK: That's a good point. Weren't  
41 we asked by the SRC to make comments, through the regions  
42 however, but wasn't there a separate SRC -- okay, there was  
43 no. Okay.

44

45 CHAIRMAN ALCORN: Well, yes, in fact, there  
46 was. These species were sent back to us early on for a  
47 response -- further justification, I'll call it, on why we  
48 wanted those birds included in the 2003 season. Remember,  
49 they sent 14 back to us, I believe, early on. And  
50 ultimately nine -- of 23 that we had proposed, nine were

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1 removed and 14 came back to us for 2003. And then we  
2 carried those same birds back to the SRC, give or take a  
3 species or two, my numbers are starting to jumble in my  
4 head, but we carried those back to the Service Regulation  
5 Committee just this summer in proposing the 2004 season  
6 regulations. And what we heard at that meeting, voiced by  
7 the chairman of the committee, was that they would allow  
8 these species on the Proposed Rule, but that the onus was  
9 on us, as a Council, to justify why they should remain on  
10 there, because it was their inclination to remove them if  
11 we were unable to justify why they should be opened for  
12 harvest. Because of the biological concerns expressed by  
13 virtue of them being on the list, the Birds of Conversation  
14 Concern, and the charge to us was, then, to come back and  
15 say why they are important to us.

16

17 Austin.

18

19 MR. AHMASUK: So perhaps this letter comes  
20 quite late then. It comes at a period we've been asked for  
21 this information a long time ago and not specifically to  
22 the Proposed Rule that Mr. Trost mentioned that's upcoming.

23

24 MR. ROBUS: Do we need to make a.....

25

26 CHAIRMAN ALCORN: Let me respond to that.  
27 It's actually moot because the 2003 season has come and  
28 gone, so now the charge given to us now is germane to the  
29 2004 season, which our charge is, is to provide comment in  
30 the comment period as Bob Trost just mentioned.

31

32 Matt.

33

34 MR. ROBUS: Yeah, my view is that the SRC  
35 gave the Council one more chance to produce documentation  
36 that would help make the case for these species in front of  
37 the SRC. But I'd like to speak to the consolidation part  
38 of what Dr. Trost talked about. I think it's important to  
39 figure out how we're going to present this information to  
40 the Service and that while yesterday we discussed the fact  
41 that it's the region's responsibilities for going back and  
42 finding information and pulling it together for your  
43 region, I think it would be wise to try to pull that into  
44 one package for submission and this letter would be  
45 something that could go on the front of that perhaps,  
46 rather than have several different responses, put together  
47 in slightly different ways, go back and hit the Washington  
48 staff, the staff of the Service in all parts of this  
49 process. So I would -- I guess I'd like to discuss and  
50 hear thoughts about how we would collect that information

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1 and put it into one package that would some sort of overall  
2 sense. And I guess that means the Service staff, your  
3 staff, becoming involved and coordinating that.

4

5                   CHAIRMAN ALCORN: All right. I'll  
6 entertain that kind of discussion, I think it's germane to  
7 the motion. We can discuss how we would consolidate our  
8 response. In the same context, one thing that's been  
9 pointed out, is we don't have criteria established or  
10 agreed to on what constitutes use or, in some cases, value.  
11 Taqulik said that there's a cultural and traditional and  
12 spiritual value for the birds, we've not talked about that  
13 use. There's also the nutritional aspect of the use.  
14 There's a numerical component, is one bird in your region,  
15 does that constitute what you would consider critical or  
16 ancillary. Those are the kinds of criteria that we have  
17 not set up. And so what Matt was suggesting was that if we  
18 send a lot of different kind of information to the Service  
19 Regulation Committee and Washington office, Fish and  
20 Wildlife Service staff, if we don't identify our criteria,  
21 they're not going to understand the context for which it's  
22 being presented and they're going to have a difficult time  
23 either justify or supporting to the SRC when the SRC  
24 finally deliberates. It's going to be difficult to make  
25 heads or tails of it, that's my point.

26

27                   Fred.

28

29                   MR. ARMSTRONG: Yeah, I've been jumping up  
30 and down over here, I think we're going to put ourselves in  
31 a box at this late stage of game to try to identify  
32 criteria for gathering traditional knowledge. I'd hate to  
33 see this Council bound by certain restrictions that they  
34 impose upon themselves. The homework is that we document  
35 traditional use. And understanding we have 11 different  
36 regions with 11 different lifestyles that documented use  
37 differs from region to region. I mean, you talk to any  
38 traditional knowledge expert and they'll tell you the same  
39 thing. So I think that the real homework, again, is just  
40 to document traditional use, whether or not it's, you know,  
41 putting down in words some medicinal or ritual, I think  
42 that's appropriate, but if you're going to try to identify  
43 criteria that's probably a three-day workshop. I don't  
44 think we want to limit ourselves and I think you're going  
45 to set these guys up for future restrictions in that  
46 regard, so I'd be very careful about that. Just focus on  
47 what the SRC has requested.

48

49                   CHAIRMAN ALCORN: Thank you, Fred. Matt.

50

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1 MR. ROBUS: Thank you, Mr. Chair. I hear  
2 you, Fred. I think, thought, based on what the SRC told  
3 the staff at the July meeting that it would be appropriate  
4 for some sort of guidance as to topics the regions might  
5 wish to consider or might wish to include. I mean there  
6 needs to be some way of the SRC's request being transmitted  
7 to the regions in the form that the assembled feedback from  
8 the regions is going to fall into some sort of order. And  
9 I recognize that we're all different regions and there's  
10 going to be different species and different uses, but I  
11 don't think it's out of the question for the staff to try  
12 to coordinate that so that it not just a chaotic response.  
13 And I thought that that's kind of what I heard the SRC  
14 asking to have to happen.

15

16 CHAIRMAN ALCORN: Austin.

17

18 MR. AHMASUK: Yeah, thank you. We had some  
19 -- there was some actually -- documenting traditional use  
20 was asked of the regions quite some time ago and we haven't  
21 -- I know our region hasn't done it very well and, in fact,  
22 not responded to that request. I guess at first we took  
23 the request as a very serious matter and then it became  
24 more of a -- almost like when it was brought to our  
25 Council, a severe question and answer kind of deliberation.  
26 I made this point in our informal meeting we had several  
27 weeks ago, but I'll mention it here again. It's like  
28 asking our people, do you harvest walrus? And then asking  
29 them, well, do you really harvest female calves? The  
30 answer is, well, no, that comprise the bulk of the harvest,  
31 but they're important. Some of these birds are not  
32 harvested to any great extent, some of them are dedicated  
33 harvest. And so then we kind of shoved off that  
34 responsibility of documenting traditional use and just,  
35 well, why can't they believe what we had initially put down  
36 on paper that we harvest this particular bird. It's just  
37 like the scenario of harvesting walrus, there are certain  
38 walrus age class, sex class, animals that are not harvested  
39 to the any great extent, but they're all important.

40

41 And, as was mentioned with Red-throated  
42 Loons, I don't imagine a whole lot are harvested, but it's  
43 pretty darn important. I think that asking for a  
44 coordinated effort by staff is just fine, and I'll go along  
45 with that, but if we don't get any responses, then I think  
46 we should go ahead with the letter that we're talking about  
47 now.

48

49 CHAIRMAN ALCORN: Herman.

50

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1 MR. SQUARTSOFF: Yeah, I agree with Matt  
2 and Austin on this here, too. And if we go ahead now back  
3 to our regions, you know, that's giving us a little more  
4 time than we had on the comment period the last time on  
5 this. So, you know, we should be able to get a little more  
6 response out of this help from the regions and everything.

7  
8 CHAIRMAN ALCORN: All right. We have a  
9 motion and second on the table to provide a response to the  
10 SRC, a written response to the SRC in the form of a letter  
11 that would address five species, the Red-throated Loon, the  
12 Black Oystercatcher, the Arctic Tern and the Aleutian Tern.  
13 And that is, by inference, not going to address the other  
14 species; is that your intent?

15  
16 MR. AHMASUK: Yeah, remain silent for  
17 reasons that I mentioned, that there very well be  
18 information that you can collect, but you cannot pull it  
19 from harvest survey information, which we're citing for the  
20 species that were talking about.

21  
22 CHAIRMAN ALCORN: Austin, go head.

23  
24 MR. AHMASUK: I feel a need to put a date  
25 stamp or something, a date of, you know, comments by or the  
26 letter is going to go to the SRC by a certain date. And it  
27 should go there about the time that the -- you mentioned  
28 the Proposed Rule comment period is going to end November  
29 1st, or it's going to open mid-November? Opened mid-  
30 November?

31  
32 UNIDENTIFIED VOICE: Yeah.

33  
34 MR. AHMASUK: Okay, if it's going to open  
35 mid-November then we'll have 90 days to comment, I suppose  
36 -- 60 days to comment. There seems to be adequate time for  
37 regions to respond to this, but I know we can't expect it  
38 because we're not giving them any money to document  
39 traditional use. Regions may have criteria for documenting  
40 their traditional use, our area has a heritage program,  
41 they follow certain rules and regulations and such. I  
42 think that the letter should be sent to the SRC at least by  
43 midway of the comment period, 30 days after the comment  
44 period opens is when the letter should be fired to the SRC.

45  
46 CHAIRMAN ALCORN: Go ahead, Fred.

47  
48 MR. ARMSTRONG: I think my staff would be  
49 willing to try to gather all the information that the  
50 regions submit and perhaps maybe develop a matrix and then

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1 if you guys want we could have a teleconference and let you  
2 guys know what all information we've gathered and at that  
3 time maybe it would be appropriate to discuss a content of  
4 a letter. Would that be appropriate? I'm looking at -- I  
5 think it's fine to send a letter, but I think it's also  
6 important to provide backup information in regards to the  
7 letter. And I think maybe if we did that, we could have  
8 more of a solid, you know, documentation, at least a good  
9 response from the Council in regards to the request.

10

11 CHAIRMAN ALCORN: Herman.

12

13 MR. SQUARTSOFF: Yeah, Mr. Chair, that's  
14 what I've been trying to get at, I think we need to amend  
15 the motion to add the regionals' response it, like Matt was  
16 requesting. The way Austin stated it, that's not in there.

17

18 CHAIRMAN ALCORN: All right. Did you  
19 second the motion? Are you going to offer an amendment?

20

21 MR. SQUARTSOFF: Yeah, I'll offer an  
22 amendment that we add the regionals' response in with that  
23 letter at that time.

24

25 CHAIRMAN ALCORN: All right. The motion is  
26 to the Council to provide a response within 30 days of the  
27 opening of the comment period to the Service Regulation  
28 Committee that would address the five species that I've  
29 mentioned, Red-throated Loon, Black Oystercatcher, Arctic  
30 and Aleutian Terns and the Whiskered Auklet, and that would  
31 be a consolidation of comments that we receive from the  
32 regions, as you're proposing amendment.

33

34 MR. SQUARTSOFF: Right.

35

36 CHAIRMAN ALCORN: Does the maker and second  
37 agree with that amendment?

38

39 MR. MACK: I do.

40

41 MR. AHMASUK: The second agrees.

42

43 CHAIRMAN ALCORN: All right. Discussion,  
44 Matt.

45

46 MR. ROBUS: My only comment is, is that if  
47 for some reason we can't get it done in those 30 days, we  
48 shouldn't give up the rest of the comment period is the --  
49 I mean, that's the safety net. We should -- I don't know  
50 how to put this in a motion, the motion is fine, but let's



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1 not stop there if we're not quite done.

2

3 CHAIRMAN ALCORN: Right, my impression is  
4 to target date. Let me ask this one more time for my  
5 clarification before I call for a vote on this. Is this to  
6 prohibit regions that do wish to document their take of  
7 these other birds voluntarily? Is this the intent of the  
8 motion to limit the comment to only these five or to at  
9 least address these five?

10

11 Austin.

12

13 MR. AHMASUK: I think that it's opened, the  
14 regions can comment on any of those birds that are on this  
15 piece of paper. Okay, my motion was to the letters, if all  
16 else fails at least those five would be addressed with the  
17 next best information we have available, which is the  
18 harvest numbers.

19

20 CHAIRMAN ALCORN: All right. Now, I  
21 understand it. Stanley.

22

23 MR. MACK: Yes, Mr. Chairman, that's  
24 exactly what I was driving at and hoping to get across,  
25 that we put a stop marker on these five identified birds so  
26 that we could address that issue and then the door is  
27 opened always for the other remaining birds.

28

29 CHAIRMAN ALCORN: Okay. Fred and then  
30 Herman.

31

32 MR. ARMSTRONG: I think what would be  
33 appropriate for the Council to discuss is perhaps putting  
34 kind of a deadline for the regions to submit comments so  
35 that we won't -- because if we're going to be tasked with  
36 gathering this information we need at least some sort of  
37 time frame that we can say, okay, we've gathered this much,  
38 now let's get the Council together to type the thing.

39

40 CHAIRMAN ALCORN: All right. I'm going to  
41 offer a friendly amendment, I hope that the maker and the  
42 second and the amender will consider it a friendly  
43 amendment, which is to add a date that the regions have  
44 comments to the staff by November 15th, which by estimation  
45 would give the staff roughly 30 days to meet that middle of  
46 the comment period objective.

47

48 Herman.

49

50 MR. SQUARTSOFF: Yeah, I'm suggesting that

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1 we take that middle of the comment period time off of there  
2 and go all the way to the end of the comment period, like  
3 Matt was suggesting, instead of having that deadline.

4

5 CHAIRMAN ALCORN: All right. Well, I  
6 thought it was clearly understood that was just a target  
7 day, it was not a drop dead date because we, in fact, have  
8 the full 60-day period to get the comments in. But that's  
9 a target date that staff will have shooting for and that's  
10 why I suggested that November 15 be the date when the  
11 regions have information to the staff, so that they can  
12 consolidate that in the form of a letter. If we need to  
13 have a teleconference, as has been suggested, we could do  
14 that, but if it's fairly straightforward, it's just a  
15 consolidation and moving forward with cc to all the Council  
16 members.

17

18 MR. SQUARTSOFF: Mr. Chair, I feel that we  
19 got, what, about a month and a half then for the regions to  
20 respond, that should be plenty of time I would think.

21

22 CHAIRMAN ALCORN: I'm going to restate the  
23 motion with the three amendments that I hear suggested.  
24 The motion is to draft a letter to respond to the SRC  
25 addressing at a minimum five species that are on this  
26 handout that we have, the Red-throated Loon, the Black  
27 Oystercatcher, Arctic Tern, Aleutian Tern and Whiskered  
28 Auklet. The remainder of the birds are at the discretion  
29 of the regions to comment on, that those regions will  
30 provide comment to the staff by November 15th for  
31 consolidation and submittal to the SRC in the form of a  
32 letter by, presumably, the middle of the comment period,  
33 that's our target. That motion has been seconded and  
34 amended three times. Does everyone understand the motion?

35

36 (No audible responses)

37

38 CHAIRMAN ALCORN: All right. Any opposed  
39 to the motion as stated?

40

41 (No audible responses)

42

43 CHAIRMAN ALCORN: All right. There's no  
44 opposition, the motion does carry. Thank you.

45

46 I would like to suggest, I'm not going to  
47 make this a motion, but just suggest that we consider a  
48 workshop in the future to talk about how best to document  
49 those harvests if we're asked to do this again. I think it  
50 would behoove us to have some sort of criteria that we've

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1 agreed to when we present that information to the SRC so  
2 that the Washington office staff and the SRC understands  
3 where we are coming from, we can lay those criteria.  
4 That's a suggestion for a future workshop discussion.

5

6 Austin.

7

8 MR. AHMASUK: Yeah, I would like that. I  
9 think we also need to address our BCI, the Birds of  
10 Conversation Interest Policy, that we adopted and maybe  
11 this workshop could put those two together.

12

13 CHAIRMAN ALCORN: Would you like to make  
14 that in the form of a motion?

15

16 MR. AHMASUK: I move, Mr. Chairman, that we  
17 have a workshop in the future to address Birds of  
18 Conversation Interest and criteria for cultural  
19 documentation.

20

21 MR. ROBUS: Second.

22

23 CHAIRMAN ALCORN: All right. I have a  
24 motion and second, I'm not going restate the motion, you  
25 just heard it. Fred.

26

27 MR. ARMSTRONG: I just want clarification.  
28 Is this a separate meeting or -- because I had already  
29 planned for the spring work session to address traditional  
30 knowledge, but if you guys want we can bring in some  
31 experts that have been doing this for a while to give  
32 presentations to the Council as far how they document use.

33

34 CHAIRMAN ALCORN: It's my intention to be  
35 as cost efficient as we can, a stand-alone workshop is not  
36 necessary. If we have other workshops planned, then we can  
37 just extend it an extra day or day and a half or whatever.  
38 But that would be my intent.

39

40 MR. ARMSTRONG: Okay. I'll plan it that  
41 way.

42

43 CHAIRMAN ALCORN: Well, we haven't passed  
44 the motion, yet, but -- any other discussion?

45

46 (No audible responses)

47

48 CHAIRMAN ALCORN: Okay. Hearing none, the  
49 motion carries. Or I'll ask for opposition, any  
50 opposition?

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1 (No audible responses)

2

3 CHAIRMAN ALCORN: Seeing none, the motion  
4 carries.

5

6 All right, we are now down to the harvest  
7 limits on birds of concern topic for discussion. That was  
8 also a topic on yesterday's workshop. I'm just going to  
9 open the floor for discussion. Matt.

10

11 MR. ROBUS: Thank you, Mr. Chairman. I  
12 don't really think I expressed myself very clearly  
13 yesterday, so I'll give it another run. I would like to  
14 propose that we think about some mechanism for the Council  
15 to start looking at -- not for every species that's taken  
16 for subsistence use, but in cases where there is a species  
17 that has some degree of trouble, whether it's on the BCC  
18 list or the BCI list or the -- I mean, you pick it. I  
19 think it would be useful for the Council to develop a way  
20 to have something other than just an on and off switch for  
21 hunting of a species because the choice we're faced with is  
22 either having the appearance of the possibility of a huge  
23 harvest, even though none of us may think that's really  
24 going to happen, for a species that people are concerned  
25 about. Or the alternative is to have it taken away as a  
26 bird that's opened for subsistence use at all by taken off  
27 of that list.

28

29 If the Council were able to go to  
30 conversation groups, the SRC and other parts of the Fish  
31 and Wildlife Service, the Department of Fish and Game,  
32 which is charged with conversation of wildlife, with some  
33 of form of limiting mechanism, and I want to think outside  
34 the box as a group, but if we could show that in the cases  
35 where it was really necessary to be careful about how many  
36 birds we take, this Council was figuring out a responsible  
37 and workable way to do it, I think that birds would be able  
38 to stay on the list for the people who need to use them as  
39 opposed to being taken off the list and made an enforcement  
40 situation.

41

42 At this point I don't have, certainly not a  
43 proposal to put before the Council, but I would like to  
44 kind of pump the ball into the group here and try to put  
45 together some kind of a brainstorming group, that I would  
46 be willing to be either leader of or a part of, and I think  
47 we should consider including people in this brainstorming  
48 from outside the Council, as well as on the Council, to try  
49 to come to grips with this general type of approach. And I  
50 don't want to rush in to talking about, you know, a 10 bird

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1 bag limit or anything that goes according to our current  
2 usual management tools. I think we need to come up with  
3 something different or at least consider a bunch of  
4 different things and see whether we can make a  
5 recommendation to the Council in the future about a way to  
6 deal with the situation.

7

8                   The alternative to doing that, like I say,  
9 is leaving ourselves opened to having birds taken  
10 completely off the list when it may not be anything that  
11 subsistence users are doing that cause that problem.  
12 Obviously, if a bird gets to be in very, very short supply  
13 and in a conversation situation, a jeopardy situation,  
14 then whether or not subsistence use is a problem isn't  
15 going to matter, it's going to get cut off for harvest no  
16 matter what we say, so we could take a little bit more  
17 control of the destiny of some of these species on that  
18 list if we get into some sort of harvest limiting approach.  
19 And I just throw that out for discussion and a possible  
20 putting together of a group.

21

22                   Thank you.

23

24                   CHAIRMAN ALCORN: Thank you, Matt. Any  
25 thoughts or comments? Austin.

26

27                   MR. AHMASUK: Thank you, Mr. Chairman.  
28 When a bird is listed ESA, how are the various  
29 classifications treated or expected to unfold, like with  
30 hunting regulations? Does a threatened bird mean that  
31 harvest that's occurring in California or whatever at a  
32 level that may not be -- that is their usual harvest, bag  
33 limit, or whatever, if it's shown that it's not, you know,  
34 in trouble -- the harvest level is not in trouble, causing  
35 a concern for a threatened bird or, you know, if it's  
36 endangered, what kind of things turn on and off with the  
37 ESA?

38

39                   CHAIRMAN ALCORN: I'd like to ask Bob Trost  
40 to come to the microphone, he is the Service's liaison to  
41 the Pacific Flyway Council and advisor to the Council.

42

43                   MR. TROST: The short answer is that any  
44 species that's listed as threatened or endangered has been  
45 closed to sport hunting. There is a provision called  
46 incidental take in which the accidental take of small  
47 numbers of these birds is anticipated and mitigation  
48 actions are required and generally they take a variety of  
49 forms, information, education to some types of habitat  
50 manipulation even, but if a species is listed as either

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1 threatened or endangered it is closed to sport harvest.

2

3 CHAIRMAN ALCORN: Thanks, Bob. Herman.

4

5 MR. SQUARTSOFF: Yeah, Mr. Chair, I kind of  
6 suggest to the Council that we take the approach to look at  
7 our list of birds first and to see, you know, which ones or  
8 if any of them, you know, that we might be concerned about  
9 on the sports level and the subsistence level, if any of  
10 them might possibly, you know, for us to start limiting or  
11 something before we even take any kind of action on trying  
12 to limiting. We need to look at a bird first to see on  
13 that.

14

15 CHAIRMAN ALCORN: Thank you, Herman. Matt.

16

17 MR. ROBUS: Yeah, just to respond to that.  
18 I understand what you're saying, I guess I'm reacting to my  
19 exposure to the decision-making process at the SRC and  
20 whether Council members agree or not with the 11 or nine or  
21 whatever species we still have in front of us to try to  
22 decide where they sit. I mean, the fact that you can get  
23 into a situation in front of the regulatory body where they  
24 are considering not allowing harvest based on whatever  
25 information is presented to them. And since this  
26 potentially limitless harvest with nothing but an on/off  
27 switch for regulation is of concern to them, we know that,  
28 we've heard that at the Flyway level, we heard it at the  
29 SRC level, we've heard from conversation groups and public  
30 comments to the Proposed Rule this last year. It just  
31 seems to me that we might be able to find some tools that  
32 allow would allow the bird to stay on the list because we  
33 could assure people that there would be some sort of  
34 mechanism to prevent a huge take. So, you know, obviously,  
35 we need to pay attention to dealing with the species that  
36 have been remanded to us, but I'm suggesting we look for  
37 some sort of management tool that we might be able to win  
38 some arguments with when the bird is about to fall off the  
39 list.

40

41 MR. SQUARTSOFF: Mr. Chair.

42

43 CHAIRMAN ALCORN: Herman.

44

45 MR. SQUARTSOFF: Yeah, Mr. Chair, a  
46 response to Matt here. Well, the last motion or the motion  
47 we did before, too, on the response was the documentation  
48 and all that and everything else, you know, that should  
49 help us on the follow through on this here with these birds  
50 on this list, so I still feel we don't have to go to that

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1 extent of putting a limit, you know, on what we're taking.

2

3 CHAIRMAN ALCORN: All right. Matt, we're  
4 -- I want to try to not get into the debate on setting  
5 limits here, I think the recommendation here was that we  
6 maybe identify a few folks to talk this through rather than  
7 talk it through here in the full group; is that the  
8 recommendation?

9

10 MR. ROBUS: Exactly and that's why I have  
11 my hand raised to remind you that I'm not looking for a  
12 concrete proposal right now, I'm looking to get a  
13 discussion started which may or may not lead to a proposal  
14 in the future.

15

16 I guess another thing that I'd add in  
17 response to Austin's original question is, it's not only  
18 T&E species that are unavailable to sports hunters or  
19 potentially to this subsistence hunting use, there are  
20 plenty of examples of waterfowl species that are nowhere  
21 near threatened and endangered, but if there is a  
22 population problem the managers have -- the regulators have  
23 made decisions in the past to not allow people to take  
24 Canvasbacks, for instance, outside of Alaska. They're not  
25 near threatened, but if you don't reach population  
26 objective the regulations may be written to exclude hunting  
27 use. So those limitations can come at a lot less critical  
28 times than the T&E listing.

29

30 CHAIRMAN ALCORN: Austin and then Fred.

31

32 MR. AHMASUK: Okay, then, are there any  
33 other laws that would govern or ask, you know, this Council  
34 to maybe consider limits? Any other laws?

35

36 CHAIRMAN ALCORN: Bob Trost, would you like  
37 to answer that?

38

39 MR. TROST: I think probably the applicable  
40 law here would be the Migratory Bird Treaty Act itself,  
41 which allows the Secretary to establish seasons and bag  
42 limits. It says specifically, I believe, that basically  
43 which are consistent with population status and basically  
44 population goals and objectives. And I'd have to go back  
45 and read that phrase myself on the Treaty, but basically  
46 it's much like the situation faced here, all seasons,  
47 subsistence and sport, are closed unless a specific action  
48 by the Secretary is taken. The Secretary is to take into  
49 account the biological basis for what is a sustainable  
50 harvest and establish regulations, essentially, that

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1 maintain within that period. And I think that is the  
2 applicable law.

3

4 CHAIRMAN ALCORN: Thanks, Bob. Fred, you  
5 had your hand raised.

6

7 MR. ARMSTRONG: Yeah, just a couple of  
8 things. At the last meeting last spring, when we had a 12-  
9 hour meeting, some of use don't remember that, but one of  
10 the things we did discuss was begin the discussions on  
11 harvest limitations of certain birds and the State did make  
12 a motion to that effect and so, you know, I don't know if  
13 we want to set the criteria here, but I think we to at  
14 least begin discussions on some limitations at least to get  
15 an idea of where we're going, because, I mean, I look at  
16 the White-fronts as a good example in the Interior where  
17 the Interior all of sudden just have realized, hey, you  
18 know, our birds are going down and we need to collectively,  
19 you know, impose self-restrictions on harvest of geese,  
20 instead of getting two, get one, that type of thing. I  
21 mean, they're doing that already, so that's not limited  
22 just to setting bag limits, but it's just probably looking  
23 at alternative ways as a conversation tool to protect some  
24 of these birds.

25

26 CHAIRMAN ALCORN: Thanks. I'm going to  
27 call on Enoch and then Austin.

28

29 ATTAMUK: Correct me if I'm wrong, but on  
30 the limits that -- we need to find if we're going to put  
31 limits, we need to find out what category steps do we take  
32 to start addressing the limits, do we use the winter column  
33 or do use the nesting areas? We need to find out where is  
34 our concerns really coming from. If we're going to have  
35 concerns and start limiting it, we need to find out where  
36 actually -- the numbers versus predators and us. The sport  
37 hunters included. We have to look -- it's going to be a  
38 difficult one to look into. We got the White-front, they  
39 don't always go to the same area, you know, they do  
40 relocate. These things have to be looked into by all  
41 experts here.

42

43 CHAIRMAN ALCORN: Thanks, Enoch. Austin.

44

45 MR. AHMASUK: Yeah, thanks. I'm trying to  
46 get an understanding of all the players that are involved  
47 in instilling harvest limits or, you know, this issue.  
48 What influence does the Asiatic Flyway Council have on bird  
49 conversation interests?

50



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1                   CHAIRMAN ALCORN: I'm not sure that there  
2 is an Asiatic Flyway Council that operates like the North  
3 American Flyway Councils in setting harvest regulations for  
4 sport harvest of migratory birds. Austin and then.....

5

6                   MR. AHMASUK: Yeah, but the point that  
7 Enoch made regarding when you count birds is a good one.  
8 Emperor Goose is a really good example, spring counts are  
9 used -- three-year average of the spring count is used.  
10 The fall count is, of course, a higher count, the  
11 statistics are way tighter and, you know, this issue of  
12 using various counts is, I guess, decided upon and it goes  
13 certain ways for certain species, but when you take all  
14 that into consideration when these birds counted.

15

16                   CHAIRMAN ALCORN: All right. Stanley and  
17 then Jennifer.

18

19                   MR. MACK: Mr. Chairman, I think we could  
20 go all day on ideas on how to do this and I don't think  
21 this is the proper time to do it. I think the issue before  
22 us is one day we're going to be faced with the situation,  
23 possibly, that there's going to be birds on the Endangered  
24 Species List and if we can try something here in the  
25 future, if the Council can come up with a possible remedy  
26 to police our own people, our own areas, with some real  
27 good statistics on the bird count and where it's going, if  
28 we can show Washington that we're making a concerted effort  
29 to something with it, I think we will be one step ahead.

30

31                   With Matt's comments on regarding the  
32 species of concern that are on the list now, we've seen  
33 them. And I think we could help the program a lot better  
34 by setting aside a time until we can do some research on  
35 own. I know, in particular in our area our recording  
36 system is not that great just yet, it's seems, you know.  
37 And inasmuch as I can do in the future to get the recording  
38 on the take of these birds and species of birds, I think  
39 that's going to help us in deciding where we're going to go  
40 with this in regard to the Endangered Species List or the  
41 Birds of Concern. But we can go for days just talking  
42 about this and I don't think it's the time we can do that  
43 right today, but I would like in the future or sometime,  
44 maybe the next meeting, to come up with -- you know, keep  
45 this fresh in our minds that we can start working toward  
46 doing something about this.

47

48                   CHAIRMAN ALCORN: Thanks, Stanley.  
49 Jennifer.

50

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1 MS. HOOPER: Thank you. I just -- in light  
2 of the discussion here, not only when you collect the  
3 information but who you collect it from. I was asked to  
4 restate AVCP's position on harvest limits, whether it's a  
5 bird of concern or any other bird, that we are opposed  
6 until the legal issue of who is allowed to subsistence hunt  
7 in the spring is clear. I was also asked to find out  
8 whether there had been a Solicitor's opinion or any other  
9 such opinion from agencies on former Frank Murkowski's  
10 indigenous inhabitants to include non-Native, non-  
11 traditional hunters compared to the language in the Japan  
12 treaty. And I was looking on the agenda to find the proper  
13 time to bring it up and to stress and put on the record  
14 AVCP's position. And I guess I found this to be the best  
15 time. So I guess, just for the record, AVCP continues to  
16 be against until that legal issue has been cleared up and  
17 defined.

18

19 CHAIRMAN ALCORN: All right. Thanks,  
20 Jennifer. Well, it's not on the agenda, it's certainly our  
21 prerogative to amend the agenda. We've already adopted it,  
22 but it can be amended with a motion and second and a  
23 majority vote, but the topic of discussion now is whether  
24 or not we entertain the concept of harvest limits and I  
25 believe that the Council has already passed the motion that  
26 it is a management tool that needs further discussion. And  
27 I'll just leave it at that. And the recommendation now  
28 that Matt has offered is to head up a smaller subcommittee  
29 of this group to have those very topics discussed and the  
30 topics that we had expressed here, the credibility of the  
31 information, the ability of regions to collect information,  
32 present that information, the opportunity to explore how to  
33 use management tools has been suggested. So those are the  
34 kinds of things I'm hearing and I haven't heard a motion,  
35 so there's no order -- we have order of business at this  
36 point.

37

38 Matt.

39

40 MR. ROBUS: Mr. Chair, I'd just like to  
41 make a final comment. It's very hard for each of us to  
42 avoid getting into specifics based on what we know in our  
43 regions, and if I were to discuss where I hunt birds, I'd  
44 get into the same situation. I want to emphasize that my  
45 suggestion is purely to discuss this at a conceptual level  
46 at this point, that we need to, in my opinion, think about  
47 what kinds of tools we might employ in order to get -- in  
48 order to deal with the liability of this on/off switch  
49 approach that we presently have.

50

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1                   With that, in order to make it easy for  
2 this thing to be decided up or down right now, and I'd be  
3 to either serve or not serve on this group at the group's  
4 pleasure, I will move that we establish a committee to look  
5 into the concepts of management tools involving -- or aimed  
6 at some sort of harvest limitations for work over the  
7 wintertime. And to report to this Council either at a  
8 workshop or at the next formal meeting next spring.

9

10                   MR. SQUARTSOFF: I'll second.

11

12                   CHAIRMAN ALCORN: All right. We have a  
13 motion and second to establish a subcommittee to explore  
14 the concept of harvest limits and all the issues that we've  
15 talked about prior to this motion. We have a motion and  
16 second. Discussion. Herman.

17

18                   MR. SQUARTSOFF: Yes, Mr. Chair, I'd like  
19 to get on this committee if possible, too.

20

21                   CHAIRMAN ALCORN: All right. We'll take  
22 volunteers in just a moment, but we have a motion and  
23 second to establish a committee for the purposes that have  
24 been expressed. Any discussion?

25

26                   (No audible responses)

27

28                   CHAIRMAN ALCORN: All right. Do I hear any  
29 opposition to the motion?

30

31                   (No audible responses)

32

33                   CHAIRMAN ALCORN: No opposition, the motion  
34 carries. Now, I would open up discussion of volunteers,  
35 anybody wish to be on this committee? I've heard Herman,  
36 Matt, Joneal.

37

38                   MR. ARMSTRONG: AVCP.

39

40                   CHAIRMAN ALCORN: I think everybody  
41 (laughter) All right. So I have Jennifer, Hans.

42

43                   MS. HOOPER: It's not me who raised her  
44 hand.

45

46                   CHAIRMAN ALCORN: Okay. Taqulik, did you  
47 raise your hand?

48

49                   (No audible responses)

50

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1 CHAIRMAN ALCORN: Okay, you're waving me  
2 off. All right. Joneal, Matt and.....

3  
4 MR. ARMSTRONG: Hans.

5  
6 CHAIRMAN ALCORN: I mentioned Hans.

7  
8 MR. ARMSTRONG: Okay.

9  
10 CHAIRMAN ALCORN: And Herman.

11  
12 MR. ROBUS: And Herman.

13  
14 MR. ARMSTRONG: Enoch had his hand up, too.

15  
16 CHAIRMAN ALCORN: Yeah, I mentioned Enoch,  
17 didn't I? I think I did.

18  
19 MR. ROBUS: Yeah.

20  
21 CHAIRMAN ALCORN: And I have a hand in the  
22 back. Is law enforcement volunteering to be on a committee  
23 or do you want to provide comment?

24  
25 MR. OBERHOLSTER: Volunteering.

26  
27 CHAIRMAN ALCORN: You're volunteering. All  
28 right. Well, I'm going to let the committee establish the  
29 membership of the committee and if they want to invite  
30 expertise they'll do so, but we have a committee and it's  
31 been named, so thank you very much.

32  
33 And we are going to break now for lunch and  
34 I would like for us to.....

35  
36 MR. ARMSTRONG: Mr. Chairman.

37  
38 CHAIRMAN ALCORN: I'm sorry, what?

39  
40 (Whispered conversation)

41  
42 MR. ARMSTRONG: Do you want to do that now  
43 or.....

44  
45 CHAIRMAN ALCORN: Well, it's not an order  
46 of business. The comment that Jennifer made was to -- oh,  
47 okay, this is just to whether or not we have heard or asked  
48 the question of the Solicitor to, what, analyze the  
49 definition of who is eligible to participate? Well, the  
50 definition of indigenous inhabitant is the phrase that's

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1 used in the protocol. Are you proposing that we amend the  
2 agenda to cover that topic? Would you like to make that in  
3 the form of a motion?

4

5 MS. HOOPER: I guess I would if there's  
6 enough information to warrant the discussion.

7

8 CHAIRMAN ALCORN: Let me confer with my  
9 Robert's Rules expert and after lunch we'll take this up,  
10 okay?

11

12 MS. HOOPER: Okay.

13

14 CHAIRMAN ALCORN: All right.

15

16 Yeah, I'm sorry, let's go back to the other  
17 motion. When we identified the Harvest Limit Committee, we  
18 do not have a chair, we did have Matt volunteer to chair.  
19 If I can be bold, I'm just going to ask Matt to do that, to  
20 organize the group and then you can, you know, on your  
21 first meeting you can elect a chair if you want to do that.  
22 That way, at least, somebody's got the responsibility of  
23 making it happen. All right. And we'll cover this after  
24 lunch, but let's reconvene at 1:30; is that when the agenda  
25 is? 1:30.

26

27 (Off record)

28

29 (On record)

30

31 CHAIRMAN ALCORN: I would like to reconvene  
32 the group after our lunch break to consider the agenda and  
33 the request that we heard prior to lunch from Jennifer. At  
34 this point I would entertain a motion to suspend the rule  
35 of the day, which basically is to put the agenda -- suspend  
36 the agenda until can have another motion to amend it. So a  
37 motion is in order to suspend the rule of the day.

38

39 MR. AHMASUK: So moved.

40

41 CHAIRMAN ALCORN: So moved, do we have a  
42 second?

43

44 MR. SQUARTSOFF: Second.

45

46 CHAIRMAN ALCORN: We have a second. It  
47 takes a two-third majority vote to vote it in, so if there  
48 is no opposition it's in. Is anyone opposed?

49

50 (No audible responses)

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1                   CHAIRMAN ALCORN: All right. We've  
2 suspended the rule of the day, we'll entertain a motion to  
3 amend the rule to add items for discussion. Is there any  
4 items that we would like to add?

5  
6                   MS. HOOPER: Mr. Chairman.

7  
8                   CHAIRMAN ALCORN: Jennifer.

9  
10                  MS. HOOPER: I guess I started all this  
11 mess. AVCP just has real concerns about.....

12  
13                  CHAIRMAN ALCORN: Okay, let me stop you.  
14 Before you do it, you just need to introduce the topic.

15  
16                  MS. HOOPER: Okay.

17  
18                  CHAIRMAN ALCORN: We will vote whether or  
19 not we want to talk about it. So just say what it is that  
20 you want to do to amend the agenda.

21  
22                  MS. HOOPER: Okay. I would like to discuss  
23 the term indigenous inhabitants and what it means with  
24 regards to the Japan Treaty and the amendment signed by  
25 President Clinton.

26  
27                  CHAIRMAN ALCORN: Okay, we have a motion,  
28 do we have a second?

29  
30                  MR. SQUARTSOFF: Second.

31  
32                  CHAIRMAN ALCORN: Okay. We have a motion  
33 and second to amend the rule of the day by adding a  
34 discussion item, the definition of indigenous inhabitant  
35 that is the phrase used in the protocol amendment, treaty  
36 amendment. We have a motion and second. Do I hear any  
37 opposition?

38  
39                  (No audible responses)

40  
41                  CHAIRMAN ALCORN: Seeing none and hearing  
42 none, we will amend the rule of the day. I'm going to  
43 recommend that it be item three under other, we've already  
44 added two items. The third item will be the one that you  
45 just mentioned Jennifer. Everybody agree to that?

46  
47                  (No audible responses)

48  
49                  CHAIRMAN ALCORN: Okay. We'll address it  
50 when we get to it. I would also like to amend the rule of

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1 the day and make a motion from the Chair that we allow  
2 public comment prior to proceeding through the course of  
3 this day on the actions that we've taken. I was reminded  
4 that I've been remiss in soliciting public comment prior to  
5 taking action on some of these other items that we've taken  
6 action on today. So I would like to open the floor for  
7 public comment before we proceed with item E, criteria for  
8 exclusion of communities.

9

10 MR. ROBUS: Do you need a second for that?

11

12 CHAIRMAN ALCORN: I need a second for that

13 motion.

14

15 MR. ROBUS: Second.

16

17 CHAIRMAN ALCORN: Okay. I have a motion  
18 and second to have public comment immediately following  
19 this interlude. Anyone opposed?

20

21 (No audible responses)

22

23 CHAIRMAN ALCORN: Hearing no opposition,  
24 we'll have a public comment period. So we can now  
25 unsuspend the suspension, right, and go back to the rule of  
26 the day, which is the agenda.

27

28 MR. ARMSTRONG: Uh-huh.

29

30 CHAIRMAN ALCORN: Okay. We're going to  
31 continue on with the agenda, we've completed item C,  
32 harvest limits of Birds of Concern. Item D on your agenda,  
33 earlier today, was moved down to follow I, so that one is  
34 not the next one in order. The next one in order, per our  
35 amendment to the rule is to open the floor for public  
36 comment on actions that we've taken today. Is there anyone  
37 in the public that would like to speak to the group? I see  
38 Stan Senner raising his hand. Stan, do you want to come to  
39 the table and introduce yourself?

40

41 MR. SENNER: Good afternoon, I'm Stan  
42 Senner and I'm Executive Director of the National Audubon  
43 Society's Alaska State Office.

44

45 Thank you, Mr. Chairman, and members of the  
46 Council for giving me just a couple of minutes to comment  
47 on some of the actions you've taken and others that you  
48 will still take. Let me begin by saying Audubon has  
49 supported what you're doing from the very beginning and  
50 Dave Klein, who was for a long time the Alaska

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1 representative for the Audubon, was on part of the U.S.  
2 negotiating team on the protocol and Audubon has affirmed  
3 customary and traditional subsistence harvest of migratory  
4 birds, we think what you're doing in this process is very  
5 important. I don't envy your work because I think you got  
6 a lot of complicated issues here and every time I've come  
7 to one of your meetings and listened, I'm impressed with  
8 how many facets or aspects there are to everyone of these,  
9 and it's a tough job.

10

11                   Audubon's primary interest is in bird  
12 conversation and we bring a strong science-based approach  
13 the that. And we have a lot of educating to do with our  
14 own members in Alaska, as well as nationally with 400,000  
15 or so members nationwide, all of them care about birds.  
16 They don't all know about the circumstances that you come  
17 from and so we have a lot of work to do there. Our first  
18 concern is the health of the resource itself because  
19 whether you are a subsistence hunter, a sport hunter, a  
20 bird watcher or whatever, all of it depends on having  
21 healthy populations. That means to us that we should try  
22 wherever we can to be proactive and get on top of problems  
23 before a crisis arises. And in that context I just had  
24 four items that are before you to make quick comments on.

25

26                   One is there was discussion this morning of  
27 the BCC and BCI, Birds of Conversation Concern, and I  
28 think, Doug, you had a question about whether that was  
29 Federal law or regulation on the BCC. I can at least  
30 clarify that. In 1988 Congress amended something called  
31 the Fish and Wildlife Conversation Act and in that  
32 amendment they required the Fish and Wildlife Service to  
33 monitor the status of all bird population and then to  
34 report every five years to Congress and the public on the  
35 status of those populations. So the Birds of Conversation  
36 Concern document that comes out is the way that the Service  
37 is reporting to Congress on the status of bird populations.  
38 So that is Federal law.

39

40                   Just a comment there and that is that I  
41 think that you and we should look on lists like the BCC as  
42 an opportunity and not a problem. And it's an opportunity  
43 in the sense that it's in all of our interests to identify  
44 species that are showing signs of trouble before there's  
45 actually some crisis, and we don't want more birds on the  
46 threatened and endangered list, that doesn't help any of us  
47 when that happens. And so these different lists do help us  
48 flag birds for which there is concern and I think it's  
49 really good that you're going to be presenting more  
50 information on traditional harvests of some of the birds on



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1 that list and that the SRC and others can work with that  
2 information. Again, I would encourage us all to look at  
3 this as an opportunity to be proactive rather than waiting  
4 for a crisis situation.

5

6                   Second, in regard to harvest limitation, I  
7 thought the suggestion that Matt Robus had this morning for  
8 some kind of a -- just a conceptual discussion for what  
9 that might look like, I think that's timely and seemed like  
10 an appropriate way to go and if there's something Audubon  
11 can do to contribute to your thinking on that, we would be  
12 happy to do it. And I don't say that starting out with the  
13 assumption that the goal is for harvest limitations on a  
14 whole long list of things, that doesn't seem like that's an  
15 approach that's likely to be successful and supported, but  
16 I do think there needs to be discussion on what that all  
17 might look like. And I particularly appreciated Mr. Robus'  
18 suggestion that what he's after is maybe something that  
19 isn't just turning the switch either on or off, it's either  
20 on the list or off the list, and maybe there some more  
21 creative ways to address that problem.

22

23                   Certainly just from Audubon's viewpoint  
24 it's hard to explain to some of our members, particularly  
25 ones who are outside the state, why it's appropriate to  
26 allow any harvest on something like a Red-throated Loon  
27 when there's evidence of declining population and it  
28 appears to be a rather small population, maybe on the order  
29 of 10,000 birds. So occasionally I'm called on as  
30 Audubon's representative in Alaska to tell a member who  
31 maybe lives in New York City what this is all about and,  
32 you know, why we don't just want to cut all that stuff off.  
33 And so I think it would be helpful to me to educate my  
34 members if I can show, now, this body, this Council is  
35 grappling with those questions and looking at, well, what  
36 can we do that is more than just yes or no, what can we do  
37 to sort of manage and control these things in a way that's  
38 for a benefit for the resource as well as the users.

39

40                   Third item was just criteria for excluding  
41 communities and I wish I had been able to be a part of the  
42 workshop yesterday because I'm sure you talked about that a  
43 length, and I was actually out in Bethel and wasn't able to  
44 be here, but I know we have a concern that it seems to me  
45 each time I look at the agenda for the Council there are  
46 motions to add more communities to the lists of ones that  
47 are opened for harvest and I'm not just not quite clear on  
48 what qualifies, what doesn't, you know, what the  
49 justifications are. I don't think from Audubon's view we  
50 want to see expanding opportunities for harvest,

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1 particularly in areas where it hasn't been traditional and  
2 by people that, perhaps, haven't been traditional  
3 harvesting. Our support of this process has been more in  
4 the vein of there are traditional activities going on,  
5 they've been going on for, you know, hundreds of years and  
6 how can we continue those in a responsible kind of way.  
7 But the implication is, is that the goal is sort of  
8 continue things at the level they have been, not sort of  
9 see them significantly expanded. And so I think that's a  
10 real tough issue and I'll be eager to see what you come up  
11 with in the way of maybe clearer criteria for communities  
12 that are or are not allowed to harvest.

13

14                   The last one kind of captures all of the  
15 first three, and that is I see a real need for a more  
16 public outreach for this process and for what you're trying  
17 to do. And public outreach in two ways, one is outreach to  
18 subsistence users, but then there's the outreach to the  
19 broader public to help more people understand what you're  
20 doing and why it's important to continue this work. Again,  
21 thinking of all those Audubon members out in the larger  
22 world who really don't have any understanding of what this  
23 is all about and why you want to do the harvest that you're  
24 harvesting and why would someone like me be supportive of  
25 you harvesting when those same member simply don't  
26 understand why would someone want to shoot a Loon or  
27 something. Well, we have some education to do and that's  
28 not just outside of the state, it's here in Alaska. So we,  
29 again, certainly want to help in the way of public outreach  
30 and would be happy to talk further about ways that we could  
31 do that.

32

33                   I had met recently with Doug Alcorn and  
34 suggested maybe at some point as part of one of your  
35 workshops we need to actually have a session where we're  
36 inviting some of the other constituencies, whether they're  
37 conversation organizations or Duck's Unlimited or the  
38 Outdoor Council or any of those to have a group, maybe it's  
39 a half-day session, just to learn more about how this  
40 process operates and what you're trying to do and where  
41 it's heading. That might be a useful thing.

42

43                   I think also for some of the species that  
44 are possibly in trouble, like the Red-throated Loon, and  
45 that are of real concern, both to you and to Audubon, maybe  
46 there needs to be mini versions of the Goose Management  
47 Plan, maybe it's a Loon Management Plan, where people  
48 really think creatively about what are all the different  
49 ways that we can promote a long-term sustained use of the  
50 population, as well as its health. And I think most people

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1 would agree the Goose management effort in the YK Delta was  
2 a huge success, but that's been, what, 20 years running  
3 almost. It takes a while and maybe the same kind of thing  
4 needs to happen for some of these species that are of real  
5 concern and really think about not just limiting the  
6 harvest or cutting it off, but how do we actively educate  
7 people.

8

9 So those are the four things, the  
10 conversation list, harvest limitations, the excluding  
11 communities and then just public outreach. And, Mr.  
12 Chairman, thanks for the time and I'm happy to contribute  
13 as best we can.

14

15 CHAIRMAN ALCORN: Thank you, Stan. I heard  
16 a number of things that you volunteered Audubon to  
17 participate in and I think we have a number of committees  
18 established, membership is by appointment and we don't have  
19 -- the order of the day is to -- there's no provision in  
20 the agenda today to appoint new members to committees, but  
21 there's certainly opportunities at the invite of the chair  
22 of those committees to offer expertise and to participate.  
23 And, periodically, when we reconfigure those committees,  
24 and you're participating (cell phones ring) -- I'm getting  
25 a call and he's getting a call, maybe it's the same call.  
26 But there are opportunities to participate and I think  
27 Audubon brings a certain expertise that we could benefit  
28 from and certain representation of the constituent group  
29 that I think is important that we, I think, value as  
30 constituent group because certainly there's a relationship  
31 that we need to maintain of all people that appreciate  
32 birds. And I would suggest that you chairs of committees,  
33 if it's something that you are considering that affects the  
34 harvest of these birds that you consider inviting Stan or  
35 John Schoen or others to contribute where it's feasible.

36

37 MR. SENNER: And we're happy to do so  
38 informally as well, we don't necessarily need to have  
39 official status in these things. And we may be not always  
40 available to participate, but we do want to help.

41

42 CHAIRMAN ALCORN: Thanks, okay. Appreciate  
43 that, Stan. Anybody have any questions of Stan, comments?

44

45 (No audible responses)

46

47 CHAIRMAN ALCORN: Okay, I'm getting a  
48 telephone call, apparently it's pretty important, so I'm  
49 going to ask the Vice Chairman to carry us into the next  
50 discussion item, criteria for exclusion of communities and

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1 I'm going to swap phones with Fred and Fred can introduce  
2 the topic.

3

4 MR. AHMASUK: Okay. Item E, criteria for  
5 exclusion of communities. Mr. Armstrong, can you lead a  
6 discussion regarding that topic?

7

8 MR. ARMSTRONG: Thanks, Mr. Chair. This  
9 has been an ongoing request from one of our Interior  
10 members that they'd like to see, I think, a clearer  
11 procedural guideline for the exclusion of communities  
12 should we ever get a petition for exclusion. He's worried  
13 that the current procedural regulations that we have, that  
14 were passed back in 1999, that maybe some of the criteria  
15 doesn't apply to exclusion and wanted to, at least, have  
16 some discussion about that. The Council member is not here  
17 and I'm not sure where the Council wants to go with this.  
18 Mike Smith was going to lead the discussion on this and air  
19 his concerns. I'm sure you guys are well aware that he has  
20 concerns about this and if it comes to a point where there  
21 is a petition for exclusion he wants to have a clear path  
22 to follow in terms of procedures, so that's where we stand  
23 and that's why it's on the agenda. I'm not sure what you  
24 guys want to do with this since he's gone.

25

26 MR. AHMASUK: Okay. Well, the Council, we  
27 have a process for inclusion and exclusion, but we do not  
28 have criteria for which to judge exclusion unless we  
29 utilize the inclusion criteria and apply the contrary of  
30 the inclusion criteria. And I guess I'd like to ask the  
31 Council if they concur with that, if merely applying a  
32 negative of the inclusion is sufficient for that or should  
33 develop direct exclusion criteria?

34

35 MR. ARMSTRONG: Mr. Chair, Tab 5 is the  
36 procedure of the inclusion that the Council has to follow  
37 when they've received a petition for inclusion. And  
38 actually this has worked well. I'm not sure about the  
39 reverse. I think that the important thing is this entire  
40 process is public involvement and due process, that there's  
41 adequate notice and allowance for an aggrieved party to air  
42 their concerns. For instance, if a community was petition  
43 for exclusion that they'd be allowed an opportunity to  
44 defend why they should be excluded because it's such a  
45 final action. And we had -- I know that our entire process  
46 is revolves around public input, so we had to be very  
47 careful on how we developed the inclusion guidelines. But  
48 as far as exclusion, I know Doug has some concerns about  
49 that also. Do you want to air them now or.....

50

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1 MR. AHMASUK: Okay. I'll give the Chair  
2 bank to Mr. Alcorn, but while you left I had posed a  
3 question to the Council whether or not the inclusion  
4 criteria could be applied in a negative manner to come up  
5 with exclusions and we didn't have much discussion on that,  
6 but whatever.

7

8 CHAIRMAN ALCORN: Thanks, Austin. Yeah,  
9 that's kind of boils down to my concern and when we've  
10 talked about this in the past with -- Mike Smith has raised  
11 this issue a number of times and by inference he apparently  
12 doesn't believe that those are going to be applicable in  
13 reverse. And I've looked at them and I think that maybe  
14 they could, maybe they couldn't, but literally what I think  
15 it needs is just a closer look. I think that we need to  
16 form some kind of a working group to take a look at that  
17 and to discuss the issue, and I would -- without having him  
18 here, I would recommend that he participate in that because  
19 he's raised the issue twice. And in trying to be  
20 responsive to his concerns and in discussing this, sort of  
21 debriefing with Fred after these meetings, you know, that's  
22 what we realized in looking at that, that maybe it could,  
23 maybe it couldn't, but I think we need to have a decision  
24 made in this group. And that's what we've not done, we've  
25 not analyzed that in any way that I know of, so that's why  
26 I asked that it be put on the agenda as a follow-up to Mike  
27 and I was hoping he'd be here to sort of elaborate on that  
28 introduction. But that's my concern and I'll just leave it  
29 at that.

30

31 Joneal.

32

33 MR. HICKS: Mr. Chair, I do agree with you  
34 in that I do believe that there should be a working group  
35 formed. I do know or I am aware of -- well, let's put it  
36 this way, I have been involved in the Federal Subsistence  
37 Board level and also at State Board of Fisheries and State  
38 Board of Game levels and in that regards I have  
39 participated in decision-making processes where communities  
40 throughout Alaska have put forth petitions or proposals to  
41 these Boards in regards to C&T determination, customary and  
42 traditional. First of all it began, let's just say, 226  
43 villages throughout Alaska, now that has evolved to, let's  
44 say, over 400 communities that is pretty much non-Native in  
45 general like, let's say Glennallen, Tok, whatever like  
46 that. And let's say it's continuing to grow. In the last  
47 meeting that I attended in Cordova they began preparing,  
48 how you say, the exclusion method on it. In other words,  
49 this is getting out of hand. And Lake Louise is a fine  
50 example of just that. In other words, where there's what,

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1 seven residents in that particular community and they want  
2 C&T for subsistence.

3

4 I think a work group needs to be formed  
5 because this is a very, how you say it? It's very  
6 concerned, it's a difficult thing that needs to be  
7 approached at this Council level here. There needs to be  
8 guidelines established and on top of that you also need to  
9 have legal advice in here because we might be stepping in  
10 something that we don't want to and -- well, I would  
11 suggest that you get some legal advice here and, yes, I do  
12 support the idea of a working group.

13

14 CHAIRMAN ALCORN: Austin.

15

16 MR. AHMASUK: Thank you, Mr. Chair. I'm  
17 familiar with the circumstances regarding the Delta  
18 Junction area, but I'm not entirely clear as to what  
19 exactly the situation is. Is it people from specific  
20 communities are not included, like Anchorage or Fairbanks,  
21 that are going to these areas and hunting? Has that been  
22 some of the major concern there? And then with is it with  
23 these newly included areas whereby maybe including them  
24 there are people who are not eligible and are taking  
25 advantage of it? Could that be explained more exactly what  
26 the situations are in these areas?

27

28 CHAIRMAN ALCORN: Matt, go ahead.

29

30 MR. ROBUS: I can give it a stab. I think  
31 one of the big concerns right now is that we got a large  
32 portion of the state that was generally included under the  
33 language of the protocol. And within that area there are  
34 some areas where there are concentrations of people who  
35 probably don't have a personal tradition of hunting birds  
36 for subsistence and yet they're within an included area,  
37 they, according to our understanding, are eligible to  
38 participate under the language that's been given to us by  
39 Congress and a place like Fort Greely, for instance, where  
40 it's pretty easy to show that's not a long term permanent  
41 community, it's just a place where a lot of people live,  
42 some of whom could be called permanent residents of that  
43 area, which is generally included, so they potentially can  
44 participate in this activity and that runs up against the  
45 mandate that we are not -- this is not meant to increase  
46 the amount of subsistence harvest. And, you know, within  
47 general sideboards. That's the primary problem that I've  
48 seen coming at us as a result of what's gone on before. I  
49 don't know of any accusations or problems of people coming  
50 out of Anchorage, for instance, and hunting within one of

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1 the generally included areas. Under the way things are set  
2 up, that would not be an allowable use of this regulation  
3 and there may be some instances of that, but I'm not aware  
4 of any.

5

6

CHAIRMAN ALCORN: Fred and then Austin.

7

8

MR. ARMSTRONG: Throughout the month of  
9 August, I think the early part of September, our staff has  
10 received numerous calls from a variety of people, some from  
11 communities within Southcentral that want us to hurry up  
12 and include those communities so that they drive up and get  
13 a few birds. Some have called about if the season is legal  
14 for them to go out and hunt now. They've actually named  
15 themselves and the community where they're from, at least  
16 the calls I got. And then we did get some reports from law  
17 enforcement about some of the concerns that people have, at  
18 least, raise with them in terms of harvesting the birds.  
19 So, yeah, I think we have a little problems on our hands  
20 here that we need to work on. But I don't know if we need  
21 to go right directly to exclusion, I think we need to look  
22 at all options.

23

24

Just maybe to educate some of the people  
25 here about the inclusion of these new communities, the  
26 Council, early on, decided that -- and worked with these --  
27 Copper River area as well as Chugach that, you know, they  
28 are kind of in the gray area, we don't know whether or not  
29 they're included or excluded, and that they wait out a year  
30 so until we get the process in place for them to petition  
31 for inclusion. They have a history of traditional use of  
32 harvesting birds during spring and summer, so it's not that  
33 -- it's nothing new to people in bird world about their  
34 harvesting these birds, it's a very small harvest anyway.  
35 But I just want to kind of put that to rest, these aren't  
36 new communities creating a new tradition, there is a  
37 history of this to be occurring, so I just wanted to  
38 clarify that.

39

40

CHAIRMAN ALCORN: Thanks, Fred. Austin.

41

42

MR. AHMASUK: Thank you. I was at both  
43 meetings, maybe it was one meeting, when we adopted the  
44 inclusion form and when we adopted the criteria. And the  
45 criteria, I believe, was handed to the Technical Committee  
46 and it was suggested that we have a working group. I'm  
47 just wondering if the function of this group is a one-time  
48 thing or should it be an ongoing group that looks at these  
49 issues? Maybe non-traditional hunts or persons taking  
50 advantage of these hunts or somehow finding a loop hole

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1 that are making people eligible to hunt somehow.

2

3 CHAIRMAN ALCORN: Well, I'll respond. It's  
4 not -- that wasn't really part of what I was envisioning in  
5 the working group that I was suggesting, or committee.  
6 It's an ad hoc group to just look at this one issue and  
7 either to verify that the criteria that we have could be  
8 applied in reverse or to think through the process and what  
9 kinds of questions would have to be answered, satisfied, to  
10 exclude a community. This is not going to be something  
11 that's taken lightly, I think Joneal said it, it's very  
12 serious and, boy, I'll tell you when we start - if we ever  
13 exclude and, you know, from what we are hearing  
14 anecdotally, that that might be sooner than later when we  
15 might need to consider that. It's going to be -- we're  
16 going to have to justify that decision and be very clear on  
17 why we're making that decision. And at this point I  
18 wouldn't feel comfortable making a decision as a body  
19 without having a clear understanding of how those criteria  
20 applied and considering others if applicable.

21

22 So the long [sic] answer to your question  
23 is no, this is an ad hoc group, not to address the other  
24 issues that you've raised. Joneal.

25

26 MR. HICKS: Yes, that's the way I  
27 understood it to be also.

28

29 CHAIRMAN ALCORN: All right. This will die  
30 without further discussion. We'll move one. Did I  
31 see.....

32

33 MR. HICKS: Do you need a motion?

34

35 CHAIRMAN ALCORN: Well, I would entertain a  
36 motion to form a group to look at that, to form a  
37 committee.

38

39 MR. HICKS: I so move, Mr. Chairman.

40

41 MR. AHMASUK: Second.

42

43 CHAIRMAN ALCORN: We have a motion and  
44 second to form a committee to address the criteria that are  
45 already been published in the procedural regulations for  
46 including to determine the appropriateness for using them  
47 in inverse and also to explore other criteria as might be  
48 appropriate. That's the way I understand the discussion, I  
49 worded your motion for you, I apologize for that, but so  
50 moved is what I heard.



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1 MR. HICKS: Thank you.

2

3 CHAIRMAN ALCORN: Okay. All right. We  
4 have a motion and second, is there any opposition?

5

6 (No audible responses)

7

8 CHAIRMAN ALCORN: Before I consider it  
9 passed, I'm going to open the floor for public comment,  
10 that's something that I hadn't been doing in the earlier  
11 part of the day. So is there anyone in the audience that  
12 would like to speak to the motion before we take action?

13

14 (No audible responses)

15

16 CHAIRMAN ALCORN: All right. Seeing no  
17 hands raised, then, is there any opposition?

18

19 (No audible responses)

20

21 CHAIRMAN ALCORN: Seeing none, the motion  
22 passes. Now we would need to appoint folks to that  
23 committee and I'll volunteer and Jo, Stanley. Okay. Any  
24 others.

25

26 MR. AHMASUK: Seeing that Mr. Smith raised  
27 some of the questions I would appoint him as well.

28

29 CHAIRMAN ALCORN: Okay. If it's all right  
30 with the committee members, I'll volunteer to do some of  
31 the first arranging, what it is that I think we need to  
32 discuss, maybe set up a teleconference or something like  
33 that, we can elect a chair at that point, but I'll at least  
34 help coordinate it to that point. Is that all right?

35

36 Austin.

37

38 MR. AHMASUK: Regarding the  
39 inclusion/exclusion topic, there are various and numerous  
40 written works that describe Alaska early history, whether  
41 they're documented by some government agency or private  
42 individual's biographies or what not, that talk about early  
43 histories of fish and game us in Alaska and I guess I would  
44 maybe ask this committee to look into these various texts  
45 that are out there that describe, you know, pioneer  
46 exploration and weighing those things, because I mean they  
47 are out there and, you know, some of them describe in  
48 pretty good detail what some of Alaska's first, you know,  
49 pioneers took advantage of regarding the resources up here.  
50 And I guess I would maybe say that some of those early

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1 written works might be discounted considering the nature of  
2 some of those works, you know, miners that were here for a  
3 short period of time and then left and things like that,  
4 exploring that area.

5

6 CHAIRMAN ALCORN: Thanks, Austin. Any  
7 other comment?

8

9 (No audible responses)

10

11 CHAIRMAN ALCORN: All right. Let's move on  
12 down to item F, possession and transport of migratory  
13 birds. I'm going to suggest that we defer discussion --  
14 postpone discussion on that. I think that it was added at  
15 my request and potentially at my misunderstanding of an  
16 issue. And unless there's anything that anybody feels  
17 compelled to discuss on that particular topic.

18

19 Fred.

20

21 MR. ARMSTRONG: Mr. Chair, yeah, I agree  
22 with you deferring this, but I think that we need to be  
23 aware that the regulations clearly stipulate possession and  
24 transport from residents of export areas is strictly  
25 prohibited and that at some point the Council will need to  
26 weigh in on this because we do have activities, such as  
27 Native food day at the hospital where, you know, Native  
28 foods are brought in from throughout the state and perhaps  
29 even birds and it could get caught up in this bureaucratic  
30 red tape. And so at some point down the road, maybe sooner  
31 than later, we'll have to address this. And the issue of  
32 sharing with our friends and relatives certainly comes to  
33 play. People like me who haven't had an opportunity to go  
34 back home and people out there who want to send me some  
35 stuff and then I got to tell them it's strictly prohibited  
36 now. So in terms of that it should be on your radar screen  
37 to at least address this in some fashion.

38

39 CHAIRMAN ALCORN: Let me recommend then  
40 that we have workshops that precede each of our meetings  
41 and that maybe we make it a topic of discussion for a  
42 workshop and see where that discussion goes, whether or not  
43 it would go to an agenda item for a meeting, a future  
44 meeting. Everyone agree to that?

45

46 (No audible responses)

47

48 CHAIRMAN ALCORN: Okay. All right. So we  
49 are going to postpone discussion of that item in that  
50 context and we'll suggest that it become a discussion item

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1 for workshop.

2

3

We move to item G, emergency openings.

4 Fred, would you like to introduce that topic?

5

6

MR. ARMSTRONG: Okay. My key staff person that worked on this is probably on assignment here, but at the last spring meeting of one of the Regional Management Council meetings an issue was raised regarding whether or not we have -- because we do have a mechanism for emergency closures. If there is one would allow in certain circumstances the Regional Director to open the season. I looked at the language that Donna had drafted and put together, it looked pretty solid.

15

16

There would have to be real strict standards that would have to be set up. We would have to honor the closed season of the regions, the birds closed to harvest and stuff like that. When this initially was brought to the Pacific Flyway Council and the fact that the Council had not vetted this, they recommended that it be sent back to the Council and the SRC took similar action, so we had to put this back up on the agenda. And the recommendation was -- at least I would recommend that this region has lingering concerns that we submit a proposal during the proposal period, at which time it could be vetted by the regions and the Council.

28

29

CHAIRMAN ALCORN: Thanks, Fred. Is there any questions or comments regarding this topic? Questions of Fred?

32

33

(No audible responses)

34

35

CHAIRMAN ALCORN: Let me elaborate just a little bit. When I attended the SRC meeting this summer, this had been a recommendation that was inserted in the one of, I think, 13 recommendations that we had provided to the Service Regulation Committee and at that time I suggested that we retract our recommendation, number one, because it hadn't been decided upon by this Council. And, number two, it hadn't been vetted in the other regions. An emergency opening is quite a responsibility that we would be laying on the Regional Director in this region and it would be quite a burden, I think, on staff to advise the Regional Director on making that decision. And I don't think that we were there yet, I don't think that we are prepared yet to address all the issues that are connected to that decision-making process. And I'm not suggesting we, as a Council, are not there yet, but we in the region are not

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1 yet. And there's also concerns that it could be precedent  
2 setting for other regional directors and other Flyway  
3 regulation setting processing, so those are some concerns  
4 that I had and I'm not sure that we are prepared to make  
5 that kind of recommendation for our Regional Director at  
6 this point.

7

8 Fred.

9

10 MR. ARMSTRONG: It's not precedent setting,  
11 that activity already occurs in other forms, but I think  
12 once a proposal is submitted then we can start the  
13 discussion on it and weigh the pros and cons of it, then  
14 the Council can make a determination at that point, but  
15 until then I -- you know, I'd just wait until something  
16 surfaces.

17

18 CHAIRMAN ALCORN: Any other comments?

19

20 MR. ROTHE: I have a comment.

21

22 CHAIRMAN ALCORN: Comment from Tom Rothe in  
23 the audience and then Hans.

24

25 MR. ROTHE: Yeah, just a quick request.  
26 This came up from the Aleutians Pribilofs and I think that  
27 Stanley stepped up and I'd be interested to see a copy of  
28 the original request to find out what the nature of the  
29 problem was they were trying to address so we know if there  
30 are other alternative ways to deal with their issues.

31

32 CHAIRMAN ALCORN: Hans.

33

34 MR. NICHOLSON: I guess it's mainly more  
35 along the lines of a question. You know, the Board of Game  
36 and Board of Fish has a procedure for emergency -- for  
37 implementing emergency openings through a petition process  
38 that those Boards review. Are we planning on setting  
39 something up similar to that? Or would it be totally on  
40 the -- will the decision be made by the -- I can't think  
41 now.....

42

43 CHAIRMAN ALCORN: By the Regional Director?

44

45 MR. NICHOLSON: Yeah, by the Regional  
46 Director?

47

48 CHAIRMAN ALCORN: Well that's exactly why I  
49 wasn't supportive of the recommendation as it was, one of  
50 the two or three reasons. And that is we don't have the

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1 infrastructure set up to do just exactly what you  
2 described. We have no process set up to do that. And at  
3 this point, if that responsibility were given to the  
4 Regional Director, he or she would be making unilateral  
5 decisions, and I'm suggesting that we think that through  
6 and we think through a process prior to instituting that.  
7 And, again, it hadn't gone through the proposal process and  
8 so that was another reason why we retracted it.

9

10 Donna.

11

12 MS. DEWHURST: Okay. To just go over the  
13 history again for the folks who weren't yesterday, it came  
14 up at the last regional meeting, which was a  
15 teleconference, of Aleutian Pribilofs. The issue was -- it  
16 was more a question than anything, was that we have set up  
17 that exact provision for emergency closures, out of cycle.  
18 What he's talking about that's parallel to the State, the  
19 Regional Director has the authority to do emergency  
20 closures, we put that in with our 2003 regs. And the  
21 question came during that teleconference, do we have any  
22 mechanism, is there anything in Federal regulations that  
23 would allow the inverse, in a dire emergency, out of cycle,  
24 to open whatever the regulation is. Whatever the  
25 regulation has close, basically do the inverse. And the  
26 point was brought up that with the State the door swings  
27 both ways, out of season with the purview of the Game Board  
28 and Fish Board. And that was the question.

29

30 At the time I told them I thought there  
31 was. When I researched it, I found out there wasn't. And  
32 so I said we'd look into it and that's how it all started.  
33 So that was the original issue that was raised.

34

35 CHAIRMAN ALCORN: Thanks, Donna. Matt.

36

37 MR. ROBUS: Mr. Chairman, kind of a two-  
38 part comment. First of all, I appreciate Tom bringing  
39 forward his request because when I heard Stanley talk  
40 yesterday about some of the reasons behind this request in  
41 the first place it was much different than what I had  
42 assumed was the reason. And I think that needs to be  
43 talked out further.

44

45 And then, secondly, as a bit of  
46 clarification from some one in the middle of the State side  
47 of things, the door doesn't swing equally both ways,  
48 especially on the wildlife side, we have a very  
49 decentralized capability to do emergency orders to protect  
50 the biological resources. We have a pretty stringent  
51 regulatory process whereby in some rare circumstances an

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1 emergency opening can be -- basically, an emergency  
2 regulation can be passed by Board of Game if they find an  
3 emergency exists. So I would, you know, if we proceed on  
4 this though a proposal in the springtime or whatever, I  
5 would be very concerned that we don't decentralize the  
6 opening provisions of an international resource that a lot  
7 of other states and countries are interested and involved  
8 with too, that's what the SRC is there for. And so I think  
9 that this is a rather complexed, far reaching issue that we  
10 need to be very careful with.

11

12 And my final thing is that under State law,  
13 in the case of a drastic emergency, which I think was the  
14 context we were talking about yesterday, it's already  
15 legal, under State law, to take resources if you need them  
16 to survive. And I would suspect there's something.....

17

18 MS. DEWHURST: That would require chats  
19 with our Solicitor.

20

21 MR. ROBUS: Okay. Well, we can look  
22 further into that, but my previous reasons for being  
23 reluctant to proceed too far or too fast stand. Thank you.

24

25 MS. DEWHURST: We can research it more, but  
26 that was the whole issue, was is there a similar provision  
27 in Federal law. I went to the Solicitor and I went to our  
28 Law Enforcement Division, we looked and we couldn't find  
29 anything, to everybody's surprise, and that was what kind  
30 of started the whole thing. I agree we need to proceed  
31 slowly, but I'm just trying to kind of give the history.

32

33 And I apologize, I didn't mean to infer  
34 that the door swings equally both ways, they asked the  
35 question can it even swing the other ways in an emergency.

35

36 MR. ARMSTRONG: Mr. Chair.

37

38 CHAIRMAN ALCORN: Fred.

39

40 MR. ARMSTRONG: Just an observation. It  
41 seems like we're shutting the door on ideas and opening  
42 doors on things that people want and desire and not given  
43 the benefit of a doubt to a proposal that's not written  
44 yet. And I just want to remain fair and acknowledge APIA  
45 that, you know, if they still do have a concern that they  
46 should be able to write a proposal without people shutting  
47 the door before it even occurs. I don't want to upset  
48 people, but I think we need to be fair to everybody in this  
49 process.

50

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1                   CHAIRMAN ALCORN: All right. Stanley and  
2 then Matt.

3  
4                   MR. MACK: Mr. Chairman, in reviewing the  
5 comments, we already have proposals in for seasons and I  
6 guess the comments came out with that if there's a door to  
7 shut, maybe there's a close. But in this instance dealing  
8 with the wildlife, we're dealing with international,  
9 Federal, other countries as opposed to wildlife and fish,  
10 they're more of a -- I'd say that's like apples and oranges  
11 compared to migratory birds. We do have a provision that  
12 has been adopted for the hunting season. And in looking at  
13 that, if that isn't going to work, then we have the  
14 opportunity at a given time to readjust our proposal for an  
15 opening, so I don't see where it would be much of a  
16 problem, you know. I think we can -- as far as I'm  
17 concerned we can live with the emergency closure and I  
18 agree that if there is such a time that the resources are  
19 down, then there has to be an emergency closure, it's plain  
20 and simple. But there's no one on this earth that is going  
21 to stop someone from taking an animal when there's a need  
22 for it. That's the exception that's being made.

23  
24                   There's a lot of other issues that have to  
25 be dealt with far more serious than this. So with that,  
26 I'd recommend that we just continue on.

27  
28                   CHAIRMAN ALCORN: Thanks, Stanley. Matt.

29  
30                   MR. ROBUS: Yeah, for the record, I just  
31 want to assure Fred and everybody else, I'm not trying to  
32 close the door on anything, I'm just trying to point out  
33 some of the complexities inherent in this issue and if it  
34 comes in as a proposal, I will consider just as fairly as I  
35 possibly can. But an emergency opening is much different  
36 than an emergency closing in a lot of ways and I just  
37 wanted to point that out. Thanks.

38  
39                   CHAIRMAN ALCORN: Thank you, Matt. All  
40 right, any other comment? Austin.

41  
42                   MR. AHMASUK: Thank you, Mr. Chair. Would  
43 these emergency openings, would they be limited to non-ESA  
44 listed species?

45  
46                   CHAIRMAN ALCORN: I don't know. I doubt  
47 whether you'll every see an opening, an emergency opening,  
48 on a listed species. But they are, under the Endangered  
49 Species Act, there are provisions allowed for subsistence  
50 harvest by Alaska Natives, I believe, for subsistence

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1 purposes in emergencies.

2

3

4 All right, I see no other hands raised.  
5 There's no action required there, but it's certainly within  
6 the prerogative of the region that submitted or proposed  
7 that to submit that as a proposal for future consideration.

7

8

9 We're down now to item H, committee  
10 appointments. Fred, do you want to tell us what that's  
11 about.

12

13

14 MR. ARMSTRONG: Thank you, Mr. Chair.  
15 We've been playing musical chairs here and there's some  
16 people, for one reason or another, moved on to different  
17 things and we have a number of openings that we need to  
18 fill where committee membership is concerned. It's under  
19 Tab 9, just past the list of Council members. We've got  
20 the Flyway Service Regulation Committee membership, Ralph  
21 Andersen is no longer with the Council. And the Technical  
22 Committee, TCC was supposed to appoint a representative, we  
23 haven't gotten a name yet. Dario Notti was with AVCP, is  
24 no longer there. Harvest Survey Committee, Edgar Hoelscher  
25 was one of the representatives, he's no longer with the  
26 Council. Ralph Andersen and the Long-Term Goals and  
27 Objectives. And Edgar again and the Standard Operating  
28 Procedures is no longer with the Council, so we need those  
29 to be filled. And I think you might want to consider other  
30 people to sit on the Technical Committee.

30

31

32 CHAIRMAN ALCORN: Thank you, Fred. Let's  
33 take these in order. Let's begin with the representatives  
34 that participate in the Service Regulations Committee, we  
35 had two primaries, one was Ralph and the other was Herman.  
36 Herman is still with us, Ralph is no longer with us. A  
37 motion would be in order to appoint a representative to  
38 serve as -- and Gordon is the -- okay, Austin.

38

39

40 MR. AHMASUK: Mr. Chair, I suggest that the  
41 Native members caucus to decide committee appointments.

41

42

43 CHAIRMAN ALCORN: All right. We have a  
44 question, I think, before we recess to a caucus.

44

45

46 MR. NICHOLSON: Austin got it.

46

47

48 CHAIRMAN ALCORN: Okay. All right. At  
49 this point, then, let's take maybe 10 minutes -- let's come  
50 back at a quarter of, quarter of three, that give people  
51 time to have a break and to visit. And go through these



00065

1 and try to come up with names for each of these committees.

2

3

MR. AHMASUK: Okay, thanks.

4

5

(Off record)

6

7

(On record)

8

9

CHAIRMAN ALCORN: I'd like to reconvene the  
10 group after the caucus and turn the mike over to Austin to  
11 give the report out.

12

13

MR. AHMASUK: Thank you, Mr. Chairman. The  
14 Native members caucused and we decided upon committee  
15 appointments and I'm prepared to name those appointments.  
16 How would you like me do this, Mr. Chairman, individual by  
17 committee or by as one full block?

18

19

CHAIRMAN ALCORN: I would rather us go  
20 through and consider each committee separately. Let's  
21 begin with the Flyway Council Service Regulations Committee  
22 representative.

23

24

MR. AHMASUK: Okay, Mr. Chairman, I move  
25 that Jo Hicks and Herman Squartsoff be appointed the  
26 primary representatives to the Flyway Council Service  
27 Regulation Committee and Charlie Brower serve as the  
28 alternate for that Committee.

29

30

MR. NICHOLSON: I'll second that.

31

32

CHAIRMAN ALCORN: All right. We have a  
33 motion and second to appoint Joneal Hick and Herman  
34 Squartsoff as the primary representatives to the SRC  
35 Regulations Committee with the alternate being Charlie  
36 Brower. Do we have any discussion?

37

38

(No audible responses)

39

40

CHAIRMAN ALCORN: Seeing no discussion, I'm  
41 going to call for the question. I'm going to contradict  
42 myself, I did say I would ask for public comment prior to  
43 any Council action, but I'm not sure that we need public  
44 comment on these, so I'm not going to call for public  
45 comment between each one of these. So seeing no  
46 opposition, we'll appoint that member to the Service  
47 Regulations Committee.

48

49

MR. AHMASUK: Mr. Chairman, I move that  
50 Mike Smith and Jennifer Hooper be appointed to the

00066

1 Technical Committee. Jennifer Hooper to replace Dario  
2 Notti.

3

4 MR. MACK: Second.

5

6 CHAIRMAN ALCORN: All right. We have a  
7 motion and second to appoint Michael Smith as the TCC  
8 representative and Jennifer Hooper as the AVCP  
9 representative. Any discussion? Jennifer.

10

11 MS. HOOPER: Just to clarify, it would be  
12 either myself or Tim Andrew. Once I get back to AVCP, need  
13 to discuss with the administration how they want to work  
14 it, but I wanted to make sure AVCP still had a seat on the  
15 committee.

16

17 CHAIRMAN ALCORN: Okay. Well, you do, and  
18 your name is now on it, but you can appoint an alternate to  
19 attend whenever you can't make it.

20

21 MR. ARMSTRONG: Mr. Chair.

22

23 CHAIRMAN ALCORN: Fred.

24

25 MR. ARMSTRONG: Just a comment. I think in  
26 earlier discussions we wanted to see at least a natural  
27 resource, you know, a person at least working in that field  
28 be on this because a lot of the Council members, you know,  
29 they take time and effort to try to attend the regular  
30 scheduled meetings and the Tech Committee is going to meet  
31 throughout the year so, you know, it would be a good idea  
32 if you were on there or Tim.

33

34 CHAIRMAN ALCORN: Thank you, Fred. I'll  
35 turn it back over to Austin.

36

37 MR. AHMASUK: Okay. Was the previous  
38 motion passed?

39

40 CHAIRMAN ALCORN: Yeah, I think I called  
41 the question and go no opposition.

42

43 MR. AHMASUK: Very good, Mr. Chairman. Mr.  
44 Chairman, I move that Jacob Isaac with the Yukon Delta  
45 Refuge be appointed to the Harvest Survey Committee to  
46 replace Edgar Hoelscher.

47

48 MS. HOOPER: Second.

49

50 CHAIRMAN ALCORN: All right. We have a

00067

1 motion and second to appoint Jacob Isaac. Discussion.  
2 Fred.

3

4 MR. ARMSTRONG: I know that he's a refuge  
5 information technician and you guys are well aware that  
6 he's a Federal employee?

7

8 MULTIPLE VOICES: Yes.

9

10 MR. ARMSTRONG: Okay. I just want to make  
11 sure that you guys understand that.

12

13 CHAIRMAN ALCORN: Right. That doesn't  
14 prohibit him from being appointed. All right. Any other  
15 discussion?

16

17 (No audible responses)

18

19 CHAIRMAN ALCORN: Do I have anyone that  
20 opposes the motion and second?

21

22 (No audible responses)

23

24 CHAIRMAN ALCORN: Seeing no opposition and  
25 hearing no opposition, the motion carries. Austin.

26

27 MR. AHMASUK: Mr. Chairman, I move that the  
28 Long-Term Goals and Objectives Committee be removed, it's  
29 service is no longer required in consideration of our  
30 informal gatherings at the call of the Chair.

31

32 MS. HEPA: Second.

33

34 CHAIRMAN ALCORN: All right. We have a  
35 motion and second to eliminate the Long-Term Goals and  
36 Objectives Committee. Herman, discussion.

37

38 MR. SQUARTSOFF: Yeah, one of the reasons  
39 we decided that, too, Mr. Chair, was because another topic  
40 that's coming up to discuss to have informal meetings by  
41 Council members. I think we can replace that with this.  
42 Thank you.

43

44 CHAIRMAN ALCORN: Fred.

45

46 MR. ARMSTRONG: I'm trying to refresh my  
47 memory why this Committee was formed, perhaps, you know,  
48 instead of removing maybe look at a different objective of  
49 this Committee, I mean there's so many things that we have  
50 been dealing with, I kind of hate to lose a standing

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1 committee just, you know, like that. Could we just kind of  
2 table this and let us do some research as to pros and cons  
3 of this standing committee? I realize there was some  
4 effort taken into creating it, but I think maybe if you  
5 guys allow us, at least, have staff to kind of look at the  
6 needs of the Council and come up with a recommendation, if  
7 you guys would be so inclined to do so.

8

9 CHAIRMAN ALCORN: Okay. We have a motion  
10 and second to eliminate the Long-Term Goals and Objectives  
11 Committee in lieu of a pending of a pending agenda item to  
12 discuss to more of an informal gathering semi-annually or  
13 annually. And then staff has asked that we table the  
14 motion in order to allow, I'm going to assume, to allow  
15 some research into the original intent, the original  
16 purpose of establishing this Committee?

17

18 MR. ARMSTRONG: Yeah, that's correct. And  
19 look at the current needs of the Council in terms of some  
20 of the issues that we have to address because this is a  
21 standing committee and I would like to have an opportunity  
22 to review the options we have.

23

24 CHAIRMAN ALCORN: Austin.

25

26 MR. AHMASUK: How many times have the Long-  
27 Term Goals and Objectives Committee met?

28

29 CHAIRMAN ALCORN: Fred.

30

31 MR. OSTRAND: This was Ralph Andersen's  
32 concept to -- he felt there was a need to identify the  
33 long-term goals of the Council. And it was a way that he  
34 had done business with other groups that he had been part  
35 of during the developmental stages of.

36

37 CHAIRMAN ALCORN: Okay. Austin, I'm going  
38 to ask you to hold your question or your statement until --  
39 I know Tom Rothe is in the audience and he's a member of  
40 this Committee. Tom, do you have any experience with this  
41 Committee? Can you tell us how you guys have functioned?

42

43 MR. ROTHE: Well, I think the official  
44 answer is we may have met once in association with a  
45 meeting briefly. I think Ralph's original intention was  
46 that we get focused on regulations and specific issues, but  
47 don't have time to deal with where we want to be in five  
48 years' questions. Things like outreach program, some  
49 discussion about law enforcement policies,  
50 information/education stuff that -- I think he felt that

00069

1 where all the original functions of the Co-Management  
2 Council as listed in the protocol.

3

4 Like I say, we met once and didn't really  
5 get down to business, so it was like a strategic planning  
6 committee, but didn't do anything yet.

7

8 CHAIRMAN ALCORN: Austin.

9

10 MR. AHMASUK: As it relates to the motion,  
11 during caucus we did have some suggestions for what this --  
12 how this Committee could be restructured. I'm amenable to  
13 tabling it and possibly removing my motion to remove the  
14 Committee if you'll entertain this thought that we  
15 discussed in caucus, to have the Long-Term Goals and  
16 Objectives Committee stay and its function be comprised of  
17 what I think your -- what the Council is going to get to in  
18 other issue number one, the informal gathering, and that  
19 the AMBCC membership be random whereby an unknown number of  
20 Co-Management Council members, we didn't discuss that, be  
21 randomly drawn to conduct the business of this Committee,  
22 as you noted under other item one there.

23

24 CHAIRMAN ALCORN: Okay. We have an offer  
25 from the maker of the motion to table it, correct? And  
26 pending discussion, any decision we have under the other  
27 agenda item would retract the motion. Does the maker --  
28 who seconded that, Joneal? Oh, Taqulik, you did.

29

30 MS. HEPA: Uh-huh. (Affirmative)

31

32 CHAIRMAN ALCORN: Okay. Are you in  
33 agreement with that, that he will table the motion?

34

35 MS. HEPA: Yes.

36

37 CHAIRMAN ALCORN: Okay. We have the maker  
38 and the second have agreed to table the motion, the motion  
39 was made and seconded, it belongs to the Council, with the  
40 consent of the Council we can table. Do I hear any  
41 opposition to the tabling of the motion?

42

43 (No audible responses)

44

45 CHAIRMAN ALCORN: None. Okay, the motion  
46 is tabled.

47

48 MR. AHMASUK: Mr. Chairman, I move that  
49 there be no changes in the Native membership of the  
50 Standard Operating Procedures Committee, however we did

00070

1 suggest that -- I'll hold for discussion of the motion.

2

3 CHAIRMAN ALCORN: All right. We have a  
4 motion, do we have a second?

5

6 MR. ARMSTRONG: I don't know if you need a  
7 motion.

8

9 MR. MACK: Second.

10

11 CHAIRMAN ALCORN: Yeah, if there's no  
12 changes we don't need a motion. But we have Edgar who is  
13 named on the Committee and he's no longer participating,  
14 representing for AVCP; isn't that right? Okay. I'm going  
15 to turn it over to you, Austin, you seem to know what's  
16 going on.

17

18 MR. AHMASUK: We suggest that Fish and  
19 Wildlife Service select a person to serve on the Committee  
20 in Edgar Hoelscher's place.

21

22 CHAIRMAN ALCORN: Well, the Service will  
23 certainly do that, but I think it's a part of this Council  
24 and a responsibility of this Council to establish its  
25 committees and Standard Operating Procedures Committee is  
26 one that was designed, I'm sure by intent, and that intent  
27 is probably clear in some past record that precedes me.

28

29 Fred, are you aware of what the intent was?

30

31 MR. ARMSTRONG: The intent was to -- I  
32 guess the initial focus was to create a handbook that --  
33 you know, we have revolving chairs with members coming in  
34 and leaving. New members don't have a process other than  
35 to come here and try to get up to speed with out knowing  
36 exactly what process we follow, what procedures are in  
37 place. And the intent of that was to create a handbook  
38 that would give guidance to new members so that they don't  
39 come in cold and, even if they have good intentions,  
40 probably remain quiet because they're not aware of what we  
41 go through here.

42

43 As far as the Service selecting that last  
44 person, I think we need to be reminded that at one meeting,  
45 I think it was at the Aspen Hotel, where the Council agreed  
46 that the committee members would consist of Council members  
47 and that the staff would remain just that, at staff support  
48 to all the committees. But I don't know, that's up to you  
49 guys, too.

50

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1 MR. AHMASUK: Herman and then Austin.

2

3 MR. SQUARTSOFF: Yeah, one of the reasons  
4 we came up with this decision on this is we already have  
5 two Native members and one State member, so that's why we  
6 felt we should have maybe a Federal member. And if the way  
7 Fred's explaining it, then maybe Doug can fill in this  
8 position then. Thank you.

9

10 CHAIRMAN ALCORN: Austin.

11

12 MR. AHMASUK: I guess, yeah, there's no  
13 motion required, but if Fish and Wildlife Service doesn't  
14 want to fill a place for Edgar, I guess that's the  
15 prerogative of the Council. And maybe in that regard, we  
16 did feel that Edgar not being here and his membership is  
17 questionable, that we strike him from the Committee. So I  
18 move that Edgar Hoelscher be moved off the Committee.

19

20 CHAIRMAN ALCORN: All right. I have a  
21 motion, do we have a second

22

23 MR. MACK: Second.

24

25 CHAIRMAN ALCORN: We have a second.

26 Discussion.

27 Already discussed it. Any opposition?

28

29 (No audible responses)

30

31 CHAIRMAN ALCORN: Hearing none, we've  
32 removed Edgar from the list. That leaves a position, I  
33 guess, a fourth position that is still at the discretion of  
34 the Council. And I would leave it to anybody that would  
35 want to fill that position or we can leave it with three.

36

37 I'm going to suggest that we take this up  
38 at a future meeting and let Fred and I talk about the  
39 Standard Operating Procedures Committee, sort of where  
40 they're going and, you know, if we feel like it's important  
41 to have someone from our organization, then we would  
42 recommend at the next Council meeting, would that be all  
43 right with you all?

44

45 Herman.

46

47 MR. SQUARTSOFF: Yeah, Mr. Chair, I don't  
48 know, I feel we should go ahead and fill that because we  
49 need to get going on this Committee and get started on it  
50 here as we mentioned yesterday in the work shop because we

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1 have never moved forward on it yet.

2

3 CHAIRMAN ALCORN: Can you make that a  
4 motion? All right.

5

6 MR. ARMSTRONG: Mr. Chair.

7

8 CHAIRMAN ALCORN: Fred.

9

10 MR. ARMSTRONG: If the Council's not  
11 inclined, I mean, you know, Edgar's name would just drop  
12 off and we still -- you know, my staff and I still serve as  
13 staff support to all the committees and it don't matter  
14 either way.

15

16 CHAIRMAN ALCORN: How about we do this, I  
17 volunteer.

18

19 UNIDENTIFIED VOICE: There you go.

20

21 CHAIRMAN ALCORN: Do I hear any opposition?

22

23 UNIDENTIFIED VOICE: There you go.

24

25 CHAIRMAN ALCORN: All right, put my name on  
26 there.

27 All right. That's it for the committees, right? Before we  
28 leave the agenda item, we did have the Audubon address this  
29 Committee and offer to assist us in some committee work and  
30 since we're talking about committee appointments, it seems  
31 to me that Audubon has some expertise that, I think, could  
32 be very well in tune with the work that we assign to our  
33 Technical Committee. We heard yesterday that we overwork  
34 our Technical Committee and they are feeling like we burden  
35 them with more than they can handle as what we refer to as  
36 miscellaneous duties as assigned. And it seems to me that  
37 people that have the expertise that the Audubon has could  
38 contribute that that work and maybe share some of the load  
39 and I would like to move that we appoint John Schoen or  
40 Stan Senner a member of the Technical Committee  
41 representing the Audubon Society on the Technical Committee  
42 to deal with those issues that we've already assigned them  
43 and future issues. I'll make that a motion.

44

45 MR. MACK: On the Technical Committee?

46

47 CHAIRMAN ALCORN: On the Technical  
48 Committee, based on their being willing to support where  
49 they feel like they can assist.

50



00073

1 MR. ROBUS: I'll second it. I have a  
2 question, though.

3

4 CHAIRMAN ALCORN: Okay. Discussion. Go  
5 ahead and ask your question, Matt.

6

7 MR. ROBUS: And that is while I think  
8 Audubon obviously has a lot of interest and expertise in  
9 relation to bird populations, it's only one non-  
10 governmental organization out of many out there and so I  
11 guess I'm broaching the subject of why one and not others  
12 or how do we choose? And then I guess the other obvious  
13 thing is, without Stan being here, I guess, I'd couch this  
14 more in the -- it's an invitation if we go forward with it  
15 rather than us making an assignment to somebody who's not  
16 working for anybody here on the Council. So I'd just couch  
17 it in terms of an invitation to participate on that  
18 Committee.

19

20 CHAIRMAN ALCORN: I would consider that a  
21 friendly amendment to the motion.

22

23 MR. ARMSTRONG: What's your motion?

24

25 CHAIRMAN ALCORN: The motion was -- I  
26 originally moved to appoint, based on the offer that we  
27 heard earlier today, Stan Senner or John Schoen to the  
28 Technical Committee to participate when they get together.  
29 And Matt, for discussion said, seconded it and recommended  
30 that it be an extension of an invitation and not  
31 appointment because, frankly, we don't have the authority  
32 to appoint them because they don't work for any of us  
33 around this table. So I consider that a friendly amendment  
34 to the motion.

35

36 Any other discussion? Jennifer.

37

38 MS. HOOPER: Mr. Chairman, I guess this  
39 would be a good time to have that handbook. Does the  
40 Technical Committee have voting or setting specific, I  
41 don't know, not policy or anything that, but -- yeah.

42

43 CHAIRMAN ALCORN: No, the Technical  
44 Committee is a group that analyzes technical information or  
45 a technical issue and provides an objective analysis is  
46 what the charge is for that group. And they provide that  
47 objective analysis in the form of a meeting that we have  
48 here and then we, as the management body, make the actual  
49 recommendation to the Service Regulation Committee.

50

00074

1 Tom, speak of the devil.

2

3 MR. ROTHE: That's not very complimentary  
4 from the Chairman.

5

6 (Laughter)

7

8 CHAIRMAN ALCORN: It's getting late.

9

10 MR. ROTHE: Just a suggestion. At the  
11 Flyway level, our technical committees, we're down in the  
12 subcommittees, are pretty informal. And I guess I've  
13 always felt that the Technical Committee for the Co-  
14 Management Council should be less formal and we don't vote  
15 on momentous issues. And I'm for anything that opens this  
16 up, I think it should assumed that any regional member can  
17 have a member participate on the Tech Committee, rather  
18 than selectively. And the same thing with the Audubon or  
19 other groups, I think that the Committee itself can say, I  
20 think Audubon has some expertise and we want them to, you  
21 know, help us out. Just have the Tech Committee itself  
22 appoint people they feel necessary to get the job done. If  
23 the Council feels like giving us that flexibility.

24

25 CHAIRMAN ALCORN: Thanks, Tom. Hans.

26

27 MR. NICHOLSON: In the by-laws, Article IV  
28 says that the Technical Committee shall be formed -- or  
29 shall be appointed by the Chair. It's on Page 6. So I  
30 guess it would be up to you.

31

32 CHAIRMAN ALCORN: Right, I see and I'll  
33 read it. It says the Technical Committee shall be  
34 appointed by the Chair and composed of Council members,  
35 staff from Council member organizations and others with  
36 necessary expertise to carry out the work of the Committee.

37

38 So I could exercise the prerogative of the  
39 Chair, but I'm going to turn this over in one day, so I'm  
40 asking -- that's the reason I made a motion to get  
41 concurrence from all of you around this table. And I'm  
42 responding to the offer that we heard earlier today.

43

44 Fred.

45

46 MR. ARMSTRONG: Yeah, Mr. Chair. You're  
47 right, Hans, that stipulation is in there, but I think, you  
48 know, from Wayne, on remembering how he wanted to make this  
49 a true Co-Management that, you know, the Council would have  
50 a hand in the selection of the committee members. And I

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1 don't how it ended up, but we always ended up with one-  
2 third Native, one-third State and one-third Federal. The  
3 Technical Committee has a lot of charges and I think, you  
4 know, given that Audubon has a vested interest in this  
5 topic and that they've expressed concerns about some of our  
6 process that to make them a part of this, you know, I think  
7 invite their participation, so think we can look outside  
8 the box on this. They have expertise, we certainly would  
9 welcome it.

10

11 CHAIRMAN ALCORN: Herman.

12

13 MR. SQUARTSOFF: Yeah, Mr. Chair. I kind  
14 of have to agree with what Fred just said, too, and then  
15 both you and Matt and Tom over there, I think, I'd rather  
16 have them as an ally and help us out than as an enemy here  
17 on this situation, so I think they could help us a good  
18 bit. And I'd like to see the guy, what was his name, Stan,  
19 that was here?

20

21 Thank you.

22

23 CHAIRMAN ALCORN: All right. Any further  
24 discussion? We have a motion and second to invite, based  
25 on the offer to participate, invited the Alaska Audubon  
26 representative, which would be by name, I guess, Stan  
27 Senner or John Schoen. Seeing no further discussion,  
28 anyone opposed to the motion?

29

30 (No audible responses)

31

32 CHAIRMAN ALCORN: I see no opposition,  
33 we'll extend that invitation.

34

35 All right. This carries us into the next  
36 agenda item. Minutes/historical synopsis of Council  
37 actions. I'll go ahead and offer my insight on this. I  
38 suggested that this be a topic that we discuss because  
39 right now when we get our transcripts back from Nathan, his  
40 company, we'll get quite a few pages of minutes,  
41 transcripts that are a pretty accurate depiction of what we  
42 said. Unfortunately we don't speak in complete sentence  
43 and so sometimes it's hard to understand. And what our  
44 staff do is they go through and they read that through and  
45 they try to window that down and clean it up, so that we  
46 then would have an official record that is adopted at the  
47 succeeding meeting and those become our minutes.

48

49 Unfortunately it takes a lot of time to do  
50 that when we're talking editing more than 50, 60 page per

00076

1 two-day meeting and it's gobbling up a lot of their time  
2 that I think could be spent more effectively doing things  
3 that we all talk about through the course of the meetings  
4 and needing staff to assist. So what I suggested to them  
5 and what I'm suggesting to this group that we forage the  
6 cleaning up of the transcripts, that transcripts would  
7 stand as the official written record of the meeting and  
8 that we ask them instead to develop a synopsis, paragraph  
9 or two, describing the issues and the sense of the  
10 discussion and then any action that follows. And they  
11 could do that in a matter of a couple of three pages versus  
12 10 or 20 or 30 pages. And that that would be what we  
13 would take action on each succeeding meeting. But that  
14 would become the adopted minutes and that if anybody  
15 questions those in the future, we would refer back to the  
16 transcripts themselves, which what we get from the  
17 contractor versus the cleaned up version of the  
18 transcripts. I just see it as a way to make this much more  
19 efficient and less labor intensive for our staff.

20

21 So that's why I asked for it to be on there  
22 and would make that in the form of a motion if I can get a  
23 second.

24

25 MR. ROBUS: Second.

26

27 CHAIRMAN ALCORN: I have a motion and  
28 second, do we have any other discussion?

29

30 (No audible responses)

31

32 CHAIRMAN ALCORN: Okay, hearing no other  
33 discussion, all that oppose signal or say.

34

35 (No audible responses)

36

37 CHAIRMAN ALCORN: I see no opposition, the  
38 motion carries. We will ask the staff now to develop a  
39 synopsis of the minutes for consideration at the succeeding  
40 meetings.

41

42 All right. We are down to other business  
43 items. Item 1, that I offered earlier this morning, is  
44 discussion of a semi-annual meeting. The reason I  
45 suggested this is because we had a meeting of this nature  
46 about three weeks ago now and the purpose of the meeting  
47 was to invite folks in that had a long history with this  
48 Council, that understood sort of the original intent of the  
49 original deliberations and conversations with the folks  
50 that were involved at the very beginning of this 15 years

00077

1 ago, include discussions of those that have been sitting on  
2 this Council from the outset. Ralph Andersen was one.

3

4

5 And actually it was Ralph's -- I think  
6 Ralph and I were talking on the phone and we either came to  
7 this realization that it would be good to get us together  
8 on some occasions in a less formal setting and allow just  
9 informal discussions to talk about sort of where we're  
10 headed. And I think that is consistent with what I heard  
11 earlier spoken of about the Goals and Objectives Committee,  
12 a portion of what their charge was to do, which was to look  
13 out into the future, say, four or five years and say, are  
14 we headed in the right direction and do we think we're  
15 going to get there in the way we're functioning and  
16 addressing the issues the way we have. And are we  
17 addressing the right issues. And I think those are the  
18 kinds of discussions that I had envisioned for that ad hoc  
19 group, for lack of a better way to describe it.

19

20

21 And personally I felt like it went pretty  
22 well. I had invited six regional representatives in, turns  
23 out that three were able to make it. I was there, Matt was  
24 there as part of the Executive Board and Fred was the only  
25 person there that represented any staff, so it was  
26 basically an informal session. It was a one day thing that  
27 we got together and we just talked about how we felt about  
28 the program, how we felt about our progress to date. What  
29 we felt like we needed to do in the future. And there were  
30 no decisions made, there were no official records kept,  
31 it's not functioning as a subcommittee of this group in any  
32 way. My intent was just to get us together and to continue  
33 building trust and developing relationships that I think  
34 are so important to the success of this program.

34

35

36 At the close of that meeting, I asked those  
37 that had participated if they felt like it was a worthwhile  
38 effort and I got supportive response and I offered to  
39 suggest that we formalize this in this meeting with a  
40 decision from this body. And what it would do would be to  
41 bring us together, not on a fixed schedule, but more  
42 frequently than every year, at least every year, at the  
43 call of the Chair and it would be not a large group of  
44 folks and those regional representatives that would be  
45 invited would be based on your decision on who you'd like  
46 to rotate in to attend that meeting and it wouldn't be a  
47 fixed membership. It's not an exclusive club, it just an  
48 opportunity to get together periodically and talk about  
49 what's bugging us, talk about what we liked and just hear  
50 from one another and it would not be a public meeting, it  
51 would not be formal decision-making, it would not be a

00078

1 record -- there would be no records kept.

2

3 That was my suggestion and I would offer  
4 that just as a suggestion, I'm not going to make it a  
5 motion, but I'll open the table up for other discussion.  
6 Matt.

7

8 MR. ROBUS: Mr. Chairman, having been at  
9 the meeting, I think it was pretty productive and a good  
10 idea that should be continued if we can figure a way to do  
11 it. It was very nice to be able to talk about various  
12 issues and know that you could kind of test the waters and  
13 bounce ideas off of each other without being on the record  
14 or having to do it in a formal sense. I mentioned one  
15 concern to you at the lunch break and that is we need to  
16 discuss if we're going to do it, how we do it in the face  
17 of the travel cost restrictions that we presently have.  
18 And then I also just had a procedural question about what  
19 this Council can and cannot do when you get enough people  
20 together have a quorum in one place. My experience in  
21 other regulatory bodies is you have to be careful about  
22 such things, so those are -- I'm generally supportive of  
23 it, I think that those are two wrinkles that need to be  
24 checked out.

25

26 CHAIRMAN ALCORN: Thanks, Matt. Austin.

27

28 MR. AHMASUK: Yeah, I thought it was very  
29 good meeting and the numbers seemed very good, three Co-  
30 Management Council members, one State and one Federal.  
31 That was five people, including Fred that made that six,  
32 but that small of group seemed like a really good number  
33 and discussions flowed well and we seemed to talk to them  
34 quite well and the day actually went pretty fast and we  
35 were able to eventually get some things down. But that  
36 number seemed good.

37

38 CHAIRMAN ALCORN: Fred and then Herman.

39

40 MR. ARMSTRONG: You know Matt brings up a  
41 good point and that's just keep it under the quorum  
42 requirements and that no decisions will be made, but just  
43 informal discussions, I think. And I would recommend  
44 having no action taken on this, other than concurrence by  
45 the Council members, so that we don't be bound by this.

46

47 CHAIRMAN ALCORN: Thank you, Fred. Herman.

48

49 MR. SQUARTSOFF: Yeah, Mr. Chair, I thought  
50 that was pretty good that we had that meeting and I think,

00079

1 you know, if funds allow it, we could do it at least twice  
2 a year, once before this meeting, you know, sometime in our  
3 fall meeting and then in the spring. I think it might  
4 help, you know, work out some issues and things like that.  
5 That's why I figured it would be able take over the other  
6 committee that we wanted to scratch out, it'd be kind of  
7 basically the same goals.

8

9 CHAIRMAN ALCORN: Any other discussion?

10

11 (No audible responses)

12

13 CHAIRMAN ALCORN: All right. What I've  
14 heard is general support from those that attended. I've  
15 heard some cautions expressed on either side of me and I'm  
16 going to suggest that we take no formal action, but that it  
17 is the prerogative of the Chair, pending -- I'm sorry,  
18 Hans, you had your -- I was wrapping it up.

19

20 MR. NICHOLSON: I'm invisible. Just a  
21 question, I guess. Would that meeting fall outside the  
22 parameters of the regular meeting and special meeting  
23 requirements? The 30-day notice, the quorum and so on and,  
24 of course, the two meetings a year requirement of the  
25 Council?

26

27 CHAIRMAN ALCORN: Well, I think the issues  
28 that you raise are some of the issues that we would have to  
29 look into before we -- you know, before we do it formally.  
30 I'm not suggesting that we make it a formal institution of  
31 this group that we meet. I chose to do it at the call of  
32 the Chair and I assumed that I had that kind of authority  
33 to do so. But it doesn't, in my opinion, constitute a  
34 meeting that's required as is required under our by-laws  
35 because, number one, there was no quorum and, number two,  
36 there were no actions taken and no decision made and no  
37 recommendations that came out of it.

38

39 Stanley.

40

41 MR. MACK: That falls under committee and  
42 committee is different than a regular council. If this is  
43 a committee meeting then it's at the call of the Chair.

44

45 CHAIRMAN ALCORN: Thanks, Stanley, for that  
46 clarification. All right. No action is required, so I'm  
47 going to suggest that we move on, but to wrap that up, I  
48 sense general support, but I also sense some cautions being  
49 expressed and that we need to make sure that we're not  
50 violating any of the Sunshine Act or the Opened Committee

00080

1 Act or Federal Advisory Committee Act requirements. So  
2 we'll do our homework.

3

4 All right. The next item is the item that  
5 I offered to discuss and that is the administrative  
6 requirement that we have under the procedural regulations.  
7 For those of you that have your reference material in front  
8 of you, the green -- it's the second little plastic green  
9 tab in the black binder, not the big green tab, but the  
10 second little sticky there, it's up in the right-hand  
11 corner, that'll take you right to the procedural  
12 regulations.

13

14 I would like to just read from a particular  
15 section, it's on Page 53, 518. I'll give you a moment to  
16 get there. It's under the section 92.5, Who is Eligible to  
17 Participate. If you go to the very end of that section,  
18 item D. This is after it's going through the process of  
19 describing included and excluded areas and allowances made  
20 for including new areas and describes the five criteria.  
21 Item D now reads as follows: Participation by residents in  
22 excluded areas. In cases where it is appropriate to assist  
23 indigenous inhabitants in meeting their nutritional and  
24 other essential needs or for the teaching of cultural  
25 knowledge to or by their immediate family members,  
26 residents of excluded areas may participate in the  
27 customary spring and summer subsistence harvest in the  
28 village's subsistence harvest area with the permission of  
29 the village council. Eligibility for participation will be  
30 developed and recommended by the Co-Management Council and  
31 adopted or amended by regulations published in Subpart D of  
32 this part.

33

34 I bring that to our attention because I'm  
35 not sure that we've done that. I think that that's still  
36 an action that we are going to need to take and address in  
37 the future.

38

39 Hans.

40

41 MR. NICHOLSON: I talked to Ralph this  
42 morning on that and asked him what he remembered on that  
43 discussion. And his answer was that we would treat them  
44 the same as residents from excluded areas, that was for  
45 educational purposes.

46

47 CHAIRMAN ALCORN: Herman.

48

49 MR. SQUARTSOFF: Yeah, Mr. Chair, that's  
50 the way -- I was mentioning in workshop yesterday



00081

1 remembering what we did on the Council in the past, so I  
2 guess Ralph kind of follows up and remembers the same  
3 thing. So if you want to research into your minutes or  
4 whatever, look and see where we did that, I thought we did  
5 it.

6

7 CHAIRMAN ALCORN: Okay. That's unbeknownst  
8 to me that we took action on that. Say again how we  
9 intended to manage that. It seems to me it's a management  
10 issue that the requirement is on the village council to  
11 provide permission.

12

13 MR. NICHOLSON: Do you want me to restate  
14 it?

15

16 CHAIRMAN ALCORN: If you would.

17

18 MR. NICHOLSON: His answer was that we  
19 would treat residents from out eligible areas that come  
20 into hunt in another eligible area the same way we would  
21 treat residents from non-eligible areas and that would be  
22 by invitation only from the village council. And I think  
23 somewhere along those lines, and for educational purposes.  
24 I haven't seen the meeting minutes, so this is just what he  
25 told me.

26

27 CHAIRMAN ALCORN: Okay. It's becoming  
28 slightly clearer to me. Herman, then Matt, then Fred.

29

30 MR. SQUARTSOFF: And I think, Mr. Chair,  
31 that we might have done this even before you came on board,  
32 I'm not positive.

33

34 CHAIRMAN ALCORN: Matt.

35

36 MR. ROBUS: I may be having my late  
37 afternoon problem here, but I'm thinking that maybe the  
38 question that Hans is answering is different than the one  
39 that was originally posed in that I think we were talking  
40 invitation-wise about people from excluded areas who could  
41 be invited back to one of the included areas to hunt, so  
42 saying that we would treat them like they were from an  
43 excluded area doesn't really answer the question. I think  
44 -- I thought what the question was is how is the Council  
45 going to set up some sort of an eligibility standard that  
46 say that a person either may or may not come back into an  
47 included area and hunt as an invitee from a village. And  
48 you can certainly correct me if I'm wrong.

49

50 CHAIRMAN ALCORN: Yes.

00082

1 MR. ROBUS: Yes, I'm wrong?

2

3 CHAIRMAN ALCORN: No, you're right, you're  
4 right. I'm sitting here trying to thing through -- when I  
5 read this section again, and I was trying to think whether  
6 or not Hans' statement and Ralph's statement satisfied what  
7 I see as the need here. And I'm not sure that it does, but  
8 it could. I'd have to go back and look at the minutes and  
9 how we dealt with that. But let me read it again and then  
10 I'm going to let Fred say something, but let me read this  
11 again.

12

13 It says: Eligibility for participation  
14 will be developed and recommended by the Co-Management  
15 Council and adopted or amended by regulations published in  
16 Subpart D of this part. So eligibility is maybe covered  
17 there, I'd have to give that some thought.

18

19 Fred, do you.....

20

21 MR. ARMSTRONG: Thank you, Mr. Chair.  
22 Well, the answer lies in the protocol and the letter of  
23 submittal under domestic implementation on Page ix at the  
24 bottom. I think two paragraphs on this issue here. And I  
25 think that our regulations are in conflict with the  
26 protocol and its intent, because the regulation is speaking  
27 to the Council developing this criteria when, in fact, the  
28 domestic implementation indicates that village council to  
29 the maximum extent possible will have a part to say in  
30 management of this harvest season.

31

32 But if you look at the bottom last  
33 paragraph it says, in recognition of their need to assist  
34 their immediate families in meeting their nutritional and  
35 other essential needs or for the teaching of cultural  
36 knowledge to or by their relatives. Natives residing in  
37 excluded areas in Alaska may be invited to participate in  
38 the customary spring and summer migratory bird harvest  
39 within the designated subsistence harvest areas around the  
40 villages in which their immediate families have membership.  
41 Such participation would require permission of the village  
42 council and an appropriate permit issued through the  
43 management body implementing the protocol. Immediate  
44 family includes children, parents or grandparents and  
45 siblings.

46

47 And I think we amended that to include  
48 grandchildren.

49

50 UNIDENTIFIED VOICE: Right.

00083

1 MR. ARMSTRONG: And then in the paragraph,  
2 I won't read the entire part, but it says village councils  
3 shall be involved to the maximum extent possible in all  
4 aspects of management. Relevant recommendations will be  
5 submitted to the U.S. Fish and Wildlife Service Department  
6 of the Interior and to the Flyway Councils.

7  
8 So I think we're kind of putting cart  
9 before the horse in trying to develop criteria when, in  
10 fact, it's supposed to happen at the local level. As long  
11 as they follow the guidelines as far as the siblings and  
12 people who can be invited.

13  
14 CHAIRMAN ALCORN: Okay. Herman and then  
15 Austin.

16  
17 MR. SQUARTSOFF: No.

18  
19 CHAIRMAN ALCORN: Oh, I thought you had  
20 your hand -- okay, I'm sorry. Austin

21  
22 MR. AHMASUK: Okay. Thank you, Mr.  
23 Chairman. I'll suggest that -- well, what Mr. Armstrong  
24 just read is really no different than how this Co-  
25 Management Council operates anyway. That they're not  
26 necessarily in conflict, although 92.5(d) doesn't mention  
27 village councils, we don't exclude those councils in the  
28 process making recommendations. And I'll suggest that we  
29 wouldn't exclude them in this particular decision either,  
30 as far as invitation goes.

31  
32 But it seems that when this part was  
33 written that there's a large and exhaustive some kind  
34 administrative bureaucratic process that was going to be  
35 put in place that can't be put in place now and that we  
36 could certainly defer to village councils and make some  
37 kind of action right now to defer that to village councils.

38  
39  
40 CHAIRMAN ALCORN: Okay. Matt and Bill.

41  
42 MR. ROBUS: Yeah, I got a question  
43 regarding the last paragraph on Page ix, which is part of  
44 what Fred read, I guess. And that is it refers to a permit  
45 issued through the management body implementing the  
46 protocol. And then in the next paragraph it goes on to  
47 talk about management bodies will be created, which are the  
48 regional management bodies, so my question to anybody and  
49 everybody is in that last paragraph on ix are they talking  
50 about permits issued by your regional management bodies as

00084

1 opposed to this Council, so it would be regional management  
2 body in addition to the affected village council, which  
3 seems to take it part of the way out of the Council's  
4 hands, except in a real umbrella sense.

5

6 CHAIRMAN ALCORN: Thanks, Matt. Bill, did  
7 you have a comment?

8

9 MR. OSTRAND: Yes, I did. I'm sorry I  
10 wasn't at this part of the discussion yesterday, but  
11 there's a doc -- this discussion took place early on in the  
12 first meetings of the Council and the Council requested an  
13 opinion from the Solicitor and the Solicitor's opinion is  
14 given in the black book, it's this document here. And  
15 maybe this will help the Council a bit.

16

17 MR. ROBUS: Can you tell us where it is?

18

19 UNIDENTIFIED VOICE: The very last -- very  
20 back of your book, the last one.

21

22 MR. OSTRAND: Yeah. So the Council asked  
23 the Solicitor, may village councils in the areas included  
24 in the spring and summer subsistence bird hunt waive the  
25 permission and permit requirements of the protocol for  
26 immediate families who do not presently reside in the area.  
27 And I think what Lori Adams says is, no. And she tries to  
28 offer some creative ways of issuing permits. So I just  
29 wanted to draw the Council's attention to this document, it  
30 seemed like you were missing that.

31

32 CHAIRMAN ALCORN: Okay. I recall that we  
33 did have this discussion and I do recall that we said that  
34 we would address it at a later date on how to actually  
35 administer that permit granting permission process. And  
36 what Hans and Ralph are suggesting that it be handled  
37 simply as anyone that is invited from an excluded area  
38 would be treated as someone invited from another included  
39 area. Is that what you're suggesting?

40

41 MR. NICHOLSON: Yes, basically, the  
42 residents from outside the community would be treated the  
43 same, whether or not they would be excluded areas or  
44 included areas.

45

46 CHAIRMAN ALCORN: I'm going to suggest  
47 this. I'm really puzzled by this and I'm not sure that I'm  
48 clear. And I'm not going to suggest that we make a  
49 decision here.

50

00085

1 Fred, go ahead.

2

3 MR. ARMSTRONG: Ralph and Hans are, you  
4 know, pretty much right on as far as the guidance is  
5 concerned. As long as it's limited to immediate family.  
6 And the protocol has outlined it as children, parents,  
7 grandchildren, grandparent, siblings. So as long as they  
8 meet that criteria, whether they're in an excluded area,  
9 it's allowable, so they're right.

10

11 CHAIRMAN ALCORN: Well, I think I  
12 understand that.

13

14 MR. ARMSTRONG: But then you look at Lori  
15 Adams' opinion and on Page 3, Bill's right, she did try to  
16 be creative and provide some options and, you know, the  
17 villages could come up with a way, as long as it's as the  
18 Co-Management Council gives its blessing to them, so to  
19 speak. But there's different systems that she's  
20 recommended, they need a general permit or what was the  
21 other one? She does say that as long it's limited to only  
22 immediate family members.

23

24 CHAIRMAN ALCORN: Okay. Matt, go ahead.

25

26 MR. ROBUS: Well, it's clear to me that  
27 besides me being confused that somewhere in this the Co-  
28 Management Council is going to have to take some action and  
29 it's clear to me that we're not ready to take that action  
30 now or even discuss this all that intelligently or at least  
31 with all the facts in our minds. I guess one route I could  
32 suggest is just for us to remind ourselves that proposals  
33 for this could be submitted if we want at the meeting in  
34 the springtime or one of the committees we already have or  
35 a new one could try to pull all this together and get it  
36 sorted out. But I don't see this discussion going too much  
37 further today.

38

39 CHAIRMAN ALCORN: Amen. Yeah, the reason I  
40 pointed it out was not asking for resolution at this  
41 meeting, it was to point out that it seems to me that maybe  
42 we need to take action, and maybe we don't. But maybe what  
43 we need to do is go back and research the discussion and  
44 compare that with the Solicitor's opinion that we did get  
45 and maybe it's resolved.

46

47 Herman.

48

49 MR. SQUARTSOFF: Yeah, I would like to  
50 suggest that we don't take any action on something I think

00086

1 we already done, took action on. And as Bill was saying,  
2 this is something that we done early on in the program when  
3 we first started the Council, that's what I'm remembering.  
4 Like I'd mentioned that you, you know, weren't on board  
5 then when we did this. And I'm pretty sure that's where  
6 Ralph's coming from, Hans wasn't a member, so that's why  
7 I'm thinking we already have something done. Somebody  
8 needs to research the minutes and all that.

9

10 MR. ARMSTRONG: Mr. Chair.

11

12 CHAIRMAN ALCORN: Go ahead, Fred.

13

14 MR. ARMSTRONG: You only solved half the  
15 problem, you still need a process in place by the villages  
16 to allow people to be invited in, that process still has  
17 not been clarified. We've only resolved the issue of who  
18 is eligible to be invited, and that's clearly spelled out  
19 in the letter of submittal in the protocol and also Lori  
20 Adams has confirmed that. We still need a process for  
21 inviting, whether it be just a general permit based on the  
22 family member or something, but that process has not been  
23 spelled out yet.

24

25 CHAIRMAN ALCORN: Herman and then Stanley.

26

27 MR. SQUARTSOFF: Fred, I know what you're  
28 saying and I understand what you're trying to say there,  
29 but, you know, what I was saying what we did is we got that  
30 point a while back, quite a while back we did that, now I  
31 follow where you're saying there's permit or something to  
32 allow that person to come in. Is that what you're trying  
33 to say that we to do now?

34

35 CHAIRMAN ALCORN: Stanley.

36

37 MR. MACK: On Tab 6 of the protocol  
38 guideline checklist and determine, what is that?

39

40 CHAIRMAN ALCORN: Say again.

41

42 MR. MACK: It's how to submit a petition  
43 for an inclusion and exclusion. We have this in our  
44 handbook and I was just wondering if that isn't something  
45 that we have to adopt or has that been adopted? That  
46 pretty much correlates what's happening with the Act and  
47 letter of transmittal here. In your handbook in Tab 6. Is  
48 that what this is referring to, it says the name of a  
49 person and/or organization as submit in the petition,  
50 contact person address and.....

00087

1                   CHAIRMAN ALCORN: Right, that's one of the  
2 next things that we talk about, I believe

3

4                   MR. MACK: Oh, that's coming up.

5

6                   CHAIRMAN ALCORN: Right, our procedures.

7

8                   MR. MACK: Starting to put something just  
9 on individuals.

10

11                   CHAIRMAN ALCORN: Right.

12

13                   MR. MACK: I think we have to kind of  
14 follow what's the Act and the letter of transmittal has to  
15 say if necessary, then we can just draft an application  
16 form that spells this out.

17

18                   CHAIRMAN ALCORN: All right. Do we have  
19 any other thoughts or comments?

20

21                   (No audible responses)

22

23                   CHAIRMAN ALCORN: Any recommendations? Tom  
24 Rothe

25

26                   MR. ROTHE: I kind of remember the painful  
27 session that we had thrashing around with this last time.  
28 And it I think what I was struck with was difficulty being  
29 caught between the rock and the hard place, whereas some of  
30 the Council members expressed the sentiment that if we had  
31 a formal process it would be kind of insulting to have  
32 somebody ask permission of their own village to come back  
33 and hunt. And so that would argue for some general rubber  
34 stamp, perhaps a blanket permit approach. And other people  
35 expressed the concern about sort of protecting the village  
36 from outside folks popping in when they weren't  
37 particularly welcomed. And that would argue for listing  
38 individuals, you know, names as qualifications.

39

40                   And I think from a resource agency  
41 standpoint it probably doesn't make heck of a lot of  
42 difference to us, as long as we have some -- you know, it's  
43 really a local thing that the regions need to go back and  
44 ask the villages how do you want to do this? Try to come  
45 up with something simple.

46

47                   CHAIRMAN ALCORN: Bill Ostrand and then  
48 Fred. Fred, go ahead, Bill is coming to the table, go  
49 ahead.

50

00088

1 MR. ARMSTRONG: Okay. The history of the  
2 negotiations, you know, was such that this was a  
3 negotiating item by Jonathon Soloman from the Interior and  
4 he wanted to make sure that people that live in urban areas  
5 would have an opportunity to go back and hunt and so he was  
6 very adamant about that and that's why it came about and  
7 that's why the language was negotiated as such that there  
8 would be a process in place and villages would have a say  
9 in this.

10

11 CHAIRMAN ALCORN: Bill.

12

13 MR. OSTRAND: My recollection from these  
14 earlier discussions is that the Council decided this was a  
15 regional issue and to look to the regions and the villages  
16 for solutions. I can research the dialogue in the old  
17 transcripts and see if it really is the case, but I think  
18 that's what the Council decided, that how to deal with this  
19 permit issue was a regional or a village issue to resolve.

20

21 CHAIRMAN ALCORN: Okay, thanks, Bill, that  
22 helps.

23 Hans, did you have something to say?

24

25 MR. NICHOLSON: (Shakes head negatively)

26

27 CHAIRMAN ALCORN: Okay. Klaudia. Ask  
28 Klaudia to come to the table and make sure you identify  
29 yourself.

30

31 MS. KLAUDI: Klaudia Klaudi, Aleutian  
32 Pribilof Islands Association. Just to help, I was present  
33 during those discussions and it was way back, as Herman  
34 said, and I remember that it was decided by the Council  
35 that the responsibility would rest with the tribal  
36 council as far as if permits were needed for the people  
37 from excluded areas to come home and hunt. And it would be  
38 with the permission of the tribal council and it would be  
39 up to the tribal council's discretion who could come home  
40 and hunt and who couldn't. I remember that.

41

42 CHAIRMAN ALCORN: Thank you. Go ahead,  
43 Fred and then Hans.

44

45 MR. ARMSTRONG: Klaudia is right in one  
46 respect and that's where the Council decided to get an  
47 opinion from the Solicitor. And she came back with saying  
48 that, sure, tribal membership could be a criteria, but not  
49 the only criteria. But the Treaty spells out who can be  
50 invited, that's the problem. It's very specific saying



00089

1 that immediate family members, so that generally will end  
2 up being tribal members anyway, but we have to look at term  
3 indigenous inhabitants again and the non-Natives certainly  
4 have that option of inviting their family members, too, so  
5 it's a complicated issues getting and worse and worse as we  
6 open up these issues.

7

8 CHAIRMAN ALCORN: All right. Let me  
9 suggest this. I'm going to suggest that Bill Ostrand, who  
10 has graciously volunteered to research the decision of the  
11 Council, that he develop a very brief cut and past  
12 description, I guess, cut and pasting out of some of the  
13 other documents that he might be able to find, a  
14 description on how we've handled this in the past and bring  
15 it to us for consideration at the next Council meeting,  
16 become an agenda item. We have a report, we look at how we  
17 decided in the past and maybe it's moot, maybe we've  
18 already decided and maybe we've satisfied that need. But  
19 it's been brought to my attention and it seemed as though  
20 we had not developed a process. And if that, in fact, is  
21 the case then we would need to consider how to establish  
22 that process, so I'm going to suggest that we do that and  
23 we not continue the discussion today, that we task staff  
24 with reviewing how we decided on that in the past.

25

26 Do I hear any other comments or opposition  
27 to that suggestion?

28

29 (No audible responses)

30

31 CHAIRMAN ALCORN: All right, thanks.

32

33 Okay. That carries us now to the third  
34 item that we put under other items and that is to discuss  
35 Jennifer's suggestion. Jennifer, do you want to  
36 reintroduce that?

37

38 MS. HOOPER: Yes, thank you, Mr. Chairman.  
39 Basically the issue of the definition of indigenous  
40 inhabitants that we are dealing with in comparison to the  
41 language in the Japan Treaty that states Indians and  
42 Eskimos. And as Fred just alluded to, one of the problems  
43 with the definition we have to deal with now includes non-  
44 Natives in rural eligible areas. And, basically, this is  
45 all stemming from AVCP's concerns on bag limits and things  
46 like that, where possible situations could arise where  
47 harvest limitations be put on Natives with customary and  
48 traditional use because there is whole 'nother group of  
49 people who are also hunting and are allowed to hunt and  
50 which, in turn, you know, hurt the people who truly should

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1 be the only eligible group.

2

3

4 And basically wanting to know which one has  
5 the top ranking or top, you know, final word. We, I guess,  
6 are under impression that the more restrictive language in  
7 the Japan Treaty should have -- should be the word and not  
8 the language that former Senator Murkowski slipped in  
9 before protocol was signed. So I was just wanting to bring  
10 that issue open for discussion and to find out if there has  
11 been any Solicitor's opinions or anything that has  
12 developed from this issue?

12

13

14 CHAIRMAN ALCORN: All right. That's the  
15 issue, we're not under formal procedures so we can discuss  
16 it without a motion on the table.

16

17

18 Fred, your hand was raised.

18

19

20 MR. ARMSTRONG: Yes, thank you, Mr.  
21 Chairman. I'm trying to remember back to the discussion on  
22 this and I know that Myron did bring that up about defining  
23 or redefining the term indigenous inhabitants to which the  
24 intent as it initially was. And he suggested that perhaps  
25 asking the Solicitor their opinion of a definition of that.  
26 And I thought about the pros and cons of asking the  
27 Solicitor that opinion and I, quite frankly, didn't take no  
28 action because there was no motion by the Council, but I  
29 thought about -- you know, we have to be careful what we  
30 ask our Solicitor. I think we learned our lesson when we  
31 asked the opinion about duck stamps and the requirements of  
32 duck stamps and we got the answer that we all didn't like.

32

33

34 So, you know, I would use that guidance in  
35 whatever we're going to ask, because when you look at the  
36 Treaty, the letter of submittal, and it clearly defines, in  
37 law, what the term indigenous means and if we ask the  
38 Solicitor, it might end up being something that we would  
39 have second thoughts about, but there are other ways of  
40 addressing this and, of course, you know, my charge is to  
41 try to get this program implemented according to the law  
42 and the guidance that's provided us. Until that changes  
43 there's not too much we can do, well, actually nothing we  
44 can do but follow the letter of the law. So I would just  
45 offer that as a cautionary. I think we need to carefully  
46 craft any question that we pose so that, you know, we get  
47 at least some guidance that -- rather than something black  
48 and white. That's just what I would suggest anyway.

48

49

50 CHAIRMAN ALCORN: Thanks, Fred. Austin.

50

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1 MR. AHMASUK: Yeah, thank you, Mr. Chair.  
2 I think that if we ask the Solicitor for their opinion on  
3 what indigenous inhabitant means, we're going to get the  
4 answer that we all know full well that it's going to mean  
5 rural residents of areas. However, because the powers that  
6 be can define terms however they want to and,  
7 unfortunately, it was defined the way it is now. But I do  
8 think that maybe a fair question can be raised to a  
9 Solicitor regarding most restrictive treaty language, we  
10 abided by the Mexican Treaty hunting season day length  
11 restriction as that one being the most restrictive. It's  
12 been pointed out that there are other treaties that  
13 restrict this hunt even further, so perhaps that's an  
14 appropriate question to ask the Solicitor as far as to the  
15 force and effect of other restrictive treaties, the Japan  
16 Treaty being one.

17

18 CHAIRMAN ALCORN: Okay. Fred.

19

20 MR. ARMSTRONG: I don't know, I did -- I  
21 remember that discussion that the Council had as far the  
22 most restrictive language and I followed up with my  
23 discussion with Lori on that and she says, sure, the most  
24 restrictive criteria provisions apply, however, if it's  
25 stated in the protocol otherwise, then that's the one that  
26 trumps those treaty. But if you guys want, we can get her  
27 to write that up, too. But she did say that if there's  
28 language in the amendments that says otherwise, then that's  
29 the one that would trump the most restrictive provision.  
30 Because we posed that with the Indians and Aleuts section  
31 in the Japanese Treaty.

32

33 CHAIRMAN ALCORN: Thanks, Fred. Austin and  
34 then Bob Trost.

35

36 MR. AHMASUK: I think that we need to have  
37 that opinion in writing. It sounds to me like it was a  
38 horrible communication between staff and the Solicitor. I  
39 definitely think that that should be conveyed to the  
40 Council in written form, specifically asking for that.

41

42 CHAIRMAN ALCORN: Hold that thought. Let's  
43 ask Bob Trost to come speak to us and then if you want to  
44 make that motion.

45

46 MR. AHMASUK: Okay.

47

48 MR. TROST: Just very briefly. I've had  
49 some recent experience in the legal arena with treaty  
50 interpretation as well. And it turns out it's not so much

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1 the most restrictive language, but there's another part of  
2 the treaty that comes into play and that's the controlling  
3 treaty. And in this case that, I think, would be  
4 determined to be the one with Canada has some prerogatory  
5 rights. And so when you ask this question you want to be  
6 sure to ask about that part of it as well, because that  
7 influences which treaty actually does have the precedent  
8 setting capabilities. And I happen to know this is because  
9 one of the things we did recently would probably not had  
10 permitted under the Russian Treaty, but it was judged that  
11 the Russian Treaty was not applicable to this situation,  
12 the controlling treaty was the Canadian Treaty.

13

14 CHAIRMAN ALCORN: All right. Thanks, Bob.  
15 Tom Rothe.

16

17 MR. ROTHE: Yeah, I guess I wanted to  
18 provide some things I've learned about the history of this  
19 stuff for some time. The Japanese Treaty is 1972.  
20 Deliberately when the Russian Treaty was negotiated in 1976  
21 the language was specifically changed to indigenous to be  
22 more inclusive and to eliminate the references to cultural  
23 groups. At that time the Fish and Wildlife Service, the  
24 State Department, took that approach so that they would  
25 have flexibility in the future. So then the treaties after  
26 the Russian Treaty were all trying to line up on that  
27 language. Now we have Russia, Canada and Mexico in sync  
28 and the Japanese haven't shown any interest in  
29 renegotiating.

30

31 So given that history of the treaty  
32 development, as far as the language goes, in 1979 when the  
33 Service first started the process for amending the  
34 direction was to be more inclusive for rural residents. In  
35 the early 1990s when we started the second drive for the  
36 treaty amendment, it was all in terms of the indigenous  
37 residents, including Natives and non-Natives in rural areas  
38 that use those birds. So I guess I'm really concerned now  
39 with AVCP's attorney's legal theory that we could go back  
40 to a Native only hunt as a reversal of about 15 years worth  
41 of history and policy direction, which the a big, serious,  
42 deal that a lot of people are aware of. We brought this  
43 all the way though the international association, had  
44 meetings all over the country and those were the kind of  
45 terms of reference on which we succeeded. So I guess I'd  
46 second the idea of being careful what you ask for from the  
47 Solicitor.

48

49 CHAIRMAN ALCORN: All right. Austin and  
50 then Matt.

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1 MR. AHMASUK: I brought this to the  
2 attention when we had our meeting here a couple of weeks  
3 ago. The term indigenous inhabitant, as it's defined in  
4 the protocol is actually a very hurtful definition because  
5 it goes against the common use, knowledge, of the term  
6 indigenous inhabitant that has wide ranging impacts and  
7 affect and importance in other laws, not the Migratory Bird  
8 Treaty Act. The indigenous inhabitants of Alaska, there  
9 rights were stripped away, ours were stripped away, we  
10 didn't ask for it. There are no other class of people that  
11 went through that process. And in consideration of the  
12 meaning of that word, I really have problems with the way  
13 it's defined as it is in the protocol. It doesn't mean  
14 that I'm against non-Native hunting in rural areas, there  
15 are some, certainly, that have long established customary  
16 and traditional uses of birds that are non-Native. There  
17 are not very many of those people and we go to bat for  
18 those people just as much as we do for our own people but,  
19 like I say, there are not very many of those kinds of  
20 person in our communities. But this term has such meaning  
21 for the class of people that it commonly refers to and in  
22 that regard many people have a lot of problems with that  
23 and therein lies the problem. Not necessarily that there  
24 can be more people, more inclusive, in eligible areas that  
25 can hunt, but just the force and affect of defining it in  
26 such a manner, the way it is is very hurtful. And it  
27 should actually be aligned in how it is used in other laws  
28 in our lives.

29

30 CHAIRMAN ALCORN: Thanks, Austin. Any  
31 other comment, questions?

32

33 (No audible responses)

34

35 CHAIRMAN ALCORN: There's no motion on the  
36 table, for lack of a motion the discussion will die if  
37 there's nothing else to be said.

38

39 Okay. Did we do item D? I'm thinking we  
40 passed that one up, we skipped that one up, didn't we?

41

42 MR. ARMSTRONG: Yeah.

43

44 CHAIRMAN ALCORN: Okay, that's my fault.  
45 Item D we had placed at the bottom of the agenda, we're  
46 going back to the '05 regulatory guidelines. Fred, do you  
47 want to introduce that?

48

49 MR. ARMSTRONG: Thank you, Mr. Chair.  
50 Every year at the fall meeting the focus is to identify

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1 guidelines that the public can respond to in terms of the  
2 regulations we have. Now, that we formally have  
3 regulations the public can react to them and the Council is  
4 tasked with identifying what issues that should be  
5 addressed during this regulatory cycle.

6

7                   Last year we built on the existing  
8 regulations which covered the seasons, the closed seasons,  
9 method and means, and a list of birds opened for harvest,  
10 as well as closed to harvest. And I would recommend that  
11 we still work on those, but I think there was some other  
12 issues identified that the Council should at least consider  
13 but, you know, the recommendation from staff is too  
14 continue to build on the existing regulations, we have  
15 tweaked them and the regions probably have to look at there  
16 seasons and tweak them further and this is an opportunity  
17 to do that.

18

19                   CHAIRMAN ALCORN: Austin.

20

21                   MR. AHMASUK: Thank you, Mr. Chair. Do the  
22 guidelines include the education permit things that have  
23 been circulated? Is that part of the package of the  
24 regulatory guidelines, those things that we were asked to  
25 make comment on, the educational permit, scientific use?

26

27                   MR. ARMSTRONG: Is Donna here? We inserted  
28 that as a request from our permitting department, there's a  
29 contractor that once wanted to work with the tribal  
30 government and was it St. Paul or St. George? One of the  
31 tribal governments over there to help them collect non-  
32 edible parts of bird for contaminant studies. And in  
33 researching our regulations we found that we don't have a  
34 mechanism to allow that, so not to impede any progress with  
35 the work the tribes are going to be involved in. That's  
36 why we circulated that amongst the Council members to see  
37 if we could insert that as part of the '04 regulations.  
38 And we got concurrence from practically every region on  
39 that. And so that's going to go forth to be published as a  
40 Proposed Rule.

41

42                   CHAIRMAN ALCORN: Austin.

43

44                   MR. AHMASUK: Yeah. During yesterday's  
45 work session we had talked about prohibiting commercial  
46 taxidermy for the purposes of having lifelike  
47 representations of birds that are eligible during the  
48 spring and summer season and I think that that's worthy  
49 prohibition that should be written into the guidelines,  
50 regulatory guidelines prohibiting commercial taxidermy.

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1 Whereas people utilize non-edible parts for cultural  
2 purposes, I believe just saying there shouldn't be  
3 commercial taxidermy for lifelike representations is  
4 adequate prohibition.

5

6 CHAIRMAN ALCORN: All right. Thanks,  
7 Austin. Is there any other comment? Herman.

8

9 MR. SQUARTSOFF: Yeah, just a little bit on  
10 Austin's here. That's a good point that Austin -- that has  
11 not been a common, traditional, practice for our customary  
12 use of the birds. So, you know, that definitely has to be  
13 in there. I don't want to use the word subsistence too  
14 much anymore, I think that's kind of not, to me, shouldn't  
15 be in there either, I think it should all fall under  
16 customary and traditional use of what you've done, you  
17 know. Thank you.

18

19 CHAIRMAN ALCORN: Thanks, Herman. I have --  
20 I see no other hand here. Steve has raised his hand and  
21 Joneal. Joneal, why don't you speak while Steve comes to  
22 the mike?

23

24 MR. HICKS: I have to agree with Herman and  
25 Austin. Stuffing birds for recreation or whatever you  
26 might call it, sports purposes, that isn't subsistence use,  
27 come on, give me a break.

28

29 CHAIRMAN ALCORN: Thank you. Steve.

30

31 MR. OBERHOLSTER: Steve Oberholster with  
32 the U.S. Fish and Wildlife Service. Thanks for the  
33 opportunity. We would agree also. The only, I guess,  
34 addition I would make to it, the end result, from law  
35 enforcement's point of view, is we would not like to see  
36 another avenue for the illegal market of bird skins that  
37 isn't currently out there or authorized, especially non-  
38 game species. To that end it would work better for law  
39 enforcement if the prohibition covered all taxidermy mounts  
40 of lifelike representations as opposed to just commercially  
41 done taxidermy mounts. That would be my comment.

42

43 CHAIRMAN ALCORN: So all lifelike mounts,  
44 regardless of whether they are commercially prepared or  
45 prepared by the harvester?

46

47 MR. OBERHOLSTER: Correct, so would have to  
48 prove who actually did the mount, okay?

49

50 CHAIRMAN ALCORN: Right, understand.

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1 Austin, you have a comment?

2

3

MR. AHMASUK: You clarified the taxidermy  
4 part. As I mentioned yesterday, folks, including myself,  
5 we hard tan the skins. We don't put them in lifelike  
6 mounts though, so just to clarify. Yeah, I would agree  
7 with that, that taxidermy and lifelike representations,  
8 mounts, yeah.

9

CHAIRMAN ALCORN: Okay. Are there any  
10 other comments?

11

12

13

(No audible responses)

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1                   CHAIRMAN ALCORN: All right. Thanks.  
2 Austin.

3  
4                   MR. AHMASUK: I agreed with law enforcement  
5 that there's -- I'm not aware, I've never actually seen it  
6 in my area, but I recognize that there may be a black  
7 market use of, you know, bird mounts that are prepared in a  
8 non-commercial manner, someone may have the expertise to do  
9 that. I would go on further to say that, at least in my  
10 area anyway, preparing bird skins for mounts in a lifelike  
11 manner is not traditional use. The only use of bird skins  
12 is for like hard tan and there's no special equipment or  
13 chemicals required in that preparation, it's really simple.  
14 Skin them out, take off the fat and dry them and that's  
15 about it. Whereas with mounts, I'm quite certain that  
16 there are a number of professional products required to  
17 ensure that the feathers don't slip, you know, body parts  
18 you put the skin around and such. Those things I'm not  
19 aware being subsistence user in my area acquiring those or  
20 seeing that that's a traditional use. And I would say that  
21 lifelike mounts that are prepared in a manner by  
22 taxidermist, even when they're commercial or non, is not a  
23 traditional use and should be prohibited.

24  
25                   MR. HICKS: Mr. Chairman,

26  
27                   CHAIRMAN ALCORN: I already called Herman,  
28 then I'll call Joneal.

29  
30                   MR. SQUARTSOFF: When Tom came up and he  
31 mentioned about restricting anyone, you know, if, he said  
32 if they're a subsistence user, you know, and that's why I  
33 don't like to use that word subsistence as much because  
34 mounting a bird is not a customary and traditional  
35 practice, you know, that's why I wanted to stress that a  
36 little more that way. And, you know, I agree with  
37 enforcement there, you know, wanting to limit that. An as  
38 Joneal mentioned too, it's not a common practice. I mean,  
39 to me, that's not subsistence, that's not practiced in our  
40 area, but I understand there's a problem with it down in  
41 Kodiak right now, you know, traditionally out in the  
42 villages and it's not a customary and traditional practice.

43  
44                   CHAIRMAN ALCORN: Joneal.

45  
46                   MR. HICKS: Mr. Chair, I believe in the  
47 saying that if you give a person an inch, they'll take a  
48 mile, you know. I would suggest that we keep it as  
49 restrictive as possible and then go from there. In other  
50 words, if we are in the wrong then we could probably

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1 untighten it somewhat, just let the process take care of  
2 itself. Anyhow, I guess what I'm trying to get at here is  
3 that if we give anybody an opportunity to mount these birds  
4 or whatever like that, the word will get out eventually,  
5 sooner or later you will selling and even bartering of  
6 these birds. In other words, a person might approach a  
7 subsistence user, say, hey, can you get me this bird here  
8 so that I can mount it. And that person will then become  
9 susceptible to, well, hey, I can make some money off doing  
10 this. We don't want that to happen. So I say keep it as  
11 restrictive as possible. There's no more discussion on it.  
12

13 CHAIRMAN ALCORN: Thank you, Joneal. Matt.  
14

15 MR. ROBUS: Well, I'll try one little piece  
16 more of discussion. And I think where Tom is coming from,  
17 and I appreciate him bringing it up and kind of reminding  
18 me, is that once -- regulatory bodies can certainly tell  
19 you when and where and how much you can hunt, but once the  
20 game is reduced to personal possession it becomes private  
21 property and so we really are dancing into the area of  
22 telling people what they can and cannot do with their  
23 private property.  
24

25 The other thing I'll say, and this may or  
26 may not be a cop-out, is that whatever -- if we were to  
27 pass something here it would not go into the Proposed Rule  
28 for this coming season anyway, we're talking about the  
29 soonest it could go into effect would be the '05 regs  
30 package, so we'd still have the opportunity to take action  
31 on this at the spring meeting when the rest of the  
32 proposals that will go into the '05 regs would be acted on.  
33 So if people want a chance to think about it more, we've  
34 got the opportunity without losing any time in term of when  
35 it goes into effect.  
36

37 Mr. Chair.

38  
39 CHAIRMAN ALCORN: Okay, thank you. I see  
40 Taqulik's hand and then Austin's hand.  
41

42 MS. HEPA: He just reminded me of something  
43 I just thought of about what the Alaska Department of Fish  
44 and Game and a rule that they have with harvesting muskox  
45 on the North Slope. When the hide is going to be  
46 transported out of our unit the trophy value has to be  
47 destroyed. That's one example. When he talks about, you  
48 know, you can do whatever you want with the skin, although  
49 there is regulations that trophy value has to be, you know  
50 -- you can't use if for just, you know. So they're

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1 harvesting the muskox for subsistence purposes or for  
2 eating, not for the value of the horns.

3

4 CHAIRMAN ALCORN: Thank you. Austin and  
5 then Stanley.

6

7 MR. AHMASUK: Okay. Thank you, Mr.  
8 Chairman. I guess just for clarification. If I were to  
9 make a motion to prohibit the taxidermy issue now, it would  
10 not make much of a difference because the '05 regs, we're  
11 going to talk about them in the spring meeting anyway,  
12 right? So we have opportunity to come back at this issue  
13 again and if I make a motion now, it's just going to -- the  
14 '05 regs are going to be taken up at the spring meeting  
15 anyway. So this motion could just wait until spring, I  
16 guess.

17

18 CHAIRMAN ALCORN: Well, the regulatory  
19 guidelines are statewide guidelines that apply, and the  
20 example Fred uses, we've adopted those and we've adopted  
21 them two years running now that there are statewide  
22 prohibitions to method and means that we've adopted. And  
23 there are in those guidelines as well, we adopt season  
24 dates, March 11, August 31st for statewide dates -- those  
25 range-wide dates I would say. And if we were to adopt this  
26 as a portion of our regulatory guidelines I would consider  
27 it an action by the Council and it's not normal that we  
28 would go back and readdress that action again six months  
29 later. But, you know, if it was at the call of the Chair  
30 or the call of a member and it was on the agenda there's  
31 nothing that prohibits us from doing that. But there's  
32 nothing that prohibits from taking action here at this  
33 meeting as well.

34

35 Matt.

36

37 MR. ROBUS: But turn that the other way  
38 around, if we don't take action now, we would still be able  
39 to take action on this issue in the springtime without it  
40 making any difference. I mean, it would get into the '05  
41 regulations either way.

42

43 CHAIRMAN ALCORN: That's right. Herman and  
44 then Stanley and then I see Steve Oberholster in the back.  
45 Herman.

46

47 MR. SQUARTSOFF: Yeah, Mr. Chair, what  
48 about the ongoing situation down there in Kodiak right now?  
49 And isn't there anyway we can try and do some kind of an  
50 emergency order or something where we can prohibit that

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1 from happening?

2

3 CHAIRMAN ALCORN: I have Stanley. Does  
4 anyone want to address Herman's question?

5

6 MS. DEWHURST: I think I can do that.

7

8 CHAIRMAN ALCORN: Okay, Donna. Make sure  
9 you identify yourself for the record.

10

11 MS. DEWHURST: Donna Dewhurst. The status  
12 quo as of Lori Adams' current -- and she hasn't done this  
13 officially, we can ask her to do it officially in writing,  
14 but verbally we've asked her to review the status as far as  
15 taxidermy. And the way the regulations are written right  
16 now for '03 and '04 there's nothing in it that prohibits a  
17 person from taxidermying their own bird. But there are no  
18 provisions for a commercial taxidermist to do it. There's  
19 no provisions for at commercial taxidermist to possess the  
20 bird or receive the bird. So basically if somebody in  
21 Kodiak wanted to taxidermy their own bird, you know, do it  
22 at home, there's nothing that stops them from doing that,  
23 but they can't send it to a commercial taxidermist, and  
24 that's the way the law reads -- at least that's the  
25 interpretation we've been told from Lori of the way the law  
26 reads for '03 and the way the law is currently written for  
27 '04.

28

29 What may happen is there may be a request  
30 or we may get a proposal in to just clarify that a little  
31 bit better because that is the interpretation but several  
32 of us had to read it a couple of times and it isn't crystal  
33 clear. So we may -- there may be proposals put in to just  
34 try and make it crystal clear up front because it -- the  
35 interpretation is a little bit fuzzy, but that was the  
36 interpretation we got from the Solicitor verbally.

37

38 CHAIRMAN ALCORN: Okay. Thanks, Donna.  
39 Stanley and then, Steve, you had your hand raised.

40

41 MR. MACK: Mr. Chairman, I think where  
42 Austin is going with this is on the right track and we've  
43 heard opposition or comments to the contrary of his design  
44 of a proposal. And just to offer a suggestion that these  
45 people that are interested in taxidermy, there is also a  
46 sports hunt following the subsistence hunt, so if they  
47 wanted to that, they could certainly do that if that's  
48 within the law. So I think that it's time we did address  
49 this and the sooner we address it the better off we're  
50 going to be. And I'm in agreement with Austin.

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1                   CHAIRMAN ALCORN: All right. Steve. We  
2 have no motion on the table, so we're just discussing in  
3 informal procedures right now.

4

5                   MR. OBERHOLSTER: Steve Oberholster with  
6 Fish and Wildlife Service. I was hoping to maybe shed a  
7 little light on some of the restrictions that we have put  
8 on use of game that's been taken. With the Migratory Bird  
9 Treaty Act we already restrict the barter, the sale, the  
10 import, the export, all types of different activities with  
11 birds that are lawfully taken. In addition to that in the  
12 protocol and the letter of transmittal the sideboards that  
13 they put on for guidelines for being able to take these are  
14 nutritional and other essential needs, so it seems like  
15 what we're struggling with here is are taxidermy mounts or  
16 mounting of these birds an essential need. And I just  
17 offer that up as how I read it.

18

19                   CHAIRMAN ALCORN: Thanks, Steve. Any other  
20 comments. Austin.

21

22                   MR. AHMASUK: I'm going to make a motion,  
23 Mr. Chairman. I move that taxidermy mounts be prohibited.

24

25                   MR. HICKS: Second it.

26

27                   CHAIRMAN ALCORN: Okay. I have a motion  
28 and a second that taxidermy mounts be prohibited. Any  
29 discussion or questions? Herman and then Fred.

30

31                   MR. SQUARTSOFF: Yeah, Mr. Chair, I  
32 interpret it the same way that Steve interprets it there  
33 for taking it for food and for other essential needs and  
34 which mounting a bird does not fit in that category.

35

36                   CHAIRMAN ALCORN: Any other discussion?  
37 I'd like to ask a question for clarification. Taxidermy  
38 mounts are prohibited. We've talked about taxidermy mounts  
39 for lifelike representation, commercial, non-commercial,  
40 would you care to be more specific?

41

42                   MR. AHMASUK: Okay, yeah. Sorry, Mr.  
43 Chairman. We're discussing the motion now and maybe it  
44 could be amended to if we talk about it some more, but what  
45 I mean to convey is that taxidermy mounts in lifelike  
46 representations be prohibited. I think utilization of  
47 birds for lifelike mounts, one it's not a customary and  
48 traditional practice and, secondly, being a trapper and  
49 knowing a little bit about this for taxidermy stuff and  
50 whatnot there's, you know, some specialized things that are

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1 required to mount animals. And subsistence hunters are not  
2 going to be doing these things with birds and we're not  
3 going to be restricting any subsistence uses. And in  
4 consideration of the black market aspect of lifelike  
5 mounts, I just fear that during the spring season when  
6 birds are in breeding plumage and also the uses of birds  
7 that are not regularly taken of, you know, varied and  
8 colorful plumage, should be prohibited.

9

10 CHAIRMAN ALCORN: Thank you. Fred.

11

12 MR. ARMSTRONG: I guess I have a process  
13 question and also I think I'm guess I'm going to complicate  
14 the matter a little bit more because we have the term  
15 indigenous inhabitants regardless of race now, we're not  
16 really focused on the general subsistence user that we're  
17 accustomed to and we don't do taxidermy. Now, we have  
18 another class of people that we have to address here and  
19 that's the non-Native aspect of it, because I think where a  
20 lot of the activity is occurring.

21

22 And the other thing is in terms of process,  
23 our regulations, we operate one year in advance, so I just  
24 need a point of clarification as to when you want this to  
25 go into effect. If you want this to go into effect for the  
26 '04 season then I think the appropriate time would be to  
27 comment on the proposed regulations and suggest to the SRC  
28 that this is an important issue that should be considered  
29 and then, perhaps, they can accept that as part of the  
30 comment and take action on that. But otherwise we're still  
31 operating one year in advance here.

32

33 CHAIRMAN ALCORN: Okay. Thanks, Fred.  
34 Herman, did you have your hand raised?

35

36 MR. SQUARTSOFF: No.

37

38 CHAIRMAN ALCORN: Thought you did. Austin  
39 and then Herman.

40

41 MR. AHMASUK: I would suggest -- I'll  
42 answer Fred's question and then we call for the question on  
43 the motion. But, yes, for the '04 cycle during the comment  
44 period our motion would be during that comment period and  
45 if, for whatever reason, the '04 comment period doesn't  
46 address this and take it into consideration then it be put  
47 into the '05 guidelines.

48

49 CHAIRMAN ALCORN: All right. Herman.

50

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1 MR. SQUARTSOFF: Austin went on what I was  
2 going to discuss.

3

4 CHAIRMAN ALCORN: Thank you. I see a hand  
5 raised in the audience. Before I ask Bob Trost to come to  
6 the table, I'm going to ask for any other comment from  
7 Council members.

8

9 (No audible responses)

10

11 Okay. The question's been called for, we  
12 typically ask -- we open the table for public comment  
13 before we take action, and this is a significant enough  
14 action that, I think, that we do need to hear public  
15 comment. I'm going to invite Bob Trost to the table.

16

17 MR. TROST: Bob Trost with Fish and  
18 Wildlife Service. And I'd just like to offer an  
19 observation for the Council's consideration here and that  
20 is precluding the use of some of these birds for scientific  
21 and educational purposes and that I know in the sport  
22 harvest surveys we relied heavily on collections of birds  
23 that had been harvested to develop the sex and age  
24 characteristic keys. You will be harvesting birds which we  
25 heretofore have not done so, at least in an organized  
26 manner. There may be some very worthwhile information lost  
27 if you don't have a provision in this motion that would  
28 allow the use of some of these birds for scientific or  
29 educational purposes. And I would just ask for your  
30 consideration as to whether or not that might be something  
31 you would want to include.

32

33 CHAIRMAN ALCORN: Austin and then Fred.

34

35 MR. AHMASUK: Thank you, Mr. Chairman.  
36 Maybe Ms. Dewhurst is going to say the same thing I'm going  
37 to say, but the education and scientific use provision that  
38 is not part of this motion, but part of the regulations,  
39 will address the scientific use already and this motion  
40 doesn't have to have that. But I recognize, you know, what  
41 Mr. Trost.....

42

43 MR. TROST: Well, I realize we could permit  
44 someone now to go out and take these birds, but by  
45 precluding bird harvest.....

46

47 CHAIRMAN ALCORN: Bob, I need to have you  
48 come to the microphone. Thanks.

49

50 MR. TROST: I think I understand that we

00104

1 could issue a permit to someone to go and take these birds  
2 for scientific or educational purposes, but I don't know,  
3 given the wording, and maybe it all comes down to how this  
4 is worded in the end, but your motion, by the way I would  
5 understand now, would preclude that a subsistence harvested  
6 bird be used in a scientific or educational way.

7

8 CHAIRMAN ALCORN: Donna, would you come to  
9 the table and explain sort of where we are on the other  
10 issue?

11

12 MS. DEWHURST: Yeah, Donna Dewhurst. Just  
13 to clarify, yeah, the current -- for the Proposed Rule for  
14 '04 we have that covered. We always had the provision  
15 where permits could be issued for educational purposes or  
16 research to collect their own birds. We wrote in a  
17 provision that would allow education or research folks to  
18 be able to accept what was left of a subsistence harvested  
19 bird. So that provision is already there, we don't have to  
20 deal with that. The taxidermy issue is totally separate.  
21 In my mind it would not impinge on what we've already  
22 written.

23

24 CHAIRMAN ALCORN: All right. Thanks,  
25 Donna. I'm going to ask Austin to restate the motion  
26 before I call the question.

27

28 MR. AHMASUK: Yeah, my motion is to  
29 prohibit taxidermy mounts.

30

31 CHAIRMAN ALCORN: And did you offer an  
32 amendment to that motion?

33

34 MR. AHMASUK: No, I didn't, Mr. Chairman.  
35 I guess I'll ask did we discuss the motion significant  
36 enough and have we established the record as to what the  
37 motion means? I guess I thought I did that, but if I  
38 didn't, I could restate it to reflect the lifelike mount.

39

40 CHAIRMAN ALCORN: Okay. I think you have  
41 and I think we have, and I think you've clarified that it  
42 does apply to lifelike mounts, the use of those birds for  
43 lifelike mounts. So the motion as stated is that taxidermy  
44 is prohibited.

45

46 MR. AHMASUK: Taxidermy mounts are  
47 prohibited.

48

49 CHAIRMAN ALCORN: Taxidermy mounts are  
50 prohibited. I'm going to call the question. Does anybody



00105

1 oppose the motion as stated?

2

3

(No audible responses)

4

5 CHAIRMAN ALCORN: Hearing no opposition,  
6 seeing no hand raised, the motion carries.

7

8 All right. I believe that we still need to  
9 take action on the '05 regulatory guidelines in general.  
10 Do we need to adopt those, Donna? Fred's not here, do we  
11 need to adopt those again to be included in the '05  
12 regulation process?

13

14 MS. DEWHURST: I don't think so, there's an  
15 amended action last year that says basically.....

16

17 CHAIRMAN ALCORN: Would you come to the  
18 table?

19

20 MS. DEWHURST: The existing regulation  
21 would carry into the next year, so I don't think we have  
22 the actually adopt the guidelines.

23

24 CHAIRMAN ALCORN: Okay. So no change  
25 needed -- no action needed if no changes.

26

27 MS. DEWHURST: Right.

28

29 CHAIRMAN ALCORN: We've only taken one  
30 action.

31

32 MS. DEWHURST: And we took that action last  
33 year, so I don't think we need to do that again.

34

35 CHAIRMAN ALCORN: Okay. All right. Thank  
36 you. That concludes our list of topics for discussion. We  
37 are 15 minutes from 5:00 o'clock. There are two agenda  
38 items that remain on tomorrow's -- three agenda items that  
39 remain on tomorrow's agenda. One is to invite public  
40 comment, the other is to allow staff comment and then,  
41 finally, to set a date and place for the next meeting. And  
42 I think we can get through those, depending on the extent  
43 of the public comment and staff comment. But I'm going to  
44 invite the public comment phase of tomorrow's agenda, if I  
45 have the permission of the Council here.

46

47 (No audible responses)

48

49 CHAIRMAN ALCORN: All right, I do. So I'm  
50 going to invite public to speak to the actions that we've

00106

1 taken or any other general comment.

2

3

(No audible responses)

4

5

CHAIRMAN ALCORN: All right. I see no hands raise, no one's coming to the table. It's now time to move into staff comment phase and we typically ask the state to provide comment, the staff of the Co-Management Council to provide comment and I'm going to invite the Migratory Bird Management staff to comment if there are any things they feel are necessary that we consider.

12

13

So I'm going to begin with U.S. Fish and Wildlife Service Division of Migratory Management. Bob, is there anything that you need to bring to our attention?

16

17

MR. TROST: No, other than I'd like to say in my personal opinion this has been one of the most interactive and productive meetings we've had so far and I just hope we keep moving in the same direction. I have no other substantive issues to bring up.

22

23

CHAIRMAN ALCORN: Thanks, Bob. I'm going to invite Tom Rothe from Alaska Department of Fish and Game.

26

27

MR. ROTHE: Mr. Chairman, yeah, it's been an interesting one. I guess what I wanted to do is make sure that we take every opportunity to stay connected between the Co-Management Council and the Pacific Flyway processes and, if I can, just to briefly provide a report that at the July meetings in Colorado I think that the Flyway Council was real receptive to the 2004 regulation proposals. I think it was apparent that it would have been much better to have a Co-Management Council representative there. Fred was there to present the case and explain some of the discussions that occurred here, but I it's always beneficial to have those delegates, you know, come to the Flyway Council meetings.

40

41

I just wanted to also report that the Council reaffirmed its interest in the Co-Management, Ron Angland from Oregon, who came up previously, couldn't make this meeting and I think Matt checked, there is an alternate, Terry Mansfield, formerly of California and currently Idaho is an alternate for future meetings.

47

48

The other couple of things I wanted to mention, just FYI, is that as of today the State of Utah has assumed the Chairmanship of Study Committee and

50

00107

1 Council, so if we need to communicate -- Mile Morety (ph)  
2 is the Council Chair and Tom Aldrich is the Study Committee  
3 Chair.

4 Next meetings, if any of you are interested in  
5 participating, March 9th through the 13 the Study Committee  
6 will have technical meetings in Newport, Oregon, the Flyway  
7 Council meets on March 16th in Spokane, Washington at the  
8 North American Wilder Conference and July the whole group  
9 will meet, I think, in Sun Valley, Idaho is where we're  
10 going to end up in July.

11

12                   Anyway, I just wanted to make sure that we  
13 provide opportunity to stay connected with the Flyway  
14 Council and other than that there weren't any really major  
15 issues, populations, regulations, or resources that seemed  
16 to affect perhaps issues the Co-Management Council is  
17 concerned with. But I do want you to know that the Council  
18 did approve a new Pacific White-fronted Goose Plan and we  
19 can make that available to you. And I think our next  
20 objectives are to start discussions on Snow Goose Plans,  
21 which the North Slope may have a little interest in, but  
22 anyway I'll keep you advised on what the hot issues are  
23 that might be of interest to the Co-Management Council.

24

25                   CHAIRMAN ALCORN: Thanks, Tom. I'm going  
26 to turn it over to Fred and his staff to provide final  
27 comments.

28

29

30                   MR. ARMSTRONG: Bill Ostrand.

31

32                   MR. OSTRAND: Mr. Chair, you caught me by  
33 surprise, I thought the meeting was going to go on one more  
34 day. In the spring meeting I brought in an outreach poster  
35 that we contracted to a developer and I got some input from  
36 the Council, we looked at a couple of alternatives. I have  
37 a final draft I was going to bring to show everyone  
38 tomorrow and get your comments. I think what I'll do is  
39 I'll try and e-mail it, I think I have an electronic  
40 version and for Stanley and for you, Herman, I'll try to  
41 mail you a copy.

42

43                   CHAIRMAN ALCORN: All right. Thanks, Bill.  
44 Fred.

45

46                   MR. ARMSTRONG: Donna, do you have anything  
47 for the Council?

48

49                   (No audible responses)

50

00108

1 MR. ARMSTRONG: Cynthia.

2

3 (No audible responses)

4

5 MR. ARMSTRONG: Okay. I'll try to be brief  
6 as possible. I know this is going to be kind of tough, but  
7 I think we need to review the Co-Management Agreements and  
8 the amounts allocated to regions and try to assess them  
9 more equitably. Like I mentioned yesterday, we got some  
10 regions that are doing more than their fair share of the  
11 work in their region and have an avid interest and they're  
12 falling short of funds. We now have committees set up  
13 where some members have to come and attend and more and  
14 more burden is being placed on certain regions and they're  
15 falling over their grant agreements. And in talking with  
16 our contracting grants people they're allow one slip over  
17 and they let you go in grant agreement total, but if it  
18 becomes a practice then they'll have to issue a stern  
19 letter. So we've got to try to accommodate some of the  
20 regions that are going over their budget on an annual  
21 basis. We have some regions that there's no activity  
22 taking place, either that or it's not recorded yet and if  
23 you aren't then we need to get those figures. Well  
24 actually, Donna, we do have -- there are several grant  
25 agreements that aren't closed yet.

26

27 MS. DEWHURST: None are closed.

28

29 MR. ARMSTRONG: Oh, okay. We got 11 grant  
30 agreements that need to be closed as soon as possible.  
31 There's some unexpended funds associated with that that  
32 we're trying to protect right now so that we can cover some  
33 of our cost overruns within my program and so once you get  
34 back to your regions talk with your finance people and have  
35 them close out their grant agreements. Donna will be  
36 getting in touch with them and letting them know the  
37 specifics, but please be aware that we need your  
38 cooperation to get these closed out as quick as possible.

39

40 In terms of agenda items, I guess for quite  
41 a while we're going to have our slate full. A lot of  
42 issues have surfaced, I've written down most of them, but  
43 if you guys have other issues that you guys want to  
44 address, please feel free to contact me or e-mail me or  
45 phone, let me know that. If you guys got problems that are  
46 lingering, let us know, see what we can do to help. That's  
47 what we're here for to try to accommodate you. We've got --  
48 I think we're slowly gelling as far as coordination within  
49 our own agency. It's good to see refuges participating and  
50 -- you know, because we count on their employees and their

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1 contributions to help make this program successful. As  
2 well as it's good to other RITs from the other regions  
3 participate and, you know, thankful for that.

4

5 I wonder if the other participants would  
6 like to -- were you here just to observe or, I mean, do  
7 they have anything they want to say or -- do you know, Jo?

8

9 MR. HICKS: I'm not aware of anything, do  
10 you have anything to say -- you want to bring up, Ray?

11

12 CHAIRMAN ALCORN: Ray, could you identify  
13 yourself for the record and turn your mike on?

14

15 MR. NEALY: My name is Ray Nealy from the  
16 Copper River Basin area. I'm with Copper River Native  
17 Association. When do you do your rules and regulations?

18

19 CHAIRMAN ALCORN: We set the meeting for  
20 the spring as our normal time when we -- let me explain the  
21 process. In the fall we solicit proposals from regions,  
22 from folks around this table and from the agencies, the  
23 Fish and Game and Fish and Wildlife Service. In the fall  
24 we solicit those, we then get those, put them altogether  
25 and we send them out to the regions so that everybody  
26 understands what we've been asked to do through this  
27 process. And those, then, are considered by the regional  
28 folks, in the villages and what not. In the spring we then  
29 come together and we make recommendations for the next  
30 season's regulations, so we're always ahead of when the  
31 actual season would start.

32

33 MR. NEALY: Okay. Like on the permanent  
34 resident, when would that come up, this spring? This  
35 coming spring, 2004?

36

37 CHAIRMAN ALCORN: I'm not sure I  
38 understand.

39

40 MR. NEALY: I would like to add something  
41 on there. I would have to put that in writing to you?

42

43 CHAIRMAN ALCORN: Right. And you could  
44 work through Joneal, he's your regional representative so  
45 he can certainly -- you can submit through the process or  
46 you can offer just as a discussion item or an agenda item.  
47 When we develop these agenda.....

48

49 MR. NEALY: Right.

50

00110

1                   CHAIRMAN ALCORN:   .....Fred sends out an e-  
2 mail to everyone and solicits topics for discussion and  
3 those get put down and then we agree to that at the  
4 beginning of every meeting, we adopt an agenda and so  
5 that's how you can get it put on, two ways. One is through  
6 the proposal process or another through -- or another  
7 though Joneal.

8

9                   MR. NEALY:   Okay. Yeah, I just wanted to  
10 add some things on, maybe I'll go over this with Jo.

11

12                   CHAIRMAN ALCORN:   Okay, great.

13

14                   MR. HICKS:   If I may, Mr. Chairman? For  
15 clarifying purposes, remember we are just a newly included  
16 community now, we've only been here, what, a year or so?

17

18                   CHAIRMAN ALCORN:   Right.

19

20                   MR. HICKS:   And so -- and this formation of  
21 this Council goes back, what, five, six years, something  
22 like that? You know, so they have a jump start ahead of  
23 us, you know. And we are just new, you know, to this  
24 Council as a newly included community.

25

26                   MR. NEALY:   Uh-huh.

27

28                   MR. HICKS:   You follow what I'm trying to  
29 say here, is that.....

30

31                   MR. NEALY:   No, no, I don't follow what  
32 you're saying really.

33

34                   MR. HICKS:   I know regulations and all that  
35 we already pretty much put in effect before we actually  
36 took a seat here.

37

38                   MR. NEALY:   Right. But they weren't  
39 newly.....

40

41                   MR. HICKS:   But there's.....

42

43                   MR. NEALY:   .....but like I say, you know,  
44 I just didn't -- I just wasn't born yesterday. I'm just  
45 saying that I'd like to add on to this.

46

47                   MR. HICKS:   .....certain process that we go  
48 to go through -- that we go through.

49

50                   MR. NEALY:   Yeah, I want to add on to this

00111

1 permanent resident, so maybe I'll talk it over with Jo, I  
2 guess.

3

4 CHAIRMAN ALCORN: Okay. Thanks, Ray.  
5 Fred, did you want to continue?

6

7 MR. ARMSTRONG: Okay. Also, I guess, as an  
8 oversight, I didn't expect Bill to finish with the  
9 condensed version of the minutes, but there in there and I  
10 guess we can take them up at the next meeting for adoption  
11 in the new format. Bill's been working frantically to try  
12 to get the Harvest Survey Report done as well as the  
13 minutes and I was kind of surprised them done. I'm sorry I  
14 didn't see that or have them brought for action, but  
15 perhaps at the next meeting you guys review those minutes  
16 and just be prepared to take action to adopt them and make  
17 them part of our formal public record.

18

19 The Website is up and alive. We gave you  
20 the handouts yesterday, it's a living document, it's going  
21 to change. Donna is working on it originally to add more  
22 information. If you want to know the next meeting date  
23 it'll be at some point be published on there once we get  
24 that squared away. There's all kind of information in  
25 there that I hope you'll find useful, different treaties,  
26 there's a historical timeline that is in there, a lot of  
27 good information, so take that word back, you know, let  
28 people know that there's another avenue of information  
29 that's readily available as long as they have Internet.

30

31 Other than that, yeah, I can agree with a  
32 couple of commenters that this has been a pretty darn good  
33 meeting. I think we accomplished a lot and hope more of  
34 this same type of progress occurs in the future meetings,  
35 but it's show the Council is gelling, working together  
36 more, and you know, we're growing up, so to speak, in terms  
37 of addressing conversation issues, addressing management  
38 and birds in Alaska, even though it's just a beginning.  
39 There's a lot of expectations of us, but I think we're  
40 doing the right thing by going slow and taking more of a  
41 deliberative approach and having buy in is real important.

42

43

44 But we do understand the need for outreach  
45 and Donna is going to be working on that and we've been  
46 tasked by the Council to that anyway, but we hear the  
47 concerns everywhere about the need for outreach and people  
48 seem to be caught by surprise, but we can only do what we  
49 can with the limited resources and we'll need your help in  
50 trying to get the word our about this process, too.

00112

1 That's it, thanks.

2

3

CHAIRMAN ALCORN: Thank you, Fred. The  
4 last order of business before I turn the gavel over to the  
5 Vice Chair in our typical rotation, our annual rotation of  
6 the responsibilities, we need to set a date and place for  
7 our next meeting. We have an accepted schedule, which is  
8 typically an April meeting and I don't have a 2004 calendar  
9 with me. Does anyone have a 2004 calendar that we can.....

10

11 MR. OSTRAND: It's in the back of.....

12

13 CHAIRMAN ALCORN: Oh, it's in here, oh,  
14 great. It's in the very back?

15

16 MR. OSTRAND: Yeah.

17

18 CHAIRMAN ALCORN: April 2004. My calendar  
19 is wide opened, how about your's?

20

21 (Laughter)

22

23 CHAIRMAN ALCORN: All right. Does anybody  
24 have a proposal that they would like to bring to us for a  
25 meeting date? Taqulik.

26

27 MS. HEPA: It has to be before -- no later  
28 than the second week of April because we'll start whaling  
29 the week after and our staff, as well as myself and  
30 Charlie, won't be available after -- beginning the -- I'm  
31 trying to figure out how you read this calendar. Most  
32 likely the 17th of April or 16th of April, any time after  
33 that is not going to be good.

34

35 CHAIRMAN ALCORN: Okay, the first couple of  
36 weeks then is what you're saying.

37

38 MS. HEPA: Yeah.

39

40 CHAIRMAN ALCORN: Let me ask Bob Trost, Tom  
41 Rothe, Bob Leedy, are you aware of any national meetings,  
42 Flyway Council meetings that occur those first two weeks  
43 that we need to dodge around?

44

45 MR. TROST: I believe the second week of  
46 April is the (indiscernible - away from microphone) but  
47 that wouldn't involve but one person.

48

49 CHAIRMAN ALCORN: Okay. I'm going to  
50 propose the first week then. Herman.



00113

1 MR. SQUARTSOFF: Mr. Chair, I'm right with  
2 you.

3

4 CHAIRMAN ALCORN: All right. Let's propose  
5 that we meet Tuesday as a workshop, Wednesday and Thursday,  
6 this is actually the 30th of March, 31st of March and the  
7 1st of April. The workshop would be Tuesday, we'd schedule  
8 a two-day meeting. Does that fit your schedule.

9

10 MR. ROBUS: I'm catching up with you, I  
11 believe so.

12

13 MR. SQUARTSOFF: Mr. Chair.

14

15 CHAIRMAN ALCORN: Herman.

16

17 MR. SQUARTSOFF: Yeah, you know, that  
18 workshop, that one day, you know, with all the issues that  
19 we might have to come up with maybe that one day might not  
20 be enough.

21

22 CHAIRMAN ALCORN: Well, we could certainly  
23 extend that to two days. Four days of meeting is an awful  
24 lot of meetings, but we could certainly do that.

25

26 MR. SQUARTSOFF: I was thinking more in the  
27 line of it would probably more of a two-day workshop and  
28 one-day meeting.

29

30 CHAIRMAN ALCORN: Go ahead, Fred.

31

32 MR. ARMSTRONG: Normally our regulations  
33 meeting longer than one day. Actually they have been  
34 running a series of meetings. But, you know, I'd be  
35 inclined to suggest a day and a half for workshop because  
36 if we're going to discuss how we're going to deal the  
37 documentation of traditional knowledge I think it's going  
38 -- probably want a half a day's discussion on that. And  
39 then the next full day could be devoted to what's on the  
40 meeting agenda and discussion of interest then.

41

42 CHAIRMAN ALCORN: So start Monday at one?

43

44 MR. ARMSTRONG: We could make Monday a  
45 travel day.

46

47 MR. ROBUS: How would the day and a half  
48 work then?

49

50 MR. ARMSTRONG: Half a day on Tuesday, full

00114

1 day Wednesday and then meeting Thursday and Friday.

2

3 CHAIRMAN ALCORN: Okay, so your just  
4 shifting back a day from what you had proposed. So you'd  
5 have a half day meeting either Monday or Tuesday followed  
6 by three full days and then people go home either Friday  
7 evening or Friday morning.

8

9 MR. ARMSTRONG: Thursday evening, Friday  
10 morning.

11

12 CHAIRMAN ALCORN: Okay. Herman.

13

14 MR. SQUARTSOFF: Yeah, can't we be flexible  
15 on it where, you know, have three days, and if it takes a  
16 couple of days on the workshop and maybe only one on the  
17 meeting.

18

19 CHAIRMAN ALCORN: Well, we really can't do  
20 that because we have to notify when we're going to actually  
21 convene 30 days in advance.

22

23 MR. SQUARTSOFF: Oh, okay.

24

25 CHAIRMAN ALCORN: So we have to convene on  
26 the day that we say we're going to convene. I'm going to  
27 propose that we meet half a day Monday, that would be the  
28 29th of March, all day Tuesday and then Wednesday, the  
29 31st, Thursday, the 1st and try to adjourn Thursday  
30 evening, April 1st. I think that would be the most  
31 efficient, it will be tiring but it will be the most  
32 efficient use of our limited budget.

33

34 All right. I'm going to entertain any  
35 comments from the Council before I hand the gavel over,  
36 does anybody have anything would like to say for the good  
37 of the cause?

38 Herman.

39

40 MR. SQUARTSOFF: Yeah, Mr. Chair, I'd like  
41 to commend the job that you did here this past year in  
42 being our Chair. In that little informal meeting we had a  
43 couple, three weeks ago, I gave our Chair kind of a comment  
44 that he finally got to hear after something I said when he  
45 first got here, one of our first meetings that he was in on  
46 and there was a little opposition or something there and I  
47 made a comment to one of our guys out there when we were on  
48 our break and he finally got to hear what it was, so I let  
49 him know what it was and he kind of got a kick out of it.  
50 But Doug's come a long ways, he's done a great job as being

00115

1 Chair and part of the Council here. I'd like to commend  
2 everybody else on the Board here and our hopefully new  
3 members we'll be able to hang onto here that's coming in.  
4 And all the staff out there that's been working so hard on  
5 everything, you guys have been doing a great job. Thank  
6 you.

7

8 CHAIRMAN ALCORN: Thank you, Herman. Any  
9 other comments? Hans.

10

11 MR. NICHOLSON: Herman touched on it, you  
12 know, staff really get thanked, they worked very hard. I  
13 know Bill and Cynthia and a whole bunch of other people  
14 worked really hard on the Survey Committee and, you know,  
15 I'd like to thank everyone for all their hard work they've  
16 put into it, you know, we're all in the same boat,  
17 hopefully we going in the same direction. And I just  
18 wanted to extend a big thank you to all those that were  
19 involved.

20

21 CHAIRMAN ALCORN: Thanks, Hans. Austin.

22

23 MR. AHMASUK: Thank you, Mr. Chair. I'd  
24 like to than all the Council members and the Chair for your  
25 work this past year and congratulations to the new  
26 committee appointments and thank you for your confidence in  
27 me and I'll try to do the best job that I can. Thank you.

28

29 CHAIRMAN ALCORN: Thank you. I'm going to  
30 close by suggesting that our -- our by-laws say that the  
31 Chair position and Vice Chair rotate, but that the  
32 Secretary position is elected and I'm going to propose that  
33 we put that on the agenda for the next meeting as soon as  
34 we meet that we elect a Secretary. I'm not sure we need to  
35 do it now and actually it would be out of order since it's  
36 not part of the agenda. So with that I'm going to hand the  
37 gavel to our current Vice Chair and then I will adjourn the  
38 meeting. I'll let you adjourn the meeting, you want to ban  
39 on the -- we're adjourned. Thanks.

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41 (Off record)

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C E R T I F I C A T E

UNITED STATES OF AMERICA )  
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STATE OF ALASKA )

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

THAT the foregoing pages numbered 02 through 113 contain a full, true and correct Transcript of the ALASKA MIGRATORY BIRD CO-MANAGEMENT COUNCIL, VOLUME I taken electronically by Nathaniel Hile on the 1st day of October 2003, at the Dimond Center Hotel in Anchorage, Alaska;

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

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

DATED at Anchorage, Alaska, this 21st day of October 2003.

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