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VOLUME I

ALASKA MIGRATORY BIRD CO-MANAGEMENT COUNCIL

SPRING MEETING

ANCHORAGE, ALASKA

APRIL 8, 2015

Members Present:

- Bruce Dale, Alaska Department of Fish and Game
- Pete Probasco, U.S. Fish and Wildlife Service
- Peter Devine, Aleutian/Pribilof Islands Association
- Jack Fagerstrom, Kawerak
- Cyrus Harris, Maniilaq Association, Kotzebue
- Taqulik Hepa, North Slope Region, Barrow
- Joeneal Hicks, Copper River Native Association
- Gayla Hoseth, Bristol Bay Native Association
- Randy Mayo, Tanana Chiefs representative, Interior
- Myron Naneng, Association of Village Presidents
- George Squartsoff, Kodiak
- Jim Ujioka, Chugach Regional Resources Commission

Executive Director, Patty Brown-Schwalenberg

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P R O C E E D I N G S

(Anchorage, Alaska - 4/8/2015)

(On record)

CHAIRMAN PROBASCO: Good morning to everybody. It is April in Alaska and it is snowing. For us that still don't want to let go of winter, we hope we get a bunch. So before we get started I'm going to ask Gayla, as the co-Chair for the Native caucus, to sit in until Myron shows up, so thank you, Gayla. Patty has handed out a new agenda and she's also provided information, Council members, of the table of contents as the information is presented, which tab we will find it under.

So let's all rise and have a moment of silence.

(Moment of silence)

CHAIRMAN PROBASCO: Thank you. Patty, do we have any seating of alternates outside of Gayla as the board member? Patty?

MS. SCHWALENBERG: I'm sorry.

CHAIRMAN PROBASCO: Do we have any other seating of alternates besides Gayla filling in as a board member?

MS. SCHWALENBERG: George "Sonny" Squartsoff is the primary rep for Kodiak. He was a temporary. I guess you guys had a meeting and took action to appoint him, so we welcome him to the board and we also have Mr. Bruce Dale from the Alaska Department of Fish and Game as our new State representative. So welcome, both of you, to the AMBCC Council.

CHAIRMAN PROBASCO: Welcome, gentlemen. I look around the table and unless I hear objections, I make the determination that we do have a quorum to establish this meeting starting on April 8th of the Alaska Migratory Bird Co-Management Council. Does anybody disagree with that?

(No comments)

1 CHAIRMAN PROBASCO: Thank you. Let's
2 go around and do introductions. Maybe just tell a
3 little bit about yourself, who you work for, where you
4 come from and I'll start with Gayla.

5
6 MS. HOSETH: Good morning, everybody.
7 My name is Gayla Hoseth. I'm with the Bristol Bay
8 Native Association. We're located in Bristol Bay in
9 Dillingham, Alaska. I work in the Natural Resources
10 Department and I'm the Subsistence Research Specialist
11 and I'm excited to be a part of the AMBCC and it's been
12 a great learning experience and I'm honored to sit here
13 as the co-Chairman of the Council.

14
15 Thank you.

16
17 CHAIRMAN PROBASCO: Thank you, Gayla.
18 I'm Pete Probasco. I currently serve as the Assistant
19 Regional Director for Migratory Birds in State
20 programs. I grew up in Alaska from Palmer, Alaska, the
21 Mat-Su Valley and glad to be here.

22
23 Thank you.

24
25 MR. DALE: Good morning. My name is
26 Bruce Dale. I'm the Acting Director for Wildlife for
27 the Department of Fish and Game, State of Alaska. I
28 moved to Alaska in 1984, worked for the National Park
29 Service for 10 years doing caribou and wolf research
30 and continued on with the State in 1995 as the
31 Fairbanks area biologist and then went back into a
32 research position and then around 2010 things started
33 to unravel for me and somehow I ended up Acting
34 Director. But I'm very pleased to be involved in
35 something new here and excited. I've been a waterfowl
36 hunter my whole life, so I'm very interested in this
37 process.

38
39 Thank you.

40
41 MS. SCHWALENBERG: Good morning. Patty
42 Schwalenberg, the Executive Director of the AMBCC. I'm
43 an enrolled member of the Lac du Flambeau Band of Lake
44 Superior Chippewa Indians, daughter of Leonard and
45 Jeannie Brown and I've been working with AMBCC since
46 its inception as a Council member and now as Staff. So
47 I'm happy to be here and I'm excited for the meeting
48 today. It's good to see you all here.

49
50 Thank you.

1 MR. SQUARTSOFF: Hi. My name is Sonny
2 Squartsoff. I'm from Ouzinkie and I'm a retired
3 commercial fisherman and I lived down there all my life
4 and I'm proud of it.

5
6 MR. HICKS: Good morning, everyone. My
7 name is Joeneal Hicks. I'm from the Copper River area,
8 the Ahtna Region. I'm originally from Mentasta. Katie
9 John, as you might know, is my grandmother. The late
10 Katie John, you know, I'm her grandson. My mother is
11 the second oldest daughter of hers. I've been on the
12 AMBCC board pretty much since it began about 14-some
13 years ago. I've learned a lot. We've made a lot of
14 progress since then.

15
16 I look forward to this meeting.

17
18 Thank you.

19
20 MR. HARRIS: (In Inupiaq)

21
22 Good morning. My name is Cyrus
23 Harris.

24
25 I'm from Kotzebue, originally from
26 Sheshalik. Raised in Sheshalik, which is 15 miles
27 across the bay from Kotzebue. I work for both the
28 Elders Traditional Foods Program and natural resources
29 with Maniilaq. So a lot of my work responsibilities
30 are focused around traditional foods. I have more to
31 say, but I got blank here. Good morning.

32
33 MR. FAGERSTROM: Good morning. My name
34 is Jack Fagerstrom. I come from Golovin, Alaska,
35 representing Kawerak. Grew up with my grandmother, so
36 I was a grandma's boy.

37
38 (Laughter)

39
40 MR. UJIOKA: Good morning. I'm Jim
41 Ujioka. I grew up in Cordova. I live and work in
42 Valdez now and I represent the Gulf of Alaska region.

43
44 MR. MAYO: Good morning. Randy Mayo,
45 representing the Tanana Chiefs region. Tribal member
46 of Stevens Village up in the Yukon Flats. Former first
47 chief and president of our village corporation. During
48 that time got involved with a lot of land management
49 and subsistence resource issues and had formerly served
50 on the Eastern Interior RAC. I have a strong lifelong

1 interest in looking out for land and subsistence
2 resources our people rely on.

3
4 MS. HEPA: Good morning. My name is
5 Taqulik Hepa. I work for the North Slope Borough
6 Department of Wildlife Management. I've been with the
7 department for 24 years. Glad to be on the committee
8 or council. It's a wonderful council. I think that
9 we've made some great strides. I was born and raised
10 in Barrow. Raised on the land as well. Proud to say
11 that I love to hunt and provide to my family and to the
12 community members.

13
14 Thank you.

15
16 CHAIRMAN PROBASCO: Thank you, Council
17 members and board members. I would like the public to
18 just briefly introduce themselves and we'll start with
19 Todd.

20
21 MR. SFORMO: Todd Sformo, wildlife
22 biologist with the North Slope Borough.

23
24 MR. MATHEWS: Vince Mathews,
25 subsistence coordinator for Arctic, Kanuti and Yukon
26 Flats Refuges out of Fairbanks.

27
28 MS. NAVES: I'm Liliana Naves. I work
29 for the Division of Subsistence, Fish and Game in
30 Anchorage and I'm the statewide coordinator for the
31 harvest program.

32
33 DR. FALL: Jim Fall with Division of
34 Subsistence, Fish and Game.

35
36 DR. ROSENBERG: Good morning. I'm Dan
37 Rosenberg. I'm the migratory bird coordinator for the
38 Alaska Department of Fish and Game here in Anchorage.

39
40 MR. AHMASUK: Good morning. I'm
41 Brandon Ahmasuk. I'm the subsistence director for
42 Kawerak in Nome, Alaska. I was raised in Nome. Just
43 like most everybody here, growing up with a subsistence
44 lifestyle.

45
46 DR. SANDERS: Good morning. I'm Todd
47 Sanders. I work for the U.S. Fish and Wildlife
48 Service. I work for the National Migratory Bird
49 Program.

50

1 MR. DOOLEY: Good morning. I'm Josh
2 Dooley. I'm a goose biologist with the Fish and
3 Wildlife Service and based out of Vancouver,
4 Washington.

5
6 DR. TAYLOR: Hello. I'm Eric Taylor.
7 I'm the Division Chief for the Migratory Bird
8 Management Program for U.S. Fish and Wildlife Service
9 here in Alaska.

10
11 MS. LARSON: Good morning. I'm Angie
12 Larson. I work with the Fish and Wildlife Service and
13 I work with Pete and I'm the budget person for the
14 shop. I'm from Wasilla, Alaska.

15
16 MR. GINNIS: Good morning. I'm Steve
17 Ginnis. I'm from Fort Yukon. I currently reside in
18 Fairbanks. I'm the executive director of the Fairbanks
19 Native Association. You all can have this weather. I
20 just come from sunny country.

21
22 Thank you.

23
24 (Laughter)

25
26 MS. SCHABERG: Good morning. I'm Kate
27 Schaberg, the tribal biologist for Sun'aq Tribe of
28 Kodiak.

29
30 MS. LEONETTI: Good morning. I'm
31 Crystal Leonetti, tribal member of Curyung out of
32 Dillingham. Grew up in Anchor Point, Alaska. I'm the
33 Alaska Native Affairs Specialist for Fish and Wildlife
34 Service.

35
36 MS. CONN: Good morning. I'm Sarah
37 Conn. I'm the Fairbanks Fish and Wildlife Field Office
38 Supervisor with U.S. Fish and Wildlife Service.

39
40 MS. STELLRECHT: Good morning. I'm
41 Neesha Stellrecht. I work out of the Fairbanks Fish
42 and Wildlife Service Office in the Endangered Species
43 Program.

44
45 MR. MCCAFFERY: Good morning. I'm
46 Brian McCaffery. I'm a supervisory biologist at the
47 Yukon Delta Refuge.

48
49 DR. GEORGE: Hi. I'm Luke George. I'm
50 with the Colorado State University. I'm working on the

1 review of the subsistence harvest survey. Some of you
2 might know my brother Craig George who works up at
3 North Slope Borough. He's a lot funnier and smarter
4 than I am, so don't try to compare us.

5
6 (Laughter)

7
8 MR. NOEL: Good morning, everybody. My
9 name is Ryan Noel. I'm a special agent in charge for
10 the U.S. Fish and Wildlife Service, Office of Law
11 Enforcement. I live here in Anchorage.

12
13 DR. OTIS: Good morning. I'm Dave
14 Otis, also from Colorado State University.

15
16 CHAIRMAN PROBASCO: Thank you. I'd
17 like to welcome Gayla's son Kenton. Welcome. And Nate
18 is our recorder. He's been doing this for many years.
19 Thank you, Nate. So, with that, are there any other
20 that I've missed.

21
22 (No comments)

23
24 CHAIRMAN PROBASCO: Okay. Before you
25 you have the agenda. Yes, go ahead, Taqulik.

26
27 MS. HEPA: Michael Pederson is in the
28 kitchen preparing some lunch.

29
30 MS. DEWHURST: I'm his assistant.

31
32 MS. HEPA: Oh, Donna.

33
34 CHAIRMAN PROBASCO: And Donna. They've
35 been back in the kitchen. I know Mike started about
36 8:00 o'clock this morning. So Chef Pederson. Okay.
37 Next on our agenda is adoption of the agenda. Patty
38 put it before us. Is there any items or
39 clarifications?

40
41 MR. UJIOKA: I make a motion to adopt
42 the agenda as presented.

43
44 CHAIRMAN PROBASCO: Is there a second.

45
46 MS. HEPA: Second.

47
48 CHAIRMAN PROBASCO: Any discussion.

49
50 (No comments)

1 MR. MAYO: Call for the question.

2

3 CHAIRMAN PROBASCO: The question has
4 been called. Is there any objections to adoption.

5

6 (No objections)

7

8 CHAIRMAN PROBASCO: Hearing none,
9 motion carries. At this time, I'd like to give the
10 opportunity for members in the public to come forward
11 and provide comments as it relates to the tasks before
12 the Alaska Migratory Bird Co-Management Council. So is
13 there any person here that would like to come forward
14 and speak? Please, and please turn on the mic.

15

16 MR. GINNIS: For the record, my name is
17 Steve Ginnis. I'm the executive director of Fairbanks
18 Native Association. Mr. Chairman, I was just looking
19 at your agenda and I was curious about where the whole
20 issue of definition of families is going to be
21 discussed here. That's mainly the reason why I came
22 down here.

23

24 If you recall, FNA had a proposal here
25 regarding the hunting availability to urban Natives. I
26 appreciate the work that the board had done on that.
27 The regulation was amended to address that issue, but
28 there was also that whole issue of definition of Native
29 families. That had to do with the whole transportation
30 issue. As I understand it right now, it's illegal to
31 transport birds. As part of that effort, there was a
32 discussion about defining Native families. You know,
33 in the Native family, it has a broader definition than
34 the traditional definition that are used by non-Native
35 people.

36

37 So I was just curious where that is on
38 this agenda. I just don't see where it's going to be
39 discussed.

40

41 CHAIRMAN PROBASCO: Mr. Ginnis, thank
42 you for that question. I'm going to look for
43 assistance. I think this whole issue was under the
44 Invitation Committee. If I recall, as far as the
45 definition of the Native family, that was not discussed
46 yesterday in the work session, so I'm not sure if it's
47 on the agenda at this time.

48

49 Patty, do you have any information?

50

1 MS. SCHWALENBERG: No, it is not on the
2 agenda and I know you brought that up at the last
3 meeting, so it is at the committee level. They have
4 been concentrating more on the transportation part of
5 that proposal and then after that we'll start working
6 on the definition of family. Thanks.

7

8 MR. GINNIS: Thank you.

9

10 CHAIRMAN PROBASCO: Steve, real quick.
11 To help the committee, of course you're invited
12 whenever the committee meets to sit in on it and
13 provide information. Probably more important, I'm sure
14 the committee would like to know from your perspective
15 how best to define that. So if you have that
16 information, please share it with Patty and she'll make
17 sure that the committee gets it.

18

19 Thank you.

20

21 MR. GINNIS: Well, you know, the
22 definition, like I say, would be very broad and I've
23 been thinking about it. You know, do we start with
24 your great-great-great grandfather and grandmother or
25 your great-great grandmother and grandfather or your
26 grandmother and grandfather and then how far out do you
27 go in terms of defining your cousins. Is it first,
28 second and third? Does it stop there? This is a very
29 important issue when we're speaking to the issue of
30 transportation of these birds because we have a lot of
31 tribal members that live in urban areas. I think it's a
32 real injustice if you can't send a bird to your
33 grandmother or your grandfather or your uncle or your
34 aunt, you know. So this becomes very important from my
35 perspective.

36

37 So I appreciate the time to comment.

38

39 Thank you.

40

41 CHAIRMAN PROBASCO: Any questions for
42 Mr. Ginnis. Gayla.

43

44 MS. HOSETH: I just wanted to thank you
45 for coming and addressing the Council today. We
46 encourage public comment and glad to have public
47 comment today. Thank you.

48

49 CHAIRMAN PROBASCO: Steve, we do have
50 your phone number, so we'll stay in touch. Thanks.

1 MR. GINNIS: Just don't call me at 2:00
2 o'clock in the morning.

3
4 (Laughter)

5
6 CHAIRMAN PROBASCO: Any other members
7 in the audience that would like to speak.

8
9 (No comments)

10
11 CHAIRMAN PROBASCO: Okay. Thank you.
12 Next on the agenda, and I'm going to ask Patty to lead
13 us in this, is adoption of Council action items for the
14 September 24th to 25th meeting. Patty.

15
16 MS. SCHWALENBERG: Thank you, Mr.
17 Chairman. The action items are under Tab 3, so if the
18 Council would take a moment to look at them and we need
19 a motion to adopt if appropriate.

20
21 CHAIRMAN PROBASCO: Another way to put
22 this is we're looking at our action items from that
23 meeting and looking for concurrence that these are
24 either still on our plate or have been completed, so a
25 motion is appropriate. Gayla.

26
27 MS. HOSETH: They're under Tab 2 of the
28 books.

29
30 CHAIRMAN PROBASCO: Patty, what Gayla
31 is looking at is your summary of the action items, that
32 one-pager.

33
34 MS. SCHWALENBERG: Oh, those are the
35 things that we have to do.

36
37 CHAIRMAN PROBASCO: Yeah, that's the
38 guidance for us board members to make sure by the end
39 of tomorrow we have everything accomplished. So we're
40 still under Tab 3. I'll give you another minute.
41 Motion, please.

42
43 MS. HEPA: Mr. Chair. I'd like to make
44 a motion to approve the September 24th and 25th, 2014
45 meeting summary and the action items that are within
46 that document.

47
48 CHAIRMAN PROBASCO: Thank you, Taqulik.

49
50 MR. HICKS: I second, Mr. Chair.

1 CHAIRMAN PROBASCO: Thank you, Joeneal.
2 It's moved and second. Further discussion.

3
4 (No comments)

5
6 MR. HICKS: Question.

7
8 CHAIRMAN PROBASCO: The question has
9 been called. I will ask for unanimous consent. Is
10 there any objections to the motion?

11
12 (No objections)

13
14 CHAIRMAN PROBASCO: Hearing none,
15 motion carries. Thank you.

16
17 Please proceed, Patty.

18
19 MS. SCHWALENBERG: Okay. Thank you,
20 Mr. Chairman. Generally what happens at each meeting,
21 depending on the action items that were taken by the
22 Council, then I report on whether those action items
23 have been accomplished or the directives and there
24 really weren't any directives for me to work on, but I
25 did, however, include two quarterly reports for the
26 Council's information and those are the last two
27 documents under Tab 3. So, if the Council wishes, I
28 can summarize those or you can just read them at your
29 leisure.

30
31 CHAIRMAN PROBASCO: Just give us the
32 two-minute version, please.

33
34 MS. SCHWALENBERG: Okay. Obviously the
35 major part of the work these past six months actually
36 have been organizing the committees and getting them to
37 meet and attending regional management body meetings
38 while we can. The Emperor Goose, the handicraft and
39 the transportation issues, there were a lot of side
40 meetings with Fish and Wildlife Service and State of
41 Alaska that had to occur before this week came up, so
42 we were doing a lot of that. Working with Todd Sanders
43 about the meeting schedule of the Service Regulations
44 Committee and just taking care of the day-to-day
45 activities of the AMBCC and making sure that we keep in
46 touch with the regional management bodies on a regular
47 basis. We have attended all but I think two of the
48 regional management body meetings so far, so I think
49 we're doing pretty good that way.

50

1 Thank you, Mr. Chairman.

2

3 CHAIRMAN PROBASCO: Thank you, Patty.
4 Any questions of Patty. Taquilik.

5

6 MS. HEPA: No questions, but, Patty,
7 thank you for your quarterly summaries. Very good. I
8 appreciate them.

9

10 CHAIRMAN PROBASCO: I know she's been
11 very busy. So we don't really need to do approval. We
12 just need to acknowledge that Patty provided her
13 reports. So, if there's no further questions, we will
14 go to the opportunity for Council Chairs here to
15 provide their regional verbal reports. They can
16 address issues of concern. Pretty much everything that
17 your group has discussed and would like to bring
18 forward to the AMBCC.

19

20 So, with that, I will start out with
21 Gayla.

22

23 MS. HOSETH: Thank you, Mr. Chairman.
24 I'll try to pronounce it in Yup'ik, our Yaquillrit
25 Kelutisti Council, we call it the YKC for short, so if
26 I reference to that, that's what I'll be referencing.
27 We met on March 26th in Dillingham and we had great
28 attendance at our meeting. We had our full council
29 present except for one council member wasn't able to
30 attend due to scheduling conflict, so I was happy that
31 we had a good round of participation.

32

33 One thing that was different this year
34 that I incorporated is we involved the youth at the
35 middle school and high school in Dillingham and that
36 was really exciting because we have a lot of youth
37 hunters that are bird hunters and hunters for caribou
38 and moose. We're developing a youth advisory
39 committee. To have these kids engaged and talking
40 about, commenting about the birds that they saw, you
41 know, how was our weather, how was the climate. It was
42 really exciting and they were able to come in and
43 participate for our meeting for a short duration.
44 During the lunch hour they came down. So that was
45 really nice.

46

47 One of the comments out of that is our
48 youth hunters in our area hunt on their own. A lot of
49 them just go out hunting on their own. They are the
50 primary subsistence providers for their families, so I

1 really want to teach them the process and how things
2 are done. I'm really excited for the youth involvement
3 to have that.

4

5 Let's see. Some of the hunters are
6 anxious to start hunting and one of the young men
7 stated I'm going to sit in the grass until the birds
8 come. So they're really excited to get birds this
9 winter. The thing is, during the spring hunt is also
10 Native Youth Olympics, NYO, so we have NYO practice and
11 what they do in our region is they schedule their
12 practice like Monday through Thursday so -- and there's
13 girls and boys that are hunting, so they go hunting on
14 Friday, Saturday and Sunday. So that was interesting
15 that our NYO honors that and gives the kids a chance to
16 go out hunting. One of the things that the youth
17 commented were the birds seemed heavier last year than
18 in the past, heavier in weight. That was an exciting
19 part of the meeting.

20

21 So I'll move to like our council
22 comments. This has been consistent throughout our
23 region as our weather conditions. Of course had a very
24 mild winter and we hardly had any snow. There is a lot
25 of freezing and breaking up, freezing and breaking up,
26 freezing and breaking up. At least four times on the
27 Nushagak River before the river finally froze. Hunters
28 weren't able to harvest very many moose or caribou
29 during the winter due to poor traveling conditions, so
30 that was also a concern with the seasons that we're
31 noticing with climate change.

32

33 On the Peninsula, people are starting
34 to see birds they haven't seen there before. On the
35 Nushagak, they noticed birds are staying later than
36 usual in the fall. They're starting to see more Snow
37 Geese in our area. In Togiak, King Eiders are not
38 seeing very many in the spring and they don't stay like
39 they used to. They think it's due to climate change
40 and birds are headed to the Kuskokwim earlier than
41 usual from the Togiak area.

42

43 The geese are also migrating high it's
44 been noted. Emperors are migrating high. The birds
45 are flying higher and for the Togiak region with the
46 herring fishery they thought it would be consistent
47 with the airplane traffic, the airplanes flying in the
48 sky. In Lake Iliamna, they don't herring fish up
49 there, but they also reported that birds are flying
50 higher than normal. Families in our region take

1 subsistence very serious and we teach our children at a
2 young age.

3

4 The Nushagak River, they're seeing a
5 reduction in birds, tundra birds and snow birds. The
6 geese are flying in different ways due to no snow.
7 Since we haven't had any snow, one of the council
8 members commented that it's brown all over, so the
9 birds are just going -- you know, not going into the
10 normal areas that they would come to. Everything is
11 wide open.

12

13 The bears are coming out early. They
14 reported that they were seeing bears a couple weeks ago
15 and they were already seeing robins in New Stuyahok a
16 couple weeks ago. He says the geese and ducks are
17 abundant, but they are flying high. He says they fly
18 low in the morning and high in the evening.

19

20 It was also great to have Ryan Noel and
21 Dan Rosenberg and Eric Taylor attend our regional
22 meeting. That was really great to have people in
23 person and not on a teleconference and talking on the
24 phone. For our council members to meet with the people
25 who we work with here and to have the firsthand
26 information for people to ask questions and it was
27 really really a great experience and I think that they
28 enjoyed their time out in Dillingham when they were
29 there and our council members were also very
30 appreciative for them traveling out.

31

32 Let's see. We talked about our
33 proposals that we have in committees here. We have our
34 Emperor Goose harvest proposal, the wanton waste. The
35 council would like the wanton waste be defined as the
36 whole bird and our council is moving forward to submit
37 a proposal to the Statewide Board of Game to bring that
38 wanton waste proposal back up again for the State Board
39 of Game level and then for the AMBCC we would like to
40 have a definition for wanton waste as well.

41

42 We also talked about our proposal for
43 having a fall subsistence with the dates of the
44 proposal that we have in for that and maybe one of the
45 solutions to that would be for the Bristol Bay region
46 to increase our bag limits for the fall season until
47 this gets resolved. That was something we discussed.

48

49 So it was also a great meeting. We had
50 -- I believe it's the RITs from the Y-K Delta also

1 attended our meeting, which was really great. We had a
2 full room. I think we had like 35 to 40 people in the
3 room, which was really great for our Regional Council
4 meeting. So it was great for the RITs to have
5 firsthand information, especially from Mr. Noel. For
6 the transportation issues, the Federal Duck Stamp was
7 very well discussed.

8

9 Let's see. Sorry, I lost my train of
10 thought here. And then, like I said, the youth also
11 attended our meeting, so that was really great. One
12 thing that I'm really an advocate for is public comment
13 and I was really glad that we had public comment here
14 today and for people to have public comment at our
15 regional meeting was really important as well. I just
16 would like to -- how do we get more public to attend
17 these meetings that affect our whole state of Alaska.

18

19 I just wanted to thank you for
20 listening to our Bristol Bay regional report. We had a
21 really great meeting and I hope everybody has a great
22 hunting season.

23

24 Thank you.

25

26 CHAIRMAN PROBASCO: Thank you, Gayla.

27 Any questions.

28

29 (No comments)

30

31 CHAIRMAN PROBASCO: Gayla, I have one.
32 You said tundra birds were down. Are you referring to
33 ptarmigan?

34

35 MS. HOSETH: I was just writing down
36 what one of our council members wrote.

37

38 CHAIRMAN PROBASCO: I'm just curious
39 because it seems like throughout the state ptarmigan
40 numbers are down. I was just curious for your region
41 as well. All right, thanks. For all the councils, I
42 know Eric Taylor and Ryan and the State, Dan, were able
43 to attend the meeting and both Eric and I have made a
44 commitment that if we get proper notice, at least a
45 couple weeks out, not the week of the meeting, we will
46 make sure that we have one of our staff in attendance,
47 hopefully either Eric or myself or Donna. Please make
48 that note and give us enough heads up and we will
49 participate in your meetings.

50

1 Thanks, Gayla. Taqulik.

2

3 MS. HEPA: Thank you, Mr. Chair.

4 Again, I'm Taqulik from the North Slope. We haven't
5 had a meeting since the fall for our management board,
6 but we are planning a meeting in one of our villages
7 this summer. For the North Slope, our hunters are
8 preparing for our spring hunting activities. We have
9 people out on the ice breaking trail. There has been
10 some observations of a few eiders, small flocks
11 migrating.

12

13 During the wintertime when the leads
14 were closed, there was reports of eiders flying over
15 town, mainly over the roads. I think they thought the
16 roads, because they were darker, were open leads, so
17 that's happened the last couple times over the last
18 several years. So it was interesting to see that and I
19 actually saw a small flock flying over the road as if
20 it was water.

21

22 Not that much snow on the North Slope.
23 Just outside of Barrow we've had hunters travel to
24 their summer or spring hunting camps and they said that
25 the trails are very hard, so we're anticipating that
26 the spring migratory bird hunting activities for mainly
27 geese will be very short. If the weather is on a warm
28 streak, the snow will melt, so access to those hunting
29 areas are foreseen to be a problem this spring.

30

31 There's been a few reports of snow
32 birds that have finally arrived to Barrow. I haven't
33 seen one myself, but I've been listening and looking
34 around in the morning. I don't really know if this is
35 a migratory bird concern, but there has been reports
36 from our hunters this winter with the increase in
37 wolves and wolverines and I don't know if that's going
38 to be a problem for the nesting birds that come to the
39 North Slope. But from the hunters, they are seeing a
40 lot more wolves and wolverines. As predators, it could
41 be a concern to some of the migratory birds.

42

43 And then the whole news media about the
44 Snow Geese that had died near Idaho. I believe that
45 those Snow Geese were headed up to the North Slope, so
46 it is a concern and we've been talking internally with
47 our staff on possible monitoring if need be.

48

49 So that's the report from the North
50 Slope.

1 CHAIRMAN PROBASCO: Thank you, Taqulik.
2 Questions.

3
4 (No comments)

5
6 CHAIRMAN PROBASCO: Thank you. Randy.

7
8 MR. MAYO: Thank you, Mr. Chair. For
9 the Tanana Chiefs region, we conducted our regional
10 meeting last September 19th, just prior to the
11 statewide meeting. In attendance, Patty came up to
12 Fairbanks and some of the local Fish and Wildlife
13 Service staff, Vince Mathews, was in attendance and a
14 representative from Fairbanks Native Association and
15 gave some reports and updated. Some of the subregional
16 representatives -- the Tanana Chiefs region is a very
17 large, spread out region with 43 tribes, so each
18 subregion could be a regional council unto itself.

19
20 So some of the longstanding issues and
21 concerns was trying to stay on top of the whole issue
22 -- not so much the issue of our people going out and
23 getting food, but keeping up with all the rules and
24 regulations and then trying to disseminate it back out
25 to our far-flung tribal communities is always an issue
26 and, you know, it's always a concern that we talk about
27 it here every year, the minimal funding afforded to try
28 to do this immense work.

29
30 So there's a lot of catching up to do.
31 A lot of misinformation, misinterpretation. So we're
32 trying our best to keep our people informed. Had a few
33 phone calls and email messages from one of the
34 communities where the tribal council and tribal members
35 going back home to hunt to get some clarification out,
36 that whole invitation issue.

37
38 There's six subregions in our whole
39 region, trying to get all those seats filled to
40 represent the subregions. We had two subregions that
41 weren't represented, so I followed up at the March
42 Tanana Chiefs Conference and attended some of those
43 subregions that were lacking representation and gave a
44 brief update at some of those subregions.

45
46 So, once again, the birds will be
47 coming back to our region and people will be gearing up
48 to get out in the field and start harvesting some of
49 our traditional foods. That's about it for our region.
50 Of course, the proposal, the FNA proposal, working

1 towards getting that whole issue resolved as like here
2 in Anchorage and other large hubs, a lot of tribal
3 membership reside outside their traditional homelands,
4 but still have a right to our traditional foods. So
5 that's just a brief update coming from our region.

6
7 CHAIRMAN PROBASCO: Thank you, Randy.
8 Any questions.

9
10 (No comments)

11
12 CHAIRMAN PROBASCO: Thank you. Jim.

13
14 MR. UJIOKA: Jim Ujioka, Gulf of
15 Alaska. I'm going to turn this over to Patty for our
16 report.

17
18 MS. SCHWALENBERG: Thank you, Jim. I'm
19 putting my Chugach Regional Resources Commission hat on
20 now. The Gulf of Alaska area, which is Lower Cook
21 Inlet and Prince William Sound, we had a meeting in
22 December and although there were no proposals for us to
23 review, we did provide updates on all the ongoing
24 issues that the AMBCC is working on and we're going to
25 be having our spring meeting on Friday, so we'll be
26 providing an update to them on the most recent
27 developments and particularly the Duck Stamp and
28 hopefully handicrafts will be something positive we can
29 report as well.

30
31 That's probably it for the Chugach
32 Region, so thank you.

33
34 CHAIRMAN PROBASCO: Thank you, Patty.
35 Anything to add, Jim?

36
37 MR. UJIOKA: No. Thank you.

38
39 CHAIRMAN PROBASCO: Any questions.

40
41 (No comments)

42
43 CHAIRMAN PROBASCO: Okay. The floor is
44 yours, Jack.

45
46 MR. FAGERSTROM: Thank you. Jack
47 Fagerstrom. We held our meeting on the 26th and 27th.
48 I'd like to thank Patty for participating by
49 teleconference. Consider this your invitation to our
50 next meeting. Both you and Eric and Patty if she can

1 make it.

2

3 MS. SCHWALENBERG: March 31st, 2016.

4

5 CHAIRMAN PROBASCO: March 31st, 2016.

6 Write that down, Eric.

7

8 (Laughter)

9

10 MR. FAGERSTROM: In regards to the
11 ptarmigan, we used to get them in our village in the
12 fall, right in November. Now they don't come around
13 until springtime, in April, March and April. I thought
14 I'd start out with that because that was an observation
15 quite a bit of people made. Our regional bird report.
16 Our overall bird and egg harvest was good. Different
17 birds and less birds. Teller, Brevig and Wales there's
18 less Arctic Terns. That's very noticeable to them and
19 we've noticed the decline in Arctic Terns in our
20 village also.

21

22 In regards to the Emperor Geese, St.
23 Lawrence Island there's more Emperor Geese and they're
24 nesting there now. I spoke with an elder and he told
25 me there are nesting birds out there. They're molting
26 and he said I didn't tell anybody, so trying to protect
27 what they have. They also reported a Steller sea eagle
28 sighting and they think they're nesting -- there's a
29 pair nesting on the south side of the island.

30

31 I'm going to complain about too many
32 swans again and there are less brant. It's very
33 obvious there's communication between Golovin and White
34 Mountain. There's a huge decline.

35

36 Storm surges have been happening more
37 and more earlier. We live in a bay with a lagoon in
38 the back. In July, in the last two years, there's been
39 a storm surge where the nesting areas were inundated
40 with water.

41

42 There was a possible heron sighting in
43 Unalakleet. Our rep saw a bird with a long neck kind
44 of like a crane, but it was all white and a yellow
45 beak. That flew off. And a possible sighting of a
46 turkey vulture in Wales. A bird with a bald head had
47 to run, flap its wings quite a ways before it took off
48 and that was that sighting.

49

50 Once again I'm going to complain about

1 swans. There are too many. Our springtime harvesters
2 report swans are blankety-blank bullies. They'll go
3 chase off a flock of brant and take over. They do
4 quite a bit of damage when they're digging up whatever
5 they eat.

6
7 Late freeze-ups, early break-up. There
8 were three loons sighted in December. I don't know
9 what they were doing. There was lack of berries last
10 year and that made the birds move to different feeding
11 areas. While we had some snow toward the end of this
12 years, there's going to be hardly any berries again
13 next year, I think.

14
15 Again, thanks to Patty for
16 teleconferencing. That's my report.

17
18 CHAIRMAN PROBASCO: Thank you, Jack.
19 Any questions of Jack.

20
21 (No comments)

22
23 CHAIRMAN PROBASCO: I want to welcome
24 Myron. Myron was at the North Pacific Fishery
25 Management Council meeting dealing with bycatch. So
26 welcome, Myron.

27
28 MR. NANENG: Thank you.

29
30 CHAIRMAN PROBASCO: Oh, Peter, welcome
31 too. Patty put you on the spot there. Welcome. Okay,
32 Cyrus, please.

33
34 MR. HARRIS: Good morning. Cyrus
35 Harris, Maniilaq Association, Kotzebue. We had our
36 first Advisory Council regional meeting here on January
37 22nd. Our last meeting here I noticed that I had some
38 homework to go do when I went back home, but I
39 carefully looked over the contract to see to it that we
40 were funded to get this group of people together, so I
41 really worked hard at that. Now we've got six new
42 village representatives for the Kotzebue meeting. One
43 from Kivalina, Noatak, one from the Upper Kobuk and
44 actually three from the bigger villages, which is the
45 Lower Kobuk and one from Buckland/Deering.

46
47 So we have six new village
48 representatives from our area and we successfully had
49 our first meeting January 22nd and there were roughly
50 about 20 in attendance. It was open to the public.

1 We've also had an employee here, Jay Stevens attended
2 our meeting for informational purposes and helped me
3 get the meeting started. We had people like the
4 Selawik National Wildlife Refuge folks, like Susan
5 Georgette and Brittany Sweeney, who did some
6 presentations within the meeting itself also. Jay went
7 through pretty much most of the -- for as far as
8 passing information on to these groups of people and
9 for question and answer to get this group of people set
10 up for future meetings.

11
12 Also asked if there's anything in the
13 regulations that they thought should be changed, but
14 from the Lower Kobuk folks they suggest extending the
15 season mainly because due to the icing conditions to
16 get from the village to the hunting area the season,
17 according to the regulation book, is already closed by
18 the time they're heading out. Now we're talking 30
19 miles above the Arctic Circle here.

20
21 Also from the Buckland area they
22 suggest that we extend a seabird egg season mainly due
23 to also again icing and they do lay -- they don't pick
24 until the first week of July, after the first week of
25 July. After they go through the first few times, you
26 know, there's other boats that will eventually go
27 through it. They wait a while until they lay over
28 again and they do pick again. So there's two proposals
29 that's going to be showing up here and they're just
30 mostly extending seasons within those areas because it
31 doesn't quite fit our area of being up north. There's
32 little points. From May 20 to July 30 because the eggs
33 don't always come during the set regulation date.

34
35 There was also a note from one of our
36 representatives. When Mother Nature takes her course
37 in our region, it is when the season should open, you
38 know, so it kind of fluctuates in our area. So those
39 are two new proposals that will eventually be making it
40 on the table here. I still need to figure this out how
41 to go about that.

42
43 It depends on what the budget is like
44 after this. I've got to figure out what it costs us to
45 put this meeting together. Fourteen eight is not a
46 whole lot of money living up 30 miles above the Arctic
47 Circle to where prices triple compared to here, but
48 I'll see where we're at with the budget and then
49 hopefully get this group back together before the fall
50 meeting to come up with what they ask for on these two

1 new proposals. And most likely invite someone within
2 the Fish and Wildlife Service to help us out in that
3 manner. Eric thought he might want to travel up that
4 way, but it will have to come under his budget or
5 anybody else is more than welcome.

6
7 Anyway, those are the main subjects of
8 our area.

9
10 CHAIRMAN PROBASCO: Very good report,
11 Cyrus. As far as your future proposals, I know both
12 Patty and Donna can give you the proper paperwork and
13 actually you give the topic and the theme and we can
14 draft it for you, so we'll help in that arena.

15
16 MR. HARRIS: Thank you.

17
18 CHAIRMAN PROBASCO: Any questions.

19
20 (No comments)

21
22 CHAIRMAN PROBASCO: Okay. Joeneal, the
23 floor is yours.

24
25 MR. HICKS: Thank you, Mr. Chair. Just
26 rather briefly, several Friday's ago we had out
27 regional meeting. I'm not sure what exact date that
28 is. I think it's the 26th. Anyway, several Friday's
29 ago. It was more informational than anything else.
30 Nothing really significant to report on. We are
31 confronted with a turnover of staff within the Copper
32 River Native Association, so it's like having to go
33 back and re-educate everybody about the migratory birds
34 program and how to administer and the costs of the
35 program there. It's starting to be a headache.
36 Anyhow, you know, turnover. You know what I'm talking
37 about.

38
39 Anyway, the big topic of discussion was
40 our culture camp location for this year. Instead of
41 the Denali Highway, we are looking at locating it on
42 the Nabesna Road or Mile 26 of the Nabesna Road, what
43 they call Twin Lakes. It's within the Wrangell-St.
44 Elias National Park and Preserve. We are working with
45 the Park Service currently to get whatever details need
46 to be worked out in that regard.

47
48 There were permits. We can't cut
49 firewood in there, I can tell you that. You know, just
50 going through the loops that we have to go through in

1 order to get us authorized to hold the culture camp
2 there. When I say the culture camp, I mean the
3 Migratory Bird Culture Camp that we have held, what,
4 going on six years now. Last year there was a total of
5 39 adults and youths who attended it. It looks like it
6 will probably be in that same area, but we'll find out
7 how it works this time. We set up a planning committee
8 just for that purpose, so we just hope things work
9 smoothly towards that.

10

11 The culture camp will be held, no firm
12 date yet, the last week of July or the first week of
13 August. The last thing I want to reflect on is that
14 Ms. Crystal Leonetti called me several weeks ago
15 telling me that Geoff Haskett is planning to be in my
16 particular area during that time of that -- well, the
17 dates of the last week of July or the first week of
18 August. I would really like to see him attend either a
19 regional meeting or the culture camp. So I look
20 forward to that visit. I really hope it works out or
21 the schedule works out so that he can attend either/or.

22

23 So that's my report.

24

25 Thank you.

26

27 CHAIRMAN PROBASCO: Thank you, Joeneal.

28 Questions.

29

30 (No comments)

31

32 CHAIRMAN PROBASCO: I don't see Crystal
33 here, but I wrote a note down, Joeneal, we'll make
34 sure.....

35

36 MS. SCHWALENBERG: So did I.

37

38 CHAIRMAN PROBASCO: And so did Patty,
39 so we'll gang up on Geoff, okay. All right.

40

41 Thank you.

42

43 Peter.

44

45 MR. DEVINE: Thank you, Mr. Chair. Due
46 to the late opening on the cod fishing for the State
47 season, we were unable to pull together a meeting for
48 our area, but I plan on having one hopefully within the
49 next 10 days after I get back. The goose numbers are
50 up. Everybody just wants to know when can we start

1 hunting. Hardly any freeze-up this year. I mean our
2 region I think we had snow twice and none of it stayed.
3 I mean we had like 40 to 50-degree weather all winter
4 again. Nothing but rain. I don't know how good that's
5 been on the salmon streams. Probably washed all the
6 eggs out.

7
8 We're having our culture camp this year
9 a little earlier than usual. July 5th to the 15th.
10 Last year we had over 100 kids participate. The same
11 as Alaska Migratory Bird Co-Management Council, we're
12 celebrating our 15th year. We've become probably the
13 biggest culture camp in our region as far as
14 Aleutian/Pribilofs. It costs us 60-80,000 to run it,
15 but we get donations from our tribal entities and
16 corporations. If anyone is in the neighborhood during
17 July 5th to 15th, we have quite an event.

18
19 We've been making bidarkis. I've been
20 teaching bentwood hats for nine years. We do the
21 regalia. I think we have -- since we started, we have
22 like 150 regalia made already. We've averaging about
23 10 to 12 a year. The numbers just seem to be growing.
24 I mean you get kids interested in something and they
25 want to do it.

26
27 We're kind of a little different than
28 the other regions, you know. They say fifth grade and
29 up you could go. We don't believe in that. I mean you
30 teach them young. We actually have day classes with
31 the younger ones. We go K through 12th. We don't want
32 to leave anybody out. Then we have the adults come in
33 in the evening. It's turned into quite an event for us
34 and hopefully we could steer the kids away from some of
35 these nasty problems that have showed up. You know,
36 try to change the cultural thought on what should
37 happen. I mean there's some bad drugs in our
38 neighborhood, but with our culture camp we're more
39 towards traditional foods. We're not feeding them hot
40 dogs for lunch, you know. If you want to eat, you're
41 going to have to eat fish with us.

42
43 So they seem to enjoy it. I know I
44 sure enjoy it. It's kind of like the highlight of the
45 year, but then, you know, also the saddest part of the
46 year because you watch all this stuff from start to
47 finish and then, when it's over, it's like sad, but
48 they go away with learning so much, so that's why I
49 keep doing it. At our fall meeting I'll let you know
50 what the people are saying.

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Thank you.

CHAIRMAN PROBASCO: Thank you, Peter.
Is that culture camp in Sand Point?

MR. DEVINE: Yes, it's in Sand Point,
put on by the QT tribe, otherwise known as Qagan
Tayagungin Tribe.

CHAIRMAN PROBASCO: Thank you.
Questions. Pretty impressive. Go ahead, Myron.

MR. NANENG: Yeah, Peter, with the mild
weather do you think there's more survival of Emperor
Geese on the Aleutians? I'm sure George will help you
out in responding to that because we've had a mild
winter and I think that with the mildness of the winter
there will be more survival of young Emperor Geese that
have returned to winter on the Aleutians.

MR. DEVINE: Yes, I believe -- well, it
was so mild that we actually haven't seen them on the
island this year because other places haven't froze up
so they weren't forced out further, you know. With the
milder winters we are noticing also with our buffalo
herd that -- I mean last year out of our herd people
reporting probably about 40, 50 calves. So these mild
winters really does help all species. Except for the
fish. I don't know. They didn't seem to want to show
up this year.

CHAIRMAN PROBASCO: Thank you, Peter.
Sonny, please.

MR. SQUARTSOFF: First of all, our area
is different than the other areas and we have to change
our subsistence from April onto September, August,
whatever it is, continuing on probably about two weeks
or so after the State hunt or Federal hunt, whatever,
then open our subsistence because that's when the birds
are there. When you guys opened up, all our ducks are
pairing up and leaving. There's a few geese coming
through, but there's -- and they're all illegal to
shoot, but the ones we got.

I didn't get a chance to talk to
anybody in Old Harbor or Akiak, but there's a lot of
Emperor Geese down there where they find them and
there's a few up in the northern end now, a couple of

1 flocks. They'd like to get that opened up. That's
2 mainly the only birds they can get in the summertime --
3 in the spring because everything else is bunching up
4 and leaving. So we'd like to get ours changed to
5 opening up earlier and closing earlier in our region.

6

7 That's about it.

8

9 CHAIRMAN PROBASCO: Thank you, Sonny.
10 I know you had your meeting, what, a month ago?

11

12 MR. SQUARTSOFF: Yeah. A couple weeks
13 ago, yeah.

14

15 CHAIRMAN PROBASCO: Okay. Thanks.
16 Questions.

17

18 (No comments)

19

20 CHAIRMAN PROBASCO: Before we take a
21 break I'd like to turn the mic over to Myron to share
22 any thoughts that he may have.

23

24 Thank you, Myron.

25

26 MR. NANENG: Quyana, Mr. Chair. The
27 AVCP Waterfowl Conservation Committee met the last time
28 in Oregon with farmers as well as the Staff of the Fish
29 and Wildlife Service and Oregon Department of Fish and
30 Game and that was at the time that Patty went down with
31 us almost a year ago or was it last fall? I'm getting
32 so confused with all the meetings I've gone to.

33

34 We expressed concerns regarding the
35 Cacklers as well as they're saying that they're doing
36 farm depredation. Showed a lot of pictures and
37 photographs, which I'm sure that Eric will probably
38 show to the group later on if he happens to do his
39 presentation. At that meeting also we talked about the
40 Emperor Geese and the issue was raised that we need to
41 open Emperor Geese to our people out in the Y-K Delta
42 because they've been closed since 1987. That's a long
43 time. It's still used in index and the numbers never
44 seem to have increased from about 76,000. Still today
45 they're still claiming that number 76,000.

46

47 Something must be wrong with whoever is
48 using that survey strategy. That's why yesterday I
49 requested to compare notes with a couple of survey
50 samples of what you do with the White Fronts as well as

1 the Cacklers and Black Brant that come out to the Y-K
2 Delta to nest. If we can get better numbers other than
3 an index, that needs to be provided and it was
4 requested more than once. We need real numbers not an
5 index.

6
7 The other thing that was brought forth
8 to us is the Steller Eider reintroduction. This is the
9 second time that Fish and Wildlife Service has come and
10 asked us to work on that project, but this time they
11 traveled out to the villages of Hooper Bay, Chevak and
12 to Newtok. We still have major concerns about that
13 because of the track record that we've had with both
14 State and Federal agencies and now they implement
15 reintroduction of animals and then they make local
16 people criminals if they happen to harvest an animal or
17 so even if it may have been an accident.

18
19 Our elders have stated -- and I get a
20 good kick out of Fish and Wildlife managers and even
21 State managers when I make a comment that I've heard
22 from my elders -- whatever animal is in front of you is
23 provided for you for food, so harvest it because that
24 might be the last opportunity that you have to harvest
25 it. But you get strange looks in the eyes of managers
26 because they think that we have to abide by their rules
27 and regulations and laws that have come about.

28
29 Three days ago I got a call from
30 Scammon Bay saying that they saw a pintail flying at
31 Scammon Bay. That's out on the coast and it's early
32 April. There's something wrong with the weather.
33 Yesterday evening one of my relatives told me that he
34 saw three geese flying outside of his office and his
35 mouth was drooling as he was saying that. So the geese
36 are arriving and the ducks are arriving.

37
38 Last fall, due to the fact that there
39 wasn't that much berries out on the coast because we've
40 had the last two seasons of snow-less tundra there
41 hasn't been that much of a harvest of geese like there
42 has been before. A lot of people on the coast were
43 saying the geese are flying by fast because there's no
44 food to eat out on the coast.

45
46 So it's becoming a common occurrence
47 and this winter, like Pete said, the Y-K Delta has been
48 bare of snow in most of the area around Bethel area and
49 down south near the Kuskokwim area and even at
50 Quinagak there has been no snow most of this winter

1 except last week we had one day where we had four
2 inches of snow and that's because my cousin in Chevak
3 was chasing a rabbit on Easter weekend in his
4 underwear, so I was hoping he'd do that over again so
5 we'd have more snow.

6

7 (Laughter)

8

9 MS. HEPA: Easter bunny, yeah?

10

11 MR. NANENG: He claims that it was a
12 pink one.

13

14 (Laughter)

15

16 MR. NANENG: You know, those are the
17 things that we have been working on at AVCP and we're
18 still expressing concerns about the survey strategies
19 on the Emperor Geese because we noticed that there's a
20 lot of Emperor Geese that are flying around Hooper Bay,
21 Scammon Bay, along the coast, yet the numbers never
22 seem to change. There's a lot of young ones that pass
23 by the last two years and the people are questioning to
24 the people that are doing the surveys do they have eyes
25 or do they know how to count rice. That's the questions
26 that they're beginning to ask. So we need to get
27 better numbers on Emperor Geese so that they can have
28 an opportunity to hunt them. So that's my report, Mr.
29 Chair.

30

31 CHAIRMAN PROBASCO: Thank you, Myron.
32 Questions. Jack, please.

33

34 MR. FAGERSTROM: We've gotten input
35 from Savoonga and Gambell and they're seeing a lot more
36 Emperor Geese also. And report from Wales, you know,
37 nesting Emperor Geese. I thought I'd mention that to
38 back you up a little bit. Another thing I neglected to
39 mention in my regional report is level of concern due
40 to increased shipping to the Bering Straits, the
41 realization of all our Eider ducks that molt there and
42 there is potential there for a disaster. That wouldn't
43 be good for anything.

44

45 Finally, did I forget anything,
46 Brandon?

47

48 MR. AHMASUK: I don't think so.

49

50 MR. FAGERSTROM: Okay. Thank you.

1 CHAIRMAN PROBASCO: Thank you, Jack.
2 As far as the Emperor Geese, we're going to have a
3 committee report later in the meeting, so we'll have an
4 opportunity to further discuss Council's concerns and
5 hear from that committee on what progress they've made
6 and where they're going to go forward. I too look
7 forward to that discussion.

8
9 MR. NANENG: Can I add one more item
10 that was brought up?

11
12 CHAIRMAN PROBASCO: You sure can.

13
14 MR. NANENG: Jack brought up the
15 concern about shipping and more traffic out in the
16 Bering Sea with opening up the Northwest Passage. We
17 too are concerned about that, but we also know that
18 Spectacled Eiders winter south of the St. Lawrence
19 Island and we hope that we can find a way that that
20 wintering area can be a sanctuary for those birds
21 because right now in any of our regions we can't even
22 hunt for Spectacled Eiders because they're saying that
23 the numbers have decreased out in the Y-K Delta in
24 their nesting areas and it's going to have a big impact
25 on all of us.

26
27 CHAIRMAN PROBASCO: Thank you.

28
29 Sonny, please.

30
31 MR. SQUARTSOFF: Yes, on the Emperor
32 Geese, I think that we should have at least a trial
33 opening on the Emperor Geese, a limited trial, you
34 know, for three to five years. Not to try to wipe them
35 out, but just to see what the surveys or whatever they
36 got after and see if there's a change. If it's
37 decreasing, then close it, then we'll sort of believe
38 their surveys and stuff. Just give it a trial run
39 first, you know, to see how it -- well, it's got to be
40 at least three to five years and then take your
41 surveys.

42
43 CHAIRMAN PROBASCO: Thank you, Sonny.
44 Council members, please share your thoughts when we get
45 to that committee report. So we're going to take a 10-
46 minute break. Keep in mind at 11:15, I believe, we're
47 going to take a break and we're going to have
48 Congressman Young show us -- or we'll have a video of
49 Congressman Young on the Duck Stamp issue, so we'll
50 take a break at that point.

1 Taqulik, before we break.

2

3 MS. HEPA: Yes, there was one thing
4 that I did neglect to mention, that the North Slope
5 Borough Department of Wildlife Management with other
6 cooperators are doing an Eider count out on the ice
7 this spring and that should be starting up here in the
8 next week or two.

9

10 CHAIRMAN PROBASCO: That's out of your
11 shop?

12

13 MS. HEPA: Yes.

14

15 CHAIRMAN PROBASCO: Thank you. Ten-
16 minute break. Thanks.

17

18 (Off record)

19

20 (On record)

21

22 CHAIRMAN PROBASCO: Okay. At this
23 point in the agenda we're going to go to the Harvest
24 Survey Program and Liliana from the State will take us
25 through this. At the end, Council and Board, we do
26 have an action item as far as adopting the 2013 harvest
27 report. So, Liliana, the floor is yours. Jim says Tab
28 4. Thanks.

29

30 MS. NAVES: Thanks, Jim. I'm Liliana
31 Naves, Division of Subsistence, Fish and Game. So
32 we'll give a brief update on the work that was recently
33 completed in the Harvest Survey Program and the
34 upcoming and ongoing work. So we recently completed
35 all the work related to the Yellow-Billed Loon listing
36 process. There was a series of presentations that were
37 done on that late last year. There is a manuscript
38 submitted for publication as a peer review article and
39 I'll keep updated on that.

40

41 Our last activity on that working with
42 Tamara Zeller from Fish and Wildlife Service to do
43 outreach meetings in Gambell and Savoonga to inform the
44 communities on how was the final steps of the listing
45 process and what was the outcome on where things land
46 now. There are materials related to this communication
47 with the villages behind Tab 4 with the other harvest
48 materials and also on the table back there. It's also
49 at this point from the work on the sea duck harvest
50 research. There was also a bunch of oral presentations

1 last year and the book should come soon here.

2

3 The 2014 harvest survey was conducted
4 in the Upper Yukon region and the subregion and also in
5 the Cordova subregion. Results for both subregions are
6 already available for data review. So Cordova in 2014
7 was the first year that they had a legal spring and
8 summer harvest and there was a reporting requirement
9 that went there. The households had to register for
10 that hunt and I worked with the Eyak Tribe and the Park
11 Service to do the registration process and also the
12 survey. So the results are this paper here. If there
13 are any questions about that and Jim can help
14 coordinating that, we can review this before it goes in
15 the final report.

16

17 Moving to the Upper Yukon survey, we
18 did six villages in that subregion and worked with
19 local people that are RITs for the Yukon Flats and
20 Arctic Refuges. The harvest estimates also are
21 available for that. It's a paper that looks like that,
22 two tables at the subregion level. We started working
23 on a data review process directly with the communities
24 because this year we'll have extra in our situation to
25 have the opportunity to do that and I'm working with
26 Vince Mathews that's here too on that.

27

28 I think that's going to be really
29 helpful to have the community data review. So it will
30 be the first time since the AMBCC program that they're
31 going to be directly involved in that process and
32 they're really excited about this opportunity and make
33 the best use of this opportunity. We'll also be
34 discussing with them a data release agreement at the
35 village level and see how they want to handle that.

36

37 The 2015 Cordova harvest registration
38 already started and, again, working with the Eyak Tribe
39 and the Park Service there. The registrations are
40 already available and we're also going to have the
41 survey as last year. We have plans to do a 2015
42 harvest survey in the Y-K Delta and I'm working with
43 the Yukon Delta Refuge for that.

44

45 There are other ongoing research work,
46 but this is the one-pager that's behind your Tab 4
47 there, so if you have any questions about that, let me
48 know. The main action item here that I'd like to focus
49 on is the adoption of the 2013 final report. This
50 report has been appearing in the last few meetings and

1 I think that now we should be able to adopt it. It has
2 been extensively reviewed by the RITs of the Togiak
3 Refuge that helped in data collection and also reviewed
4 by Fish and Wildlife Service and Fish and Game staff.
5 The draft report is ready and we're going to have next
6 here a motion on adoption and, pending adoption, the
7 report to be finalized.

8
9 CHAIRMAN PROBASCO: Thank you, Liliana.
10 Before we go to the action item, are there any
11 questions on the other information that Liliana
12 provided.

13
14 (No comments)

15
16 CHAIRMAN PROBASCO: So the Yukon-Flats
17 survey is still ongoing, correct?

18
19 MS. NAVES: All the data collection is
20 completed and the preliminary estimates are available
21 working now on data review.

22
23 CHAIRMAN PROBASCO: Okay. Thank you.
24 And thank you, Vince, for helping with that. Other
25 questions.

26
27 (No comments)

28
29 CHAIRMAN PROBASCO: Okay. Council and
30 Board, we have an action item, which is the adoption of
31 the 2013 report. This is the final report and Liliana
32 went through the review process. I know it's been made
33 available. So first I think a motion is appropriate
34 and then we will discuss to adopt the report.

35
36 Thank you.

37
38 MR. NANENG: So moved, Mr. Chair.

39
40 CHAIRMAN PROBASCO: Thank you, Myron.
41 Myron moves to adopt the 2013 report as presented by
42 Liliana. Is there a second.

43
44 MR. UJIOKA: Second.

45
46 CHAIRMAN PROBASCO: It's been moved and
47 seconded. Discussion.

48
49 (No comments)

50

1 CHAIRMAN PROBASCO: I know my staff has
2 reviewed the report and provided comments. Those were
3 incorporated. Myron.

4
5 MR. NANENG: Yeah. One of the things
6 that I know is that we usually have a lot of surveys
7 done within the Wildlife Refuges. However, I'm not
8 sure about the State land areas where it's not within
9 the Refuge, but on State lands. Like, for instance, we
10 have the Wildlife Refuge boundary that's at Aniak and
11 I'm wondering if there's ever any surveys that are done
12 beyond Aniak River on up on State lands. So I just ask
13 that question because it seems like people that live in
14 the Wildlife Refuges are the most surveyed, studied
15 people that ever lived on Earth. So I'd like to hear
16 your response.

17
18 MS. NAVES: Liliana Naves. The
19 sampling frame for the AMBCC survey includes all
20 villages identified in the regions eligible to the
21 subsistence harvest, so it's not limited to the Refuges
22 only. So no matter the ownership of the land where the
23 communities are, if they're included in an eligible
24 AMBCC area they're included in the survey.

25
26 CHAIRMAN PROBASCO: Thank you, Liliana.
27 Go ahead, Myron.

28
29 MR. NANENG: So whatever proposed rules
30 and regulations that we come up with we'll also be
31 included within those non-Refuge lands. Because
32 sometimes it seems like there's two different standards
33 that are being applied to people. If they're outside
34 of the Refuge, the State does a lot of things and when
35 it's within the Refuge it's Fish and Wildlife Service.
36 Sometimes we feel that the State shouldn't be involved
37 on Refuge lands, but at times it seems like the Feds
38 allow that to happen when it's not their
39 responsibility. Not necessarily on migratory birds,
40 but on other natural resource concerns.

41
42 MS. NAVES: As it's related to
43 regulations are deferred to Donna Dewhurst for that.
44 The survey is not intrinsically tied to the
45 regulations, so I'd defer to Donna for that.

46
47 MR. NANENG: Well, sometimes as the
48 result of surveys regulations do come up. That's why I
49 asked that question.

50

1 CHAIRMAN PROBASCO: Thank you, Myron.
2 Other comments. I think what you're speaking to is
3 future surveys as we go down. So very good point.
4 Taqulik.

5
6 MS. HEPA: I think you answered what I
7 was kind of thinking. I think his question was is there
8 a bias toward conducting the surveys within the Refuge
9 communities versus looking at it from a broader
10 perspective than the AMBCC level. What I heard Liliana
11 say is that, no, there is not a bias.

12
13 CHAIRMAN PROBASCO: Correct, that's
14 what I heard and I would agree with that statement.
15 Others.

16
17 (No comments)

18
19 CHAIRMAN PROBASCO: So we do have a
20 motion and since this isn't a regulatory action and I
21 hope I'm within the bounds of the AMBCC process. I
22 would like consensus by the entire group, both the
23 Councils and the Board. Is that okay? So is there any
24 objections to the motion to adopt the 2013 report as
25 motioned by Myron Naneng. I ask for unanimous consent.

26
27 (No objections)

28
29 CHAIRMAN PROBASCO: Hearing none,
30 motion carries. Liliana, do you have anything else for
31 us?

32
33 MS. NAVES: I'd just like to say,
34 Randy, as the Upper Yukon survey is in your area there,
35 we can talk later and discuss about how to go about the
36 data review beyond the village level.

37
38 CHAIRMAN PROBASCO: We probably want to
39 try to get on Randy's agenda when we get to that point
40 and attend his meeting. Okay. Liliana,
41 congratulations.

42
43 Thank you.

44
45 Luke, how long is your presentation?

46
47 DR. GEORGE: It shouldn't take long for
48 the presentation.

49
50 CHAIRMAN PROBASCO: And then we could

1 always come back for questions. We have to break at
2 11:15, so we've got about 25 minutes. So let's go for
3 your report and then we'll look at the clock and we'll
4 either take questions or we'll hold them until after
5 our ceremony. So go ahead, please.

6

7 DR. GEORGE: So I do have a few slides.
8 It will take a few minutes just to get the computer up
9 if that's okay with the Council.

10

11 CHAIRMAN PROBASCO: You guys have three
12 minutes to go get another cup of coffee. Okay, we're
13 back in session.

14

15 DR. GEORGE: All right. So I'm just
16 going to give a quick update of where we are on the
17 subsistence harvest survey review. As probably most of
18 you are aware, we were contracted starting last year to
19 do a review of the subsistence harvest survey. There
20 have been some concerns brought up about the quality of
21 the data and the precision and whether or not the data
22 was meeting the objectives. So I'll give you a quick
23 overview of what we've done so far and then what's
24 coming up next.

25

26 So since the last AMBCC meeting we sent
27 out a survey to the Technical Working Group members
28 asking them a number of things about their feeling
29 about the most important issues as far as the spacial
30 scale of the surveys. Should the estimates be at the
31 statewide, regional or subregion scale for instance.
32 What are the most important species to obtain harvest
33 survey estimates of whether or not trends in harvest
34 survey were important and we also asked everyone to
35 provide information on how the data that have been
36 collected are being used. We rolled that all together
37 into a report that we sent back out to the TWG members
38 in December.

39

40 As a result of responses to that
41 December report we convened a meeting in February where
42 we had a good representation of all the groups here in
43 Anchorage. At that meeting we were asked to revisit
44 the survey objectives and to get more specific
45 objectives from each of the three groups about exactly
46 what information they would like to obtain from the
47 harvest survey. We also were tasked with increasing
48 and broadening the kinds of analyses that we were asked
49 to do of the harvest survey data.

50

1 So we took that information back and
2 produced a second report, which we sent out to the TWG
3 group just prior to our meeting on Monday and this is
4 really a progress report. In no way is it actually
5 complete at this point. We just wanted to give the
6 group an idea of how far we had gotten.

7
8 During that period between the February
9 meeting and the April meeting, we obtained revised
10 survey objectives from Fish and Wildlife Service and
11 Alaska Department of Fish and Game. We're still
12 working with the Native caucus to get their objectives
13 in the same form as the others so that we can
14 prioritize. We also did a fairly extensive review of
15 the data quality, looking at issues like recall bias,
16 non-response bias, trying to look a little bit at
17 misidentification error and then also summarizing the
18 precision of the estimates as they've been obtained so
19 far.

20
21 We had a meeting on Monday morning,
22 presented the analyses that we've done and received
23 more input and we've got some marching orders now to
24 get some additional pieces of information that we'll be
25 including in the report. So next steps are to work
26 with the Native caucus to obtain those survey
27 objectives and working with all the stakeholders to
28 clarify those objectives and make sure that we have all
29 the information that we need to compare those
30 objectives.

31
32 Also another piece of information that
33 we will be obtaining from all the groups is to
34 articulate how those survey objectives relate to the
35 uses of the data. In other words, if you're interested
36 in obtaining information on harvest of a particular
37 species on regional or State level, exactly how is that
38 information going to be used in management or
39 decisions. So making that link between the objectives
40 and the uses was felt to be very important.

41
42 We'll also be doing some additional
43 analyses on egg harvest and seasonal harvest. That
44 will be rolled into the report. We're kind of in the
45 final phases here. We'll be in a lot of back and forth
46 between the various groups to make sure we get that
47 information. We'll be producing a draft report at the
48 end of April that we'll be sending out to the Technical
49 Working Group for their comments, suggestions, input
50 and then a final report will be due at the end of June.

1 That report will summarize the survey objectives and
2 justifications that we've received from everyone. It
3 will be an expanded review of the harvest survey data
4 that we've already got underway.

5
6 Then probably the most critical part
7 here will be looking at whether the current survey
8 approach meets the objectives that have been identified
9 for the harvest survey. That will really be the
10 jumping off point for the next step in this process and
11 that will be if we determine that the current survey
12 doesn't meet those objectives, then we'll be working
13 with the group to identify ways that we can modify the
14 survey, change things, tweak things such that the
15 information that is obtained from the survey actually
16 does meet those objectives.

17
18 I think one of the other important
19 things here is to gain additional trust in the survey.
20 In other words, if there's not -- if the various people
21 who are obtaining the numbers don't feel like those
22 numbers are reliable, then there's not much incentive
23 to use those in actual management decisions. So coming
24 up with a survey design that everyone has buy-in on and
25 meets those objectives I think would be the critical
26 next step in this whole process.

27
28 CHAIRMAN PROBASCO: Thank you, Luke.
29 We have a few minutes here to take some questions, so
30 I'll first open it up to the Councils.

31
32 MR. NANENG: I have some questions.

33
34 CHAIRMAN PROBASCO: Okay, Myron, go
35 ahead.

36
37 MR. NANENG: Thank you for your
38 presentation. I have a couple questions. It seems
39 like only egg gathering is listed there other than the
40 shotgun approach. We know that people can't harvest
41 birds with shotguns, but it does not take into account
42 any other customary and traditional practices that our
43 people have done in the past, like making drives of
44 flightless birds. You know, that's not as common as it
45 used to be, but that's one way of gathering have to die
46 in order for -- just to keep the shotgun approach. You
47 know, we've had issues with shotguns in the past where
48 we had lead shots that caused a decline of birds,
49 certain species of birds in the past, but I think that
50 this survey has some missing elements that can go back

1 to the ways some of the people harvested migratory
2 birds in the past.

3

4 DR. GEORGE: Yeah, certainly the idea
5 is to try to get an idea of the total harvest of the
6 population. So if you feel like there's aspects of
7 that harvest that aren't being incorporated into the
8 survey, then that would be important to know,
9 especially moving forward if and when there are
10 modifications made to the survey design.

11

12 MR. NANENG: I just want to make sure
13 that some of our traditional practices that are
14 practiced by people in the Y-K Delta are not completely
15 eliminated by the way the survey is done and it's still
16 recognized that those practices are customary and
17 traditional ways of harvesting birds.

18

19 CHAIRMAN PROBASCO: Thank you, Myron.
20 Other questions. I'll go to the public first.

21

22 (No comments)

23

24 CHAIRMAN PROBASCO: Council.

25

26 (No comments)

27

28 CHAIRMAN PROBASCO: So we're looking at
29 the Technical Working Group getting a report shortly
30 after April and then we'll do a final report. So this
31 body would get to comment in the fall then on that
32 report or what's the task from the end of June until
33 falltime. What are we looking at doing?

34

35 DR. GEORGE: Yeah, so the way I'm
36 looking at this is once the Technical Working Group
37 obtains that report in June, then we'll be getting to
38 talk with them, probably have some meetings to decide
39 is the survey meeting those objectives. We'll have our
40 opinion on that, but they will weigh in on that as
41 well. If there's a feeling that those objectives
42 aren't being met by the current survey design, that's
43 when we'll be brainstorming, putting our heads
44 together, probably looking to get as much input as
45 possible from various groups to find a way forward to
46 try to get better numbers that everyone can be
47 comfortable with.

48

49 So that's probably going to be the most
50 critical part of this whole process, is the back and

1 forth, working with villages, with regional councils
2 and so on to find out what works, what doesn't work,
3 what sort of approaches might be able to address some
4 of the biases and errors that people have raised so
5 that we can get estimates that everybody can buy in on.

6
7 CHAIRMAN PROBASCO: Thank you, Luke.
8 So we can anticipate that we would send that final
9 report out to each of the Council chairs. At that
10 point we would try to determine how best to get that
11 input back to the Technical Working Group. Is that
12 accurate?

13
14 DR. GEORGE: Yeah. And, you know, as
15 we've done this process, we've been learning as we go
16 along. You know, if you have any feelings about the
17 best way to facilitate that process, how we can get as
18 much involvement as possible we certainly would be open
19 to that. We're happy to come up here and meet with
20 people if there's certain meetings, certain times that
21 would be most appropriate to get together and talk with
22 folks. That would be really helpful to know. Yeah, if
23 there's particular groups that you think should be
24 involved, should be in the loop definitely, that would
25 be helpful as well.

26
27 CHAIRMAN PROBASCO: Taqulik.

28
29 MS. HEPA: On behalf of the people of
30 the North Slope, I just want to commend Colorado State
31 University for taking on this task. It's been a hot
32 potato and I'm glad that we're moving forward so that
33 we can eventually begin and start to do a comprehensive
34 harvest survey throughout the state of Alaska and we
35 really need to get there. So the work that you have
36 done is a big help and I just want to thank you guys.

37
38 DR. GEORGE: Yeah, thank you for that.
39 I want to say as we've been working on this, at least I
40 can say for myself, that I've been very impressed at
41 how much buy-in there is on this harvest survey. You
42 know, there are difficulties, there are special hurdles
43 associated with implementing the survey at this scale,
44 across different cultures, different languages,
45 different regions and so on, but I found that in
46 general people want to make it happen, they want to
47 make sure the numbers are accurate.

48
49 You know, if you look at the levels of
50 participation in the survey, they're higher than many

1 national surveys of waterfowl harvest. So I think
2 everyone should be commended on pulling together and
3 making this happen. I think we can come up with a
4 design that everybody can have buy-in on. There's
5 certainly going to have to be compromises, but I don't
6 get the feeling that there's a lack of interest. I
7 think people really want to pull together and get this
8 all to work out.

9

10 CHAIRMAN PROBASCO: I'll open it up
11 just real quickly here for some of the public. You had
12 a question? You have to come to the mic and identify
13 yourself, please.

14

15 MS. WENTWORTH: I'm Cynthia Wentworth.
16 I'm now a cultural anthropologist. I was coordinator
17 of the Subsistence Harvest Survey Program for the Fish
18 and Wildlife Service for 18 and a half years, from 1989
19 to 2007. The survey on the Yukon-Kuskokwim Delta was
20 originally designed by an anthropologist, Dr. John
21 Copp, and we followed his design for the first several
22 years.

23

24 I was concerned now when you were
25 talking about drives of flightless birds. All that
26 data was included and has been included in the survey
27 in the places where that occurs. Of course, the
28 validity of the data or the accuracy of the data
29 depended a lot on the surveyor in the community, you
30 know, knowing the community. I gathered from Liliana
31 that that is still the case, that that data is
32 included, the drives of flightless birds.

33

34 So, thanks.

35

36 CHAIRMAN PROBASCO: Thank you, Cynthia.

37

38 Steve, please.

39

40 MR. GINNIS: Thank you. For the
41 record, Steve Ginnis with FNA, Fairbanks Native
42 Association. Mr. Chairman, one of the things I have
43 concerns regarding surveys is it's well-intended, but
44 there's also the possibility that these kind of surveys
45 can have a negative effect on the users. What's
46 interesting to note I think is whether these birds
47 along the migratory route is being surveyed as well,
48 those other users. The concern for me here is that we
49 may very well end up being the bad guys you might say.
50 You know, we're overharvesting or we're taking too much

1 of these birds. Again, these are well-intended, but
2 they also can have a potential negative effect.

3
4 The other thing is, I'm just curious,
5 how are you collecting data on the harvest of these
6 birds currently?

7
8 CHAIRMAN PROBASCO: Thank you, Steve.
9 The person that conducts the majority of that harvest
10 survey they're sitting right behind you, but it's
11 conducted and they can add more to it, but it's
12 household surveys, people going to interview.

13
14 MR. GINNIS: Okay.

15
16 CHAIRMAN PROBASCO: And Liliana and, in
17 your area, Vince Mathews, you can get specifics from
18 them, talking with those two.

19
20 MR. GINNIS: Okay. I hope you
21 understand my point here. I'm not trying to throw a
22 wrench into this process here, but I know that there's
23 other users of these birds along the route and I would
24 hate to see the Alaska Native people kind of being
25 singled out as the folks that are creating
26 overharvesting problems.

27
28 Thank you.

29
30 CHAIRMAN PROBASCO: Thank you, Steve.
31 I'm going to turn the mic over to Myron. We just have
32 a couple minutes before we get into our Duck Stamp
33 issue and have presentations. So, Myron and then thank
34 you, Luke.

35
36 MR. NANENG: Thanks. And I'd like to
37 thank Steve for bringing that up because back in 1984
38 when the Cackling Canada Geese were at their lowest
39 number of about 25,000, it seems like the burden of
40 conservation was placed primarily on those people who
41 were harvesting and gathering eggs of Cackling Canada
42 Geese. There was no information as to the number of
43 harvest by sports hunters out in the Lower 48. The
44 only pictures that were shown as public relations from
45 Fish and Wildlife Service at that time was pictures of
46 our Native ladies gathering eggs, pictures of our
47 Native hunters with birds they've gotten, as if to
48 imply that the Native people are the only ones that are
49 causing the decline.

50

1 So I appreciate that we're doing a
2 survey, but I don't want to get to the point where we
3 are going to be the culprits of something that is also
4 caused by other things. I've seen enough restrictions
5 placed on our people that rely on this for food
6 security. Not only the migratory birds, but also right
7 now we're dealing with chinook salmon, which another
8 entity is meeting about right now. Our people on the
9 river systems are the most restricted people right now
10 while they have an allocation for industry and other
11 countries.

12
13 So even though I appreciate the
14 surveys, I don't want to get it to the point where our
15 people are the ones that are being blamed for the cause
16 of the declines when there are other factors that may
17 be causing the declines. So I just want to share that
18 and I hope that that's not the intent of the harvest
19 surveys and I hope that it's written in that document
20 that this harvest survey is not intended to make the
21 Native person that's harvesting migratory birds as the
22 culprit of cause of the decline.

23
24 Thanks.

25
26 CHAIRMAN PROBASCO: Myron, thank you
27 for your comments. Before I turn the mic over to
28 Crystal, I'd like to recognize two individuals. Doug
29 Vincent-Lang, former board member, welcome. And I have
30 Mike Fleagle here from Senator Sullivan's office, so
31 welcome, Mike. Crystal. And who is online, please?

32
33 MS. DEMER: Hi, it's Lisa Demer. I'm
34 on the line with Alaska Dispatch.

35
36 CHAIRMAN PROBASCO: Welcome, Lisa. Is
37 there anybody else?

38
39 (No comments)

40
41 CHAIRMAN PROBASCO: Okay. Crystal.

42
43 MS. LEONETTI: Thanks, Pete. Crystal
44 Leonetti, Alaska Native Affairs Specialist for U.S.
45 Fish and Wildlife Service. We're actually going to
46 start in about five minutes with a congressional
47 delegation announcement and a press event. So it will
48 just take us a couple minutes to get set up and then
49 Myron will speak first. So everybody can hang on for a
50 couple minutes and then we'll get started.

1 Thank you.

2
3 CHAIRMAN PROBASCO: So don't leave the
4 room.

5
6 (Off record)

7
8 (On record)

9
10 MR. NANENG: Good morning, everyone. I
11 know that the next presentation is a very important one
12 to the Native community. It's related to the Duck
13 Stamp exemption. I remember back in 1984 when we were
14 talking about the first Hooper Bay Agreement out in my
15 home village of Hooper Bay when the Cackling Canada
16 Geese were on the decline, one of the first languages
17 that they put on that agreement that was signed by
18 Washington, Oregon, California, Alaska Fish and
19 Wildlife Service is that the group will work together
20 for the Migratory Bird Treaty Amendment. Started that
21 negotiation in the early 1990s. The Migratory Bird
22 Treaty was enacted back in 1997.

23
24 After that the Alaska Migratory Bird
25 Co-Management Council was inserted as part of the
26 language where Alaska Native participation in the
27 management of the waterfowl that migrate between Alaska
28 and the Lower 48. One of the things we found out in
29 trying to pursue the treaty was that we assumed that
30 Alaska Natives would have Duck Stamp exemption with the
31 acceptance of the treaty. At that time, the solicitor
32 who lived here in Anchorage said that's not included.
33 You have to find ways -- you know, Alaska Natives don't
34 have Duck Stamp exemption.

35
36 So AVCP, with the help of others, took
37 it upon themselves to make sure that we pursued this
38 legislation to make it happen and today I'd like to
39 thank our congressional delegation, Senator Murkowski,
40 Congressman Don Young, Senator Sullivan, who probably
41 showed up later, but I think the important work that
42 was pushed for in this legislation was Senator Begich.
43 We also worked with Senator Tester from Montana, who
44 introduced a Sportsman Bill that included the Duck
45 Stamp exemption legislation.

46
47 The last time Senator Tester came up
48 here to Alaska, I think this past spring or this past
49 fall or winter, he asked me I thought all you were
50 going to discuss was birds. I said I've got other

1 issues I'd like to talk to you about, but I'd like to
2 thank you for working on the Duck Stamp exemption,
3 supporting our congressional delegation and making it
4 happen.

5
6 So I think the day that legislation
7 passed was historic, but it's very much a historic
8 occasion for many of our people throughout Alaska,
9 especially all our Alaska Native hunters who were
10 finally recognized to have that legal spring and summer
11 hunt when the Migratory Bird Treaty Protocol Amendment
12 was accepted. We've still got other issues to deal
13 with, but I think these are steps that show us that on
14 issues that need to be addressed perseverance,
15 confidence that it can happen, shows today that we've
16 come a long ways in doing something for the Native
17 community and all the people who live in rural Alaska.

18
19 So I'll turn the floor over to
20 Congressman Don Young, who I think.....

21
22 MS. LEONETTI: Chad Padgett, State.....

23
24 MR. NANENG: Oh, it's Chad? You don't
25 look like Congressman Young.

26
27 (Laughter)

28
29 MR. PADGETT: Yeah, I hope not. Yeah,
30 go ahead if you want to just play the video.

31
32 MR. NANENG: Okay.

33
34 (Video of Congressman Don Young played)

35
36 (Applause)

37
38 MS. LEONETTI: Do you want to say
39 anything else, Chad?

40
41 MR. PADGETT: I don't really have
42 anything to add other than thank you to everybody.....

43
44 (Video started accidentally)

45
46 MS. LEONETTI: Sorry.

47
48 MR. PADGETT: I don't have anything
49 else to say.

50

1 MS. LEONETTI: Okay. Thanks, Chad.

2

3 CHAIRMAN PROBASCO: Thank you, Crystal.
4 For those people new in the room, I'm Pete Probasco,
5 the Assistant Regional Director for migratory bird
6 programs for U.S. Fish and Wildlife Service. Just a
7 little note of humor, I think Congressman Young needs
8 to polish up on his duck calling skills, so please pass
9 that on to him.

10

11 (Laughter)

12

13 CHAIRMAN PROBASCO: When this was
14 passed, the language in the bill was to a point that
15 was hard to interpret exactly the extent and the width
16 of the Duck Stamp exemption. So I first want to
17 acknowledge the help of law enforcement, the
18 Congressman Young staff, Senator Murkowski's staff and
19 Senator Sullivan's staff, as well as members of the
20 Native community in developing the language that we
21 before us. As you can see, the language is very broad.
22 It applies to the entire state of Alaska and it applies
23 the exemption to all areas of Alaska. I think that's
24 very important because subsistence just isn't
25 springtime. It occurs in fall, it occurs throughout
26 the year.

27

28 I think Myron really hit it. This has
29 been a long process. AVCP was the leadership in this
30 as well as others within the Native community. I want
31 to just say job well done. I'm happy and proud to be
32 part of helping to work on this. So, thank you.

33

34 (Applause)

35

36 MS. LEONETTI: We're now going to
37 transition into the celebration.

38

39 CHAIRMAN PROBASCO: I forgot to also
40 recognize Deborah Vo is here from Murkowski's office.
41 I'm sorry. Welcome and thank you. So where do we go
42 here, Patty?

43

44 MS. SCHWALENBERG: Good afternoon.
45 Welcome. We're going to start our celebration of the
46 15th anniversary of the Alaska Migratory Bird Co-
47 Management Council, so it's very encouraging and makes
48 my heart feel good to see everyone here and to start
49 out the celebration with the great news on the Duck
50 Stamp Act and the implementation that the Fish and

1 Wildlife Service has put together.

2

3 So we're going to start with a
4 traditional meal. People from the regional management
5 bodies have brought food to share as well as people
6 that live here in Anchorage and have come from other
7 areas. The food is getting put out at the back table
8 right now, so you can feel free to move around a little
9 bit until we're ready to serve and then we're going to
10 have a short program with some recognition awards.
11 I'll check with the kitchen and see if they're ready
12 for us.

13

14 Thank you.

15

16 Of course everyone is invited.

17

18 CHAIRMAN PROBASCO: So those of you
19 that are online, please stay online as long as you'd
20 like. Let's mingle.

21

22 (Off record)

23

24 (On record)

25

26 MS. SCHWALENBERG: Welcome everyone to
27 the Alaska Migratory Bird Co-Management Council and our
28 15th anniversary celebration. We just have a couple of
29 speakers and some honors we want to share with you.
30 We've had a wonderful PowerPoint presentation that was
31 put together by Liliana Naves of all the past years of
32 togetherness of the three partners and a lot of people
33 have come and gone, but it sure is kind of nice to look
34 back and see that history and all that we've done.

35

36 First I would like to thank everyone
37 who brought food and Francesca for helping organize the
38 meal as well as Mike Pederson who did an awesome job.
39 I'd like to give them a round of applause.

40

41 (Applause)

42

43 MS. SCHWALENBERG: The food was
44 wonderful. We call that soul food back home because it
45 makes you feel so good inside. First I'd like to call
46 up Myron Naneng, president of the Association of
47 Village Council Presidents. He's been involved in this
48 process since the very beginning. I'd like him to give
49 a little bit of history for the participants.

50

1 Thank you.

2

3 MR. NANENG: Thank you, Patty. Good
4 afternoon, everyone. I'm glad that Mike cooked the
5 whole bird instead of just the breasts.

6

7 (Laughter)

8

9 MR. NANENG: I just want to make that
10 point because we do utilize the majority of the bird
11 when we catch it and cook it and eat it. This is the
12 15th anniversary of the Alaska Migratory Bird Co-
13 Management Council and I remember the first day that we
14 met down in Girdwood with representatives from various
15 regions of the first Alaska Migratory Bird Co-
16 Management Council meeting that was like about three
17 years after the passage of the Migratory Bird Treaty
18 Protocol Amendment. I think the other person that has
19 been here with us since that time is Joeneal. I see
20 other people that are presently here like Tom Rothe,
21 one of the old-timers. I asked him aren't we getting
22 old and that's one thing that everybody has in common,
23 so don't deny it.

24

25 Over the years we've seen a lot of
26 progress with the work of the Alaska Migratory Bird Co-
27 Management Council in implementing some of the things
28 that we've seen over the years, but I do think that we
29 can go a lot more further in some of the things that we
30 can do within our regions. I know that prior to the
31 Alaska Migratory Bird Co-Management Council being set
32 up the rest of you had to suffer with what the Y-K
33 Delta had come up with under the Goose Management Plan.
34 So I'd like to thank you all for supporting us in that.

35

36

37 I think that document is still a living
38 document that's working today throughout the state of
39 Alaska, but sometimes our successes in what we can do
40 or what we have done can be somebody else's problem,
41 but it's not our fault. Like the Oregon farmers are
42 concerned about farm depredation, which we've been
43 working on for years and wanting us to kill more birds,
44 but our people are conservation-minded, so they
45 wouldn't go out and kill the birds that they eat and
46 expect to come back year after year.

47

48 So, with that, I'd like to thank
49 everyone for being here. Maybe just say happy birthday
50 to the Alaska Migratory Bird Co-Management Council.

1 (Applause)

2

3 MS. SCHWALENBERG: Thank you, Myron.
4 We have on the agenda Regional Director Geoff Haskett
5 to talk about the accomplishments of the AMBCC. As we
6 do our day-to-day activities, sometimes we forget to
7 look back and see all that we've done that has been
8 positive. Geoff is unable to call in. He's at a
9 meeting in Washington, D.C. and the time we had given
10 him was a little bit early, so he's asked if Crystal
11 Leonetti could present what he was going to say.

12

13 So, Crystal.

14

15 MS. LEONETTI: Thanks, Patty. Again,
16 I'm Crystal Leonetti, Alaska Native Affairs Specialist
17 for Fish and Wildlife Service. Geoff did call in. He
18 was actually on the phone for 15 minutes and waited. I
19 had to explain through emailing and texting that the
20 food was being served and there was a lot of really
21 good food and people were eating. So he had to get
22 back to his meeting and he really apologizes. He
23 tried, but he had to get back to that meeting. So he
24 asked me to tell you that he's very proud of the work
25 that the AMBCC is doing. I'll just read to you what he
26 would have said had he been on the phone.

27

28 He says this is a wonderful milestone
29 in the existence of the AMBCC and he's glad to
30 celebrate it with you all. He knows that Pete and
31 Donna and Ryan and Eric and other Fish and Wildlife
32 Service personnel are here to celebrate the 15th
33 anniversary. There's just a few things that he wanted
34 to highlight from the past 15 years of AMBCC that are
35 tremendous and precedent-setting accomplishments.

36

37 The AMBCC is a key example of co-
38 management in action. This body has contributed to the
39 development of co-management concepts and processes
40 across the state for other species. The AMBCC website
41 compiles a wealth of information on the tradition and
42 importance of migratory bird subsistence hunting and
43 harvest in Alaska, including the regulatory framework,
44 harvest data, historic documents and outreach and
45 communication products.

46

47 The AMBCC Harvest Survey Program has
48 documented the importance of migratory birds and their
49 eggs to rural Alaskan subsistence hunters. This
50 information is very important to subsistence harvesters

1 by documenting uses and is also very important to
2 ensure sustainability of harvest in the long term by
3 informing management and conservation.

4
5 Copper River Migratory Birds Culture
6 Camp has involved youth and adults in the Copper River
7 area for several years. The Migratory Bird Fair held
8 in Barrow has been a successful event bringing together
9 AMBCC Native caucus members, the Fish and Wildlife
10 Service, Alaska Department of Fish and Game and other
11 partners to celebrate the return of migratory birds.
12 Over 100 attendees, from toddlers to elders, gather to
13 enjoy food and games and to learn about bird hunting
14 regulations and to listen to student interns share
15 their experiences. You'll see pictures on the slide
16 show of that Bird Fair as well.

17
18 The AMBCC serves as a forum to bring
19 together rural Alaskans, non-Native and Native alike
20 and State and Federal biologists and managers to
21 discuss concerns questions and opportunities of
22 migratory bird conservation across Alaska.

23
24 Geoff really wants to thank and
25 acknowledge Patty, Myron, Joeneal and others who helped
26 design the foundation of the AMBCC when it established
27 the first legal subsistence migratory bird subsistence
28 harvest season in 2003. He personally wants to applaud
29 you for your dedication and determination to maintain a
30 productive course in migratory bird management. It's a
31 testament to how much you care about the birds and the
32 subsistence way of life. Your longevity, all of
33 AMBCC's longevity, shows that Alaska Native peoples are
34 here to stay and take care of this place long after the
35 rest of us come and go.

36
37 Geoff is pleased to report that the
38 Service, migratory bird management and law enforcement
39 programs are working together to develop regulatory
40 language that clarifies that rural subsistence hunters
41 will not be required to purchase a Federal migratory
42 bird hunting stamp. That's done. They're done working
43 on that. We saw the announcement an hour ago.

44
45 Now Geoff wanted to envision with you
46 some future accomplishments. The Service has taken the
47 recent discoveries of highly-pathogenic avian influenza
48 in the Pacific Flyway very serious and will be working
49 with the AMBCC to develop a trained first response
50 network of individuals, including rural residents to be

1 on the ready should any disease outbreak occur in
2 Alaska.

3

4 More challenges lay ahead of us
5 including increasing the population of Emperor Geese,
6 recovering Spectacled Eiders and re-establishing
7 Steller's Eiders on the Yukon Delta. These management
8 milestones will only be possible through co-management,
9 cooperation, support and dedication.

10

11 Relative to the migratory bird
12 subsistence harvest survey, I've authorized the
13 Migratory Bird Management Office to invest the
14 necessary funds to work with Alaska Native peoples and
15 the Alaska Department of Fish and Game to design an
16 efficient and effective harvest survey that addresses
17 key management questions put forward by the AMBCC. The
18 importance of a rigorous subsistence harvest survey was
19 recently illustrated by the ADF&G and Fish and Wildlife
20 Service cooperative loon subsistence harvest survey on
21 St. Lawrence Island, which proved critical to the
22 Service's decision to not list Yellow-Billed Loons as
23 subsistence harvest was deemed not an important factor
24 to conservation and protection for this species.

25

26 Again, he's sorry he can't be here with
27 you in person, but he really hopes you all have been
28 able to enjoy your bowl of duck soup and other Native
29 foods. I know I did. I'm going to feel good for the
30 rest of the week. So I'll tell him how much he missed
31 out on that. That's all Geoff had to say, but he's
32 really proud of the work of AMBCC.

33

34 Thank you.

35

36 (Applause)

37

38 MS. SCHWALENBERG: Thank you, Crystal.
39 Now I'd like to take a little time to recognize some of
40 the people that have been involved with the AMBCC since
41 the beginning and the work that they've put forward for
42 this effort. The first person I'd like to recognize is
43 the person that I personally believe is responsible for
44 everything that's happened up until today and the
45 development of the AMBCC and the Duck Stamp
46 legislation. The person leading the charge for all of
47 us I believe is Myron Naneng.

48

49 When I first started working with
50 migratory bird issues through Chugach Regional

1 Resources Commission, Myron's name often came up in
2 relation to the migratory bird subsistence season and I
3 quickly jumped on board and made sure that our region
4 was involved. So for however many years it took us, I
5 mean he's been involved much longer than I have and I
6 just started in probably '95, I think, or '94 when our
7 involvement in the Chugach region began. Even before
8 that Myron had a vision with his people and they moved
9 that vision forward. I really believe he's a large
10 part of where we are today. So, Myron, if you could
11 come up.

12
13 I'll read this. It's just a small
14 token of our appreciation. It says the Alaska
15 Migratory Bird Co-Management Council extends its
16 sincere gratitude to Myron Naneng, President,
17 Association of Village Council Presidents. Thank you
18 for your longstanding leadership, dedication and work
19 in support of the subsistence harvest of migratory
20 birds in Alaska. Your undaunting commitment to the
21 preservation of the traditions and cultures of Alaska
22 Native people through this co-management partnership
23 will long be remembered. Presented at the 15th
24 anniversary celebration of the AMBCC.

25
26 Thank you.

27
28 (Applause)

29
30 MR. NANENG: Quyana, Patty. One of the
31 things that we don't ever discuss at the Alaska
32 Migratory Bird Co-Management Council meetings is the
33 fact that our people out in the villages are doing
34 their best to make sure that the habitat for the
35 migratory birds is well protected. Within my home
36 village of Hooper Bay about 2003 we noticed that there
37 was a decline of Black Brant in the nesting areas north
38 of the village. One of our elders made a comment, make
39 sure you protect the land because it is your plate of
40 where you gather your food.

41
42 Since that time the Native Village of
43 Hooper Bay, Sea Lion Corporation, Fish and Wildlife
44 Service, NRCS have worked together to make sure that
45 all-terrain vehicles have stopped going to those lands
46 so that we can have good productive lands for the
47 continuation and perpetuation of the waterfowl that
48 nest there.

49
50 We talk about numbers here, harvest

1 survey numbers, but I think that we need to give credit
2 to all our people that live in the villages for making
3 a difference in the perpetuation of the birds and if
4 people think that they're not concerned about food, for
5 many of them that's only their food source and they
6 really see the importance of it.

7

8 So I'd like to thank everyone here. I
9 know that our lands at Hooper Bay, north of the village
10 of Hooper Bay, at one point I was told we're the number
11 one coveted lands by Fish and Wildlife Service.
12 However, Fish and Wildlife Service can't go there
13 unless they have permission of our people from the
14 village.

15

16 Thank you very much.

17

18 (Applause)

19

20 MS. SCHWALENBERG: Thank you, Myron.
21 The next person I'd like to recognize is what I call an
22 unsung hero. This person has been on the ground
23 working in support of Alaska Natives and rural
24 residents for the subsistence harvest of migratory
25 birds, but also making sure that the data that we
26 collect is accurate, it's scientifically defensible and
27 the needs and the traditions and the desires of the
28 Native people are always at the forefront of his mind,
29 I believe. Jim Fall, with the Alaska Department of
30 Fish and Game, would you please come up.

31

32 (Applause)

33

34 MS. SCHWALENBERG: I worked with Jim on
35 oil spill subsistence surveys and that's where we first
36 started working together, then with the Co-Management
37 Council process. Our communities in the Chugach region
38 were considered excluded, so we had to go through an
39 inclusion process and Jim was instrumental in helping
40 those villages that were not included in the initial
41 list of villages to be able to harvest migratory birds,
42 so he was instrumental in helping us get that
43 accomplished through the Council process.

44

45 So I would just like to thank Jim. It
46 says, the Alaska Migratory Bird Co-Management Council
47 extends its sincere appreciation for your many years of
48 outstanding service and dedication in support of the
49 subsistence harvest of migratory birds in Alaska and to
50 the commitment to scientific excellence in the

1 Subsistence Harvest Survey Program.

2

3 Thank you, Jim.

4

5 DR. FALL: Thank you very much.

6

7 (Applause)

8

9 DR. FALL: Well, as they say around
10 here, chin'an. That's the Dena'ina Athabaskan way of
11 saying thank you. This is really a surprise. I really
12 do thank all of you very much for this. I just want to
13 say that I have incredible respect for all of you in
14 this room and for the way of life of Alaska Native
15 people. I hope that as long as I'm in this job that
16 everything I do supports that way of life.

17

18 Thank you very much.

19

20 (Applause)

21

22 MS. SCHWALENBERG: And then the final
23 person we'd like to recognize is unfortunately not
24 here, but Crystal will happily stand up in Geoff
25 Haskett's place. As you know, we've been going through
26 this co-management process for a long time and we do
27 have a lot of accomplishments and a lot of things to
28 celebrate, but it was not easily won. You put the
29 State and the Feds and the tribes in the room and
30 expect them to play nice and be partners when everyone
31 has their own way of viewing the world. So there were
32 some difficult times.

33

34 It came to a point almost where it may
35 have fallen apart and Geoff Haskett was the Regional
36 Director at the time, so Crystal Leonetti was a big
37 part of this decision to have a meeting just to discuss
38 co-management and partnerships and what is the true
39 meaning of a partnership and how are we going to co-
40 manage this migratory bird harvest when the Fish and
41 Wildlife Service has the responsibility to manage them
42 and the Native people are the primary users of the
43 resource and the State has a stake in the process, so
44 it was very difficult, complex.

45

46 Geoff came in and said we need to have
47 a meeting to discuss this and the whole team turned out
48 for the meeting to be getting to yes. There were a lot
49 of changes made in the program. Everyone came back
50 together. We started working closer together. Some of

1 the things that came as a result where they were able
2 to contract or add funding to one of the grant
3 agreements so that the executive directorship could be
4 taken out of the Service and put more into the control
5 of the Native caucus. The continuing of the harvest
6 surveys while the review is going on.

7
8 I could go on and on. Geoff has done
9 so many things for us that has been in support of what
10 we're trying to do and getting to yes. He's allowed us
11 to work on things separately when the Fish and Wildlife
12 Service or the State is not able due to legal
13 considerations, but he's been a staunch supporter of
14 the AMBCC and he plays a large role, I believe, in our
15 success in where we are today.

16
17 So, Crystal, if you could come up,
18 please. Geoff's certificate says, thank you for your
19 strong leadership, exceptional vision, dedication and
20 commitment to the mission of the AMBCC and the
21 subsistence harvest of migratory birds in Alaska. Your
22 active involvement ensuring a true co-management regime
23 has been instrumental to our success and for that we
24 are truly grateful.

25
26 Thank you.

27
28 (Applause)

29
30 MS. LEONETTI: I'll just say quickly on
31 Geoff's behalf thank you to AMBCC. I do believe he's
32 very happy with the progress and with the tone of AMBCC
33 now. So thank you.

34
35 (Applause)

36
37 MS. SCHWALENBERG: That concludes the
38 official part of our program. I just want to thank a
39 few people. Crystal, of course, for doing some of the
40 background work for the program and for the Duck Stamp
41 exemption roll out. Liliana has been really helpful in
42 helping us put this together and Donna Dewhurst also.
43 It was a very small committee and Gayla stepped in to
44 help with the food and Mike Pederson and, of course,
45 Francesca from the Fish and Wildlife Service Office
46 came today.

47
48 So it isn't something that one person
49 can do alone. It takes a lot of people and I
50 appreciate everyone who has had a hand in this

1 celebration and in the AMBCC. All those of you who
2 have come to celebrate with us, especially people who
3 are no longer working for the Service or the State, we
4 appreciate your continued support.

5
6 I would like to -- Liliana has gotten a
7 beautiful cake. If anyone wants some cake, she can
8 have that served up for everyone. I would also like to
9 open the mic to anybody who wants to have any comments
10 about the AMBCC or share their thoughts or experiences
11 or anything like that. Anybody. I see Ernest getting
12 up, but I think he's taking a phone call.

13
14 CHAIRMAN PROBASCO: Stay right here. I
15 think all of us would agree with what I'm about to say,
16 that a lot of the success that we have had in the past
17 five to six years falls a lot on this lady's shoulders.
18 She keeps things organized, she keeps us on task and
19 I'd just like everybody to give her a round of applause
20 for a job well done, Patty.

21
22 (Applause)

23
24 MS. SCHWALENBERG: Thank you. So
25 someone rescue me and come up here and give a comment.

26
27 MS. HEPA: Happy birthday to the AMBCC.
28 I've been involved for a number of years. Just on
29 behalf of the people of the North Slope I just wanted
30 to thank the members of the AMBCC. I truly believe in
31 co-management and I think this group is a good survivor
32 and a good example of how local people can work with
33 the agencies to manage the resources that our people
34 depend on because it really is about putting food on
35 the table for our communities. We're here representing
36 the residents of our regions. It's a huge task, but
37 the members of the management bodies I commend you for
38 taking time away from your families, your work, to be
39 here to represent the hunters and the people that
40 depend on the migratory birds.

41
42 I just want to again thank Patty for
43 all your hard work, Fish and Wildlife Service for their
44 leadership, the State for their commitment and to all
45 the staff from the different agencies in our local
46 organizations for the hard work that you put in. It's
47 so good to see people that have come and gone, like
48 Tom, good to see you, Tom, and Doug and others that are
49 here today to come celebrate the 15 years of the AMBCC.
50

1 Myron, to you and other members of the
2 Alaska Native Migratory Bird Working Group and Joeneal.
3 I watched the history when Charlie Brower and Ben
4 Nageak were involved with those early meetings and the
5 work that you guys did to ensure that our people could
6 have access legally to a spring and summer hunt was
7 very commendable. From the bottom of my heart, thank
8 you guys for leading us in this endeavor.

9

10 Thank you.

11

12 CHAIRMAN PROBASCO: Very well said.

13

14 (Applause)

15

16 MR. HICKS: Again, all of you know me
17 or most of you do anyway. I'm from Mentasta. I'm the
18 tribal administrator there. I remember when I first
19 got involved with the migratory bird stuff. We are in
20 the excluded area. I forget what his name is, Ron.....

21

22 MS. SCHWALENBERG: Ron Stanek.

23

24 MR. HICKS: Ron Stanek. He came to our
25 -- oh, I didn't even recognize you.

26

27 (Laughter)

28

29 MR. HICKS: But, anyway, he came to our
30 area to assist us and we went through this process of
31 getting us included. I had no idea what to expect.
32 Anyhow, we managed and we were successful in that
33 regards, so Copper River now became included and we
34 formed this regional management body and here I am.
35 We've really come a long, long way and we've still got
36 a lot more work to do.

37

38 One of the things that we are working
39 on in the Copper River area and that is the definition
40 of subsistence. We know it's really broad, but it's
41 also a term that we are trying to shy away from.
42 Instead of using the term subsistence, we are more so
43 inclined to start using the term cultural or
44 traditional and cultural rather than again the term
45 subsistence. In that regards, we formed a committee,
46 the Ahtna Committee in other words. It's called the
47 Ahtna Traditional and Cultural Use Committee.
48 Basically you might want to say subsistence.

49

50 Anyhow, we are currently working on an

1 effort which is called CRITR. I'm not sure if anybody
2 had heard of that, but it's the Copper River
3 Intertribal Resource Commission, where we are
4 attempting to take over management of wildlife on our
5 property or on our lands. If it's successful, we can
6 also work with Fish and Game in regards to State lands
7 and BLM in regards to Federal lands, including Park
8 Service lands. So it's an effort that's going forward.
9 We've gotten about 600,000 in grants so far. It's
10 something that is new I guess you could say, so wish us
11 luck in that regard.

12
13 Again, going back to migratory birds,
14 it is a resource that has been around for many, many,
15 many years and has been used by Alaska Natives. We
16 need to protect that right. We need to strive to
17 protect that regardless of what we might encounter
18 along the way. Thank you for all of your help that
19 everyone has put together; Fish and Wildlife Service,
20 Fish and Game, us as staff or regional management
21 bodies. I mean thank you, thank you, thank you. I
22 forget his name already. It's chin'an.

23
24 (Applause)

25
26 MS. SCHWALENBERG: Is there anyone else
27 that would like to say anything, share a story.

28
29 (No comments)

30
31 MS. SCHWALENBERG: Okay. With that, I
32 would invite you to go and enjoy some of the cake that
33 Liliana has prepared.

34
35 UNIDENTIFIED VOICE: Oh, you made it.

36
37 MS. SCHWALENBERG: No, she didn't make
38 it, but she made the little flags on top that are
39 really cool. You'll have to go check it out.

40
41 CHAIRMAN PROBASCO: And we'll start in
42 10 minutes.

43
44 MS. SCHWALENBERG: And we will start
45 the Council meeting in 10 minutes, so thank you all.

46
47 (Off record)

48
49 (On record)

50

1 CHAIRMAN PROBASCO: Let's start
2 wandering back to our seats and Vince Mathews will lead
3 us in a song.

4
5 (Laughter)

6
7 CHAIRMAN PROBASCO: I heard he's taken
8 up a solo career. I'm going to be monitoring
9 attentiveness after eating such a great meal and if I
10 see heads nod more than twice, I will call upon you to
11 answer the question.

12
13 (Laughter)

14
15 CHAIRMAN PROBASCO: So, with that,
16 looking at our agenda, we are going to go to Neesha and
17 Neesha is going to provide us an update on the
18 Steller's Eiders reintroduction. I just want to remind
19 everybody this is an update where the Service is at.
20 It's our opportunity to ask questions or share some
21 concerns. I know there's a lot of concerns out there.
22 Let's keep it professional. There's no action item on
23 this. It's just an update for us. So Neesha, the
24 floor is yours.

25
26 MS. STELLRECHT: Good afternoon. My
27 name is Neesha Stellrecht. I work for the Fish and
28 Wildlife Service out of the Fairbanks office in the
29 Endangered Species Program. I'm here today to provide
30 an update on where we are with Steller's Eider
31 reintroduction.

32
33 As you recall last September, Geoff was
34 here to present an update on reintroduction and he
35 wasn't able to be here today, so he's asked me to speak
36 on his behalf. At that time we had committed to doing
37 a lot more communication with the villages, taking
38 trips out there. Since September, in February we
39 scheduled some visits out to the villages that are most
40 affected by the reintroduction and we contacted Myron.
41 He went with us. Neil Lalonde, the Yukon Delta Refuge
42 Manager, myself and an RIT, David Therchik, traveled to
43 Hooper Bay, then we went to Chevak. We tried to get to
44 Newtok, but due to weather we weren't able to make it,
45 and then myself and Brian McCaffery, the Acting Refuge
46 Manager, and an RIT again went to Newtok in early
47 March.

48
49 So we held public meetings. We met
50 with traditional councils, we shared our proposal to

1 reintroduce Steller's Eiders to ask for information and
2 concerns. The meetings went very well. I felt like we
3 received nothing but positive responses. A lot of
4 information about historical sightings of Steller's
5 Eiders and just a lot of sharing of information and
6 talked about next steps. That was in Hooper Bay.

7

8 In Chevak we went and Myron joined us
9 there as well as the rest of the group. We spent a
10 couple hours in a classroom talking to a Cup'ik class
11 with a pile of students. There were probably 30 or 40
12 students in there. One of the highlights of visiting
13 Chevak was last summer we were able -- in an effort to
14 start kind of the local involvement part of this
15 project I met with a couple of students last April when
16 we were in Chevak and we talked about trying to get a
17 couple of students and a chaperone to Barrow to work on
18 the Eider project that's currently ongoing. I didn't
19 think we'd be able to pull it off, but we actually did.
20 I wanted to show just a quick video of what these
21 students did.

22

23 (Played video)

24

25 (Applause)

26

27 MS. STELLRECHT: So that was a pretty
28 fun video. That was a couple girls that came up to
29 Barrow and then part of our outreach program is to do a
30 final product and that was their final product to
31 complete the program. So we're hoping to do something
32 similar to that again this year. Get a couple of kids
33 from the Delta up to Barrow if we can or possibly
34 include them in some of the field work that we're
35 planning to do this summer on the Delta.

36

37 So where we are now we've sent letters
38 out to the villages thanking them for their support.
39 We received nothing but support like I said. We talked
40 about proposed plans of field work this summer, so we
41 shared that in the letters. We're hoping to do an
42 experimental release of Steller's Eiders in 2016. So
43 this summer we'll continue to evaluate potential
44 release sites, test methods and, again, we're hoping to
45 release experimental birds in 2016.

46

47 That's all I have for an update and I'm
48 happy to take questions.

49

50 CHAIRMAN PROBASCO: Thank you, Neesha.

1 Please, Bruce.

2

3 MR. DALE: What will the source be for
4 the birds?

5

6 MS. STELLRECHT: We have a captive
7 flock at the SeaLife Center, so we started a captive
8 breeding program I believe in 2004. The first eggs
9 came from Barrow, so they're able to produce we think
10 about 100 eggs and possibly 60 ducklings for release.

11

12 CHAIRMAN PROBASCO: Others, please.

13

14 (No comments)

15

16 CHAIRMAN PROBASCO: So, Neesha, I want
17 to encourage you to continue to give us updates. We'd
18 like to hear one this next fall at our fall meeting.
19 If I don't hear anymore questions -- oh, go ahead,
20 Jack.

21

22 MR. FAGERSTROM: Just dealing with
23 Myron's comment earlier and also some concerns from my
24 region dealing with protection of Eiders with the
25 increased traffic in the Bering Straits. It's good
26 that we're trying to reintroduce stuff, but I feel it
27 should also be protected and some plan at least should
28 be formulated, a goal set to protect their molting
29 areas and also the polynyas whole worldwide population
30 of Eiders spend their time concentrated by the island.

31

32 CHAIRMAN PROBASCO: Thank you, Jack. I
33 hear your concerns for not only the Eiders themselves
34 but also the molting areas and the overwintering areas
35 that both you and Myron have identified. Any comments
36 on that, Neesha?

37

38 MS. STELLRECHT: I don't have a
39 comment. I appreciate the comment. I do think we need
40 to protect some of those areas that are very important
41 critical habitat areas for Eiders. Some of those areas
42 are protected currently.

43

44 CHAIRMAN PROBASCO: Jack, I do know
45 that various agencies, the Service included, are
46 looking at the future and also current vessel traffic,
47 recognizing that that will be increasing.

48

49 Thank you.

50

1 Others. Taqulik.

2

3 MS. HEPA: Thank you, Neesha, for the
4 update and I appreciate you coming. I know that you're
5 aware of some of the concerns that I have. I just, for
6 the record, want to restate those. The first one is
7 that our North Slope management regional body or our
8 Fish and Game Management Committee has historically
9 passed a resolution opposing any reintroduction of
10 species back to the North Slope that have been in
11 captivity.

12

13 The main reasons are the potential for
14 introduction of new diseases that they may have
15 contacted through the centers that they're at. I know
16 that they do monitor that, but our people are very
17 concerned about that. It has actually happened on the
18 North Slope where a seal was reintroduced into the wild
19 and it spent time at the Alaska SeaLife Center and
20 people were very upset at that. They released it where
21 they found it and it was in the oil fields.

22

23 The second one is, Neesha, are you
24 aware of when these birds take the migration that they
25 need to to their summering grounds, do you know if
26 they're going to go to Chukotka or to the North Slope?

27

28 MS. STELLRECHT: Say that again.

29

30 MS. HEPA: The Steller's Eiders that
31 you're going to reintroduce to that particular area,
32 when they do their migration to Chukotka or to the
33 North Slope during the summertime, they will migrate?
34 I just want to make sure. Do you know which way
35 they're going to go?

36

37 MS. STELLRECHT: I can't say for sure.
38 We're hoping they migrate back to the Yukon-Kuskokwim
39 Delta when they come back.

40

41 MS. HEPA: Do you know if they're going
42 to go to Chukotka or to the North Slope when they do
43 their migration or am I off? Do you know what I'm
44 trying to say?

45

46 MS. STELLRECHT: Maybe I'm not
47 understanding. So the hope is that they would be
48 released on the Yukon-Kuskokwim Delta and they would
49 molt and winter where they -- molt and winter on the
50 Alaska Peninsula.....

1 MS. HEPA: Okay, okay, I see.
2
3 MS. STELLRECHT:and then when
4 they come back.
5
6 MS. HEPA: So they're.....
7
8 MS. STELLRECHT: The hope would be.....
9
10 MS. HEPA: Okay, okay, I see. Okay.
11 And then just that discussion that Myron had, the other
12 one that was -- you know, for example, a hunter
13 accidentally shoots a Steller's Eider in that area, it
14 is very likely that there will be a citation given out
15 and that brings concerns to me. I'm hoping that the
16 Fish and Wildlife Service could work with those
17 communities and hunters so that is not the case.
18
19 Thank you.
20
21 CHAIRMAN PROBASCO: Thank you, Taqulik.
22 Others. Go ahead, Bruce.
23
24 MR. DALE: Is this part of the recovery
25 plan? Is there a recovery plan? Is this part of the
26 recovery plan and how many birds would it take to
27 establish recovery?
28
29 MS. STELLRECHT: Yes, this is part of
30 the recovery plan, part of -- one of the recovery
31 criteria are to re-establish a subpopulation on the
32 Delta, which is why we think we should do this and it's
33 the only way we think to get that population back
34 there. As far as how many birds, I'm going to defer
35 that question because I don't know the answer for sure
36 and I don't want to get it wrong, but we're thinking --
37 I mean it's a project that would take decades to re-
38 establish the population and we don't have numbers per
39 say of what would be considered recovered.
40
41 MR. DALE: Will there be -- are there
42 methods to assess numbers as they come back up that you
43 think are suitable?
44
45 MS. STELLRECHT: Yes. Those analyses
46 are taking place as we speak. The SeaLife Center,
47 along with Fish and Wildlife Service personnel and
48 others on the recovery team are working through
49 monitoring marking methods. There's a fair amount of
50 work that needs to happen between now and release, so

1 we're currently doing that.

2

3 Thank you.

4

5 CHAIRMAN PROBASCO: Neesha, that
6 information that Bruce asked, that's something that may
7 be available in the fall time?

8

9 MS. STELLRECHT: Yeah, we could provide
10 that and we have a recovery plan that I'm happy to
11 share with you and we can kind of brief you and fill
12 you in on the larger project for sure.

13

14 CHAIRMAN PROBASCO: Okay. Make sure we
15 get copies of it. Other questions.

16

17 MR. HARRIS: Just a question that
18 Taqulik had, that once they get reintroduced back up on
19 the North Slope, once they migrate back, are they going
20 to return back to the North Slope. Is that the question
21 you were asking?

22

23 MS. HEPA: No, I was just a bit
24 unclear, and she did clarify it, that their final
25 migration route is on the Y-K Delta and then they go to
26 their wintering grounds further south. I was wondering
27 if these birds were taken from the North Slope or
28 Chukotka or wherever would they like naturally want to
29 go back to those grounds?

30

31 MS. STELLRECHT: Yeah, that's a good
32 question. So these birds would be captive birds coming
33 from the SeaLife Center, so they were hatched at the
34 SeaLife Center and those would be the birds that would
35 be released, so they wouldn't be coming from the North
36 Slope or from Chukotka.

37

38 MS. HEPA: And those captive birds came
39 from.....

40

41 MS. STELLRECHT: The eggs were
42 collected from Barrow in 2004 and '05, but now the eggs
43 -- so we're talking several generations at this point.
44 So now the eggs are at the SeaLife Center, being laid
45 at the SeaLife Center, hatched at the SeaLife Center
46 and then those birds will be released.

47

48 MS. HEPA: Yeah. And then my follow-up
49 question is -- I don't know if you have plans to put
50 transmitters on these birds to see what they actually

1 do. I'd be very interested because I know that
2 historically there was a proposal from the State to put
3 transmitters on the North Slope, but it would be a very
4 good question to see what these birds actually do when
5 they re released into the wild. Will they do what
6 they're naturally instilled in their genetics to go
7 back to the North Slope, I don't know. Just some of
8 the thoughts I've been thinking about.

9

10 Thank you, Cyrus.

11

12 MR. HARRIS: I have one more question.
13 Is there an estimate of the amount of habitat or what's
14 the carrying capacity perhaps of the Y-K Delta for
15 Steller's Eiders?

16

17 MS. STELLRECHT: I'm not sure if I
18 understand your question, but I think as far as habitat
19 there would be plenty of habitat for the birds. I
20 don't think they're limited by habitat on the Delta.
21 As we know, habitat is changing, so that's a
22 consideration and one of the concerns, but we still
23 feel like it's worth a try.

24

25 MR. HARRIS: Thanks. That answers the
26 question I attempted to ask.

27

28 CHAIRMAN PROBASCO: Others. Peter.

29

30 MR. DEVINE: Yes, thank you, Mr. Chair.
31 I would just like you to keep in mind if you're putting
32 transmitters, just out of something that was done in
33 our region, in Sand Point area, they came and started
34 capturing Steller's Eiders and started performing
35 surgeries and stuff and 90 percent of the birds died.
36 So if you're going to cut them open, put something in
37 them and expect them to live, it's not going to happen.
38 You're going to have to find a different way of
39 monitoring them. You know, neck band or leg band or
40 something.

41

42 That's all I got.

43

44 MS. STELLRECHT: Yeah, I appreciate
45 that comment. Dan, do you want to speak to that one?
46 You don't have to.

47

48 DR. ROSENBERG: Hi. Dan Rosenberg,
49 Alaska Department of Fish and Game. What Peter is
50 referring to, I can't quite remember the details of

1 that study or what and where it was done, but I know
2 there have been lots of implant studies in birds with
3 satellite transmitters, with VHF transmitters, with
4 other sensing devices and that sort of thing. It
5 highly is dependant upon the time of year, the year
6 effect, the species of bird, so on and so forth.
7 There's no doubt that in some studies there is high
8 mortality and there's other studies where there is very
9 little mortality, so all these things are sort of
10 situational and need to be assessed on their own merits
11 and their own proposals in their own time of year.

12
13 So I don't think anyone can generalize
14 about all birds dying because they have transmitters
15 put into them. There's lot of value that can be gained
16 by putting transmitters in birds that have very little
17 effect upon the population but yield substantial
18 information about that population that we can use in
19 our management efforts to try to learn about what these
20 birds are doing.

21
22 CHAIRMAN PROBASCO: Thank you, Dan.
23 Gayla, please.

24
25 MS. HOSETH: Oh, don't go anywhere,
26 Dan. Thank you. I guess I have a question just to re-
27 educate the Council on how long is the project and
28 where is it being funded from and what is the cost
29 associated with it. We heard briefly yesterday about
30 Section 10. If we could get a little bit of background
31 on that because I'm not familiar with the Section 10
32 comment that was made yesterday.

33
34 MS. STELLRECHT: I'll speak to the
35 Section 10 comment first. One of the things that's been
36 proposed in an effort to have it be where if a bird
37 accidentally gets shot basically where it limits
38 regulatory burdens when you reintroduce birds. We've
39 had several folks that have asked about 10(j) rule 4(d)
40 rule. Briefly, the bottom line is all these exceptions
41 are for the Endangered Species Act.

42
43 Like with the wood bison they did a
44 10(j) rule, I believe, so it's considered an
45 experimental population that doesn't carry the same
46 regulatory burdens as some of the other designations
47 with the shooting aspect of Steller's Eider
48 reintroduction because it's not a violation of the
49 Endangered Species Act. It's a violation of the
50 Migratory Bird Treaty Act. None of these exceptions,

1 10(j) rule, 4(d), any of those work for Steller's Eider
2 reintroduction on the Delta. Additionally, because
3 it's on Refuge lands, they would still carry a
4 threatened status. So we've looked into a lot of those
5 different options and they don't actually get what
6 people are hoping for.

7

8 Does that answer your question?

9

10 MS. HOSETH: Then the other parts of my
11 question, how long is the project, where the funding is
12 coming from and how much will it cost.

13

14 MS. STELLRECHT: So how long I guess
15 kind of depends on the funding. So the funding, it's
16 going to be an expensive project. We were planning to
17 do fund-raising and use some Federal dollars that we
18 have and if we can find the funding, the project could
19 go for decades. If we don't, we'll have to re-evaluate
20 it. It's clearly an adaptive management project. We
21 currently have funds to release birds in 2016 and then
22 it would be a matter of re-evaluating the project and
23 seeing where we go next.

24

25 MS. HOSETH: Do you know what the
26 funding is for right now of what you have because I
27 think I remember hearing \$1 million at one of the
28 previous presentations?

29

30 MS. STELLRECHT: Yeah, so the funding
31 currently we put in a proposal, Cooperative Recovery
32 Initiative Proposal. It's Federal money and we were
33 funded. So that's the amount of money that we're using
34 to get us through 2016. So currently it's all funded
35 by Federal dollars.

36

37 MS. HOSETH: How much?

38

39 MS. STELLRECHT: About \$1 million for
40 the project.

41

42 CHAIRMAN PROBASCO: I want to keep Dan
43 up there. Patty.

44

45 MS. SCHWALENBERG: I didn't understand
46 what you were saying about the Endangered Species Act
47 and the shooting violation. Can you elaborate a little
48 bit more. I mean so do they have to be listed as
49 endangered? Is that why.....

50

1 MS. STELLRECHT: So currently
2 Spectacled and Steller's Eiders, among other species,
3 are closed to hunting. So they're closed under the
4 Migratory Bird Treaty Act. They're a listed species,
5 so I think people think that it's a violation of the
6 Endangered Species Act to shoot one.
7
8 MS. SCHWALENBERG: Well, isn't it?
9
10 MS. STELLRECHT: No. There's.....
11
12 MS. SCHWALENBERG: You can shoot a
13 listed species and not be cited.
14
15 MS. STELLRECHT: Not be in violation of
16 the Endangered Species Act. You'll be cited under the
17 Migratory Bird Treaty Act.
18
19 MS. SCHWALENBERG: So if someone shot a
20 wood bison, not an experimental population, but they're
21 an endangered species, right? So if someone shot a wood
22 bison, then they wouldn't get cited? I'm confused.
23 Sorry.
24
25 DR. ROSENBERG: I will defer to Bruce
26 on the wood bison issue.
27
28 MS. SCHWALENBERG: Well, it was just an
29 example.
30
31 DR. ROSENBERG: But I will get back to
32 this if you want.
33
34 CHAIRMAN PROBASCO: If I may. All
35 we're trying to do is get clarification what we can and
36 can't do. The issue is that because these Eiders are
37 listed as a non-harvestable species, in other words
38 there's no season on that. If a person took one, they
39 would be cited under that regulation, not under the
40 Endangered Species.
41
42 MS. SCHWALENBERG: So they're not
43 listed under the Endangered Species Act.
44
45 DR. ROSENBERG: I think what's
46 confusing is that in order to open the subsistence hunt
47 or the sport hunt, it has to undergo a Section 7
48 endangered species review, a jeopardy review. So it's
49 hard to understand what is limiting here because we
50 could propose to open a hunt for Steller's Eiders under

1 the Migratory Bird Treaty Act, but we wouldn't be
2 allowed to open it under the Endangered Species Act
3 because it would go through the jeopardy review and
4 they would say, no, you cannot open that hunt because
5 of Steller's Eiders and Spectacled Eiders.

6
7 So I feel like we're in a chicken and
8 egg thing here because, yes, we did close Eiders
9 because the populations were getting low under the
10 Migratory Bird Treaty Act. Regardless, now we're in
11 the realm of the Endangered Species Act. I don't
12 really have any way to clarify this, but I think it's --
13 I'm not sure which -- you know, to point the finger at
14 the Migratory Bird Treaty Act it just doesn't seem
15 quite right to me in terms of this whole thing. It's a
16 little bit more complicated I think than all that. So
17 where this Section 10(j) ruling comes out is not, to
18 me, quite that straightforward.

19
20 MS. SCHWALENBERG: That's still clear
21 as mud.

22
23 CHAIRMAN PROBASCO: Yeah. I think what
24 we're going to be getting into is debate and different
25 interpretations of the Endangered Species Act, et
26 cetera. I really don't think that's the purpose of
27 this discussion at this point. It's to get
28 clarification where we're at. I think those type of
29 questions we should ask Neesha and the Office of FES
30 for Region 7 to take those questions and develop a
31 response for that.

32
33 MS. STELLRECHT: Yeah, we would be
34 happy to do that. One thing I will add because we're
35 talking about the shooting of Steller's Eiders. You
36 know, on the North Slope it's never been, at least from
37 what the hunters tell us, a culturally important
38 subsistence resource. There's never been very many of
39 them. They've never hunted them. On the Delta we
40 received the same information, same comments.

41
42 So when we were having these public
43 meetings and talking about concerns that have been
44 raised and I said are people concerned about shooting
45 or do you want to hunt them and people are not
46 interested in hunting the birds. So there wasn't a
47 whole lot of discussion about how do we make it to
48 where we can shoot one and not get in trouble. The
49 hunters, at least the ones that we talked to, felt like
50 they can identify the birds, they're happy to not shoot

1 the birds.

2

3 The discussion was more about
4 reintroducing the birds onto their landscape so that at
5 least the elders were saying we used to see these birds
6 a lot, they used to be here, we want them back for our
7 children. That's more of where the discussion went
8 versus inadvertent shooting or subsistence hunting of
9 Steller's Eiders. It just didn't seem to be important.
10

11 MS. HEPA: Thank you. And I think my
12 point here is that in cases it's bound to happen that a
13 hunter will accidentally shoot a Steller's Eider.
14 History has shown on the North Slope when you report
15 them, that there is a very high likely potential that
16 you will be cited. Even though they did a good gesture
17 to say, hey, I was out hunting, I accidentally shot
18 this, at the end of the day the hunter is going to get
19 a citation or the person who found it and picked it up
20 could get into trouble if it hit a power line. Those
21 are real things that have happened and I just want to
22 make sure that the people in the Y-K Delta know that if
23 they happen to see a dead Steller's Eider or they
24 accidentally shot one down, that these kinds of things
25 are very likely to happen based on what has happened on
26 the North Slope.
27

28

29 Then the second part, looking at the
30 review of the Section 10, I would also make a
31 recommendation maybe with the blessing of the executive
32 director to have the Native caucus legal counsel
33 participate in that review and provide input through
34 that process.

35

36 Thank you.

37

38 CHAIRMAN PROBASCO: I think all of that
39 is fair game and probably a wise process. What I would
40 like to do is have the Service go back. We've heard a
41 lot of concerns, a lot of comments. Sort of do a Q&A
42 as the initial start of the document so we have stuff
43 to respond to. If we don't have all the information,
44 give that opportunity to the Native caucus to say,
45 oops, you forgot this or provide point/counterpoint.
46 So why don't we go down that path to get all the
47 information on the table. There will be some difficult
48 questions, like what happens if somebody incidently
49 takes a bird following what you just said.

50

I'll work with Patty, if that's okay

1 with the group, and also with Neesha and FES in Region
2 7 and we'll work on that document. Is that good with
3 the group?

4
5 MS. SCHWALENBERG: Yeah, that's good.

6
7 CHAIRMAN PROBASCO: And, Dan, you're
8 not going to get off the hook because I might ask you
9 what other questions you might have. Is that okay with
10 you, Bruce?

11
12 MR. DALE: Oh, yeah.

13
14 CHAIRMAN PROBASCO: All right. Any
15 more questions of Neesha.

16
17 (No comments)

18
19 CHAIRMAN PROBASCO: So let's anticipate
20 for the Native caucus a document that we will work
21 through during the spring and summer and have it well
22 in advance of the fall meeting. Peter.

23
24 MR. DEVINE: Yes, thank you, Mr. Chair.
25 You said you didn't have a set number yet. I just hope
26 that when this number comes out it's not anywhere near
27 as high as what the goose numbers are for recovery.

28
29 MS. STELLRECHT: Thank you. I
30 appreciate that comment. We have recovery criteria,
31 but they're not set numbers, so I'm happy to share that
32 information in this document as well.

33
34 CHAIRMAN PROBASCO: Any other comments.

35
36 (No comments)

37
38 CHAIRMAN PROBASCO: Okay. Thank you,
39 Neesha. Thank you, Dan.

40
41 MS. STELLRECHT: Thank you.

42
43 CHAIRMAN PROBASCO: Council members,
44 Board members, you'll look at E, F, G, H, I and J are
45 like items. They're identical to what is listed under
46 Council committee reports, so it's redundant. What
47 we'll do is we'll take up each of those items under the
48 Council committees reports. Before we go to that are
49 there questions.

50

1 (No comments)

2

3 CHAIRMAN PROBASCO: So next go to item
4 K, please. Council committee reports. Steve.

5

6 MR. GINNIS: I just had a question on
7 this whole implementation of this Duck Stamp Act. As I
8 understand it, this becomes law effective in this
9 hunting season here. If you haven't had a regulatory
10 or whatever you're referring to in place, how is it
11 going to work.

12

13 CHAIRMAN PROBASCO: Thank you, Steve.
14 Very good question. So this was passed by Congress and
15 we are going to go through a regulatory process, but
16 the intent was to have these regulations in place by
17 this spring. The way that's done legally is Regional
18 Director Geoff Haskett issued a Regional Director's
19 directive, which puts that regulation -- or not that
20 regulation, but the language in place for this coming
21 spring. So that's how it's enacted. Now down the road
22 we will have regulations developed that will capture
23 Congress's intent. Okay?

24

25 MR. GINNIS: I'll just have to trust
26 you on that.

27

28 CHAIRMAN PROBASCO: Trust me. It's
29 there. I mean we can get you the document too that
30 does it, Steve.

31

32 MS. SCHWALENBERG: There's copies on
33 the back table.

34

35 MR. GINNIS: No, seriously.

36

37 CHAIRMAN PROBASCO: Oh, they are back
38 there, Patty? Thank you. So they are in the back,
39 Steve. It's right under your elbow.

40

41 MR. GINNIS: Oh, this one? You know,
42 seriously, this has wonderful implications to our rural
43 folks that go out and hunt waterfowl without having to
44 apply for this stamp. I hope that what you're
45 intending to do is along the lines of the intent of the
46 legislation. If it's something contrary to that, then
47 it could create some issues, problems, especially among
48 the folks sitting here because I don't think -- well, I
49 don't know.

50

1 I'll just leave it there.

2

3 Thank you.

4

5 CHAIRMAN PROBASCO: Thank you, Steve.
6 Your comments are well taken. It is the Service's
7 intent to follow what was laid out to the group today
8 as well as what's listed on the document that you have
9 in your hand, Steve.

10

11 Gayla, please.

12

13 MS. HOSETH: Thank you, Mr. Chairman.
14 I just had a question and I don't know if this will be
15 a good time to address it for the Duck Stamp. You
16 know, we have no requirement for the Federal Duck
17 Stamp, but yet we do for the State Duck Stamp. Would
18 this be a good time for the Council to bring that up if
19 that's something that we would want to try to address
20 as well?

21

22 MR. DALE: Where did Dan go? No, I can
23 do this.

24

25 CHAIRMAN PROBASCO: So, Gayla, you
26 asked a question and I will turn it over to my co-
27 worker here, Bruce, on the State side.

28

29 MR. DALE: Okay. Just as this process
30 had to be dealt with at Congress, the State Duck Stamp
31 is required by statute, so that's going to take
32 legislative action. Actually the State Duck Stamp is
33 part of House Bill 137 that's being discussed right
34 now. There's actually a committee hearing on that
35 Friday at 1:30. I don't know if they're going to be
36 taking public testimony. I'll know on Thursday, so I
37 might be able to tell you tomorrow. It's getting very
38 late in the session for bills like that to move, but it
39 will -- so if it doesn't get killed, it will be around
40 for next year. So that's the action that has to be
41 taken, is legislative action. The bill is actually
42 about the license fee increase, but it's in there.

43

44 CHAIRMAN PROBASCO: Taqulik and then
45 I'll follow you.

46

47 MS. HEPA: Yeah, I was going to ask him
48 what was the intent of the bill, but it's to increase
49 fees, but this might be -- is it an opportunity to ask
50 our legislatures to add language to eliminate the

1 requirement for subsistence users to purchase State
2 Duck Stamps?

3

4 MR. DALE: It is certainly the
5 opportunity to make the ask. How that would be crafted
6 is going to be challenging because of the difference in
7 the State and Federal subsistence laws to make the same
8 people that would be exempt under the Federal law
9 exempt under the State law. If I knew the answer to
10 that, I would fix that problem first before I did
11 anything else with my life.

12

13 MS. HEPA: The easy answer is it's two
14 different types of hunts, two different topics.

15

16 MR. DALE: I really couldn't speak to
17 constitutional law, but you make the request that the
18 same people that are exempt from a Federal Stamp are
19 exempt from a State Stamp and then you let the lawyers
20 tear into it.

21

22 CHAIRMAN PROBASCO: Gayla, please.

23

24 MS. HOSETH: I think it would be a good
25 idea if we even commented on House Bill 137 from our
26 Council stating that we no longer require the Federal
27 Duck Stamp, is this something that you can look into
28 from the AMBCC. Because when we were discussing the
29 Federal Duck Stamp requirement at our Council meeting,
30 everybody was yay, we're happy we don't need to do the
31 Federal Duck Stamp, but wait a minute, we still need
32 the State one, so there's always something that
33 everybody needs to have and I don't think that it would
34 -- I think it would be good for recognition and a
35 letter on that bill.

36

37 CHAIRMAN PROBASCO: Patty, comment to
38 Gayla's suggestion.

39

40 MS. SCHWALENBERG: I am not a lawyer,
41 but I'm assuming that we would have to use the same
42 process with the State Duck Stamp as we did with the
43 Federal Duck Stamp. The full AMBCC Council is not able
44 to participate in pursuing that exemption because it
45 included lobbying Congress and we would be lobbying the
46 State legislature, so I would assume the State would
47 not be able to support the full Council going towards
48 an exemption. At least that's the process we use for
49 the Federal. Maybe Pete and Bruce can comment on that.

50

1 CHAIRMAN PROBASCO: Well, I was
2 actually going to allow myself to get better educated
3 on that. So if Gayla was successful in pursuing the
4 AMBCC to try to draft a resolution, I would ask that it
5 be tabled so I could get back tomorrow to be more
6 intelligent on the topic that you just brought up.
7 You're thinking on the same wavelength I am. So there
8 are concerns, Gayla, if we can or can't do that. Of
9 course nothing prevents individuals or tribal entities
10 to weigh in. Bruce said it's coming up on Friday.

11
12 MR. DALE: Yes, sir. It's in House
13 Finance on Friday and was in House Finance yesterday.
14 If it gets through House Finance, then there will still
15 be some time if it went on to the Senate side.

16
17 CHAIRMAN PROBASCO: So what I will do
18 is do my homework and Bruce will probably do his
19 homework and we would report back in the morning. Of
20 course we also have to keep in mind that if we are able
21 to go down this path, that there is a process in itself
22 that we have to have something that we review and then
23 this group, the Board members concur on it. Cyrus.

24
25 MR. HARRIS: Is there a reason we don't
26 have a fall Federal season, subsistence season for the
27 fall time? As I understand it, I'm out there doing the
28 spring and summer hunt under subsistence. When it
29 comes fall time on the State season, I take off my
30 subsistence hat and put on a sportsman hat, you know,
31 and I become a sport hunter on the State season and I'm
32 not a sport hunter.

33
34 CHAIRMAN PROBASCO: Cyrus, thanks for
35 the question and it's a good question. Keep in mind
36 that the amendment that is provided for the AMBCC and
37 the amendment to the Migratory Bird Treaty Act that
38 provides for this process speaks specifically to the
39 dates that we address. We do not have the authority to
40 address the fall season at this time. Our dates, I
41 believe, are April 2nd to August 31st, I believe, and
42 within that we have to identify harvest dates for each
43 region. Our charge, our level of responsibility
44 focuses only on what we call the spring season.

45
46 DR. ROSENBERG: Dan Rosenberg. Yeah,
47 thanks, Mr. Chair. Just to clarify your question,
48 which is a good question that's come up many, many
49 times before and will come up many, many times in the
50 future I'm sure. Again, we're back to international

1 treaties and when the Migratory Bird Treaty Act was
2 amended in 1997 and then we implemented it in 2003 was
3 really based on the most constricting or restricting, I
4 guess, of the four international treaties.

5
6 So, because of those international
7 treaties we were restricted to the dates between March
8 11th and August 31st. Within that time period, due to
9 the treaty with Mexico, we can only be open for 120
10 days. So that's why we have shifted it. Because of
11 the treaty with Japan, we have to have a one-month
12 closure in the summertime, two weeks during the nesting
13 period and two weeks during the brood rearing period,
14 and so that's why we have that one-month closure in
15 there. Our outside dates can be adjusted between March
16 11th essentially and August 31st or September 1.

17
18 Is that clear?

19
20 CHAIRMAN PROBASCO: Thanks, Dan, for
21 the clarification on the start date. Peter.

22
23 MR. DEVINE: Yeah, I just wanted to say
24 that even though we're not recognized as a fall and
25 winter hunt, in our region all we do in spring is
26 gather eggs because the birds are already paired up and
27 mating and stuff. Then when we said that we could
28 adjust our dates and we were told, no, we can't because
29 of an existing hunt that's already in place with no
30 thought of traditional local hunting times and
31 patterns. At the same time these fall and winter birds
32 are being added into the spring and summer harvest
33 survey results.

34
35 CHAIRMAN PROBASCO: Thank you, Peter.
36 Other comments.

37
38 (No comments)

39
40 CHAIRMAN PROBASCO: So our homework,
41 Bruce, is to come back to the committee on the question
42 posed by Patty. Oh, Gayla.

43
44 MS. HOSETH: Sorry, I just have one
45 more thing. You had mentioned -- is there public
46 comment on that? Because when I was pointing it out
47 you said something about -- is that something that we
48 need to comment on at a future date?

49
50 CHAIRMAN PROBASCO: Any time any of our

1 regulations are drafted it goes through a proposed rule
2 and the proposed rule is put out for review and there's
3 an opportunity for public review. Once the public
4 review is completed, then it goes into a final rule.

5
6 MS. HOSETH: Do you have the dates of
7 that?

8
9 CHAIRMAN PROBASCO: It hasn't even
10 started.

11
12 MS. HOSETH: Okay.

13
14 CHAIRMAN PROBASCO: But I will get the
15 dates once we start it. Okay. Have we exhausted the
16 issue of Duck Stamps?

17
18 (No comments)

19
20 CHAIRMAN PROBASCO: Okay. Let's go to
21 our first committee report. We have the Technical
22 Committee. Patty.

23
24 MS. SCHWALENBERG: The Technical
25 Committee and the Law Enforcement Committee met
26 together because they were both addressing the wanton
27 waste issue. So, Joeneal, I will turn that report over
28 to you.

29
30 MR. HICKS: First let me begin by
31 saying that I'm going to recant my previous statement
32 from the Law Enforcement Committee as stated yesterday
33 in our working group session. We recommended that a
34 Native caucus be reconvened again. When we reconvened,
35 in attendance was the originator of the proposal who
36 gave further insight into why he was recommending that
37 proposal in the first place. As a result of the Native
38 caucus meeting, we are now preparing that the following
39 language be included in the spring/summer and I believe
40 -- and I need clarification on this -- the 2016
41 subsistence harvest season. Am I correct or is it
42 2015?

43
44 CHAIRMAN PROBASCO: Patty.

45
46 MS. SCHWALENBERG: That would be 2016.

47
48 MR. HICKS: The 2016, okay. This is
49 the language that I'm going to be passing out.

50

1 CHAIRMAN PROBASCO: I'll wait to see it
2 first. I'm not sure about that.

3
4 MR. HICKS: So, with that, I'll have
5 you review it. Please provide comments if you will.

6
7 CHAIRMAN PROBASCO: So, Joeneal, from
8 your committee -- after the Native caucus, your
9 committee work has provided language for consideration
10 to address wanton waste language.

11
12 MR. HICKS: Yes, that's true.

13
14 CHAIRMAN PROBASCO: For your committee
15 work. What you've provided here as a handout is that
16 language.

17
18 MR. HICKS: Is the language from the
19 Native caucus.

20
21 CHAIRMAN PROBASCO: For the wanton
22 waste.

23
24 MR. HICKS: Yes.

25
26 CHAIRMAN PROBASCO: Okay. Thank you.
27 Questions to Joeneal on what was just handed out and
28 the process that took place yesterday after the work
29 session. Joeneal, if you would for the record, would
30 you please read what you handed out. There's only two
31 sentences there.

32
33 MR. HICKS: Thank you, Mr. Chair. From
34 the Native caucus we are recommending the following
35 language: Non-wasteful taking means making a
36 reasonable effort to retrieve all birds killed or
37 wounded and retaining the edible meat for human
38 consumption or preservation for food. Edible meat
39 means the entire bird; however, retaining the head,
40 feet, skin and internal organs is optional, except the
41 gizzard and heart must be retained.

42
43 CHAIRMAN PROBASCO: So recognizing this
44 is concept language, I'm sure our regulatory language
45 people might craft it a little better, but your intent
46 is that the entire bird, with the exceptions of what is
47 listed, has to be retained for human consumption.

48
49 MR. HICKS: That is correct.

50

1 CHAIRMAN PROBASCO: Questions. Patty,
2 please.

3
4 MS. SCHWALENBERG: Not so much a
5 question but maybe it's a question about process. So
6 the committee put forward and considered this language
7 that was handed out yesterday. The committee report
8 was given to the Native caucus. They, in turn, crafted
9 their own language, suggested language, for the wanton
10 waste issue. When we were talking about this at the
11 work session, we were wondering if this has to go back
12 to the committee or how that is going to work or if the
13 Council can make a decision on which language they want
14 to support. So I guess that's my question, is process,
15 where do we go from here.

16
17 Thank you.

18
19 CHAIRMAN PROBASCO: Thank you. Good
20 question. The committee serves for the Council/Board,
21 so it's really up to us. They provided their report.
22 It's not only their issue to address. The Native
23 caucus has weighed in with their recommendations, so
24 it's up to us now. Do we want to refer it back to that
25 committee or do we want to say thank you for your work
26 and we would like to take action at this point in time.
27 Okay? I want to ask first, clarifications or questions
28 to what Joeneal has presented.

29
30 (No comments)

31
32 CHAIRMAN PROBASCO: My comment would be
33 after I checked with Donna is that if we do put this
34 proposal forward as a recommended regulatory change, it
35 would be for regulatory year 2016.

36
37 Steve, we're in this process, so I'm
38 going to try to limit public testimony at this time
39 until we get our ducks lined up and then we'll do that
40 again.

41
42 Ryan, do you have any comments at this
43 point?

44
45 MR. NOEL: Thank you, Mr. Chair. Ryan
46 Noel, Fish and Wildlife Service, Law Enforcement. I'm
47 not sure my -- as a member of the Law Enforcement
48 Committee, I would just like to make a recommendation
49 that this be brought back to the committee so the rest
50 of the people in that committee have a chance to make

1 comments and provide some input on this new proposed
2 reg.

3

4 Thank you.

5

6 CHAIRMAN PROBASCO: Thank you, Ryan.
7 Donna, for process, we have time -- if the intent of
8 the group is to have this before review by the SRC, we
9 have time to work on this. It could go back to
10 committee and still be work completed to meet that time
11 table, is that correct?

12

13 MS. DEWHURST: Basically by the end of
14 May.

15

16 CHAIRMAN PROBASCO: So we have until
17 the end of May if we want to have this be considered
18 for the 2016 season.

19

20 Thank you.

21

22 Joeneal.

23

24 MR. HICKS: If I may, Mr. Chair. At
25 our Native caucus meeting, all members of the Law
26 Enforcement Committee were present.

27

28 CHAIRMAN PROBASCO: For the Native
29 caucus, all were present. Okay.

30

31 MR. HICKS: Of the Law Enforcement
32 Committee.

33

34 CHAIRMAN PROBASCO: Of the Law
35 Enforcement Committee. Okay. Thank you. Peter.

36

37 MR. DEVINE: Thank you, Mr. Chair.
38 Just for clarification, this is only amendment to the
39 wanton waste language. So it's not a new proposal,
40 it's just an amendment to the language that was in it.

41

42 CHAIRMAN PROBASCO: That's correct.
43 Which would go forward if the group decides as the
44 language for that proposal. Jim.

45

46 MR. UJIOKA: Yeah, Mr. Chairman. As a
47 committee member, I would like to see it sent back to
48 the Law Enforcement Committee and then have a
49 recommendation from the committee to the Board.

50

1 CHAIRMAN PROBASCO: Others.

2

3 (No comments)

4

5 CHAIRMAN PROBASCO: I guess the
6 question I have, is this time sensitive where we have
7 to have it ready for the 2016 season or can we work
8 through this. I think it's very important that we have
9 at least input, much like we did with the Duck Stamp,
10 much like we did with the handicraft proposal. If we
11 push this through, we won't have that and if there's
12 some potential challenges that we can't support, then
13 the passage of that may be in question. Taqulik.

14

15 MS. HEPA: I think that the
16 recommendation to take this language and give direction
17 to the Law Enforcement Committee to come up with
18 consensus on a way forward and try to meet before May --
19 I mean the timeline at the end of May. How would we
20 present it to the AMBCC for approval?

21

22 CHAIRMAN PROBASCO: Well, in my short
23 tenure, I haven't had to tackle that one. So you'd
24 have to do -- you just couldn't do it on the telephone
25 without having a public notice for a meeting, right?
26 Come up, Donna.

27

28 MS. DEWHURST: What are you asking?

29

30 CHAIRMAN PROBASCO: The question is
31 asked if they sent it back to the committee and the
32 committee -- the Law Enforcement Committee, right?

33

34 MR. UJIOKA: Yes.

35

36 CHAIRMAN PROBASCO: Back to the Law
37 Enforcement Committee, recognizing they're trying to
38 meet the May date that you just said and they reach
39 consensus on language, the committee can't bring that
40 forward without action from this Board. How would we
41 tackle that?

42

43 MS. DEWHURST: You can do it by phone
44 pool or could do it by email, can do it -- you don't
45 need to have -- it's not necessarily a public process.
46 It doesn't have to be, at least the way we've handled
47 it in the past. Once the committee comes up with
48 something, it's just a matter of telling the Council
49 and getting the vote from the Council for final
50 approval.

1 CHAIRMAN PROBASCO: But the final
2 approval still falls on the three Board members for it
3 to go forward?

4
5 MS. DEWHURST: Yes.

6
7 CHAIRMAN PROBASCO: So then we'd first
8 get Council approval and then it would come to the
9 three of us and then we could still do that by poll or
10 telephone?

11
12 MS. DEWHURST: Uh-huh. What would be
13 best would be to have like a phone conference and just
14 have everybody there and then just do it all at one
15 time.

16
17 CHAIRMAN PROBASCO: Jim, comment.

18
19 MR. UJIOKA: Possibly, what if the Law
20 Enforcement Committee met after the conclusion of
21 today's work, have a meeting and then have something in
22 the morning to the Council?

23
24 CHAIRMAN PROBASCO: Let's take a five-
25 minute break because I don't want to make a comment to
26 that because I want to make sure how many others within
27 the Service we have to involve in this process. It's
28 not just Ryan and I, so I want to touch base with him.
29 So let's come back in 10 minutes, okay.

30
31 Thank you.

32
33 (Off record)

34
35 (On record)

36
37 CHAIRMAN PROBASCO: Okay. I think the
38 break homework assignment fell on my shoulders. So
39 here's where we're at. I talked with Ryan and Donna.
40 We looked at the language and we think -- and I'm being
41 optimistic. We think by tomorrow morning -- I
42 understand the Native caucus is meeting at 8:30
43 tomorrow. Is that correct, Patty?

44
45 MS. SCHWALENBERG: Yes.

46
47 CHAIRMAN PROBASCO: We think we can
48 come back with our edits or comments. Our first blush
49 on the language, it looks pretty good. There's some
50 clarifications that we probably will need on that, so

1 we want to have some time. Right now we, the Service,
2 think we can come back with edits by tomorrow, which
3 would allow the opportunity for the Council and the
4 Executive Committee to act on that.

5
6 If that isn't possible, we still have
7 another avenue that Patty suggested, which was have a
8 vote where the Executive Committee working both with
9 the Native caucus and the LE Committee to work on that
10 and their goal would be to have a final document which
11 could go forward and meet that May deadline. So we
12 have those two options. We'll clarify them in the
13 morning.

14
15 Bruce, do you have a comment?

16
17 MR. DALE: No.

18
19 CHAIRMAN PROBASCO: Okay. Thanks.

20 Gayla.

21
22 MS. HOSETH: I just have a question for
23 clarification. Thank you, Mr. Chairman. So we
24 wouldn't have a Law Enforcement Committee together to
25 answer questions that you guys had with the language or
26 why we came up with the language that we had to save
27 time instead of you guys going through it and then
28 bringing it back. So if we could have a Law
29 Enforcement Committee reconvene, I'm not sure if that
30 might be the easier route.

31
32 CHAIRMAN PROBASCO: Well, if the group
33 would like to do that, we can do that. We can convene
34 the Law Enforcement Committee, but we are working on a
35 timeframe. Keep in mind that the committees work for
36 the Council and the Executive Board, so it's really up
37 to us. If we wanted to put it back to committee, then
38 we may not be able to meet the deadlines that you
39 proposed or we may.

40
41 MS. HOSETH: If we met at 8:00 tomorrow
42 morning?

43
44 CHAIRMAN PROBASCO: We would be able to
45 have our information in the morning, but keep in mind
46 we're trying to jam quite a bit and we want to do it
47 right, so I would ask the group I think collectively.
48 We don't need the committees to meet and we can here as
49 a body take a look at the language we have and I think
50 that's what we're charged with. We can make those

1 decisions. Right, Sonny? Okay. Jim.

2

3 MR. UJIOKA: Mr. Chairman. If the Law
4 Enforcement Committee met after today's meeting and
5 looked at the language and possibly tweak it, we can
6 present something in the morning. If the Board decides
7 that's not acceptable, then we can re-look at it. I'm
8 just trying to facilitate using the structure that we
9 have and I think that's the appropriate way to go, but
10 you're the Chair.

11

12 CHAIRMAN PROBASCO: I'm not the chair
13 of the Law Enforcement Committee. That's entirely up
14 to them if they want to meet this evening.

15

16 MR. UJIOKA: I meant you're the Chair
17 of the Board, not the committee.

18

19 CHAIRMAN PROBASCO: Oh, okay. We can
20 do that, Jim. I'm just giving opportunity for the
21 Service LE, law enforcement, and Donna to take a look
22 at the regs to make sure that whatever we develop is
23 going to have a high probability of going through the
24 entire process. So if the LE Committee wants to meet
25 as you suggested, Jim, I would go to that committee
26 chair. Joeneal.

27

28 MR. HICKS: Thank you, Mr. Chair. In
29 my opinion, I don't see a reason why the Law
30 Enforcement Committee needs to meet. This is only a
31 friend amendment to what's already on the books and
32 this body, the Co-Management Council, has the final say
33 so, so I do not see any reason for it.

34

35 CHAIRMAN PROBASCO: Okay. Unless I
36 hear objections, my homework, working with Donna and
37 Ryan, is to have our edits and comments to the language
38 in the morning in time for the 8:30 Native caucus.
39 Then we're going to meet at 9:00 and whatever comes out
40 of those two processes we will take action on. Any
41 objections to that summary.

42

43 (No comments)

44

45 CHAIRMAN PROBASCO: Okay. Joeneal, do
46 you have anything else from the Technical Committee?

47

48 MR. HICKS: No, sir, I do not.

49

50 CHAIRMAN PROBASCO: Any questions from

1 Ryan or Donna.

2

3

(No comments)

4

5

CHAIRMAN PROBASCO: Okay. We're good.
6 We're also going to tap Bruce's staff, Dan. Keep in
7 mind we also have State wanton waste regs and we've got
8 to sort of see where we're at. Right now the State
9 regs are more restrictive than our current regs. Go
10 ahead, Bruce.

11

12

MR. DALE: They are more restrictive as
13 of last March's meeting, Board of Game meeting, but for
14 geese, cranes and swans. Just the larger birds. Can I
15 add one item unrelated? Related to these Board of Game
16 regulations.

17

18

CHAIRMAN PROBASCO: You sure can.

19

20

MR. DALE: Thank you. I recall
21 somewhere in a Board of Game deliberation that open-
22 ended requirements, like retaining, have been
23 considered a problem. How long do you have to keep
24 those and retain those bird parts. I don't know if
25 that's an issue with the Federal regs or not, but I
26 just thought I'd bring that up in case it came up in
27 discussions. I think the intent is clear that you
28 retain it until you eat it.

29

30

CHAIRMAN PROBASCO: Thank you, Bruce.
31 And you're capturing very well some of the issues that
32 I know Ryan and Donna want to look at to clarify.

33

34

Okay. We're going to move on. Next
35 from the committees is the Harvest Survey Committee.
36 Who is the chair of that, Patty?

37

38

MS. SCHWALENBERG: Mike Pederson.

39

40

CHAIRMAN PROBASCO: Mike Pederson.

41 Welcome.

42

43

MR. PEDERSON: Thank you, Mr. Chairman.
44 We met yesterday like all the other committees, but one
45 of the things that occurred was some of our Native
46 representatives on the Survey Committee were busy at
47 the Law Enforcement or the Emperor Goose Committee. So
48 we did meet, we did discuss some of the issues
49 identified on Monday with the Colorado State University
50 at our Technical Working Group meeting on Monday to

1 address some of the issues that came about.
2 Essentially talking about the incomplete report that
3 the Native partners didn't really have a chance to get
4 information into the report although there was
5 information provided, but it wasn't in the format that
6 it was needed in.

7
8 So at the Survey Committee meeting, my
9 job is to follow up with the Native representatives on
10 that committee to find out what our priorities are for
11 the harvest survey and how they link with the needs of
12 the Service and of the State as we try and move forward
13 on that. So I'll be working with the Native partners
14 on the Survey Committee to get that done.

15
16 We did talk with Eric Taylor on harvest
17 surveys in 2015 and '16 and he mentioned he has a big
18 waterfowl meeting coming up within the next several
19 weeks to find out what kind of funding that he will
20 have, but warned us that we will be taking a cut.

21
22 And then we'll address the priorities
23 identified by the Native partners in the Harvest Survey
24 Committee and how the objectives and uses will be
25 worked on and we'll also discuss some technical aspects
26 of the survey design and implementation and find out
27 what the highest priority is for the Native partners as
28 well as what birds are more culturally and
29 traditionally important to be on whatever design the
30 survey takes.

31
32 I'm going to ask Jim or Eric if they
33 have anything they want to add.

34
35 CHAIRMAN PROBASCO: Dr. Fall, Dr.
36 Taylor, Eric.

37
38 (No comments)

39
40 MR. PEDERSON: And that's my report.

41
42 CHAIRMAN PROBASCO: Thank you for the
43 report, Mike. I don't see any action items. It's just
44 an update. Questions for Mike.

45
46 (No comments)

47
48 CHAIRMAN PROBASCO: Thank you very
49 much. Mike is now sitting in for the North Slope
50 Council, correct?

1 MR. PEDERSON: Taqulik will be back in
2 maybe 20, 25 minutes.

3
4 CHAIRMAN PROBASCO: Okay. Thank you.
5 Next is the Handicrafts Committee. Is Ms. McNeill here
6 yet? Todd? Is my Todd here?

7
8 MS. SCHWALENBERG: Mr. Chairman. If we
9 could move that one down. Ms. McNeill is not scheduled
10 to be here until 3:00 o'clock.

11
12 CHAIRMAN PROBASCO: Thank you. So we
13 will reverse order here. So the Technical Subcommittee
14 on Invitation, who handles that?

15
16 MS. SCHWALENBERG: That committee was
17 addressing the issue of transportation. If Ryan Noel
18 is still in the audience, if he could come up and
19 address that issue, please.

20
21 Thank you.

22
23 MR. NOEL: Mr. Chair. My name is Ryan
24 Noel, Fish and Wildlife Service, Law Enforcement. I'm
25 not sure the history on the transportation proposal,
26 but speaking with Patty and others about the need for a
27 transportation provision. We discussed that in the
28 committee and looking at what is currently allowed and
29 we felt that -- the consensus or the discussion at the
30 committee was that there would be no need for a new
31 transportation regulation.

32
33 In essence, if you harvest a bird
34 lawfully, you may possess that bird and, therefore,
35 that bird is yours and you may transport that bird.
36 It's your bird. We looked at different things that
37 complicated that as far as gifting birds and thing like
38 that. There are procedures for that. All of them are
39 found in Part 20, which, as you know, doesn't apply in
40 the subsistence season, but we didn't feel at this time
41 anyway that there was anything specific that would
42 cause a problem for anybody who lawfully harvested
43 migratory birds in the spring/summer season to
44 transport their birds to the location of their choice.

45
46 CHAIRMAN PROBASCO: Thank you, Ryan.
47 Questions of Ryan. Patty.

48
49 MS. SCHWALENBERG: No question, but he
50 did mention the history of the issue and just to give a

1 little bit of history, the transportation issue came up
2 as a result of the invitation proposal that was
3 submitted by Fairbanks Native Association. At that
4 time we learned that there was no regulatory language
5 in the subsistence regs, Part 92, that addressed
6 transportation. So we were told that we needed to
7 develop a regulation that would address transportation.
8

9 So after Ryan Noel became involved in
10 our committees and the issues that we're dealing with,
11 he recognized the Part 20 transportation regulations
12 and that they wouldn't work for the subsistence, so
13 that's the avenue we're taking at this point in time
14 unless we find some issues in the future in transport.
15

16 Thank you, Ryan.

17
18 MR. NOEL: Thank you.

19
20 CHAIRMAN PROBASCO: Any other
21 questions. Steve has a question. Please come up,
22 Steve.
23

24 MR. GINNIS: As Patty mentioned, this
25 came as a result of FNA's proposal last year. I'm
26 still confused about this issue having to do with the
27 whole issue of transportation. If there is a law
28 that's currently in place, people are not aware of it.
29 Where you can transport birds from a hunting area like
30 into Fairbanks. We all were under the impression that
31 it was against the law to do that. If there is a law
32 that currently is on the books that would allow that to
33 happen, then we need to do a little better job of
34 getting that information out there because it affects a
35 lot of folks that currently are living in an urban
36 area, mainly our elders who rely on this resource as
37 well.
38

39 We've always been under the impression
40 that it was against the law to send birds from like
41 Fort Yukon to Fairbanks. How this current law applies
42 to the change that took place as a result of FNA's
43 proposal from last year whereby Native people that live
44 in an urban area can go out and hunt waterfowl as long
45 as the tribal council approves it, how does this thing
46 apply to that? Because again it's our understanding
47 that, yeah, you can go out there and hunt, but you
48 can't bring it home, which absolutely doesn't make any
49 sense to me. How does that apply in this current
50 revelation of what you were referring to here?

1 CHAIRMAN PROBASCO: Ryan, please.

2

3 MR. NOEL: Yes, sir, and thank you for
4 the question. To clarify, the invitation proposal that
5 was passed last year and then put into regulation I
6 think for the first time for the spring/summer harvest
7 in 2014. It requires also that an individual is
8 returning to an included area to assist family members
9 as well as an invitation from the Council. So when
10 that occurs, there is no -- to answer your question
11 specifically, there is no regulation prohibiting
12 transporting your birds that you lawfully took.

13

14 So through the invitation proposal, to
15 use your example, if you're invited back to assist an
16 immediate family member for their food and other
17 essential needs, it's how the regulation is written,
18 part of their essential needs is to share with you. If
19 they share the birds with you, you may return home to
20 the excluded area, Fairbanks, Anchorage, with your
21 birds. They've been gifted to you and those birds are
22 lawfully harvested, lawfully possessed, lawfully
23 transported.

24

25 MR. GINNIS: Okay. Well, I guess it's
26 not an issue no more.

27

28 CHAIRMAN PROBASCO: I would take that
29 as good news, Steve.

30

31 MR. GINNIS: Well, I still have a
32 little issue with the whole invitation stuff, but again
33 I understand that (turned off microphone) because of
34 the Treaty Act, you know, it would be nice to have --
35 before I was trying to push with the whole notion that
36 as long as you are a tribal member of a village you can
37 come back and hunt. But for this whole definition
38 under the treaty, this indigenous Alaskans or whatever
39 it's called, I understood that that couldn't be done.

40

41 So I'm not completely satisfied, but
42 the clarification on the transportation, thank you for
43 that. So now I can go out and get birds and bring them
44 home.

45

46 MR. NOEL: That's correct.

47

48 CHAIRMAN PROBASCO: As long as you have
49 that invitation.

50

1 MR. GINNIS: Yeah. I've got it written
2 right here.

3
4 (Laughter)

5
6 CHAIRMAN PROBASCO: Gayla.

7
8 MS. HOSETH: I just had a question I
9 guess to be more for clarification. So if we harvest
10 birds and I can bring those now from an included area
11 to an excluded area with no questions to what I'm doing
12 with my birds for the spring harvest?

13
14 MR. NOEL: That's correct. If you're a
15 resident of an included area and you're traveling to an
16 excluded area, you may take your birds with you.
17 They're your birds. Lawfully hunted, lawfully
18 harvested them, lawfully possessed them, you may
19 lawfully transport anywhere within the United States.

20
21 MR. GILLIS: It doesn't necessarily
22 need -- we don't need to keep the wing tip and the
23 head?

24
25 MR. NOEL: Yeah, I appreciate that
26 question. That is one of the complexities we were
27 referring to. There is a very specific regulation
28 about that, about identification for transportation in
29 Part 20. That's the fall season. I've talked it over
30 with our law enforcement guys, including our Refuge
31 officers here in Alaska, and that's not been a
32 requirement in the summer season because of -- for
33 several reasons. Limits specifically. In fall season
34 you have individual species limits, like two Wood Ducks
35 or one Canvasback and for an officer to be able to
36 identify what meat is in the cooler, what bird that
37 was, and if you've exceeded an individual bag limit,
38 they would need to have some marking attached, either a
39 head or a fully-feathered wing. But in the
40 spring/summer season that's not been an issue. The
41 only one that comes to my mind is if it's protected
42 species like a Spectacled or a Steller's Eider. I
43 don't have an answer for that. But as far as keeping a
44 fully-feathered wing or head attached in the
45 spring/summer season, it's not required.

46
47 MS. HOSETH: Thank you, Mr. Chairman.
48 Can we have something that we could pass out to our
49 Regional Councils at home? I mean it's an issue that
50 isn't quite clear and then when we talked about it

1 during our Council meeting and I guess people in our
2 area and maybe other surrounding areas don't really
3 know what can we do and what can we not do. I'm just
4 trying to educate.

5
6 MR. NOEL: Sure. I mean I will gladly
7 work with some of the folks that we have in external
8 affairs who are really good at that stuff to get
9 something that is presentable and useful and concise.
10 What's helpful oftentimes with things like that is
11 maybe a list of questions or something that we can
12 specifically address as opposed to -- otherwise it gets
13 very lengthy.

14
15 CHAIRMAN PROBASCO: Mike.

16
17 MR. PEDERSON: I don't know if this
18 question is for the Service or maybe for Patty at the
19 AMBCC, but when we brought the invitation proposal to
20 the SRC, then this became an issue. So based on what
21 Mr. Noel had just stated, does this mean that we no
22 longer need to deal with that transportation proposal
23 anymore?

24
25 MS. SCHWALENBERG: From my
26 understanding, that is correct.

27
28 CHAIRMAN PROBASCO: That's how I
29 summarized it too. Mike, thanks for the question.
30 Others.

31
32 (No comments)

33
34 CHAIRMAN PROBASCO: So Ryan, Donna and
35 myself along with our external affairs people will work
36 on something to answer some of those questions. Maybe
37 we'll put it in our handy dandy next year. I don't
38 know what the avenue will be, but we'll take care of
39 it. Thank you. Todd's not here yet?

40
41 MR. PEDERSON: He's still at their
42 meeting.

43
44 CHAIRMAN PROBASCO: I'd like to start
45 on that one because the other subcommittee might take
46 time as well, so let's take advantage of her being
47 here. Thank you, Patty.

48
49 (Pause)

50

1 CHAIRMAN PROBASCO: Todd, are we ready?

2

3 DR. SFORMO: Yes.

4

5 CHAIRMAN PROBASCO: So, Todd, the floor
6 is yours on how you would like to orchestrate this.

7

8 DR. SFORMO: Okay. Thanks. Just a
9 brief update. So we've had a number of meetings within
10 the last few days and we've come up with some amended
11 draft language for this draft regulation. Prior to
12 that the Handicraft Committee also asked Saunders
13 McNeill to come and present on behalf of the Silver
14 Hand Program. Not as a program that anyone is
15 necessarily endorsing or anything, but just to come and
16 talk about her program and have a few minutes to hear
17 some questions and give some answers. So she's here.

18

19 CHAIRMAN PROBASCO: Thanks, Todd. I
20 would just -- you might want to put into context about
21 the Silver Hand Program, what the committee was looking
22 at and why.

23

24 DR. SFORMO: So one of the reasons for
25 the Silver Hand or Silver Hand-like Program as a
26 requirement came up because the ability to sort of
27 track this work of art or to track the purchase and
28 make sure that no counterfeit works of art are being
29 sort of displayed and kind of displacing authentic
30 Native works of art. So it's a mechanism to ensure
31 that there's no counterfeiting going on, so that's one
32 of the reasons.

33

34 In the last few days though there have
35 been a number of possible changes, including possessing
36 a tribal enrollment card, BIA card and including the
37 Silver Hand Program as kind of an or. So there's a
38 number of possibilities still for this draft regulation
39 for the handicraft issues. One of the reasons why
40 we've left the Silver Hand or Silver Hand-like Program
41 in the language is the sales by consignment. So
42 there's an issue that somebody could just -- there's no
43 way of knowing whether work sent into a consignment
44 store was authentically made by an Alaska Native. So
45 this is another chance to make sure that these works of
46 art are really by Native artists.

47

48 CHAIRMAN PROBASCO: Thank you, Todd.
49 While Ms. McNeill is presenting information, will you
50 make sure each Council member gets a copy of the

1 language you're looking at so they can follow along.

2

3 Thank you.

4

5 DR. SFORMO: Okay. We're still having
6 the Native caucus in the morning and this is also going
7 to be dealt with at that time, so there may be some
8 changes to the language. We don't have copies of it at
9 the moment.

10

11 CHAIRMAN PROBASCO: So what you're
12 asking me is to hold off action on that until after the
13 Native caucus meets.

14

15 DR. SFORMO: Yes.

16

17 CHAIRMAN PROBASCO: Okay. So we'll
18 wait for the copy then. Thank you, Todd.

19

20 DR. SFORMO: So Saunders McNeill is
21 here. She's part of the Alaska State Council on the
22 Arts and she administers the Silver Hand Program.
23 Again, she's here just to talk about the program and to
24 answer questions. It's no endorsement for anything.

25

26 CHAIRMAN PROBASCO: Before you go, once
27 Ms. McNeill is completed, then we will table your work
28 until the morning.

29

30 DR. SFORMO: Thanks.

31

32 CHAIRMAN PROBASCO: Okay, cool. Ms.
33 McNeill, please come up and welcome.

34

35 MS. MCNEILL: Thank you. We're very
36 pleased to be here. Thank you.

37

38 CHAIRMAN PROBASCO: For the record,
39 would you please identify yourself.

40

41 MS. MCNEILL: Yes. My name is Saunders
42 McNeill and I am the Community and Native Arts Program
43 director at the Alaska State Council on the Arts. (In
44 Yup'ik) for any of the folks from Savoonga or Gambell.

45

46 I've been talking with Todd for a
47 number of months and he asked that at your behest that
48 we come to basically kind of provide an overview of
49 what the Silver Hand Program is and then as well as
50 what our agency does and then provide opportunities for

1 you to ask any and every question that you may have
2 about it and how it may pertain to the decisions that
3 you're trying to make over the course of the next few
4 months.

5
6 So, sort of a general framing, the
7 Alaska State Council on the Arts is a state arts
8 agency. Most people do not realize that every state
9 has a state arts agency. It's part of a Federal
10 mandate. We are housed under the Department of
11 Education and Early Development. We have an 11-member
12 council. They're governor appointed. They're from all
13 over the state and they are the council members that
14 determine our policy programs and how we deliver those
15 statewide. All of our programs are governed by State
16 statute and regulation and our total operating budget
17 is \$1.9 million and we serve the entire state of
18 Alaska.

19
20 Our mission is to represent, support
21 and advance the creative endeavors of Alaska citizens
22 and agencies throughout the state. How we do that is
23 through grants, programs, services, projects, working
24 in partnership with arts organizations, creative
25 institutions, Native corporations, et cetera.

26
27 Imbedded within our program is the
28 Silver Hand Program. The Silver Hand Program is the
29 State-sanctioned Native arts authentication program.
30 It is one of a triplet program for the State. There's
31 Made In Alaska, there's the Silver Hand Program and
32 there's Alaska Grown. Over the course of the Silver
33 Hand Program we've served more than 1,800 Alaska Native
34 artists. Currently about I would say 900 of those
35 artists have current Silver Hand permits.

36
37 For a little bit of back story, the
38 Silver Hand Program originated in the Department of
39 Commerce, Community Economic Development. Was
40 transferred to our agency in 1998 at the recommendation
41 of a Native Arts Advisory Committee under Governor
42 Knowles. Our program is an unfunded mandate. We have
43 a very small revenue stream from Silver Hand permit
44 fees. It's \$20 for a two-year permit.

45
46 Are there any questions so far?

47
48 (No comments)

49
50 MS. MCNEILL: Okay. I'm trying to do a

1 quick range here. So we are the longest running State-
2 sanctioned Native arts authentication program in the
3 country. The Silver Hand Program has been around since
4 the early 1960s and it was really kind of codified in
5 the early 1970s. It was originally put forward as a
6 Silver State Program, then a little later on it was
7 split into two program components. One became Made In
8 Alaska and one became the Silver Hand Permit Program.
9 The reason for that was the State recognized the unique
10 nature of Alaska Native artists. At that time they
11 were really focusing on Alaska Native artists who were
12 working in traditional or customary art forms.

13
14 We have since updated the statutes.
15 The original statutes require that artwork be made in
16 whole or significant part of natural materials. We
17 have now expanded those statutes to include all
18 customary and contemporary art forms as long as the
19 artwork is original artwork. If you were to come to
20 our office as an Alaska Native artist and apply for a
21 Silver Hand permit, these are the things that we --
22 baseline things that we require of you. You need to be
23 a current resident of the state of Alaska, you need to
24 be an Alaska Native member of a Federally recognized
25 ANCSA tribe, you need to be 18 years or older, you need
26 to be making your work in the state and it is a
27 completely voluntary program.

28
29 No one is required to subscribe to the
30 program at all. It's one mechanism for Alaska Native
31 artists to promote their work in a very complex
32 marketplace and we always tell Alaska Native artists
33 that it's one of many ways to authenticate your work
34 and help consumers identify work in the marketplace.

35
36 You should have received a number of
37 things via email. One was a Silver Hand permit
38 application which outlines the governing statutes as
39 well as the support documentation that we require in
40 order to certify a permit for artists as well as an
41 image of the current Silver Hand hang-tag that we issue
42 to artists for free, a hundred tags per year for free
43 for a two-year permit.

44
45 Also artists are required to provide us
46 with images of current work. We ask that they pay \$20
47 for a permit fee. It's for a two-year permit. It
48 helps us cover the costs of printing as well as mailing
49 out the packets and producing the Silver Hand permit
50 cards.

1 So I think that's my blitzkrieg brain
2 share of what the Silver Hand Program is. There's not
3 100 percent consensus within the Native artist
4 community about the Silver Hand Program. Some people
5 love it and have experienced great benefit from it.
6 Some artists feel really frustrated by any additional
7 program that they would need to apply to in order to
8 authenticate themselves with their work. I think that
9 as an agency we're really open to hearing kind of
10 different individual's perspectives about the role that
11 a Native arts authentication program can play in the
12 state of Alaska and work in the interest of Alaska
13 Native artists.

14
15 So let me stop there just for a second
16 and ask if there are specific questions that each of
17 you wants to make sure when you walk out the door you
18 have that information. I should preface that with we
19 don't have very much time today. The Alaska Native
20 Marketplace is extremely complex and we have been
21 privileged to work with Alaska Native artists for
22 nearly 50 years. Where our expertise lies is based on
23 that feedback and policy and programs and we're happy
24 to share any and all of that information with you now
25 or in the future to help support you in making the
26 decisions you need to.

27
28 CHAIRMAN PROBASCO: Thank you. I'm
29 sure there will be questions. I saw Sonny raise his
30 hand, so go ahead.

31
32 MR. SQUARTSOFF: What do you mean by
33 tags? You put them on there or do they stick on
34 or.....

35
36 MS. MCNEILL: Yeah.

37
38 MR. SQUARTSOFF:do they stay on
39 forever?

40
41 MS. MCNEILL: We used to issue two
42 versions of it. It's kind of a way to brand your work.
43 One was a small sticker that had the image of the
44 silver hand and it says authentic Alaska Native art
45 made in Alaska. So we used to issue those and now we
46 only issue kind of card stock folded over a hang-tag
47 that has a hole in the top that can be threaded through
48 and attached to any piece of artwork. So it can be
49 removed basically. It's not permanently emblazoned
50 onto a piece of work.

1 There are other programs nationally and
2 internationally that have utilized that mechanism. We
3 have not for a bunch of different reasons. Now we only
4 issue the Silver Hand hang-tag. The reason for that is
5 the stickers were easily removable and placed onto
6 another item that may or may not have been made by an
7 Alaska Native individual. The hang-tags give space for
8 the artist to write their name, their uniquely assigned
9 permit number, their community of origin if they so
10 choose and there's a little space kind of for
11 materials.

12
13 We also strongly encourage all Alaska
14 Native artists to include additional information with
15 their artwork because it functions as a way to
16 additionally kind of certify their work in the
17 marketplace. A longer list of materials, any kind of
18 bio, a business card, those kinds of things. Does that
19 answer?

20
21 MR. SQUARTSOFF: Yes. Thank you.

22
23 CHAIRMAN PROBASCO: Thank you, Sonny.
24 Joeneal.

25
26 MR. HICKS: Thank you, Mr. Chair. I
27 heard you mention the word authenticate several times.
28 By purchasing a Silver Hand permit -- I guess you could
29 call this a question. Isn't that just another form of
30 copyright?

31
32 MS. MCNEILL: That's a really good
33 question and the answer is no. It's a brilliant
34 question because Alaska Native artists run into this
35 issue all the time. A copyright is a Federal
36 authenticating process and it's really showing a
37 creative point of origin. It can be very challenging
38 for Alaska Native artists, particularly customary art
39 form practitioners. So the role that -- when I'm kind
40 of using the word authentication, really what it's
41 doing is helping the art patron or the consumer
42 distinguish within a shop, in the marketplace,
43 wherever, that this particular piece of work has been
44 made by an Alaska Native individual and that it's been
45 made in the state. Does that.....

46
47 MR. HICKS: (Nods affirmatively). Just
48 another comment. I know that each artist or each
49 handicraft is different from one another even though if
50 you're trying to make the same thing.

1 MS. MCNEILL: Yes.
2
3 MR. HICKS: For instance, one of my
4 hobbies is to make those small mini fishwheels.
5
6 MS. MCNEILL: Oh, yeah.
7
8 MR. HICKS: Just out of willow.
9
10 MS. MCNEILL: We need to talk.
11
12 (Laughter)
13
14 MR. HICKS: I don't use any kind of
15 nails, glue or whatever like that.
16
17 MS. MCNEILL: Yeah.
18
19 MR. HICKS: And I can say each is
20 different even though you try to make the same things.
21
22 MS. MCNEILL: Absolutely.
23
24 MR. HICKS: Thank you.
25
26 MS. MCNEILL: When we talk about
27 original artwork, that's what we're talking about.
28 With the Silver Hand Program, it's a one-to-one
29 relationship between the artist and the work. So in
30 contemporary art forms, for example serigraphy or
31 commonly known as silk screening, artists are welcome
32 to do silk screening. They just have to be the
33 individual that does the silk screening. So they have
34 to actually pull the print.
35
36 CHAIRMAN PROBASCO: Patty, please.
37
38 MS. SCHWALENBERG: Thank you.
39 Saunders, you'd mentioned earlier on your presentation
40 that the Silver Hand Program is one of many methods
41 used to authenticate Native art. Can you elaborate on
42 that and what those other avenues are.
43
44 MS. MCNEILL: Sure. They're not
45 necessarily branding programs, but ways that we advise
46 Alaska Native artists to authenticate their work. To
47 sign it with their full name, to put a C with a circle
48 around it. That's an automatic copyright. Put the
49 date of when they produced the work. List any
50 materials that they used in the work. Include a

1 business card that has their name, address, contact
2 information to the degree that they're comfortable in
3 sharing. What other ways. Any kind of bio
4 information.

5
6 I think what's really important to
7 emphasize too or point out as far as our role as a
8 state arts agency and the bounds of our authority when
9 it comes to use of materials. As I think everybody
10 knows, Alaska Native artists are absolutely in the
11 epicenter of extremely complex, overlapping laws
12 regarding the use, management, restriction of natural
13 materials.

14
15 In the course of my tenure at the
16 Alaska State Council on the Arts, I've actually been
17 there 15 years, which is really stunning to me every
18 time I say it out loud, but what we recognized from the
19 flow of calls from community members and artists
20 requesting information about what materials can they
21 and can they not use in their work, what laws might
22 they be breaking, can they import or export them, those
23 kinds of things.

24
25 What we've done over the last 15 years
26 is nurture relationships with all of the enforcement
27 agencies, State and Federal level, in order to function
28 as a liaison and match-make artists with those specific
29 agencies or entities that can provide them specific
30 information because we know that that's completely
31 outside of our jurisdiction and area of expertise.

32
33 So I think that's a kind of behind-the-
34 scenes relationship and building in partnership that we
35 have established over time to try and get answers into
36 communities and to Alaska Native artists so that they
37 are not inadvertently cross-purposes to any number of
38 laws that might impact them in the production and sale
39 of their work.

40
41 CHAIRMAN PROBASCO: Bruce, please.

42
43 MR. DALE: Thank you. I was wondering
44 how many applicants you would have or be carrying in a
45 given year or in a recent year.

46
47 MS. MCNEILL: We have 1,750 people on
48 our Silver Hand permit list right now, active permit
49 holders, because still people either forget or they
50 don't realize still that they need to renew their

1 permit every two years. It's around 900 individuals
2 that have active permits right now.

3
4 MR. DALE: Follow up. And I'm
5 gathering by the program you've described that you have
6 a lot of people that stick with the program for a long
7 time.

8
9 MS. MCNEILL: We do. We have people
10 who have been with the program for as long as it's
11 existed. We actually have Silver Hand permit number 1.

12
13 MR. DALE: One more?

14
15 CHAIRMAN PROBASCO: Yeah.

16
17 MR. DALE: When we have regulatory
18 questions, can we call you up?

19
20 MS. MCNEILL: Oh, it would be
21 brilliant. We really cannot express our excitement and
22 gratitude in being able to be here today. Our goal is
23 to help support Alaska Native artists in their creative
24 endeavors and their professional development. We have
25 a lot of information we're happy to share.

26
27 CHAIRMAN PROBASCO: Thank you for being
28 here. It's very informative. I have a couple
29 questions. The first one, it's \$20 for two years.

30
31 MS. MCNEILL: Uh-huh (affirmative).

32
33 CHAIRMAN PROBASCO: Every year you get
34 100 tags.

35
36 MS. MCNEILL: Yes.

37
38 CHAIRMAN PROBASCO: A person that does
39 not renew their permit, theoretically could still have
40 150 tags.

41
42 MS. MCNEILL: Yep, and that happens
43 often because people's work -- they're doing their work
44 kind of imbedded in their daily lives and may or may
45 not be producing a large inventory.

46
47 CHAIRMAN PROBASCO: When those
48 situations come up, what happens on your part?

49
50 MS. MCNEILL: Do you mean kind of as

1 far as enforcement or things like that?

2

3 CHAIRMAN PROBASCO: Correct.

4

5 MS. MCNEILL: Ways that we wind up
6 hearing from artists or from shops if somebody's permit
7 isn't updated, you know, an artist will call and say I
8 need to renew my permit. It's like, oh, well, you
9 haven't renewed it since 1998. So there are sometimes
10 those. Not that frequent. We ask people to renew
11 their permits and they almost always do. We have
12 frequent calls from shop owners and from individual
13 patrons who will call saying, well, I just purchased a
14 piece of work or I have a piece of work here and
15 there's a Silver Hand tag and here's the number and can
16 you verify anything about this permit holder and we can
17 verify whether or not it's active. And we send out
18 notifications to let people know that they need to
19 renew.

20

21 But there's no punitive action sort of
22 on our part, so I think in relation to materials use
23 specific to migratory bird nonedible parts, it could
24 pose a lot of challenges as far as tracking that via
25 the Silver Hand Program. I think a takeaway that's
26 really important for everybody to know today is the
27 Silver Hand permit or the Silver Hand permit holder
28 information is public record and we share that
29 regularly with anybody who requests that list. We
30 update it sometimes every single day. So if this
31 committee wanted to have that list from a day-to-day
32 basis or any enforcement entity, anyone, Native
33 corporation, we prep that and send it out.

34

35 CHAIRMAN PROBASCO: My last question is
36 you had the requirements. You have to be a resident of
37 Alaska, member of an ANCSA tribe.....

38

39 MS. MCNEILL: Yep.

40

41 CHAIRMAN PROBASCO:18 years or
42 older and it has to be made in the state.

43

44 MS. MCNEILL: Yep.

45

46 CHAIRMAN PROBASCO: How do you verify
47 residency?

48

49 MS. MCNEILL: We request a current
50 Alaska state ID.

1 CHAIRMAN PROBASCO: Okay. Thank you.
2 Go ahead, Jim.
3
4 DR. FALL: I'm Jim Fall and I'm on the
5 Handicrafts Committee.....
6
7 MS. MCNEILL: Oh, really. Nice to meet
8 you.
9
10 DR. FALL:for the AMBCC and I
11 have two related questions. During the Handicraft
12 Committee meeting, one of the meetings, I think it was
13 mentioned that the AFN annual crafts and art show
14 requires the Silver Hand logo and we were wondering,
15 first of all, is that correct, and is that a formal
16 relationship or an informal thing? How is that
17 actually coordinated with your program?
18
19 And then, more generally, are there
20 other art dealerships or stores or consignment
21 organizations that also require the Silver Hand? If
22 so, is there some kind of, again, a formal relationship
23 with you and how that might work?
24
25 MS. MCNEILL: That's a great question.
26 Let me sort of go down the list. Alaska Federation of
27 Natives passed a resolution a number of years ago that
28 any artist selling work during the arts and crafts fair
29 is registered with the Silver Hand Program. We provide
30 them with that list whenever they request it, but there
31 is a grandfather clause. I know there are some artists
32 who are from the Lower 48 or may actually not be Alaska
33 Native, but they're providing materials or services to
34 Alaska Native artists, so they are included in the
35 show. I think that's the answer to the AFN question.
36
37 Yes, there's the Fur Rondy show. There
38 are a number of exclusive shows basically that require
39 Alaska Native artists to have a Silver Hand permit.
40 The feedback that we've gotten from artists is that has
41 been really helpful for them. We've done a number of
42 surveys to ask does it help, is it onerous, do you make
43 more money, those kinds of things. The overarching
44 feedback is it's been a positive thing.
45
46 Black Elk actually gives a discount to
47 artists who can show their Silver Hand permit card. I
48 think it's either 10% or 20% discount for materials,
49 which is sizeable and excellent and we've sort of
50 discussed within our agency are there ways that we

1 could encourage other businesses to follow suit, but as
2 a State agency we need to be careful about how we
3 proceed with that request invitation.

4

5 Did I cover everything?

6

7 DR. SFORMO: Yes.

8

9 MS. MCNEILL: Okay.

10

11 CHAIRMAN PROBASCO: Sonny, please.

12

13 MR. SQUARTSOFF: Yes, you said like the
14 shop calls you if it's a legal artist so they could be
15 resold?

16

17 MS. MCNEILL: Sorry. Ask that question
18 again.

19

20 MR. SQUARTSOFF: If somebody sold
21 something to a shop and they could sell it again?

22

23 MS. MCNEILL: Yeah. Basically that's
24 the case with any artwork no matter who it's made by.
25 Artwork can be sold over and over and over again and
26 oftentimes is. What we're hoping to do and help
27 support artists to do is from the beginning when
28 they're selling their work that they're showing
29 providence in every single way that they can and the
30 Silver Hand tag is one way to do that and the hope is
31 that Silver Hand tag stays with a piece no matter who
32 winds up owning it.

33

34 MR. SQUARTSOFF: Thank you.

35

36 CHAIRMAN PROBASCO: Thank you, Sonny.
37 Other questions. Patty.

38

39 MS. SCHWALENBERG: You mentioned
40 earlier the benefits of enrolling in the Silver Hand
41 Program. Do you do like marketing for the artists or
42 what other services do you provide?

43

44 MS. MCNEILL: The Silver Hand Program
45 is imbedded in very beefy Native Arts Program within
46 the Alaska State Council on the Arts and we administer
47 dozens of different programs for artists statewide and
48 for arts and cultural organizations and institutions.
49 So ways that we provide services to Alaska Native
50 artists in addition to the Silver Hand Program we offer

1 pretty comprehensive professional development workshop
2 series.

3

4 Currently we're actually working on a
5 very large professional development workbook for Alaska
6 Native artists and for individuals that do trainings
7 for artists. We don't and can't directly market
8 individual artist's work. What we do is help them kind
9 of develop professional skills, link them with
10 different organizations, granting entities, business
11 development institutions in order to kind of advance
12 professionally.

13

14 We also are a huge connector for
15 materials with other agencies and do a lot of kind of
16 direct connecting for artists to -- you know, examples
17 would be the Indian Arts and Crafts Board or Fish and
18 Game, Fish and Wildlife, NOAA, the co-management
19 councils, those kinds of things.

20

21 CHAIRMAN PROBASCO: Thank you. Ryan,
22 please.

23

24 MS. MCNEILL: Hi.

25

26 MR. NOEL: Hi, Saunders. My name is
27 Ryan Noel with Fish and Wildlife Service.....

28

29 MS. MCNEILL: Oh, nice to meet you.

30

31 MR. NOEL:Law Enforcement. I
32 just had two quick questions. One, and you just
33 mentioned it, the Indian Arts and Crafts Board. As you
34 know, the Indian Arts and Crafts Act is an act that's
35 in place to federally combat counterfeiting of Alaska
36 Native and Native American art. I was wondering, does
37 your program provide the prerequisite for a violation?
38 If somebody has a Silver Hand sticker attached to a
39 piece of artwork or handicraft, would that suffice as
40 being representative as a Native made? Therefore, if
41 somebody did it to counterfeit the item, then it would
42 be a violation.

43

44 MS. MCNEILL: Absolutely.

45

46 MR. NOEL: Okay. I thought so.

47

48 MS. MCNEILL: And if it's Silver Hand,
49 then we have jurisdiction over that, but how our
50 relationship works with our enforcement partners is

1 oftentimes what will happen is it's not just --
2 actually, it's more rare that it is only a Silver Hand
3 violation, if a Silver Hand violation at all or a
4 counterfeit issue.

5
6 Depending upon what the scenario is,
7 what I do, my role is to work with that individual who
8 is filing a complaint and then really kind of do an
9 inventory of where there's overlap in Federal and State
10 potential violations. Then what I do is I will then
11 convene those partners in a separate teleconference and
12 discuss the complaint and then we decide amongst
13 ourselves, well, okay, is there one agency that should
14 rise to the top of this, is it consumer protection with
15 the State of Alaska Attorney General's Office, is it
16 with your team. Oftentimes when a complaint comes to
17 us it is involving five different entities and if
18 that's the case, then that's how we proceed. Does that
19 help?

20
21 MR. NOEL: It does, yes, actually.
22 That's exactly what I was wanting to know. And then
23 the other question was, you mentioned that there are
24 Silver Hand stickers I believe you said. I couldn't
25 hear quite well, but that are provided to the
26 registered artist once a year. You said 100.

27
28 MS. MCNEILL: Yes.

29
30 MR. NOEL: Are they numbered or serial?

31
32 MS. MCNEILL: Here's the thing, they
33 are not.

34
35 MR. NOEL: Okay.

36
37 MS. MCNEILL: And we've talked about
38 that. Part of it is kind of our administrative
39 capacity and bandwidth. We right now don't have a
40 system that prints the permit number onto the cards and
41 we certainly don't have staff time to kind of -- you
42 know. But it's something that we've talked about. And
43 because it's an unfunded mandate, I mean the program is
44 unfunded, that would be top on our list if we could.

45
46 MR. NOEL: Thank you very much. Thank
47 you, Mr. Chair.

48
49 CHAIRMAN PROBASCO: It's yours, Sonny.

50

1 MR. SQUARTSOFF: Okay. One more
2 question. Like seals and the sea otters that are
3 handicraft, they can be resold too as part of the
4 handicraft?

5
6 MS. MCNEILL: Absolutely. But I have a
7 feeling part of kind of what you're thinking might be
8 is about the transport or where that item, that art
9 piece might go, if it's within the state, if it's
10 across state lines, if it's international. If you're
11 thinking about scenarios like that, another publication
12 that we host on our website is the customs guide to
13 Alaska Native art and we work really hard to make sure
14 to get Native arts connected with enforcement agencies
15 that can specifically interpret where those materials
16 can and can't go. Depending upon if they can be
17 shipped somewhere, what special paperwork might be
18 required, like a CITES permit or anything like that.

19
20 MR. SQUARTSOFF: Okay. If somebody
21 lost some of their tags and somebody on the outside
22 that is not a Native got a hold of them, so they could
23 sell.....

24
25 MS. MCNEILL: Yeah.

26
27 MR. SQUARTSOFF:legally sell sea
28 otter skins and seal skins.

29
30 MS. MCNEILL: Well, the Silver Hand
31 Permit Program doesn't -- it has to be on artwork.

32
33 MR. SQUARTSOFF: (Indiscernible).

34
35 MS. MCNEILL: Yeah, but it can't --
36 like if you're thinking about like it takes the place
37 of tagging for whole pelt, that's not what the Silver
38 Hand logo authenticates. It is only completely created
39 artwork. Does that clarify? So Alaska Native artists
40 who are permit holders that are producing work with any
41 kind of sea otter byproduct, they are making clothing,
42 dolls, hats those kinds of things. The Silver Hand
43 logo is not to be used on raw materials.

44
45 MR. SQUARTSOFF: Yeah, I see, but if
46 you've got them numbered and then the ones that you
47 sold you could keep track of your numbers.

48
49 MS. MCNEILL: Yeah, it's a very, very
50 good point as far as doing an inventory total and

1 tracking both for artists and for us as an agency.
2 Yeah, for sure.

3
4 CHAIRMAN PROBASCO: Okay. I want to
5 work towards wrapping this up. Brandon, you had your
6 hand up, please.

7
8 MR. AHMASUK: Yes, thank you, Mr.
9 Chair. Brandon Ahmasuk. I'm the subsistence director
10 at Kawerak. The question that came up was if they have
11 the Silver Hand Program, the tag, that it could be
12 resold over and over and over and over again. But my
13 question is to the Service because you're trying to
14 prevent non-Natives from selling this, can that happen?

15
16 CHAIRMAN PROBASCO: Yes. It depends on
17 the regulations we end up developing, Brandon. So I
18 don't know what the Handicraft Committee is going to
19 come up with at the end, but the intent is that, one,
20 the Silver Hand was presented as a possible way to
21 authenticate that it's a Native handicraft and then a
22 person selling it. You know, you brought that proposal
23 as far as having a tribal card or BIA card. If it was
24 sold to me and I tried to resell it, I would be in
25 violation because I wouldn't have any of those.

26
27 MR. AHMASUK: But if you still have the
28 tag.

29
30 CHAIRMAN PROBASCO: I'm not a tribal
31 member.

32
33 MR. AHMASUK: So no.

34
35 CHAIRMAN PROBASCO: No.

36
37 MR. AHMASUK: Okay. Thank you.

38
39 MS. MCNEILL: Just to clarify here, are
40 you talking about -- hi, it's nice to meet you. We
41 emailed, so it's great to meet you in person. We
42 should do this more often.

43
44 (Laughter)

45
46 MS. MCNEILL: So are you talking about
47 the tag itself being separate from any artwork being
48 sold over and over, is that what you're saying, or are
49 you talking about.....

50

1 MR. AHMASUK: For this particular
2 meeting we're talking about birds, the nonedible bird
3 parts and handicrafts. Currently it's illegal for us
4 to sell it.

5
6 MS. MCNEILL: Right.

7
8 MR. AHMASUK: But my question, and he
9 answered it, was if I sold it to a non-Native, could he
10 turn around and sell it again, and he answered it. It
11 was no.

12
13 MS. MCNEILL: Okay. Great. That's a
14 very good clarifier for us too.

15
16 CHAIRMAN PROBASCO: Well, we haven't
17 developed the regs yet, so we're still working on it,
18 but that was one thing that would prevent that,
19 Brandon.

20
21 MR. AHMASUK: Thank you.

22
23 CHAIRMAN PROBASCO: Okay. Other
24 questions.

25
26 (No comments)

27
28 CHAIRMAN PROBASCO: I want to thank you
29 for taking the time to come here. The stuff you
30 provided was very informative.

31
32 MS. MCNEILL: Good.

33
34 CHAIRMAN PROBASCO: I know Todd and his
35 committee is going to be meeting with the Native caucus
36 in the morning and we hope by day's end to have a
37 proposed regulatory change that would go forward in our
38 process. So we're working towards that. We still have
39 some work ahead of us, but you helped greatly.

40
41 Thank you.

42
43 MS. MCNEILL: Good. And if you have
44 any other questions at all, we are very happy and open
45 to trying to provide some answers.

46
47 CHAIRMAN PROBASCO: Okay. Thank you.
48 So, with that, let's take a 10-minute break.

49
50 (Off record)

1 (On record)

2

3 CHAIRMAN PROBASCO: Okay. Patty, we're
4 going to get started. Who is our Emperor chair? Is
5 that Mr. Rosenberg? I think so. He waved. Come on
6 up, Dan.

7

8 MS. SCHWALENBERG: While Dan is coming
9 up, I have this iPhone here that was left in the room
10 yesterday and nobody has claimed it yet. So if anyone
11 knows whose it is or if they've heard of anyone looking
12 for a phone, we'll leave it at the front desk and then
13 I'll announce it again tomorrow. Thanks.

14

15 CHAIRMAN PROBASCO: Okay, Dan, the
16 floor is yours. I just wanted to let you know that Pat
17 Holmes from Kodiak is on the line. He works with the
18 Regional Advisory Council on Kodiak. Once we have
19 listened to Dan and listened for questions I will give
20 him the opportunity to speak as well. So, Dan, go
21 ahead.

22

23 DR. ROSENBERG: Thank you, Mr. Chair.
24 Members of the Committee. My name is Dan Rosenberg
25 with the Alaska Department of Fish and Game and I'm
26 here as the chair of the Emperor Goose Committee of the
27 AMBCC and also the Emperor Goose Committee of the
28 Pacific Flyway.

29

30 The Emperor Goose Committee met
31 yesterday, but first I think I'll give you a little
32 background. Back in September 2013 the Emperor Goose
33 Committee convened for the first time, I believe, in
34 quite a while with the idea that we needed to revise
35 the Emperor Goose Management Plan, which is a Pacific
36 Flyway Management Plan that has input from the AMBCC.
37 That plan guides Emperor Goose harvest management. So
38 that's the plan. That's the source of the harvest
39 criteria that closes Emperor Geese when the population
40 falls below 60,000 and doesn't allow it to be reopened
41 until it achieves 80,000 based on the spring population
42 index, which is an aerial survey flown on the north and
43 south side of the Alaska Peninsula during spring
44 migration.

45

46 So we were getting a lot of input from
47 members of the regional management bodies that they
48 were seeing a lot more Emperor Geese and a lot of
49 interest in reopening the hunt because it had been
50 closed since 1987 for subsistence hunting and there was

1 a whole generation that hadn't been allowed to hunt
2 Emperor Geese legally. In the meantime, there were
3 many elders who had not had the opportunity to eat
4 Emperor Geese in a long time and really relished that
5 opportunity to do that as a source of nutrition and
6 something that was a part of their customary and
7 traditional use.

8

9 So out of that meeting in September
10 2013 Bob Stehn of the U.S. Fish and Wildlife Service
11 presented a lot of background on Emperor Geese and
12 proposed the idea of using all of the datasets that we
13 have to develop an integrated model. To the credit of
14 the Fish and Wildlife Service, they have been flying
15 and partaking conducting multiple surveys for Emperor
16 Geese on an annual basis since the early 1980s.

17

18 They have the spring survey, which is
19 what the management plan stipulates will be what our
20 current strategies are based upon that index of the
21 number of birds flying north or east and north in the
22 spring to the breeding areas, but they also have a
23 summer aerial survey on the Yukon-Kuskokwim Delta
24 during the breeding season and they have a nest plot
25 survey on the Yukon-Kuskokwim Delta during the breeding
26 season and they also conduct a fall survey along the
27 Alaska Peninsula and an aerial survey during migration.
28 At which time they also get an age structure of the
29 population so we can determine the number of young
30 birds in the population.

31

32 It wasn't until recently the
33 statistical methods had been developed that could
34 really do a good job of integrating all those datasets.
35 Bob proposed that we try these methods and we had a
36 biometrician at Fish and Game named Steve Fleischman
37 who was adept in these Beijing space models. So it was
38 a perfect cooperative project between the Fish and
39 Wildlife Service and the Department of Fish and Game to
40 try to reevaluate the status of Emperor Geese in
41 response to what we have been receiving from the
42 regional management bodies.

43

44 So we began that process not long
45 after, but soon after that Bob retired from the Fish
46 and Wildlife Service and Steve had a full-time job with
47 Fish and Game that had nothing to do with this at all,
48 so we got permission for Steve to work on this project.
49 Bob worked with Steve, but it's been slow because
50 they've had other things to do in their lives.

1 At this meeting yesterday, for the
2 first time they presented the results of their modeling
3 effort. I'm going to go into that in a minute here,
4 but I first want to start that at the Emperor Goose
5 meeting yesterday all the regional management bodies
6 reported on Emperor Geese. I think the one thing that
7 came out of that is that I believe that everybody
8 involved in Emperor Goose management in our committee
9 and all the regions, the agencies, are all in agreement
10 that everybody wants to see a sustainable population of
11 Emperor Geese with a harvest. I think everybody has
12 the best interest of the birds in mind, the population
13 in mind, but of course would like to see a harvest that
14 can be sustained over the long term.

15
16 So, with that in mind, Bob reported on
17 the modeling exercise that they had done. As you may
18 recall, the spring index that we've been using has a
19 three-year population index. The average three-year
20 population index is about just under 74,000 birds. The
21 traditional belief if you will among the scientific
22 community believes the large majority of Emperor Geese
23 were being captured in that index because they all fly
24 through that area in the spring.

25
26 As a result of this process, this
27 modeling process incorporating all the datasets,
28 integrating all these datasets, the estimate is that
29 we're only capturing about 43 percent of the birds
30 migrating through that area on the spring survey. So
31 if you take that number, the 74,000, and if that is
32 truly 43 percent of the population, that means we have
33 about 170,000 birds. Regardless, you know, we probably
34 do have more than 150,000 Emperor Geese out there.

35
36 Now, having said that, we're still
37 going through and vetting this model and trying to get
38 other people's input into it just to make sure that all
39 the I's are dotted, all the T's are crossed and that we
40 can proceed with it. At the same time, the model does
41 also point out the sensitivity of harvest of Emperor
42 Geese, so we all have to be cognizant that there is a
43 concern about overharvesting the species.

44
45 Regardless, I think one thing that we
46 can probably all agree to, I hope in time, is that
47 under the current harvest that's reported through the
48 AMBCC harvest surveys the average annual harvest of
49 Emperor Geese from 2004 to 2012 is about 3,000 birds.
50 So with that harvest of 3,000 birds, you know, that

1 illegal harvest of 3,000 birds, the population has been
2 growing. It has been growing at roughly a little under
3 maybe 2 percent per year over the last -- I think it's
4 a 30-year period since these surveys have been ongoing.

5
6 So I think with that in mind, at
7 minimum, you know, we do recognize that if we legalize
8 that harvest, we'd be maintaining essentially the
9 status quo. All else being equal, we'd still have a
10 slow growth rate in this population. As you know,
11 we've had two proposals that are being tabled right
12 now. One from the Bristol Bay Native Association and
13 one from the Kodiak Regional Advisory Council to reopen
14 this hunt in a limited fashion.

15
16 If we reopen this hunt in a limited
17 fashion and only harvested the same number of birds
18 that we've been harvesting since 2004, I don't think
19 anybody would perceive a real problem with that. What
20 we have is perhaps an allocation problem. The largest
21 portion of that harvest comes from two areas. It comes
22 from the Yukon Delta and it comes from the Bering
23 Straits region of Alaska. The two proposals have a
24 relatively small harvest compared to that. We haven't
25 gotten into the details yet of how we would go about
26 doing that if we even needed to do that, how many birds
27 we could harvest. This is all to come now over the
28 next few months I hope as we proceed with this planning
29 process.

30
31 The first thing, a component of it, of
32 course, is we have this management plan that I started
33 out talking about. We have the Pacific Flyway
34 Management Plan and that guides our harvest and we need
35 to revise the plan. One of the purposes of the plan,
36 of course, is that that plan, once it's agreed to by
37 all the involved parties, serves as guidance to the
38 Fish and Wildlife Service, who ultimately determines
39 whether we can have a legal hunt or not.

40
41 So we'll start working on revising the
42 plan as soon as we have, I believe, high reassurance, a
43 great degree of reassurance that the modeling process
44 is -- that people are comfortable with the modeling
45 process that we have right now. We hope to have that
46 within a few months. In the meantime, I think we
47 actually can start revising the plan. So all this
48 feeds into when can we sort of act upon the proposals
49 and when will we be ready to do that and what other
50 information we may need along the way.

1 I also need to mention that we have a
2 second process going on. Josh Dooley of the Fish and
3 Wildlife Service, who is down in Vancouver, Washington
4 and is here today, is working on. He also presented
5 this. It's sort of a complimentary process to the
6 modeling process. As best I can describe it, it will
7 provide us looking at some of the uncertainty that
8 feeds into the model and try and put more parameters
9 around some of that uncertainty that goes into the
10 model. Once we have the model, it will also in the
11 long run start to look at some of the limiting factors
12 that keep the population from growing even at a faster
13 rate.

14
15 Having said all that, the question is
16 really where do we go from here and what's that
17 schedule look like. Again, we do need to work on
18 revising the Pacific Flyway Management Plan. Eric
19 Taylor and I are the two members of the Pacific Flyway
20 that are on that management plan. Once we, in concert
21 with the AMBCC, revise that plan, then it has to get
22 approved by the Pacific Flyway Council.

23
24 In addition, the timing with the change
25 in the schedule makes it a little more complicated on
26 both the Flyway front and perhaps the AMBCC front. The
27 next Flyway Council meeting is in July, which will be
28 before we have this plan finalized. We may not have it
29 finalized actually in time to submit it to the Flyway
30 Council until next March.

31
32 The AMBCC will not -- the AMBCC
33 proposals and the consent agenda will be discussed by
34 the Flyway Council this July for the 2016 regulations
35 and then I believe a year from September for the 2017
36 regulations. So our goal would be to try to have
37 something a year from September, I believe. If that
38 makes sense to everybody. I know that's still a wait
39 for something that people have been waiting a long time
40 for. We can try to find a more expeditious way to do
41 that, but I'm not quite sure yet what that will be.

42
43 So, with that, let me hold off for a
44 little while and let me -- you know, if anybody has any
45 questions, I'll try to address those.

46
47 CHAIRMAN PROBASCO: Dan, thank you for
48 your summary. Before I take questions, Patty reminded
49 me that we have to be out of here by 4:30, so we
50 probably won't finish this discussion. If we don't

1 finish it, we'll take it up in the morning, so please
2 keep that in mind.

3

4 Questions for Dan.

5

6 (No comments)

7

8 CHAIRMAN PROBASCO: Dan, I have one. I
9 want to work first with this group and then I'll go to
10 the audience, Brandon. The timetable we're working on
11 based on what you just summarized, if a proposal and
12 revisions were to be implemented and agreed to, the
13 earliest they could be put into place would be for the
14 spring 2017? I'm trying to look at when a possible
15 hunt could take place.

16

17 DR. ROSENBERG: Well, under the current
18 scenario and the way we've been operating without
19 trying to implement adjustments, that may or may not be
20 possible right now. We'd have to think about that.
21 That would be the earliest as far as I can tell.

22

23 CHAIRMAN PROBASCO: Thank you. I
24 understand. Other questions. Patty.

25

26 MS. SCHWALENBERG: Then will this also
27 require a change to the Goose Management Plan for the
28 Yukon-Kuskokwim area? Maybe Myron can answer that.

29

30 MR. NANENG: Sounds like a good idea to
31 have a spring meeting and open up Emperor Goose hunt
32 under the Goose Management Plan. We'll let you guys
33 know as soon as we call that meeting. I like the
34 numbers that I'm hearing because since 1987 it seems
35 like the only number that consistently has been coming
36 up is about 76,000. No increase, no decrease, slight
37 decrease, no increase based on the index. So I'm sure
38 the Waterfowl Conservation Committee will be happy to
39 take this up and say to both Fish and Wildlife Service
40 and State of Alaska come on, hurry up, let's move,
41 let's not wait for the Pacific Flyway Council.

42

43 CHAIRMAN PROBASCO: Bruce, please.

44

45 MR. DALE: Thank you. It sounds like
46 the real constraint is the cycle of the Pacific Flyway
47 Council at this point. It seems to me though that if
48 we delay work on the management plan and waiting for
49 the model to be refined -- try to help me understand
50 why we would do that because it seems like we've pretty

1 well established at this point that there is a
2 harvestable surplus. Even if the low numbers are
3 right, we've been harvesting for a while at that rate
4 with no population decline. So if that was the goal,
5 the first step of the management plan, could that
6 accelerate the process and get a hunt started sooner?
7

8 DR. ROSENBERG: Well, I think there
9 might be ways we can accelerate the process, but it
10 will involve sitting down with several people that are
11 even in this room, Todd Sanders, I believe, and Eric
12 and Council members like yourself and Pete and Myron
13 and whoever else and trying to figure out a way we can
14 accelerate it. Emperor Geese are unique in the flyway
15 in that they're only in Alaska, so it's an all-Alaskan
16 issue.
17

18 Because of that we may be able to work
19 this through sort of out of cycle if you will and we
20 may even be able to, under the circumstances maybe we
21 can -- once we are comfortable with the model and
22 everything else that it's telling us, we may be able to
23 broach this before we've finished revising the
24 management plan as a temporary, one term, one year
25 thing that will give us more time to finish up our work
26 on the plan.
27

28 These are all things I think we should
29 be discussing and should see if we can come to some
30 sort of agreement on how we want to approach this. We
31 didn't have time to do this in the meeting. At the
32 meeting, this was the first time this information has
33 been presented, so it's still kind of new and still
34 trying to explore all the options, but I'm all for
35 trying to explore other ways to do this.
36

37 CHAIRMAN PROBASCO: Other questions
38 before I go to first Pat Holmes and then Brandon. Go
39 ahead, Myron.
40

41 MR. NANENG: I don't want to put our
42 people into the position of being cited, but based on
43 the fact that there seems to be a very limited
44 knowledge or limited numbers that have been provided
45 over the years saying that there's 76,000 and now we
46 hear there might be about 170,000, which is above and
47 beyond the number that's in the Goose Management Plan.
48 Like 80,000 was the number if I recall as the upper
49 limit to be able to open the hunt. We still have a
50 signed Goose Management Plan between Fish and Wildlife

1 Service and AVCP Waterfowl Conservation Committee. So,
2 based on that, I think it would open a hunt for our
3 people in the Y-K Delta.

4
5 DR. ROSENBERG: The index was the best
6 information that we had at the time and I think to the
7 Fish and Wildlife Service's credit they had been
8 collecting all this other data and finally, you know,
9 the situation arose and new methods arose that we were
10 able to use it and were able to reevaluate this whole
11 thing. So no one knew exactly what that index
12 represented. Everybody knew it was an index and not
13 the actual population estimate. It was a difficult
14 thing to try to evaluate. Anyway, I think that now
15 that we've done a better job we can use that
16 information to see when we can go forward as quickly as
17 possible.

18
19 CHAIRMAN PROBASCO: Thank you, Dan.
20 Pat Holmes.

21
22 MR. HOLMES: Thank you very much,
23 Peter. I'll try to summarize some of the thoughts from
24 our Council. We've been talking and asking about
25 Emperor Goose harvest and the potential for reopening
26 it for more than 10 years and we've had pretty limited
27 response. We did have one presentation maybe five
28 years ago and the person that was doing it might have
29 been your predecessor, Pete. Anyway, when we got down
30 to asking nitty-gritty questions on the survey design
31 and sampling area, we were told, well, it will get back
32 and we didn't hear.

33
34 So we were very, very happy at our
35 March meeting to have a presentation from the Federal
36 Migratory Birds and also from Dan Rosenberg so that we
37 could understand where things were going on reviewing
38 the sampling design and methodology. I, myself, would
39 have to say that I certainly recognize the difficulties
40 of doing aerial surveys over such a broad area. Just
41 like Pete, I spent a bit of time in a Super Cub and
42 helicopters trying to count fish in creeks between
43 mountains and stuff and it's no fun.

44
45 Anyway, it sounds like you are making
46 some good progress on reviewing sampling design. Our
47 Council, our proposal was for -- we tossed it out just
48 to get the topic going for two birds per person per
49 year. We discussed everything from a total overall
50 hunt for anybody anytime to -- one approach I think

1 would be interesting to discuss is maybe having
2 staggered openings depending on the population level,
3 but do it like all the other critters are in the state
4 where you have an initial one that might be a
5 ceremonial or very, very, very small harvest. You
6 know, just a few per village, depending on the size of
7 the village, just so that the old-timers can have a
8 little taste at a local potluck or something like that.

9
10

11 A big place like the city of Kodiak,
12 then you'd have to maybe work it out through tribal
13 council to where they could host a potluck or some kind
14 of thing where the people that normally eat them would
15 be able to have access. So very, very small numbers
16 and then maybe escalate up to where you'd have a
17 general subsistence hunt for the region with small
18 numbers. Then maybe if the 80,000 threshold or
19 whatever it was, then that would be a broader open
20 hunt, but I think the concept of having it staggered is
21 something that perhaps would take some of the gas away
22 from the tree-huggers and allow folks to have their
23 customary and traditional harvest of geese.

24

25 We've gotten a lot of testimony from
26 folks in our region from Kodiak and the Peninsula and
27 the Aleutians that they've avoided any harvest, so
28 they're hoping that the efforts for more education up
29 north if things stay closed that other folks would also
30 be conservative and not just take them because they're
31 there.

32

33 One big sticky wicket I think for our
34 region would be is that the geese show up here during
35 the fall survey and stay through the coldest part of
36 the winter and then they move out, so they're really
37 not available here for a spring hunt like they would be
38 up in the AYK area. So that's something that I don't
39 know how that could be addressed at this point, but
40 that would be the place where folks on our Council
41 would want to have some further discussions as to how
42 they could participate like they used to.

43

44 So that's kind of it for the moment. I
45 do really thank you folks for bringing this up and
46 finally getting some meaningful discussions as to what
47 the surveys mean because the Emperor Geese are just a
48 treasured food item down in our neck of the woods or
49 tundra I should say. Beg your pardon.

50

1 CHAIRMAN PROBASCO: Well, there's still
2 big trees there too, Pat.

3
4 MR. HOLMES: In some places.

5
6 CHAIRMAN PROBASCO: Pat, thank you for
7 your comments. Dan, anything to respond to or I'll go
8 to Brandon next.

9
10 DR. ROSENBERG: If you like, Mr. Chair,
11 I can just respond to Pat's interest in the fall/winter
12 hunt, which I believe is where he was going with that.

13
14 Under Federal regulations, I believe we
15 can certainly open up the hunt to spring/summer
16 subsistence. There's no doubt that what that will do
17 is generate interest in also opening it up to the sport
18 hunt once the word is out, which, of course, would be
19 -- and I apologize to those who don't view that as a
20 sport hunt. I recognize that, but I was just using the
21 common nomer that it gets called most often and that
22 was regulated as the sport hunt, the fall hunt. I
23 recognize that's still subsistence to many people.

24
25 That fall hunt, under State
26 regulations, we will not be allowed to restrict people
27 by residency within the state. So it opens up a
28 different issue. We likely will be able to restrict
29 non-residents, I believe, but we will not be able to
30 restrict residents. We might be able to issue permits
31 in villages that people have to get those permits in
32 specific villages, but we cannot exclude people from
33 excluded areas under the Migratory Bird Treaty Act s
34 definition of subsistence from partaking in those
35 hunts. So just something to think about.

36
37 CHAIRMAN PROBASCO: Thank you, Dan.
38 Brandon, it's your turn.

39
40 MR. AHMASUK: Thank you, Mr. Chair.
41 Brandon Ahmasuk, Subsistence Director at Kawerak. If,
42 when a species is truly in danger, in the essence of
43 conservation, we're all for it. When we had our
44 Emperor Goose Subcommittee meeting yesterday, I think
45 it's painfully obvious that it's time for a new survey.
46 The numbers that have come out in my opinion are not --
47 they do not truly show where this population is at. We
48 heard an estimate percentage of 13 percent accuracy.
49 In the same meeting, we heard an accuracy report of 43
50 percent.

1 In past meetings, with this population
2 data that they came out with, their confidence interval
3 -- it was stated here at the meeting. They were 10 to
4 90 percent sure of where this population was at.
5 Basically they're saying on the low end or high end,
6 however you want to look at it, they were 90 percent
7 unsure, 90 percent inaccurate of where this population
8 was at. I think in the past 30 years of how this
9 survey has been done, the numbers speak for themselves.

10

11

12 It is way past time for a different
13 survey. A survey that shows true numbers of where this
14 population is at. I am glad to hear where it's going.
15 It sounds like we're trying to get there.

16

17 CHAIRMAN PROBASCO: I think your last
18 two sentences summarized where we're at. I think we
19 are looking at the survey and looking at ways to
20 improve upon it. Dan's presentation was pretty clear.
21 So I appreciate your comments, Brandon.

22

23 Other comments, Council.

24

25 (No comments)

26

27 CHAIRMAN PROBASCO: Dan, if I may, it
28 still sounds like the committee has still work to do.
29 We really don't have an action item at this point in
30 time for us. What I heard you say, we got an initial
31 review from the two biometricians that reported to the
32 committee yesterday on the survey. You spoke to a
33 survey verification that needs to occur. Dot the I's,
34 cross the T's is what you said. You also want to
35 explore ways to accelerate the process. I think we
36 pretty clearly understand what the normal process would
37 be, but I'm sort of curious on how we could accelerate
38 it. So I look forward to the committee work.

39

40 I'm looking for your recommendation to
41 this body. Do we wait until the fall meeting or what's
42 your proposal, Dan?

43

44 DR. ROSENBERG: Well, my proposal would
45 be -- I do think we need some time for Bob and Steve
46 and the people that they're working with to go through
47 and make sure that the model as they presented it
48 yesterday just holds up under a little more scrutiny of
49 other people that might want an opportunity to review
50 it and with other input.

1 While that is ongoing, I think we need
2 to think about scheduling a meeting probably to work
3 on, if you will, some sort of plan to revise the plan.
4 We need to come up with what it is that needs to go in
5 that plan. The current plan makes no mention of -- it
6 doesn't distinguish between sport hunting or
7 subsistence hunting. It strictly has some population
8 objectives and thresholds and then just identifies a
9 bunch of management activities that are somewhat
10 generic to habitat protection and some research
11 activities and that sort of thing.

12
13 So we can get going on that and if
14 there are changes that need to be made, we can always
15 just, you know, cross that one out and replace it with
16 another type of thing. There's a lot of devil in the
17 details that I think we could probably start working on
18 as time allows. I say as time allows. That's an issue
19 as well. And they will continue to vet the model.

20
21 Then the third thing is exploring ways
22 to accelerate the regulatory process that I just
23 outlined before. So that, I think, goes beyond -- you
24 know, with people in this room and some of it might go
25 beyond some people in this room.

26
27 CHAIRMAN PROBASCO: So, Dan, what I'm
28 hearing is that the committee still has some
29 significant work ahead of them and it would probably be
30 unreasonable for us to expect anything any sooner than
31 our fall meeting.

32
33 DR. ROSENBERG: Yes.

34
35 CHAIRMAN PROBASCO: Council. Gayla.

36
37 MS. HOSETH: Thank you, Mr. Chairman.
38 I just wanted to recognize that Bob and Steve are doing
39 this on a voluntary basis. Is that correct, Dan, that
40 they're volunteering their time?

41
42 DR. ROSENBERG: Yes. I mean Bob is
43 retired and Bob is completely volunteering his time and
44 Steve has a completely different job in Fish and Game
45 and we got permission for him to work on this as he can
46 during the workweek, but he's also spending a lot of
47 his own time at home on it.

48
49 MS. HOSETH: I just wanted to put that
50 on the record and be thankful for that because I also

1 serve on the Emperor Goose Committee and the report
2 that was given was very thorough. It was interesting
3 to see the way that they're doing the model and the
4 numbers that are possibly of the number of birds that
5 are out there. So I just wanted to say thank you and I
6 wanted to reemphasize how everybody needs to work
7 together as a co-management.

8

9 CHAIRMAN PROBASCO: Dan, are you and
10 Eric going to give any update at the Pacific Flyway
11 meeting this go round or are you going to wait? Just
12 say what our progress is, we're working on it, anything
13 that?

14

15 DR. ROSENBERG: Well, I don't know for
16 sure yet, but at the July Pacific Flyway meeting I
17 generally write up -- Eric and I will write up the
18 Emperor Goose Subcommittee report for the Pacific
19 Flyway and we will include where we're at in that
20 report. I also always write up the recommendation for
21 the Pacific Flyway Council to support the consent
22 agenda of the AMBCC and any other proposals that come
23 through.

24

25 Usually I also support continuation of
26 the harvest survey. So in that recommendation I can
27 certainly add something regarding this if we feel it's
28 appropriate and we can do it or I can even write up an
29 entirely new recommendation on this if we have
30 something that we've agreed to and we think is workable
31 by then. So we have until the end of -- the third week
32 of July I think to work through this.

33

34 CHAIRMAN PROBASCO: Okay. The only
35 part -- I would think this body would get the
36 opportunity to review what the committee would have at
37 that point in time. So I just think it's important to
38 keep the Pacific Flyway abreast of what the AMBCC and
39 their committees are working on.

40

41 DR. ROSENBERG: Sure.

42

43 CHAIRMAN PROBASCO: So I appreciate
44 that. Okay. Any other questions.

45

46 MR. DALE: Yeah, I've got one.

47

48 CHAIRMAN PROBASCO: Go ahead, Bruce.

49

50 MR. DALE: Being new to the Committee,

1 thank you. Has there been any testimony or council
2 sentiment that maybe it's too early to start hunting
3 Emperors? I, you know, sense none of that and almost
4 unanimous support for it and I just want to know if
5 that was correct to put that on the record.

6
7 DR. ROSENBERG: No, there has been
8 really almost no discussion regarding Emperor Geese one
9 way or the other in terms of Council's input into
10 whether we should be having a harvest or not that I'm
11 aware of. You know, I'm sure -- but, no. In answer to
12 your question, I just don't think there has been
13 anything that would indicate that Council would be
14 favorable to something like this. Was that your
15 question?

16
17 MR. DALE: Yes. Thank you.

18
19 CHAIRMAN PROBASCO: Okay, Dan, I
20 appreciate your summary. At a minimum, this group will
21 expect or hope to see a significant update in the fall
22 meeting. Understand you'll be doing a lot of work
23 through the spring and summer. And you get the last
24 word.

25
26 DR. ROSENBERG: Yes. I just wanted to
27 know if Eric had anything that -- you know, he's been
28 part of this process as well. If Eric had anything
29 that he would like to add to this.

30
31 DR. TAYLOR: No, not at this point.

32
33 DR. ROSENBERG: That's all then. Thank
34 you very much.

35
36 CHAIRMAN PROBASCO: Okay. We're going
37 to recess until tomorrow. I understand that at 8:30
38 the Native caucus will get together and we're going to
39 start at 9:00 and finish our work. Homework assignments
40 -- I just closed my book. I'll go from memory. Bruce
41 and I are going to go back to our respective entities
42 and address the question I think Gayla asked regarding
43 House Bill 121.

44
45 MS. SCHWALENBERG: 137.

46
47 CHAIRMAN PROBASCO: 137. If the AMBCC,
48 both from the State or Federal side, can be involved as
49 far as lobbying for support for that. So we'll report
50 back to the group at that point in time. We have

1 Todd's committee handicraft proposal. They'll work on
2 that. We also have Joeneal's wanton waste proposal
3 that we'll be working on. All those will be addressed
4 by the Native caucus to help give us additional input
5 on those two proposals.

6
7 Taqulik, did you have something for the
8 group?

9
10 MS. HEPA: No.

11
12 CHAIRMAN PROBASCO: Okay. Myron.

13
14 MR. NANENG: On that State Duck Stamp,
15 you know, our Native community gave up a lot of land.
16 Wildlife Refuges were established. State selected a
17 lot of land, so I don't think there should be a
18 requirement for a State Duck Stamp for our Native
19 community members to be able to go spring and summer
20 hunt. That's my statement.

21
22 CHAIRMAN PROBASCO: Thank you, Myron.
23 So, Myron, do you have the council meeting still
24 tomorrow?

25
26 MR. NANENG: Yeah. Late in the
27 afternoon.

28
29 CHAIRMAN PROBASCO: So Myron will be
30 here in the morning. Bruce, thank you. Patty,
31 anything else before we recess?

32
33 MS. SCHWALENBERG: (Indiscernible - mic
34 off) at the Native caucus tomorrow.

35
36 CHAIRMAN PROBASCO: I forgot that.
37 Thank you. Ryan is going to be working on reviewing
38 the wanton waste, him and Donna as well.

39
40 Okay. Please be back by 9:00. If
41 you're in the Native caucus, be here at 8:00. Thank
42 you.

43
44 (Off record)

45
46 (PROCEEDINGS TO BE CONTINUED)

