

00001

1

2

3

4

5

6

7

8

9

10

ALASKA MIGRATORY BIRD

11

12

CO-MANAGEMENT COUNCIL

13

14

15

16

Marriott Residence Inn

17

Anchorage, Alaska

18

19

March 28, 2002

20

8:40 a.m.

21

22 Members Present:

23

24 Wayne Regelin, Chair

25 Doug Alcorn

26 Ralph Andersen

27 Gordon Jackson

28 Frank Kaverlik

29 Stanley Mack

30 Billy McCann

31 Stanley Ned

32 Enoch Shiedt, Sr.

33 Herman Squartsoff

34 Gloria Stickwan

35

36 Executive Director, Fred Armstrong

00002

1

P R O C E E D I N G S

2

3

(On record)

4

5

6

7

8

9

10

11

12

13

(Pause)

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

CHAIRMAN REGELIN: We'll go ahead and get started if people would take their seats. We're expecting, well, I guess maybe we're hopeful that Stanley Ned may still make it a little later but I don't know the airline schedule. So we'll call the meeting to order, it's 8:40 on March 28th. And as tradition we have a moment of silence to begin in the meeting.

CHAIRMAN REGELIN: The first item of business will be seating of new representatives and we have several of those. And we'll go ahead and, I think, do that first, Fred, before we get into some introductory comments and things like that. So I'll turn the microphone over to you to seat the members. And what we'll do is we need to -- I'll just ask whether there's any objection to the new member and Fred has all the paperwork in order or soon will have if -- if some of it's on its way.

MR. ARMSTRONG: Thank you, Mr. Chair. We have a letter appointing Stanley Mack from the Aleutian/Pribilofs to represent our region on the Council as a primary representative. Do you want the entire list?

CHAIRMAN REGELIN: What was the name?

MR. ARMSTRONG: Stanley Mack.

CHAIRMAN REGELIN: No, let's look at each one individually. Is there any objection to the seating of Stanley Mack to represent the Aleutians? Hearing none, you're seated on the Council.

MR. ARMSTRONG: Mr. Chair, we also have a letter from Arthur Lake, the president of AVCP seating -- or appointing Billy McCann of Bethel to represent AVCP.

CHAIRMAN REGELIN: Okay. Is there any objection for Billy McCann to represent AVCP on the Council? Hearing non, he will be seated.

MR. ARMSTRONG: Finally, Mr. Chair, we have forthcoming, I think we're having problems with fax materials, but Kawerak is faxing down a letter appointing Frank Kaverlik, who is the chair of the regional management

00003

1 body to represent Kawerak.

2

3 CHAIRMAN REGELIN: Yes, I think we should  
4 go ahead and seat him, Frank, and I'm not sure how to say  
5 your.....

6

7 MR. KAVERLIK: Kaverlik.

8

9 CHAIRMAN REGELIN: .....Kaverlik. Okay, is  
10 there any objection to seating Frank Kaverlik? Hearing  
11 none, he'll be seated on the Council and the fax paperwork  
12 will catch up here in a little while.

13

14 MR. ARMSTRONG: And finally, Mr. Chair,  
15 Chugach Regional Resource commission is in the process of  
16 getting a letter to appoint a representative and they'll be  
17 here a little later on during the meeting.

18

19 CHAIRMAN REGELIN: Okay. When they arrive,  
20 we can go ahead and seat them.

21

22 The next step is to have roll call so we  
23 can establish a quorum and I'll turn that over to Ralph.

24

25 MR. ANDERSEN: Thank you, Mr. Chairman.  
26 AVCP, if you're here please answer. BBNA, that's me, I'm  
27 here. Chugach, absent. Copper River Native Association.

28

29 MS. STICKWAN: Here.

30

31 MR. ANDERSEN: Kawerak.

32

33 MR. KAVERLIK: Here.

34

35 MR. ANDERSEN: Central Council of Tlingit &  
36 Haida Indian Tribes. APIA.

37

38 MR. APIA: Here.

39

40 MR. ANDERSEN: KANA.

41

42 MR. SQUARTSOFF: Here.

43

44 MR. ANDERSEN: Maniilaq.

45

46 MR. SHIEDT: Here.

47

48 MR. ANDERSEN: North Slope Borough. Tanana  
49 Chiefs Conference. Alaska Department of Fish and Game.

50

00004

1 CHAIRMAN REGELIN: Here.

2

3 MR. ANDERSEN: U.S. Fish and Wildlife  
4 Service.

5

6 MR. ALCORN: Here.

7

8 MR. ANDERSEN: Mr. Chairman, I believe we  
9 have a quorum.

10

11 CHAIRMAN REGELIN: Thank you, Ralph. The  
12 next item is to review the agenda. I'm trying to move too  
13 fast, I guess, I miss introductions. Our other tradition  
14 is to go around the table and have everybody introduce  
15 themselves and then we'll go through the audience and have  
16 you introduce yourself, just say your name and what  
17 organization you're with if you wish to.

18

19 I'll start, I'm Wayne Regelin. I'm the  
20 director of the Division of Wildlife Conservation and  
21 represent the State.

22

23 MR. ALCORN: I'm Doug Alcorn. I represent  
24 the Fish and Wildlife Service.

25

26 CHAIRMAN REGELIN: You'll need to turn your  
27 microphone on as we go around so that the recorder can hear  
28 it.

29

30 MR. ALCORN: I'm Doug Alcorn. I represent  
31 the Fish and Wildlife Service on the Council.

32

33 MR. ARMSTRONG: Good morning. I'm Fred  
34 Armstrong, the Executive Director for the Council.

35

36 MR. SHIEDT: Enoch Shiedt, Maniilaq  
37 subsistence coordinator.

38

39 MS. STICKWAN: Gloria Stickwan, Copper  
40 River Native Association.

41

42 MR. MACK: Stanley Mack, Aleutian/Pribilof  
43 Island Association.

44

45 MR. KAVERLIK: Frank Kaverlik, Kawerak.

46

47 MR. SQUARTSOFF: Herman Squartsoff, Kodiak  
48 Area Native Association. I represent the six villages on  
49 Kodiak Island region.

50

00005

1 MR. ANDERSEN: Ralph Andersen. I'm with  
2 the Bristol Bay Native Association. I'm the secretary for  
3 the Alaska Migratory Bird Co-Management Council.

4

5 MR. WATEY: Bob Watey, U.S. Fish and  
6 Wildlife Service.

7

8 MS. SHENARD: Tina Shenard, U.S. Fish and  
9 Wildlife Service.

10

11 MR. ROTHE: Tom Rothe, Alaska Department of  
12 Fish and Game.

13

14 MR. SHAYNE: John Shayne, Audubon Alaska.

15

16 MS. HILSTRAND: Nancy Hilstrand from the  
17 Homer Fish and Game Advisory Committee.

18

19 MR. REARDEN: Mike Rearden, Fish and  
20 Wildlife Service.

21

22 MR. ARCHIBEQUE: Aaron Archibeque, Togiak  
23 National Wildlife Refuge.

24

25 CHAIRMAN REGELIN: Thank you and welcome to  
26 everyone. Especially welcome to the new Council members.  
27 I'm sure that you've spent the last couple days trying to  
28 catch up on everything. We've been doing this for awhile.  
29 Charlie Brower isn't here but he and I started this, I  
30 think, 11 years ago, and worked it through the treaty  
31 process. We're just about to charter some new territory  
32 and adopt regulations for spring waterfowl hunting, which  
33 is, I think a real step forward for all of us and it's  
34 something we're going to be pretty proud of over time.

35

36 Real quickly, before we review the agenda,  
37 I think there's some things that I see that we need to  
38 accomplish during this meeting. And the first is to get  
39 some basic regulations on the books so that we can have a  
40 legal spring harvest for the 2003 spring season. We have  
41 to do it way ahead of time in order to get on the cycle for  
42 getting Federal regulations processed. And we know we're  
43 just getting basic regulations on and things will evolve as  
44 time goes on and it will become much easier. But right now  
45 as we move through this it's going to be -- since it's  
46 brand new, we'll probably stumble a little bit. But  
47 specifically, what we're planning to do at this meeting is  
48 to develop lists of species that can be harvested in the  
49 different regions and setting the basic timing of the  
50 season and specifically the 30-day close period that's

00006

1 within the spring and summer season that's required by the  
2 treaty. And we'll talk about and probably adopt some  
3 procedures that we're going to work through as we go.

4

5 I try to keep the meetings fairly informal,  
6 but because there's enough of us it's important for you to  
7 go through the Chair. So if you have something you want to  
8 say, just signal me and I keep a list and take you in order  
9 rather than just freeflowing conversation. And that's  
10 important so that I can recognize you so that the recorder  
11 knows who's speaking so always remember to turn your  
12 microphone on before you speak and if you don't, I'll  
13 signal you or something.

14

15 We try to work and I think we've been  
16 successful on this on every issue, by consensus as a group.  
17 We know our recommendations, as they move up through the  
18 system will be much stronger if we work by consensus. And  
19 we try to avoid voting. So the way I usually will do it is  
20 we'll have a Staff report -- we'll put a motion on the  
21 table, we'll have a Staff report and then we'll go into  
22 deliberations and once we're done then we'll sort of have a  
23 -- I'll say, we know where we're at and I'll say is there  
24 consensus to do it this way and if there is, then that will  
25 become the action of the Council rather than an official  
26 vote.

27

28 So that's my opening comments for this and  
29 we'll give everybody else a chance to have a few opening  
30 comments if they have anything. But let's first review the  
31 agenda, everybody should have had the full agenda in their  
32 packet or you got it a few days ago at the workshop, does  
33 anyone have any additions to the agenda?

34

35 Ralph.

36

37 MR. ANDERSEN: Mr. Chair, I have a question  
38 for Doug. Doug, the list of migratory birds potentially  
39 harvested by subsistence hunters that you just handed out  
40 to us and we discussed during the workshop the past three  
41 days, would you like that to be added on as an agenda item  
42 for action or what was your intent?

43

44 MR. ALCORN: Mr. Chair, Doug Alcorn. Yeah,  
45 Ralph, I think we need to have a discussion and some  
46 understanding of that and how we're going to use that and  
47 apply it. So I would recommend that we talk about that  
48 when we talk about, on the agenda, the closure by species  
49 and the list of species under Item C, under old business.

50

00007

1                   CHAIRMAN REGELIN: Yeah, I had that down  
2 for that and so we'll make sure that that happens at that  
3 point in the meeting.

4

5                   MR. ANDERSEN: Mr. Chairman, I have another  
6 agenda item that I'd like to add on. It's to schedule a  
7 caucus of the Native members at the conclusion of old  
8 business and before new business for the purpose of  
9 identifying a Flyway Council representative.

10

11                   CHAIRMAN REGELIN: Yes. We will probably  
12 put that after and make it XVI(A) towards the end of the  
13 day, is that all right with you? You can talk about it  
14 informally, we can have a short caucus because right now  
15 one of the members that is represented on the Flyway  
16 Council is no longer on our Council, it's Ralph, and you'll  
17 need to come up with another person, so let's do that. And  
18 we may find that if we take a break or something we may  
19 want to figure out when to have a caucus that's most  
20 convenient for you but we'll make sure that you have time  
21 to have a brief caucus because that's an essential item of  
22 business for us to get done.

23

24                   Herman.

25

26                   MR. SQUARTSOFF: Yeah, Mr. Chair, Herman  
27 here. I was wondering under new business (B) regional  
28 proposals, if I can have mine moved up front because I'm  
29 not going to be here tomorrow just in case? If I can have  
30 it put up?

31

32                   CHAIRMAN REGELIN: If it's necessary we'll  
33 move it up but the plan is that none of us are going to be  
34 here tomorrow.

35

36                   MR. SQUARTSOFF: Sounds good, Mr. Chair,  
37 thank you.

38

39                   CHAIRMAN REGELIN: Yes.

40

41                   MR. MACK: Mr. Chairman, Stanley Mack. To  
42 Ralph's suggestion on the list of birds, it was brought to  
43 my attention that there are a few more birds identified in  
44 the Aleutian area that are not on the list. So if I should  
45 get the list of birds that were identified, could I, at a  
46 later date, put them on the list?

47

48                   CHAIRMAN REGELIN: Yes. Stanley, I think  
49 the process we're going to do is going to make sure that  
50 all of the regions have one more opportunity to add and

00008

1 delete from that list.

2

3

MR. MACK: Okay, thank you.

4

5

CHAIRMAN REGELIN: Doug.

6

7

MR. ALCORN: Thank you, Mr. Chair. Yeah, when we get to that discussion point, Stanley, I think, that we have the full intention to allow every region to look at it and add birds if they don't find them on that list.

12

13

CHAIRMAN REGELIN: Enoch.

14

15

MR. SHIEDT: Yeah, on that list there, in my region, there's even birds like they never seen before but just for a year or two and they leave and are we going to just keep changing it every year? I mean I got a question because it's warming up out there, it's changing.

20

21

CHAIRMAN REGELIN: Let's save that discussion until we get into the species list and we can probably talk about that and what the rules will be to add and delete. But we'll get into that in detail a little later in the meeting.

26

27

28

Any other comments on the agenda or suggestions?

29

30

31

MR. ANDERSEN: Mr. Chairman, I move to adopt.

32

33

34

MR. SHIEDT: Second.

35

36

37

CHAIRMAN REGELIN: Is there anybody that has anything else to say? If not, that will be our agenda for the meeting.

38

39

40

41

Our next item is adoption of meeting protocols, I think Fred had a few things he wanted to say at this point.

42

43

44

45

46

47

48

49

50

MR. ARMSTRONG: Thank you, Mr. Chair. In your packets there is a proposed meeting protocol. And basically as we become more formal and have more proposals, not only from within the regions but anybody within the state does have an opportunity, we need to have a process for how these proposals are addressed and Staff has actually put together a list of proposed participants and it really starts out, although, you have actually addressed



00009

1 by the introduction of proposals, public testimony, State  
2 comments, recommendation from Fish and Wildlife Service  
3 Staff, comments, recommendations and then finally Council  
4 deliberation and recommendation at that stage. When we get  
5 to the Council stage, basically it's restricted just to  
6 Council members for their discussion and action at that  
7 time. We need to formally adopt that process.

8

9 CHAIRMAN REGELIN: All right, thank you,  
10 Fred. I think that it will probably evolve a little bit  
11 over time but I think that we all understand what we're  
12 going to do and how we want it to be and we do need to be  
13 more formal as we adopt recommendations and take actions.  
14 And I think the only clarification I would make would be on  
15 public testimony, we wouldn't have public testimony prior  
16 to each individual recommendation, we would have public  
17 testimony at some point at the beginning of the meeting. I  
18 don't think it's fair to the public to have them sit here  
19 through the whole thing to make their comments. So unless  
20 there's somebody that disagrees with that, that's what I  
21 would expect. Any other comments? Doug.

22

23 MR. ALCORN: Thank you, Mr. Chair. That  
24 was going to be my question as to how we would take public  
25 testimony in the event that we have a regional or an agency  
26 recommendation or a proposal at the time. But we're  
27 satisfied with what you suggested.

28

29 CHAIRMAN REGELIN: I think at each meeting  
30 we can see how many proposals there are and we may want to  
31 have two times for public comment but we can do that as we  
32 go on.

33

34 Well, let's finish this item and then we'll  
35 seat these other people that just came in. Well, let's  
36 just stop right now and we'll adopt this in a second. But  
37 we had three new people come in and I know some of you are  
38 Council members so come on up and join us. We had Billy  
39 McCann from AVCP join us, welcome.

40

41 MR. McCANN: Thank you.

42

43 CHAIRMAN REGELIN: Eric Johnson from AVCP  
44 joined us. Klaudia?

45

46 MR. ANDERSEN: Klaudia.

47

48 CHAIRMAN REGELIN: Klaudia. Are you on the  
49 Council right now or are you not on the Council?

50

00010

1 MS. KLAUDI: No, Stanley Mack is.

2

3 CHAIRMAN REGELIN: Stanley Mack is, got  
4 you. So you're just joining us, okay. Thank you.

5

6 MR. ANDERSEN: Dario Notti from AVCP.

7

8 CHAIRMAN REGELIN: Dario Notti joined us  
9 also from AVCP.

10

11 MR. NOTTI: And our attorney, Eric Johnson.

12

13 CHAIRMAN REGELIN: Yeah. All right, thank  
14 you. We were in the process of just talking about a  
15 protocol of how we're going to deal with proposals as they  
16 come before the Council. Are there any more comments on  
17 what we discussed and how we're going to do that? Any  
18 other discussion?

19

20 MR. ANDERSEN: Mr. Chairman, I move that we  
21 adopt the Alaska Migratory Bird Co-Management Meeting  
22 Participation Protocol as amended.

23

24 CHAIRMAN REGELIN: Do I have a second?

25

26 MR. SHIEDT: I'll second it. Enoch.

27

28 CHAIRMAN REGELIN: Okay. Further  
29 discussion. I believe the amendment was on the public  
30 testimony part, that it would be at the beginning of the  
31 meeting and if there's lots of proposals we may have  
32 opportunity for public comment more than one time but it  
33 just will depend on the agenda of each meeting. Any other  
34 comments or discussion on this issue?

35

36 (Pause)

37

38 All right, hearing none, I guess that's the  
39 consensus of the group and that will be the action of the  
40 Council.

41

42 The next thing on the agenda is approval of  
43 the past Council meeting, they should have been circulated  
44 to everyone and I hope you had an opportunity to read them.  
45 I would entertain a motion to adopt the minutes of the past  
46 meeting. Doug.

47

48 MR. ALCORN: So moved.

49

50 MR. MACK: Second.

00011

1                   CHAIRMAN REGELIN: Second by Stanley Mack.  
2 Does anyone have any comments or corrections or additions  
3 to the minutes?

4

5                   (Pause)

6

7                   Hearing none, they will be approved as  
8 written.

9

10                  The next thing on the agenda is invitation  
11 for public comment. I know that there's at least one  
12 person in the audience that wants to speak. We didn't have  
13 a sign-up sheet. People that would like to speak in public  
14 comment, would you raise your hand? It looks like that  
15 John Shane is the only one that would like to address the  
16 Council. Come on forward John and we'll give you about 30  
17 seconds.

18

19                  (Laughter)

20

21                  CHAIRMAN REGELIN: No, I'm just kidding.  
22 Go forward.

23

24                  MR. SHANE: Thank you, Mr. Chairman,  
25 Council members. I appreciate the opportunity to be here.  
26 I'm John Shane. I'm the senior scientist at Audubon Alaska  
27 here in Anchorage Audubon has had a long history of  
28 working on this issue in Alaska. Dave Klein, a former  
29 regional representative for Audubon was a member of the US  
30 negotiating team that successfully worked for an agreement  
31 on the protocol to amend the Migratory Bird Convention with  
32 Canada. Audubon was one of the few conservation  
33 organizations to actively support this amendment. Audubon  
34 supported this amendment because we recognize and  
35 understand the importance of customary and traditional  
36 harvest of migratory birds by Alaska Natives.

37

38                  We believe that in the long run it will be  
39 in the best interest of migratory birds and the people who  
40 depend on them and value them to bring such harvest under a  
41 conservation harvest. Although we haven't participated in  
42 the last year or so, we thank you for your efforts and  
43 appreciate the opportunity to make these comments.

44

45                  Under Article II of the Amended Convention,  
46 the contracting parties agreed to manage migratory bird  
47 populations in accordance with several principles.  
48 Including to sustain healthy migratory bird populations for  
49 harvesting needs and to restore depleted populations of  
50 migratory birds. As you work through the agenda before

00012

1 you, we encourage you to take into account the special  
2 needs of bird populations in Alaska that are vulnerable or  
3 declining. These populations tend to be small and have  
4 restricted ranges. For example, there are only about  
5 2,500 yellow-billed loons nesting in Alaska, mostly in the  
6 wetlands of Western Alaska. There are only about 2,000  
7 marbled gadwalls in Alaska nesting only in a small area of  
8 the Alaska Peninsula. Other species may be more numerous  
9 but there is strong evidence of population declines for  
10 such species as red-throated loons.

11

12 Audubon Alaska has compiled a watch list of  
13 these vulnerable and declining species and I'll leave one  
14 of these with you and I can make more available.

15

16 You might also take into account the Fish  
17 and Wildlife Service list, The Birds of Conservation  
18 Concern and the State of Alaska, Species of Special Concern  
19 List. We encourage the Alaska Migratory Bird Co-Management  
20 Council to recommend harvest for only those bird species  
21 that are traditionally harvested by Alaska Natives and only  
22 for species whose populations are healthy and large enough  
23 to sustain some harvest. We encourage you to recognize  
24 that there are many species that haven't traditionally been  
25 harvested such as song birds and birds of prey and, that  
26 there are other species, such as those on the watch list,  
27 for which there are serious conservation concern even  
28 though they've been harvested traditionally. Harvest of  
29 these species could worsen conservation problems and be  
30 difficult for the larger public to understand and support.

31

32 Again, we appreciate your very important  
33 work with this Council. We wish you good luck and we thank  
34 you for listening to our comments.

35

36 CHAIRMAN REGELIN: Thank you, John. Are  
37 there any questions by Council members?

38

39 MR. ANDERSEN: That's what I was going to  
40 ask, do we get to ask questions?

41

42 CHAIRMAN REGELIN: Certainly.

43

44 MR. ANDERSEN: You mentioned that the  
45 Audubon Society has been involved in amending the protocol,  
46 can you tell me the amount of research that the  
47 organization is involved in on migratory birds in Alaska  
48 and whether or not that information is shared with the US  
49 Fish and Wildlife Service and the Alaska Department of Fish  
50 and Game?

00013

1 MR. SHANE: Mr. Chairman, thank you. Yes,  
2 we have been working for the past two years in putting  
3 together a watch list of birds of concern in Alaska and  
4 we've done that very closely with the Department of Fish  
5 and Game and the Fish and Wildlife Service with their  
6 biological experts on throughout the state so that's one of  
7 the major projects we've been involved in.

8  
9 We're also working on an important bird  
10 area program in the state and right now we're focused on  
11 the Bering Sea and Cook Inlet. We just started the Cook  
12 Inlet project. The Bering Sea project has been going on  
13 for about three years and that includes, both the Russian  
14 and American side of the Bering Sea. So those are two of  
15 the major projects we've been involved in and we've worked  
16 very closely with both the State and Fish and Wildlife  
17 Service.

18  
19 MR. ANDERSEN: I have another question, Mr.  
20 Chairman.

21  
22 CHAIRMAN REGELIN: Go ahead.

23  
24 MR. ANDERSEN: You mentioned that you've  
25 reviewed a list of birds or something and you commented  
26 that a number of them haven't been used for traditional  
27 harvest, I'm wondering where you gather your information  
28 from on traditional harvest and how it is you got to know  
29 that information, you know what I mean?

30  
31 MR. SHANE: Yes.

32  
33 MR. ANDERSEN: What brought you to that  
34 comment?

35  
36 MR. SHANE: What I -- we don't have a list  
37 of birds that have been traditionally harvested. I was  
38 just recommending to you that you're the folks that have  
39 expertise in that area but I was encouraging you to focus  
40 your regulations and your harvest on those species that  
41 have been traditionally harvested and also take into  
42 account species that may be declining or are fairly rare,  
43 like the yellow-billed loon. No, we don't have that list,  
44 that's up to you folks to do.

45  
46 CHAIRMAN REGELIN: Any other questions for  
47 John? Herman.

48  
49 MR. SQUARTSOFF: Yeah, Mr. Chair, Herman  
50 here. John, you were talking Bering Sea and Cook Inlet,

00014

1 you guys were doing your studies, did you guys take into  
2 consideration the fishing boats that are out there? They  
3 have a pretty good impact on the migratory birds.

4

5 MR. SHANE: Actually that project is  
6 looking not at impact so much, I recognize your point which  
7 is well taken. But that project is more looking at areas  
8 that have high value to birds in terms of nesting sites.  
9 You know, particular sea bird rookeries. So we're trying  
10 to identify all of the areas that seem to be most important  
11 to the whole group of birds, not just sea birds but all  
12 birds. So this project isn't focused on impacts, it's more  
13 focused on those areas that are most important to birds.

14

15 MR. SQUARTSOFF: Right. I mean if these  
16 guys start wiping out a lot of your birds you're not going  
17 to have these other ones that you're looking for.

18

19 MR. SHANE: Yes, we recognize that.

20

21 MR. SQUARTSOFF: Thank you, John.

22

23 CHAIRMAN REGELIN: Enoch.

24

25 MR. SHIEDT: Yeah, you mentioned a list, is  
26 it possible to get a copy of your list that you got  
27 concerns?

28

29 MR. SHIEDT: Absolutely. I just handed a  
30 copy to Tom Rothe over there and I'll make more copies  
31 available for your group. I just didn't have a whole pile  
32 of them with me this morning. Thank you.

33

34 CHAIRMAN REGELIN: Thank you, John. Any  
35 other questions. I'll just add a little bit of history as  
36 we had, I think, an 11 member group on the US side that  
37 negotiated a treaty and then there was about that many from  
38 Canada and Audubon was in there from the very beginning to  
39 the end and was invaluable in making this whole thing work.  
40 There were State and Federal people and three Native  
41 representatives and hunting groups. So they've been with  
42 us through the beginning on this. Thanks, John.

43

44 MR. SHANE: One final comment, Mr. Chair.  
45 We support your effort. I just want to make that very  
46 clear. We support your effort. We really appreciate the  
47 good work you're doing and we just wanted to bring to your  
48 attention that there are a few species that we all have to  
49 be very careful of. Thank you very much.

50

00015

1 CHAIRMAN REGELIN: Thank you, John.

2

3 MR. ARMSTRONG: Mr. Chairman.

4

5 CHAIRMAN REGELIN: Fred.

6

7 MR. ARMSTRONG: My name's Fred Armstrong.  
8 I'm the Executive Director for the Council and I'm also an  
9 employee of the Fish and Wildlife Service. I've noticed  
10 that there are several lists out there, birds of concern,  
11 bird watch. And it's my intention in the near future to  
12 convene a meeting of all the interested parties to try to  
13 come to some conclusion or, at least, set out a process for  
14 the listing of birds and stuff like that that will be  
15 presented to the Council for their action and would really  
16 appreciate your involvement at that time. But I'll be  
17 sending out a letter in the near future.

18

19 MR. SHANE: Thank you. We'd be very  
20 interested in participating.

21

22 CHAIRMAN REGELIN: All right, thank you,  
23 John. Next item is workshop reports and were you going to,  
24 at this point, give a general overview of what happened at  
25 the workshop, Fred, or did you want -- I'm not quite sure  
26 what your intention is right now.

27

28 MR. ARMSTRONG: That was the Service  
29 representative that wanted that on the agenda, I'm not sure  
30 of the intent. But I think we could do it either two ways,  
31 we could either give a brief overview of the workshop that  
32 we've had or as the issues come up then we could present a  
33 short summary of the activities pertaining to that issue.

34

35 CHAIRMAN REGELIN: Why don't you just take  
36 a few minutes and give us a general overview and then if  
37 there's specific things that need to be brought back, as we  
38 take up specific items we can do that. Are you prepared to  
39 do that, Fred?

40

41 MR. ARMSTRONG: I could, yes. Basically  
42 the first day in the workshop we discussed, we had Tina  
43 from our Fish and Wildlife Office in Washington, D.C., give  
44 an overview of the national regulatory process which was  
45 very well received. Then we had Bob Stevens give an  
46 overview of how the Council's actions will fit into the  
47 national regulatory process. That took up day one. We  
48 also gave the Council members a sneak preview of the  
49 procedural regs that are due to be published any day now.  
50 Once they're published and we're hoping in the very near

00016

1 future, we'll get them out to the Council members as soon  
2 as possible and to the general public for comment, you  
3 know, as soon as we get them.

4

5 Day two really was an interesting day where  
6 we discussed some of the issues that the Council had tabled  
7 in the past, such as the 30 day closure, list of species  
8 restricted to like -- I'm sorry I don't have the workshop  
9 agenda with me but it was difficult to kind of discuss  
10 issues without coming to some decision or direction that  
11 the Council wanted to go because it is a workshop session  
12 that is open to the public but the biggest difference is  
13 that no decisions can be made during the workshops. We do  
14 intend to have work sessions in the future prior to any  
15 Council meetings so that we can work through some issues  
16 and have dialogue and hopefully overcome some of the  
17 hurdles that may occur.

18

19 A lot of thought was brought up about the  
20 list of species that are available or potentially available  
21 for harvest. There's some general consensus that maybe it  
22 needs a second review by the Council members and I think  
23 that discussion will be brought up at that time. The list  
24 of species, there was a closed season policy that addresses  
25 the eiders and emperors and the restrictions placed on  
26 Canada geese. We also discussed what was brought up were  
27 some non-game species that Audubon Society alluded to and  
28 that a list was provided to the Council at that time. And  
29 I think that will warrant further discussion by the  
30 Council.

31

32 But in a nutshell, that was pretty much  
33 what was discussed. I thought it was a very good work  
34 session. It gives an opportunity for everybody to air  
35 their concerns at that time and it was very worthwhile.

36

37 CHAIRMAN REGELIN: Well, thank you, Fred.  
38 And I think as we go on with the meeting we can call on you  
39 again to refresh everybody's memory or other people that  
40 were at the workshop can do the same thing.

41

42 The next thing on the agenda is old  
43 business and we have four items that basically were tabled  
44 from the last meeting that need to be brought back and  
45 dealt with and we'll deal with each one of them in order  
46 and there will be a little, we'll handle each one slightly  
47 differently. But the first one is there was a  
48 recommendation to change our bylaws made by Ralph Andersen.  
49 Currently our bylaws require a 30 day notice prior to any  
50 meeting and he was suggesting that we make that seven days



00017

1 just to make it more efficient for us to work. I'll let  
2 Ralph speak to his recommendation first and then we'll have  
3 discussion.

4

5 MR. ANDERSEN: Thanks, Mr. Chair. If you  
6 take a look in front of you in the meeting packet, the  
7 proposed amendment to the bylaws is in your packet. And  
8 all that I'm suggesting here is to delete the part of the  
9 second sentence that reads not less than 30 days prior to  
10 the date of each meeting and inserting in its place, in  
11 accordance with applicable laws, that copies of the draft  
12 meeting agenda and any pertinent information will be  
13 provided to each Council member at least seven days in  
14 advance of the meeting, trying to shorten up the, if  
15 possible, the meeting notice time from 30 days to whatever  
16 the current law says. And reducing the amount of time for  
17 Staff to make copies of the agenda items from 30 days to  
18 seven days so that we'll be able to do these -- to call  
19 meetings maybe more quickly and not require a 30 day period  
20 to get the meeting materials out to each of us in the  
21 regions. I was trying to find some way to shorten the time  
22 frame so that meetings could be called more quickly and  
23 more efficiently.

24

25 CHAIRMAN REGELIN: Thank you, Ralph. Doug.

26

27 MR. ALCORN: Thank you, Mr. Chair. When we  
28 had this recommendation brought before the Council, I  
29 wanted to confer with Staff before we would make a  
30 recommendation on this proposal. It turns out that under  
31 certain administrative laws we have to make public notices  
32 available in the Federal Register because this is a public  
33 meeting and considering that the Staff felt that by  
34 reducing the 30 day notice period it put undo constraints  
35 on their ability to get that notice done and published.  
36 And although, I think the workshop did have merit and us  
37 understanding the issues that Ralph was trying to correct,  
38 it seems to me that there are two. One is the  
39 administrative requirement that we have to make the public  
40 announcement notice which does need about 30 days for us to  
41 run that bureaucratic machinery. The other issue that  
42 Ralph pointed out the other day in the workshop was that he  
43 was trying to simplify the requirement on Staff on having  
44 to send out information to Council members. And that  
45 certainly relive a little bit of the burden by having the  
46 Staff not to have to get materials out to the Council  
47 members any earlier than seven days prior to a meeting, but  
48 we still do need the 30 days to make that public notice.

49

50 MR. ANDERSEN: Mr. Chair, I'd like to

00018

1 clarify to make sure that Doug understands that the notice  
2 requirement doesn't change. If you read the part of the  
3 sentence that's being deleted, it says, not less than 30  
4 days but the addition that I'm suggesting is in accordance  
5 with applicable laws. So there really isn't going to be  
6 any change in notice meeting time. But if the laws do  
7 change then there will also be a corresponding change.  
8 You're right, in that, you know, I was trying to ease the  
9 Staff burden by reducing the amount of time down to seven  
10 days so that copies of documents don't need to be sent out  
11 a month ahead of time.

12

13 CHAIRMAN REGELIN: Doug.

14

15 MR. ALCORN: Thank you, Mr. Chairman. With  
16 that explanation we would support the proposed amendment.

17

18 CHAIRMAN REGELIN: Other comments from  
19 Council on the proposed change to the bylaw. Gordon  
20 Jackson has joined us from Tlingit-Haida, welcome Gordon.

21

22 MR. JACKSON: Good morning.

23

24 MR. ANDERSEN: Mr. Chairman, I move to  
25 adopt the proposed amendment.

26

27 MR. SQUARTSOFF: Mr. Chairman, I'll second.  
28 I was going to move but thank you, Ralph.

29

30 CHAIRMAN REGELIN: Thank you. The motion  
31 has been seconded. Other additional comment or discussion  
32 on the proposal.

33

34 (Pause)

35

36 Okay, hearing no comment that will be the  
37 action of the Council and the bylaws will be changed  
38 accordingly to provide a little more flexibility and I  
39 think that we'll all be happy if we can get this stuff  
40 seven days ahead.

41

42 The next item of old business is the  
43 regional closures, the 30 day closures that are required by  
44 treaty within the spring and summer seasons. We're going  
45 to talk about this specifically on region by region on the  
46 proposals that people have adopted. But I'm going to ask  
47 Doug to provide a general overview on this issue right now  
48 and some options.

49

50 MR. ALCORN: Thank you, Mr. Chairman. We

00019

1 have a handout.....

2

3

MR. ANDERSEN: Excuse me, just a second,  
4 Mr. Chairman. I think the appropriate thing to do is to  
5 move the -- because we need to set the guidelines. The  
6 guideline was tabled in December. In order to bring it up  
7 -- in order to bring it on the table we need a motion to  
8 adopt it, that, I believe is the protocol.

9

CHAIRMAN REGELIN: Thank you. I'm not very  
11 proficient in Robert's Rules of Order. I know it's tabled,  
12 do we need a motion to bring it off the table, is that the  
13 appropriate motion? Do I have a motion to bring it off the  
14 table?

15

16

MR. SQUARTSOFF: I'll move that we bring it  
18 off the table.

19

MR. SHIEDT: I'll second it.

21

CHAIRMAN REGELIN: With no objections we  
23 have before us, are we ready now, okay, now, Doug can go  
24 forward with this report.

25

MR. ALCORN: Thank you, Mr. Chairman. When  
27 this issue was discussed by the Council, I, too, went back  
28 after the meeting and did some counseling or conferring  
29 with Staff and we brainstormed, for lack of a better way to  
30 describe what we did, we brainstormed what options we felt  
31 like the Fish and Wildlife Service would have in the event  
32 -- and the context of this is the 30 day closure. So in  
33 the event that a region makes a recommendation and that  
34 recommendation is adopted by the Council then no action  
35 would be needed by the Fish and Wildlife Service or the  
36 Council beyond that. But in the event that a region fails  
37 to make a recommendation for their region, leaving the  
38 Council with no information to make a decision by and no  
39 decision presumably to be made, the Service, through the  
40 service regulation committee would have the responsibility  
41 to make the decision themselves. And we began to look at  
42 what options we thought would be most acceptable by they  
43 Council and we developed a suite of options and those are  
44 in this handout that we handed out. And they range from  
45 total and absolute closure, statewide, that's the worst  
46 case to the best case scenario, would be, that the regions  
47 would make their recommendations and the Council would  
48 adopt. Now, that option's not listed here because that's  
49 the preferred scenario that we're operating under and so  
50 the context of the question.

00020

1                   But in the case that they are unable to  
2 make a recommendation, we felt like options -- a blend of  
3 options five and six were actually the better options that  
4 I would like to present to the Council. And I will explain  
5 those.

6

7                   Option 5, basically says that the statewide  
8 guidelines that we, as a Council, are going to adopt at  
9 some point in the future would apply to those regions that  
10 do not make a 30 day -- make a recommendation for a 30 day  
11 closure for their region. And that we would, as the Fish  
12 and Wildlife Service, try to work with that region to  
13 establish a recommendation, negotiate that and try to have  
14 them have the region ultimately make that recommendation,  
15 establish that so that the Council then could have  
16 something to consider. And we would work with them as much  
17 as we could. But, in the event that we were unable to,  
18 that the region refused to present something for the  
19 Council to consider, the fall back position is that the  
20 Service would have to recommend that seasonal closure to  
21 the SRC for the entire suite or for that particular region  
22 that would compliment the entire suite of recommendations  
23 that the Council would forward to the SRC. So that is  
24 Option 5. We would work with the region.

25

26                   Option 6, then is the Fish and Wildlife  
27 Service, in the event that the region cannot make a  
28 recommendation, Option 6 is that the Fish and Wildlife  
29 Service would have to set that day in order to have  
30 regulations for a spring and summer season.

31

32                   CHAIRMAN REGELIN: Other comments.

33 Discussion.

34

35                   MR. ANDERSEN: Mr. Chairman, I have a  
36 comment. As it is now, we don't have a guideline for the  
37 closure of the season during the principal nesting period.  
38 That's what we're taking action on now so it seems like it  
39 would be appropriate for us to first take action on the  
40 proposal that was tabled and then consider the draft  
41 alternatives.

42

43                   As far as the proposal that was tabled, I'd  
44 like to make one amendment to it. If you'd look in your  
45 packets it's in this thing that's stapled together. The  
46 motion is made and seconded, it's three or four sheets  
47 back. It's right after -- there's a list of birds and what  
48 hunting methods and then it's a closure. Are we all there?

49

50                   CHAIRMAN REGELIN: Why don't you read it so

00021

1 that.....

2

3

MR. ANDERSEN: Okay. What it reads is during the Alaska spring and summer hunting seasons, the harvest of migratory birds will be closed during the principal nesting periods. Determination of the closure shall be made by the regional representative in consultation with a biologist. And what I am suggesting or what I recommend in the amendment is that we substitute Council for representative so it would read, determination of the closure period shall be made by the Regional Councils in consultation with the biologist.

13

14

CHAIRMAN REGELIN: Okay. We have a motion to amend the proposal that we have before us, do we have a second?

17

18

MR. SQUARTSOFF: Mr. Chair, Herman here.

19

Could you read it one more time, I didn't find it.

20

21

MR. ANDERSEN: You want me to read the

22

whole thing twice again?

23

24

MR. SQUARTSOFF: Please.

25

26

MR. ANDERSEN: Okay. The way it reads now is during the Alaska spring and summer hunting seasons, the harvest of migratory birds will be closed during the principal nesting periods, determination of the closure period shall be made by the Regional representative in consultation with a biologist. What I'm suggesting is for an amendment, determination of the closure period shall be made by the Regional Councils, rather than representative, in consultation with the biologist.

34

35

36

CHAIRMAN REGELIN: Thank you. Does everyone understand? If we get a second then we can

37

38

discuss this and decide what to do with it later.

39

40

MR. SQUARTSOFF: I'll go ahead and second.

41

42

43

CHAIRMAN REGELIN: Okay. I think what we're trying to do is to make sure that the Councils, the Regional Councils have ample opportunity and we want to give them every opportunity we can to make sure that they come back with dates for the closure within the season that's required by the treaty. But if they don't then the Council will have to go forward and do that. And if you remember at the last meeting we had a long discussion and I believe it was Austin who felt that it should be the

49

00022

1 representative. But the representative -- only the Council  
2 can take action so I think that we have to do that. And I  
3 think what Doug is suggesting and the way we can work this  
4 is to let people -- we've got dates and action items or  
5 proposed regulations on these closures, I think, from five  
6 of the Regional Councils and five haven't got the job done  
7 yet. And what we want to do is work with those five in a  
8 short time period and have them come back and have another,  
9 either teleconference, Council meeting or a short meeting  
10 in person to adopt those and if they don't, then the  
11 Service will have to adopt them, a general one, as best we  
12 can because if we don't -- we have to have regs go forward  
13 or there will be no season.

14

15 MR. ANDERSEN: And Mr. Chairman, in order  
16 for Doug to even begin doing that we need to approve a  
17 guideline. Right now we don't have a guideline to close  
18 the season. I mean it just so happened that all of the  
19 regions that have submitted recommendations to open the  
20 season also incorporated the provisions to close it during  
21 certain periods. But what this guideline does is authorize  
22 the Regional Councils to close the season during primary  
23 nesting periods or principal nesting periods, having the  
24 Regional Councils authorized to do that in consultation  
25 with the biologists, this sets the guideline, it authorizes  
26 the recommendation.

27

28 CHAIRMAN REGELIN: Doug.

29

30 MR. ALCORN: Thank you, Mr. Chairman. It's  
31 good to have someone on the Council that's really done his  
32 homework. I appreciate that Ralph. You're right. This is  
33 the statewide guideline that we're talking about.

34

35 MR. ANDERSEN: Yeah.

36

37 MR. ALCORN: And we do need that in place  
38 before we can begin to talk about fall back positions or  
39 alternatives.

40

41 MR. ANDERSEN: Yeah.

42

43 MR. ALCORN: I would support the motion.

44

45 CHAIRMAN REGELIN: Other comments. Yes,  
46 Billy.

47

48 MR. McCANN: Yeah, if closing -- I like to  
49 have, if it happens to be closing to the subsistence, then  
50 also it should be closed to everybody, like nesting time,

00023

1 even Fish and Game wouldn't go fool with it and close that  
2 because they're the ones that are fooling around with it,  
3 too, in the nesting time. So I look to include them on the  
4 closing, subsistence closing. Nobody will touch it during  
5 the nesting. Nobody. Absolutely nobody. I'd like to have  
6 that also, not only subsistence people.

7

8 CHAIRMAN REGELIN: Ralph.

9

10 MR. ANDERSEN: I was just going to respond  
11 to Billy. What this guideline does is authorizes AVCP to  
12 make that recommendation, to make that proposal. So in  
13 your region, AVCP can recommend that it's closed to  
14 everybody. And all this does is say that it's okay to make  
15 that recommendation.

16

17 MR. McCANN: Okay, I got that. That has to  
18 be done by area?

19

20 MR. ANDERSEN: Yeah.

21

22 MR. McCANN: Okay, thank you.

23

24 CHAIRMAN REGELIN: Thank you. Other  
25 comments. Gordon.

26

27 MR. GORDON: Mr. Chairman, that sure makes  
28 sense, spending summers in different regions are different.  
29 I mean if you make it into one big lump, we find -- at our  
30 last meeting that the open and closure of spring and summer  
31 of various parts of Southeast Alaska is a little bit  
32 different so it makes sense to do it on a regional level.  
33 I speak in favor of the motion, Mr. Chairman.

34

35 CHAIRMAN REGELIN: Thank you, Gordon.  
36 Other comments. Okay, before us we have the motion that  
37 was tabled with an amendment to make it Council, is there  
38 any objection to that being the action of the Council?

39

40 (Pause)

41

42 Hearing none, that will be the action of  
43 the Council and that will be adopted as a general statewide  
44 guideline.

45

46 Before we go on, we have another person  
47 that joined us and from the Chugach Corporation, Patty  
48 Brown-Schwalenberg is going to represent the Chugach  
49 Regional Corporation at this Council meeting. Is there any  
50 objection for having her sit on the Council? We have a

00024

1 letter appointing her from the appropriate people.

2

3

(Pause)

4

5

6

Thank you, that will be the action of the Council.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

MR. ALCORN: Thank you, Mr. Chairman. I would like to make a motion in the context of the discussion we just had and the passage of a statewide guideline we just approved. The motion is this, in the event that the Regional Council or a Regional Council does not recommend a 30 day closure during the principal nesting periods, the Fish and Wildlife Service -- or excuse me. In the event that the Regional Council does not recommend a 30 day closure during the principal nesting period we would invoke a process and I'll read the process, which is basically alternatives five and then six of the draft that I handed out. And I'll read those for the record.

Item 5 is the guidelines accepted by the Council, which is the statewide guidelines that we just passed, will apply statewide and the Fish and Wildlife Service and the regional representative will confer prior to the first spring opening to establish a regional closure during the principal nesting period. That's the first action that takes place, we would confer with the regions. In the event that that still is not agreed upon, then the guidelines accepted by the Council will apply to those regions that do not submit proposals and the Fish and Wildlife Service will impose an interim regional closure during the principal period until such time as the regional management body recommends one.

So I would move then -- I'll clarify my motion. I would move that in lieu of a region establishing a closed season, that we would initiate options five and then six.

CHAIRMAN REGELIN: Do I have a second to the motion.

MS. STICKWAN: Second.

CHAIRMAN REGELIN: Thank you, Gloria. It was seconded by Gloria. Discussion.

MR. ANDERSEN: I have a question, Doug.

CHAIRMAN REGELIN: Ralph.



00025

1 MR. ANDERSEN: And then I'm thinking more  
2 than just closure. Say a region doesn't have any  
3 recommendations period, doesn't have a recommendation to  
4 open the season, doesn't have a recommendation on a list of  
5 birds, doesn't have any recommendations at all, are you  
6 just going to focus on the closure or are you going to help  
7 them to develop recommendations for following all the other  
8 guidelines that the Council has adopted?

9  
10 CHAIRMAN REGELIN: Doug.

11  
12 MR. ALCORN: Thank you, Mr. Chairman.  
13 Well, the motion addresses just a 30 day closure but we  
14 would be willing to confer and counsel with the regions  
15 that fail to make those recommendations, we would be  
16 willing to do the same for those other issues that Ralph's  
17 mentioned.

18  
19 MR. ANDERSEN: Okay, then Mr. Chairman, I  
20 have an amendment. And the amendment is tacked on to the  
21 very last part after principal nesting periods and add on  
22 there, and other appropriate recommendations.

23  
24 CHAIRMAN REGELIN: Okay, we have an  
25 amendment before us to add, and other appropriate  
26 recommendations which.....

27  
28 MR. ANDERSEN: That would be to No. 5.

29  
30 CHAIRMAN REGELIN: .....would be to No. 5.  
31 Do we have a second to that amendment?

32  
33 MR. SQUARTSOFF: I'll go ahead and second  
34 that.

35  
36 CHAIRMAN REGELIN: Thank you. That was  
37 seconded by Herman Squartsoff. Discussion on the amendment  
38 and motion.

39  
40 (Pause)

41  
42 I guess that.....

43  
44 MR. ANDERSEN: Mr. Chairman, I also have a  
45 question on No. 6 and it sounds like you're taking a tiered  
46 approach or if one doesn't happen then you'll be moving to  
47 the other. Again, why is it that you're focusing on  
48 regional closures? It seems like if you don't have -- if a  
49 Council hasn't done anything, why do you just want to close  
50 them?

00026

1 CHAIRMAN REGELIN: Doug.

2

3 MR. ALCORN: Thank you, Mr. Chairman. This  
4 was in the context -- well, the discussion that we were  
5 having Ralph was talking specifically about the regions  
6 coming back with recommendations for closures and we  
7 basically said that if we don't have a recommendation, what  
8 information is going to go to the SRC for them to make that  
9 decision and so that was really sort of the context of that  
10 discussion. And when we presented it to our regional  
11 director, that was -- we had to kind of narrow the side  
12 boards, but it certainly does -- the logic applies, I  
13 think, to the other issues that we're talking about.

14

15 CHAIRMAN REGELIN: Ralph.

16

17 MR. ANDERSEN: Mr. Chairman, if you take a  
18 look at No. 6, the first half of the sentence, the first  
19 sentence says, seems to be heading in the right direction  
20 and then you take sort of a left-hand turn. It says the  
21 guidelines accepted by the Council will apply to those  
22 regions that do not submit proposals, okay, I mean and  
23 that's any kind of proposals. And then here's where you  
24 take your left-hand turn. And the Fish and Wildlife  
25 Service will impose an interim regional closure. Rather  
26 than addressing the proposals that weren't developed,  
27 according to the guidelines, you're just focusing on  
28 closure again. So what I'm suggesting is that -- what I  
29 recommend is that, and other appropriate recommendations  
30 also be added onto that option.

31

32 CHAIRMAN REGELIN: Before we take that, I  
33 didn't understand what this would do, Ralph, could you.....

34

35 MR. ANDERSEN: I don't understand either.  
36 I'm just react -- I mean he's the motion of the draft and  
37 all that I'm trying to do is trying to find some way to  
38 incorporate -- I mean to allow for regions that don't have  
39 any proposals period, to do more than just closures so  
40 that, you know.....

41

42 CHAIRMAN REGELIN: Okay, first Herman and  
43 then Fred.

44

45 MR. SQUARTSOFF: Yeah, Mr. Chairman,  
46 Herman. I think I understand that Ralph is trying to say.  
47 Instead of the Fish and Wildlife immediately imposing  
48 something, what they should do is work with the region to  
49 try to help them get their proposal in a little quicker or  
50 something. Is that kind of what you're concern is Ralph?

00027

1 MR. ANDERSEN: That's part of the concern.  
2 The other concern is that, you know, some of the regions  
3 may not have proposals at all. And in order for them not  
4 to get left behind in the process, the Fish and Wildlife  
5 Service, according to my understanding of this would work  
6 with those regions to develop recommendations.

7

8 MR. SQUARTSOFF: Right. Right, that's what  
9 I see, too.

10

11 MR. ANDERSEN: And I'd like to take the  
12 focus off of closures and make it more broad so that the  
13 recommendations follow all the guidelines that the Council  
14 has developed or has approved.

15

16 CHAIRMAN REGELIN: Okay. Fred.

17

18 MR. ARMSTRONG: Thank you, Mr. Chair. If I  
19 may offer, in trying to understand the regulatory process  
20 for migratory bird it's my understanding that the Service  
21 Regulations Committee really focuses on consistency. And  
22 Ralph has a point, if we just focus on closures then we're  
23 not going to be submitting consistent proposals when the  
24 regions have worked hard to try to come up with proposals  
25 on all of the guidelines that were adopted in December.  
26 And we submit one for a region that hasn't submitted  
27 anything, just on closure, then we're inconsistent. So  
28 Ralph has a good point there.

29

30 Thank you.

31

32 CHAIRMAN REGELIN: Gordon.

33

34 MR. JACKSON: Yeah, Mr. Chairman. What  
35 basically this means that if you -- if the region doesn't  
36 provide the openings and closures the Fish and Wildlife  
37 Service will intervene. And I think that I agree with the  
38 Commission's feelings is that you should just basically  
39 have a situation where in these new Councils you should  
40 provide assistance in developing the guidelines for  
41 openings and closures. It seems to make sense. A lot of  
42 them are brand new. And it seems a form of technical  
43 assistance is better said than just intervening and saying  
44 we will talk about closures and develop the guidelines and  
45 go right over your head.

46

47 But I think even your other appropriate  
48 recommendations that basically means, if you add on that  
49 amendment, you're opening it up, not only for closures but  
50 everything else. Fish and Wildlife can come in there and

00028

1 take over everything. But I know it's probably not your  
2 intent. Just wanted to make sure that maybe that technical  
3 assistance is provided for something like that. But just  
4 wanted to get some clarification for that.

5

6 CHAIRMAN REGELIN: Doug and then Ralph.

7

8 MR. ALCORN: Thank you, Mr. Chairman. If  
9 the Council will allow me, I would reword the motion, just  
10 for clarify based on the discussion.

11

12 I would move that in the event that the  
13 Regional Council does not recommend regional regulations,  
14 the Fish and Wildlife Service will consult with the region  
15 to develop appropriate regulations. The Service will  
16 develop interim regional regulations for Council  
17 consideration until such time that the region recommends  
18 appropriate regulations.

19

20 CHAIRMAN REGELIN: Ralph.

21

22 MR. ANDERSEN: So are you withdrawing your  
23 previous motion?

24

25 MR. ALCORN: I withdraw my previous motion  
26 and substitute it for what I just said.

27

28 MR. ANDERSEN: Okay.

29

30 CHAIRMAN REGELIN: We have a parliamentary  
31 mess here. First we have an amendment on the floor. And I  
32 think the proper thing to do is if the person that proposed  
33 the amendment would withdraw it with the second and then we  
34 can have substitute language.

35

36 MR. ANDERSEN: I withdraw my amendment.

37

38 MR. SQUARTSOFF: I'll go ahead and second  
39 that.

40

41 CHAIRMAN REGELIN: Okay. Then we need --  
42 what we need to do is get this written up. Do we have a  
43 computer here that we can type this up and print it off for  
44 everybody real fast?

45

46 MR. ALCORN: I could probably just write it  
47 and we could copy it.

48

49 CHAIRMAN REGELIN: I think that it's a  
50 pretty important thing to do so let's get this written out

00029

1 in longhand and Xeroxed and we will take a 10 minute break.  
2 And everybody gets to take a break except the Staff who  
3 gets to work.

4

5 (Off record)

6

7 (On record)

8

9 CHAIRMAN REGELIN: All right, let's call  
10 the meeting back to order. Apparently new technology  
11 hasn't caught up with us yet but we can't get a copy but  
12 we'll ask Doug to read it again.

13

14 MR. ALCORN: Thank you, Mr. Chairman. I  
15 apologize for not having copies to everyone but I did  
16 rewrite it clearly so that I can read it and I'll read it  
17 slow so that we all can understand it.

18

19 This is the process for addressing  
20 regulations in the absence of regional proposals. The  
21 motion is this: In the event that a regional council does  
22 not recommend regional regulations, the US Fish and  
23 Wildlife Service will consult with the region to develop  
24 appropriate regulations. The Service will develop interim  
25 regional regulations for Council consideration until such  
26 time that the Region recommends regulations.

27

28 CHAIRMAN REGELIN: Does everyone  
29 understand? Well, first we would need a second.

30

31 MR. MACK: I'll second it.

32

33 CHAIRMAN REGELIN: Discussion. Ralph.

34

35 MR. ANDERSEN: Doug, I just -- I'm trying  
36 to remember your exact wording but I think what we need to  
37 add in there is a regional recommendation in accordance  
38 with guidelines established by the ANBCC rather than  
39 leaving it wide open to any other -- you know, to any  
40 guidelines or any recommendations, that we need to sort of  
41 keep it limited to the guide -- you know to recommendations  
42 in accordance with the guidelines adopted by the ANBCC.

43

44 CHAIRMAN REGELIN: I think we may just have  
45 copies, let's hand them out immediately and then we can see  
46 where to insert these changes.

47

48 (Pause)

49

50 Ralph, did you have a suggestion on what

00030

1 change?

2

3

MR. ANDERSEN: Yes, Mr. Chairman. Right before the first comma, so that it would read in the event that a Regional Council does not recommend regional regulations in accordance with guidelines adopted by the ANBCC, the US Fish and Wildlife Service will consult with the region to develop appropriate regulations.

9

CHAIRMAN REGELIN: Doug.

11

MR. ALCORN: I'd accept that friendly

13 amendment.

14

CHAIRMAN REGELIN: Okay, that will be the wording that we're discussing. Additional discussion. I think that we all realize the concern is -- or what we're trying to do is make sure that the regions work with us and get the regs in but just in case they don't we now have a way to make them part of the system and let them catch up with us.

22

MR. ALCORN: Yes, just as a point of clarification so that everybody understands, that the phrase, consult with the region, does not mean negotiate, it means that we would provide technical information, technical advice. That recommendation still comes from the region and it's not the Service negotiating and trying to develop a position. That negotiation is done at this level. And that just needs to be clear so that Staff don't have the underburden of having to negotiate that. We will provide that information to the Council. If that Council then does not make a recommendation the Service would recommend something for the Council to consider.

35

CHAIRMAN REGELIN: Thanks for that clarification. Further discussion. Comments. Gloria.

38

MS. STICKWAN: I'm just wondering if we should put a time line in there. I mean just, I don't know if it might be needed or not. I mean this could go on for a long time if we just let it.....

43

CHAIRMAN REGELIN: Doug.

45

MR. ALCORN: Thank you, Mr. Chairman. I believe that Fred is going to make recommendations for deadlines in the coming year for processwise and when those would be due. So maybe we could let Fred address that right now.

00031

1 CHAIRMAN REGELIN: Fred.

2

3 MR. ARMSTRONG: Thank you, Mr. Chairman. I  
4 think for this specific issue, we're going to be dealing  
5 with the all inclusive list of birds that could be  
6 harvested and a deadline will be set for that, I presume.  
7 I think that for this year that deadline of May 1 could  
8 apply.

9

10 CHAIRMAN REGELIN: Thank you, Fred. I  
11 think that we're probably going -- or the intent, I  
12 believe, is that we're going to try to have another  
13 meeting, hopefully by teleconference in the early part of  
14 May to finalize these so that we can meet the Federal time  
15 schedule so that we would have the next six weeks or five  
16 weeks for this to be finalized, come back to us and then we  
17 would adopt it. So it's a very short time line.

18

19 MS. STICKWAN: In my region we have to  
20 first get C&T proposals and so it won't be for another year  
21 and the next year we'll be talking about these proposals  
22 that you guys are talking about right now so it's kind of  
23 like you're asking us to wait for a year and then you're  
24 asking us to do this by May 1st. Somehow there should be  
25 something in here to say that our region doesn't have to  
26 because we're excluding from the communities, you know what  
27 I'm saying? Something should be in here to that effect  
28 about our region.

29

30 CHAIRMAN REGELIN: I understand exactly  
31 what you're saying because we got to catch up with you.  
32 And we want to acknowledge that. I'm not quite sure  
33 because we're not going to -- the Service wouldn't come in  
34 and follow this process with your region because we have to  
35 go through the other process first.

36

37 Doug.

38

39 MR. ALCORN: I believe that the phrase in  
40 here is appropriate regulations and it would be  
41 inappropriate for us to require regulations from a  
42 generally excluded area until included so we can interpret  
43 it that way.

44

45 MR. ANDERSEN: Mr. Chairman, I have another  
46 point, too, because this process would not only apply to  
47 these initial regulations, but would also apply to  
48 regulations further down the line. For example, in some  
49 regions we have regulations that will be considered later  
50 today regarding seasons, the openings and closures and

00032

1 those types of things. But we haven't yet, for example,  
2 established a guideline for enforcement, so that if a  
3 region already has like a season open and closure  
4 regulation in place but doesn't have a recommendation for a  
5 guideline we developed on enforcement maybe two years,  
6 three years down the road, this would also apply to that  
7 guideline as well.

8

9 CHAIRMAN REGELIN: Thank you, Ralph. Other  
10 comments. Discussion. Questions.

11

12 MR. ANDERSEN: Question.

13

14 CHAIRMAN REGELIN: Is there any objection  
15 to adopting this as the action of the Council?

16

17 MR. ANDERSEN: As amended.

18

19 CHAIRMAN REGELIN: As amended.

20

21 (Pause)

22

23 Hearing none, that will become the action  
24 of the Council.

25

26 The next item under old business is closure  
27 by species or the list of species that can be harvested.  
28 We don't have a motion to bring off of the table like we  
29 did the other one. It was something that's been discussed  
30 at length at the workshop. There was some confusion about  
31 the list so I think the way we will deal with this, I'm  
32 going to ask Ralph and Doug, both, to bring us all up to  
33 speed of where we are with the list and what we're going to  
34 do and how we will deal with these at this time.

35

36 Ralph.

37

38 MR. ANDERSEN: Thank you, Mr. Chair. I  
39 first wanted to let the Council know that the actions that  
40 the regions took on the list of birds is not wrong it just  
41 needs refinement. The list that we approved, the guideline  
42 that we approved back in December included such birds  
43 called other or any. So what this second list does is  
44 delete those from the list of birds for potential harvest  
45 because I have never heard of an any bird or an other bird.  
46 And then what we'll -- if I remember correctly, from the  
47 agreement that we reached at the workshop was that we'd  
48 take this list present them back to our Regional Councils  
49 and have the Regional Councils identify -- approve not only  
50 this list but identify birds for annual harvest from this



00033

1 list. And any others that are not on here. Others can be  
2 added to it. I guess this could be considered a master  
3 list. And for the annual harvest, though, which should be  
4 another separate list and it's the birds listed on the  
5 annual harvest list -- let me see if I'm right here, would  
6 be reviewed every year. So for every year Regional  
7 Councils will be taking a look at this master list and  
8 looking at the previous year's list of birds for annual  
9 harvest and revising the annual birds list considering  
10 those two.

11

12 I'm not into Federal regulations but that's  
13 the way it seems to work to me.

14

15 CHAIRMAN REGELIN: All right. Well, let's  
16 let Doug give his say and then we'll let Fred tell us how  
17 it should be.

18

19 MR. ALCORN: Thank you, Mr. Chairman. The  
20 way I understand it, we have a need to publish what I refer  
21 to as a master list of species that are potentially  
22 harvested in the spring and summer season in Alaska. And  
23 that would be published, correct me if I'm wrong, Bob  
24 Stevens, but it would be published in 50 CFR, which is the  
25 code of Federal Regulations, Part 92. And that then  
26 becomes the list that we have all agreed to that are birds  
27 that we've identified in each of your regions, put those  
28 lists together and that's our master list that we would  
29 choose from each year when we make our annual  
30 recommendation and that's published as part of our general  
31 statewide guideline.

32

33 Is that right, Bob?

34

35 MR. STEVENS: Right.

36

37 MR. ALCORN: Okay. And that's the way I  
38 understand the need for that list. And the reason that we  
39 wanted to have this discussion in the workshop and I'll  
40 take a moment to say that I do appreciate the time that you  
41 all spent with us so that we could talk these things  
42 through. The reason that we felt it was needed to have  
43 that discussion was because there seemed to be some  
44 confusion with us getting the regional lists faxed back to  
45 us. We were getting lists that hadn't been checked off and  
46 so it seemed to be that there was some confusion in what we  
47 were trying to do. What we were trying to do is identify  
48 the birds that you would check off as those potentially  
49 harvested in your region. It doesn't mean that you're  
50 going to harvest them every year but those are the birds

00034

1 that are potentially harvested, that becomes the master  
2 list.

3

4 MR. ANDERSEN: Mr. Chairman.

5

6 CHAIRMAN REGELIN: Ralph.

7

8 MR. ANDERSEN: I make a motion that we  
9 adopt this list of migratory birds potentially harvested by  
10 Flyway Council hunters with the instructions for each of  
11 the regional members to bring the list back to their  
12 regions for review and approval with the understanding that  
13 birds that are not on this list can be added. And to have  
14 -- and to report back to us in the form of a recommendation  
15 the actions that they've taken on this list by May 1.

16

17 MR. MACK: I'll second.

18

19 CHAIRMAN REGELIN: Motion on the floor,  
20 it's been seconded. Discussion. Fred. Well, I guess the  
21 only thing I would say is we probably -- if we're going to  
22 try to do this by teleconference right around the 1st of  
23 May, we're going to have the list ahead of time because it  
24 will be very difficult for us to do this over  
25 teleconference. We're going to have to have, you know,  
26 item No. 1 before us with any additions and, I guess, so we  
27 may not want to make it a little bit -- change the deadline  
28 a little bit from May 1, but it depends on exactly when we  
29 schedule this teleconference so we can do that at the end  
30 of the meeting when we set that up if we can need to get it  
31 in sooner, I guess.

32

33 MR. ANDERSEN: I have a question. Would it  
34 be more appropriate to have the Council take action on it  
35 by May 1?

36

37 CHAIRMAN REGELIN: Fred.

38

39 MR. ARMSTRONG: I think the latest, drop  
40 dead deadline would have to be May 1 and then try to  
41 convene the Council and take action on that list shortly  
42 after. We've got some pretty tight deadlines to meet.  
43 We've got to have time to access the list and format them  
44 and send them out to the Councils. And once the Council  
45 has taken action we need to get them formatted and  
46 submitted to the SRC by July 1st so we're cutting things  
47 pretty thin here.

48

49 CHAIRMAN REGELIN: Ralph.

50

00035

1 MR. ANDERSEN: So we're asking for the  
2 Regional Councils to present their recommendations back to  
3 us by May 1 is okay and that will be -- all this will be  
4 forwarded to the Councils under a cover letter from you.

5

6 CHAIRMAN REGELIN: Fred.

7

8 MR. ARMSTRONG: Mr. Chair. Yes, I think  
9 that would be appropriate. And I would also have to do  
10 that for the regions that aren't present and give them a  
11 head's up. And I will probably will be talking with them  
12 individually on that.

13

14 CHAIRMAN REGELIN: Okay. I think that for  
15 -- let me clarify. So this is going to be for the master  
16 list that we can add things to. And then a second part  
17 that we haven't got to yet will be the annual list because  
18 some regions obviously don't even have some of these  
19 species there so they're not going to have that species  
20 there but we'll get to that in the next step.

21

22 MR. ANDERSEN: Mr. Chairman, my motion was  
23 to do both. My motion was to approve the list and add to  
24 it and to recommend back to us a list of birds for annual  
25 harvest.

26

27 CHAIRMAN REGELIN: Thank you for that  
28 clarification. Billy.

29

30 MR. McCANN: If I could understand, how we  
31 going to count -- I mean get the list? Like from Bethel  
32 here, to villages all the way down and up, how we going to  
33 get the count of species caught? Is it going to be door to  
34 door to count it or but like fish counting sometimes, that  
35 should be clarified, too. Because if I'm in a  
36 teleconference, I don't have idea to get it, maybe someone  
37 should -- maybe AVCP should be the one to get the count to  
38 me because I think it -- if I'm right, there's villages  
39 scattered all over the place, they're the ones that are  
40 going to get -- the species, how we going to count that?  
41 It should be door to door.

42

43 CHAIRMAN REGELIN: Ralph, go ahead.

44

45 MR. ANDERSEN: That's a good question,  
46 Billy. What we're asking for, though, is not a harvest  
47 survey, not the number counted. What we're asking for is  
48 just the name of the birds that people catch. Not the  
49 number of birds but the names, you know, which ones they  
50 always use.

00036

1 MR. McCANN: Even so, the name of the  
2 birds, it will be just the same as the counting, you know,  
3 what kind of bird they're getting in villages to villages?

4  
5 CHAIRMAN REGELIN: I understand. I think  
6 that there's been quite a lot of work done on this and we  
7 have a pretty inclusive list. But we wanted to give  
8 everybody, you know, one more quick look to add to it and  
9 then also, as Ralph has said, to give us the annual list  
10 that will be different from one region to the other. And I  
11 realize that it may be difficult to get with 50 villages in  
12 your region to talk to everybody again and I don't have any  
13 good suggestions on how to have you do that.

14  
15 MR. McCANN: It sounds like -- I mean, I'm  
16 sorry.

17  
18 CHAIRMAN REGELIN: No, go ahead.

19  
20 MR. McCANN: Thank you. It would be more  
21 than 30 days to do this. It takes quite a while, I think,  
22 some of the villages to get the good names of what they're  
23 getting. Because down coast they're getting different kind  
24 of birds than up river like some get only geese and stuff  
25 like that. But down river they get the other kind of  
26 birds, too. So to me, it's going to take a little more  
27 than 30 days, whatever.

28  
29 MR. ANDERSEN: And that's a good concern  
30 and I have the same concern, too. But the problem is that  
31 we have the May 1st deadline in order to meet the Federal  
32 publishing. It doesn't mean that next year we can -- we  
33 can go through this list again. I mean it's not going to  
34 be written in stone, it can always be changed, that's the  
35 good thing. That once we get a list into the system, we  
36 can always go back and add to it or delete from it or  
37 change it somehow. But the important thing is we're trying  
38 to get a list into the system and we have -- the deadline  
39 for that is May 1st. You know, we're not looking at --  
40 we're not asking for the number of birds that people catch  
41 or where they catch them or that kind of information. We  
42 just need to know what kind of birds they catch. We just  
43 need to know the names. And if some birds are left off  
44 this year then we can go back next year and add them to it.

45  
46  
47 CHAIRMAN REGELIN: Fred -- or Doug, go  
48 ahead and then Fred.

49  
50 MR. ALCORN: Thank you, Mr. Chairman. Just

00037

1 a question, Ralph, is the motion to adopt the list that  
2 we've just circulated as the master list or as a  
3 guideline.....

4

5 MR. ANDERSEN: That's my motion.

6

7 MR. ALCORN: Okay. And to allow each  
8 region to come back by May 1, add birds to it if they find  
9 that there are other birds that are not on that list, that  
10 becomes the master list, step one?

11

12 MR. ANDERSEN: You got it.

13

14 MR. ALCORN: Step two then in the May  
15 meeting then would be to adopt some recommendation for an  
16 annual list.

17

18 MR. ANDERSEN: And that was the second part  
19 of my motion.

20

21 MR. ALCORN: Got you. Got you. Just want  
22 to make sure I understand the motion.

23

24 MR. ANDERSEN: Okay.

25

26 CHAIRMAN REGELIN: Is everyone clear on  
27 that? Fred, did you have a comment.

28

29 MR. ARMSTRONG: Thank you, Mr. Chair.  
30 Yeah, the intent is to revisit the list annually by the  
31 Council until such time they're comfortable with the master  
32 list. And then it will move into another part of the  
33 regulation. I think the intention is to review it  
34 annually. And also I think in your packets you have --  
35 it's not an all inclusive list but it's a list of birds by  
36 species and the identification. You can utilize that.  
37 We're also ordering -- we're in the process of ordering  
38 bird books for each of the Council members to utilize as a  
39 reference when they're dealing with some of the species in  
40 the region.

41

42 CHAIRMAN REGELIN: All right, thank you,  
43 Fred. I think that we know we're not going to do it  
44 perfect the first time. We'll get started and we'll fix it  
45 as we progress and pretty soon we won't have to worry about  
46 the master list. It will just be -- and I think what we  
47 all want to do is make sure that we don't include species  
48 in our annual list, that aren't really harvested in that  
49 area or taken, especially if they're rare and in a  
50 declining status and things like that.

00038

1 So other discussion on the issue. Herman.

2

3 MR. SQUARTSOFF: Mr. Chair, Herman here.  
4 Yeah, down the line anyway, annually it's going to change  
5 because you're going to have other birds move in your area  
6 that you haven't had and I've seen that happening already  
7 down there in the Kodiak area where we're getting changes  
8 and different birds coming in or it varies on the weather  
9 with the migratory pattern and how they're going to be  
10 coming through, the geese and all that and everything else.

11

12 CHAIRMAN REGELIN: Thank you. Other  
13 comments. Gloria.

14

15 MS. STICKWAN: I have a question just to  
16 make sure for our region. I really don't have to do this  
17 for another year so I don't have that May 1st deadline,  
18 right?

19

20 CHAIRMAN REGELIN: That would be correct.  
21 But if you want to get ahead of the game you're welcome to.

22

23 MR. ANDERSEN: Question.

24

25 CHAIRMAN REGELIN: Question has been  
26 called. Does everyone understand the motion? Doug.

27

28 MR. ALCORN: Thank you, Mr. Chair. I would  
29 like to respond to Gloria's statement. The way I  
30 understand it, Gloria, that May 1 is the deadline that we  
31 will assemble the master list and consider that. That's  
32 the way I understand the motion. So, you, in effect, don't  
33 have a year to come back and present a list. You have a  
34 year to come back and present a list for your annual  
35 harvest recommendation but not a year to come back and  
36 suggest that the annual -- that the master list be revised,  
37 the way I understand the motion.

38

39 CHAIRMAN REGELIN: I believe that's  
40 correct. And if there's something that's not on here you  
41 could suggest it be added. Okay. Everybody understands  
42 the motion before us. Is there any objection to that being  
43 the action of the Council?

44

45 (Pause)

46

47 Seeing none, that's what we will do. And I  
48 will ask Fred, then, to make sure that he puts a thorough  
49 letter together so that it goes to everyone, including the  
50 people not here so they understand what we're doing and the

00039

1 time lines. Doug.

2

3

MR. ALCORN: Thank you, Mr. Chairman. You  
4 can ask me to hold this off for new business if this is out  
5 of order, but we do have the issue to discuss, which would  
6 be the species that would be discussed and described.  
7 Okay, that's under -- I'm looking at a different agenda,  
8 that's under Item C, okay, are we there yet?

9

CHAIRMAN REGELIN: That's the next item.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

CHAIRMAN REGELIN: That's the next item.

MR. ALCORN: Okay, excuse me.

CHAIRMAN REGELIN: We'll forgive you.

(Laughter)

CHAIRMAN REGELIN: The next item of  
business is under old business and it's a definition of a  
permanent resident. And it was an issue that we had before  
us that we talked about at length and we went back.

MR. ARMSTRONG: Mr. Chairman.

(Pause)

CHAIRMAN REGELIN: Closures by species, I  
thought that's what we just did.

MR. ANDERSEN: No, we just did a master  
list.

CHAIRMAN REGELIN: Okay. All right, sorry,  
I got one ahead of me. Sorry, I apologize. Item C under  
old business is a list of species that are not allowed to  
be harvested on the endangered species list or for another  
reason. And right now it's the same thing we don't have  
anything to bring off the table but I will let Doug discuss  
what.....

MR. ANDERSEN: It needs to be.....

CHAIRMAN REGELIN: .....and other people,  
too.

MR. ANDERSEN: It needs to be brought off  
the table.

CHAIRMAN REGELIN: Oh, it does need to be  
brought off the table. Do I have a motion to bring this

00040

1 off the table.

2

3

MR. ANDERSEN: So moved.

4

5

MR. SHIEDT: I'll second.

6

7

CHAIRMAN REGELIN: Okay. Would you bring  
8 the motion that we just brought off, Ralph.

9

10

MR. ANDERSEN: The item that was just  
11 brought off the table reads, the following species are  
12 closed to harvesting during the Alaska spring and summer  
13 hunt in Alaska. Geez, maybe we could make that a little  
14 simpler, too, by saying because we're using Alaska there  
15 twice, emperor goose and there's some kind of name of a  
16 biolo -- or whatever kind of name, spectacled eider and  
17 steller's eider.

18

19

CHAIRMAN REGELIN: All right, thank you  
20 Ralph. That was the motion that we had at the last meeting  
21 and I believe Doug had some suggested listings to that  
22 list. Doug.

23

24

MR. ALCORN: Thank you, Mr. Chairman. I  
25 would like to -- did we vote to untable that motion.

26

27

CHAIRMAN REGELIN: Oh, did we.....

28

29

MR. ANDERSEN: I made a motion to that.

30

31

CHAIRMAN REGELIN: Sorry, we made a motion,  
32 is there any objection to bringing this off the table?

33

34

(Pause)

35

36

All right, go ahead, Doug.

37

38

MR. ALCORN: Thank you, Mr. Chairman. I  
39 would like to pass out a list that modifies that original  
40 suggestion slightly. I used the time from the December  
41 meeting to talk with my different programs in the Fish and  
42 Wildlife Service. The program that is responsible for  
43 migratory birds management, the program that is responsible  
44 for endangered species, recovering conservation,  
45 preservation and in consulting with those program managers  
46 and with my regional director, this list that we had tabled  
47 for consideration by each of the regions and by each  
48 Council member was of some concern by some of the Staff  
49 members and my regional director.

50



00041

1                   We have particular concern about the  
2 population of Aleutian Canada geese that were just taken  
3 off the endangered species list. The population that  
4 exists on Semidi Island is of great concern. I understand  
5 that it numbers just over 100 birds and if there is harvest  
6 of that -- substantial harvest of that population, we fear  
7 that it could jeopardize the recovery potential for that  
8 particular population. And the folks that I talked with in  
9 my agency recommended that that population be protected  
10 through an area closure of the subsistence harvest on  
11 Semidi Islands. And then in keeping with the closed season  
12 policy that's been circulated by the Fish and Wildlife  
13 Service for years now, we felt also that a closure for egg  
14 taking on Cackling Canada goose and black brandt which is  
15 consistent with this policy also be adopted -- recommended  
16 for, at least, consideration by the Council.

17

18                   CHAIRMAN REGELIN: Thank you, Doug.

19 Discussion.

20

21                   MR. ANDERSEN: I have a question, Doug.  
22 Where are the Semidi Islands? Are they down in the Bahamas  
23 or where?

24

25                   MR. ALCORN: I had to ask the same  
26 question, Ralph. Maybe I would let Stanley Mack address  
27 that.

28

29                   MR. MACK: They're halfway between the  
30 Shumagin Islands and Kodiak Islands.

31

32                   MR. ANDERSEN: And which Regional Council  
33 would they be covered by?

34

35                   MR. MACK: Mr. Chairman, they are probably  
36 closer to the Kodiak Island than they are to the Shumagin  
37 Island which would be in our region. The Shumagin Island  
38 is our region so I think Kodiak Region is the one to  
39 address the question to.

40

41                   CHAIRMAN REGELIN: Herman.

42

43                   MR. SQUARTSOFF: Yeah, Mr. Chairman. Yeah,  
44 those are probably the ones that moved to Old Harbor that  
45 we're concerned about right now. The population there, I  
46 don't know.

47

48                   MR. ANDERSEN: I have a question for  
49 Herman. Herman, what is your Regional Council's position  
50 or has your Regional Council been consulted in developing

00042

1 this recommendation?

2

3 MR. SQUARTSOFF: Ralph, no, not on this.  
4 I've missed the last two meetings so I haven't been able to  
5 go back with the Council on that or anything on it.

6

7 MR. ANDERSEN: So your Council hasn't  
8 developed a recommendation to close the Semidi Islands?

9

10 MR. SQUARTSOFF: No, not for the Semidi  
11 Island, no, we haven't.

12

13 CHAIRMAN REGELIN: Doug.

14

15 MR. ALCORN: Thank you, Mr. Chair. Right,  
16 we tried to implement the process, is, the way that we had  
17 envisioned it -- the Council had envisioned it which was to  
18 table the motion and it go back to our respective  
19 organizations and discuss the motion as it was and that's  
20 why this has come out. It's not had Council review. It  
21 would be allowed to have Council review prior to the May 1  
22 meeting.

23

24 CHAIRMAN REGELIN: A question I have for  
25 Herman, there's nobody that lives out there anywhere near  
26 there. Is there anybody that would ever be over there  
27 trying to take a goose?

28

29 MR. SQUARTSOFF: Mr. Chairman, no, I do not  
30 think so. It's kind of -- quite an out of the way place  
31 for us to go anyway. So the only boats traveling, you  
32 know, and I don't know if they hunt around there,  
33 possibility, that would be the only thing. Nobody going  
34 off Kodiak Island, though, would specifically go out there  
35 and hunt the geese.

36

37 CHAIRMAN REGELIN: Ralph.

38

39 MR. ANDERSEN: Mr. Chairman, I guess it's  
40 not the fact that nobody lives there it's the principle  
41 that I'm objecting to. And I'd object to including this,  
42 mainly because the Regional Council hasn't been involved in  
43 any of the decision-making. And what I'd like to try to  
44 have this Council avoid doing is issuing regulations from  
45 the top down when, in fact, we're organized to solicit and  
46 receive recommendations from our Regional Councils and the  
47 villages. The fact that nobody lives on that island or  
48 maybe not even hunt the birds is not the issue that I'm  
49 concerned about. But what I'm concerned about is the  
50 principle of not consulting the Regional Councils in

00043

1 developing the recommendation.

2

3 CHAIRMAN REGELIN: Thank you, Ralph. Fred.

4

5 MR. ARMSTRONG: Thank you, Mr. Chair. For  
6 years the Aleutian Canada geese were under a separate  
7 protection under the Endangered Species Act. They've  
8 recently been delisted but they still are afforded the  
9 protection. So it's nothing new. But they have taken --  
10 try to consider the subsistence part of it and just trying  
11 to segregate one tiny portion and not to exclude anything  
12 else but just those islands. They have a very -- there's  
13 very few and they have a hard time recovering, so that is  
14 why they wanted to specifically identify. The Endangered  
15 Species Act can go to a much more stringent form and it's  
16 covered under Section 10 of the Act, where pretty much  
17 everything is prohibited, subsistence activity and any  
18 other kinds of development or any activity surrounding a  
19 protected species. So I don't think, you know, we want to  
20 go there or have them imposed but just afford them the  
21 protection for that small -- those two small islands. I  
22 think if there's no concern with Kodiak, I would seriously  
23 recommend the Council consider this.

24

25 Thank you.

26

27 CHAIRMAN REGELIN: Herman.

28

29 MR. SQUARTSOFF: Yeah, Mr. Chairman. With  
30 the discussion we've been having on this, it's something I  
31 could put on the burner right away when I get back and have  
32 something back to you guys by May 1 on this. So this will  
33 be kind of a priority thing that I can work on then.

34

35 Thank you.

36

37 CHAIRMAN REGELIN: Ralph.

38

39 MR. ANDERSEN: I was just going to respond  
40 to Fred, that, you know, I agree with all the intentions  
41 and protections that are provided, it's the process that  
42 I'm having problems with. Because I'd have a hard time  
43 trying to explain to people, say in New Stuyahok are told  
44 that they couldn't hunt a certain goose population without  
45 being consulted about it.

46

47 CHAIRMAN REGELIN: Thank you, Ralph. Doug.

48

49 MR. ALCORN: I definitely appreciate your  
50 concern, Ralph. And I, too, have a concern about laying

00044

1 something on to the Council at this meeting. That's why I  
2 made a point of saying that I tried to implement the  
3 process the way I understood it and that is, you know, my  
4 agency functions much like you all do, as regional  
5 representatives, I represent the Fish and Wildlife Service  
6 and I have a number of internal constituents that I have to  
7 deal with. And in using that time from December to now,  
8 that's what I did. And so I tried to use the process the  
9 way, at least I envisioned, that we had designed it for the  
10 regions to use it as well.

11

12 So I do apologize that it appears to be a  
13 top down but it is an earnest effort to present it to the  
14 Council for discussion.

15

16 CHAIRMAN REGELIN: Thank you. Enoch.

17

18 MR. SHIEDT: Yeah, from my region, I agree  
19 with Ralph, for the black brandts, where I come from  
20 they're in high abundance. I mean, you know, last summer  
21 when I was out there I seen five groups of thousands. You  
22 know, from my region I can't see you making for the  
23 statewide, what are -- we need to do in units.

24

25 CHAIRMAN REGELIN: Before we -- let's  
26 finish the Semidi Islands. If it's possible for Herman to  
27 discuss this with his people and talk to us in May, is that  
28 appropriate? Go ahead, Herman.

29

30 MR. SQUARTSOFF: Mr. Chair, one more thing  
31 that I wanted to add is down there in our area, took, we do  
32 honor everything that's on the Endangered or whatever list  
33 and all that. We will not touch, so, you know, that will  
34 probably help a lot. Basically that's all I'm probably  
35 going to have to do is go down there and ask the question  
36 about the Semidis or just let them know, hey, we shouldn't  
37 bother and they probably will be done and taken care of.

38

39 CHAIRMAN REGELIN: Okay. I think that's  
40 something that maybe we can take up in May, on one separate  
41 item that we can have it on the agenda in May.

42

43 MR. ALCORN: Thank you.

44

45 CHAIRMAN REGELIN: Fred.

46

47 MR. ARMSTRONG: If I may, Mr. Chair. I'd  
48 like to ask Bob Trost from Fish and Wildlife to bring up  
49 some concerns about species, protected and other species of  
50 concerns -- oh, by the way, there's a process that's

00045

1 involved in this, some bridge concerns are left out and if  
2 Bob would, please, if you don't mind?

3

4 CHAIRMAN REGELIN: Before you do that, did  
5 you have a comment, Ralph?

6

7 MR. ANDERSEN: Well, I guess my question is  
8 to Doug, you know, the motion on the floor is to approve  
9 the species closed to harvest, okay, are you proposing an  
10 amendment for just the 2003 spring and summer seasons? Is  
11 that what the draft does?

12

13 MR. ALCORN: Yes, that's what it does.  
14 It's for the annual season that we would recommend to the  
15 SRC.

16

17 MR. ANDERSEN: And your motion to amend,  
18 and you've made a motion to amend the original motion?

19

20 MR. ALCORN: Yes, I have.

21

22 (Pause)

23

24 CHAIRMAN REGELIN: Okay, Bob, do you have a  
25 short comment?

26

27 MR. TROST: Just a very short comment and  
28 along the lines that Ralph has been discussing this is not,  
29 in any attempt to circumvent the bottom up process of  
30 considering these things, but in recognition of the  
31 constituencies, particularly in the Lower 48 states and a  
32 host of other people who do have some interest in this.  
33 There's a number of species on which you're contemplating  
34 including on your species eligible for harvest list that  
35 historically we have never had a legal season on. And  
36 there are a number of those species that will raise the  
37 consciousness, I guess, of some outside interest groups, I  
38 believe, and in particularly the birding communities and  
39 these are primarily species which we believe are not very  
40 numerous, they only number a few thousand individuals,  
41 probably at most, in some cases you have the only worldwide  
42 populations of these birds. You are contemplating  
43 including them in your open seasons, presently, although  
44 you've not finalized your species eligibility list.

45

46 And I would just like to go through and  
47 highlight a couple of these species that as you go through  
48 the review of that list, you may want to consider how that  
49 will appear to some of these outside interests. One of  
50 these would be the red-billed loon or the red-throated

00046

1 loon. The yellow-billed loon. The marbled godwit. The  
2 buff-breasted sandpiper. And the bristled-died curlew.

3

4 Obviously these -- all of these birds exist  
5 as such low numbers that they're not a significant portion  
6 of the subsistence harvest. In many cases we estimate the  
7 total population to be less than 3,000 individuals. It's a  
8 matter of appearances. The likelihood of taking any number  
9 is very limited but it will appear to certain  
10 constituencies that we're being called if these aren't  
11 given some consideration and regard in your process. And I  
12 just didn't want to get that lost in this whole system.

13

14 CHAIRMAN REGELIN: Thank you, Bob, you make  
15 a good point. Other comments. Ralph.

16

17 MR. ANDERSEN: I was going to ask Herman a  
18 question. Herman, are you comfortable -- how can I put it.  
19 Are you comfortable with your Regional Council not being  
20 involved or consulted in closing Semidi Islands, whether or  
21 not anybody lives there to hunting at all?

22

23 MR. SQUARTSOFF: Yeah, Ralph, I think what  
24 we're trying to do right now is adopt this, right, this  
25 draft, basically, is that the intention Doug, for the 2003  
26 season?

27

28 MR. ALCORN: Well, that's the preference of  
29 the Fish and Wildlife Service and it's presented now to the  
30 Council for discussion.

31

32 MR. SQUARTSOFF: Right, for the Council,  
33 yeah. I could almost say, you know, even without going  
34 down there and talking with the Council that there would be  
35 no problem with this being on that list, if that's what  
36 you're asking me, Ralph.

37

38 MR. ANDERSEN: Well, and I guess I have a  
39 more general concern, too. I mean, again, I mean I really  
40 have a problem with a species being identified and areas  
41 being closed without consulting the local Councils. I  
42 really have a problem with that. But if your Council is  
43 comfortable with closing the Semidi Islands then, you know,  
44 then as far as that goes, or this proposal goes, then I'm  
45 comfortable, too. But in the future what I wouldn't want  
46 to see, I'm afraid of setting a precedent here, that the  
47 Fish and Wildlife Service or any other agency will come to  
48 us saying, you know, we're closing -- you know, we'd like  
49 to close this area to this bird population. That's what  
50 I'm afraid of doing. I'm afraid of setting a precedent of

00047

1 allowing agencies to come and tell us where and when to  
2 hunt when, really, we have Regional Councils who are set up  
3 to do just that. To help them and not only help them but  
4 to help us to identify areas and set regulations.

5

6 CHAIRMAN REGELIN: First Doug.

7

8 MR. ALCORN: Thank you, Ralph, I appreciate  
9 that. And for this particular issue, I would feel  
10 comfortable. Because I don't believe that there's  
11 substantial harvest. I've talked with Stanley earlier this  
12 week, during the workshop. I thought Stanley would be the  
13 one that we would be having this discussion with. But I  
14 would feel comfortable in omitting that prohibition to  
15 harvest based on that principle. Because I have reasonable  
16 assurances that there is very minimal harvest out there.

17

18 I do, however, feel as though -- I feel  
19 confident that I am using the process the way we've  
20 envisioned it. And this is presented at the time -- I had  
21 no other time that I could present this for us to talk  
22 about it other than when we do meet. And this is the time  
23 that I think it's appropriate for us to talk and I would be  
24 willing to scratch the Semidi Island population for  
25 prohibition to harvest, if, based on principle, Ralph  
26 objects. However, I do believe it's important that we talk  
27 about emperor goose, Cackling Canada's, black brandts as  
28 well. And I realize the principle is the same but the  
29 concern is greater actually.

30

31 CHAIRMAN REGELIN: Herman.

32

33 MR. SQUARTSOFF: Yeah, Mr. Chairman, I, you  
34 know, I go along with what Ralph's saying, the concern  
35 there and everything. But the Council and the people in my  
36 region down there, you know, have a lot of confidence and  
37 faith in the decision that I make while I'm up here and  
38 they all back me on just about everything I do down here.  
39 So I don't think, you know, there's going to be any  
40 problem. I still say, you know, we can go ahead and leave  
41 the Semidi Islands on here even though I have not and  
42 wasn't able to confer with them right now, but I don't  
43 think -- and like Stanley, I think, mentioned that there's  
44 not, you know, anybody out there hunting. The only ones  
45 there'd be if there was somebody out there halibut fishing  
46 or something and, you know, they say, well, maybe we'll get  
47 something to eat but that's very rare. You know, it's very  
48 rare that it will happen. So thank you.

49

50 MR. ANDERSEN: But you know, you know,

00048

1 Herman, again, I'm not arguing the action.

2

3 MR. SQUARTSOFF: Right.

4

5 MR. ANDERSEN: I'm not arguing the hunting.  
6 I'm not arguing, you know, that's not my concern. My  
7 concern is a precedent of having regulations handed down to  
8 us.

9

10 MR. SQUARTSOFF: Right.

11

12 MR. ANDERSEN: Without consulting the  
13 regions. The regions were established for a reason.

14

15 MR. SQUARTSOFF: Right.

16

17 MR. ANDERSEN: And the reason being that  
18 we're supposed to be treated as equals here. And if  
19 regulations are that areas are going to be closed without  
20 even talking to us then that goes against the Treaty and  
21 that is not co-management.

22

23 CHAIRMAN REGELIN: Stanley.

24

25 MR. MACK: Yes, Mr. Chairman. The Aleutian  
26 Canada geese is still prohibited from taking of their eggs  
27 and their carcasses, aren't they to the west, Doug?

28

29 MR. ALCORN: I don't know the answer to  
30 that Stanley.

31

32 MR. MACK: I think they are.

33

34 MR. ALCORN: Is there anything.....

35

36 MR. MACK: There's no season on them.  
37 There is no season on them out there so they just kind of  
38 migrated east a little bit to the Semidi's, so they're  
39 still prohibited from being taken.

40

41 CHAIRMAN REGELIN: Tom Rothe, can you  
42 clarify?

43

44 MR. ROTHE: Yeah, Mr. Chairman. When the  
45 Aleutian Canada goose got delisted in spring, the Pacific  
46 Flyway states worked with the Service to develop fall  
47 hunting regulations and at this time Aleutian Canada geese  
48 are legally taken in fall in areas where they don't usually  
49 occur in any numbers. The state has a closure in Unit 10  
50 so there's no hunting season Aleutian geese. They don't



00049

1 really occur anywhere else until they get down to  
2 California and Oregon. For this particular population or  
3 this group of birds that's nesting on the Semidi's, they go  
4 specifically to the coast of Oregon and Oregon has a closed  
5 season on them there. So there's -- and for your  
6 information, you know, this is maybe the first example  
7 where the Council would also want to consider the state of  
8 Oregon and Pacific Flyway Council will have something to  
9 say about this particular proposal, too.

10

11 MR. ANDERSEN: I'm not -- Mr. Chairman.  
12 I'm not raising an objection to opening or closing it. My  
13 objection is to not involving the Regional Council in  
14 making that determination. I mean I didn't mean to make  
15 it, you know, I mean I'm not arguing about whether or not  
16 it should be opened or closed. Not at all.

17

18 CHAIRMAN REGELIN: First Gloria and.....

19

20 MR. ANDERSEN: What I'm concerned about is  
21 involving the Regional Council.

22

23 MS. STICKWAN: I agree with Ralph Andersen  
24 and his principle that he's trying to state. A precedent  
25 has already been set by US Fish and Wildlife that they made  
26 a determination on what species would be open and what  
27 species would be closed without consulting the tribe,  
28 Council -- the tribes. In the future, the state of Alaska  
29 and the US Fish and Wildlife, when they come up with these  
30 recommendations, they should be stated as recommendations  
31 to the full Council and not be written as if they're  
32 already regulations that they are proposing that, just say  
33 this is for discussion purposes and then that way it will  
34 alleviate this discussion of this precedent.

35

36 CHAIRMAN REGELIN: Thank you, Gloria.  
37 First Herman and then Doug.

38

39 MR. SQUARTSOFF: Yeah, Mr. Chairman.  
40 Ralph, I clearly understand what you're saying, that's kind  
41 of my feeling, too, but what I would probably like to do is  
42 let's go back to Plan A and if we can have this Canada  
43 goose Semidi Island thing, where I can go back and talk to  
44 the Regional Council and bring it up in May and I think  
45 that would be a lot better if we do that instead of having  
46 something -- someone telling us what to do basically was  
47 kind of Ralph's concern. So I think if we could do that,  
48 Fred, that's probably what I'd like to do.

49

50 Thank you.

00050

1 CHAIRMAN REGELIN: Doug.

2

3 MR. ALCORN: I do appreciate what Ralph and  
4 what Gloria have said and I hear you, loud and clear. I  
5 believe that we have -- in the earlier discussion we talked  
6 about the list of species. We've asked for an ad hoc  
7 teleconference or meeting to discuss that list. I think  
8 that there is now 30 days, roughly, that we could take this  
9 list, as proposed, with the amendment, and circulate it  
10 amongst our regions for consideration before we would adopt  
11 it. I'm just concerned that the way the motion was tabled  
12 early on, it had just three birds on it and those three  
13 birds, while they are our principal interests, there are  
14 other birds that we have of interest and that's kind of  
15 what Bob Trost was getting at. And so I would -- I don't  
16 know how we do it parliamentary-wise, but I would suggest  
17 somehow that this list be considered by the regions and  
18 reconsidered in the May 1 teleconference.

19

20 CHAIRMAN REGELIN: I think that we can do  
21 that. First, did you have a comment, Fred, on that?

22

23 MR. ARMSTRONG: In your packets, there is  
24 the Federal Register and it is a closed season that's been  
25 in effect for quite a number of years. Bob Leedy gave a  
26 briefing and overview of the historical cycle that the  
27 closed season policy has gone through to come into effect.  
28 It does list a lot of all these birds that Doug Alcorn has  
29 introduced. So this list is nothing new, it's been in  
30 existence for quite awhile. The exception being the  
31 Aleutian Canada geese which were afforded protection under  
32 a different Federal law. So what we're doing is just kind  
33 of recognizing the list in the Federal Register as it is  
34 published, basically.

35

36 CHAIRMAN REGELIN: All right, thank you. I  
37 think that the sense that I'm hearing is that nobody  
38 objects to keeping the Semidi Island Canada goose on the  
39 list but we need to go back and give the Regional group an  
40 opportunity to look at this and come back and report to us.

41

42 MR. SQUARTSOFF: Yeah, Mr. Chair. I kind  
43 of more or less go along, though, of what Doug just  
44 mentioned. We should have this whole list here, go back  
45 and come back on it on May 1 with the other ones.

46

47 CHAIRMAN REGELIN: That's what I was just  
48 getting ready to say.

49

50 MR. SQUARTSOFF: Yeah, that sounds better.



00052

1 clarification, this is eggging. Are you concerned that  
2 we're recommending a closure for harvesting adults?

3

4 MR. SHIEDT: If the numbers are high in my  
5 region why should we worry about taking the eggs? We  
6 should be taking the eggs if the numbers are high in my  
7 region, you know, because not all birds, not all black --  
8 the brandts I'm talking about, they'll probably stay in my  
9 region but I'm not talking about other brandts that you got  
10 concern about in different regions, see?

11

12 MR. ANDERSEN: It's the same kind of  
13 principle, if the Semidi Islands and Canada goose.

14

15 MR. SHIEDT: Because if my numbers are high  
16 in black brandts, I should be able to take eggs, legally,  
17 but I shouldn't be taking the eggs that you got concern  
18 about in a certain unit. See, I respect, like everybody  
19 else, if they're declining we won't take them. But if my  
20 numbers are high, why should I be in the same category with  
21 someone if they're declining if my numbers are high? You  
22 see what I'm saying, why should I have concern in my unit?

23

24 CHAIRMAN REGELIN: A question I have for  
25 Doug or someone else on the Staff, the reason we've had  
26 these two is it because of the YK-Delta, is that the  
27 primary area why this closure has been in existence?

28

29 MR. ALCORN: I'd like to ask Bob Leedy to  
30 respond to that question.

31

32 MR. LEEDY: Yeah, well, I'm going to pass  
33 it on to Russ Oates who has more details and better  
34 knowledge of the numbers but I'd like to make the general  
35 statement that this originated, first, in the Goose  
36 Management Plan. And then I think in 1988 it was included  
37 in the Service's statewide policy and has applied  
38 statewide, whether people have known that or abided by it  
39 or not.

40

41 Regarding brandt, I think this is a good  
42 example of the population that travels all up and down the  
43 coast, has many, many users, winters in the Lower 48 and  
44 Mexico and it's sort of the overall concern in population  
45 that we have and maybe Russ can address some specifics.

46

47 CHAIRMAN REGELIN: I don't want a long  
48 report, Russ, but come on up and if you can clarify this.  
49 What I want to do is have some information so that people  
50 can take it back and talk about this between now and our

00053

1 teleconference when we'll make a decision.

2

3 MR. OATES: Okay, I'll try and keep it  
4 brief, thank you, Mr. Chairman. I don't doubt that large  
5 numbers of brandt were seen along the northwest coast this  
6 year. 2001, in the major brandt nesting colonies on the  
7 Yukon Delta was the lowest nesting success ever recorded  
8 there. Had a late spring, had a high incidence of fox  
9 predation and many of those birds that failed in their  
10 breeding attempts early moved on up the coast and to the  
11 Teshekpuk Lake molting area. The largest numbers of brandt  
12 that we've -- I believe that we've seen in the 15 years or  
13 so we've been doing the molting survey on Teshekpuk Lake  
14 occurred up there in 2001. So when the birds which  
15 normally would be on the breeding grounds on the Yukon  
16 Delta failed they moved on up the coast to the North Slope  
17 there to molt. But the actual population has been  
18 relatively stable over the last 10 or 15 years or so.

19

20 We could the Pacific brandt population on  
21 the wintering areas of Mexico, California, Washington and  
22 Oregon and the few that winter in the Izembek area. So  
23 actually we just finished the winter count in January and  
24 the total numbers appear to be up a little bit but overall  
25 the last 15 years or so the population's been relatively  
26 stable but not increasing.

27

28 CHAIRMAN REGELIN: Thank you, Russ. Yes.

29

30 MR. MACK: Just quickly.

31

32 CHAIRMAN REGELIN: Stanley.

33

34 MR. MACK: That was one of my concerns was  
35 that we address that very good line that they put on the  
36 charts the other day regarding the black brandt and they do  
37 come from up North and they come down to the Izembek area.  
38 And we've been restricted on the take of those to just two  
39 for I don't know how many years. Prior to that it was  
40 totally prohibited so I don't know what's going on with the  
41 return. I've asked the question in the workshop regarding  
42 the black brandt and the enforcement policy that they have  
43 in Mexico, I alluded to a TV program that I seen where Buck  
44 McNeely, the great White hunter and sportsman, was down  
45 there and just dropping them out of the air like raindrops  
46 and I couldn't understand it. So I don't know what the  
47 enforcement situation is down there, whether the numbers  
48 are coming back north or -- I'm hoping to get the numbers  
49 from our biologist out at the Izembek Refuge and see  
50 whether their numbers have changed any regarding the state

00054

1 numbers or the overall numbers that we have seen on the  
2 overhead chart at the workshop. And maybe I can compare  
3 those two numbers and see what's going on and find some  
4 answers.

5

6 CHAIRMAN REGELIN: Thank you, Stanley.

7

8 MR. ANDERSEN: Mr. Chairman, I have just an  
9 observation, I guess, is there seems to be a change in the  
10 way we're treating black brandts. And I'm wondering if  
11 along some harvest -- and I think that's what the movement  
12 -- I mean that's what's going to be happening as I  
13 understand it. And I'm wondering what caused a change, if  
14 there was a change in status of the black brandt, I mean,  
15 what's the change? I mean there is a population objective,  
16 you know, sky high, and now the population objective is  
17 being lowered, what caused that?

18

19 CHAIRMAN REGELIN: Bob Trost, can you  
20 answer that for us?

21

22 MR. TROST: The quick answer is two things  
23 have contributed to the change in the population objective.  
24 One of those is the recognition of a separate group of  
25 brandt, which we referred to Western High Arctic brandt,  
26 which nests primarily in the Canadian Archipelago and the  
27 Perry Islands and that general area and they winter almost  
28 exclusively in Puget Sound. We've separated these from the  
29 Pacific black brandt population within the Flyway.  
30 Consequently the numbers, which we believe number somewhere  
31 in the neighborhood of six to 8,000, 10,000 birds for the  
32 sake of argument, have been removed from the black brandt  
33 population objective and now exist as a separate population  
34 objective on their own. So that factor of just splitting  
35 that recognized group out lowered the objective.

36

37 The other part of the reduction stems from  
38 the fact, as you indicate, that the original population  
39 objective was very high, and upon review and upon study, as  
40 you know, many of these birds have been marked and banded  
41 over time, our best estimate now is that we had set that  
42 original objective too high. So based on a technical  
43 review, we have revised the objective down a little bit  
44 more.

45

46 So in effect, the reduction was not  
47 significant but it was based on the study of survival  
48 rates, recruitment rates, things of that nature which led  
49 us to a population model, which led us to believe that the  
50 objective that we had set for that particular group of

00055

1 birds was too high.

2

3

4 But I think the point that these birds,  
5 actually from Izembek all the way to the North Slope are  
6 one contiguous group of birds is an important one and for  
7 your consideration. And in truth, it doesn't make sense to  
8 apply regulations at one point of their range and not  
9 throughout their range.

9

10 Thank you.

11

12 CHAIRMAN REGELIN: Thank you, Bob.

13

14 MR. ANDERSEN: Thanks, Bob.

15

16 CHAIRMAN REGELIN: Billy.

17

18 MR. McCANN: Sounds like to me, is that the  
19 -- the counting is like one area or is that the whole area  
20 of Alaska, like he said something about areas, birds there  
21 than the other places, what are we looking at now, are we  
22 looking at the one area like southeast or someplace or the  
23 Lower 48 or what are we looking at on how many birds we got  
24 in this district or what? Is it the whole works we're  
25 looking at? If we make a closure someplace else then it  
26 might be more up north, that's what I'm at -- I hope I make  
27 it clear.

28

29 CHAIRMAN REGELIN: Thank you, Billy. Can  
30 you answer that real quick?

31

32 MR. TROST: I'll try very quickly to  
33 indicate and repeat, I guess, what Russ has said before.  
34 We treat this as one solid group of birds and depending on  
35 the year, they may be in one person's region one year but  
36 if they don't breed in large part due to weather factors or  
37 other reasons then they may go to someone else's region to  
38 molt so the numbers in the different regions go up and down  
39 quite a bit depending on what the conditions are. But the  
40 total number stays and has stayed approximately the same  
41 for quite some time. So the trick of the matter is that  
42 the regional increase and decrease is really just a  
43 shifting of the same birds into different areas.

44

45 CHAIRMAN REGELIN: Let me suggest  
46 something. That we have a need to go back and let the  
47 regional management bodies look at these three additions to  
48 this list and then we can take it up again and make a  
49 decision in May. And I think that what we probably need to  
50 do is go ahead and put this aside or table it until then

00056

1 but in order for the regional bodies to make a good  
2 decision and understand what we're going to do, we're going  
3 to have to have a concise written summary of why you're  
4 suggesting that these be included. Is that possible to  
5 provide to them? Is it already written up, available?

6

7 Fred.

8

9 MR. ARMSTRONG: Yes, we can get out a  
10 letter together that supports the list of birds, for  
11 instance, the Federal Register, the closed season policy.  
12 While I have a moment here, I just want to remind everybody  
13 that the recommendations that you provide us will be  
14 reviewed and acted on by this Council and submitted to the  
15 Flyway Councils and the SRCs for their further action. We  
16 need to remember that there are other outside interests  
17 that have an opportunity to either expand or revise these  
18 lists as they reach the service regulations committee and  
19 that, you know, things could change. So please, when you  
20 review and act on these lists take that into consideration  
21 so that you won't be surprised in the future, that things  
22 do change.

23

24 CHAIRMAN REGELIN: First, Tom and then

25 Gloria.

26

27 MR. ROTHE: Yeah, Mr. Chairman. Just maybe  
28 to help the Council focus the direction of review, if you  
29 want, the Cackling Canada geese breed almost exclusively on  
30 the Yukon-Kuskokwim Delta so that would be the primary  
31 region to look at the eggging issue there. Black brandt,  
32 about 70 to 80 percent are on the Yukon Delta. 10 to 15  
33 percent on the North Slope, so those would be the two  
34 principal regions that would have to look at the brand egg  
35 collection proposal.

36

37 CHAIRMAN REGELIN: Thank you very much.

38 Gloria.

39

40 MS. STICKWAN: I was just -- when we go  
41 through this list in our region, we're going to need help,  
42 technical assistance or somebody from US Fish and Wildlife  
43 or State of Alaska because a lot of the people don't know  
44 what the birds are. They know what they hunt but they  
45 don't know the names and they don't know -- and they -- we  
46 need help when we go through this list for our region. So  
47 I was wondering if that could be provided?

48

49 CHAIRMAN REGELIN: Doug.

50



00057

1 MR. ALCORN: Thank you, Mr. Chairman. I'm  
2 prepared to make a motion to that effect, after we take an  
3 action on this motion.

4

5 MR. ANDERSEN: Mr. Chairman.

6

7 CHAIRMAN REGELIN: Ralph.

8

9 MR. ANDERSEN: I motion to table this until  
10 May 1st.

11

12 CHAIRMAN REGELIN: We have a motion to  
13 table, it doesn't need a second and it's not open to  
14 discussion. Do we have any objections to tabling this?

15

16 MR. SHIEDT: Question.

17

18 MR. ANDERSEN: It's non-debatable.

19

20 CHAIRMAN REGELIN: Not debatable, it's  
21 done. But I think that we're going to have a couple  
22 follow-up things on responding to Gloria's concern and Fred  
23 was first and then Doug.

24

25 MR. ARMSTRONG: Again, we're going to be  
26 purchasing these bird books for each of the members to  
27 utilize. And we do have biologists on staff that are  
28 familiar with a lot of the species, Russ Oates, maybe you  
29 could leave some cards with her and Bob Leedy and they  
30 could refer to the right and appropriate people. But,  
31 yeah, we're willing to help out at any time.

32

33 CHAIRMAN REGELIN: Doug.

34

35 MR. ALCORN: Thank you, Mr. Chairman.  
36 Going back an hour or so, ago, when Ralph expressed his  
37 objection to the principle, and I agree with him based on  
38 that principle. And the fact is we didn't have a -- well,  
39 we do have a process, I guess, whereby we can do this, but  
40 I'm going to recommend that the Council charge its  
41 technical committee that is a standing committee with  
42 looking at regional and agency recommendations for annual  
43 omissions from the master list. Every year, the way I  
44 understand this, we are going to make a recommendation for  
45 a list of species to be harvested to the Service or the  
46 Pacific Flyway Council. On that list that have enough  
47 birds, the population is not stable enough that we can  
48 recommend a harvest of those birds, so we would recommend a  
49 list that be much like the list that we just got through  
50 talking about every year that would be taken off of the

00058

1 master list so that it's not recommended for harvest. I  
2 recommend that the technical committee of the Council work  
3 with the Alaska Department of Fish and Game and the Fish  
4 and Wildlife Service and any region affected to consider  
5 those birds that we have concern with throughout the summer  
6 months so that in the fall we can make recommendations for  
7 the following year's harvest recommendation.

8

9 In other words, this year and 2003, we  
10 didn't have time -- for the 2003 season we didn't have time  
11 to establish this process, but I'm recommending now that we  
12 establish the process so that we can begin discussions so  
13 that we can come back and make recommendations to the  
14 Council in the fall for the 2004 season.

15

16 CHAIRMAN REGELIN: Thank you, Doug. That  
17 sounds like a very reasonable request.

18

19 MR. ANDERSEN: I second it, if that's a  
20 motion.

21

22 MR. ALCORN: It's a motion.

23

24 CHAIRMAN REGELIN: Fred will have to remind  
25 me, I'm not sure who -- I don't recall off the top of my  
26 head who's on the technical committee but it's in our  
27 packet.

28

29 MR. ARMSTRONG: Exactly.

30

31 CHAIRMAN REGELIN: So we'll do that and I  
32 think it makes sense. We don't need -- we want to make  
33 sure and I think we're all committed to having the  
34 recommendations come up from the bottom but we're still  
35 learning how to make sure that happens.

36

37 MR. ANDERSEN: And Mr. Chairman, in  
38 including the affected Regional Councils in the review  
39 would take care of that. I also have a motion regarding  
40 one of the species closed to harvest and I also have a  
41 charge to the technical committee and this is a motion  
42 which is charging the technical committee to come up and  
43 develop -- or come up with and develop an Emperor Goose  
44 Management Plan. The management plan should include  
45 continuing provisions to continue population assessments,  
46 continue harvest surveys, and incorporate traditional  
47 knowledge and the use of local research assistance in the  
48 research efforts and to review the population objective to  
49 see whether or not it's realistic. That's my motion.

50

00059

1 Oh, and to report back to us by the October  
2 meeting with the draft plan for the Council to consider.

3

4 CHAIRMAN REGELIN: Okay. Before we take up  
5 a second to that motion, let's finish the one that we had  
6 on the floor that was -- was there any objection to the  
7 motion that Doug made on having the technical committee  
8 take a look at the process that we use on this annual  
9 cycle? I think that everybody agreed that it made a lot of  
10 sense and was the way to go. So that will be the action of  
11 the Council.

12

13 Now, we have a motion before us to have a  
14 management plan for Emperor geese put together by our  
15 technical group. Is there a second to that motion?

16

17 MR. SQUARTSOFF: I'll go ahead and second  
18 it.

19

20 CHAIRMAN REGELIN: Thank you. For  
21 discussion, I understand that we need this plan, I'm not  
22 sure if our technical group of this Council is the right  
23 one to do it or if there's already a plan for that type of  
24 thing. Could Bob Trost or Tom Rothe bring us up to date,  
25 quickly.

26

27 MR. TROST: Very briefly. The Pacific  
28 Flyway Council does have an emperor goose management plan  
29 which it has adopted and in effect. It's kind of an  
30 exciting moment for me, I think it's the potential in a  
31 revision of this plan to incorporate some new players and  
32 this group, in particular, in this process. And I honestly  
33 believe as one of the consultants you should take this to  
34 the Pacific Flyway Council, suggest a joint review and as a  
35 motion I think that that would be a very appropriate thing  
36 to do and I think the Council would be glad to do that.

37

38 CHAIRMAN REGELIN: Thank you. Ralph.

39

40 MR. ANDERSEN: So if I understand you  
41 right, Bob, is to request that the Council be involved in  
42 the review of the Flyway Council's Emperor Goose Management  
43 Plan?

44

45 MR. TROST: Yes.

46

47 CHAIRMAN REGELIN: I guess we'll let Tom  
48 talk in a second but it sounds to me like we have a plan  
49 that's being nearly completed and we have an opportunity  
50 for our technical group to take a look at it and for the

00060

1 Council then to chime in on before it's final. Am I  
2 correct there, Bob?

3

4 MR. TROST: No, the Council already has a  
5 final plan but as part of the national plan, I think they  
6 would welcome the opportunity.

7

8 CHAIRMAN REGELIN: Tom Rothe.

9

10 MR. ROTHE: Just real quickly, just sort of  
11 by procedure, the Flyway Council approves all plans for  
12 anything in Alaska and the Flyway. I would ask the Council  
13 to carefully consider the time line on this. It may be a  
14 little complicated in we're involving several regions who  
15 haven't really been involved in the past. So if the Staff  
16 can ask for a little mercy on the scheduling that would be  
17 appreciated.

18

19 CHAIRMAN REGELIN: In response to -- are  
20 you going to speak to that point, Gloria?

21

22 MS. STICKWAN: Yeah.

23

24 CHAIRMAN REGELIN: Go ahead.

25

26 MS. STICKWAN: My question is is the  
27 technical committee, these members here listed, are they  
28 still serving on the technical committee?

29

30 CHAIRMAN REGELIN: I believe they are but  
31 there's been some changes of people that are on the Council  
32 so we may have to make some adjustments here at the end of  
33 the meeting but we can do that. It's on the agenda, I  
34 think for putting new people on this.

35

36 MR. ANDERSEN: Mr. Chairman.

37

38 CHAIRMAN REGELIN: Yes, sir.

39

40 MR. ANDERSEN: Now, that I have a better  
41 understanding of where we are and what plans are in place,  
42 I withdraw my motion, if Herman's -- Herman's left the  
43 room, for the technical committee to develop a plan. If  
44 one is already -- you know, one has already been developed  
45 but I'd really like to have, you know, emphasis on  
46 reviewing the population objective, you know, in light of  
47 considering continuing population, continuing harvest  
48 surveys and in involving local research assistance and  
49 gathering information.

50

00061

1                   CHAIRMAN REGELIN: Thank you. Herman, you  
2 need to say yes.

3

4                   (Laughter)

5

6                   CHAIRMAN REGELIN: Thank you. Thank you.

7

8                   MR. SQUARTSOFF: You got it Wayne.

9

10                  CHAIRMAN REGELIN: Thank you. And I guess  
11 where we leave this, I think, that we now have a motion and  
12 we know more about it and it's a good idea and we need to  
13 rely on our technical committee to take a look at this and  
14 figure out how the best way for them to interact, what time  
15 line they can get back to us and then talk and work through  
16 Fred and he can inform us when it's going to be appropriate  
17 for us to have a report from the technical committee and to  
18 take action to push this on up through the system.

19

20                  Any more discussion or comment on that  
21 idea?

22

23                  (Pause)

24

25                  Okay. That will be the action of the  
26 Council and we'll adopt that motion that we'll probably  
27 have to get off the tape.

28

29                  (Laughter)

30

31                  CHAIRMAN REGELIN: Okay, I have one more  
32 item that we want to try to finish before lunch. It's the  
33 last item on old business, it's D. It's the definition of  
34 a permanent resident. It's something that we agreed to, I  
35 believe at the last meeting and then it needed to be looked  
36 at by the Federal Solicitor. So I need a motion to bring  
37 the draft definition for permanent resident off the table.

38

39                  MR. MACK: So moved.

40

41                  MR. SHIEDT: Second.

42

43                  CHAIRMAN REGELIN: Okay. We have a motion  
44 and a second. We have before us the draft definition,  
45 Fred, can you explain in a little more detail or just read  
46 it into the record and see if there's any discussion.

47

48                  MR. ARMSTRONG: Okay, Mr. Chair. That  
49 definition is permanent resident means any person who's  
50 primary permanent home for the previous 12 months was

00062

1 within a subsistence harvest area in Alaska. Whenever  
2 absent from this primary permanent home, the person has the  
3 intention of returning to it. Factors demonstrating a  
4 person's primary permanent home may include an address  
5 listed on a Permanent Fund Dividend application, an Alaska  
6 license to drive, hunt, fish or engage in an activity  
7 regulated by a government entity, voter registration,  
8 location of residence, owned, rented or leased, location of  
9 stored household goods, residence of spouse, minor children  
10 or dependents, tax documents. Whether the person claims  
11 residence in another location for any purpose or a tribal  
12 member of a tribe in a subsistence harvest area.

13

14 CHAIRMAN REGELIN: Thank you, Fred. Did  
15 the Federal Solicitor make any changes to this that you're  
16 aware of?

17

18 MR. ARMSTRONG: No. The question before  
19 the Solicitor was really, could tribal membership be one of  
20 the criteria for determining permanent residence and she  
21 came back with a positive, yes. All the other factors have  
22 been discussed at length with the Council for the last two  
23 and a half years.

24

25 CHAIRMAN REGELIN: Further discussion.

26

27 MR. ANDERSEN: Question.

28

29 CHAIRMAN REGELIN: Hearing no further  
30 discussion. Is there any opposition to making this the  
31 action of the Council?

32

33 (Pause)

34

35 Hearing none, this will be -- Herman.

36

37 MR. SQUARTSOFF: Mr. Chair, you got it. I  
38 was just going to say that I so move that we adopt this.

39

40 CHAIRMAN REGELIN: Yeah. Very good,  
41 hearing no objections that will be the action of the  
42 Council. Now, what I'm trying to do is adjourn about a  
43 quarter to 12:00 and we're going to come back about 1:15 or  
44 1:30, we'll decide just when we get out of here. So we  
45 still have 15 minutes or so and we can move into new  
46 business.

47

48 The first thing in new business and I  
49 believe Fred was going to give us a review of the  
50 frameworks that we established at the 2001 meeting and that

00063

1 will sort of set the stage for us later then after lunch to  
2 move into the proposals that the regions have brought  
3 before us on the dates. Fred, how long is the report that  
4 you were going to provide?

5

6 MR. ARMSTRONG: Probably about a minute.

7

8 CHAIRMAN REGELIN: Well, why don't you go  
9 ahead then and we'll see if there are any questions.

10

11 MR. ARMSTRONG: Okay, thank you, Mr. Chair.  
12 Basically, the guidelines that were adopted first were  
13 pertaining to method and means. And the Council adopted  
14 that guideline for the regions to react to and if you want  
15 I could -- you want me to read them all?

16

17 The following devices and methods of  
18 harvest are prohibited unless otherwise allowed by a  
19 specific regional regulation, swivel gunshot, guns larger  
20 than 10 gage, bunt guns, battery guns, machine guns, fish  
21 hooks, poisonous drugs, explosives or stupefying  
22 substances, shooting from a box or any other floating  
23 device that affords a hunter a means of concealment beneath  
24 the surface of the water, hunting from any type of  
25 aircraft, taking waterfowl during -- using night birds as  
26 decoys. Hunting with the aide of recorded bird calls,  
27 using any type of vehicle, aircraft or boat for the purpose  
28 of concentrating driving, rallying or stirring up any  
29 migratory bird. The possession or use of lead or other  
30 toxin shot while hunting. Shooting while on or across any  
31 road or highway. That was the list that was adopted.

32

33 Opening and closing of the Alaska spring  
34 and summer seasons. Unless specified by more restricted  
35 regulations listed below, the Alaska spring and summer  
36 hunting season of migratory birds will open March 11 and  
37 close August 31st of each year.

38

39 Closure of Alaska spring and summer season  
40 during the principal nesting season. That was originally  
41 tabled and now I guess we're going to react to it in May.  
42 And finally, was the species closed to harvest, again, that  
43 is tabled until May.

44

45 CHAIRMAN REGELIN: Thank you, Fred. I guess  
46 for some of the people that are new on the Council, in  
47 December, we established some very basic regulations on  
48 methods and means of things that, you know, you can't use  
49 poison and things like that just so that we had some frame  
50 works.

00064

1 MR. ANDERSEN: Or stupefying substances.

2

3 CHAIRMAN REGELIN: Or stupefying  
4 substances, I like that one the best.

5

6 (Laughter)

7

8 CHAIRMAN REGELIN: And I thin that's just  
9 sort of something we're probably some day in the future we  
10 may want to alter that but that's probably a ways into the  
11 future, if ever. I think that where we're ready to go this  
12 afternoon is to go through the -- I think there are five  
13 regions that have made suggestions on what periods to close  
14 during the 30 days and we'll take those up in order and go  
15 through them and we'll ask Staff, you know, to comment and  
16 make sure that we're doing that and see if we can adopt  
17 those. I think that's the main order of business that  
18 we'll have. And then there's a few other things, some  
19 reports. But I guess I see no reason that we can't finish  
20 our business today. And I'm not sure, I felt like at times  
21 I was maybe rushing a little this morning but I think that  
22 we've got plenty of time this afternoon to get through our  
23 agenda and we won't have to work tomorrow. And before we  
24 break for lunch are there any general comments that anybody  
25 wants to make about where we're at or what we still have to  
26 do?

27

28 (Pause)

29

30 Okay, if not, it's about a quarter of  
31 12:00, can we back at 1:15 and we'll try to get started --  
32 1:30. Okay, let's make it 1:30 and we'll try to start  
33 promptly at 1:30.

34

35 MR. ANDERSEN: Let's caucus.

36

37 CHAIRMAN REGELIN: Before you leave, would  
38 you like to have the Native regional bodies for a few  
39 minutes?

40

41 MR. ANDERSEN: We'll caucus right here.

42

43 CHAIRMAN REGELIN: We'll leave. We'll  
44 leave, you just stay away from my stuff.

45

46 (Laughter)

47

48 (Off record)

49

50 (On record)



00065

1                   CHAIRMAN REGELIN:  If you take your seats  
2 we'll get started.

3

4                   (Pause)

5

6                   Welcome back and don't get lost, there's  
7 lots more room than when we left, I feel like I got space.  
8 We're ready to take up, under new business, the regional  
9 proposals.  I think this morning in everybody's packet,  
10 this stapled thing and on the front page of it it says  
11 Alaska Migratory Bird Co-Management Council and then it's  
12 the Aleutian Pribilof Island region.  Let's make sure  
13 everybody finds what I'm talking about.  It has the  
14 recommendations from the Aleutian/Pribilofs region.  And  
15 then the next one is recommendation No. 1 from the  
16 Northwest Arctic Borough.  Is everyone finding that packet?

17

18                   (Pause)

19

20                   All right, I think they must be listed in  
21 alphabetical order under new business and we'll start with  
22 the first one on the Aleutian/Pribilofs that has a  
23 recommendation.  Do I have a motion to put this before us.

24

25                   MR. MACK:  So moved.

26

27                   CHAIRMAN REGELIN:  Is there a second?

28

29                   MR. SHIEDT:  I'll second it.

30

31                   CHAIRMAN REGELIN:  Thank you.  I guess we  
32 should talk a bit how we want to proceed.  We don't need to  
33 have them read to us but maybe they should be summarized  
34 briefly so that we have a record about what the regional  
35 body has recommended to us.  I guess we'll leave it up to  
36 the individual Council members to sort of walk through and  
37 if there's corrections that need to be made you can do that  
38 because I know there's typos or missing words in some of  
39 them.  Go ahead.

40

41                   MR. MACK:  Thank you, Mr. Chairman.  
42 Council members, there's a typographical error on the  
43 spring summer migratory bird harvest and it shall be open  
44 May 1 to June 15th instead of July 15th, so if you could  
45 make note of that.  That would be the only correction.  Mr.  
46 Chairman, I don't know how to proceed with this since I'm  
47 new, I don't know if there's someone to walk me through  
48 this.  But maybe I can -- I don't know, do I ask for  
49 questions.

50

00066

1                   CHAIRMAN REGELIN: Why don't I get you  
2 started and if there's questions, you're the one that's  
3 going to have to answer them. But I think to summarize the  
4 proposal coming from the Aleutian/Pribilof region is that  
5 they're saying the spring season should be closed from  
6 March 10th and I think that should be March 11th, because I  
7 think the 10th it can't be closed -- opened.....

8

9                   MR. MACK: Okay.

10

11                   CHAIRMAN REGELIN: .....to April 30th and  
12 then it would be open -- the season would be open there  
13 from May 1st to June 15th except for the Pribilof Islands  
14 of St. Paul and St. George which would open on or about  
15 April 1 to May 31 is the way it reads so they would have a  
16 45 day season. The closed period would then be from the  
17 15th of June -- June 16th to July 15th, except for the  
18 Pribilofs which would be June 1 to August 31st. And egg  
19 gathering would be allowed from May 15th to June 30th  
20 except for the Pribilofs which would open for the gathering  
21 of murre eggs on or about July 1 to August 1st. And  
22 there's a separate thing for egg gathering for the east  
23 auklet should be open from April 15th to April 30th [sic]  
24 for a 30 day period and it would be closed entirely after  
25 the 16th of June.

26

27                   It certainly looks to me like it makes the  
28 intent of the law to close it during the period.....

29

30                   MR. MACK: That's correct.

31

32                   CHAIRMAN REGELIN: .....and primary nesting  
33 period. So are there any questions or comments or if you  
34 have other things that you'd like to add?

35

36                   MR. MACK: No, I don't.

37

38                   CHAIRMAN REGELIN: Okay. Any questions or  
39 comments on this proposal? Bob Leedy. Come to the -- yes,  
40 come up here so we can have you on the record.

41

42                   MR. LEEDY: Yes, I guess I'm requesting  
43 clarification on the last line, it says, egg gathering  
44 season shall be closed from June 16 to August 31, is that  
45 just egg gathering or is that all take of migratory birds?

46

47                   MR. MACK: That would be egg gathering only.

48

49                   MR. LEEDY: Okay.

50

00067

1 MR. MACK: Except for the Pribilofs since  
2 they have their -- their season is different.

3

4 MR. LEEDY: Okay. So your closed season,  
5 it's not listed explicitly in here, your closed season  
6 would be June 16 to July 14?

7

8 MR. MACK: 16.

9

10 MR. LEEDY: Yeah, June 16 to July 14, okay.

11

12 MR. MACK: Yeah.

13

14 MR. LEEDY: Okay, thank you.

15

16 CHAIRMAN REGELIN: If it's not clear does  
17 it need to be rewritten? Do you want to -- I mean we want  
18 to make sure that this goes in the book the right and legal  
19 way. It was clear to me but.....

20

21 MR. LEEDY I think it would be beneficial  
22 to identify the closed period.

23

24 MR. MACK: That certainly can be done.

25

26 MR. ANDERSEN: Mr. Chairman, I have a  
27 question or a suggestion.

28

29 CHAIRMAN REGELIN: Ralph.

30

31 MR. ANDERSEN: You know, back when we -- at  
32 our December meeting we approved a proposal format and then  
33 during -- as we were developing the recommendations, we  
34 weren't quite sure what to use because on one hand we'd  
35 seen the Northwest Arctic Borough's -- or received a copy  
36 of -- no, of Maniilaq's recommendations and then in talking  
37 with Bob Ostrand it sounded like we were going to use a  
38 different kind of format. What I think we should do -- I  
39 mean one of the lessons to be learned here is we need to  
40 follow a consistent format first of all and, second, I  
41 suggest that we use the format that in the proposal form  
42 that we approved in December. I mean then leave it up to  
43 Staff to convert it to whatever form that they use,  
44 whatever form that they need, because otherwise we're going  
45 to get from each of the regions all kinds of different  
46 recommendations in all kinds of different formats. So I  
47 mean that's just a suggestion. In order to decrease  
48 confusion, I mean let's stick with it.

49

50 CHAIRMAN REGELIN: I think that's an

00068

1 excellent suggestion. Fred.

2

3 MR. ARMSTRONG: Thank you, Mr. Chairman.  
4 Yeah, the format that was adopted by the Council was for  
5 the format that would be utilized for all recommendations  
6 submitted to the Flyway Council and the SRC. I have it  
7 further down on the agenda proposal time frames and  
8 schedules. And part of that was going to be to get  
9 permission from the Council to begin developing a proposal  
10 format that could be adopted by the Council in the future.

11

12 This meeting a lot of regions have not come  
13 back with their proposals in a timely manner and so Staff  
14 have not really had an opportunity to review them for  
15 format content of corrections. So at least this first go  
16 around, we're going to have to just live with what we have  
17 and try to work with what we have but we can assure you the  
18 next time around it will be different and one single  
19 format.

20

21 CHAIRMAN REGELIN: Thank you. It looks  
22 like when I look at all the other proposals from the other  
23 four regions, that they are following the format that we  
24 had and this one you just didn't get in time to alter and I  
25 think that as long as we know what the dates are, I think  
26 you can figure that out, we should give the Staff the  
27 flexibility to put it in the proper format to submit on to  
28 the Flyway and the SRC and we'll do that. Yes.

29

30 MS. BROWN-SCHWALENBERG: So which is the  
31 proper format? Is it this or.....

32

33 CHAIRMAN REGELIN: If you would turn to the  
34 second page where it says recommendation No. 1 for the  
35 Northwest Arctic Borough, I believe that that is the way  
36 that the -- it says recommendation and then it lists the --  
37 that's the format that was suggested or I think that we  
38 adopted that. Do you remember Ralph?

39

40 MR. ANDERSEN: Mr. Chair. I think what we  
41 did was we adopted the proposal format that you're holding  
42 up there Patty and that you have in front of you.

43

44 CHAIRMAN REGELIN: Right.

45

46 MR. ANDERSEN: And if you'll notice, the  
47 recommendations that are coming in don't follow that  
48 format. So I think the point that I was trying to make is  
49 that we need to maintain some consistency that way it would  
50 make it much easier on Staff to convert whatever it is that

00069

1 comes in.

2

3

CHAIRMAN REGELIN: Bill Ostrand.

4

5

MR. OSTRAND: Yes, Mr. Chair, I'm guilty of creating this confusion. What I did, working with Enoch, is to put the proposal into the format that it would be submitted to the SRC and I think I created a lot of confusion by doing that and I apologize to the Council.

The Council did adopt another format and I also put that one together and that was intended for use by an individual or an organization to submit proposals to regional bodies or to the Council.

14

15

CHAIRMAN REGELIN: Well, I think that what we want to do is have it so that it's as simple as possible and it becomes standardized. And I don't care which one it is, you're the Staff and I guess whichever you -- it should probably be as close as possible to what's got to be sent on to the Flyway Councils and the SRC's in that format. And it would be my recommendation or suggestion.

22

23

MR. ANDERSEN: Mr. Chairman.

24

25

CHAIRMAN REGELIN: Ralph.

26

27

MR. ANDERSEN: Yeah, Mr. Chairman, if the format that Bob had developed or had used with the Maniilaq has a section on justification, if we flip the page, I mean you'll see justification sections. And the way it is now, I mean none of the Regional Councils have the technical staff or the technical expertise to go through and research all of the justifications that are necessary in making the recommendations. So if we're going to use this format, what I think we should suggest is that the Regional Councils develop the recommendation and leave the justification portion blank, that way the Staff here can use the -- do whatever they need to do in terms of research once the recommendation is approved by the Council -- by the ANBCC.

41

42

CHAIRMAN REGELIN: Bill and then Fred.

43

44

MR. OSTRAND: Yeah, I think if you use the original form that was passed by the Council and then once it's approved then we can use that form and work with the regional rep to put it into the format to submit to the SRC.

49

50

CHAIRMAN REGELIN: That sounds like a good

00070

1 solution and I think that's what we should do. But first,  
2 Fred, did you have a suggestion?

3

4 MR. ARMSTRONG: If you feel comfortable  
5 with the Staff's justification. I certainly wouldn't want  
6 to proceed in that manner, I think it would be more  
7 appropriate for the regions to submit their justifications.  
8 It doesn't have to be analytical or scientific. That's  
9 where we will get the scrutiny from either State or Federal  
10 agencies, but I think to justify why a proposal should be  
11 submitted, I think it's in terms of maybe other proposals  
12 that might be submitted other than the guidelines adopted  
13 annually. So I would feel very uncomfortable for Staff to  
14 justify a region's proposal unless it's done in concert  
15 with them.

16

17 CHAIRMAN REGELIN: Ralph.

18

19 MR. ANDERSEN: Mr. Chairman, that's what  
20 I'm suggesting. I mean the biological parts of the  
21 justification, I'm not a scientist and I haven't studied  
22 birds and gone to school to study bird biology and I don't  
23 know of anybody else in the Bristol Bay region that has  
24 done that. But since, you know, Fish and Wildlife Service  
25 employs a whole department, the Migratory Bird Management  
26 Department dedicated to this kind of work, then I suggest  
27 that the biological parts of the justification that needs  
28 to be done and we could feel in -- you know, the regions  
29 will fill in their portion, the customary and traditional  
30 portions but the scientific, we don't have the expertise to  
31 do it and I don't know of any other regions that's  
32 represented here that has.

33

34 CHAIRMAN REGELIN: Yes, I think what we're  
35 back to is the form that we originally adopted, we asked  
36 that to put it on that form, do the, you know, best you can  
37 and if there's parts you can't do then we can get Staff to  
38 help to do that. But that would be the form that we follow  
39 and it -- you know, I guess the part that I was looking at  
40 was, you know, a one sentence thing, when things are open,  
41 when they're closed, I like that part, too, on the way some  
42 of these did that so it's very straightforward.

43

44 Herman.

45

46 MR. SQUARTSOFF: Yeah, Mr. Chair. The  
47 format that I see that we did here and the one I kind of  
48 followed, Enoch's, it's pretty much basically the format  
49 that was recommended by the Council anyway. To me it looks  
50 pretty close.

00071

1                   CHAIRMAN REGELIN: I agree. And I think  
2 that we'll just make sure we do that and we'll give the  
3 Staff the flexibility to then package this without changing  
4 the, you know, the dates or anything to make it fit what  
5 needs to go on up to the SRC.

6

7                   MR. SQUARTSOFF: Right. The only thing I  
8 don't see on there is the dates and the mailing address.

9

10                  CHAIRMAN REGELIN: Okay.

11

12                  MR. SQUARTSOFF: Thank you.

13

14                  CHAIRMAN REGELIN: Any other comments.

15 Tom.

16

17                  MR. ROTHE: Mr. Chairman, I had a question  
18 for Mr. Mack on the proposal you have in front of you. I'm  
19 a little confused between the last two items here on the  
20 egg open periods. The second to last item says egg season  
21 would be open May 15th to June 30th and then the last line  
22 says that they'll be closed June 16th to August 31st, so  
23 I'm wondering if there's an open and closing that's  
24 overlapping.

25

26                  MR. SQUARTSOFF: Mr. Chair.

27

28                  CHAIRMAN REGELIN: Yes, Herman.

29

30                  MR. SQUARTSOFF: Yes, Stanley, I think you  
31 mentioned that that's mainly for the Pribilofs?

32

33                  MR. MACK: The Pribilofs, exactly.

34

35                  MR. SQUARTSOFF: That's why it's that way  
36 there, for the May 15th/June 30th, that's open for the  
37 Pribilof egg gathering.

38

39                  MR. MACK: Well, the egg gathering in the  
40 areas vary so much because of the weather. But the  
41 closure, I think, we could -- yeah, I see where the numbers  
42 came in there and I didn't -- it was just done yesterday so  
43 we're trying to get this done as quickly as possible and I  
44 was hoping that I could have gotten it in earlier yesterday  
45 so that everybody could have gotten it before you broke  
46 yesterday but I didn't. So if you could add -- put June 30  
47 in there or you know.

48

49                  CHAIRMAN REGELIN: Would you repeat what  
50 your specific change would be?

00072

1 MR. MACK: The specific change would be  
2 closed June 30th to August 31, that would -- except for the  
3 Pribilofs and they have a separate season altogether up  
4 there, as near as I can gather from the proposals that came  
5 in from the other communities.

6

7 CHAIRMAN REGELIN: Doug.

8

9 MR. ALCORN: Thank you, Mr. Chairman. I  
10 have a little bit of a concern about the use of the phrase  
11 on or about when we're setting dates. I completely hear  
12 what you're saying Stanley about the change in the weather  
13 and I heard Herman say this a day or two ago when you were  
14 talking about that.

15

16 When we're setting regulations, though,  
17 from a law enforcement perspective, I think they want date  
18 certainties.

19

20 MR. MACK: I understand, sure.

21

22 MR. ALCORN: And so -- and I don't see any  
23 of my law enforcement folks here in the audience, but Mike  
24 Rearden is the manager out at the YK-Delta Refuge, he does  
25 have biologists that have law enforcement authority and I'm  
26 wondering if Mike might address that issue or my concern  
27 about that. Can you speak to that at all Mike, what a  
28 regulation needs to contain?

29

30 MR. REARDEN: Well, minimally, I guess it  
31 does have to have a specific starting date and ending date  
32 in order to know when to enforce it, obviously, unless  
33 there's something like a field announcement, which I don't  
34 think you want to get into probably. So it would be easier  
35 if you could establish a specific date on these things and  
36 live with it that way.

37

38 MR. MACK: And again, Mr. Chairman, I was  
39 just taking it from the report that I received from the  
40 community of St. Paul. So if it has to be, we can put it  
41 on and live with that.

42

43 CHAIRMAN REGELIN: Thank you. I think that  
44 it probably.....

45

46 MR. MACK: It was just probably a.....

47

48 CHAIRMAN REGELIN: .....for this purpose,  
49 needs to be -- we understand why they did it.

50



00073

1 MR. MACK: We can do that.

2

3 CHAIRMAN REGELIN: But.....

4

5 MR. MACK: I was just taking -- you know,  
6 that's probably the way he -- the gentleman refers to  
7 things, on or about.

8

9 CHAIRMAN REGELIN: Sure.

10

11 MR. MACK: So I wrote it down that way.

12

13 CHAIRMAN REGELIN: All right. So let's  
14 make that change then. It would just say, it will open on  
15 and just scratch out, or about.

16

17 MR. MACK: Uh-huh.

18

19 MS. KLAUDI: I know this isn't a time for  
20 public comment but was present when this was discussed and  
21 we did discuss the fact that just in our region alone and  
22 the Pribilof region, the dates do vary and it was agreed  
23 that it may vary from year to year and that it could even  
24 be done by tribal announcement when the season would be  
25 opened or closed, depending on what the weather was like  
26 that particular year if things were late or early.

27

28 CHAIRMAN REGELIN: Ralph.

29

30 MR. ANDERSEN: Does it generally open,  
31 though, on April 1?

32

33 MS. KLAUDI: I don't think it's the same  
34 date every single year, is it Stanley?

35

36 MR. MACK: No, it would probably be -- I  
37 think what it does -- if I can use our area as an  
38 illustration, the dates that I picked are -- I've given  
39 myself a cushion because of the weather and I think that's  
40 what the Pribilof folks have done, too. So I believe  
41 they've giving themselves a cushion on that.

42

43 MR. ANDERSEN: So April 1 includes the  
44 cushion?

45

46 MR. MACK: I believe so.

47

48 MR. ANDERSEN: Okay.

49

50 MR. MACK: I would say -- you know, I can't

00074

1 guarantee that but that's the way I read it. And we've  
2 tried to get in touch with them since then and have been  
3 unable to.

4

5 MR. ANDERSEN: Does it normally start  
6 earlier?

7

8 MR. MACK: I don't know, I'm not familiar  
9 with that.

10

11 MR. ANDERSEN: So if.....

12

13 MR. MACK: Have you heard anything on that  
14 Klaudia?

15

16 MS. KLAUDI: We're talking about egg  
17 gathering in the Pribilofs?

18

19 MR. MACK: In the Pribilofs, yeah.

20

21 MS. KLAUDI: Well, we went by the  
22 information that we got.

23

24 MR. MACK: Yeah.

25

26 MS. KLAUDI: And what you and I have here  
27 is different for the different eggs.

28

29 MR. MACK: Yes.

30

31 MS. KLAUDI: For the murre eggs, July 1st  
32 and then east auklet on or around April 15th to April 30th.

33

34 MR. ANDERSEN: Well, we're looking at just  
35 the part that says except for the Pribilof Islands, St.  
36 Paul and St. George which shall open on and we scratched  
37 off, or about, April 1 to May 31st and the question is.....

38

39 MS. KLAUDI: Okay.

40

41 MR. ANDERSEN: .....is April 1 a reasonable  
42 date?

43

44 MR. MACK: I think it is.

45

46 MR. ANDERSEN: Or do we need to make it  
47 March 32 or March 31 or.....

48

49 MR. MACK: I think the Council ought to go  
50 with the dates there that's before you.

00075

1 MS. KLAUDI: We could just delete or about.

2

3 CHAIRMAN REGELIN: Thank you.

4

5 MR. MACK: Delete, or about.

6

7 CHAIRMAN REGELIN: Very good. And we're  
8 not open for public comment right now but we started, so,  
9 yes, you're going to have to -- we can't hear you. By law  
10 we have to record this so if -- we're not set up to have  
11 the public speak because I know they didn't get anything  
12 that Klaudia said, was there another comment on that same  
13 subject?

14

15 MS. KLAUDI: No.

16

17 REPORTER: If you need to talk you need to  
18 come up to the table.

19

20 CHAIRMAN REGELIN: If you're going to talk  
21 you have to come to the table.

22

23 MR. SHARP: Hi, I'm Ferdinand Sharp. The  
24 way we decide when the egg season is, we usually go by the  
25 herring. When the herring is early, we know the egg season  
26 is going to be early. I don't know if you do that in your  
27 area.

28

29 MR. MACK: Unfortunately we don't have  
30 herring in the area until late June.

31

32 (Laughter)

33

34 CHAIRMAN REGELIN: All right. So I think  
35 that we've got all of the dates and the Staff knows how to  
36 put this in the proper format. Other discussion.  
37 Comments.

38

39 MR. ANDERSEN: Question.

40

41 CHAIRMAN REGELIN: Is there any objection  
42 to adopting this proposal as we have changed it?

43

44 (Pause)

45

46 Hearing no objection, that will be the  
47 action of the Council.

48

49 I'm not sure what order -- did you have an  
50 order that you wanted these to go in Fred? Let's just go

00076

1 then to the -- let's just flip the page and go to the  
2 Northwest Arctic Borough, for their recommendation.

3

4 MR. JACKSON: Mr. Chairman, could I make a  
5 comment about justification?

6

7 CHAIRMAN REGELIN: Yes, go ahead.

8

9 MR. JACKSON: I think that whenever  
10 possible, if we have Staff, that when we make some  
11 recommendations that we put our justification as we see it  
12 in the region in the opens and closures. I say this  
13 because we take great -- we have a great deal of -- amount  
14 of pride about local control and actually we should have  
15 some of our justifications for these opens and closures.  
16 If any of it has to be filled in by the Staff that are more  
17 learned, as we say, that could put more information on it.  
18 But I think we should make our best effort to include some  
19 of the justification when we send it in along with the  
20 dates so that we have an idea just what the region's  
21 justifications are. Just in a few words that are clear,  
22 concise and relatively complete, because many of these  
23 openings and closures are much different in different  
24 regions.

25

26 But anyway, I just wanted to make that  
27 comment, Mr. Chairman. Thank you.

28

29 CHAIRMAN REGELIN: Thank you, Gordon. I  
30 think that's an excellent point. Any other comments before  
31 we move onto the next proposal?

32

33 (Pause)

34

35 This one is for the Northwest Arctic  
36 Borough. Does anybody want to make a motion to put it on  
37 the table?

38

39 MR. ANDERSEN: Motion to adopt.

40

41 MR. SHIEDT: Second.

42

43 CHAIRMAN REGELIN: Okay. Enoch, would you  
44 like to speak to this proposal?

45

46 MR. SHIEDT: Yes. These are the dates,  
47 when we had our meeting, we came up with, except they had a  
48 question on two. If, for the molting, if we could open for  
49 molting, that closed season could be for 30 days straight  
50 if they could -- because molting birds are not the ones --

00077

1 they don't lay at all and they had a question on that one.  
2 But first this is the one they came with, the harvest shall  
3 be closed from June 11th to June 30th. Right next to it is  
4 the season for taking molting, non-nesting waterfowl shall  
5 be from July 1 to July 31st. How do I address that, right,  
6 okay, with me, that's the question we had from day one.  
7 Because these are -- they're the same birds but still  
8 they're not the same -- we don't harvest the ones that  
9 they're -- when they're young.

10

11 I just want to make sure mine passes and  
12 everything will be legal otherwise I could just have it two  
13 closed seasons, two different times for 30 days. Because  
14 there's no anywhere where it says I have to be closed for  
15 30 days straight.

16

17 CHAIRMAN REGELIN: Okay. Could we have --  
18 let's have the Staff, Bob Leedy and Tom, why don't you sit  
19 up here at the table and walk us through. If you have  
20 concerns or just what this is going to do, because it looks  
21 -- I'm not quite sure I understand it, when it's open and  
22 when it's closed without studying it and looking at a  
23 calendar better. Are you prepared to do that, Bob or Tom  
24 or anybody on the Staff?

25

26 MR. ROTHE: Yeah, maybe a clarification.  
27 Enoch, have you amended the proposal?

28

29 MR. SHIEDT: No, I did not right now. We  
30 were looking at -- and I was looking at my -- I had to run  
31 to my room to look at my notes, but our spring hunt opens  
32 from April 1 to June 10, but we wanted to close it for  
33 incubation for the eggs June 11 to June 30th, I got two  
34 different closing times that adds up to a little over 30  
35 days. But if they got the problem with me being closed at  
36 two different times. Because the reason why we wanted to  
37 open it right during the rearing of the birds is for the  
38 molting birds, remember, I told you that. Because I want  
39 to make sure my people are legal taking molting birds  
40 because the birds that molt, they don't lay eggs and they  
41 don't be around the birds that molt.

42

43 MR. LEEDY: Yeah, I think the only concern  
44 we've got, I mean, what you say makes much sense. Our  
45 concern is the requirement in the Japanese Treaty for  
46 closure during the primary nesting season and we'd hate to  
47 go too far down the line with regs that open us up and made  
48 us vulnerable to claims that we weren't abiding by the  
49 Treaty.

50

00078

1                   What you've got here is a 19 day closure  
2 toward the beginning, actually towards sort of the middle  
3 nesting and then you cut off the last of the incubation  
4 period. Is that the way you would understand it, as well,  
5 Enoch, that you would allow hunting of molting birds during  
6 the last part of incubation, early brood rearing?

7  
8                   MR. SHIEDT: Right about close to August,  
9 the birds that are reared toward the first part of August,  
10 they are ready to be on their own, okay, but my intent here  
11 was to -- for taking of molting birds only. If I could --  
12 I'm back to where I started from. Because I could have it  
13 closed from June 11th to July 11th for nesting birds. Then  
14 I'm back to three again saying, but I would like to open it  
15 for molting birds. Because they're the same birds, yet,  
16 they're the birds that don't lay nest and they're not with  
17 the birds that molt, they're out in the tundra rearing  
18 their young, they're not in the lakes, you know, with the  
19 birds that molt. I'm not a biologist but I've lived the  
20 life long enough.

21  
22                   MR. LEEDY: Right. This is Bob Leedy  
23 again, and just to the Council to Doug and Wayne here, in  
24 particular, I don't know that this is a problem that Staff  
25 per se can fix. I think what Enoch says makes sense  
26 biologically if you were adequately able to separate out  
27 these two things. I suspect it would cause any enforcement  
28 agent difficulties being able to the discern the intent of  
29 hunters in the field. It may not meet a strict  
30 interpretation of the primary nesting season closure in the  
31 Japanese Treaty but I guess I have no immediate advice  
32 beyond that. Tom.

33  
34                   MR. ROTHE: My only question is whether the  
35 Service would require a continuous 30 day period in which  
36 case Enoch would have to come up with 12 more days of  
37 closure somewhere.

38  
39                   CHAIRMAN REGELIN: Yes.

40  
41                   MR. ALCORN: Thank you, Mr. Chairman. I  
42 would like to ask Bob Trost to come to the microphone, if  
43 he's in the audience, there he is and, I would like for him  
44 to describe the process that we go through when this  
45 recommendation goes to the Council and what kind of rev --  
46 excuse me, when this recommendation from the Council would  
47 go to the SRC, the Service Regulation Committee, and then  
48 what kind of Staff input the SRC depends on what kind of  
49 assessment they depend on?

50

00079

1 MR. TROST: I think to try to make this  
2 brief for you, that should this proposal come before the  
3 SRC they will seek a biological input from the Staff who --  
4 and that's really not the issue here, I don't think. It's  
5 not so much a biological one. However, they will also seek  
6 a legal opinion from the Solicitors and they will ask them  
7 whether or not the Service is meetings its obligations  
8 under the Treaty. And that's the part that, frankly, none  
9 of us in this room can answer for you at this time. Our  
10 information coming to this meeting was it required a 30 day  
11 closure period during the peak of the nesting season to  
12 meet our legal Treaty obligations. If the SRC is informed  
13 that that is the opinion of the Service Solicitor, they  
14 will not approve this recommendation because it would be  
15 approving something that they believe to be in violation of  
16 their law and their mandate.

17

18 CHAIRMAN REGELIN: Thank you, Bob. Fred.

19

20 MR. ARMSTRONG: Thank you, Mr. Chairman. I  
21 think the issue that really is of concern right now is the  
22 30 day closure. I guess a clarification of whether that  
23 was to be continuous or just a total of 30 days, I think,  
24 was not even presented to the Council prior to the  
25 guidelines being adopted. So I'm not sure what to do in  
26 this respect, but again, turning to legal requirements is  
27 going to be somewhat questionable because we don't really  
28 know the intent.

29

30 CHAIRMAN REGELIN: Well, I guess I was  
31 there when we wrote the language and we talked about it at  
32 great length and during the peak of the season, nesting  
33 season, we were told over and over that people didn't  
34 harvest birds during the peak of the nesting season. So it  
35 would be closed. And I mean it doesn't -- the peak doesn't  
36 stop and start. So I'm not sure -- but I have no idea how  
37 a lawyer will look at this and I'm not sure where we should  
38 go. Bill, did you have a suggestion?

39

40 MR. OSTRAND: Yes, I had a suggestion for  
41 some alternative language that wouldn't change Enoch's  
42 proposal, the intent of his proposal. And that would be to  
43 close the harvest from June 11th to August 14th and then  
44 have a special opening only for the take of non-nesting  
45 molting birds from July 1 to July 31st. It's the same  
46 intent. It provides more than an adequate closure period  
47 for the nesting period but it provides just an opening to  
48 take non-nesting molting birds. It's just the same thing  
49 in stating it in, what I would hope, would be a more  
50 palatable way.

00080

1                   CHAIRMAN REGELIN: Well, I guess there's no  
2 one here from the legal department but I'm not sure with  
3 that we have -- there is not a 30 day closure.

4

5                   MR. OSTRAND: Actually it's much more than  
6 30 days, but there is an exception for taking non-nesting  
7 birds.

8

9                   CHAIRMAN REGELIN: And that's going to be a  
10 nice one to try to figure out. Bob.

11

12                   MR. LEEDY: Yeah, Bob Leedy. Yes, there is  
13 more than a 30 day closure but it's not continuous and much  
14 of it isn't during the primary nesting season. The easy  
15 fix, easy for me to say, would be, to have the harvest  
16 closed from June 1 to July 12 but that would cut into the  
17 time period that Enoch has identified that they would like  
18 to be able to take some molting birds. But that is a way  
19 that could have full support of the Service right up front  
20 and probably throughout the process.

21

22                   MR. SHIEDT: Are you saying.....

23

24                   MR. LEEDY: June 11th to July 12th.

25

26                   MR. SHIEDT: .....close from July -- that's  
27 -- that won't cover my area completely because for our  
28 birds molt right around July 3. From year to year it  
29 varies by a few days, depends on the first drizzle. He  
30 used herring, I use drizzle for different areas.

31

32                   (Laughter)

33

34                   And see we lived that life a long time, we  
35 know for -- but I hear -- I just want to open it for the  
36 birds that molt. And I could teach your biologists and  
37 your enforcers the difference between birds that are  
38 molting and the non-molting birds, easily.

39

40                   CHAIRMAN REGELIN: Herman.

41

42                   MR. SQUARTSOFF: Yeah, Mr. Chairman, I just  
43 can't hold back on this one either, but Enoch was saying  
44 that -- Enoch, didn't you say you could live with June 11th  
45 to July 11th and then the stipulation in the protocol is  
46 for us on customary and traditional use, right, basically  
47 is why this is all -- this is what this is about. So and  
48 allow for your 30 day closure and your nesting period, I  
49 would suggest that you put that in there to cover you on  
50 whatever you want your 30 days and go get your birds that



00081

1 are molting. Just go hunt them like you always did, simple  
2 solution.

3

4 Thank you.

5

6 CHAIRMAN REGELIN: Bob Leedy.

7

8 MR. LEEDY: Well, thank you again. A  
9 question for Enoch, Enoch, how long do the birds molt? You  
10 know, it's not just day or two, it's some time more than  
11 that?

12

13 MR. SHIEDT: Within 10 days they're flying  
14 again, but not all birds. Some take a little bit longer,  
15 for birds that molt and within 10 days that -- when they  
16 molt, but we don't hunt them for 10 days, we just take them  
17 for -- within three days. The reason why I put that I  
18 wanted -- in case they do catch the ones that in camp, when  
19 they do get birds. I just want to make sure they were  
20 legal because I don't want to see anybody be cited just to  
21 put food on the table and they got no refrigerator out  
22 there and they're fresh -- fresh meat they want to eat.  
23 And they don't take birds that are rearing, you know,  
24 because we do see them out there, we don't bother them at  
25 all. Because if I do catch one I get more harassment from  
26 my elders than you will or the enforcer.

27

28 CHAIRMAN REGELIN: Thank you, Enoch. I  
29 think that -- oh, Gloria, go ahead.

30

31 MS. STICKWAN: Is it possible to get a  
32 Solicitor's opinion on this before May 1st, do you think?

33

34 CHAIRMAN REGELIN: It's possible. But I  
35 was going to suggest -- I don't know if it's possible, we'd  
36 have to ask Doug. But before we go there I wanted to have  
37 -- a thought that I had was that we could change this to  
38 say that the harvest of nesting birds is closed from June  
39 11th to July 10th and then leave that in there about the  
40 non-nesting molting birds and see what the Service  
41 Regulations Committee does. If they will allow it or not.  
42 And if they don't then it wouldn't be -- we would have to  
43 fix it later.

44

45 Doug.

46

47 MR. ALCORN: Thank you, Mr. Chairman.  
48 Regarding the request for a Solicitor's opinion, I would  
49 say that we'd have a better -- we'd have better odds of  
50 getting a Solicitor's opinion next year at this time if we

00082

1 make the request now. It takes a long time because it  
2 stacks up against all the other requests that they have and  
3 30 days is nearly impossible to even -- they probably  
4 wouldn't even open the file within 30 days.

5

6                   And while I've still got the mic on,  
7 regarding your comment, Wayne, I'm kind of in a pickle here  
8 representing the Fish and Wildlife Service because if I  
9 consent to that strategy of approving it knowing that it,  
10 in my Staff's opinion that it doesn't meet the spirit and  
11 intent of the Japan Treaty, really what I'm doing is I'm  
12 punting the issue to my superiors at the Service  
13 Regulations Committee and I'm not doing and we are not  
14 doing the job of the Council and that would be the  
15 perception, I think, the SRC would take, is, this should  
16 have been negotiated earlier on by the Council and make a  
17 recommendation that's consistent with the Japan Treaty. I  
18 think that what they will end up doing, the SRC would do is  
19 they would ask for the input of the Staff and our Staff  
20 advisement would be just as you've heard. I don't think  
21 that would change.

22

23                   CHAIRMAN REGELIN: Patty.

24

25                   MS. BROWN-SCHWALENBERG: But isn't the  
26 intent of this process to legalize what the tribes or the  
27 Native people are already doing? I mean they're doing this  
28 anyway. And by telling them, no, we can't put it in the  
29 regulation, they're still going to continue, I assume, I  
30 mean.

31

32                   MR. SHIEDT: Yeah, I know they're getting  
33 ready right now and May's just around the corner. And I  
34 know everybody's been talking about it because it's going  
35 to be high water this year and pickings are going to be  
36 easier.

37

38                   So what you're telling me is I can't be  
39 closed two different times, I got to be continuous for 30  
40 days for incubation time is what you guys are saying here  
41 for the SRC to accept?

42

43                   CHAIRMAN REGELIN: Well, I think what  
44 people are saying is, is that the Treaty says, is it needs  
45 to be closed for 30 days during the primary nesting season.

46

47                   MR. SHIEDT: Which Treaty are you talking  
48 about because I didn't find it on the Japanese Treaty for  
49 30 days, I didn't see the number 30 in there. Tell me  
50 where.

00083

1                   CHAIRMAN REGELIN: Doug.

2

3                   MR. ALCORN: It's not in there Enoch. The  
4 30 days is not in there. The language basically says the  
5 principal nesting season and we've had discussion amongst  
6 the biologists that actually the principal season is  
7 actually larger or a longer period than that. And so to be  
8 as liberal and allow as much personal use as possible we've  
9 sort of narrowed that window down to a 30 day time period  
10 assuming that the eggs are laid, incubated and hatched  
11 roughly in a 30 day period of time. That's sort of the  
12 peak and there's obviously times a little ahead of that and  
13 a little later than that that the eggs would still be in  
14 various stages of development and hatching. But that was  
15 the advice that we got from the biologists.

16

17                   And from what I understand it really hadn't  
18 been debated up until this point. And so the idea that 30  
19 consecutive days was the accepted norm is that eggs laid  
20 take that long, roughly, that's the way I understand it.

21

22                   MR. SHIEDT: Okay, let me ask you this  
23 then, when are they going to renew the Japanese Treaty  
24 because we need to talk to them and tell them our life how  
25 we did it for years, just to pick the eggs, you know, and  
26 they probably will understand because they'd probably do it  
27 and we're not giving any problems when we ask for them to  
28 close. It should be equal for them to be closed 30 days in  
29 their short season, too. I mean they will have a hard time  
30 if they try to feed their people in Japan. You know, I  
31 just want to feed my people here. I could see me being  
32 closed for the nesting birds for one month straight if I  
33 could take the same birds during molting.

34

35                   You understand what I'm saying?

36

37                   MR. ALCORN: Thank you, Mr. Chairman. I've  
38 looked at the Japan Treaty and I find that there is under  
39 Article II, I think Part -- the third paragraph or  
40 something like that, that it does make allowances for  
41 indigenous people's harvest. And then right below there is  
42 a paragraph that says the principal nesting season will be  
43 protected. And I think that this Council could take the  
44 approach that Wayne has offered, but I would just want to  
45 go on record as abstaining from that consent. And then we  
46 would advise the SRC as Staff to the SRC on what our  
47 concerns are. And we can make it known that there's a need  
48 for harvest and that there's a reasonable assurance from  
49 your hunters that you can identify birds that are nesting  
50 because they're on the nest and those that are molting.

00084

1 I think it's speculation at this point to  
2 know whether the Service Regulation Committee would adopt  
3 that reasoning and that explanation or not. That's all I  
4 have.

5

6 CHAIRMAN REGELIN: Ralph.

7

8 MR. ANDERSEN: And just because it's  
9 speculation we shouldn't be discouraged from trying it. So  
10 I think that Wayne's suggestion of adding the harvest of  
11 nesting birds shall be closed, I mean that makes it pretty  
12 limited to birds that are nesting. And like Doug was  
13 explaining and you were explaining Enoch, that your hunters  
14 are able to tell those apart.

15

16 We went around and around and around for a  
17 long time on this, the 30 day closure, whether it can be  
18 consecutive or whether it can be broke up into pieces. But  
19 I think that Wayne's suggestion of adding in for nesting  
20 birds from June 11th to July 10th is a good approach. I  
21 mean I don't think we should be discouraged from trying  
22 anything, you know, based on speculation.

23

24 MR. SHIEDT: Okay, the way I hear you say,  
25 I could say my harvest shall be closed for nesting birds  
26 from June 11 to July 10th, simple terms. And I could open  
27 it for molting birds July 1 to July 31st.

28

29 CHAIRMAN REGELIN: That's what I had  
30 suggested.

31

32 MR. SHIEDT: Yes.

33

34 CHAIRMAN REGELIN: And I think that if we  
35 try that, I think that we could make a legitimate case for  
36 it and I think that we will get a legal opinion  
37 immediately.

38

39 MR. SHIEDT: If I could win my case where  
40 my people could get molting birds I could live with from  
41 July 11 to July 10 [sic] close for nesting birds.

42

43 CHAIRMAN REGELIN: Herman.

44

45 MR. SQUARTSOFF: Yeah, Mr. Chair. Enoch,  
46 could you back up maybe from June 1 to July 1 for the  
47 closed -- the harvest shall be closed from June 1, could we  
48 do that now?

49

50 MR. SHIEDT: I can't change the dates on

00085

1 this one here.

2

3 MR. SQUARTSOFF: You can't.

4

5 MR. SHIEDT: I gave my people a couple  
6 three days extra for late for Kivalina side in order for  
7 them to be legal to take birds that do nest when they go  
8 towards -- I'll just say closure to Red Dog.

9

10 MR. SQUARTSOFF: Right, what I'm trying to  
11 do is give you your July 1 that you want or 2nd, where  
12 you'll be there.....

13

14 MR. SHIEDT: I see.

15

16 MR. SQUARTSOFF: .....where you can get  
17 your.....

18

19 MR. SHIEDT: Yeah, I see what you're  
20 saying.

21

22 MR. SQUARTSOFF: .....molting.

23

24 MR. SHIEDT: But what he told me is I could  
25 just -- for nesting birds, June to July exception of  
26 molting birds, I could live with that easily.

27

28 MR. SQUARTSOFF: Well, just -- whatever you  
29 do, give them your 30 days and go do what you guys always  
30 have been doing. You know how to identify between the two,  
31 do it. Give them their 30 day closure and you'll be set.

32

33 CHAIRMAN REGELIN: Thank you Herman for  
34 your constructive advice. Other comments or discussion.

35

36 MR. ANDERSEN: Question.

37

38 CHAIRMAN REGELIN: Doug.

39

40 MR. ALCORN: Thank you, Mr. Chairman. I'd  
41 like to just make one other point and that is that if this  
42 were put in the regulations as written by the SRC, there's  
43 an extreme difficulty in -- or complexity I would say for  
44 the law enforcement folks. Now, I realize I don't want to  
45 focus on law enforcement but I just would bring it to the  
46 attention of this body that if we have a closure to nesting  
47 birds and yet we have an opening for non-nesting birds a  
48 the law enforcement agent happens to find someone with  
49 three or four birds they would have to be able to make that  
50 judgment call, whether those are nesting or whether those

00086

1 were nesting or whether those were molting birds and I  
2 think it's going to add complexity to the issue.

3

4 MR. ANDERSEN: And I could just see  
5 somebody walking up to some old elder in the middle of the  
6 tundra saying, okay, drop the eggs and raise your hands.

7

8 CHAIRMAN REGELIN: I understand everyone's  
9 points and I think that I agree that law enforcement will  
10 probably not -- would prefer not to have it done this way.  
11 Enoch, did you have something else?

12

13 MR. SHIEDT: Yeah, one last one. You guys  
14 could give classes on us to use different kind of lead  
15 shots or steel shots, I could give classes, the difference  
16 between molting birds and non-molting birds, okay, and then  
17 that way we won't have any problems in enforcers  
18 identifying which birds are which.

19

20 (Laughter)

21

22 CHAIRMAN REGELIN: Very good. Bob Leedy,  
23 last comment.

24

25 MR. LEEDY: Different point. A  
26 clarification, I hope. The last line here says sea bird  
27 egg gathering shall be July 3 to July 12, okay, does this  
28 imply then that there would be a 30 day closure for sea  
29 bird take after July 12th?

30

31 MR. SHIEDT: We don't take any sea birds in  
32 our area, we just take their eggs, okay, and we could close  
33 them any time between July -- from July 13th for the whole  
34 season.

35

36 MR. LEEDY: Okay, you understand what I'm  
37 saying? We had talked about we can maybe have different  
38 nesting period closures for those two major groups of  
39 birds, waterfowl and sea birds, but I think we might have  
40 to include like a July 13 to August 12 closure or whatever,  
41 you know, just to have a closure to demonstrate that we've  
42 got a closure during the, quote, primary nesting period for  
43 sea birds.

44

45 MR. SHIEDT: Okay. On the second one we  
46 could more like change it to say -- I will change the  
47 wording later, the harvest will be closed for spring  
48 migratory birds from June 11th to July 10th. And you're  
49 worried about the sea birds of egg gathering, that will  
50 cover it same time, egg gathering for sea birds shall be

00087

1 July 3 to July 12th.

2

3 CHAIRMAN REGELIN: If there's no opening,  
4 wouldn't it be closed?

5

6 MR. LEEDY: Okay. As long as it's  
7 understand that the take of sea birds other than eggs  
8 during this period would be closed?

9

10 CHAIRMAN REGELIN: Yeah, and I guess if you  
11 decide your lawyer says it has to be closed you.....

12

13 MR. LEEDY: No, I just wanted to make sure  
14 we had agreement and I think we do.

15

16 CHAIRMAN REGELIN: Okay.

17

18 MR. LEEDY: Thank you.

19

20 MR. SHIEDT: Because we were talking about  
21 -- on the top we were talking about migratory birds and  
22 you're talking about sea birds, completely different.

23

24 CHAIRMAN REGELIN: Any other comments.

25

26 MR. ANDERSEN: Question.

27

28 CHAIRMAN REGELIN: Discussion. Question  
29 has been called. Is there any objections to adopting it  
30 with the amendments that we have made for the Maniilaq  
31 region?

32

33 (Pause)

34

35 Hearing none that will be the action of the  
36 Council. Doug.

37

38 MR. ALCORN: Thank you, Mr. Chairman. I'd  
39 like the record to show that the Fish and Wildlife Service  
40 abstained from that.

41

42 CHAIRMAN REGELIN: So done. Now, boys,  
43 we're ready to move on to the next one which is the Kodiak  
44 region and is there a motion to put this on the floor?

45

46 MR. SQUARTSOFF: Motion to adopt.

47

48 MR. ANDERSEN: Second.

49

50 CHAIRMAN REGELIN: Okay. I'll let the

00088

1 regional representative walk us through this one.

2

3 MR. SQUARTSOFF: Yeah, Mr. Chair, and then  
4 I also have a recommendation No. 2, hopefully we could take  
5 it up after this.

6

7 CHAIRMAN REGELIN: Okay.

8

9 MR. SQUARTSOFF: It's in your packet.

10

11 CHAIRMAN REGELIN: I was going in the order  
12 that they were packaged, I thought it would just be easier  
13 for people rather than following and trying to shuffle  
14 pages continually.

15

16 MR. ARMSTRONG: All right, could I just  
17 clarify those are pretty much in the order in which we  
18 received them, we got them at the last minute.

19

20 MR. SQUARTSOFF: Are we ready then, Mr.  
21 Chair. Could I bring up recommendation No. 2 after I'm  
22 done with this one?

23

24 CHAIRMAN REGELIN: You sure can but I'm not  
25 sure I have it.

26

27 MR. SQUARTSOFF: Yeah, you got it, it's in  
28 your blue packet on the right side.

29

30 CHAIRMAN REGELIN: Okay, let's finish  
31 recommendation one first.

32

33 MR. SQUARTSOFF: Okay. I tried to make  
34 ours sweet and simple. Hopefully it was sweet and simple  
35 anyway. But I did allow, you know, with discussion of  
36 everybody and then anticipating what the law enforcement  
37 might do, what we were thinking due to the weather and all  
38 that, the way the seasons will be, you know, it's going to  
39 vary every year. You got a cold winter it's going to be a  
40 little later, warm winter it's going to be earlier. So I  
41 kind of anticipated with discussions last year, I allowed a  
42 cushion of a week or almost two weeks on both sides, kind  
43 of we'll do our egg gathering and have our closed season in  
44 there. And I come up to about a 31 day closed season we'll  
45 have in there.

46

47 We're going March 11 to June 20 for the  
48 opening of the spring hunt and then closed from June 21st  
49 to July 21st and then the summer season starting July 22nd  
50 to August 31st. And then our egg gathering from May 1 to



00089

1 June 20. So that's why I was allowing and being a little  
2 broad on it to make sure we're going to be covered there on  
3 that.

4

5 So anybody have any questions on that, our  
6 opening and closing?

7

8 CHAIRMAN REGELIN: Thank you, Herman.

9 Let's let the Staff comment, Bob Leedy.

10

11 MR. LEEDY: Thank you.

12

13 (Laughter)

14

15 CHAIRMAN REGELIN: It doesn't show up on  
16 tape when you do that.

17

18 (Laughter)

19

20 MR. ROTHE: Mr. Chairman. Tom Rothe with  
21 Alaska Department of Fish and Game thinks Herman did an  
22 excellent job with this proposal.

23

24 MR. SQUARTSOFF: Thank you.

25

26 CHAIRMAN REGELIN: Other discussion of  
27 Council members.

28

29 Any objection to what has been proposed by  
30 the Kodiak Island region for their spring and summer  
31 seasons?

32

33 (Pause)

34

35 Hearing none that will be the action of the  
36 Council.

37

38 MR. SQUARTSOFF: Thank you. Can I bring up  
39 No. 2, it's in your packet on the right hand side there  
40 titled, Alaska Migratory Bird Co-Management Council  
41 recommendation No. 2, just titled, exclusion of the city of  
42 Kodiak.

43

44 CHAIRMAN REGELIN: I know that we're going  
45 to have a discussion before very long about exclusions and  
46 inclusions, are we ready to take this up as a proposal or  
47 should we bring it back after we talk about -- because we  
48 don't have a process that -- I think we're probably  
49 mandated to have in place first.

50

00090

1 MR. SQUARTSOFF: Right. I was hoping we  
2 could just put it together as -- you know.....

3

4 CHAIRMAN REGELIN: Doug.

5

6 MR. ALCORN: Thank you, but I'll give it to  
7 Fred.

8

9 CHAIRMAN REGELIN: Fred.

10

11 MR. ARMSTRONG: Thank you, Mr. Chair.  
12 Yeah, Herman can introduce the recommendation, however,  
13 you're lacking proper process for public involvement and  
14 insuring that adequate notice is provided. Because  
15 exclusion is such a serious -- it's a final action that I  
16 think we need to think through the process very carefully  
17 but he's more than welcome to submit it as a recommendation  
18 but we just have to defer action on it until next year.

19

20 CHAIRMAN REGELIN: Herman.

21

22 MR. SQUARTSOFF: All right, Fred, it was  
23 brought up last year. We brought it up last year in one of  
24 our meetings. So I thought we'd be able to do something  
25 about it this year, that was my stipulation. Maybe Bill  
26 can help on that one.

27

28 CHAIRMAN REGELIN: Bill Ostrand.

29

30 MR. OSTRAND: Yeah, it was introduced about  
31 a year ago at one of the early Co-management Council  
32 meetings.

33

34 MR. SQUARTSOFF: Right.

35

36 MR. OSTRAND: But no action was taken on it  
37 at that time.

38

39 MR. SQUARTSOFF: Well, that's why I was  
40 hoping action would be taken now on it, you know. I guess  
41 we could wait another year like we did for this other  
42 proposal.

43

44 CHAIRMAN REGELIN: Doug.

45

46 MR. ALCORN: Thank you, Mr. Chairman. I  
47 think that this discussion would be probably easier to  
48 understand when we have the -- when we go through the  
49 agenda and begin to talk about the process for inclusion  
50 and exclusion in the context of our procedural guidelines.

00091

1 The fact is we don't have procedural guidelines in place,  
2 those are still pending public review and final rule. But  
3 I think that we can understand the process that we are  
4 going to have to go through and those criteria that we've  
5 discussed in the workshop and how we'll apply those  
6 criteria over time. But right now we don't have any  
7 criteria to make that judgment.

8

9 CHAIRMAN REGELIN: Herman.

10

11 MR. SQUARTSOFF: Yeah, Mr. Chairman, but  
12 this does follow the guidelines of excluding the road  
13 system and the gulf, basically is what it's doing. So I  
14 mean if we don't do something now and we get our legal hunt  
15 in next summer, then everybody on the road system is going  
16 to be included in Kodiak if we don't do it now.

17

18 CHAIRMAN REGELIN: Mr. Leedy.

19

20 MR. LEEDY: Thank you. Well, in line with  
21 Ralph's questions of awhile ago about process.....

22

23 MR. SQUARTSOFF: Uh-huh.

24

25 MR. LEEDY: .....is this proposal something  
26 that you have run by your Council and the people in your  
27 area and they're comfortable with?

28

29 MR. SQUARTSOFF: Yeah, it's what we  
30 discussed last year, the whole thing last year and  
31 everything, yeah.

32

33 MR. LEEDY: So you feel you've.....

34

35 MR. SQUARTSOFF: Right.

36

37 MR. LEEDY: .....gone through a  
38 process.....

39

40 MR. SQUARTSOFF: Right.

41

42 MR. LEEDY: .....with your people?

43

44 MR. SQUARTSOFF: We worked on it last year  
45 with Bill.

46

47 MR. LEEDY: Okay, thank you.

48

49 CHAIRMAN REGELIN: Ralph.

50

00092

1 MR. ANDERSEN: I'm going to agree with Fred  
2 and Doug's assessment, we don't have procedures in place to  
3 evaluate whether or not.....

4

5 MR. SQUARTSOFF: Uh-huh.

6

7 MR. ANDERSEN: .....any communities can be  
8 included or excluded. And I think it'd probably be a good  
9 thing for us to defer action on this, Herman, until we get  
10 the procedures in place.

11

12 MR. SQUARTSOFF: I guess I could live with  
13 that. I'm not going to argue the point anymore.

14

15 CHAIRMAN REGELIN: Well, you know, I  
16 understand the point and we've talked about Kodiak before  
17 and we know we've got other areas that need to be included.  
18 But what we want to be careful of is that when we take  
19 actions we don't get -- that they stay, that, you know, we  
20 don't get overruled by a court or something. So I think  
21 doing it legally and through the right process is probably  
22 a prudent measure.

23

24 Fred, did you have a comment?

25

26 MR. ARMSTRONG: Yeah, I'd like Bob Stevens  
27 to address this issue.

28

29 CHAIRMAN REGELIN: Bob Stevens.

30

31 MR. STEVENS: Bob Stevens, Fish and Wildlife  
32 Service. We were just talking as a possible action, the  
33 fact that the procedural regulations are not yet approved.  
34 The Co-Management Council still continues to make its  
35 recommendations. And they would be pending then approval  
36 of the procedural regulations as long as the process for  
37 exclusion is acceptable. And we had discussed that over  
38 the last couple days in the workshop. The Co-Management  
39 Council, I think, could still go ahead and make its  
40 recommendation and then it would be pending the approval of  
41 the procedural regulations.

42

43 That's a possibility is all I'm saying at  
44 this point.

45

46 CHAIRMAN REGELIN: I agree it's a  
47 possibility but it looks to me like it's firmly putting the  
48 cart before the horse.

49

50 Gloria.

00093

1 MS. STICKWAN: This proposal here is going  
2 to affect my area, excluded areas, I really think we need  
3 to have a process in place before we include or exclude  
4 communities.

5

6 CHAIRMAN REGELIN: Thank you, Gloria.  
7 Herman, did you have another -- would you like to withdraw  
8 your proposal?

9

10 MR. SQUARTSOFF: Yes.

11

12 CHAIRMAN REGELIN: Thank you. I think that  
13 it's a proposal that is going to get a lot of attention as  
14 soon as we have the process in place. And I know that a  
15 little later on in the agenda Fred is going to go through  
16 where they are with that process and the timing that we'll  
17 have so that at the next meeting we should be able to move  
18 forward.

19

20 MR. SQUARTSOFF: I hope so.

21

22 CHAIRMAN REGELIN: Fred.

23

24 MR. ARMSTRONG: I think it would be  
25 appropriate for Herman to introduce it, that way it's on  
26 record and it would be one of the issues that we would have  
27 to -- that the Council would have to take up as soon as the  
28 process is in place for addressing inclusion and exclusion.

29

30 MR. SQUARTSOFF: Yeah, so hopefully you're  
31 saying, in other words, that maybe by May we might be able  
32 to do something about it or is that possible -- still no?

33

34 CHAIRMAN REGELIN: Fred.

35

36 MR. ARMSTRONG: I don't think so.

37

38 MR. SQUARTSOFF: No.

39

40 MR. ARMSTRONG: The criteria will be out  
41 for public comment and I'm sure there's going to be some  
42 suggested changes to the criteria and that's why I'm  
43 uncomfortable with the Council taking action other than the  
44 submission of your recommendation. It would be on record.  
45 It would be an issue that the Council would have to  
46 address, it would prioritize the request actually.

47

48 MR. SQUARTSOFF: Right. Well, like  
49 yesterday I was explaining in the workshop where we seen  
50 down there of the way the State kind of blew it on the

00094

1 subsistence thing down there, you know, salmon fishing and  
2 everything. It's basically they left it wide open that  
3 anybody -- saying that anybody can go subsist salmon, it's  
4 in the constitution. Okay, there was a lot of people that  
5 never did it, they're now doing it. You know, even if it  
6 wasn't their lifestyle. They did the same thing with the  
7 halibut. So what we're trying to do is eliminate this from  
8 happening in the Kodiak area by simply excluding the road  
9 area. You know, sweet and simple process, you know,  
10 learning from mistakes and everything.

11

12 CHAIRMAN REGELIN: Thank you, Herman.

13

14 MR. SQUARTSOFF: That's all we're trying to  
15 do.

16 CHAIRMAN REGELIN: I understand and I know  
17 that we've got two critical areas that are urgent to  
18 address as soon as we get the process in place. And I  
19 think rather than have a proposal that's sort of out there  
20 in limbo, we just, through the Chair, instruct Staff that  
21 when we get the process in place we're going to take up the  
22 Ahtna proposals for inclusion and this proposal for  
23 exclusion at the very first opportunity because I don't  
24 think, you know, but I don't think having a piece of paper  
25 is anymore than just knowing that we're going to take that  
26 up as soon as we can.

27

28 Gordon.

29

30 MR. JACKSON: Herman, the process will be  
31 in place when they have made room for law enforcement.

32

33 (Laughter)

34

35 CHAIRMAN REGELIN: Bob Leedy.

36

37 MR. LEEDY: Just quickly, I'd like to point  
38 out that we're betting on the process regs for everything  
39 we're doing now. I mean we can't effect the regulations,  
40 the individual regional regulations we're talking about  
41 either unless these process regs are in place in a timely  
42 manner.

43

44 CHAIRMAN REGELIN: Yeah, we're aware of  
45 that. But that process is almost completed and already  
46 published. Any other comments on this.

47

48 MR. JACKSON: Just what is the time frame  
49 going to be on this excluded areas? I know we're going to  
50 have some excluded ares in Southeast Alaska, can you give

00095

1 us a time frame on it? Plus the other one is that we  
2 always hear these words about room for law enforcement,  
3 just what people are going to be enforcing these rules and  
4 regulations out there? I mean police? State police or do  
5 you have your own Fish and Wildlife Service agents out  
6 there hiding in the bushes?

7

8 CHAIRMAN REGELIN: Doug.

9

10 MR. ALCORN: Thank you, Mr. Chairman.

11

12 MR. JACKSON: How many do you have out  
13 there?

14

15 MR. ALCORN: Well, I heard you ask two  
16 questions. The law enforcement question is we do have a  
17 law enforcement responsibility and we do have law  
18 enforcement agents spread through the state. I can't speak  
19 to the State law enforcement prerogatives or the intent but  
20 I can tell you that we have policies in place for enforcing  
21 the Goose Management Plan and the Statewide Closed Season  
22 Policy. And the same level of intensity or effort that we  
23 apply to those policies would be applied to these  
24 regulations.

25

26 That was the first question. What was the  
27 second question, Gordon?

28

29 MR. JACKSON: The time.....

30

31 MS. STICKWAN: Time frame.

32

33 MR. JACKSON: .....frame, you know, just --  
34 you know, for exclusions. You're going to see a whole  
35 bunch of them all over the state of Alaska, I just need to  
36 know the time frame on those kind of things?

37

38 MR. ALCORN: Thank you. It's scheduled  
39 here for discussion in the inclusion/exclusion process  
40 under Item G under the agenda so maybe we're a little  
41 premature. I think that the discussion -- I think that  
42 that question can be answered when we have a discussion  
43 about the procedural guidelines, when those will be in  
44 place, the process for applying those criteria. I would  
45 suggest that we talk about that under Item G on the agenda.

46

47 CHAIRMAN REGELIN: Okay. I know that  
48 that's going to come up and Fred is going to walk us  
49 through where he's at a little later. So we'll get to that  
50 soon Gordon. I think we're all interested in the answer.

00096

1 MR. JACKSON: Thank you.

2

3 CHAIRMAN REGELIN: Okay. So we've included  
4 action on the Kodiak seasons, 30 day closure. The next one  
5 is the Bristol Bay region. I'm not going to try to  
6 embarrass myself by saying that, The Keeper of the Birds,  
7 but it's several pages on through your packet so flip about  
8 three or four pages and it will be recommendation No. 1  
9 under Keeper of the Birds.

10

11 MR. ANDERSEN: It's the last one.

12

13 CHAIRMAN REGELIN: At the top it says  
14 recommendation No. 1 and it talks about the season closures  
15 for the Bristol Bay area. Do I have a motion to put this  
16 on the table.

17

18 MR. SQUARTSOFF: I so move, Mr. Chair.

19

20 MR. MACK: Second.

21

22 CHAIRMAN REGELIN: It's moved and seconded.

23

24 MR. ANDERSEN: The season openings and  
25 closures are listed under Items 1 through 5. Spring season  
26 closed, bird harvest shall be March 10 to June 14. The  
27 season for the subsistence harvest of migratory bird eggs  
28 shall be March 10th to June 14th. All migratory bird  
29 subsistence harvest, both eggs and birds shall be closed  
30 from June 15th to July 15th. Summer season for migratory  
31 bird harvest shall be July 16th to August 31st. And the  
32 fall season for taking of all birds reopens for the  
33 regulation hunt from September 1 to December 16th.

34

35 CHAIRMAN REGELIN: Thank you, Ralph. Staff  
36 comment. Tom.

37

38 MR. ROTHE: A technicality, I think the  
39 scope of our regulations would have your opening on March  
40 11th rather than the 10th.

41

42 MR. ANDERSEN: Oh, March 11th, okay.

43

44 CHAIRMAN REGELIN: Bob, did you have any  
45 comment on this one?

46

47 MR. LEEDY: Looks good other than the minor  
48 correction. Thank you.

49

50 CHAIRMAN REGELIN: Other discussion.



00097

1 MR. ALCORN: Question.

2

3 CHAIRMAN REGELIN: Doug.

4

5 MR. ALCORN: Yeah, is it within our purview  
6 to consider Item No. 5, September 1 to December 16, fall  
7 season?

8

9 MR. ANDERSEN: Well, we could scratch it.

10

11 CHAIRMAN REGELIN: Yeah, I think.....

12

13 MR. ANDERSEN: We're just saying that it  
14 opens again.

15

16 CHAIRMAN REGELIN: Yeah. But it is beyond  
17 our scope.

18

19 MR. ALCORN: Our scope.

20

21 CHAIRMAN REGELIN: So if you don't mind.

22

23 MR. ANDERSEN: Well, yeah.

24

25 CHAIRMAN REGELIN: Okay. So what we did is  
26 we've changed March 10th to March 11th on the opening  
27 period and we scratched No. 5 because that's going to  
28 happen automatically.

29

30 Other comments or discussion. Does anyone  
31 have any objections to adopting this as season and bag  
32 limits?

33

34 (Pause)

35

36 Hearing none, that will be the action of  
37 the Council.

38

39 I believe we have one more.

40

41 MR. ANDERSEN: Well, we have two more for  
42 Bristol Bay.

43

44 MR. ARMSTRONG: The annual list was tabled.

45

46 MR. ANDERSEN: Well, who tabled it?

47

48 CHAIRMAN REGELIN: Turn your mic on and  
49 tell us where we are Fred.

50

00098

1 MR. ARMSTRONG: Yeah, the list of birds was  
2 tabled for action until May 1st. That was taken up under  
3 our old business, and I think you made that motion.

4

5 CHAIRMAN REGELIN: Right.

6

7 MR. ANDERSEN: Okay.

8

9 MR. ARMSTRONG: Along with the other list.

10

11 MR. ANDERSEN: Okay.

12

13 CHAIRMAN REGELIN: So what are you  
14 suggesting that we take up next Fred?

15

16 MR. ARMSTRONG: It would be recommendation  
17 No. 3.

18

19 MR. ANDERSEN: And that recommendation is  
20 the devices and methods contained in the attached list of  
21 -- devices and methods are prohibited during the spring and  
22 summer migratory bird subsistence hunting season in the  
23 Bristol Bay region, see attached. And the attachment is  
24 what the ANBCC adopted on December 17th.

25

26 CHAIRMAN REGELIN: Very good. Any comments  
27 or discussion.

28

29 MR. LEEDY: Yes, sir.

30

31 CHAIRMAN REGELIN: Bob Leedy.

32

33 MR. LEEDY: This is Bob Leedy, Fish and  
34 Wildlife Service. There is an item in here, it's Item D,  
35 taking of waterfowl using live birds as decoys. What that  
36 implies by silence is that live use of birds as decoys is  
37 allowed for all birds other than waterfowl and although I'm  
38 getting ahead a little bit.....

39

40 MR. ANDERSEN: This is your list.

41

42 (Laughter)

43

44 MR. LEEDY: I understand that.

45

46 MR. ANDERSEN: I copied what you guys  
47 presented, how can you object?

48

49 MR. LEEDY: Well, I think there's a better  
50 way of doing it than suggested by one of the regions

00099

1 actually. The discussion on this was to allow harvest of  
2 crested auklets using live decoys on Little Diomed Island  
3 which is addressed explicitly in an upcoming proposal and I  
4 probably did jump the gun, but I think it would be better  
5 to be more narrow and explicit in what we allow the use of  
6 live decoys for rather than generically allowing use of  
7 live decoys for everything other than waterfowl.

8

9 MR. ANDERSEN: And we're just saying that  
10 this applies to Bristol Bay, that's what the recommendation  
11 is. It doesn't say anywhere else. I mean all that we say  
12 is that this list here are illegal in Bristol Bay. So  
13 whatever they do on St. Lawrence Island or wherever you're  
14 talking about, we don't harvest crested whatever it is.  
15 Crested auk -- or auklets so, you know, whether or not this  
16 here makes no difference to us in Bristol Bay because the  
17 recommendation, if you read it, says, in the Bristol Bay  
18 region.

19

20 MR. LEEDY: I guess the question is then  
21 would you use live decoys for anything other than  
22 waterfowl.

23

24 MR. ANDERSEN: No.

25

26 MR. LEEDY: All right, thank you. I'm  
27 sorry, it was probably an inappropriate time to bring up  
28 the subject.

29

30 CHAIRMAN REGELIN: Thank you, Bob. Any  
31 other comments. Suggestions. If there are no objections  
32 that will be the action of the Council to adopt  
33 recommendation No. 3 for Bristol Bay.

34

35 (Pause)

36

37 Hearing none, that's the action of the  
38 Council. And recommendation No. 2, what we'll do is as a  
39 package, I guess, by teleconference. And I believe that  
40 there's one more region, isn't there? Is it in a proposal  
41 format?

42

43 MR. ALCORN: It's not, it's in kind of  
44 almost in the form of minutes from their regional meetings.

45

46 CHAIRMAN REGELIN: Okay. Does it have the  
47 dates, I'm missing it? Frank, can you help us out and tell  
48 us what your plan for or what your recommendations are for  
49 Kawerak region? Sorry, first we need a motion to accept  
50 the recommendations from Kawerak.

00100

1 MR. SQUARTSOFF: I'll so move.

2

3 CHAIRMAN REGELIN: Second.

4

5 MR. ANDERSEN: Second.

6

7 CHAIRMAN REGELIN: All right, we're on the  
8 table, let's go ahead.

9

10 MR. KAVERLIK: I don't have that copy in my  
11 packet here for Stebbins and St. Michael. I had one  
12 earlier. It's just an addendum. It doesn't have dates for  
13 opening or closures, they just had a couple of concerns, I  
14 believe.

15

16 MR. ANDERSEN: Well, they do have  
17 opening.....

18

19 CHAIRMAN REGELIN: I'm looking at your  
20 minutes of your meeting and it says seasons.

21

22 MR. KAVERLIK: Okay.

23

24 CHAIRMAN REGELIN: And it talks about.....

25

26 MR. KAVERLIK: Oh, okay.

27

28 CHAIRMAN REGELIN: Is that what we're going  
29 to use, the minutes, I don't have the addendum?

30

31 MR. ARMSTRONG: Mr. Chair.

32

33 CHAIRMAN REGELIN: Oh, yeah, I do, sorry.

34

35 MR. ARMSTRONG: Mr. Chair, could I verify  
36 something?

37

38 CHAIRMAN REGELIN: Yes, please.

39

40 MR. ARMSTRONG: Austin has taken different  
41 responsibilities and never had time to complete the work on  
42 this and so when he showed up at our work session we just  
43 got copies of his minutes to reflect their actions and so  
44 that's the reason why we're having to do things this way.  
45 There was no formal proposal submitted but they wanted  
46 action.

47

48 CHAIRMAN REGELIN: Is it possible for  
49 either you or Frank to summarize the dates that are  
50 recommended by this region?

00101

1 MR. KAVERLIK: Getting them from the.  
2 minutes we can do that, yeah.

3

4 CHAIRMAN REGELIN: Fred.

5

6 MR. ARMSTRONG: Thank you, Mr. Chair. It's  
7 headed -- it's titled Season. Season openings, No. 1,  
8 Stebbins and St. Michael are area season opening mid-April,  
9 special geographic area and dates to be determined by St.  
10 Michael and Stebbins IRA. The Bering Straits region  
11 opening of March 10th. Season closure, Bearing Strait  
12 region season closure of August 31st. 30 day closure to  
13 protect the principal nesting and brood rearing period.  
14 Stebbins and St. Michael area 30 day closure June 15th to  
15 July 15 to provide for a mandate of US/Japan Treaty.  
16 Remainder of the Bering Straight region 30 day closure to  
17 occur during July 31 to August 31 to provide for mandated  
18 Japanese Treaty.

19

20 CHAIRMAN REGELIN: Thank you Fred.

21

22 MR. ARMSTRONG: I'm not sure about the  
23 addendum part.

24

25 CHAIRMAN REGELIN: Ralph, go ahead.

26

27 MR. ANDERSEN: It looks to me like what the  
28 addendum does is sets the date in mid-April.

29

30 MR. ARMSTRONG: Okay.

31

32 MR. ANDERSEN: Okay, so it's April 10th.  
33 That's the closest I can figure.

34

35 CHAIRMAN REGELIN: Okay, I realize, Frank  
36 probably hasn't had an opportunity to pull this together  
37 and put it all in perspective, but I think we run into --  
38 the other potential problem is the closure for the  
39 remainder of the Bering Strait region does not occur during  
40 the nesting season.

41

42 Did you have a comment, Fred?

43

44 MR. ARMSTRONG: No, I was just looking at  
45 the closure.

46

47 CHAIRMAN REGELIN: Doug.

48

49 MR. ALCORN: Thank you, Mr. Chair. I would  
50 like to hear from Tom and Bob, their technical assessment.



00103

1 that it doesn't comply and we'd be willing to work with you  
2 all to specify which of those birds that you do actually  
3 harvest the eggs of.

4

5 CHAIRMAN REGELIN: Thank you, Doug. Ralph.

6

7 MR. ANDERSEN: Mr. Chairman, I'd like to  
8 ask Doug a question. Why is it that the Fish and Wildlife  
9 Service would be expressing concerns when the proposal is  
10 to the ANBCC? Would it be appropriate for Frank or even  
11 myself to do something similar? I mean the proposal is not  
12 to the Fish and Wildlife Service.

13

14 MR. ALCORN: Understood.

15

16 MR. ANDERSEN: The proposal is to the  
17 ANBCC, so I think it's be more appropriate for the ANBCC to  
18 respond to the -- you know, and to express the concerns,  
19 rather than having the Fish and Wildlife Service do it.

20

21 CHAIRMAN REGELIN: Doug.

22

23 MR. ALCORN: Thank you and I agree with  
24 that assessment. What I'm offering to do though is provide  
25 some explanation of our concern in order to kind of foster  
26 some dialogue. And we are certainly willing to allow the  
27 ANBCC, the Council to express any kind of concern that we  
28 have. But if we're in a position of being asked to vote to  
29 support it, which that's the motion on the table, I'm  
30 telling you that we have concerns about that, telling the  
31 Council, and I'm offering, I think, a constructive  
32 alternative.

33

34 CHAIRMAN REGELIN: Fred.

35

36 MR. ARMSTRONG: Thank you, M.r Chair. Just  
37 a point of clarification. The Service has a seat on the  
38 ANBCC. So it's appropriate for him to address concerns  
39 that arise as well as the State or the Native contingents.  
40 The other point is we haven't heard from Frank yet.

41

42 (Laughter)

43

44 I think we should allow for Frank to  
45 provide a few comments.

46

47 CHAIRMAN REGELIN: Go ahead, Frank.

48

49 MR. KAVERLIK: Being brand new and just  
50 placed on this Council, back home, is probably the reason

00104

1 why I'm not up to par. And the region where I'm front is  
2 very broad, it's all the way from Stebbins, St. Michael up  
3 to Shishmaref and the season is a lot different from the  
4 south end to the north end of our region and there's a lot  
5 of different kind of birds that we get the eggs from.  
6 There's several communities that do the murre sea bird eggs  
7 and stuff like that and they're at different times so I  
8 guess that's the reason why the nesting time was so broad.

9

10 But I'd have to get back with the rest of  
11 the Council to make sure that I am speaking where I should  
12 be speaking. I'm brand new at this and I have to apologize  
13 for that.

14

15 CHAIRMAN REGELIN: Oh, I don't think you  
16 need to apologize. You can't expect to know everything  
17 that has been going on. I guess a suggestion that I might  
18 make, as Chair, is that I think that we all realize as a  
19 Council that we have to follow the Treaty that says it has  
20 to be closed during the primary nesting season and I hope  
21 that what we should do as a Council, ask you to reconsider  
22 and come back to us for our teleconference in May with  
23 another proposal. And during that time you can work with  
24 your local people and get advice and all the technical help  
25 that you might need from the biologists.

26

27 Ralph.

28

29 MR. ANDERSEN: I was just going to say, you  
30 know, Frank, again you have no reason to be embarrassed. I  
31 think all of us, if you are then the rest of us should be,  
32 too. My suggestion for procedure is that I'd rather see  
33 the ANBCC Staff take the lead role in addressing the  
34 recommendations to the Council as opposed to the Fish and  
35 Wildlife Service representative. Because I think by doing  
36 it that way it'd be able to coordinate better among the  
37 other Council members in addressing the issues that are  
38 raised here.

39

40 CHAIRMAN REGELIN: Thank you, Ralph. And I  
41 guess I know you got a big region and it's going to be hard  
42 in a month to get everybody back together but I hope  
43 working with Fred, you know, and maybe with Austin, you can  
44 come up with something that's innovative and that we can  
45 send forward.

46

47 MR. KAVERLIK: Well, I can assure you that  
48 we'll be prepared for that teleconference with that  
49 proposal.

50



00105

1                   CHAIRMAN REGELIN:  Ralph.

2

3                   MR. ANDERSEN:  Frank, if we defer action on  
4 this, when do you think your Council will have a  
5 recommendation for us to consider?

6

7                   MR. KAVERLIK:  Wayne's talking about the  
8 teleconference time and that can be done by then.

9

10                  CHAIRMAN REGELIN:  Yeah, we're talking  
11 about having a teleconference soon after the 1st of May and  
12 we're going to try to have everybody have their stuff to  
13 the Staff no later than May 1st so that they can get it all  
14 packaged and sent out to everybody prior to the  
15 teleconference.  So it's a short period of time, I realize  
16 that.  Fred, do you have a comment?  Enoch.

17

18                  MR. SHIEDT:  I was just going to recommend  
19 to Frank the best thing you can do is just do it by village  
20 and by species and that way you won't overlap on your  
21 dates, such a long time for your egg picking.

22

23                  MR. KAVERLIK:  I'll do that, thanks.

24

25                  CHAIRMAN REGELIN:  Do we have a motion to  
26 defer this until the -- it seems like that's our intent, do  
27 we need an official motion to do that?

28

29                  MR. ANDERSEN:  I'll make the motion.

30

31                  CHAIRMAN REGELIN:  Okay.

32

33                  MR. SQUARTSOFF:  I'll second it.

34

35                  CHAIRMAN REGELIN:  Okay.

36

37                  MR. SQUARTSOFF:  Yeah, well, what about the  
38 other motion, Mr. Chair, we got to either take the other  
39 motion back that we made on that already.

40

41                  MR. ANDERSEN:  My motion is to defer action  
42 on this, to defer the vote.

43

44                  MR. SQUARTSOFF:  Okay, sorry.

45

46                  CHAIRMAN REGELIN:  Thank you.  So I didn't  
47 do it wrong.  There's always a first.

48

49                  MR. ARMSTRONG:  Mr. Chair, could I get  
50 clarification?

00106

1                   CHAIRMAN REGELIN: Fred.

2

3                   MR. ARMSTRONG: Part of the request to  
4 defer is for Staff to work with Kawerak to come up with  
5 dates that would meet the intent of the Treaty?

6

7                   CHAIRMAN REGELIN: Yes.

8

9                   MR. ARMSTRONG: Thank you.

10

11                   CHAIRMAN REGELIN: I think that we can  
12 figure out a way to do this, at least, I sure hope so.  
13 Let's take a 10 minute break and then we'll come back and  
14 move forward.

15

16                   Thanks.

17

18                   (Off record)

19

20                   (On record)

21

22                   CHAIRMAN REGELIN: Let's call the meeting  
23 back to order. Oh, here comes Enoch, we're still missing  
24 Gloria, is that the only person?

25

26                   MR. ANDERSEN: I think Patty left.

27

28                   CHAIRMAN REGELIN: Oh, did Patty leave.  
29 There are some regional representatives here whose regions  
30 have not submitted any regulations at this time. And I'll  
31 give them an opportunity to tell us what stage you are or  
32 what your plan is. I guess right now you're the only one  
33 in the room, Billy, that -- some of the regions are absent  
34 so did you have anything you wanted to offer to the group  
35 at this time? If not, you don't have to, but it's up to  
36 you.

37

38                   MR. McCANN: I don't know too much about --  
39 he can help me out -- yeah, because I'm new, I'm just  
40 elected and sent over here. I don't know what's really  
41 going on, I know you're going to talk about birds, that's  
42 all I know.

43

44                   (Laughter)

45

46                   CHAIRMAN REGELIN: Okay. Eric, go ahead  
47 and sit there. I guess what I was trying to get at was we  
48 were going to have Fred explain what the process is for the  
49 regions and how he will work with the regions and try to  
50 get something ready for us to adopt at our May

00107

1 teleconference. But since you were here or AVCP was here,  
2 I thought maybe you would like to say something first.

3

4 MR. JOHNSON: Eric Johnson with AVCP. And  
5 we just got an entirely new waterfowl conservation  
6 committee a week ago today, which Billy is one of the  
7 members and we're going to be having a WCC meeting this  
8 coming month. And we expect to have a package of proposals  
9 ready for the May teleconference.

10

11 CHAIRMAN REGELIN: That's very good news.  
12 And I know that Gloria, well, she doesn't have to have  
13 proposals right now because we have to get a process in  
14 place and then have her included or we have to make a  
15 decision whether to include or exclude before she would  
16 have proposals before us. Patty, what we were doing was  
17 just giving people that -- regions that did not submit a  
18 packet of proposals for the 30 day closures and other  
19 things, an opportunity to tell us where you are and if you  
20 intend to have any by the first part of May.

21

22 MS. BROWN-SCHWALENBERG: Yeah, the Chugach  
23 region will have their proposals ready by May 1st. We have  
24 them almost done but we were still trying to get a hold of  
25 some of the hunters in two of the villages that we haven't  
26 been able to connect with. It's been pretty busy this past  
27 couple of months. But we are having a meeting on April  
28 17th and that's when our proposals will then be finalized  
29 and approved by the commission so that we can bring it  
30 forward and on to the Council.

31

32 CHAIRMAN REGELIN: Thank you very much.  
33 And Gloria we know what your situation is and I kind of  
34 said what it was when you had to leave the room again, did  
35 you have anything you wanted to say right now. We know we  
36 have to do some other things before you can come together  
37 with proposals. Go ahead.

38

39 MS. STICKWAN: I just had a letter that  
40 I'll probably bring up later, probably be a better time,  
41 during exclusion and inclusion.

42

43 CHAIRMAN REGELIN: Okay, thank you.  
44 Gordon. Gordon, did you have any comments?

45

46 MR. JACKSON: Thank you, Mr. Chairman. Let  
47 me tell you where we're at. We have organized the  
48 Southeast Alaska Inter-Tribal Fish and Wildlife Commission.  
49 So far nine out of 11 tribes in Southeast Alaska have  
50 joined by resolution. And we have, so far, completed a

00108

1 regulation review and court cases of all the subsistence  
2 areas and rules and regulations in the Southeast area. And  
3 we are meeting again on April 5, we meet quarterly. And  
4 we're going to be considering, among other things, halibut  
5 subsistence and looking at the opening dates and closures  
6 of birds. And for the record, we also have one proposed  
7 reg relating to seagull taking that we deferred last year  
8 similar to -- but I guess that's going to be taken up a  
9 little bit later on. But we're moving ahead.

10

11 But the agenda of the Inter-Tribal Fish and  
12 Wildlife Commission takes not only birds but all the rest  
13 of the other different things. We're just a little bit  
14 behind but I wouldn't be surprised if we provided you with  
15 some recommended proposals by that May deadline.

16

17 Thanks.

18

19 CHAIRMAN REGELIN: Thank you, Gordon.  
20 Fred, why don't now you kind of just inform the Council of  
21 what your intentions are and how you're going to try and  
22 work between now and May with the regions that aren't here  
23 or that might need some more help.

24

25 MR. ARMSTRONG: Okay. If we adjourn today,  
26 then it's my intent to contact TCC and North Slope and make  
27 them aware of the action items that were adopted by the  
28 Council and let them know that we're going to give them an  
29 opportunity to provide their recommendations by May 1st and  
30 if they do need help that we're willing to work with them  
31 to try to meet that deadline. As well as the other regions  
32 that are going to be coming in with recommendations, our  
33 Staff is available for support.

34

35 So just let us know as soon as you can so  
36 that we could try to juggle our schedule to meet your  
37 needs.

38

39 CHAIRMAN REGELIN: Ralph.

40

41 MR. ANDERSEN: I just have an observation  
42 on the May meeting. It seems to me that we have one, two,  
43 three, four, five, six, seven or eight regions that will be  
44 either submitting or revising proposals. And we have other  
45 agenda items for the May teleconference -- I mean May  
46 meeting as well. And I'm wondering if that -- if a meeting  
47 before May 1 -- would it be better to bring the group  
48 together again or would it be better to -- it seems like it  
49 could be a really lengthy and difficult teleconference to  
50 try to coordinate.

00109

1 MR. ARMSTRONG: Mr. Chair.

2

3 CHAIRMAN REGELIN: Fred.

4

5 MR. ARMSTRONG: That depends on the tabling  
6 of issues.

7

8 (Laughter)

9

10 CHAIRMAN REGELIN: Well, I've had the  
11 feeling here. You know, I keep thinking we keep adding  
12 more and more things that we have to do and we know how  
13 difficult those can be over teleconference. And I'm not  
14 sure if we're going to be able to -- I think that there are  
15 five regions that weren't -- that have to bring in  
16 proposals and one that we need to modify that was here and  
17 then we've got other things to do. So think about that and  
18 maybe look at your calendars while we move on with the  
19 agenda. We'll do a couple other things and then we'll do  
20 that right towards the end of the meeting.

21

22 Ralph, did you have something right now?

23

24 MR. ANDERSEN: And I have another  
25 observation. If we want to meet and make recommendations  
26 before May 1 and in compliance with the 30 day legal  
27 requirement for publication of meeting notices in the  
28 Federal Register that means that we'd need to set the date  
29 PDQ. Because today is March 28th and in order to meet the  
30 30 day deadline for notices, that means that you've got to  
31 put the notice in the Federal Register either this  
32 afternoon or tomorrow in order to have a meeting in April  
33 before the May deadline.

34

35 CHAIRMAN REGELIN: That's a good point.  
36 Doug.

37

38 MR. ALCORN: Maybe we ought to let Bob  
39 Stevens and Fred speak to that. But I do know that we can  
40 develop a Federal Register announcement notice and have it  
41 published a week hence so we can get it put in there pretty  
42 quickly.

43

44 CHAIRMAN REGELIN: Okay. Bob.

45

46 MR. STEVENS: I apologize for missing early  
47 on today but were the bylaws not amended, was that not  
48 approved?

49

50 CHAIRMAN REGELIN: They were amended.

00110

1 MR. STEVENS: The 30 day requirement then  
2 would not be an issue.

3

4 MR. ANDERSEN: Well, it says, according to  
5 applicable laws and if the applicable law says 30 days.

6

7 MR. STEVENS: No, it's less than that.

8

9 MR. ANDERSEN: Okay.

10

11 MR. STEVENS: Yes. Yes, thanks, Ralph. I  
12 appreciate you thinking of that because I didn't know if  
13 that had gotten amended or not.

14

15 CHAIRMAN REGELIN: All right, thank you.  
16 We'll come back and talk at the end here about how we're  
17 going to deal with what we're tabling. I'm going to change  
18 Item F and Item G. Before we get into talking about who's  
19 going to serve on committees, I think the flow in what  
20 we've talked about, and the process that we're using and  
21 how to include and exclude, so I'd like to, unless there's  
22 an objection, flip Item F and G, under new business, and  
23 talk about the inclusion/exclusion process at this time.

24

25 (Pause)

26

27 I don't see any objections so -- and Fred  
28 was going to present -- make a presentation on that. Go  
29 ahead.

30

31 MR. ARMSTRONG: Thank you, Mr. Chair. Bob  
32 Stevens has been heavily involved in the creation of the  
33 procedural regs and I'll ask him, since he led the workshop  
34 and, by the way, people who were absent during the workshop  
35 missed a preview of what the procedural regs would look  
36 like. And they're pretty much basically from the decision  
37 document that was put out a couple years ago and the Treaty  
38 language, it's all inclusive in there. But I'd like Bob  
39 Stevens to give a little presentation on those at this  
40 time.

41

42 CHAIRMAN REGELIN: Go ahead, Bob.

43

44 MR. STEVENS: All right, thank you. Just  
45 briefly, what we had talked about at the workshop is the  
46 wording that is in the proposed procedural regulations  
47 which we are hoping will be published as a proposed  
48 rulemaking next week.

49

50 In that, is a section dealing with included

00111

1 areas and excluded areas for eligibility purposes. And as  
2 most of you, if not all of you know, from the protocol  
3 language, there are areas that are considered to be  
4 generally included and areas that are considered to be  
5 generally excluded.

6

7                   Looking at the areas generally included for  
8 a moment. Any individual, according to the proposed  
9 rulemaking, and individual or community who feels that a  
10 village or area within a generally included area should be  
11 excluded can petition the Co-Management Council through the  
12 regional management body with justification and there are  
13 criteria identified in the proposed rulemaking to have that  
14 particular location excluded. The regional management body  
15 would make its recommendation and pass that on up to the  
16 Co-Management Council. The Co-Management Council would  
17 make its recommendation and the Fish and Wildlife Service  
18 then would make the final decision on that.

19

20                   In the generally excluded areas, any  
21 community within a generally excluded area can petition,  
22 again, through the regional management body to the Co-  
23 Management Council for inclusion using the same criteria  
24 that are located in the proposed rulemaking and then the  
25 same process would be followed. The regional management  
26 body would make its recommendation to the Co-Management  
27 Council, which in turn would make its recommendation to the  
28 Fish and Wildlife Service.

29

30                   The key -- maybe it's not key but a  
31 difference, but a difference here is to petition for  
32 inclusion, the community must do it. To petition for  
33 exclusion any individual can submit a proposal to do that.

34

35                   CHAIRMAN REGELIN: Thank you, Bob. I know  
36 that the procedural regs that have these criteria have been  
37 published and they're close to finalization. And once  
38 that's done, then you will -- what kind of a time frame are  
39 you on to put a process together and how will Staff go  
40 about doing that, do you know, Fred?

41

42                   MR. ARMSTRONG: That's why I have it on the  
43 agenda, inclusion/exclusion process. We know we have the  
44 language in the procedural regs, however, we do not have a  
45 formal process. And the concern I have is public notice  
46 and involvement which is a critical element of any  
47 rulemaking. And we need to kind of look at what all is  
48 involved in that. Who will initiate the meetings and who  
49 will all be involved. So we're going to be working on that  
50 very shortly and hopefully maybe have a draft ready by the

00112

1 May meeting so that we can just go ahead and adopt and have  
2 the process already in place by then.

3

4 CHAIRMAN REGELIN: Thank you. I think that  
5 we're all anxious to have that so that we can move forward.  
6 I guess I know you're going to have a whole lot of work to  
7 do between now and May getting everything ready for the  
8 next meeting. But I guess I'm optimistic that we can do  
9 that. But we certainly -- as soon as we get them we need  
10 to make sure that they get to Gloria or that the Staff has  
11 them. We'll have to adopt those as a Council for our  
12 process and then we need to use them, you know, I don't  
13 want to miss another meeting, if we can help it, where we  
14 have to first adopt the procedures as a Council action and  
15 then have them go back and come back again. I guess I'm  
16 looking for another way out.

17

18 MR. ARMSTRONG: Okay. We're going to work  
19 on getting some of this information out as soon as we can  
20 to the regions so that, you know, we don't get in that  
21 delay again of bringing them back. I think with the  
22 proposal schedule, it will be the same thing, we'll try to  
23 identify a proposal schedule so that you guys can get it  
24 ahead of time so that action can be taken by the Council  
25 then.

26

27 CHAIRMAN REGELIN: And I know that it's an  
28 involved thing. Because part of it is we're going to have  
29 to -- you know, there has to be some biological part that  
30 says, yes, they did take birds and how many and -- I don't  
31 know if we have to worry about how many but they did.

32

33 MR. ARMSTRONG: Uh-huh.

34

35 CHAIRMAN REGELIN: Gloria, comment.

36

37 MS. STICKWAN: I'm kind of concerned about  
38 rushing this. We're trying to do the C&T process within  
39 this 30 days. I think we need to think about what we're  
40 doing here. I don't want to stop us from hunting but then  
41 I think we need to have a process where Copper River needs  
42 the input into this process, I think other, Southeast,  
43 Chugach should be involved in that process as well. I mean  
44 it affects our region and we're not getting any input --  
45 we're not having a say in the input of the process, it's  
46 being done for us and I don't think that's right.

47

48 CHAIRMAN REGELIN: Thank you. Doug.

49

50 MR. ALCORN: Thank you, Mr. Chair. The



00113

1 document that we talked about, which are the procedural  
2 guidelines -- the draft procedural guidelines, are going to  
3 be published in the Federal Register within the week, we  
4 hope, they're going to be published as a proposed rule.  
5 What that does is it allows for a 30 day public comment  
6 period and you, Gloria, and anyone on the Council and  
7 anyone sitting in the audience and anybody anywhere that  
8 has access to the Federal Register can provide comment to  
9 the Fish and Wildlife Service based on that publication.  
10 And then those comments are going to be considered before a  
11 final rule is published. So you do have an opportunity to  
12 affect, not only the process, but the criteria that will be  
13 applied to each proposal.

14

15 Right now, I'm looking at a draft, there  
16 are five criteria. And I suggest that each of you, when we  
17 notify you that they're published, each of you get a copy  
18 of that and I will commit to providing a copy to each  
19 Council member by fax or by whatever means we can so that  
20 you have an opportunity to look at those criteria and  
21 supply comment if you so choose.

22

23 CHAIRMAN REGELIN: Thank you, Doug. Other  
24 comments.

25

26 MR. STEVENS: I'm not sure that it was  
27 clear. What Doug is telling Gloria is certainly correct as  
28 far as having that input. If you are looking at the time  
29 when a final rulemaking will be in place, as of today, we  
30 are several months away from having that, just because of  
31 the public involvement process, the rewrite going back into  
32 Washington for review and approval so we are several months  
33 away from that.

34

35 CHAIRMAN REGELIN: Okay. I guess what  
36 we're looking at is Staff pulling together a, you know,  
37 once these procedural regs are done, that gives you some  
38 guidelines and then a process that we can look at as a  
39 Council to adopt, amend and adopt, and then we can move  
40 forward with that. And I don't disagree at all with  
41 Gloria, I think it's probably one of the more important  
42 things that we're going to do, but at the same time I'm  
43 hoping that we don't take too long to do this. And I don't  
44 know if it's something that we may want to think about a  
45 teleconference after we've looked at this or just so that  
46 we can be ready to move forward.

47

48 Doug.

49

50 MR. ALCORN: Thank you, Mr. Chairman. I

00114

1 believe that these will certainly be published and still be  
2 open come the first week of May meeting. And there will  
3 still be opportunity for us to discuss and provide comment,  
4 albeit, it would be a very short window of time, for us or  
5 you as individuals to make comment.

6

7

CHAIRMAN REGELIN: Fred.

8

9

MR. ARMSTRONG: The process I was alluding  
10 to was the process to implement the criteria that's in the  
11 procedural regs. The procedural regs are different from  
12 the process. What I'm looking at is how do we implement  
13 it, what steps do we go to, to get to the stage where the  
14 Council makes a recommendation. That's the process I'm  
15 looking at. And that part will have to involve the public  
16 because it's a rather -- it can be either a good decision  
17 or a bad decision based on either being included or  
18 excluded. And I think that's such a final action that we  
19 need to involve the public. So that's my concern and  
20 that's what I'm going to present to the Council, is that  
21 process.

22

23

And given the fact the procedural regs are  
24 a way off, I would prefer that the Council members comment  
25 individually because technically we're not formally  
26 recognized yet.

27

28

CHAIRMAN REGELIN: Herman.

29

30

MR. SQUARTSOFF: Yeah, Mr. Chairman. What  
31 Fred's saying here, you know, what's included or excluded,  
32 the areas, but what if it's following the protocol stating  
33 that the road systems and the gulf or whatever is excluded?  
34 I mean they still have to have this comment period and all  
35 that and everything else or what?

36

37

CHAIRMAN REGELIN: Doug.

38

39

MR. ALCORN: Thank you, Mr. Chairman.  
40 Yeah, Herman I've talked with Bob Stevens and Fred, there's  
41 a lot of room for interpretation, legal interpretation of  
42 that. And I think that we're going to, at some point, down  
43 the road, probably have to ask -- or at least maybe define  
44 it as a Council and then run it by the Solicitor and say  
45 this is the way we interpret this. But we haven't really  
46 applied any interpretation of that language yet. And in  
47 your particular case, in your particular proposal, using  
48 that language in the protocol to justify an action sort of,  
49 like Wayne said, puts the cart before the horse because we  
50 really haven't gone through the process of trying to

00115

1 conclude as a body how we interpret that. So I think  
2 that's the problem that we have.

3

4 MR. SQUARTSOFF: Okay. And then Doug, also  
5 when I first got on the Council I remember Mimi, I think it  
6 was Mimi mentioning that Kodiak was almost eliminated  
7 completely anyway until -- I don't know if Bob can feedback  
8 on that a little bit. That's what it sounded like when I  
9 first got on there but then it was the village issue was  
10 brought up.

11

12 MR. STEVENS: Yeah, and I'm not sure what  
13 that discussion was Herman. What we have interpreted so  
14 far and I think what Doug is saying is right, that there's  
15 a lot of room for further interpretation here. But we had  
16 always viewed the protocol as saying that the Kodiak  
17 Archipelago was generally included. And so that's what  
18 started then the process for identifying that portion that  
19 you've identified to be excluded.

20

21 MR. SQUARTSOFF: Yeah, okay.

22

23 MR. STEVENS: Yeah, that's been our  
24 interpretation.

25

26 MR. SQUARTSOFF: Okay. Thank you, Bob.

27

28 MR. STEVENS: Uh-huh.

29

30 CHAIRMAN REGELIN: All right, Doug.

31

32 MR. ALCORN: Thank you.

33

34 CHAIRMAN REGELIN: And I know Fred will --  
35 you know, there's two separate things, one's getting the  
36 procedural regs done and we can comment individually on  
37 those. It will hit the Federal -- we'll have 30 days after  
38 it's published and then Fred's going to put a process  
39 together that we will use to make our decisions. So  
40 there's two separate things.

41

42 Okay, any other comments or discussions on  
43 that. Gloria.

44

45 MS. STICKWAN: Yesterday when we had our  
46 workshop, we said that a letter could be submitted so I  
47 wrote a letter -- or got help in writing a letter for our  
48 intent to submit proposals, C&T. So it's in your packet.

49

50 CHAIRMAN REGELIN: That was a letter just

00116

1 to inform people that you're going to request inclusion?

2

3 MS. STICKWAN: And you might want to read  
4 the letter, it says something about Cantwell in there, too.

5

6 MR. STEVENS: We haven't handed it out yet.

7

8 MS. STICKWAN: Okay.

9

10 MR. STEVENS: Do you want it now?

11

12 MS. STICKWAN: Yes.

13

14 CHAIRMAN REGELIN: Is this letter something  
15 that we need to take action on?

16

17 MS. STICKWAN: It's just a letter to let  
18 you know that we intend to put proposals in and this is our  
19 eight villages.

20

21 CHAIRMAN REGELIN: Okay.

22

23 MS. STICKWAN: And it says if Cantwell's  
24 determined to be included already then that's fine, but if  
25 it's an excluded community then we want it to be included.

26

27 CHAIRMAN REGELIN: Okay. Very good. And  
28 we got this same kind of thing from Kodiak, so thank you  
29 very much.

30

31 Any further comments on the subject of  
32 inclusion and exclusion? Doug.

33

34 MR. ALCORN: Thank you, Mr. Chairman. We  
35 do have an issue based on the language of the protocol and  
36 that is that it's pretty -- I think it's fairly definitive  
37 in saying what the generally included areas are and that's  
38 the areas north and west of the Alaska Range. For  
39 purposes, again, of having our law enforcement folks  
40 interpret that for the 2003 season, we would like to  
41 propose that those areas that are explicitly included by  
42 language of the protocol be recognized as included. There  
43 are areas that are explicitly excluded also identified in  
44 the protocol and we would like a recognition of that. And  
45 then there are areas that we just don't know that are sort  
46 of in this nondescript, non-defined category that, for  
47 purposes of the 2003 season are going to be difficult to  
48 enforce.

49

50 And example that I've heard are some of the

00117

1 communities that are obviously off of the roaded area in  
2 the gulf that may or may not meet the criteria that have  
3 yet to be established. So therein lies a real problem for  
4 the 2003 season.

5

6 So the recommendation is that those areas  
7 that are explicitly included be recognized as included and  
8 recommended to the SRC by the Council, that those  
9 regulations apply. Those areas that are explicitly  
10 excluded would be identified to the SRC as well. And that  
11 we would remain silent on those areas that are not  
12 mentioned in the protocol.

13

14 CHAIRMAN REGELIN: And is that a motion for  
15 action for us to.....

16

17 MR. ALCORN: I would move that we make a  
18 note when we recommend, in the future when we recommend  
19 regulations to the SRC, that we cite the language in the  
20 protocol that explicitly describes those areas that are  
21 included and that we do not recognize any areas that are  
22 not specifically mentioned.

23

24 CHAIRMAN REGELIN: Ralph and then Gloria.  
25 Go ahead.

26

27 MR. ANDERSEN: I have a -- I don't  
28 understand what you're asking. You're asking -- are you  
29 asking that we just simply make a note of something -- of  
30 when we make recommendations or are you suggesting that the  
31 Council put together a list of -- a specific list of  
32 communities that are included and excluded based on what's  
33 -- based on the protocol? It seems like if we're going to  
34 be doing that then I don't think -- I mean since we're  
35 still considering Gloria's situation, I don't think it  
36 would be appropriate for us to do such -- take such action  
37 right now. In fact, I'd say that it we probably wouldn't  
38 even be recognized, I mean since we're not recognized, that  
39 I think we -- it might be better for us to put that off  
40 until we achieve recognition. And by that time, hopefully,  
41 we'd clarify Gloria's situation and we'd be able to include  
42 the communities that she's asking to be included in the  
43 list of communities that are included to the SRC.

44

45 CHAIRMAN REGELIN: Gloria, and then Doug.

46

47 MS. STICKWAN: I just had a comment about  
48 that because I think he's talking about the list that was  
49 given out to us, just the communities that said  
50 inclusion/exclusion. I guess my concern is we don't know

00118

1 if Cantwell's in or not and if we leave -- if I do a  
2 proposal and I say Cantwell's not part of it and, you know,  
3 they're going to be unhappy with me because I'm leaving  
4 them out. Because no determination has been made, whether  
5 they're included or excluded, we don't know what they are.  
6 It's undetermined.

7

8 And the other thing is when I was looking  
9 at that list, I was told that Chishana is part of the -- is  
10 not an included -- it's listed as an exclusion community  
11 and it should have been an included community. So that  
12 list isn't right from what I was told.

13

14 CHAIRMAN REGELIN: Doug.

15

16 MR. ALCORN: Go ahead.

17

18 CHAIRMAN REGELIN: Go ahead, Fred.

19

20 MR. ARMSTRONG: Thank you, Mr. Chair.  
21 Actually, Ralph when you look at this, if we just submitted  
22 the included areas it actually gives more credence to  
23 Gloria's area where there are some areas that are  
24 questionable, whether they should have been included or  
25 excluded. If you define them up front we actually might be  
26 hurting her. And then it would give us time to review the  
27 other areas such as Kodiak, such as Cordova and provide a  
28 recommendation, or at least justification for inclusion or  
29 exclusion. It just gives us more time to justify.

30

31 CHAIRMAN REGELIN: I understand that we  
32 need, at some point, once we get a process that we have  
33 some decisions to make as a Council, I'm not understanding  
34 what Doug wants us to do now.

35

36 MR. ALCORN: Thank you, Mr. Chairman. I'm  
37 sorry, I apologize for being unclear. I'm trying to grasp  
38 this issue as well. The way I understand the protocol,  
39 there are areas that are explicitly described as generally  
40 included and those are the areas north and west of the  
41 Alaska Range. I propose -- or I move that this Council,  
42 when in the event that we make a recommendation for the  
43 2003 spring and summer season, that we focus our  
44 regulations on those areas that are explicitly included.

45

46 Now, that's my motion, now let me explain  
47 it. That means we do not mention those areas that are  
48 referred to as generally excluded. Because I believe  
49 that's where the confusion comes in and the interpretation  
50 of the protocol language begins to be confusing. And I

00119

1 don't think that we are there yet to recommend, for those  
2 areas recommend regulations for those areas that are non-  
3 descript so to speak.

4

5 I'll give you an example, Seldovia. It's  
6 not on the roaded system. Is it in or is it out? If you  
7 read the language of the protocol, it's actually in because  
8 it's not on the roaded system of the gulf of Alaska, and  
9 yet it probably or possibly does not meet the criteria that  
10 are pending. And so there are a number of problem areas.  
11 That's just one example.

12

13 So I would rather focus on those that are  
14 clearly stated in the protocol, which are those areas that  
15 are generally included.

16

17 CHAIRMAN REGELIN: Discussion. Gloria.

18

19 MS. STICKWAN: I guess that will be fine.  
20 I just won't be able to represent Cantwell, but that's  
21 fine.

22

23 MR. ANDERSEN: I have a question, what  
24 would this accomplish?

25

26 MS. STICKWAN: Can I say something.

27

28 CHAIRMAN REGELIN: Gloria.

29

30 MS. STICKWAN: I know I'm going to hear  
31 about this when I go back to my village and they tell me  
32 why isn't Cantwell a part of it and I know I'm going to  
33 hear about it because I'm leaving out Cantwell.

34

35 CHAIRMAN REGELIN: Herman.

36

37 MR. SQUARTSOFF: Yeah, Mr. Chair. Didn't  
38 we -- I know we went into a lengthy discussion on this last  
39 year on Gloria's situation then, you know, I'm not really  
40 recalling on what we come up with but I thought at this  
41 time we were going to be able to include them or something,  
42 you know, so.....

43

44 CHAIRMAN REGELIN: Well, I think -- Herman,  
45 I think that we all realize that once we have a process in  
46 place that's going to happen but we aren't there yet. I  
47 guess the question I have for Doug is that we've just  
48 adopted these regs that were going to go forward with these  
49 -- for the regions and we're going to do the other regions.  
50 We're only doing regions where we know they're in. So I'm

00120

1 not sure what the affect of your motion is, you know.

2

3 MR. ALCORN: I understand. Well, with that  
4 understanding that we've only accepted regional proposals  
5 for those areas that are in, there are some areas -- there  
6 are some communities, the way I understand it, that may be  
7 covered. Now, what about the areas in Cook Inlet that are  
8 off the roaded system? There are some areas that are not  
9 on the roaded system that may not have a customary and  
10 traditional harvest.

11

12 Let me offer this, I will  
13 retract the motion until we understand fully the  
14 sensitivity and the issue that this is going to raise with  
15 our law enforcement people and I will have a recommendation  
16 by the May meeting.

17

18 CHAIRMAN REGELIN: All right, thank you,  
19 Doug. Gordon.

20

21 MR. JACKSON: Well, I appreciate him  
22 retracting it. I think last year we had a heated  
23 discussion about this. Southeast Alaska is off the roaded  
24 system but the language that we talked about was that  
25 doesn't necessarily mean that we can't come back and say  
26 that, heck, hey, we take, for instance, out of Hoonah, the  
27 seagull egg taking in Glacier Bay. You know, you may  
28 recommend rules and regulations regarding taking of seagull  
29 eggs on a real nice system there. And I think maybe the  
30 same thing can happen with Cantwell. They're on the roaded  
31 system but there are subsistence users in there so that  
32 wouldn't really -- they wouldn't be in a situation where  
33 they couldn't participate.

34

35 The language in this whole thing is just  
36 kind of interesting. It says that we aren't but we are.  
37 This list of exceptions does not mean the individual  
38 communities within the areas are generally excluded cannot  
39 make a test for designation as subsistence harvest areas.  
40 I mean almost every single small community has adequate  
41 numbers of subsistence users to really meet that test.  
42 There's really no question in my mind about it.

43

44 So I don't think a lot of us should feel  
45 real bad with some of this language in there, I think that  
46 we are, in fact, pretty much able to do this in Southeast  
47 Alaska. And I've told our commissioners that in Southeast  
48 Alaska, is why are we interested in birds, we can't even  
49 participate because we're off the road system, I said,  
50 well, there's language in there that basically says we can



00121

1 so I think we should participate. So I think that there's  
2 adequate justification in here.

3

4 I think interpreting in our direction I  
5 think we are -- in fact, we do have adequate justification.  
6 I think we took about three or four hours on this last  
7 year, didn't we?

8

9 Thanks.

10

11 CHAIRMAN REGELIN: Thank you.

12

13 MR. ANDERSEN: I have a question.

14

15 CHAIRMAN REGELIN: Ralph.

16

17 MR. ANDERSEN: Where in the protocol or the  
18 Treaty does it say that -- it says here that a community  
19 can petition but where does it say that the individual can?  
20 I mean I've been looking at this thing here for a few  
21 minutes trying to find that provision.

22

23 CHAIRMAN REGELIN: Doug.

24

25 MR. ALCORN: Ralph, is your question --  
26 thank you, Mr. Chairman. Is your question regarding the  
27 procedural guidelines or the protocol?

28

29 MR. ANDERSEN: The procedural guidelines.

30

31 MR. ALCORN: The procedural guidelines,  
32 it's found in.....

33

34 MR. ANDERSEN: Well, I mean how is the  
35 procedural guidelines supported in the protocol? Is it or  
36 is it just somebody arbitrarily saying, well, one person  
37 can petition?

38

39 MR. ALCORN: It was inserted at the request  
40 of our Solicitor's office, our legal staff in the  
41 department. They reviewed the procedural guidelines as  
42 this thing was presented to them and then they basically  
43 said there needs to be a provision for inclusion and  
44 exclusion. Now, I would ask Bob Stevens to explain maybe  
45 the distinction between an individual versus a community  
46 and what the logic was there.

47

48 MR. STEVENS: The way that the protocol is  
49 reading, I think what you're seeing Ralph, is for excluded  
50 areas to petition to become included for a specific

00122

1 harvest. And basically what that is saying is that the  
2 community feels that -- as Gordon is saying, that the  
3 communities in his area should be included and that  
4 individual community can go ahead and petition for  
5 inclusion. However, on the other side of the coin, once an  
6 area is considered to be generally included any individual  
7 or community or entity could petition but they would have  
8 to follow the same process of meeting those five criteria  
9 to ask that a community be excluded. That would be part of  
10 a public process.

11

12 MR. ANDERSEN: And my question wasn't on  
13 whether, you know, on the process. My question was, why  
14 does it take a whole community to get it in and why does it  
15 only take an individual to get out?

16

17 MR. STEVENS: The entire community would be  
18 considered to be included if a petition is to become  
19 included. One person is not going to speak for that  
20 community, that's the interpretation. That the entire  
21 community, whether it be the mayor, the tribal council,  
22 whatever the governing body is needs to say, we feel that  
23 we need to be included and that we can be included and then  
24 the entire community would be.

25

26 MR. ANDERSEN: Okay. I mean I take that  
27 literally. I'm from -- say I'm from Clark's Point and I  
28 don't think the people over at Ekok should be included, as  
29 an individual I can write a letter requesting that they be  
30 excluded?

31

32 MR. STEVENS: Along with that letter would  
33 need to be the justification, the criteria that would need  
34 to be followed. It would be a lengthy process for a  
35 particular individual to do that but the opportunity would  
36 be there, absolutely. And then the Co-Management Council,  
37 after the regional management body would have to take  
38 action on it.

39

40 CHAIRMAN REGELIN: Fred.

41

42 MR. ARMSTRONG: You know, and that's part  
43 of the problem we're having is the public involvement. We  
44 need to have a process where everybody can be involved in  
45 this process otherwise it's not legal. So those are some  
46 of the legal constraints we're having to deal with right  
47 now. It's a very difficult and delicate process and still  
48 it's under further scrutiny.

49

50 CHAIRMAN REGELIN: Thank you, Fred. Other

00123

1 comments on this subject. And I guess, what we'll have is  
2 more discussion again in May trying to get a better  
3 understanding of the points that Doug was making and maybe  
4 we'll decide if we need to take action at that time.

5

6 So let's go back up -- we're getting close  
7 to the end. I think the things that we really have left to  
8 do we need to go back up to F and select some people to  
9 serve on committees and then we need to talk about proposal  
10 schedule and then our next meeting. So let's go back up,  
11 committee representation, Fred, do you want to go ahead.

12

13 MR. ARMSTRONG: At the inception of the Co-  
14 Management Council there was a technical committee that was  
15 formed and there are some people that are on there now that  
16 are no longer on the Council and we need to replace them  
17 and I hope that as the Native caucus had -- I mean had a  
18 chance to caucus. Ralph, do you know?

19

20 CHAIRMAN REGELIN: Ralph, go ahead.

21

22 MR. ANDERSEN: Mr. Chairman, I'd like to go  
23 through the list of committees that are in the packet and  
24 add names and delete names beginning with the technical  
25 committee.

26

27 CHAIRMAN REGELIN: Go ahead.

28

29 MR. ANDERSEN: On the technical committee,  
30 the Native representative was Gabe Sam, he's no longer with  
31 us. We're tentatively appointing Stanley Ned, pending his  
32 okay. Eric Johnson on the third column over is being  
33 replaced by Dario Notti. And under Ken Row, we're adding  
34 Stanley Mack. On the harvest committee Austin Ahmasuk is  
35 no longer a member of the Council, we're replacing him with  
36 Frank Kaverlik. The standard operating procedures  
37 committee remains the same. Long term goals and  
38 objectives committee remains the same. And the Flyway and  
39 SRC representatives are myself and Herman Squartsoff with  
40 Pat Norman and Gordon Jackson as the alternates.

41

42 CHAIRMAN REGELIN: Thanks very much, Ralph.  
43 Yes, Bill Ostrand.

44

45 MR. OSTRAND: Yes, I just wanted to, as a  
46 member of the harvest survey committee, I believe that  
47 Austin's willing to continue serving. So I guess since  
48 you've named someone to replace him I just thought I'd  
49 offer that and is it -- can Austin continue to serve on the  
50 committee?

00124

1 MR. ANDERSEN: Sure.

2

3 MR. OSTRAND: Okay.

4

5 CHAIRMAN REGELIN: Okay, any other  
6 comments. I think it's a good list and I'm glad that I got  
7 good people back on the committees. Any other comments on  
8 that. I don't think we need to take Council action,  
9 they're just named to the list.

10

11 The next thing -- excuse me, go ahead.

12

13 MR. ANDERSEN: I just wanted to make clear,  
14 too, that each of these committees, the way I understand  
15 it, can invite others to participate as well. Because if I  
16 remember Hans Nicholson from BBNA came in for the meeting  
17 of the harvest survey committee last fall and that's fine.  
18 The committee can invite other participants. I mean just  
19 because the names aren't listed here doesn't mean that  
20 they're not allowed to participate.

21

22 CHAIRMAN REGELIN: Thank you. I agree  
23 completely. Anybody that wants to help and work can. The  
24 next thing on our schedule is the proposed schedule and  
25 time frames. I think that -- Bill.....

26

27 MR. OSTRAND: Yeah, I'm sorry to bring this  
28 up. But we had a problem with that at the harvest  
29 committee when one of the members wanted to bring in -- one  
30 of the Federal representatives wanted to bring in more  
31 Federal employees and one of the Native representatives  
32 felt that that would throw off the balance of the  
33 committee. So how we responded to that was acted as a  
34 group. Now, I'm a little concerned about just making it  
35 open and throwing off the balance of the committee without  
36 some approval.

37

38 MR. ANDERSEN: My suggestion is not to make  
39 it open. The people that are listed there are committee  
40 members, anybody else can come in and sit in on any of your  
41 meetings. They don't need to vote.

42

43 MR. OSTRAND: Okay, I'm glad for that  
44 clarification. Thank you, Ralph.

45

46 CHAIRMAN REGELIN: You're welcome. Are we  
47 ready to move on to the next item. Proposed schedule, I  
48 think Fred's going to talk about.

49

50 MR. ARMSTRONG: I briefly discussed that

00125

1 when we talked about the inclusion/exclusion. I'll come up  
2 with a proposed schedule that we'll have for -- from the  
3 time the Council adopts guidelines to the time that they  
4 act on them.

5

6 I think the important thing that we're  
7 missing in this whole element and it shows in this meeting  
8 is -- it's kind of sloppy because proposals were not in  
9 order, proposals were not received, proposals were not in  
10 the format, so that is the process I'm going to be working  
11 on and I'll submit it to the Council in May.

12

13 CHAIRMAN REGELIN: Okay, thank you, Fred.  
14 I know we're having some growth -- birth pains here. We'll  
15 get there. I think we're seeing an end here. We're back  
16 to public comments. Does anyone from the public wish to  
17 make any comments at this time? Mr. Trost. I don't know  
18 if I consider you public or not. You look surprisingly  
19 like a Fed to me.

20

21 MR. TROST: You know it's hard to get those  
22 tatoos off. And I appreciate the indulgence. I'm actually  
23 fulfilling a promise to a different group. I had said that  
24 I would deliver an invitation to this group as I did to the  
25 Pacific Flyway Study Committee and as I will next week to  
26 the Pacific Flyway Council. And that is, to provide you  
27 with a little bit of information first.

28

29 The Fish and Wildlife Service is like a lot  
30 of large organizations and periodically examines its  
31 various programs and activities as to whether or not  
32 they're actually doing what they think they're intended to  
33 do and whether they're doing it efficiently and  
34 effectively. To that end, here in Region 7 there is review  
35 ongoing of the migratory bird program. And in general,  
36 it's a relatively small group of people. The team leader  
37 is John Rogers, the fellow who was former Deputy Director  
38 of the Service and was actually the director of the  
39 Service, acting, for a couple of years and he's agreed to  
40 head this team up. I'm a member of this team. Lenny Coran  
41 and George Constantino, I believe, is his name, from the  
42 Refuge Division here in the region are the four members of  
43 the team.

44

45 What we're doing is we're soliciting input  
46 from folks who we consider partners to the migratory bird  
47 program here in Alaska. And there'll be further contacts  
48 particularly with the State agency with regard to this.  
49 But for your information thee are two objectives where  
50 we're looking for information and feedback about how you

00126

1 envision your relationship with the Federal migratory bird  
2 Staff and growing over time. One of those is to identify  
3 both the strengths and deficiencies of the migratory bird  
4 program here in the region. And identification of issues  
5 that you think will influence how effective they can be in  
6 delivery of what you see as the critical products that you  
7 get from that group of individuals.

8

9                   And the other would be to identify the  
10 effectiveness of the communication and relationships with  
11 the partners which are yourselves and the other folks you  
12 all work with in the program in actually accomplishing the  
13 needs for migratory bird management here in the region. So  
14 this is an open invitation basically to contact either  
15 myself, to contact Doug or to contact any of the other  
16 members with any thoughts or suggestions you may have.  
17 Because this program review involves the review of both  
18 Fred's group and Bob Leedy's group, it does have direct  
19 applicability to how we do business with you folks. So we  
20 realize you're all so relatively new and as Wayne just  
21 referred to, going through some growing pains and trying to  
22 figure out how all this is going to work. You may have  
23 some ideas on how things could be done either differently  
24 or things that are not currently being done that should be  
25 done or things that we're doing that maybe you don't think  
26 are necessary. And we're anxious to have that kind of  
27 feedback and we're encouraging you to talk to us about that  
28 as we go through this process.

29

30                   The time line is we'll conduct public  
31 hearing -- well, public hearings by invitation, probably  
32 the week of June 10th currently and there'll be a series of  
33 meetings here in Anchorage, in Fairbanks and in Juneau in  
34 which you, any and all are welcome to come and participate,  
35 however you don't have to participate in the meetings to  
36 give us your thoughts on any of these kinds of things and  
37 we encourage you to write us, give us a call, talk to us,  
38 whatever you'd like to do and we'll try to get you built  
39 into this, too.

40

41                   But basically it's just to advise you that  
42 this program review is ongoing and that if there's anything  
43 that occurs to you that you'd like to talk to us about,  
44 feel free to do so.

45

46                   Thank you.

47

48                   CHAIRMAN REGELIN: Thank you. Any  
49 questions for Bob? Thank you, Bob. Next is Council  
50 comments, anybody from the Council have anything -- anybody

00127

1 can speak but Herman.

2

3

(Laughter)

4

5 CHAIRMAN REGELIN: Did anybody have any  
6 comments? Ralph.

7

8 MR. ANDERSEN: I do. I just want to thank  
9 everybody for being here. The last two or three days have  
10 really been testing for us but I think it's been a good  
11 process, especially for the newcomers. And hopefully, the  
12 membership, especially the Native representatives will  
13 start to stabilize because it's really hard for us to do  
14 business, you know, and to carry on OJT at every meeting.  
15 Probably the -- let's see, Gloria, Enoch, Herman and myself  
16 and Gordon have been to at least two meetings together.

17

18 CHAIRMAN REGELIN: More than that.

19

20 MR. ANDERSEN: You know, and again, I just  
21 want to encourage the Native representatives to try with  
22 your heart to stay consistent in representation.

23

24 CHAIRMAN REGELIN: Thank you, Ralph.  
25 Herman, go ahead.

26

27 MR. SQUARTSOFF: I'd like to just say I'm  
28 glad I'm back on board up here again and right now I wish  
29 my condition was a little better. You probably would have  
30 heard me from a little more, Wayne, but -- and then welcome  
31 everybody, the new people on and all that and let Frank  
32 know, not to worry about being embarrassed because we  
33 always come up with something ourselves that everybody kind  
34 of gets a little embarrassed about. And then to welcome  
35 Doug on board.

36

37 Thank you.

38

39 CHAIRMAN REGELIN: Thanks. The only thing  
40 I'd say is I'm really pleased that Ralph and Herman are  
41 going to represent the Council at SRC and at the Flyway  
42 Committee. I think that's important, you know, as we build  
43 our influence to have people of your caliber to go and  
44 represent us.

45

46 Thanks.

47

48 Any other comments from Council. Doug.

49

50 MR. ALCORN: I'm sorry, Mr. Chairman, but I

00128

1 believe that we passed by the harvest survey committee  
2 report, we have Cynthia Wentworth in the audience, did we  
3 want to hear that report?

4

5 CHAIRMAN REGELIN: Oh, I guess I marked  
6 that off because she wasn't here earlier.

7

8 MR. ALCORN: Oh.

9

10 CHAIRMAN REGELIN: How long is your report,  
11 Cynthia?

12

13 MS. WENTWORTH: It's pretty short, really.  
14 I apologize because.....

15

16 CHAIRMAN REGELIN: Go ahead and come up and  
17 give us a quick report.

18

19 MS. WENTWORTH: Yes. I apologize for not  
20 being here earlier, I'm trying to move out to my cabin for  
21 the summer and I got caught by the weather.

22

23 CHAIRMAN REGELIN: Turn on your mic.

24

25 MS. WENTWORTH: Anyway, we had our  
26 technical workshop on December 10th and 11th here in  
27 Anchorage. It was a really good two day workshop. I have  
28 detailed minutes of what went on at the workshop. And I  
29 think the conclusion was or the recommendation is that we  
30 do an annual survey. The reason being is that sport  
31 harvest surveys are done annually and in order to really  
32 keep up and get in the process we believe it's important  
33 that we have annual data. And we also defined our sample  
34 frame, which is sort of a statistical term. What that  
35 means is -- well, the way we defined our sample frame was  
36 -- and well, what a sample frame is is all the people that  
37 are going to be in the area that's going to be surveyed.  
38 And we defined this sample frame as all the households in  
39 villages and -- well, yeah, all the households in  
40 subsistence eligible areas of Alaska -- or all the  
41 households in villages in subsistence eligible areas of  
42 Alaska. And we, of course, can't afford to survey every  
43 household, you know, every year but we'll take our samples  
44 from all the households that are in the subsistence  
45 eligible areas.

46

47 We talked about a lot of different  
48 possibilities on how to do that but what we're going to  
49 have to do is get a statistician working for us to take  
50 together all the -- or gather together all the stuff that



00129

1 we have in the minutes from the people that -- the experts  
2 that we had contributing to the discussion and refine that  
3 further as far as figuring out just how to do that, given  
4 that we do have that as our sample frame. Just how are we  
5 going to sample.

6

7                                 We're starting out this year with a pilot  
8 project and I wanted to determine with the pilot project  
9 just how -- a lot of things, I can't go into too much  
10 detail but just how, for instance the activity  
11 stratification would work and where we survey the high  
12 hunters at the highest rate and the lower hunter at a lower  
13 rate and the non-hunters at the lowest rate; I explained  
14 all that at our November meeting and people agreed that we  
15 needed to do that. But within that we have to figure out  
16 -- well, it's like we have to start out in our pilot  
17 projects by surveying more households to where we can get  
18 to the point statistically where we can survey fewer  
19 households so that we can cover a wider area. If that  
20 makes any sense. So what I'm trying to do this year is to  
21 survey the areas of Alaska which generally take the most  
22 birds and that's basically Western Alaska all the way from  
23 Kivalina on the north to Chignik on the south on the Alaska  
24 Peninsula. So that's what we're working towards right now  
25 and we're going to do this activity stratification, where,  
26 again, we sample the high hunting households at the highest  
27 rate. And for the people who weren't here before, the  
28 rationale for doing that is not only to correspond more  
29 with how they do this survey nationally but also to be more  
30 culturally appropriate because as came out in the workshop  
31 here the other day, in some cases -- or in many cases, you  
32 have a few households doing the hunting for the entire  
33 village. And in the past when we've just done random  
34 samples those households have sometimes been missed. And  
35 then particularly in a small village, you can completely  
36 miss the hunting that went on that year when you don't have  
37 those high hunting households isolated and sample them at a  
38 higher rate. So that's one, you know, improvement we're  
39 trying to make and it will increase the precision of our  
40 survey to do it that way. And then over time, like I say,  
41 we hope to be able to get where we can sample fewer  
42 households so that we'll have the money to cover more areas  
43 and cover all the subsistence eligible areas in Alaska.

44

45                                 And we talked at our meeting, too, about  
46 the species to be included and a lot of about the season  
47 dates and then we continued the discussion on season dates  
48 at the statewide RIT meeting in Bethel, which occurred  
49 right after our harvest survey technical workshop. And  
50 based on all those discussions, I had to come with some

00130

1 dates for a pilot project and also with a new survey form  
2 and I think you have it in your packet but -- did everybody  
3 get these new survey forms? Yeah, I'm really pleased --  
4 I'm really pleased with how the printing turned out, these  
5 are images from the National Geographic.

6

7                   The survey dates that we're going to try  
8 for Western Alaska and, again, this is subject to change,  
9 but we're going to try spring, April 1st to June 30th;  
10 summer July 1st to August 31st; and then fall September 1st  
11 to October 31st. And for those of you familiar with the  
12 survey on the YK-Delta where we had 40 species we now have  
13 50 species. So this should make this survey more generally  
14 applicable. For instance, you were talking earlier about,  
15 what was it, auklets, it's true no auklets are taken in  
16 Bristol Bay, we don't think, but because they're taken in  
17 St. Lawrence Island they're on the survey form here. So  
18 it's also true that in future years here when we can  
19 hopefully expand this thing into Interior Alaska so that we  
20 can accomplish our objective of sampling all the, you know,  
21 sampling from all the households in subsistence eligible  
22 areas in Alaska, we'll have to develop a new survey form  
23 for Interior. But I'm hoping, you know, that we can have  
24 as few survey forms as possible, but still, you know, have  
25 them sensitive to each area.

26

27                   Again, we have some detailed sets of  
28 minutes and if anyone's interested I can, you know, give  
29 you copies of those.

30

31                   CHAIRMAN REGELIN: Thank you, Cynthia. Any  
32 questions for Cynthia. Thank you. Next on the agenda is  
33 Staff comments. Bill Ostrand.

34

35                   MR. OSTRAND: I just have a couple of real  
36 quick announcements. I don't know if it was introduced at  
37 the beginning, but the manilla envelope that's at your  
38 table labeled resource materials, we'd like to have one of  
39 these at your table for every meeting. And if you don't  
40 need them, this is stuff that, those of you who have been  
41 coming probably already have copies have, the treaties and  
42 other very important relevant documents, so if you don't  
43 need this please just leave it. If you do need it, you're  
44 welcome to take it home. If you're new and you don't have  
45 these things you certainly should have them.

46

47                   The other announcement that I have is the  
48 Fish and Wildlife Service is back up on email so you can  
49 send us messages now if you'd like.

50

00131

1                   CHAIRMAN REGELIN: Fred.

2

3                   MR. ARMSTRONG: Thank you, Mr. Chair.  
4 Being the Executive Director I, sometimes, have to be  
5 bossy, crabby and all that. But there are a few things I  
6 need to state. Grant reports, they're due or overdue so if  
7 you haven't done so, please, submit them as soon as  
8 possible. That's the only way you can get reimbursed if  
9 you comply with the grant requirements so make sure that  
10 your project managers submit them in a timely manner.

11

12                   What would help us in the future,  
13 attendance-wise, if you are not going to be here, please  
14 give us as much notice -- I know it's not possible at  
15 times, but some advance notice so we won't wonder where  
16 somebody is or isn't and that would surely help us out.

17

18                   The other thing is your folders that you  
19 receive the meeting packets, we plan to have them in binder  
20 form but one of the things we'll have to ask is that at  
21 every meeting we'll have to keep the binders here so you  
22 could -- take the material. I've got a very small budget.  
23 Most of it goes out to you guys and it leaves us with very  
24 little else to operate on. 55 percent of our budget goes  
25 out to rural Alaska and with less than a million dollars we  
26 don't have much to operate so we're having to do things  
27 piecemeal right now just to maintain operations. And that  
28 goes in line with the meeting attendance and special  
29 meetings and stuff like that. It really is a very small  
30 budget that we have so it's critical that when we have  
31 these extra meetings that, you know, you come prepared to  
32 take action on the agenda items. I realize it may be hard  
33 at times, but try to come focused and prepared. Like  
34 Herman, I mean he handled the Semidi Island piece very well  
35 and recognized that he is a regional representative and  
36 took it upon himself to make a decision and that's why I  
37 acknowledge him and we appreciate that and that was very  
38 helpful.

39

40                   MR. SQUARTSOFF: Thank you, Stanley, too.

41

42                   MR. ARMSTRONG: Other things that --  
43 exiting laws still apply even though we're being formed.  
44 The closed season policy, the list of birds in here, this  
45 spring still applies so we still have to adhere by them  
46 even though we're looking at another list of restricted  
47 species. Your involvement is going to be only as good as  
48 this Council gets. So I'd encourage you to -- we'll try to  
49 get things out in a timely manner and I think with the  
50 proposal and the process that we can have them out to you

00132

1 guys as soon as possible because it would look kind of  
2 haphazard because we got things either at the last minute  
3 or like that, so we're slowly getting organized but it's  
4 taking time and cooperation is really needed and I'd  
5 appreciate that from all of you.

6

7 Other than that, I really appreciate you  
8 guys coming here. I know it's spring time it's hard to  
9 break away. Wayne has got some bigger problems in June  
10 that he has to tackle with right now and I appreciate him  
11 coming here and running the meeting. And actually  
12 everybody, it's good to see all of you guys together.

13

14 Bob, do you have any closing comments?

15

16 MR. STEVENS: No, I don't.

17

18 MR. ARMSTRONG: Cynthia.

19

20 MS. WENTWORTH: Yeah. I forgot to say one  
21 thing that was really important. This new survey form.....

22

23 CHAIRMAN REGELIN: Get the microphone.

24

25 MS. WENTWORTH: I forgot to mention that  
26 the new survey form that you have there in your packet, the  
27 idea for that comes from Ron Stanik with the Division of  
28 Subsistence, Fish and Game. So I just wanted to  
29 acknowledge how much I appreciate his idea.

30

31 MR. ARMSTRONG: And I guess the final thing  
32 is that, since I got the mic, is that it's going to be  
33 something short of a miracle to pull out this meeting so  
34 once you guys set the meeting date please be committed to  
35 attend and participate.

36

37 Thanks.

38

39 CHAIRMAN REGELIN: Thank you, Ralph -- or  
40 Fred.

41

42 (Laughter)

43

44 CHAIRMAN REGELIN: It's the end of a long  
45 day. We've got something really important to do and that's  
46 setting -- we've got a lot of things that we sort of  
47 deferred until May and when I first started, you know, I  
48 thought we'd be able to have just a few items and do it by  
49 teleconference. But boy it's quite a long list and I'm  
50 worried about that so the first thing we should decide is

00133

1 if we're going to try to meet by teleconference or come  
2 back in person and once we make that decision then we can  
3 decide on the date. What are your thoughts? Herman.

4

5 MR. SQUARTSOFF: Yeah, Mr. Chair, I think  
6 we should come back. We need to come back. We're not  
7 going to be able to cover it in a teleconference, it's too  
8 mind-boggling.

9

10 CHAIRMAN REGELIN: Any other comments. I  
11 see a lot of heads nodding that that's probably the case  
12 and I -- so I guess we'll try -- the other question is back  
13 to Fred, do we have enough money to have another meeting,  
14 Fred?

15

16 MR. ARMSTRONG: The grant agreements have  
17 been signed and I think the regions have the money, I  
18 don't.

19

20 CHAIRMAN REGELIN: Okay. Well, I guess I  
21 agree. I think that we'll just try to have -- I think that  
22 we'll do it in one day and it may not even take a full day  
23 but there's some really important things to do. And we  
24 want to make as much progress each time as we can. And I  
25 guess -- I know it's going to be getting into the summer,  
26 fishing -- well, fishing's probably not really starting yet  
27 so we're probably fairly safe there unless you catch  
28 herring.

29

30 Ralph.

31

32 MR. ANDERSEN: I have a question. How drop  
33 dead date is May 1? I mean how much of a drop dead date is  
34 that? How flexible, within two or three days are we in  
35 organizing a meeting round?

36

37 CHAIRMAN REGELIN: Doug.

38

39 MR. ALCORN: Thank you, Mr. Chairman.  
40 Yeah, Ralph, the date that we're talking about, May 1, is  
41 kind of backing off, I think, maybe Bob Stevens can clarify  
42 but from a June 1 deadline of having information to the SRC  
43 so we're talking about getting together as soon after May 1  
44 as we can to allow for a couple of weeks for Staff to do an  
45 environmental assessment on our recommendations before they  
46 then are submitted to the SRC.

47

48 CHAIRMAN REGELIN: It looks to me like if  
49 we're going to -- if the deadline is to get for the  
50 regional bodies to get their information back to Fred May

00134

1 1, we have to give Fred and his Staff time to pull it  
2 together and package it for us. And then we also have to  
3 give time after we take actions to get it ready to go. So  
4 we're probably looking towards the middle part of May then  
5 to have a Council meeting. Does that sound, the week of  
6 May 13th, you know, maybe in the middle of the week or  
7 something, May 15th?

8

9 MR. SQUARTSOFF: It sounds good. We could  
10 do it in Kodiak, you'll have fresh red salmon.

11

12 (Laughter)

13

14 CHAIRMAN REGELIN: I assume we'd still have  
15 the meeting in Anchorage because I think it's by far the  
16 cheapest place for everyone. Do we want to set the meeting  
17 date right now as May 15th?

18

19 MR. ANDERSEN: What day of the week is it  
20 on?

21

22 CHAIRMAN REGELIN: That's a Wednesday. You  
23 know, I mean we can move it to a Tuesday or Thursday, I'm  
24 open. Doug.

25

26 MR. ALCORN: I do have a conflict on that  
27 date but May 14th is a day that I could.

28

29 CHAIRMAN REGELIN: A suggestion of May  
30 14th, does that work for the majority of us?

31

32 MR. ARMSTRONG: Mr. Chair.

33

34 CHAIRMAN REGELIN: Fred.

35

36 MR. ARMSTRONG: Now, as far as dates, now,  
37 remember May is usually graduation for high schools and try  
38 to keep that in mind. I know that if you have kids  
39 graduating or relatives that you'd like to be there and  
40 that -- you know, if you have to try to shuffle your  
41 schedule to try to come prepared for this meeting. This  
42 really is going to make it or break it whether or not we  
43 can forward this year with any type of regulations. We  
44 have to be prepared to cover all of these issues.

45

46 CHAIRMAN REGELIN: Well, I think that we're  
47 splitting the difference with you in keeping the deadline  
48 of May 1st to get the information into you and your Staff  
49 and then having time for you to get it ready to go onto  
50 Washington. So I guess we'll just pencil in or write in

00135

1 the 14th of May and we'll have another meeting.

2

3

Okay.

4

5

MR. ANDERSEN: Mr. Chairman.

6

7

CHAIRMAN REGELIN: Yes, sir.

8

9

MR. ANDERSEN: Move to adjourn.

10

11

MS. STICKWAN: Could you just quickly  
12 review what we're supposed to do first?

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

CHAIRMAN REGELIN: I can give it a try and Fred can correct me. I think that the regions that have not turned in any proposals on the 30 day closure need to work with Fred and his Staff and do so and Frank needs to work with the Staff -- they've turned one in but we've asked them to make some modifications. And then they also need to, each region needs to look at the list of species and see if there's anything they want to add to the master list and then they need to check off and take from that master list and say we realize the master list is for the entire state and these are the lists that we -- or these are the species in our region that we harvest. My urging follows Bob Trost, if you don't eat them don't put them on there because there's a lot of people that are going to be upset about some of the species on there and we don't think they can stop us but we don't need anymore grief, unnecessarily but, I guess, if you eat them they should be on there.

And I think those are the actions that we will take. Now, I think that that's what the regions need to do. I think there's a couple of exceptions with your region and probably Southeast region, we have to get some other processes done before they are actually included and they can do this now if they want to and we can just have it on record and take action when we can or you can wait.

What did I forget, Fred?

MR. ANDERSEN: All of this will be put in writing by Fred.

MR. ARMSTRONG: Yeah, I will follow that with a letter but we also need to include the list of species for closure and the method and means that some regions haven't addressed yet other than BBNA. So those are critical elements that need to be included just to open

00136

1 a season for Alaska so please try to address those.

2

3

CHAIRMAN REGELIN: I think that Fred will  
4 need to get a letter out to all regions of what to follow  
5 up with and some will have more to do than others because  
6 like Bristol Bay, the only thing they need to work on now  
7 is a list. And some of the others -- but we shall --  
8 there's a lot of things to do. But I think we made some  
9 progress today. I feel like we couldn't get much farther  
10 than we did without more people here. And I know it's hard  
11 to get people to put it down in writing what it's going to  
12 be so we're getting there.

13

14 We have a motion to adjourn, does anybody  
15 want to fight about it?

16

17

(Pause)

18

19

We're adjourned until May 14th.

20

21

(END OF PROCEEDINGS)

22

23

\* \* \* \* \*



00137

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33

C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 2 through 136 contain a full, true and correct Transcript of the ALASKA MIGRATORY BIRD CO-MANAGEMENT COUNCIL taken electronically on the 28th day of March 2002, at the Residence Inn in Anchorage, Alaska;

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

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

DATED at Anchorage, Alaska, this 15th day of April 2002.

---

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