MEMBERS PRESENT:

Tim Towarak, Chairman
Charles Brower
Anthony Christianson
Bud Cribley, Bureau of Land Management
Geoff Haskett, U.S. Fish and Wildlife Service
Sue Masica, National Park Service
Eufrona O'Neill, Bureau of Indian Affairs
Wayne Owen, U.S. Forest Service

Bertrand Adams - Southeast RAC
Harry Brower - North Slope RAC
Molly Chythlook - Bristol Bay RAC
Vern Cleveland - NWA RAC
Andrew Firmin - Eastern Interior RAC
Louis Green - Seward Peninsula RAC
Jack Reakoff - Western Interior RAC
Speridon Simeonoff - Kodiak/Aleutians RAC

Ken Lord, Solicitor's Office
Kelly Hepler, State of Alaska Representative

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CHAIRMAN TOWARAK: Good morning. I'd like to reconvene our Federal Subsistence Board meeting. Yesterday we had completed, I think, the Yukon proposals. Scheduled next was Chignik, but we've got a little timing situation this morning that I'd like to make sure that -- I'd like to bring this in front of the Board. Pete has a teleconference going on at the moment and he would like to be here for the Chignik proposal, so if there's no objections we're going to put Chignik on hold.

We were supposed to start with Chignik this morning -- or, no, FP13-13, yeah, which is Chignik. We're going to put that on hold and skip over to the Kodiak proposals. There's only one Kodiak proposal and then we have one Cook Inlet proposal. We'll stay on that schedule until Pete gets back and when he gets back after completing whatever proposal we're on, we'll jump back and take care of Chignik while Mr. Probasco is with us.

Are there any objections to that change in the schedule?

(No comments)

CHAIRMAN TOWARAK: Not hearing any. Okay. Then we will proceed with Proposal -- oh, I'm sorry, we need to go back and -- every morning we start with the public comment period on non-agenda items. We only have, I think, one person that is signed up for it. We'll open the floor then for public comment.

MS. O'REILLY-DOYLE: Thank you, Mr. Chair. We have one individual that has signed a request form for public testimony this morning and that would be Larry Sinyon. I apologize if I'm mispronouncing your name, Larry, but I'm not seeing the spelling well. Thank you.

MR. SINYON: Morning. This is Larry Sinyon. I'm the president for Cheesh'na Tribal Council in Chistochina. It's up on the Tok cutoff. Mine is short. We have an MOU with the Park Service, the Wrangell-St. Elias National Park and we have a subsistence -- well, it's a local hunt for moose. It's
only moose from August 24th to 28th. Two years ago it
was really wet in the area, all through the Copper River
Valley, and they kept the trails closed. With that done,
they kept it closed until about the first of September,
so there was no four-wheelers in there, reducing the
hunting season. Reducing the hunters to almost zero.
When they did open it, there was no -- no one had time to
get out there. So I think if you could work something
like that out with the State, it would open up a little
more subsistence -- you know, clear up some subsistence
issues. That's one thing.

What Wilson was saying day before
yesterday about trails, the (In Native language), it's
like a religious word. There's another word that goes
with it and it's (In Native language). The closest I can
come to making that English is extinction. These trails
Wilson was talking about, almost all the road system in
Alaska and probably United States is covered -- those
trails are covered by roads nowadays. All the rivers,
the rivers were the main food source where the animals
are.

I don't know how else to put it, but
that's the way it is. I just wanted to bring up that
working with the Park Service, the Feds could do the same
thing with the State if the State would listen. That's
all I have. Thank you.

CHAIRMAN TOWARAK: Thank you. Perhaps we
could refer this issue to the Park Service and ask you to
get together with the Park people and possibly work on a
proposal for one of our future meetings.

MR. LORD: Mr. Sinyon, there's a process
that you may or may not be aware of called a special
action request in the program. If there's a problem such
as the trails being closed due to weather that prevents
you from engaging in a hunt when it's scheduled, you can
call up the Office of Subsistence Management, explain the
problem and tell that you want to submit a special action
request to extend the season because you weren't able to
hunt, you or anybody from Chistochina. So there is a
mechanism in place to account for situations like that.
All you have to do is call them and start that process
going.

MR. SINYON: Actually that wasn't the
problem. That was the thing that solved the problem of
hunting pressure, is the point I was trying to make.
MR. LORD: I'm sorry, I misunderstood.

MR. SINYON: Any more questions.

(No comments)

CHAIRMAN TOWARAK: Thank you very much for your comments.

MR. SINYON: Thank you.

CHAIRMAN TOWARAK: Could I get the Staff next to that microphone to turn it off. Thank you. Next.

(No comments)

CHAIRMAN TOWARAK: Okay, that concludes the public comments for non-agenda items. We will then revert back to our proposal process and start with the Chignik proposal -- I mean Kodiak. 13-14, Page 255 in your books.

(Pause)

CHAIRMAN TOWARAK: We have one more process to go through. We're being corrected, that we have to open the floor for non-consensus topics and we do have someone interested in speaking to that effect.

MS. O'REILLY-DOYLE: We have Ronald Leighton on the line. Ronald, the floor is yours.

MR. LEIGHTON: I'm here today to talk on the consensus Proposals FP13-17 and FP13-22. I'm not here to speak on behalf of the Organized Village of Kasaan because this came too fast and we didn't run this before the council. I know everybody's consensus down there. I would like to request that these two agenda items be removed from the consensus agenda and put on the regular agenda to be discussed. My reasons for that is that the no limit -- the no daily limit for any fish should be eliminated and a need should be brought forward for our total amounts of consumption of any given fish species, whether it be sockeye, halibut or other rockfish.

The reason for that is, for example, for me to travel to a sockeye stream it would be too cost prohibitive for me to go up every day to get my 10
sockeye. I feel that it's very important that you guys understand this. Say, for instance, I need 100 sockeye per year and you guys need to figure out how much sockeye I'm taking. Well, it's easy. You put down 100 sockeye on the permit. When the sockeye are there, I could get my 100 sockeye. I don't have to come back each time to get it. A lot of times when I come back to get my other 10 I can't make it because of weather or when I do get there there's no sockeye. They had already went upstream. They come in spurts. So when they're there we should be able to get them. It would make it cost effective for us to do it that way.

Another thing here, I think FP13-17 speaks a lot toward it. The people that process their fish at site when they're staying there, they get their daily amount as they get it and in between spurts they process their fish by either drying it, smoking it and drying it, drying it, whatever, but this will allow that to happen. I don't know exactly why there is heartburn over these two proposals. I think they make perfect sense. It will allow us to get the fish while they're in place.

Another thing that you've got to realize too is that we depend on fish, a lot of different fish species and if we can't get one fish species, such as maybe halibut, maybe we don't get our amount of halibut, then we have to go to different fish to fill in that gap we lack in the halibut. Maybe have to add to our salmon. So I would recommend that you bring this back, reconsider it and take a look, a very close look at it. It's your jobs to sit down and figure out ways of not limiting us in our abilities. You have to figure out ways to make the effort -- our effort easier to obtain our customary and traditional levels no matter what species it is.

This is what I wanted to talk on. I think it's very important that you concentrate on not limiting us, not daily limits, not this and that, but that you look at it very close and open up our abilities to gather. When I go up there and I have to release a lot of fish, take my 10, it's upsetting to me. When I go back and they're not there, it's also very upsetting to me and I feel a lot of times a failure to my family because I can't get our customary and traditional use levels and this is why I feel that you should consider this. I'm finished.

CHAIRMAN TOWARAK: Thank you. Are there
any questions of Mr. Leighton.

(No comments)

CHAIRMAN TOWARAK: Mr. Leighton is requesting removing a proposal from the consensus item to the non-consensus item. Are there any Board members that would wish to carry out his request.

MR. OWEN: A question, Mr. Chairman. Mr. Leighton explained his rationale behind moving Proposal 22, but I don't recall his rationale for No. 17.

CHAIRMAN TOWARAK: Mr. Leighton, did you hear the question? Would you review your request on removing 17 and the rationale behind asking for moving it over.

MR. LEIGHTON: Okay. On No. 17, it's my understanding on that one -- the reason why that came forward is that there's more traditional subsistence needs there. If you are processing fish at site and you only have a daily bag limit of fish, it really makes it illegal for us to sit down there and say spend four or five days there processing our fish, smoking it up, drying it or jarring it up. The markings of our fish, I don't know -- I think at first that was mentioned in this, but why is it that subsistence-caught fish are the only ones that have to be marked. I know the intent originally was to keep us subsistence users from selling it to canneries and stuff and that was their way of identifying that the fish were subsistence caught, but I don't think that's an issue here anymore.

It's tough enough -- tough enough times now that the people either barter/trade for other products. I just feel that you guys are going to have to look at this and let people talk on this a little bit and air it for a while. There's no -- in other parts of the state there's no limit on the amount of fish that subsistence users do or take and I don't know why that is down here in Southeast Alaska that you put limits on it and stuff, regulate us more strictly. I mean we have the same needs as other people in the rest of the state.

I'm finished.

MS. O'REILLY-DOYLE: Mr. Leighton, if you could stand by for a moment, we're discussing your request.
MR. LEIGHTON: Okay.

(Pause)

MR. LEIGHTON: I can't hear the discussion.

(Laughter)

CHAIRMAN TOWARAK: Okay. We had a couple of questions internally as to what process we need to use. At this point, your request is to take Proposal 17 and 22 off the consensus list and insert it into the non-consensus agenda. The floor is open for any Board members to make that request.

(No comments)

CHAIRMAN TOWARAK: Mr. Adams, have you got any thoughts on this?

MR. ADAMS: I don't. Sorry. I'm done.

CHAIRMAN TOWARAK: Mr. Leighton, we don't have anyone that wants to make the request, so with no action from the Board to take it off of the consensus and move it into the non-consensus agenda fails.

MR. LEIGHTON: Thank you for allowing me the opportunity. I tried anyway.

CHAIRMAN TOWARAK: Thank you for your request. I believe that takes care of all the requests we had for the comment period on consensus agenda items. We will then resume our proposal process of Proposal 13-17.


CHAIRMAN TOWARAK: I mean 13 and 14.


CHAIRMAN TOWARAK: 13-14. I'll get it yet. Okay. We had earlier explained that we're going to bypass 13-13, which is a Chignik proposal until Mr. Probasco is back to our meeting. We will start off with Kodiak's Proposal 13-14 to revise pot size limitations. It's on Page 270.
We will start the process with an analysis by the Staff, please.

MS. LARSON-BLAIR: Good morning, Chairman, Board members and Council representatives. My name is Kay Larson-Blair and I’m a fisheries biologist with the Office of Subsistence Management. I will be presenting Proposal FP 13-14, which was submitted by the Alaska Department of Fish and Game. This proposal can be found on Pages 255-269 of the Board book.

The proposal requests modification to the Federal subsistence king and tanner crab fisheries regulations for the Kodiak area. The proponent requests establishing definitions for king and tanner crab pots, modifying gear marking requirements, and clarifying crab pot limits per vessel.

A map depicting Federal public waters can be found on Page 260 of the Board book. Residents of the Kodiak area have a customary and traditional use determination for the harvest of tanner crab in the Kodiak area. Residents of the Kodiak Island Borough, except for those residents of the Kodiak Coast Guard Base have customary and traditional use determination for king crab in the Kodiak area, except for the Semidi Island, the North Mainland, and the South Mainland sections.

Federal public waters contain only about 2 percent of the available crab habitat in the Kodiak area. In 2007, the crab population was estimated at 186 million, which was an all-time high since the trawl survey was implemented. The tanner crab population in the Kodiak District decreased in 2010 and was estimated at 76.3 million crabs, which is still considered healthy.

Subsistence harvest survey information for tanner crab can be found on Table 3 on Page 264 of the Board book. Tanner crab harvests are relatively small in the Kodiak area and have fluctuated over the years. Additional information on regulatory and biological history on tanner crab can be found in the Board book on Pages 255 through 264.

Since 1982 the king crab population has decreased and since then it has remained at historically low numbers. Relatively few king crabs are captured in the State trawl survey each year, therefore it is not possible to accurately determine trends in the population since small differences in catches result in large
differences in population estimates. However, these surveys do show that the red king crab stock in the Kodiak area has remained at very low abundance levels.

An ADF&G subsistence permit is required to participate in the Federal subsistence king crab fishery. Data on subsistence harvest is in Table 2 on Page 263 of the Board book. Reported king crab harvest in the Kodiak area has been very small since the collapse of the stock in the 1980s. Harvest among the communities appears to be decreasing. Between 1996 and 2011 the annual king crab harvest has dropped to approximately 100 crabs or less.

The tanner crab population is healthy and the harvest is relatively small compared to the population, while the king crab population is depressed. The size of the subsistence harvest is small relative to the resource. This proposal would also unnecessarily restrict subsistence harvest users.

OSM's conclusion is to oppose Proposal FP13-14. There is a well-documented conservation concern for king crab in the Kodiak area, which includes Federal public waters in Womens Bay, Gibson Cove, and nearshore waters around the Karluk River mouth and Afognak Island. The Kodiak Area king crab stock remains at very low abundance levels. Marine waters under Federal jurisdiction in Womens Bay is a known nursery area for the larger Chiniak Bay complex and is easy to access from the Kodiak road system. However, Federal public waters only contain 2 percent of the available crab habitat for the Kodiak area and the subsistence harvest in those waters is relatively small.

If this proposal were adopted, it could limit harvest opportunities for Federally qualified subsistence users to harvest king crab and tanner crab. Maintaining the current tanner and king crab regulations in the Kodiak area would provide for subsistence harvest of crab with minimal impacts to the crab stock.

Thank you, Mr. Chair. That concludes my presentation.

CHAIRMAN TOWARAK: Thank you. Are there any questions of the Staff regarding 13-14.

(No comments)
CHAIRMAN TOWARAK: Thank you. We will continue then on the summary of public comments form the Regional coordinator.

MR. JENNINGS: Thank you, Mr. Chair. My name is Tom Jennings. I serve as the coordinator for the Kodiak/Aleutians Council. We received no written public comments for this proposal. Thank you.

CHAIRMAN TOWARAK: Thank you. We will open the floor for public testimony. Do we have anyone.

MS. O'REILLY-DOYLE: Mr. Chair. We have no request for public testimony on this issue.

CHAIRMAN TOWARAK: Thank you. We will then go to the Regional Council recommendations. Mr. Simeonoff.

MR. SIMEONOFF: Thank you, Mr. Chairman. I talked with several people in the Kodiak area along with my village. When I tried to explain the rationale for a proposal like this, they immediately saw the hindrance of a proposal like this to their ability to harvest king crab. I think what they saw the most was each person in the village who wishes to harvest king crab would have to obtain their own boat, obtain their own crab pots and go out and harvest one king crab and five tanner crab and it just didn't make sense to them to have to spend that much money on the equipment to harvest a small amount of crab. As it is now, some of the villagers that have boats and have crab pots can take their boat, their crab pots and several people from the village to help them harvest that king and tanner crab.

The discussions at the Kodiak/Aleutians Council meeting, the Board adamantly opposed this proposal. Any proposed changes would be detrimental to and cause hardship to subsistence users. They strongly supported the existing regulations. Thank you.

CHAIRMAN TOWARAK: Thank you. Are there any questions of the chair on this proposal.

(No comments)

CHAIRMAN TOWARAK: Thank you. We'll proceed with the Alaska Department of Fish and Game.

MS. YUHAS: Thank you, Mr. Chairman.
Jennifer Yuhas, Alaska Department of Fish and Game. We hope through our presentation here to bring the Board some new information which has occurred with some of the other proposals during this meeting and to clarify some of the misconceptions we were not able to correct at the RAC meeting. Mr. Drew Crawford, our State fisheries issues liaison, and Mr. Wayne Donaldson will be covering this topic for you. We also have a presentation scheduled regarding the conservation concern from our counterparts at NOAA. With that, I will turn things over to Mr. Drew Crawford.

MR. CRAWFORD: Thank you, Mr. Chair. I will be summarizing the Department’s comments that are in your Board book on Pages 268 to 269. Joining me this morning is Wayne Donaldson. He’s the Alaska Department of Fish and Game regional crab biologist in Kodiak who can help with any additional questions you may have about this proposal.

Proposal FP 13-14 was submitted by the Alaska Department of Fish and Game to align the size and marking requirements for king and tanner crab subsistence pots in the Kodiak area for State and Federal regulations. Adoption of this proposal will eliminate the discrepancies between State and Federal regulations, which may leave subsistence users vulnerable to unintended violation citations.

It would also require Federal subsistence users to add the word king crab or tanner crab on their pot buoys. It will eliminate confusion for subsistence users who participate in both the State and Federal subsistence fisheries. This proposal could also assist with rebuilding the red king crab stocks over time, eventually leading to additional harvest surpluses for other user groups.

Conservation concerns for the red king crab stock prompted the Alaska Board of Fish and Game to adopt several changes to the Kodiak Island area subsistence crab fishing regulations at their March 2011 meeting. They adopted the same crab pot definitions for the Kodiak king and tanner crab State subsistence fishery as those specified in the commercial king and tanner crab fishery regulations.

The Board of Fish specified definitions of king and tanner crab pots, including, one, a maximum crab pot dimension. Note that's a maximum. Pots can be
no more than this size. Two, they established tunnel-eye
opening perimeters which differentiate king from tanner
crab pots. Restricting the tunnel-eye opening to less
than 5 inches in tanner crab pots excludes legal king
crabs from entering a tanner crab pot. Excluding king
crab from tanner crab pots will assist conservation
efforts by reducing handling mortality and illegal king
crab harvest caught in tanner crab pots.

Adoption of this proposal will assist
enforcement personnel to differentiate between
subsistence users and those operating illegally
configured or incorrectly marked gear. So the Department
supports this proposal.

However, at this time, the Department
would like to share some new crab research results with
the Board, the OSM Staff and the Regional Advisory
Council Chairs. This research on ghost fishing by
derelict crab pots in the Womens Bay in the Kodiak crab
management area was conducted by Chris Long and his
associates in the National Marine Fisheries Service
shellfish assessment program in Kodiak.

Since Chris was unable to attend this
meeting today, OSM's Tom Kron will operate the PowerPoint
projector for this presentation and Chris will talk to us
-- talk us through the presentation via teleconference.
Are you there, Chris?

MS. O'REILLY-DOYLE: He's on the line,
but he's registered as William, so I'm letting the
operator know.

MR. CRAWFORD: You can go ahead with your
presentation, Chris.

MR. LONG: Oh, good. Can you hear me?

MR. CRAWFORD: Yes.

MR. LONG: Can you hear me?

MS. YUHAS: We can hear you.

MR. LONG: Oh, okay. Thank you. Sorry.
I was trying to figure out exactly how to turn this thing
on. All right. Well, thank you. Thank you, Mr.
Chairman and thank you for having me here today. I'm
going to be talking about a set of research that we've
done in Kodiak over the last -- well, since 1991, it's a
long-term project, and just talking about the effects of
ghost fishing on king crabs that we've seen in Womens
Bay.

As you're probably aware, ghost fishing
can be defined as simply the ability of lost or derelict
fishing gear to continue to capture and kill animals
after a fisherman has lost control of it.

Just to situate us, again, you're
probably all very familiar with this, but our study site
is in Kodiak. Here you can see -- oh, sorry. I should
be on slide three by now. I forget that I'm not
controlling it. I live in Kodiak here and specifically
we've done this research in Womens Bay, which is part of
the Federal subsistence waters in the Kodiak area.
Womens Bay is a very productive area. There's a strong
history of both commercial and subsistence fishing in
this area in part because it's easy access from the road
system. It's a nursery habitat for both king and tanner
crabs. While we've had a very large decline in the king
crab population in Kodiak over time, there has been a
persistent population of king crab in this bay even
during this particular low time in the population cycle.

The study was really not originally
designed to get at ghost fishing. The design of the
study was simply to study crab behavior and habitat use.
We did this by using acoustic pegs on the left-hand side.
We should be on slide 4 right now. The white bar is an
acoustic peg and this is a -- it's got a battery inside
a little emitter that puts out a high frequency sound
wave. This we epoxy to the back of crab. This doesn't
seem to affect their behavior or anything. You throw
them back down in the water and they behave just like
crab usually do. This allows us to locate them from the
surface and by diving using hydrophones.

So we re-release them back into the wild
and we can follow the crab and locate them and we can
make notes on where they are, what they're doing, what
their behaviors are, whether they're associated with any
particular habitat feature or with other crab. This
study is a very long-term study. It was between '91 and
2008 and we followed nearly 200 crab for this study over
that time period.

So one of the things -- like I say, every
time we dive on these crab we make a note of the -- what
they're associated with and this is a total of over 600
different dive observations over the 17-year time period.
What you can see from this is that the majority of the
time the crab are associated with mud or somewhat
unstructured bottoms over here about 73 percent of the
time. There is a strong -- at least in Womens Bay they
really like dock pilings, any sort of structure sticking
up out of the water.

One of the things that caught our eye as
we started to accumulate this data was the fact that crab
pots marked 10 percent of the observations that we have
of these red king crab. These crab are actually in crab
pots underneath the water. In particular, these are
mostly derelict crab pots, not ones that are being
actively fished.

So, you know, when we look at the data
and we look at the crabs that we've followed over the
years, 12 of those 192 crabs actually died in derelict
crab pots and another 20 pegged crabs were trapped in
crab pots, but the divers released them and disabled the pots
when they found them in there. We feel that most of
those 20 pegged crabs probably would not have been able
to get out of the crab pots. They were just too big to
successfully navigate those tunnels again. In addition
to this, one other pegged crab died in a gillnet, so
there are other types of fishing gear down in Womens Bay
that can be causing issues, but the majority, at least
from a crab perspective, seems to be the crab pots that
are down there.

So of the crab pots we observed, we saw
143 different derelict crab pots in Womens Bay. About
half of those were dungeness, then another 30 percent
approximately were commercial types. These are either
conical or the big 6 for king crab. They might be
subsistence or they might be commercial. It's impossible
to tell under the water, but they are the sizes for
commercial fishing. Another 14 percent were homemade.
This is usually welded rebar covered in some sort of a
mesh. Then another 8 percent are either really flimsy
store-bought ones and 3 percent that we couldn't really
tell.

One of the most important observations we
made was that of these 143 pots, 62 percent of them were
intact. In particular, 62 percent did not have the
required biodegradable twine that's required on these
pots in order for them to open up after a relatively
short amount of time to prevent the ghost fishing that we've been seeing down here.

So, from this data we can actually do a -- we can actually predict the overall effect of ghost fishing on the population as a whole because we know how many crabs we pegged and we know how long each of those tags were out there and we know the final fate of each of those pegs, we can tell if a crab died or if it molted by the fact that if it molted there's a whole carapace down there versus if it died it's either degrading crab or, in the case of predation, it's a very chewed up carapace.

By taking this information though of the number of tags and the time each of them were out there, we can actually calculate a mortality rate using both the number of deaths and the time to death and then we can use this rate to predict the effect on the population of a whole. This is entirely independent of the size of the population. We're simply assuming that each pegged crab is representative -- is a representative number of that population.

We went ahead and calculated two estimates for this mortality rate from ghost fishing. We did a lower one in which we only counted crabs that died in pots as ghost fishing mortality and then we did an upper estimate where we assumed that all the crabs that were caught in crab pots but were released by divers would have died. So this gives sort of a minimum estimate and then an upper estimate. The true value lies somewhere between those. Our feeling is that it's probably close to the upper estimate just from the general observations we made of these crabs and from a few other points from other studies that have been done on these things.

However, the overall conclusion we came to is that ghost fishing is having a tremendous impact on this population in Womens Bay that we're seeing 16 to 37 percent of red king crab in Womens Bay being killed by crab pots every year. This is -- the size that we're talking about here is small juveniles we can't track with these. This is about 16 mm crab's carapace length and up, so that's a substantial portion of the red king crab population. The 16 percent is the lower estimate, so that's only assuming the crabs that were killed in pots would have died and the 36 percent is assuming that all the crabs that were trapped in pots would have died.
While we've been out there we also make observations on both the pots and we see a lot of what happens in Womens Bay. There's a lot of sources of pot loss in Womens Bay. Vessel traffic is one. The pot lines can get tangled and cut by props. People often will leave these pots out there for a very, very long duration of time and just abandon them out there and eventually the floats sink. Pots may not be rigged properly. People sometimes cut each other's buoys. Also we have strong ice effects in Womens Bay. I have a couple of slides just to talk about that.

So on this slide, we're on slide 11 now, the picture on the left shows a crap pot buoy and you can see that there's a thin sheet of ice that forms in Womens Bay during cold and calm days in the winter. That buoy can get encased by ice. The picture on the right shows the bay that's covered by a relatively thick sheet of ice. This picture was taken last winter.

This ice, you know, tidal action and winds eventually break up this ice and flush it out of the bay, but if those pots -- buoys are imbedded in the ice, they can get dragged quite a distance away from where they originally sat and they can also get dragged into areas where they're outside the depth of the line and the buoys get sunk under the water. If somebody's pot gets moved a fair distance, it's unlikely they'll find it again even if it's in shallow enough water to see the buoy.

This ice is actually very, very powerful. That ice sheet on the left -- on the right-hand side, sorry, that you see there actually picked up a Coast Guard buoy and dragged it a mile and a half away from where it originally was. This thing has a 10,000 pound anchor on the bottom of it. So this ice is more than capable of moving these crab pots around. In fact, again, observations that we made, right where that picture was taken there were about 20 crab pot buoys before the ice set in and the day after, when the ice had moved out, there weren't any buoys. So all of those 20 pots were probably lost in this ice event.

In addition, the ice -- when you get a thin sheet of ice on top of the bay and tidal currents move it in and out, you can see on slide 12 here that upper left picture shows that thin sheet of ice abrading the pot buoy and abrasing the line. Right below you can see what happens to that buoy over time. If the buoy is
left out long enough or if the pot is left off long
evenough, you get growth of apathetic (ph) organisms on the
line. That's the picture on the right here. That's
eventually going to sink that buoy down to the bottom and
the pot is going to become derelict.

The overall conclusions from this work,
ghost fishing by -- especially by derelict crab pots is
a major source of mortality for red king crabs in Womens
Bay. Just to give you a sense of what that means, if you
start off with 16 mm female crab and assume she has to
molt at least three times before she hits maturity, she
has somewhere between a 41 and 75 percent chance of being
killed by ghost fishing before she reproduces for the
first time. That's a pretty major number right there.
I at least feel that there is -- this data indicates that
measures to reduce ghost fishing are very strongly
warranted in this system.

The last slide 14 is just thanks to the
people who helped out with making maps and helped out
with diving on this project over the many years of it and
I'd be happy to take any questions.

CHAIRMAN TOWARAK: Thank you. Do you
have anything further to add.

MR. LONG: No, no. This is really just
-- this work is surprising. I mean when I first was
running the numbers on the king crab in Womens Bay my jaw
dropped open because it's such an astoundingly high
source of mortality for this population here. I thought
it was very important to get the data out to the
Subsistence Board and anyone else who might be able to
make changes in the system to reduce either the rate of
loss of these pots or, you know, hopefully get people to
comply a little bit better with the regulations. I want
to come up with better ways of getting these pots to open
up under the water when they get lost.

CHAIRMAN TOWARAK: Thank you, Mr. Long.
I was directing that question to your Staff here in the
meeting.

MR. LONG: Oh, I'm sorry.

CHAIRMAN TOWARAK: Not a problem.

MR. CRAWFORD: Thank you very much for
your presentation, Chris. The Department feels that due
to the well-documented conservation concern for king crab in the Kodiak area and new information that this proposal still has merit. After reviewing the September 25th Kodiak/Aleutian RAC transcripts, our regional crab biologist from Kodiak identified several misconceptions about this proposal. There was confusion among the RAC that this proposal would prohibit smaller pots.

Our comment is the dimensions specified in the king and tanner crab pot dimensions are maximum sizes. That is the pots may be no more than the dimensions indicated. So these pot dimensions were selected to be inclusive, meaning that they were -- that all existing subsistence crab pots currently in use in the Kodiak area would fall within this maximum size range. There was also concern that perhaps the conical shape Japanese long-line pots would be not allowed under this definition. That's not so. These would be legal gear.

Another concern was that if this proposal was adopted, it would limit harvest opportunities for Federally-qualified subsistence users to harvest king and tanner crabs. The annual limit of three crabs per household remains with a limit of one pot per person. This proposal would also limit one pot per vessel if multiple households fished from one vessel in Federal waters. In Federal waters of Womens Bay, there is a well-documented ghost fishing issue and associated mortality of red king crab. A subsistence crab pot is capable of holding multiple household possession limits of crab if they are available.

Another concern was in order to comply with regulations that some Federally-qualified users would be forced to modify existing crab pots or purchase new ones. If this proposal was adopted, pots would need to conform to the regulation. However, it is highly unlikely that existing pots could not be modified to meet the regulation.

So we believe that the Womens Bay is a pretty important area for crab and maintaining the current regulations does not provide a means to enforce existing crab pot limits and does not act to deter illegal or ghost fishing, which is a demonstrated problem in the Kodiak area.

Any questions.
CHAIRMAN TOWARAK: Mr. Simeonoff.

MR. SIMEONOFF: Thank you, Mr. Chairman.
I would still adamantly oppose that regulation. It still states that one crab pot per boat. It seems like you're having a problem in Womens Bay. It's not a problem that is experienced in other villages around Kodiak Island. There's nobody out in the village that would leave a crab pot out long enough to allow that kind of growth on the line.

If you have so many people fishing in Womens Bay, can we come back to the RAC with a specific proposal that addresses Womens Bay. To have a proposal that affects the whole Kodiak Island with a problem in such a small area, it doesn't make sense to penalize the whole population when you're having a problem in such a small area.

It's understood that Kodiak has a very large population and maybe there's some people that -- like in the summertime out in the village there's some people that come in from out of state that drop crab pots and, when questioned, they say, oh, we're subsistence fishing and they'll take more than their subsistence limit and they'll fish all summer long. If you're allowed one crab per year and you're taking 40 home, you know, enforcement is not there during that time, but they are there when subsistence activity is taking place. Then again, if we're having a problem in Womens Bay, why don't we come back to the RAC with a specific proposal for that area. Thank you.

MR. CRAWFORD: We can do that, Mr. Chair.
Wayne Donaldson, our local biologist, has already contacted some of the local -- one of your local Council members in Kodiak and has requested permission to come to your RAC meeting in Kodiak in March to talk with you guys about this and also give this presentation to your whole RAC.

The Department, at this time, we're not wedded to all parts of this proposal. We do feel that it would be advantageous to require marking of the subsistence pots with the buoy, such as this is a king crab pot, this is a tanner crab pot, so on the surface somebody who encountered those would know what's supposed to be below.

The other part of the proposal which
would be advantageous is the definition so that the pot
below the buoy would match the criteria needed for that
particular species. As far as the one pot requirement --
one king crab pot per vessel requirement, we could be
willing to let that one go.

MS. O'NEILL: Mr. Chairman, I have a
question.

CHAIRMAN TOWARAK: Go ahead.

MS. O'NEILL: Have you considered
possibly -- you were talking about additional limitations
of just restricting this to regulation requiring a crab
release mechanism to prevent ghost fishing mortality. It
seems you've included a lot in this particular
recommendation.

MR. DONALDSON: Mr. Chair. Ms. O'Neill.
There's already a State regulation that requires all crab
pots to have a biodegradable escape mechanism built in to
the side wall so that when the pot is lost that there's
an opening created for crab to escape. What we're seeing
in some pots, as Chris alluded to in his presentation, is
that not all fishermen are doing that and when the pots
are lost, they're not -- they don't have this mechanism
to open up and that's what's part of the problem.

MR. OWEN: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead.

MR. OWEN: Through the Chair. A question
to the Fish and Game. Then are you saying that the
problem is actually a failure to enforce existing
regulations and, if that's so, is there really a need for
an additional regulation in this case?

MR. DONALDSON: Mr. Chairman. Mr. Owen.
Certainly that's part of the problem, that these pots,
when they're lost, they don't have the current regulation
enforcement, but the other issue is that there are
current pot limits. One king crab pot per person for
king crab and five tanner crab pots when fishing tanner
crab. The problem is that there is no definition of what
those pots are in regulation, so it's almost impossible
to enforce a king crab pot limit of one if you don't know
what the pot looks like. So the Department put this
proposal forward to define what a king crab pot is with
dimensions and define what a tanner crab pot is with
dimensions. That would help the protection department
enforce the pot limits, which would then, we believe, cut
down on the ghost fishing.

MR. OWEN: Follow up, Mr. Chair.

CHAIRMAN TOWARAK: Go ahead.

MR. OWEN: Please educate me. Is it the
case that all crab parts, regardless of what kinds of
crab pots they are, and I guess that would include a lot
of dungeness, don't they all require biodegradable
release mechanisms?

MR. DONALDSON: Mr. Chair. Mr. Owen.

That's correct.

MR. OWEN: Thank you. Thank you, Mr.
Chair.

CHAIRMAN TOWARAK: Any further questions.

(No comments)

CHAIRMAN TOWARAK: I've got a question to
Mr. Simeonoff. Based on what you heard from the State's
presentation, do you think there's enough information to
either withdraw this proposal or do any other action than
we would plan on doing today?

MR. SIMEONOFF: I think removing the
proposal would be a good thing. From what I've heard in
the presentation that Chris did, it sounds like the
problems they're having is in Womens Bay, not in the
outlying villages. I would agree with removing the
proposal. If there's a problem with Womens Bay, I would
suggest that they come back to the RAC with a proposal
that's specific to where the problem is occurring.

CHAIRMAN TOWARAK: Go ahead.

MR. HASKETT: I think that's good to know
what the RAC wants. It's a State proposal though that
we're considering. I think when we get to the point --
I'll be putting a motion in front of the Board that I
think will address what you're looking for hopefully.

CHAIRMAN TOWARAK: Does the State trust
us to proceed?
MS. YUHAS: That's a hard question. Mr. Chairman, may I take the Bert Adams' out on that one.

(Laughter)

MS. YUHAS: I have a couple of points for you, Mr. Chairman. One is that the background on this when it was originally brought to the Board of Fish, it was proposed just for the summer months with recognition that others were contributing to this problem as well. The Board of Fisheries decided to make it year around, but it was originally proposed for the summer months when there are other people fishing besides simply the subsistence users, so that's information this Board would probably like to know.

There's been discussion about whether or not the proposal should be withdrawn. The Department intended to let you know that, as Drew stated -- Mr. Crawford stated that we're not married to all portions of this proposal. However, there's a documented conservation concern. Ghost fishing in Womens Bay is more than a campfire story and 16-37 percent of a nursery fishery mortality is quite a bit, so we would not recommend overriding RACs. We want to work with the RAC. We want to come back to the RAC, but the Section .815 is the one place where you can make a decision based on conservation concerns.

As far as the mechanics of the process, we can take away proposals and introduce new proposals and wait two years or we can continue discussions with the RAC on the bulk of the proposal and nothing prevents this Board from amending the proposal with or without the proposer to limit it to an area, limit it to a season, but there are merits to wanting the escapement of these nursery crab in a specific area for longevity of the subsistence fishery.

CHAIRMAN TOWARAK: The Staff would like to make a comment.

MS. O'REILLY-DOYLE: I just wanted to make sure the record showed that within a Federal subsistence regulation under general provisions for taking of shellfish, we do have escape mechanisms already lined out in the regulations and just the openings must be laced and sewn and secured together by a single length
of untreated, 100 percent cotton twine. So we do have that addressed in the Federal regulations right now that they have that escape mechanism.

CHAIRMAN TOWARAK: Did you have a comment.

MS. YUHAS: If the Board chose to defer the proposal, that would allow time to work with the RAC on the same proposal as you've done with others rather than reintroducing proposals.

CHAIRMAN TOWARAK: Okay. Then we will proceed with our process. We're on item number 6, the Interagency Staff Committee comments.

MR. KESSLER: Good morning, Mr. Chairman. Steve Kessler with the Interagency Staff Committee. This is the standard comment. I will read it and then, for the other proposals today we can just refer to when we're using the standard comment.

The Interagency Staff Committee found the staff analysis to be a thorough and accurate evaluation of the proposal and that it provides sufficient basis for the Regional Council recommendations and Federal Subsistence Board action on the proposal. Thank you.

CHAIRMAN TOWARAK: Thank you. Board discussion with Council Chairs and the State liaison. Is there any need for additional exchange.

(No comments)

CHAIRMAN TOWARAK: Not seeing any, then we will go on to item 8, which is Federal Subsistence Board action. Mr. Haskett.

MR. HASKETT: Okay. I thought this was a simple one. We don't get any simple ones, I guess. So my plan is to make a motion to defer Proposal 13-14 and I'll provide my rationale why I plan to do that if I get a second.

MR. OWEN: Second.

CHAIRMAN TOWARAK: You heard the motion and the second. Any further discussion, rationale.

MR. HASKETT: Actually, before I seen the
presentation I was actually going to make a different
motion, but I think it was a very good presentation. I
mean I appreciate the additional information. I think
that the RAC pointed out that the Federal waters here are
small. You know, it's a small area over the overall area
we're talking about. Hearing the concern about the
specific area where most of the data was presented and
they haven't had a chance to see this. So about only 2
percent of available crab habitat in the Kodiak area and
the Federal subsistence harvest of crabs has been low to
date. I mean I don't think that's changed. That's still
true, although we have this whole kind of ghost take
thing here to consider as well.

I was very convinced when you talked
about how costly and significant burden it is to the
Federal subsistence users. I think that's still true
unless there is a major conservation concern that we need
to establish. I think the RAC rightly pointed out that
they're concerned that this is new information they
hadn't heard yet and hadn't been able to consider and was
not able to make that part of their recommendation before
they came before this Board. Again, making the point
that this seems to be in Womens Bay specifically, not
necessarily the entire area. Again, I think there's
discussion that needs to take place there.

There is, as has been pointed out, a
Federal requirement for escape mechanisms, which is on
Page 80 of the general provisions for taking shellfish in
our subsistence requirements, so that's also part of
this. There does appear to be a legitimate conservation
concern, but, again, this is a bunch of new information
we're seeing here for the first time, the RAC is seeing
for the first time. I heard the RAC state that they'd
like to have the ability to hear this information and I
heard the State say that they'd be willing to defer this
to be able to do that.

So, having said all that, I think my
intent is to go ahead and vote to defer the motion.

CHAIRMAN TOWARAK: Any further discussion
or questions. Go ahead, Mr. Cribley.

MR. CRIBLEY: To the Chair, just a
question. If we do defer so that Fish and Game can
further coordinate with the RAC and that the RAC can
reconsider their position on this and maybe come back to
us with a different position on it, does that mean we
have to go through another regulatory cycle before action
can be taken or can something happen before then on a
deferment like this? I guess timing is the question.

CHAIRMAN TOWARAK: It's explained to me
that we could -- why don't you explain it.

MR. LORD: Whenever the Board makes a
decision, of course, it has to be on the record, so we
could defer it no longer than two years, but potentially
take it up next year during the wildlife meeting so that
we have a decision on the record. At any meeting that's
on the record.

CHAIRMAN TOWARAK: Go ahead, Mr. Haskett.

MR. HASKETT: I think normally that
wouldn't be something -- normally it would be kind of in
the cycle, but I think this is a fairly unusual one and
I think if we were able to get that presentation and
there's new information that gets presented, we should
take it up at the next meeting regardless of which
meeting it is, so that would be something we could do.

CHAIRMAN TOWARAK: Ms. Masica.

MS. MASICA: Just a procedural question.
It seems to me if these further conversations that occur
result in a proposal that looks different than what is
before us today, which the State expressed some
willingness to consider, does deferring let a revised
proposal come before us or do we have a procedural knot
that we're in in terms of it would be a different
proposal that we would be looking at down the road?

MR. LORD: That depends on how different
it is. If it's within the confines of the proposal such
that the public has been given notice about what the
Board is considering doing, then we're fine. If it's
something that sort of goes outside that, if it's
something new such that we have not given enough adequate
notice so that people could comment on it, then we would
have to start over.

CHAIRMAN TOWARAK: Mr. Haskett.

MR. HASKETT: So just additional
clarification. It seems to me that just based upon the
conversation that we've had here today we've opened it up
fairly specifically on what we're going to talk about, so
as long as it's within those parameters I think anything there is legit and should be okay, right?

MR. LORD: That's correct.

MS. O'NEILL: Mr. Chairman.

CHAIRMAN TOWARAK: Go ahead.

MS. O'NEILL: Could we have a better description of those specific areas then. I have some concerns that the purpose of the recommendation does not necessarily parallel the problem, which has been described as ghost fishing. So I wouldn't want to be caught in this between land of taking up something that was beyond the scope of what we're thinking we'll be discussing in the future.

MR. HASKETT: So could we take a five-minute break -- is it legitimate to meet with -- is it okay to meet with both the RAC and the State and just throw something together? Is that okay?

MR. LORD: What do you mean throw something together?

MR. HASKETT: In terms of my motion to make it specific to what -- to make sure there's no questions about what it is we're actually proposing.

MR. LORD: Sure. No problem with that.

MR. HASKETT: Just to better define the motion so that people don't have questions.

CHAIRMAN TOWARAK: We'll take a five minute break to define a ghost regulation.

MR. HASKETT: Thank you, Mr. Chair.

(Off record)

(On record)

CHAIRMAN TOWARAK: I'm going to call the meeting back to order and I'm going to give the floor to Mr. Haskett.

MR. HASKETT: Thank you, Mr. Chair. So let me try this one more time. I'm going to try and be
a little more specific and line this out and then we'll just see what the Board thinks.

Again, my intention, which has already been seconded, is to go ahead and do a motion to defer. My justification is that previously, before seeing this presentation, my intent was to oppose and the reason for opposition has not changed on much of this. The Federal waters represent only about 2 percent of available crab habitat in the Kodiak area and Federal subsistence harvest of crabs is low. I mean that's still true. It is costly. It is a significant amount of things that we're asking folks to do there for their subsistence use. Again, when that harvest is fairly low, again none of that has changed.

However, after seeing this presentation, I see there is a problem with ghost fishing and I heard both the RAC and the State say that they would like the opportunity to be able to have this presented and have a discussion before it comes back to the Board. My understanding is that if I oppose this, we have to wait two years before we can take this up again and I don't think that's a good idea.

If we vote to defer, we can actually at the next available time after that discussion takes place take it up as a Board and come to some decision on this, which I think is better than waiting two years. My concerns are specific to the ghost fishing and how that's addressed and how it relates to our regulations between the State and the Feds and that's what I think needs to be addressed and that's what we're asking to have occur between the State and the RAC and then brought back to us.

Again, my proposal is to defer this motion.

CHAIRMAN TOWARAK: Are there any questions. Go ahead, Ms. Masica.

MS. MASICA: I not so much have a question, but I guess I just want to be clear. I think that conversation does need to happen. I'm a little bit concerned that there are -- the solution is targeted at subsistence users and the problem might be much broader than subsistence users, but those conversations can hopefully address where is the appropriate potential revisions that were talked about earlier.
There are other aspects of the proposal and if those still cause concern for opposition, do those get addressed at all in the further discussions or just the ghost fishing? I'm just looking for some clarity there.

CHAIRMAN TOWARAK: Go ahead, Mr. Haskett.

MR. HASKETT: So my intent -- that's why I made it clear that there were other parts of the proposal that I was currently opposed to, but I think that will be the discussion. I don't think this predisposes what the RAC will come back with. They may still come with the same position. They may come with a different position. It doesn't predispose what our decision would be based upon what we hear. Right now I haven't changed my mind and that will still be part of the conversation.

MS. MASICA: Okay. Thank you.

CHAIRMAN TOWARAK: Any other questions.

(No comments)

CHAIRMAN TOWARAK: The floor is open for call of the question.

MR. CRIBLEY: Call for question.

CHAIRMAN TOWARAK: The question has been called for. Roll call, please.

MS. O'REILLY-DOYLE: The motion on the floor is to defer the Proposal 13-14. Roll call vote. Mr. Towarak.

CHAIRMAN TOWARAK: Yes.

MS. O'REILLY-DOYLE: Ms. O'Neill.

MS. O'NEILL: Yes.

MS. O'REILLY-DOYLE: Mr. Cribley.

MR. CRIBLEY: Yes.

MS. O'REILLY-DOYLE: Ms. Masica.

MS. MASICA: Yes.
MS. O'REILLY-DOYLE: Mr. Haskett.

MR. HASKETT: Yes.

MS. O'REILLY-DOYLE: Mr. Owen.

MR. OWEN: Yes.

MS. O'REILLY-DOYLE: Mr. Brower.

MR. C. BROWER: I vote no. My rationale would be it would be detrimental to the satisfaction of subsistence needs. Thank you.

MS. O'REILLY-DOYLE: Mr. Christian.

MR. CHRISTIANSON: I vote no for the same reason.

MS. O'REILLY-DOYLE: We have 6 yes and 2 no. The motion carries.

CHAIRMAN TOWARAK: Thank you. Mr. Probasco is back and we had agreed to defer consideration of FP13-13 on Chignik. With Mr. Probasco back we will go back to that proposal.

We are ready then to address Proposal 13-13. I'll ask the Staff for an analysis.

MS. HYER: Good morning, Mr. Chairman and Board members. I'm presenting Proposal FP13-13 and my name is Karen Hyer for the record and I'm with OSM. If you turn to Page 232, you'll see the executive summary. The analysis starts on 236 and then on Page 237 there's a graph of the total chinook salmon return that I'll be referring to later and an area map on Page 240.

This proposal was submitted by Mr. Boskofsky on behalf of the Chignik Lake Traditional Council with the intent to provide additional harvest opportunity for Federally qualified subsistence users. The proponent requests the area of the Chignik River upstream of the Alaska Department of Fish and Game weir be open to all gear types, including gillnets, for the harvest of salmon. To prevent overharvest or harassment of chinook salmon in this portion of the Chignik River the area has been closed to subsistence harvest under both State and Federal regulations from July 1 to August 31st. The returning chinook salmon hold in the closed
section of the river above the weir until spawning, where they are susceptible to harvest. They are known to spawn in approximately 80 percent of the 1.8 river miles that extend from the outlet of Chignik Lake downstream to the weir.

While subsistence users may not harvest fish above the weir, State sport fishing regulations allow for sport fishing harvest throughout the Chignik Area, including this section of the Chignik River upstream of the weir. This allows harvest of chinook salmon under State sport fishing regulations in a portion of the Chignik River that is closed to Federally qualified subsistence users beginning in July.

A small run of chinook salmon returned to the Chignik River and that small run has been experiencing a declining trend recently. In 2012, to conserve Chignik River chinook salmon, the sport fishers were restricted on July 12. Sport fishing of chinook salmon greater than 20 inches was limited to catch and release. The closer remained in place until August 9th when the sport fishery was closed by regulation.

In 2012 again, the Chignik River chinook salmon's passage was estimated at 1,449 fish above the weir. This exceeded the lower end of the biological escapement goal by 149 fish. This estimate of escapement was below both the five-year and the 10-year average escapement estimates. Allowing subsistence users to deploy gillnets during a time and in a place of peak chinook salmon spawning activity could result in the overharvest of chinook salmon.

The proponent also requests that gillnets be allowed in Black Lake to harvest spawned-out sockeye salmon. Currently Federally qualified subsistence users may harvest salmon with seines, rod and reel, snagging, spear, bow and arrow or hand capture in Black Lake and its tributaries. The use of these gear types allows the user to target salmon while protecting resident species.

OSM's conclusion is adopt this proposal with modification to allow selective harvest of salmon with rod and reel in the area above Chignik Weir and keep Black Lake closed to gillnets. Adoption of a modification to FP13-13 would open an area to Federally qualified subsistence users that is currently open to those harvesting under State sport fishing regulation. It would put into Federal regulation existing fishing
practices of local residents while providing for a
Federal subsistence priority. Because the potential
exists that the use of gillnets in Black Lake and its
tributaries could result in overharvest of resident
species, gillnets should remain restricted to Chignik
River, Chignik Lake and in open waters of Clark River and
Home Creek.

That ends my presentation.

CHAIRMAN TOWARAK: Thank you. Are there
any questions to the Staff.

(No comments)

CHAIRMAN TOWARAK: Thank you for your
presentation. We will move on then to summary of public
comments from the regional coordinator.

MR. MIKE: Thank you, Mr. Chair. My name
is Donald Mike, Regional Council coordinator. Mr. Chair,
there were no written public comments received on this
proposal. Thank you.

CHAIRMAN TOWARAK: Thank you. We'll open
the floor to public comment.

MR. PROBASCO: Thank you, Mr. Chair. We
do have on individual, Alvin Boskofsky. Alvin.

MR. BOSKOFSKY: Mr. Chair, members of the
Board. This proposal is for subsistence. We are not
allowed to subsistence kings in the river at the time
that they come in. We take a minimum amount where I
don't see it's going to affect any harvest for kings. We
use maybe five, 10 at the most for smoking, salting,
canning or freezing.

Requesting for the chinook to use gillnet
that -- the Bristol Bay mesh limit where the chinook does
not gill. You round them, pull them in, take what you
need, let the rest go. We're not looking to stake the
gillnet. We just want equal rights to subsistence fish
in that river. Issues come up about interfering with the
sport industry. Somebody from overseas could come in to
Chignik with rod and reel and take our chinook that we
subsistence on, take it out of the area, and that's being
done by the guides.

So our subsistence is being fought by the
guiding industry. It's been also taken by the commercial fisheries. What we take is so small of an amount shouldn't hurt the escapement goals of that river. We abide by what Fish and Game lets the users use out of the river. If there is a bad year and they're not making their escapement goals, we hold back. We look at what they're doing and we abide by what their regulations are for shutting down the sports fishery or the subsistence fishery. It's pretty sad that subsistence can't use the river when you don't own a commercial permit to take these fish from your net and take them home, which a lot of guides do.

The majority of the fish that I think are counted on according to their records is taken by the commercial industry. There is people that take 40, 50 kings and they'll freeze them and smoke them in the fall time. We don't do that. We just use five to ten. There's probably about maybe six to seven families at the most that will take it and smoke it and it's not every year everybody takes it.

Net size on the Yukon was instituted where subsistence can use 4, 4.5-inch mesh to fish for kings. Not everybody has a seine. Most of the people in Chignik use gillnets that they get from Bristol Bay. Like I say, we release what we don't need. We take just what we're going to use and distribute to our elders. Our rights as subsistence fishermen are being held back because it's just a sporting industry that's allowed to fish from July 1 to August 31st. We want to get the fish when they're still bright, not when they're -- after August 9th and they're all spawned out. You can't smoke a spawned-out king salmon.

It's just basically our rights as subsistence fishermen should be equal with what the sporting industry is doing. If they can take it, we should be allowed to. I can't think of anything else, but thank you for listening.

CHAIRMAN TOWARAK: Thank you, Mr. Boskofsky. Do we have any questions of Mr. Boskofsky from the Board.

(No comments)

CHAIRMAN TOWARAK: Thank you. I think you've made it fairly clear to the full Board. Are there further public testimonies.
MR. PROBASCO: No, Mr. Chair. That's all I had signed up.

CHAIRMAN TOWARAK: Thank you. We will then move on to the Regional Council recommendation. Ms. Chythlook.

MS. CHYTHLOOK: Good morning. Molly Chythlook. I'm the RAC Chair for Bristol Bay RAC. Alvin did a good overview of what we've been discussing regarding this issue. It's been discussed over and over again. Finally Alvin has come up with this proposal. The discussion has been the Chignik users of this resource and Alvin stated it pretty clear that there's only six or seven families that use this resource and it's mainly elders. I'm not sure what's going to happen when those six or seven families are gone. I'm hoping that there's other extended families from these six or seven users that will continue the use.

Thanks for Alvin's overview of what the Regional Council has been discussing. The Council recommendation is in support of Proposal 13-13 with modification to allow the harvest of salmon starting on June 30 from a point 300 feet upstream of the ADF&G weir on the Chignik River. The harvest of chinook salmon would be prohibited after August 9. Thank you.

CHAIRMAN TOWARAK: Thank you, Ms. Chythlook. Any questions of the Regional Chair.

(No comments)

CHAIRMAN TOWARAK: Thank you, Molly. We will continue on to the Department of Fish and Game comments.

MR. CRAWFORD: Thank you, Mr. Chair. My name is Drew Crawford. I'm with the Alaska Department of Fish and Game Federal Subsistence Liaison Team. You will find the Department's comments on this proposal on Pages 250 to 254 in your Board book. Joining me this morning is Todd Anderson. He's the Alaska Department of Fish and Game area commercial fish biologist and Don Tracy. He's the Alaska Department of Fish and Game sport fish biologist for the Chignik area. They're also here to answer your questions.

Proposal FP13-13 would provide additional opportunities for Federal subsistence users to harvest
salmon by eliminating the subsistence fishery closure in
Chignik River from a point 300 feet upstream of the ADF&G
weir to Chignik lake between July 1st and August 31st.
Expanded legal gear types for Federal subsistence fishing
in Black Lake or tributaries of Black and Chignik lakes
and Chignik River would also include gillnets.

The July 1 through August 31 subsistence
fishery closure was established by the Alaska Board of
Fisheries in Chignik River to prevent inadvertent harvest
of spawning king salmon. Reopening the Chignik River to
subsistence fishing with gillnets will have immediate
impacts on the chinook salmon population that spawns in
the 1.8 river miles between the Chignik River weir and
the outlet of Chignik Lake.

Increased harvests of Chignik River
chinook salmon by Federally qualified subsistence users
resulting from adoption of this proposal may affect
management strategies for local sport and commercial
fisheries. The current management strategy for Chignik
River chinook salmon sport fishery is as follows: Guide
angler log books and the Alaska statewide harvest survey
provide catch reports for the in-river Chignik River
sport fishery, which has historically totaled less than
300 chinook salmon per year. The Chignik River chinook
salmon sport fishery is currently managed based on a pre-
season assumption that up to 300 chinook salmon will be
harvested annually by anglers above the Chignik River
weir.

Therefore, the in-season minimal
projected total weir count of chinook salmon for the
above weir sport fishery to proceed without restrictions
equals the current escapement goal of 1,300 chinook
salmon plus the projected annual sport fish harvest of
300 chinook salmon for a total of 1,600 chinook salmon.
The final post-season escapement estimate of Chignik
River chinook salmon equals the total weir count minus
the actual upriver sport harvest.

Therefore, if Proposal FP13-13 is
adopted, Federal managers of this fishery will need to
account for the above weir chinook salmon subsistence
harvest with gillnets to avoid overharvest of the run.
This should include a reasonable pre-season estimate of
the expected above weir gillnet harvest of subsistence
chinook salmon to manage the subsistence fishery and
sharing this information annually with the State
fisheries managers so they can incorporate this into the
in-season management objective for the sport and commercial harvest.

The lack of a reporting requirement in this proposal is a major concern. Recent chinook salmon escapement estimates have shown a downward trend and the 2012 escapement was the lowest on record. If the Federal Subsistence Board approves this proposal but does not require a Federal permit, increases in undocumented in-tributary exploitation would not be detected due to a lack of a Federal reporting requirement. Significant increases of unreported harvest in Chignik River watershed may lead to conservation issues that would not be detected in a timely manner and may require severe fishery restrictions when detected.

The Department recommends against adopting gillnets as a legal gear type for Federal subsistence fishing in Chignik River. The ability to control the catch with gillnet gear in the relatively deep-flowing waters of Chignik River is a concern. Area Staff state that sport fishing gear is a highly effective gear type for this area because it’s selective and you can control the number of fish that you catch.

However, a note here. Unfortunately sport fishing gear is not listed as a legal subsistence gear type under State regulations. Therefore, Federally qualified subsistence users would risk citation for using this gear type without a sport fishing license while on State or private land.

Finally, the Department believes that existing State regulations provide reasonable opportunities to harvest chinook salmon using gillnets. This can be done in all waters of Chignik Lagoon, in Chignik River up to 100 yards below the Chignik River weir and in the outlet waters of Chignik Lake. Therefore, the Department opposes Proposal FP13-13.

Any questions.

CHAIRMAN TOWARAK: Thank you for your testimony. Are there any questions of the State from the Board.

MS. O'NEILL: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead.
MS. O'NEILL: What is the range of -- the estimate range that you have used for subsistence fishing if this recommendation is approved by the Board? Thirty, fifty, what's the number that you think -- that you calculate in your formula for this?

MR. ANDERSON: Currently, as Alvin stated, he assumes a low number of individuals from the Chignik Lake area would be fishing there. I think there's an unknown number of individuals that may fish from other communities further down river. What we use for the subsistence harvest in-river to account for the escapement goals, we have the count above the weir and we use the sport fish harvest against that. The average harvest in the Chignik region has ranged from as high as 250 fish to as low as 40 in an average year in the past 20 years. The sport harvest is directly used towards the escapement goal because those fish have been counted at the weir and are being counted in the end season escapement goal and that's 300.

MS. O'NEILL: May I?

CHAIRMAN TOWARAK: Go ahead.

MS. O'NEILL: I think I need some more clarification. The statements that were being made suggested to me that you had developed some probable estimates of the number of fish that would be caught in this area for subsistence purposes having a significant impact on your count. So you don't have a number that you've used as an estimate that would be caught? Do you have a formula, a probability number for subsistence?

MR. TRACY: Mr. Chair. We don't have a number that we -- an in-season estimate of the upriver subsistence harvest. Again, my name is Don Tracy. We don't because there is very little harvesting in that area. The primary harvest upriver at this time is the sport harvest, so we account for that with an in-season estimate of 300 fish, which is based on historical records from guided angler log books and then from our statewide harvest survey. I think one of the points that Mr. Crawford was trying to make was that if the drainage above the Fish and Game weir, the Chignik River, above that point were open to subsistence harvesting, we would need to develop that estimate or expectation of harvest so that we could continue to manage the fishery in a sustainable manner.
So we don't have a number for that purpose, but we would need to develop one if there were to be additional harvesting up above the weir or in addition to the sport fishery and that's one of the reasons why Mr. Crawford mentioned the reporting being a concern. We would need some information, some type of reporting requirement so that we would be able to develop that expectation of harvest.

MS. O'NEILL: Thank you.

CHAIRMAN TOWARAK: Any further questions of the State. Go ahead, Ms. Chythlook.

MS. CHYTHLOOK: Thank you, Mr. Chair. According to Alvin's statements here and also at our Bristol Bay RAC, this is a traditional harvest area for limited people. I just heard a statement that there might be other people coming from other communities. I don't know if Alvin would know if there are other people coming from other communities to harvest, but according to Alvin's statements that he's been making, there's been about six to seven families that harvest in this area. At the five to ten kings average, that would be about 70. If I'm understanding right, sport fishery harvest is about 1,600, is that correct? Could you answer that for me, please.

MR. CRAWFORD: Yes. Through the Chair. Ms. Chythlook, the sport fish historical harvest is 300 chinook.

MS. CHYTHLOOK: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead.

MS. CHYTHLOOK: Thank you. That's 300 chinook per season?

MR. CRAWFORD: Yes, ma'am.

MS. CHYTHLOOK: Versus 70. As stated by Alvin time and time again, 70 is the -- and this is if a family has harvested 10, but he also stated that it's between 5 and 10. With the sport fishery's ability to fish, it's been known that sport fishery has been fishing longer months, but I'd probably estimate like 10 months out of the season. So I think what needs to happen is to have a better -- from the State, to have a better knowledge of subsistence harvest. I know that there's
MR. ANDERSON: Todd Anderson, through the Chair. Those harvests are for king salmon only that I stated earlier, the 40 to 250, was only chinook salmon.

CHAIRMAN TOWARAK: Go ahead, Ms. Chythlook.

MS. CHYTHLOOK: Thank you, Mr. Chair. And that's for subsistence harvest?

MR. ANDERSON: Through the Chair. Those are subsistence harvest and I don't have the location of those harvests, but they can be anywhere from the Chignik Lagoon all the way up in the Chignik Lake.

MS. CHYTHLOOK: Okay. So the 250 fish is not from the area that we're talking about right now.

CHAIRMAN TOWARAK: Go ahead.

MR. HEPLER: Mr. Chairman. Just to be clear, we understand the tension lies when residents are sitting here watching sport fishermen out fishing in front of your house. Our conversation with you this morning is not about whether it's right or wrong for sport fishing to be happening if subsistence is closed or open. That's a call of this Board. It's not ours.

The main thing we're concerned about and we can account for the numbers, as Staff has said. We just need to build those into our formula. It's more the gear type. I mean when you start drifting gillnets in that type of an area and that type of water, we're concerned about what that means and it's a little bit unknown for us. There's others around the table, including Mr. Probasco, that's had some time there and he understands it, I think.

So I hope you don't take Staff comments any other way other than that. We need to account for the numbers. We can do that. We need to build it in so we can do accurate run forecast as Staff has said. But a discussion about sport fishery versus subsistence, that's not what we do. That's a call that the Board makes and we don't want to get crossways with you on
that. The main thing is the gear type is what's on the
discussion. I think that's also reflected in the OSM
Staff comments too, so I think we're consistent that way.
Mr. Chairman.

CHAIRMAN TOWARAK: Thank you. Further
questions. Go ahead, Ms. O'Neill.

MS. O'NEILL: Do you believe that the
concerns that you have could be addressed through having
a quota as opposed to restricting the type of gear that's
used?

MR. TRACY: Mr. Chair. The current
regulations for Federal subsistence users in Chignik area
allow a harvest up to 250 salmon per year. Having some
kind of a limit on the number of fish taken out of
Chignik River would help offset the need for perhaps more
expanded reporting because that would provide some better
level of predictability on the number of fish that would
be harvested.

CHAIRMAN TOWARAK: Go ahead, Mr. Brower.

MR. C. BROWER: Thank you, Mr. Chair.
Just looking through the justification, it seems like
there's -- to prevent overharvest and harassment of these
fish in this area is closed to subsistence hunters from
July to August 31, but at the same time you allow sport
fishing to go happen right in the closure for
subsistence, is that right?

MR. TRACY: Through the Chair. That is
correct. The Chignik River is open from through August
9th to sport fishing from 300 feet above the Department
of Fish and Game weir and that area -- those same waters
are closed to subsistence fishing until August 31st
during that time.

MR. C. BROWER: Mr. Chair. Just one
more. And merely what the RAC and the people within this
area are asking to open it from June 30 to August -- and
close it August 9, is that right? Just a small fracture
of a window frame right here and I was just curious the
difference between those two, sport fishing and
subsistence hunting. Thank you. And I don't think it's
fair. I'm just looking through. Thank you.

CHAIRMAN TOWARAK: Any further questions.
If I could remind those up on the table -- there was a
request in our first day of meeting to speak as close to
the mic as possible when you're addressing a question so
that everyone could hear your response. Any further
discussion.

(No comments)

CHAIRMAN TOWARAK: Are we ready for --
number 6, Interagency Staff Committee comments.

MS. O'REILLY-DOYLE: Mr. Chair. My name
is Cathy O'Reilly-Doyle and I'm the chair of the
Interagency Staff Committee. I will read in the comments
from the committee that are found on Page 249 of your
Board book.

The Interagency Staff Committee found the
staff analysis to be a thorough and accurate reflection
of the proposal and that it provides sufficient basis for
the Regional Council recommendation and Federal
Subsistence Board action on the proposal. The ISC
discussed an alternative due to the conservation concerns
of using gillnets in the spawning chinook spawning area
upstream of the Chignik River weir. An alternate to the
recommendation in the OSM conclusion could be to double
the harvest limit for
chinook salmon with rod and reel to four per day, four in
possession and no annual harvest limit. Thank you.

CHAIRMAN TOWARAK: Thank you. Are there
any questions.

MS. O'NEILL: Mr. Chair.

CHAIRMAN TOWARAK: Go ahead, Ms. O'Neill.

MS. O'NEILL: I thought I heard earlier
that subsistence could not use a rod and reel. Did I
misunderstand that?

MR. PROBASCO: The State.

MS. O'NEILL: The State. Okay. Thank
you.

CHAIRMAN TOWARAK: Further questions. Go
ahead, Mr. Christianson.

MR. CHRISTIANSON: Through the Chair. So
the land they would be fishing on in that stretch of the
river is actually State land? No, it's Federal land?

MR. LORD: There are parts of it that are State owned lands and private lands, but the waters, because they are within the exterior boundaries of the Refuge are Federally managed waters.

CHAIRMAN TOWARAK: Further discussion, questions.

(No comments)

CHAIRMAN TOWARAK: Not hearing any. Then we will proceed to Board discussion with Council Chairs and State liaison. Are there any further discussions. Go ahead, Mr. Probasco.

MR. PROBASCO: Thank you, Mr. Chair. I appreciate you changing the agenda schedule. I do bring a lot of experience here to the Chignik area. I used to be the Chignik area management biologist for the State and actually lived on the river. I think Mr. Boskofsky, Alvin, presented some concepts that I think is valid to explore, but unfortunately they're not expressed in the proposal. Mr. Boskofsky spoke about using mesh size as a means because the way people from the lake, Chignik lake fish, they use Bristol Bay sized gillnets to harvest sockeye salmon. This proposal does not speak specifically to mesh size restriction.

The concern is, and it was laid out very well in the analysis is that this river is very small. The chinook salmon move into the river and actually the entire population holds in one general area. So you conceivably have, depending upon the size of the run, anywhere from a couple thousand to 3,500 chinook salmon holding in this one area. Drop in a gillnet on this type of schooling behavior and being able to control the harvest is very difficult.

What Mr. Boskofsky spoke to was using a gillnet as a seine. Looking at what he stated was 4-inch to 4.5-inch mesh, taking what they need and releasing those. This proposal does not address that. The concern raised by Staff and the Interagency Staff Committee is looking and focusing on gillnets and dropping that gillnet on top of a very susceptible population makes them very vulnerable to overharvest.

So to address an oversight on our program
in that we have a very significant portion of the river that was closed to Federally qualified users, this proposal allows for the fishery, liberalizes the take and still allows a means of take that doesn't address conservation concerns. In other words, allow for rod and reel, liberalize the harvest, remove the annual harvest limit, which currently the sport fisher have, they're allowed five fish annually, and provide for that. Exploring what Mr. Boskofsky would like to do would take a separate proposal. Mr. Chair.

CHAIRMAN TOWARAK: Does that clarify anything.

UNIDENTIFIED VOICE: It did for me.

CHAIRMAN TOWARAK: Okay. Any further questions or discussion on item number 6.

MR. REAKOFF: Mr. Chairman. I don't want to muddy the waters, but the area that the fish school in, how deep is that? Can these Bristol Bay drift -- Bristol Bay 29.5 mesh gear actually reach those fish, the majority of those? That would be my primary question in regards to that.

CHAIRMAN TOWARAK: Go ahead.

MR. ANDERSON: I didn't catch your name.

MR. REAKOFF: My name is Jack Reakoff, Western Interior Chair.

MR. ANDERSON: This is Todd Anderson, Mr. Reakoff, through the Chair. Depending on water levels, some of the holding areas, my estimate just from being there and from some of the Didson work where we've had a sonar unit in the area, anywhere from seven feet at the average, I would say, seven feet to eleven feet. With that said, yes, they may be holding in some of the deeper stretches, but they do -- they'll move out to shallower areas certainly by the end of July, early August.

MR. REAKOFF: Thank you.

CHAIRMAN TOWARAK: Any further discussions between the Council Chairs and the State liaisons. Ms. Chythlook.

MS. CHYTHLOOK: Thank you, Mr. Chair.
Just for record and the traditional and ecological knowledge regarding our fishing processes in Bristol Bay, I got it from other public testimonies from other regions too, is there was a statement of overharvesting or harassment. I remember when we were working with the Togiak people regarding harassment. The term for sports fishing in our region is people that play with fish.

You know, as far as harassment of fishing, we have an understanding and a traditional knowledge and culture that we don't play with fish. We harvest the fish for our consumption. We treat the fish that we harvest with respect. When people in our region observe sports fishery harvesting especially kings. You know, the kings are 20 to 50 pound fish and when you catch those and let those toss and flop in the water for 30 minutes and then release a fish that's injured, that's really not our traditional way of treating not only fish but other resources.

So I just wanted to bring this up because it was stated that subsistence fishermen might be harassing fish and I don't know how -- when we treat our resources with respect how we, the subsistence fishermen, would harass fish except that maybe trample on spawning grounds when we're trying to make an attempt to harvest. But, you know, when other fishermen are wading into the rivers and streams, they're also walking on spawning areas. I consider that harassing. So I just wanted to make that statement and put it into the record. Thank you.

CHAIRMAN TOWARAK: Thank you. Any further questions or discussion between the Chairs and the Staff -- the State rather.

(No comments)

CHAIRMAN TOWARAK: If not, then we will continue on to Item No. 8 Federal Subsistence Board action. Mr. Haskett.

MR. HASKETT: I plan to make a motion to adopt Proposal 13-13, but with modifications to allow rod and reel only in the Chignik River above the weir without any harvest limits and require a Federal registration permit. I'll provide my justification if I get a second to the motion.

MR. OWEN: Second.
CHAIRMAN TOWARAK: There was a second on the motion. Further discussion or rationale.

MR. HASKETT: So, again, it seems to have been -- most of these issues since yesterday. This is one where there's been fairly compelling testimony, I think, from all sides. I think there clearly is a conservation concern. There's also clearly a concern where we need to make sure that we're supporting subsistence use, at least as much as we are the recreational use in the area.

So my proposal is based upon the regulation as it reads, very close, very similar to the regulations that reads on Pages 245-46 in our book, except that it would not impose a harvest limit for chinook salmon. It would also allow gillnets in Black Lake and tributaries of Black and Chignik Lakes. Limiting gear to rod and reel only in the Chignik River does not seem necessary to me. If we were to allow gillnets in the area of the Chignik River above the weir though, it does cause major conservation concerns. I did hear, Molly, the concerns about it's not the traditional way of subsistence use. We're not proposing this because we think it's a better way, we just think it's more efficient in terms of making sure that we control the numbers to cover that conservation use.

This is a spawning area where chinook salmon hold for weeks prior to spawning. The current harvest limit is 250 salmon. Even though most of the harvest is for sockeye salmon, the harvest of chinook salmon is fairly unlimited in the areas of Chignik River downstream at the weir. We've all seen the general trend of chinook salmon decline statewide, including the Chignik River, as shown on the graph on Page 237 in the book. However, again, it does not seem right that allowing sport fishing in this area while subsistence fishing for chinook is closed.

What I'm trying to come to is a balance, providing more opportunity for people to get their fish while using a gear type that we believe will not cause conservation concerns into the future. I think that Mr. Probasco did a very good description of the conservation concerns in the area that we need to be paying attention to.

The use of rod and reel only is the only part of my motion that differs from that of the Bristol
Bay Regional Council, but it does appear to me that allowing gillnets in the Chignik River chinook salmon spawning area is contrary to recognized principals of fisheries management since it's likely to cause conservation problems in a time when we can least afford it.

Again, the other part of the proposal is to allow gillnets in Black Lake and the tributaries of Black and Chignik Lakes. We already allow gillnets in two of the tributaries, Chignik Lake and both the Clark River and Home Creek, so it should not be much different to allow gillnets in the few remaining tributaries. It's my understanding it's very difficult to travel to Black Lake in the summertime, so use in this area again is very minimal.

We realize this is a deviation from the State regulations and, as the State pointed out, this will require a Federal registration permit, so this will be part of the process too. This will be needed to monitor the harvest for these regulatory changes. We don't have any Staff in the area, but Staff does travel there in the springtime and we'll make sure they issue permits at that time.

CHAIRMAN TOWARAK: Thank you. Are there any other discussion. Mr. Cribley.

MR. CRIBLEY: Through the Chair. I guess I do have a question or points of clarification. When you say there's no limits or there would not be any limits on the subsistence harvest, is that just above the weir or for all subsistence harvesting in this system or how do you define that?

MR. HASKETT: So there is still that 250 limit overall for the entire area. At one point we were talking about having some limits, but I think it was pointed out by the proponent on this the use is very small. We don't expect a lot of fish to be taken. So it's for the entire area, but there's a cap that they can't go over.

MR. CRIBLEY: I thought the limit that Fish and Game was talking about was the take above the weir and then at least I thought I understood that the cap was 300 fish above the weir by sport fishing, is what they had said, without having a negative impact. This additional subsistence harvest could potentially affect
that, but we don't know because we don't have any data.

That's what I'm trying to clarify because the limits seem
to be above the weir or the concern. If we're talking
about no limits anywhere, how does that affect things?

MR. HASKETT: So, again, people are
reminding me what we're doing here. So we've removed the
limit again based upon not having a huge concern because
we don't expect there to be a lot of harvest based upon
actual subsistence use, but there's still that 250 cap.

MR. CRIBLEY: I understand that, but I
guess the question is is the cap for just above the weir
and is your no harvest limit or a lack of harvest above
the weir or for the entire area?

MR. HASKETT: The entire area.

CHAIRMAN TOWARAK: Mr. Probasco.

MR. PROBASCO: Mr. Chair. Mr. Cribley.
I think we need to step back a little bit and first look
at the proposal. The proposal actually addressed a
limit. If I may, Mr. Haskett.

MR. HASKETT: Please.

MR. PROBASCO: Mr. Haskett's motion
removes that portion of the proposal addressing a limit
with rod and reel. Keeping in mind that the current
limit on salmon for subsistence, both State and Federal,
is 250. So, if this motion were to pass, you would be
allowing rod and reel above the weir, which is currently
not allowed and you would not be under -- the Federal
subsistence users would not be under the restrictive
possession limits and daily bag limits. They'd be
allowed to harvest what they would need above the weir
using rod and reel still having the 250 fish cap.
Catching 250 fish above the weir with rod and reel would
probably be pretty darn difficult. Mr. Chair.

CHAIRMAN TOWARAK: Ms. Masica.

MS. MASICA: So could you maybe tell us
actually what you're talking about. If I understood what
you said on Page 246, subsection C, if I understood your
motion, rather than without a limit it would read --
without a permit, it would read with a permit and then it
would end there. All the rest of that section would be
removed?
MR. HASKETT: Yes. So it says you may take salmon in Chignik River with rod and reel from a point 300 feet upstream of the ADF&G weir to Chignik Lake from January 1st through August 9th with a permit. But also there's the other areas that we talked about where you could still use gillnets as well, so in addition to that.

CHAIRMAN TOWARAK: I've got a question to our Council. With our proposal as it is and we're not following 100 percent of what the Regional Advisory Council is recommending, does this cover our reason to reject the Council's full recommendation?

MR. LORD: Mr. Chair. Ken Lord. I heard Mr. Haskett speak to conservation concerns as the reason for modifying what the Council recommended, so that is a valid reason to do so.

CHAIRMAN TOWARAK: I'm going to ask the Regional Council Chair if you feel that we are doing it, are following the process properly and making changes on what you folks approved.

MS. CHYTHLOOK: I think so. I know that the State mentioned that without the permit system from -- if I'm understanding this right from the Feds, they'd have a harder time developing a number for subsistence harvest. I don't think with this addition of having a permit system put in place -- you know, I don't have any problem with it right now. Thank you.

CHAIRMAN TOWARAK: Any further -- Mr.

MR. HASKETT: I just think I need to make it clear that without the amendment then I would be in a position where the conservation concerns we have would force me to oppose the motion. So we've come up with something based upon conservation concerns to try and strike a medium where we allow for the subsistence use but not cause major conservation concerns. That was the intent of the motion.

CHAIRMAN TOWARAK: Any further discussion or questions. Ms. Masica.

MS. MASICA: Can you help me understand how it is that what you've proposed you think is more responsive to the conservation concerns than what was the
OSM recommendation slightly modified by the ISC recommendation in terms of leaving the limits in there, but ISC had said perhaps raise those. I realize the permit was a different element.

CHAIRMAN TOWARAK: Go ahead, Mr. Haskett.

MR. HASKETT: So when we talked about this with Staff, my Staff, trying to identify a way forward, one of the options we looked at was identifying daily limits. I think Pete did a better job of describing that than I was able to do before. Based upon the testimony I've heard and everything, there's no expectation there's going to be this great take on any given day, so it's not a concern we have, so I tried to make this as less cumbersome to the Native subsistence users as we could. I just don't think there's a conservation concern because I don't think they're going to take that many fish on any given day.

CHAIRMAN TOWARAK: Further discussion. Molly, have you got a comment? We'll allow it in this case.

MS. CHYTHLOOK: Are there discussions just within the Board right now?

CHAIRMAN TOWARAK: Yes. We were under Board deliberation.

MS. CHYTHLOOK: Okay. I'll hold my question.

CHAIRMAN TOWARAK: Molly, I'm going to allow you to ask your question and at the same time offer additional questions by the State if they feel they need it.

MS. CHYTHLOOK: I guess I feel comfortable with this permit system from the Federal to be put in place. I know that -- I had another question that I was going to ask, but I don't want to muddy the water right now, so I think I'll just let the Board know I feel comfortable with the present motion. Thank you.

CHAIRMAN TOWARAK: Thank you. Any reaction to the State.

MS. YUHAS: I believe they're conferring Mr. Chairman, on the new information.
MR. HEPLER: Mr. Chairman. We certainly appreciate the efforts from Mr. Haskett. The only question we had, of course, was about the daily limits, but Mr. Haskett thinks these will be sustainable due to the small participation. We just have to see what those are. I think getting a permit in place is highly critical and we certainly appreciate that because that number is necessary, as Staff said, to build a run again. So we think this is a good compromise. Mr. Chairman.

CHAIRMAN TOWARAK: Thank you. Mr. Haskett.

MR. HASKETT: So, and then, of course, part of the permit process is that we're going to watch this and see if suddenly -- if we're wrong, then we would come up with something different in terms of watching the numbers. I also want to point out I see that my fellow members of the Board seem to have a number of questions on this, but we are in a situation where we rarely get to where I'm hearing from both the RAC and the State that we have a compromise that's been presented that seems to work for both. So, for whatever that's worth, I would hope the Board members would pay some attention to that.

CHAIRMAN TOWARAK: Any final questions.

(No comments)

CHAIRMAN TOWARAK: The floor is open for.....

MR. CHRISTIANSON: Question.

CHAIRMAN TOWARAK: The question has been called for by Mr. Christianson. Roll call vote, please.

MR. PROBASCO: Thank you, Mr. Chair.

Final action on FP13-13, adopt with modification to allow salmon rod and reel fishing only in Chignik River above the ADF&G weir with no daily harvest or possession limit. A Federal permit is required. You may take salmon by gillnet in Black Lake or any tributary to Black or Chignik Lakes. You may take salmon in the waters of Clark River and Home Creek from their confluence with Chignik Lake upstream one mile.

Mr. Owen.

MR. OWEN: Yes.
MR. PROBASCO: Mr. Brower.

MR. C. BROWER: Yes.

MR. PROBASCO: Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: Ms. Masica.

MS. MASICA: Yes.

MR. PROBASCO: Ms. O'Neill.

MS. O'NEILL: Yes.

MR. PROBASCO: Mr. Christianson.

MR. CHRISTIANSON: Yes.

MR. PROBASCO: Mr. Cribley.

MR. CRIBLEY: Yes.

MR. PROBASCO: Mr. Towarak.

CHAIRMAN TOWARAK: Yes.

MR. PROBASCO: Motion carries 8-0.

CHAIRMAN TOWARAK: Thank you. We will continue on then with.....

MR. ADAMS: Mr. Chairman, please.

CHAIRMAN TOWARAK: Mr. Adams, go ahead.

MR. ADAMS: I would beg your indulgence, Mr. Chairman. I've made arrangements to go home this afternoon, so I would ask to be excused at this time. I would like to maybe make a comment or two, if I might, Mr. Chairman, before I leave.

CHAIRMAN TOWARAK: Okay. I assume we have covered all of the Southeast proposals.

MR. ADAMS: Yes. That's why I'm running away.
CHAIRMAN TOWARAK: That's fine. You've done your job.

MR. ADAMS: I've done my job. Thank you.

CHAIRMAN TOWARAK: Final comments.

MR. ADAMS: I really want to say I appreciated working with and seeing Pete in action and I do wish you good luck and success in your new job. I'm also appreciative of the two additions to the Council -- or to the Board. I could see where they are very productive and a great asset to the process here, so I really appreciate that. I would ask the other RAC Chairs their indulgence for allowing me to go. You sat through mine for a day and a half or so.

You know, I made mention last year that I don't like to leave this time of the year home because of my wife's condition, so the less that I am away from home, the better I feel. She's doing fine. She has her children to take care of her, but it doesn't prevent me from worrying about her while I'm gone. So I just want to let you know that.

If I might, too, Mr. Chairman, I want to not so much promote myself, but to promote an idea that is contained in the book that I have been passing information about. The premise of that writing is Kadashan speaks about the laws of nature and nature's god. If you remember, last year I read a couple of sentences out of it, but I just wanted to share with you what a natural law is.

I have learned that it is the Creator's order of things, that it is right reason and right reason is any law that is in agreement with nature and that translates to true law. True law, as I have found out, is wisdom. In our communities, in our culture, there are certain people in the village who are known as wisdom keepers and we look to them for help and guidance in preparing and conducting our lives. That kind of is missing now in our culture and then we have to seek different ways to find ways in how we can better take care of ourselves.

However, when wisdom is applied to government or the work that we're doing right now, it is justice. We have listened to many of the testimonies that have taken place over in that area there today and
all they were asking is for justice in regards to
subsistence issues, that they will be able to have the
freedom to do what it is that they need to take care of
their families and their communities and themselves.

So I just wanted to share that with you
and let you know that I really appreciate being among you
people. We have some new Board members on as well as the
new, what do you call them, at-large members.

I want to thank you for the opportunity
of being here and participating in this process and wish
you good luck for the rest of the meeting. Now I need to
go and pack and get ready to catch an airplane.

Gunalcheesh and thank you very much.

CHAIRMAN TOWARAK: Thank you, Mr. Adams,
for taking the time to be here under your circumstances.
I respect that.

MR. ADAMS: It is my pleasure. Thank
you.

CHAIRMAN TOWARAK: We will then continue
on the deliberations of proposals. We're moving next to
the Cook Inlet Region. Mr. Probasco.

MR. PROBASCO: Mr. Chair. Just real
quick to clarify. Mr. Haskett's motion which he read did
contain the dates, it's just that Staff did not capture
it. So, officially on the record the dates are January
1 through August 9. So just to clarify that. Thank you.

CHAIRMAN TOWARAK: Thank you. We've been
just notified that Rosemary is on the line and will
represent the North Slope RAC. So, whenever there's a
discussion with the Regional Advisory Council she'll be
given a chance to participate in our deliberations.

We will move then to the Cook Inlet
Region, Proposal 13-15 is first and the only Cook Inlet
issue. Could we have the Staff analysis, please.

MS. HYER: Mr. Chairman, Board members.
The executive summary for Fisheries Proposal 13-15 is on
Page 270 and the analysis begins on Page 271. An area
map is located on 275.

This proposal was submitted by Mr.
Williams on behalf of Ninilchik Traditional Council. It requests that the expiration date for the Kasilof community fishwheel be removed from regulation.

In 2008, the Federal Subsistence Board adopted a proposal allowing a temporary community fishwheel from July 1st through August 24th in the Kasilof River. The temporary regulation expired December 31st, 2011. In 2012, the Ninilchik Traditional Council requested a special action to allow for continued operation of the community fishwheel in the Kasilof River beginning July 1 and continuing through August 29th. During this time the community fishwheel was operated for a total of 12 days from July 5th continuing through August 3rd. The fishwheel fished six to ten hours each time it was launched. To date, the temporary fishwheel has harvested no fish.

The Ninilchik Traditional Council has continued to implement the fishwheel in an attempt to locate a desirable fish site. Since a fish wheel fishery has not been fully implemented on the Kasilof River, the possible effects of the fishery are not fully understood. It is possible that the fish wheel fishery could provide an effective means of harvesting salmon while conserving healthy fish populations by keeping harvests within sustainable levels and avoiding excessive mortality of non-targeted species. The fish wheel could increase Federal subsistence harvest opportunities for residents of Ninilchik and should continue to be allowed as a gear type in regulation.

OSM's conclusion is to support this proposal. That ends my presentation.

CHAIRMAN TOWARAK: Thank you very much. Are there any questions of the staff.

(No comments)

CHAIRMAN TOWARAK: Thank you. Then we will continue on -- we'll wait until Mr. Probasco gets back. We might have some new blue cards here. Do we have a summary of public comments by the regional coordinator.

MR. MIKE: Thank you, Mr. Chair. Donald Mike, Regional Council coordinator. Mr. Chair, there were no written public comments received on the proposal.
Thank you.

CHAIRMAN TOWARAK: Thank you. We will then open the floor to public testimony. Mr. Probasco.

MR. PROBASCO: Thank you, Mr. Chair. I have three individuals that would like to speak and the first one is Mr. Ivan Encelewski.

MR. ENCELEWSKI: Thank you, Mr. Chairman, members of the Board. My name is Ivan Encelewski. I'm the executive director for the Ninilchik Traditional Council. I'm also a Federally qualified subsistence user from Ninilchik. I'm here today to speak in favor of Proposal FP13-15 to make our community fishwheel permanent. I'm going to try not to belabor the issue. I know this has been through some long and arduous process. Just a quick history on this.

Ninilchik had submitted a proposal for kind of a beach seine and net in the Kenai and Kasilof Rivers in the mid 2000's. It's kind of interesting to hear the testimony from the proposal before because it's a little bit like deja vu. As a result of that, the Southcentral Regional Advisory Council submitted the proposal for the fishwheel. It actually wasn't submitted through the Ninilchik Traditional Council.

I participated at the RAC, the Regional Advisory Council meeting here a few months ago and I provided a lengthy testimony. Darrel Williams will be giving a presentation on our fishwheel proposal and some of the things that we've done. So I kind of want to refer back to that to look at our Regional Advisory Council testimony.

We made a concerted effort to implement this fishwheel. I want to say that it is an opportunity for us, but there has been some logistical issues and Darrel will kind of point some of those out. You know, it seems kind of like -- you know, you think of a fishwheel and it has a lot of uses around the state.

There's some unique issues that we always face in Ninilchik and especially in the Kasilof River.

As you may know from the maps, the access point to the Federal waters is through kind of a dirt road that goes to the headwaters by Tustumena Lake. It's a slow moving waters up in the headwaters, so you actually can't place the wheel. You have to go down
maybe up to a mile down river to actually place the
wheel, so there's no access points directly to it. I
spent some time up in Chitina looking at some of their
wheels. As you guys know, you can actually back up to
the river, unload it, set it, place it. I've seen old
engine blocks used as anchors up there. We could never
get away with something like that on the Kenai Peninsula.

So we started with a larger fishwheel and
we had some problems mobilizing it. In the early spring
and summertime, the fish -- the Kasilof River is very
shallow. Once you get to about a mile down we had a
little bit of problems with utilizing a boat. So we
actually mobilized into a smaller fishwheel, kind of
moved it around. Darrel participated. There's some
other issues with the escapement on the Kenai. It's a
smaller river. The minimum escapement goal is around
160,000. There's a couple hundred thousand fish that
escape there, but if you know from the personal use
dipnet fishery, you can actually personally use dipnet
fishery in the mouth of the Kasilof for days in times
where there's not high escapements going through the
river and not catch any fish. It can be hit and miss.
That can happen on the Kenai as well.

We had asked to continue this. This has
been a temporary. We're seeking to move it permanent.
I think some of the concerns that were presented at the
time when the Board adopted this proposal have been kind
of alleviated. That is potential conflict with user groups
on the Kasilof River. We've had no issues when we placed
the wheel. We've had good cooperation with U.S. Fish and
Wildlife, Doug Palmer there. In the placement of the
wheel, been very helpful. The community harvest permit,
I know that's raised as an issue of how that's to be
implemented. It's an arduous process. You have to get
the Refuge permit and you have to get the operational
plan, but we've had no issues with conflicts with
community or users, so we think the process works.

It's created no conservation concerns.
While the use is low, we anticipate that there is the
potential to get some fish out of it. We're still
working through the process and we believe that if this
is permanent, we've already had to implement a special
action request to be able to fish it this last year
because of the sunset clause. We would ask that this be
permanent so that we don't have to continue to come back
before this Board and readdress this issue. I think
those temporary concerns that were raised have been
addressed, so we want to continue to see this through.

I just want to provide also some
testimony real quickly on some of the comments through
the State. I know this is opposed by the State, but
there's some concern there. The State has comments
regarding the opportunity is provided already and I think
this is a concern that we have. Whether it's
educational, personal use or recreational sport fishing,
it's not an opportunity for preference under ANILCA. So
to say in their comments that there was already ample
opportunities or other opportunities kind of flies in the
face with actually what ANILCA says, so that's not, in
our minds, a valid argument to say that because we can
sport fish with everyone else, because we can put an
educational fishery with everyone else, because we can
personally use fish with everyone else, that that somehow
gives us our Federally mandated rural preference.

You know, there's issues raised over
catch and release. There's a catch and release process
through sport fishing, through other wheels that are
operated. The State operates a net program in the Kenai
every day. So the wheel is fish friendly. It's designed
and required to be. So we think that the issue with any
conservation concerns over catch and release or mortality
rates is not really an issue.

I know there were concerns raised with
the jurisdictional issues. If you look at the Federal
waters, it's the first couple miles from Tustumena down.
So basically any State waters or fishwheels there was
mentioned that there would be a 500-yard distance between
fishwheels. I don't think the State is going to put a
fishwheel in the Federal waters. They're slower-moving
waters, they're upstream, there's very little access up
there. Because the Federal waters are actually upstream
of the State waters, we wouldn't anticipate any issues
with placement of the wheel in conflict with any other
State wheel or jurisdictional issues. We work with the
U.S. Fish and Wildlife on the placement of the wheel down
to the dot, you know, as far as where we're going to be
at in the river and we'll continue to do so.

We've eliminated the distance between
Hong Kong bend and Silver Salmon Rapids where it kind of
comes in out of Federal waters and the State and the back
end of Federal waters. So most of our wheel proposal
would be Silver Salmon Rapids north or upstream. So we
kind of feel that that's, you know, also not an issue for
potential with conflict.

As you know, we've had harvest limits, we've had in-season management through the Fish and Wildlife manager and that's actually been implemented this last year with the king salmon shortage. It's fish friendly, there's a live box. We just believe that there's no conservation issues that can -- you know, valid arguments for conservation issues continue.

Part of our issue with subsistence is access. Once again, as you guys know, the Federal lands and waters tend to be further away from our area, so we're continuing to refine the process and we believe that not having to come back before the Federal Subsistence Board continually for this proposal and opportunity would be a great benefit for the Federally qualified subsistence users. We think there's an opportunity. We don't know. We agree wholeheartedly with the Staff analysis that while it hasn't been a large harvest or harvest opportunity at this point, there is the potential and we would like to seek this through.

Would that, I would like to -- if you have any questions, I'll be happy to answer them. Darrel Williams will give you a presentation with actually a PowerPoint to kind of show you guys what we've done and give you an example of kind of the things we're talking about.

CHAIRMAN TOWARAK: Thank you. Are there any questions from the Board.

(No comments)

CHAIRMAN TOWARAK: Thank you for your comments.

MR. ENCELEWSKI: Thank you, Mr. Chairman.

MR. WILLIAMS: Good afternoon, everyone. My name is Darrel Williams. I'm with Ninilchik
Traditional Council. I'm also a rural user. Today I was asked to bring our PowerPoint presentation that we did at the Southcentral Regional Advisory Council to help everybody get some information to understand the issues with the fishwheel in the upper Kasilof River.

I think Ivan did real good about a little bit of history with the fishwheel. This has been long term in developing and implementing this process. Could we start the PowerPoint, please.

A little bit about the overview. We started this process back in 2005. There are some comments that I want to make in this, but in the interest of time I'll make them now. One of the things that we had real challenges on in our fisheries in the Kenai Peninsula was the issue of conservation concern. You know, it's really interesting I think in this particular arena that conservation concern is sometimes approached too cautiously. It's not clearly demonstrated. A lot of times really has very little to no foundation. The example is in this fishwheel. In the three years that we've been fishing it, we have been able to harvest zero fish, which is profound. As far as a meaningful preference in methods and means of gear type, we do have some issues. It's certainly not for lack of effort, but I think there's something that needs to be considered and I've heard this quite a few times during the last few days of this meeting about the concerns of different issues and different fisheries.

The PowerPoint has started here and I'll start narrating that. This is the original fishwheel that we built, if I recall, in the 2010 fishery. For scale, that's Jack Kvasnikoff in the background walking by it to give you an idea of the actual size of the wheel. It was our first attempt to be able to engage in this activity. It was interesting because we found that we had problems. For one, the upper river, the Kasilof River is not that deep, so needless to say the wheel was very large for the actual fishery.

The other problem we had was actually moving the wheel, getting it from where it's at, sitting right there, to the river and being able to launch it. Then there were other issues about moving the wheel within the river to be able to move it to different spots to be able to try it and see how it fishes.

Slide, please. So, with that, we started
-- there's a picture of us sitting there scratching our 
heads, brainstorming, a little bit of community 
involvement trying to figure out how to make this 
fishwheel work. Some of the goals we had in mind in this 
fishwheel was to be able to make something that was 
portable, it was mobile, it would fish deep enough and 
would be able to catch some fish.

We built the wheel and we had the U.S. 
Fish and Wildlife folks come and inspect it and approve 
it. That was prototype development there. There were 
still some issues to work out, but I think it's a good 
representative photograph to show that there's community 
interest and people involved in trying to make this work.

Slide, please. So, our final product 
ended up being a fishwheel that we could break down into 
three pieces, we could mobilize it in the back of a 
pickup truck. There it is actually going down the road. 
And be able to launch it at the river easily and be able 
to move it within the river easily. It requires a little 
bit of extra taking apart and putting back together, but 
that's not a real big deal. It's about a 20-minute 
process.

Some of our other concerns too were by 
leaving a wheel in the actual water if the wheel was lost 
or damaged or incidental catch or something silly like 
that, we didn't want those kind of problems, so being 
able to make a wheel like this solved those problems for 
us so we could be responsible in our fishery.

Slide, please. Here's a photo of us 
putting the wheel together. This is the upper boat 
launch in the Kasilof River. Here we're mounting the 
basket. That gives you an idea of the size of our wheel, 
the kind of materials that we used. You can see there in 
the background the yellow rope, there's our live bait 
well that we actually have. It's a mesh basket that 
stays in the water. That's what the upper boat launch 
looks like.

Slide, please. Again, mounting the 
wheel, an idea of what the fishwheel looks like. Slide, 
please. This is almost complete. It's kind of a 
representative photograph of the signage requirements 
that we have. We also put up -- there's another sign 
that goes on there that has the actual user name and 
their permit number as required by the regulatory 
stipulations.
Slide, please. There it is put together, getting ready to launch. This is what it looks like when we're mobilizing it up and down the river to be able to negotiate the waterway.

Slide, please. This is an interesting photograph. This is the fishwheel being towed behind the boat. If you notice, the rope is slack. We actually had taken it up there. We were just kind of checking out the upper river. The velocity of the water is that slow, that it won't even pull the rope tight while it's sitting in the water behind the boat. It simply makes it to where we just can't fish in the upper river. There's not enough current. It's a much different kind of water than I think was anticipated when we actually developed this fishery.

Slide, please. There's a picture about a mile down from the boat launch where the water actually starts to pick up. The wheel is actually set there and it's actually going around and around. That's a representative photo of what it looks like when it's in the water and running. That's actually probably 30 feet off the bank. That's more towards the middle channel. We weren't actually fishing the wheel. This was a trial run when we were putting it together trying to make sure everything is going to work correctly.

Slide, please. Here's photos when we actually started fishing. So we would mobilize the wheel to different sites, we would set the wheel up and fish the wheel. Here's a photo of the buoy in the front, which was another one of the requirements. A safety thing for the river so nobody runs into the line holding the wheel.

Slide, please. This is setting up the wheel. We implemented fences on the side of the wheel to go to the bank to try to collect fish that may be between the wheel and the bank and channel them into the actual wheel while it's fishing. You can see the fence behind the -- that's Daniel on the fishwheel. So if I refer to him as Daniel, you'll know who I'm talking about. Behind him you can see actually the arm of the fence that extends over to the bank.

Slide, please. Here's another picture of the fences as we were putting them on. One of the things we learned during this process, we talked to the people who had fished fishwheels in other fisheries across the
state and we found out that there is a lot more to a fishwheel than having it go round and round in the water. There are things such as buoyancy issues, how buoyant the wheel is, how fast it turns, how you make adjustments to the shape of the basket and so on. So it was an ongoing process.

The other interesting part that we found out is that in a year of a fishery in the particular species that we're targeting our actual fishing days are very slim. The escapement -- we watch the escapement numbers. The escapement comes through the river, we put the wheel in place and we try to catch fish while the fish are there. That's probably a week, maybe two weeks of actual fishing time a year.

So the interesting part is in a new gear type that was given to us, it may be in its fourth year of development, but realistically we probably actually have four or five weeks of actual fishing time, actually trying to catch a fish with it. You can put the wheel in the water. If there's no fish there, it's pretty hard to tell if you're going to catch fish or not.

Slide, please. Here's another site where we set up the wheel and the same thing. You can see us setting it up. You can see the sign in the back behind Daniel there of our user name and information and it's on the wrong side because we just moved the wheel. He hadn't got it yet.

Slide, please. Here's a sample of where you can see how we were staking and some of the places we actually had to stake the fences down. We tried fences on one side, we tried eight foot, we tried 16-foot fences, we tried fences on both sides of the wheel trying to channel fish to the wheel to harvest them.

Slide, please. Here is another view of the same site where you can see one of the ways we set the fences trying to catch the fish.

Slide, please. This is an interesting slide. I like to include this to try to help people understand that the morphology of the river is very different in the upper river than the lower river. In the foreground you see a dark line going across the photograph. That's a sand bar and the water there is probably 12 inches deep. The depth current, where we're able to actually place the wheel. And it's also
interesting because we found that in earlier in the year
the sand bars are laid out in a certain fashion and as
the water rises and more velocity, those sand bars move.
So what may be a good fishing place one day may not be
the next.

Slide, please. As an example of
location, speed, buoyancy, this is actually a video. I
don't know if we can play it or not. Can we see if we
can play that, please. There we go. Just to give you an
idea of -- here's Daniel setting up the wheel. The wheel
is moving and to give you an idea of some of the speeds
that we use when we're trying to fish the wheel. The way
we build the wheel is we could add additional or take off
paddles to increase and decrease resistance to be able to
control the speed of the wheel.

In our placements, generally what we
would do is we would -- the wheel is adjustable
vertically and we would actually lower the wheel down
until we were scraping gravel on the bottom, so we knew
we were all the way down as far as we could go and
actually fish it. It's interesting there's a drift boat
in the background too just for fun. So there actually is
other traffic on that water too.

Slide, please. This is also a video. If
you could hit play on it. This is another example of
playing with it for speeds, different -- this is a
different location, being able to try to get the
fishwheel to fish. This has actually been modified since
the last picture. We had talked with Tricia Waggoner,
who was on the Southcentral Regional Advisory Council.
They had fished some fishwheels and gave us some
suggestions.

I really appreciate this part right here
in this video where you can see Daniel walking out to set
the actual live fish holder. That gives you an idea of
the velocity of the water, the depth of the water and
that's basically the environment we're fishing in. When
a guy can walk across there in chest waders, it's not
real fast. I think it's a representative sample.

Slide, please. This is a picture of the
State's wheel that's located next to the Kasilof River
bridge, right next to the highway. We thought we should
have something to compare it to. We actually went and
talked to the operator and we were trying to get ideas on
how successful they had been using their wheel and any
kind of information that would help us be more successful. As you can see, this was very, very different than what we.....

Slide, please. In sheer terms of size, impact, and everything else, that's a lot more wheel than what we have. We had very specific guidelines from the Federal Subsistence Board on what they expected. I believe our stuff is very friends. Our special use permit that we have to get from the Refuge we're not allowed to do work on the bank proper, so we're restricted to being able to set up a wheel like this. I think there was some confusion when the fishwheel was offered as a gear type and I think this is more of what people had in mind. But the same thing, there are other management groups that we have to contend with and there are rules that we have to follows.

Slide, please. Now that's what we want to catch. We want to be able to catch some fish. Those are just some fun photos of dressing some fish up. The bad part is we had to buy those fish. So, with that said, you know, I do think that there's probably a possibility of making the fishwheel work. We put a lot of time and effort into it, but, you know, as a sample of the time and effort, you know, a real value of it, it's only been a few weeks of actually being able to fish the wheel while the fish were there. I think that this particular gear type needs time to mature and different methods need to be used and we need more time to evaluate it to be able to try to make it work.

You know, after Ivan gave his testimony and I think there's one more, I think I'll stop right there. Just about everything has been covered. I do have concerns about the idea and terminology of conservation concern. The conservation concerns that were identified in this I think were actually unreasonable. We had long discussions at this Board about what the conservation concerns should be. I truly believe that a conservation concern needs to be demonstrated. It needs to be documented or it needs to be -- you know, there needs to be some foundation for the concern. You know, as a user trying to catch fish with this particular gear type it's very frustrating because there's a conservation concern and there's zero harvest. It makes it tough. It makes it hard to understand that.

I hope that the Board will consider making this a permanent gear type for the Ninilchik
There were some concerns that this particular proposal would allow this gear type on other fisheries and that is not how the proposal was worded and it's not the language in the proposal, so I hope you guys can -- I hope this information helps you guys understand the actual dynamics of that part of the river are different than the other parts of the river.

There's a lot of thought, you know -- and in comparison to like the first run of reds in the Kenai River. People understand that because a lot of people fish it. The first run of reds in the Kenai River, if you fish the lower river, good luck. You can't catch fish. I think part of it is that these fish come up and they hit that slack water and they think they're in the lake and they're ready to go where they're going to go, whichever tributary it happens to be and it wasn't something that we expected when we first started doing this fishery. We expected the typical red behavior of eight to ten feet off the bank, swimming in the channel and that's where you're going to catch them. We found out that's just not completely the case.

Mr. Chairman, I hope that helps. Is there any questions? I'd be happy to entertain them.

CHAIRMAN TOWARAK: Thank you. Are there any questions.

(No comments)

CHAIRMAN TOWARAK: Thank you, Mr. Williams. The slide show was very informative. Any other public testimony.

MR. PROBASCO: Yes, Mr. Chair. Our last person is Mary Ann Mills. Mary Ann.

MS. MILLS: Thank you. My name is Mary Ann Mills. I am vice chair for the Kenaitze Indian Tribe and also a member of the Southcentral RAC. The Kenaitze Indian Tribe supports Ninilchik subsistence fishwheel as well as the Southcentral RAC and believe their plan is sound.

We believe that subsistence takes precedence over all other fishing and that's why we have this Board here, is to protect our people's rights to fish in the rural areas. Ninilchik has complied with all of the provisions in the regulations. Their fish box
allows most incidental caught fish to be released unharmed. Their plan of operation is sound. We just believe that the basis for the State to object to this subsistence endeavor is unfounded. You know, the State also has its own fishwheel on the Kasilof and also Ninilchik has caught zero fish to date, so we can't see where there would be -- why the State would have a problem with their subsistence endeavors.

I think before the Ninilchik fishwheel is considered being closed that all other fisheries on the Kenai should be looked at and if there is that great of a concern, those fisheries should be the first ones to be closed. With that, thank you very much.

CHAIRMAN TOWARAK: Thank you, Mrs. Mills. With no further public testimony, we will move on then to our Regional Council recommendations. Donald.

MR. MIKE: Thank you, Mr. Chair. Again, I'd like to apologize to the Federal Subsistence Board for our Chair, Ralph Lohse, not being able to attend this meeting. He had some medical issues and therefore couldn't travel. You'll find the Southcentral Alaska Subsistence Regional Advisory Council's recommendation on Page 281 of your book. The Council's recommendation is to support the proposal.

There are no conservation concerns associated with this proposal. The temporary fish wheel has shown to be a benefit to subsistence users. The community has shown a strong motivation and support for making the wheel more successful and efficient. It has the potential to have less impact on fish than the use of rod and reel.

Thank you, Mr. Chair. That concludes the recommendations of Southcentral.

CHAIRMAN TOWARAK: Are there any questions from the Board.

(No comments)

CHAIRMAN TOWARAK: Not seeing any. Thank you, Mr. Mike. Department of Fish and Game comments.

MS. YUHAS: Thank you, Mr. Chairman. Jennifer Yuhas, State Liaison Team. This whole process has been very interesting to follow over the last several years and watching it develop. You know that the State
is opposed. We were opposed to the original and we are requesting that the 500 yards from the State fishwheel be put in as an actual mandate. While the testifiers say they didn't think it would happen, we do have parts of the river where our lands are adjacent and there's nothing that actually prevents it in here even though he says they don't expect it would happen.

As you know, the State fishwheel is a management tool and it's for research so that we can conduct in-season management and have the right information for our decisions. The general conservation concern, although this has not been effective and it's been interesting to watch it progress, the end goal is that it be effective. So while there is zero harvest right now, the general conservation concern revolves around the introduction of a new gear type.

So that's been our consistent comment through the temporary and action through the fishery special action and we would like to see you approve that just for three years again if you're going to approve it so you can follow this and watch it develop because it is a non-traditional and new fishery.

CHAIRMAN TOWARAK: Thank you. Are there any questions from the Board.

(No comments)

CHAIRMAN TOWARAK: Thank you for your comments. We will proceed then to Interagency Staff Committee comments.

MS. O'REILLY-DOYLE: Mr. Chair. The Interagency Staff Committee provides its standard comment.

CHAIRMAN TOWARAK: Thank you. Number 7, Board discussion with Council Chairs and State liaison. Any further discussion.

(No comments)

CHAIRMAN TOWARAK: Not seeing any. Then we're ready for number 8, Federal Subsistence Board action. Mr. Haskett.

MR. HASKETT: So my motion is to adopt Proposal 13-15, which is consistent with the
recommendation of Southcentral Regional Advisory Council and I'll explain my justification if I get a second.

MR. C. BROWER: Second.

CHAIRMAN TOWARAK: The motion has been seconded. Rationale, please.

MR. HASKETT: So, as we've heard, this fishwheel fishery was set up as a temporary regulation since it was a new gear type for the area. Our in-season managers worked closely with the users in Ninilchik over the past four or five years to try and make this work. This regulation expired in December of 2011. Our in-season manager allowed it in 2012 by special action. Ninilchik has operated the wheel for three years. So far there's been a harvest of zero fish although we do recognize the intent is to actually harvest fish at some point. It is new for them as they learn how to fish it. Seasons and harvest limits are in place. I think there are protections for steelhead, rainbow trout in place that will be monitored and it will be controlling here.

So we'd like to see the residents of Ninilchik be able to get the fish they want through the use of this fishwheel and I hope they'll be successful in making that happen. Getting this regulation back in place is a necessary step to allowing the fishwheel fishery to remain in place, so I intend to vote in favor of the motion.

CHAIRMAN TOWARAK: Thank you. Further discussion.

(No comments)

CHAIRMAN TOWARAK: The floor is open for calling the question.

MR. CHRISTIANSON: Question.

CHAIRMAN TOWARAK: The question has been called for. Roll call, please.

MR. PROBASCO: Thank you, Mr. Chair. Final action on FP 13-15 to adopt the proposal as recommended by the Southcentral Regional Advisory Council.

Mr. Brower.
MR. C. BROWER: Yes.

MR. PROBASCO: Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: Ms. Swanton.

MS. SWANTON: Yes.

MR. PROBASCO: Ms. O'Neill.

MS. O'NEILL: Yes.

MR. PROBASCO: Mr. Christianson.

MR. CHRISTIANSON: Yes.

MR. PROBASCO: Mr. Sharp.

MR. SHARP: Yes.

MR. PROBASCO: Mr. Towarak.

CHAIRMAN TOWARAK: Yes.

MR. PROBASCO: And Mr. Owen.

MR. OWEN: Yes.

MR. PROBASCO: Motion carries 8-0.

CHAIRMAN TOWARAK: This concludes our non-consensus agenda items. We had acted on our consensus agenda topics. Oh, I guess we haven't acted on them. We did pull FP09-05 and that was taken care of during the consensus process. So we do have four proposals that are categorized into the consensus agenda proposals and I will entertain a motion from the Board to pass all -- I'm sorry, Mr. Probasco has something for us to consider.

MR. PROBASCO: Yes, Mr. Chair. We did have an individual that just wanted to -- did not have the opportunity to come forward due to his scheduling, but he wanted to comment on his support for the consensus agenda Proposal FP13-02. It's Aaron Kozevnikoff. He spoke yesterday and I'll just summarize real quickly.

He talks about the struggles between
fishermen on the Yukon, Upper River, Middle River and Lower River, and he feels that having this regulation will go a good ways towards keeping subsistence harvested fish out of the commercial fishery and I will submit his full written comments to the record and if people request a copy, I will provide that as well. Mr. Chair.

CHAIRMAN TOWARAK: Thank you. Are there any questions on that public support.

(No comments)

CHAIRMAN TOWARAK: If not, then the floor is open for action on the consensus agenda proposals.

MR. OWEN: Thank you, Mr. Chair. I move to adopt the consensus agenda with recommendations shown on Page 3 of the Board book with the exception of the Makhnati proposal FP09-05, which was moved to the non-consensus agenda.

MR. CHRISTIANSON: Second.

CHAIRMAN TOWARAK: Motion by Mr. Owen, second by Mr. Christianson. Any discussion on the motion.

(No comments)

CHAIRMAN TOWARAK: Call for the question.

MR. HASKETT: Question.

CHAIRMAN TOWARAK: The question has been called. Roll call, please.

MR. PROBASCO: Thank you, Mr. Chair. I'll reference my earlier comments at the beginning of the meeting that addresses the Board’s procedures in dealing with consensus agenda proposals.

Mr. Haskett.

MR. HASKETT: Yes.

MR. PROBASCO: Ms. Swanton.

MS. SWANTON: Yes.
MR. PROBASCO: Ms. O'Neill.
MS. O'NEILL: Yes.
MR. PROBASCO: Mr. Christianson.
MR. CHRISTIANSON: Yes.
MR. PROBASCO: Mr. Sharp.
MR. SHARP: Yes.
MR. PROBASCO: Mr. Towarak.
CHAIRMAN TOWARAK: Yes.
MR. PROBASCO: Mr. Owen.
MR. OWEN: Yes.
MR. PROBASCO: And Mr. Brower.
MR. C. BROWER: Yes.
MR. PROBASCO: Motion carries 8-0.
CHAIRMAN TOWARAK: Thank you. In the future, I hope we reverse the roles of the non-consensus versus the consensus. That concludes the deliberations on proposals. The next item on the agenda is the schedule of the next Federal Subsistence Board meeting. Mr. Probasco.

MR. PROBASCO: Thank you, Mr. Chair. We would like to schedule a work session prior to whatever date you select the end of April or early May for your public meeting. We will announce the work session through a news release so the public is aware and they can attend. Since this addresses the MOU, Mr. Chair, I'd recommend that we get the State's comments on potential dates because they still have work in progress as far as getting comments. Maybe Ms. Yuhas has some information to share.

MS. YUHAS: Thank you, Mr. Chair. Jennifer Yuhas, State Liaison Team. I expect that the ACs -- I've requested that the ACs have their comments to me within the month of February so that I can bring them to the Staff Working Group sometime in March. The Staff Working Group is traveling between the RAC meetings, but
we're hoping that the possible signatories meeting could happen sometime around the second week of May, allowing for the Board of Game and Board of Fish to have concluded their spring business since both of those chairs are also signatories.

CHAIRMAN TOWARAK: Thank you. We look forward to coming up with a workable date so that we could address that issue. Mr. Probasco.

MR. PROBASCO: Mr. Chair. The take-home message from what Ms. Yuhas provided, I recommend that the Board holds their work session in preparation for the signatories meeting in May or late April or the latter part of March for discussion.

CHAIRMAN TOWARAK: Are there any comments on the possible work session date.

MR. PROBASCO: The latter part of March is what I'd recommend.

MS. MASICA: Latter part of March. I was confused if it was late April, early May or late March. I was unclear what you were talking about.

MR. PROBASCO: I'm looking at Jennifer. They're getting confused. The Board will need to meet to discuss the draft of the information provided by both the Councils and the State and then once we complete our draft, then that would be shared with the State and hopefully sometime late April, early May the two groups will get together, have their discussion and finalize the MOU.

MS. MASICA: My only comment about that last week in March is with sort of the funding situation. I would avoid trying to do it that last week because if were in suddenly a fire drill mode, you might have a lot of distracted regional directors who are having to deal with shutdown type stuff. So if you could avoid that last week.

MR. PROBASCO: Maybe early April.

CHAIRMAN TOWARAK: Go ahead.

MS. YUHAS: Mr. Chair. Maybe I wasn't clear when I was running through the State schedule, but if you intend to have your work session, I would expect
you would like to have the materials that the Staff Working Group had already met to discuss after the State had consolidated the comments we expect to receive in the middle of the RAC travel cycle, so I would expect that the Staff Working Group would meet in late March, early April with the Board holding a work session following that so they would have their full information.

MS. MASICA: Which translates, it sounds like to me, to a Board meeting not till late April or early May and then the signatories sometime after that.

MR. PROBASCO: Mr. Chair.

MS. MASICA: Pete's going to punt the problem to his successor.

(Laughter)

MR. PROBASCO: I just want to remind, at the State's request, that we have postponed action on this. I think the work group, if we hold the schedule where the State's Advisory Committee's information is completed by the end of February -- I recognize that we have the Regional Advisory Council, but if we're going to get the signatories together at the Federal public meeting, we would have to do our work well in advance of the latter part of April, early May.

So it's up to the Board. I hear Ms. Masica's concern as far as the budget, so let's throw the end of March out and look at early April.

MS. MASICA: If that's the work group, that's not my concern. I was concerned more about for the Board members.

MR. PROBASCO: I'm speaking specifically to the Board members work session. If we make the decision that we will hold our public meeting in May, then we might be able to address the State's recommendation maybe going to the latter part of April with our work session and then hold our -- the whole goal is to try to minimize the number of Board meetings we have, recognizing all of your schedules. We still have to have our spring meeting as well, so I'm trying to combine as much as I can.

I think there's still some confusion. The Board will have to have their work session prior to
the public meeting, so we need to have a Board work
session so they can discussion on the Federal side the
recommendations provided by the Councils and any
recommendations from the State so that they can
collectively make the recommendations to any potential
changes which could be shared with the State and then it
would be the public meeting where we would, on record,
discuss those changes and finalize the MOU changes.

CHAIRMAN TOWARAK: Mr. Haskett.

MR. HASKETT: Well, I have no good dates. I agree with Sue though. The last week of March isn't
great. I think the first week of April is not great
either if it happens, but we can't base everything on
that, so the first week of April actually works for me if
we could do it then.

CHAIRMAN TOWARAK: So we could
tentatively say the first of April would work with
everyone in general.

MS. MASICA: Sometime during that week.

I would ask not on Wednesday.

CHAIRMAN TOWARAK: If there's any
conflicts, if you could convey that to our Staff and work
out a specific date that would work out for everyone.

MR. PROBASCO: April 4th or 5th for the
work session. April 4th or 5th we will do the Federal
Board's work session on the MOU.

CHAIRMAN TOWARAK: That concludes that.
The next thing would be the public meeting shortly
thereafter.

MR. PROBASCO: The public meeting -- let
me back up on the work session. Thank you, Chuck. He
just reminded me that the Board, in addition to the MOU,
will address the regulatory cycle as well, which could
affect the January 2014 meeting date. So now we're
looking at when we would like to have our public meeting,
which is customary to have either the end of April or
May. This would also be an opportunity for the Chairs
since they come to that meeting as well.

CHAIRMAN TOWARAK: Are there any
preferences on either the end of April or first of May.
MS. MASICA: Mr. Chairman. I know I have conflicts, but I think somebody's always going to have a conflict, so my advice is figure out what works best and then recognize that's why we have to send alternates occasionally. Each of us has D.C. directorate type meetings and they're not all at the same time. So if it's good for one of us, it's going to be bad for the other.

CHAIRMAN TOWARAK: Mr. Probasco.

MR. PROBASCO: Keep in mind what we would like to do is just maybe look at a week or two block there so that Kelly and Jennifer can go back to the Commissioner's Office, find out their schedule and go through the email trading back and forth to finalize that, but I'd like to try to narrow it down to a week or a block of two weeks when you'd like to have that focused on.

CHAIRMAN TOWARAK: Mr. Haskett.

MR. HASKETT: How about the last two weeks in May as a block? Is that too late?

CHAIRMAN TOWARAK: Are there any objections to the last two weeks in May. Ms. Yuhas.

MS. YUHAS: No, we forwarded the....

CHAIRMAN TOWARAK: Okay. We will set that as a goal and to have the details worked out by the Staff, minus Mr. Probasco.

MR. PROBASCO: That's it, Mr. Chair.

CHAIRMAN TOWARAK: Okay. That concludes the schedule for the next two meetings. Go ahead.

MR. PROBASCO: Thank you, Mr. Chair. We do have -- I have one more order of business. Jeannie Boyle would like to quickly address the Board as far as the students.

MS. BOYLE: Good morning, Mr. Chairman and Board members. I just wanted to come forward and thank the Board members for the opportunity that the UAF students have had to observe the meeting and to learn what actually happens at these subsistence Board meetings. It's been a great opportunity for myself and
the other students that have attended. You don't learn these kind of things in the classes that we take. It's only by coming and observing that you actually see how the rules are made and what effect the policies have on all the people of Alaska. Thank you.

CHAIRMAN TOWARAK: Thank you very much for being here. Part of our process is to educate the public on what we do and we hope that your students will help us do that by learning -- by knowing a lot more about how we try to conduct business and the process that we use to do it in fulfilling our responsibilities to our public. Thank you for being here.

Is there any other business. I do have an announcement to make on the art contest. We do have a winner. The grand prize for the student's art contest goes to Diane Murff (ph) of Petersburg. Please take a look at it. It's one of the most colorful signs I've ever seen. It's going to be a challenge to the publisher to print it.

(Laughter)

Honorable mention also goes to Eileen Fernandez of Sitka, Amanda Norbert of Koliganek and Gracie Kerrick (ph) of Golovin. So congratulations to those students. We appreciate their participation in designing next year's book.

Any other business from the rest of the Board. Mr. Adams, I thought we had left you.

MR. ADAMS: I'm back. I managed to go and get myself all packed and checked out, so I thought I'd drop over here and see how you guys were doing.

You know, that first day when the Tlingit and Haida Dancers came here they mainly focused on what they call the Dry Bay area, clans in that area. We call it Gunaaxoo. It means Dry Bay. In the Alsek River, Almaik (ph) is the real way to say it, there is a very special treat that comes in every year and that is what we call the Gunaaxoo t'a or the Dry Bay king. I failed to bring this with me this morning, but I have two jars here of Gunaaxoo Ta that I wanted to give to Pete and of course to your Chairman.

(Applause)
CHAIRMAN TOWARAK: For your information, my wife and I spend a lot of time in June, July and August working on fish like this. We'll really enjoy this.

MR. ADAMS: Mr. Chairman. Those were specially made by my son and his daughter, so something that we had taught them.

CHAIRMAN TOWARAK: Thank you very much. If we ever get a chance to have a meeting in Unalakleet, you'd taste some of that.

Well, this concludes our meeting. Is there a motion. Oh, one more quick announcement for those of you in the -- I'd like to mention that there are lots of Council applications. Our Council process is still open, so I'd encourage those of you that are going out to grab a few of those from the Staff out in the front and take them with you and encourage your fellow subsistence users to join our process.

Molly, did you have a comment.

MS. CHYTHLOOK: Yeah, I've got a comment. The other day when Crystal Leonetti invited the Board to travel to fish camps, I've invited Geoff to come to our fish camp and that's going to -- I hope he doesn't back off. It's going to happen in August, but we can take another person if any of you are interested. My only requirement is you need to bring your snagging, your spear or bow and arrow.....

MR. HASKETT: Right.

MS. CHYTHLOOK: .....and if you don't do that, you'll be capturing your fish by hand.

(Laughter)

MS. CHYTHLOOK: If another person is interested in coming to our fish camp, our fish camp is located in Wood-Tikchik State Park. It's a two-hour skiff ride from Aleknagik. Aleknagik has five chains of lakes and our camp is on Second Lake and it's a pristine location. It's really beautiful. Weather permitting it will be beautiful and we'll either travel by cover skiff or open skiff. Cover skiff is used if there's enough water. Even though it's jet operated, if the water is low in Aguliak, then we're not able to use our cover
skiff, so we use open skiff. Those of you that are
coming make sure that you bring warm clothing. I can be
reached by email. I want to invite any of you to come to
our fish camp because I think it will be -- we'll make it
educational for you. Thank you.

CHAIRMAN TOWARAK: Thank you. We have,
I think, Rosemary on the phone if we still have her. I'd
like to give her an opportunity to provide any closing
comments if she does.

MS. AHTUANGARUAK: Hi, this is Rosemary.
Can you hear me?

CHAIRMAN TOWARAK: Yes.

MS. AHTUANGARUAK: I want to really thank
the Board in the process that went forward. It was
really good on the parts that I was able to listen to, to
hear how the Board responded to some of the concerns that
related to the proposals that we were dealing with. This
has been a growing process over the last couple years
coming back into participating with this and it's really
important that we show that we're working with the tribes
on these concerns, not just moving a process forward.
Especially today's discussion, it was done in a good way
and I appreciate that.

I want to thank Pete for all of your work
in this process. This has been very important and
working through this process with so many variables it's
very difficult and we really appreciate your leadership
in this process.

I want to thank everyone for the addition
of the two new members. It does make a difference in the
way that these discussions are going. It is showing that
they're important in this process and are effective.

I know we didn't have proposals on our
side, but working through this process is so important.
We have so many concerns that are occurring throughout
our state that we need to make our process more effective
and not working through this process instead of having
bad outcomes. So I have hopes that the process is going
to be cognizant of the concerns that are out there and
working through and protecting our traditional and
cultural activities into the future.

Thank you, everyone.
CHAIRMAN TOWARAK: Thank you, Rosemary.

Mr. Cleveland, you had a comment.

MR. CLEVELAND: Thank you, Mr. Chair.

It's been a learning experience for me. This is the first time with the Federal Subsistence Board. To my region, the Ambler Mining District, there's fish in our area, caribou abundance and I wonder if there's a disaster, it's going to wipe us out for sure. For the Board to look at it very carefully how it's going to happen or how if that road goes in to Ambler Mining District, there goes our subsistence. It's gone.

For another thing, during fire season you guys see all these planes dropping all this retardant. God knows what's in the retardant. We checked our river after fire season and there was cyanide in our river after they dropped the retardant.

I'm the vice chair for the Western Arctic Caribou Herd Working Group and I would like you guys to hear about it because the caribou they eat off the land and we live off the land and we don't know what the animals are eating out there.

That's all I have to say. I've got a long list of do's and don'ts. Thank you.

CHAIRMAN TOWARAK: Thank you, Mr. Cleveland. We hope you'll be with us for a long time.

MR. SIMEONOFF: Thank you, Mr. Chairman. I just wanted to thank the Board for allowing our healthy dialogue and all the activities for the places and people that we represent. I did want to reiterate my feelings about my way of life. My way of life should never be considered less than the sport or trophy activity. I appreciate the fact that the Federal Subsistence Board is always acting in favor of that perception from the people. I do look forward to a healthy dialogue from our friends at Fish and Game when we have our meeting in March down in Kodiak. I will let it go at that and thank you again for all the good work that you do.

CHAIRMAN TOWARAK: Thank you. If that concludes -- Mr. Probasco.

MR. PROBASCO: May I have the last word.

CHAIRMAN TOWARAK: Last word. You're the
next to the last word.

MR. PROBASCO: Oh, okay. Well, thank you, Tim. Thank you Rosemary and Bert and others for the kind words. I think, Mitch, you said it very well why this program is so important and why the mission that we have before us has to be maintained.

I look at my few years on this program. I started in 2000 and I look back at it and I'm glad I was here. I'm glad I was part of the process, but the key to the process as I look out at the Regional Advisory Council Chairs and their committees and I think -- I don't think anymore. I realize the importance of the changes that the Secretaries implemented by bringing Tony and Charlie to the process. We bring that unique Alaska knowledge to the Board that helps a very knowledgeable Board deal with the more at-home type issues.

I will miss the process, but I won't be far. Thank you for yesterday. Tim, I wish you the best.

CHAIRMAN TOWARAK: Thank you, Pete. In closing, I'd like to -- I think we all know how much Mr. Probasco has affected this program and has brought it, I think, to this point and has made some pretty big adjustments during his tenure. Subsistence, I think everyone knows the importance of it to especially rural Alaska, but I think the State reflects it real good by having it be recognized as a statewide issue also.

We have our differences in how it should be managed, but I think my personal feeling and my personal desire is to have one management system for the whole state and I will always work for that. I think it would work out best for everyone involved for all of us to be working with the State. There's times when we have regulations as it is now where we don't know if we have our right foot in the Federal ground or left foot in the State ground. It's very uncomfortable for many of our people and I think a long-term solution is everyone to work towards one common management system that benefits everyone in the state of Alaska equally. I know there's barriers, but I think those are workable.

My desire is to wish Pete well in his new efforts. When we consider birds, we hope he'll fly in and join us and we'll wave with all of our fingers. Best of luck to you, Pete.
If there aren't any other comments, I'll entertain a motion to adjourn.

MR. PROBASCO: So moved.

MR. CHRISTIANSON: Second.

CHAIRMAN TOWARAK: Moved by Pete and seconded by Mr. Christianson. Any objections.

(Laughter)

CHAIRMAN TOWARAK: Motion passes. We are adjourned.

(Off record)

(END OF PROCEEDINGS)
CERTIFICATE

UNITED STATES OF AMERICA )
) ss.
STATE OF ALASKA )

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter of Computer Matrix Court Reporters, LLC, do hereby certify:

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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;

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DATED at Anchorage, Alaska, this 4th day of February 2013.

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Salena A. Hile
Notary Public, State of Alaska
My Commission Expires: 09/16/14