

1 BRISTOL BAY FEDERAL SUBSISTENCE
2
3 REGIONAL ADVISORY COUNCIL MEETING
4
5 PUBLIC MEETING
6 DILLINGHAM, ALASKA
7
8 VOLUME I
9
10 October 2, 2006
11 9:10 A.M.
12
13 COUNCIL MEMBERS PRESENT:
14
15 Randy Alvarez, Chair
16 Pete Abraham
17 Dan Dunaway
18 Daniel J. O'Hara
19 Boris Kosbruk, Sr.
20
21 Regional Council Coordinator, Clifford Edenshaw
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1 P R O C E E D I N G S
2
3 (On record - 9:10 a.m.)
4
5 CHAIRMAN ALVAREZ: I guess we're going to
6 get started. Before we get started I'll ask Pete to do
7 the invocation.
8
9 MR. ABRAHAM: Good morning. I'll do my
10 prayer in Yup'ik.
11
12 (Invocation in Yup'ik)
13
14 CHAIRMAN ALVAREZ: Call the meeting to
15 order. It's about 10 after 9:00. Roll call, I guess.
16 Cliff, can you do that.
17
18 MR. EDENSHAW: Thank you, Mr. Chair and
19 Council members. Good morning. My name is Clifford
20 Edenshaw and I'm the coordinator for the Bristol Bay
21 Council. I'll go ahead and call roll. Randy Alvarez.
22
23 CHAIRMAN ALVAREZ: Here.
24
25 MR. EDENSHAW: Dan O'Hara.
26
27 MR. O'HARA: Here.
28
29 MR. EDENSHAW: Nanci Morris Lyon. Mr.
30 Chair and Council, prior to the Council making -- when we
31 chose our meeting days for this current meeting she had
32 already made prior arrangements, so she notified me ahead
33 of time she was unable to attend. Pete Abraham.
34
35 MR. ABRAHAM: Yeah.
36
37 MR. EDENSHAW: Virginia Aleck. Mr. Chair
38 and Council, I called Virginia this morning and she just
39 was unable to -- she just didn't make the flight. I e-
40 mail and call up Council members at least six to eight
41 weeks ahead of time. So, not here. Alvin Boskofsky.
42 He's not here, Mr. Chair and Council. This past winter
43 Alvin had major back surgery and since then he's just
44 been in rehab and just been unable to attend the
45 meetings. Dan Dunaway.
46
47 MR. DUNAWAY: Here.
48
49 MR. EDENSHAW: Robin Samuelsen. Mr.
50 Chair and Council, this is his last meeting and from my

1 communications with Robin he was just going to go ahead
2 and -- like a lame duck last year. Boris Kosbruk, Sr.

3

4 MR. KOSBRUK: Here.

5

6 MR. EDENSHAW: We have one vacant seat.
7 That's to be taken care of. Normally at this time we'd
8 had -- I think there were seven applicants, five or seven
9 applicants that applied to the Council this year.
10 Because of a lawsuit, we never sent our nominations
11 packet back East, but that lawsuit has since been settled
12 and we're going to go ahead and send the packets. So
13 we're in the process of getting those nominations
14 finalized through the Secretaries of Interior and
15 Agriculture, so finally we'll have that seat filled. Mr.
16 Chair, there is a quorum.

17

18 CHAIRMAN ALVAREZ: Okay. What seat is
19 that, Cliff, that's being filled? Is that the seat that
20 Andrew Balluta held?

21

22 MR. EDENSHAW: Yes.

23

24 CHAIRMAN ALVAREZ: Did Alvin take Robert
25 Heyano's seat, Alvin Boskofsky?

26

27 MR. EDENSHAW: It's been so long, I'm not
28 sure.

29

30 CHAIRMAN ALVAREZ: So the seat that's
31 vacant, who had that one?

32

33 MR. EDENSHAW: I believe that was.....

34

35 CHAIRMAN ALVAREZ: Pete -- Andrew
36 Balluta. So that's being filled by Thomas Hedland then.

37

38 MR. EDENSHAW: I'm not certain about
39 that. I know there was six applicants. I know he
40 applied, but those haven't been -- the individuals, who
41 were recommended for appointment by the Federal
42 Subsistence Board, those haven't been finalized yet by
43 the Secretaries back East.

44

45 CHAIRMAN ALVAREZ: I know I signed a
46 letter from the Council that recommended him. I thought
47 he was going to be appointed. He was waiting for the
48 Secretary of the Interior, from what I understand, to
49 sign and then he was going to be on the Council.

50

1 MR. EDENSHAW: Well, Mr. Chair, I know
2 that the Federal Subsistence Board makes recommendations
3 on all the individuals who are recommended for
4 appointment and, to my knowledge, those haven't been
5 finalized yet, although I do know Mr. Hedland applied.
6
7 CHAIRMAN ALVAREZ: I had the
8 understanding he was taking Andrew Balluta's because he's
9 from the same area, but you're telling me that Alvin
10 Boskofsky -- did he get that seat or did he take Robert
11 Heyano's. I was just kind of questioning that, who got
12 whose seats.
13
14 MR. EDENSHAW: Mr. Chair and Counsel. We
15 don't try and go by region anymore. We've always tried
16 to take the best applicant. After they implemented the
17 7/3, which was sport and commercial, you know, three
18 commercial and sport seats as well as seven individuals
19 who represent subsistence uses, we tried to get away from
20 pigeon-holing people into regions and by specific
21 experiences that they do.
22
23 CHAIRMAN ALVAREZ: All right. So we have
24 a quorum. Item number 3 on the agenda, I'd like to
25 welcome everybody to the Federal Subsistence Council
26 meeting here. This is the fall meeting. We usually have
27 two meetings a year. One of them is here in Dillingham
28 and usually the spring one is over at Naknek. We had the
29 roll call and introductions. We have name tags, so I
30 guess we can bypass introduction of the Board Members.
31 Maybe we can start over here. This is our coordinator,
32 Cliff Edenshaw. I guess Robbin.
33
34 MS. LAVINE: Robbin Lavine, subsistence
35 fishery social scientist with the Bristol Bay Native
36 Association.
37
38 MS. RAVENMOON: Michelle Ravenmoon,
39 subsistence coordinator for Lake Clark National Park.
40
41 MS. PETERSON: Valli Peterson. I was the
42 BBNA intern coordinator this summer and I'm a UAF student
43 studying fisheries.
44
45 MR. DENTON: Jeff Denton, Anchorage Field
46 Office, BLM, biologist.
47
48 MR. WALSH: I'm Pat Walsh. I'm the lead
49 biologist for the Togiak National Wildlife Refuge.
50

1 MS. CRAVER: Amy Craver, OSM, staff
2 anthropologist.
3
4 MR. MOORE: Ralph Moore, superintendent
5 at Katmai National Park, Aniakchak National Monument and
6 the Alagnak River.
7
8 MR. HILLSINGER: John Hillsinger with the
9 Alaska Department of Fish and Game. I'm on the
10 Subsistence Liaison Team.
11
12 MR. SANDS: Tim Sands, Alaska Department
13 of Fish and Game and Dillingham commercial fisheries.
14
15 MR. DYE: Jason Dye, Alaska Department of
16 Fish and Game, Division of Sport Fish.
17
18 MR. MOORE: Ethan Moore, ADF&G, Sport
19 Fish.
20
21 MR. KRIEG: Ted Krieg, Subsistence
22 Division, Fish and Game.
23
24 MR. NELSON: Dave Nelson, a fisheries
25 biologist with the National Park Service working out of
26 Anchorage.
27
28 MR. BOYNTON: Jim Boynton, Fish and Game
29 in Dillingham.
30
31 MR. EDWARDS: Mike Edwards, fish
32 biologist, Fish and Wildlife Service, King Salmon Fish
33 and Wildlife Field Office.
34
35 CHAIRMAN ALVAREZ: Okay. Thank you.
36 Down on agenda item number 4, we have election of
37 officers. How do we want to do that, Cliff.
38
39 MR. EDENSHAW: Mr. Chair and Council
40 Members. It's pretty much at the call of the Council.
41 Nanci Morris is currently the vice chair.
42
43 MR. O'HARA: Is it time for election of
44 officers, Mr. Chairman?
45
46 MR. EDENSHAW: And Dan is secretary.
47
48 MR. O'HARA: What we do is turn the Chair
49 over to our coordinator and then we'll have nomination of
50 officers.

1 MR. EDENSHAW: Then after the Chair is
2 elected, I'll turn the gavel back over to the Chair for
3 the remainder of the offices, the vice chair and the
4 secretary.
5
6 MR. O'HARA: We certainly hope so.
7
8 MR. ABRAHAM: Mr. Chairman.
9
10 CHAIRMAN ALVAREZ: Pete.
11
12 MR. ABRAHAM: For election of officers, I
13 think we should do it until we have a full board here
14 next winter or next spring.
15
16 MR. O'HARA: Would you like to put that
17 in the form of a motion?
18
19 MR. ABRAHAM: I make a motion that we
20 table this until we have a full board next spring.
21
22 MR. O'HARA: I'll second that motion.
23 Good idea.
24
25 CHAIRMAN ALVAREZ: A motion has been made
26 by Pete to table the election of officers until we get
27 more board members and seconded by Dan O'Hara. Any
28 question.
29
30 MR. O'HARA: Call for the question.
31
32 CHAIRMAN ALVAREZ: The question has been
33 called for. All in favor signify by saying aye.
34
35 IN UNISON: Aye.
36
37 CHAIRMAN ALVAREZ: Opposed.
38
39 (No opposing votes)
40
41 CHAIRMAN ALVAREZ: Motion is carried.
42 We'll table this until the spring meeting, I guess.
43
44 MR. EDENSHAW: That will work.
45
46 CHAIRMAN ALVAREZ: Number 5, review and
47 adoption of the agenda. Is there anything you guys would
48 like to see on the agenda.
49
50 MR. O'HARA: Mr. Chairman. Dan O'Hara

1 here. I have been approached by several people, health
2 aides from different regions, mainly the Nushagak and
3 Kvichak area, on this amount we're able to sell on
4 subsistence. Cliff, is that 300 or 500 that we're able
5 to sell of subsistence food?

6

7 MR. EDENSHAW: I believe it was 400, Mr.
8 Chair and Council Members.

9

10 MR. O'HARA: Okay. Well, they asked us
11 to review that and if we don't want to review it this
12 meeting, we should put it on the agenda for February, but
13 it would be good to look at it. The reason they asked if
14 we would do that is because of the cost of fuel going up
15 and they think that maybe should be adjusted upward, so
16 we might give that some thought should we have some time
17 at the end of the meeting today or tomorrow.

18

19 CHAIRMAN ALVAREZ: Where should we put
20 that.

21

22 MR. EDENSHAW: Mr. Chairman, Council. We
23 can put that under number 13, under new business.

24

25 MR. O'HARA: Number B under A? What is
26 that thing called?

27

28 MR. EDENSHAW: The Council charter.

29

30 MR. O'HARA: No, I know what the Council
31 charter is. The item we're talking about.

32

33 MR. EDENSHAW: Customary trade.

34

35 MR. O'HARA: Thank you, Mr. Chairman.

36

37 MR. EDENSHAW: Mr. Chair.

38

39 CHAIRMAN ALVAREZ: Cliff.

40

41 MR. EDENSHAW: If I may, just some
42 housekeeping items for the Council, as well as for
43 individuals. Everything that we're going to go over this
44 morning is in those booklets with the exception of a
45 handout by Michelle she brought over from the Park
46 Service and a combination of probably a four-page thing
47 that I did on the North Slope on their recommendations
48 for rural as well as Southeast petitions for licenses.
49 So pretty much everything else is included inside the
50 book here and there's extra copies on the table.

1 Mr. Chair, if we go on at the bottom of
2 page 1 for fisheries proposals under number 9 where it
3 says fisheries proposal review and Regional Council
4 recommendations. Mike Edwards from the King Salmon FRO
5 has written all the proposals, so Mike is going to
6 present the analysis to the Council.

7

8 I believe under number 12, Amy, you're
9 going to do number 1, the rural determinations.

10

11 MS. CRAVER: I hadn't planned on it.

12

13 MR. EDENSHAW: You hadn't planned on it?
14 We'll have some time after the talk, but perhaps -- I
15 know Steve Klein is going to be the leadership
16 representative from our office and perhaps he may do
17 that, but I know one of you two should do that because
18 Steve is an L team member and you've been working with
19 Staff in the office in terms of rural determination.

20

21 Mr. Chair, number 2 is informational.
22 Number 3, informational also. Number 4, you may go ahead
23 and just line that out. That really doesn't pertain much
24 to this region here unless the Council has questions or
25 concerns regarding the peninsula. Number 5 I'll just
26 briefly mention is in regards to a petition that the
27 Southeast Council has drafted and is seeking comments
28 from all 10 Councils. Number 6, that's the handout I was
29 telling you. This is one that was developed by our
30 regional office. The other one here, this was signed by
31 Deborah Rock and the Council asked if someone from the
32 Subsistence Migratory be able to come out here and
33 address the Council in regards to avian flu updates.
34 She's provided just a brief handout of the activities
35 that have been going on because she was unable to get
36 someone. They've been really busy in terms of being out
37 in the field and that's the handout she provided to us.

38

39 That's all I have for the agenda, Mr.
40 Chair.

41

42 CHAIRMAN ALVAREZ: Okay. Anybody else
43 have anything they want to put on the agenda. Boris.

44

45 MR. KOSBRUK: I have a question. Is
46 Staff from Fish and Wildlife from King Salmon, are they
47 coming?

48

49 MR. O'HARA: Mr. Chairman. They will be
50 here a little later, Orville and others will be here on

1 the morning flight. I think Boris is interested in
2 what's going to happen with the Feds down in his region.
3
4 MR. EDENSHAW: Mr. Chair, one other item.
5 Back in August when I made reservations for this meeting
6 room the Council guaranteed these two dates, October 2nd
7 and 3rd, without realizing they were having elections
8 tomorrow. If we're unable to finish our agenda today,
9 they've made arrangements for us to meet up at the senior
10 center in the bingo hall up there.
11
12 MR. DUNAWAY: So move to adopt the agenda
13 with the additional items that Dan O'Hara added.
14
15 CHAIRMAN ALVAREZ: There's a motion by
16 Dan Dunaway to adopt the agenda with the additions.
17
18 MR. O'HARA: Second.
19
20 CHAIRMAN ALVAREZ: Second by Dan O'Hara.
21
22 MR. O'HARA: Question.
23
24 CHAIRMAN ALVAREZ: The question has been
25 called for. All in favor of adopting the agenda signify
26 by saying aye.
27
28 IN UNISON: Aye.
29
30 CHAIRMAN ALVAREZ: Opposed.
31
32 (No opposing votes)
33
34 CHAIRMAN ALVAREZ: Motion carried.
35 Number six, minutes of the last February 20th and 21st,
36 2006 held in Naknek. I'll be entertaining a motion to
37 accept the minutes.
38
39 MR. O'HARA: I'll make a motion that we
40 accept the minutes of the February 20 and 21 of the
41 Bristol Bay Subsistence Advisory Council.
42
43 CHAIRMAN ALVAREZ: The motion has been
44 made to accept the minutes of February 20 and 21.
45
46 MR. DUNAWAY: Second.
47
48 CHAIRMAN ALVAREZ: Seconded by Dan
49 Dunaway. Any comments or corrections. Do you guys want
50 a minute? Everybody probably should have had time to

1 read this.

2

3 MS. LAVINE: Actually, the only
4 correction I would make is BBNA Partners, Robbin added
5 that for the customary trade 127 Togiak households were
6 interviewed. That actually was 12.

7

8 CHAIRMAN ALVAREZ: What page was that?

9

10 MS. LAVINE: That would be Page 16.

11

12 MR. ABRAHAM: What paragraph?

13

14 MS. LAVINE: Page 16, BBNA Partner, first
15 paragraph, fourth line.

16

17 CHAIRMAN ALVAREZ: Instead of 127 it's
18 what?

19

20 MS. LAVINE: Twelve. Actually, that
21 would also be surveyed, not interviewed.

22

23 CHAIRMAN ALVAREZ: Anything else.

24

25 (No comments)

26

27 CHAIRMAN ALVAREZ: Seeing none, call for
28 the vote. All in favor of the minutes signify by saying
29 aye.

30

31 IN UNISON: Aye.

32

33 CHAIRMAN ALVAREZ: Opposed.

34

35 (No opposing votes)

36

37 CHAIRMAN ALVAREZ: Motion carried.

38 Number 7 on the agenda, the Chair's report, the 805(c)
39 letter. Cliff, can you handle that.

40

41 MR. EDENSHAW: Mr. Chair and Council
42 Members. On Page 22 and 23 all the way to Page 27, this
43 is where the Bristol Bay Region starts. The Federal
44 Subsistence Board met in May to address and make
45 recommendations on wildlife proposals and on Pages 27 and
46 28 those are the results from -- and they pretty much
47 accepted what the Council recommended at the previous
48 meeting in March. So, unless the Council or anyone has
49 any questions in regards to that, it was pretty
50 straightforward. They were all consent agenda items.

1 CHAIRMAN ALVAREZ: Okay. The 805(c)
2 letter, that was to us from the.....

3
4 MR. EDENSHAW: From the Chair of the
5 Federal Subsistence Board. For those on the Council who
6 are unaware, Mitch Demientieff is no longer the Chair for
7 the Federal Subsistence Board. Mike Fleagle was recently
8 appointed. I believe that was during Labor Day week he
9 was sworn in as the new Chair for the Federal Subsistence
10 Board.

11
12 CHAIRMAN ALVAREZ: It was signed by the
13 interim Chair on Page 30 to 33.

14
15 MR. EDENSHAW: Oh, that's the annual
16 report.

17
18 CHAIRMAN ALVAREZ: The 805(c) letter.

19
20 MR. EDENSHAW: The 805(c) letter is
21 probably the last one that Mitch did.

22
23 CHAIRMAN ALVAREZ: Any more comment.

24
25 MR. O'HARA: Mr. Chairman. The proposal
26 from the Lake Clark Advisory SRC on the sheep I thought
27 was rather interesting. We wrestled with 1,000 foot, how
28 do you figure out 1,000 foot on a snowmachine and yet it
29 -- I think we ought to just be aware that that committee
30 did a very fine job of handling the proposal and whoever
31 carried the water from there to the Federal Board did a
32 good job until we got everything that we went for, so we
33 appreciate that a lot.

34
35 CHAIRMAN ALVAREZ: Dan Dunaway.

36
37 MR. DUNAWAY: I don't know where to bring
38 it up, but I see here this proposal we opposed, Wildlife
39 Proposal 06-01. It's on Page 23. Maybe this is the
40 place to bring it up a little bit. I was surfing around
41 a Fish and Game website and I stumbled on a place where
42 the State has really, really strong objections to that
43 proposal. I knew there were some when we took the action
44 last spring, but I had no idea there had been three years
45 of extensive objections to it. I just found this spot.
46 They've got three letters objecting to it. Maybe we can
47 discuss it under wildlife proposals.

48
49 I was going back trying to reconstruct
50 some of my notes, what we had learned last spring about

1 it. I know at the time I thought, well, it doesn't seem
2 like it's likely to create that much of a problem. But
3 at the time I didn't realize that recently the State put
4 out a 15-page letter to the Federal Subsistence Board
5 objecting to that and I haven't fully read the letter.
6 There was a discussion with the legal counsel. I was
7 looking to see if he was here today to maybe help me
8 remember how we got through that at the last meeting. So
9 that might be better brought up during the wildlife
10 proposal section in the agenda.

11
12 CHAIRMAN ALVAREZ: Okay. We've got that
13 on section 10 we can discuss that.

14
15 MR. EDENSHAW: Mr. Chair. Is he
16 referring to No. 26? What proposal were you referring
17 to?

18
19 MR. DUNAWAY: This is actually kind of --
20 what reminded me here is looking back at the action we
21 had taken in February and then that the Federal
22 Subsistence Board approved in May, I believe it is.

23
24 CHAIRMAN ALVAREZ: It's Proposal WP06-01
25 on Page 23.

26
27 MR. DUNAWAY: About restricting
28 commercial sales and purchase of handicrafts made from
29 bear byproducts. Like I say, I was poking around the
30 Fish and Game website and I knew, even in that last
31 handout, there was a part that the State said this was
32 outside the authority of the Subsistence Board and we
33 went ahead and opposed the proposal anyway. I guess I
34 kind of wanted to go back over it.

35
36 MR. ABRAHAM: Mr. Chairman. There was a
37 separate sheet or some kind of regulation on brown bear
38 claws and stuff like that. I may have it in Togiak. But
39 I think that was on the Federal side, not on the State.
40 It's got something to do with you cannot drill a hole on
41 a bear claw or something. You have to attach it.

42
43 MR. DUNAWAY: What constitutes a
44 handicraft?

45
46 MR. ABRAHAM: Yeah.

47
48 CHAIRMAN ALVAREZ: Let's discuss this on
49 Item No. 10 when we come to wildlife proposals in case
50 you want to make a proposal -- in case we want to make a

1 proposal on that item. We can do that later. Let's not
2 take too much time right now to do that.

3

4 MR. DUNAWAY: Okay.

5

6 CHAIRMAN ALVAREZ: Council Members
7 report. That's the second item on number 7. Cliff, do
8 you want to take care of that one.

9

10 MR. EDENSHAW: Mr. Chair. I think in
11 terms of what Dan was just discussing, this is the time
12 for any of the Council members concerns or just as Dan
13 brought up previously, some new business items perhaps or
14 any information that they may have from their regions.

15

16 CHAIRMAN ALVAREZ: I know Boris wants to
17 talk to some of the Staff on the Federal lands down near
18 his area. I guess there's a proposal to transplant some
19 caribou. If you want to discuss that. Boris.

20

21 MR. KOSBRUK: Have you heard from BBNA
22 lately?

23

24 CHAIRMAN ALVAREZ: No, I haven't. We
25 have two BBNA staff people here. Maybe at the
26 appropriate time they can -- the agency reports are after
27 the request for wildlife proposals. Maybe they can do
28 that before the wildlife proposals come up or you can ask
29 them those questions. Is there anything else on the
30 Council Members report.

31

32 MR. O'HARA: Mr. Chairman. I was up at
33 Newhalen and saw Andy Beluta and he said tell everybody
34 hi. He said his ride on the Council was good but he's
35 glad it's over. He suffered some health problems there.
36 I believe he might have had a stroke or a heart attack,
37 but he's doing well. It was nice to see him. He just
38 wanted to tell everybody how much he appreciated the
39 opportunity of being on the Council and we appreciate
40 Andy's work and participation. I believe he was one of
41 the original members of the Council. So just a comment.

42

43 CHAIRMAN ALVAREZ: Thank you, Dan. I've
44 got a comment. On September 19th I traveled down with
45 the new superintendent Ralph Moore, we went down to the
46 SRC meeting at Chignik Lake and attended their meeting.
47 I've never been down in their area, so I figured I should
48 go down and our new superintendent thought it was a good
49 time to also attend. It was pretty productive. We went
50 down with Mary McBurney and a couple other people and it

1 was well worth it. They discussed some of the problems
2 they've been facing. They've been having a lack of moose
3 harvest and some are wondering what they could do to help
4 their situation down there.

5
6 That came about last spring when we
7 discussed a proposal sent in from them to close Federal
8 land in 9(E) to non-resident hunting and we didn't
9 recommend that because it goes all the way right behind
10 south Naknek and we didn't see how that would help them.
11 In going down there to their meeting, we discovered that
12 most of the land they hunt for moose is State land, so we
13 told them that since the Board of Game will be meeting in
14 the spring for Unit 9 or western Alaska, southwest
15 Alaska, that would be an opportune time for them to
16 propose to the Board of Game to help their situation. I
17 recommended that they contact their Advisory Committee
18 and ask them to help them out with their situation. So
19 they're heading in the right step.

20
21 The Federal land near them is not very
22 close. Most of the land they utilize for hunting is on
23 State land. I think they realize who they need to talk
24 to to help their moose harvest. Also, when the agency
25 reports come up, besides the population for their area,
26 I'd like to know some other of the moose populations
27 because it seems to be a problem the last couple years of
28 harvesting moose in other areas than Unit 9. I think for
29 us to generate any proposals for wildlife we need to know
30 populations. It would be hard to get anything done
31 without knowing what the population is. If there's a lot
32 of moose and restricting non-residents, it wouldn't be
33 fair to everybody, but if there's not a lot of moose,
34 then subsistence takes priority. So populations of the
35 game is pretty important for everybody. That's what I'm
36 going to be asking our Staff members on certain areas.

37
38 CHAIRMAN ALVAREZ: Anybody else. Pete.

39
40 MR. ABRAHAM: I just want to say
41 something about our refuge over here. The office over
42 here in Dillingham worked well with the villages,
43 especially our lead biologist over here. We started
44 before he came around. I'm very proud of the people here
45 that work together because of the population of moose and
46 caribou we have over there in the refuge. The way
47 they're expanding towards the other areas, like Goodnews
48 Bay, Quinhagak area and Kwethluk. I'd like to think I
49 have done something with it or with the people over
50 there. We worked so hard to get things going and they

1 did happen. The last count on that population was
2 something about 1,100 in 17(A) area. That's what happens
3 when the people work together in the refuges and the
4 villages.

5
6 I have dealt with the public over there
7 for over 20 years and I know how it works now, finally,
8 after 20 years. Most of all I'm very proud of our
9 refuge, people over here in Dillingham. They're like my
10 family now and I work with them and I trust them. They
11 have done a tremendous job for our refuge over here.
12 Thank you.

13
14 CHAIRMAN ALVAREZ: It sounds like when
15 you get a population of 1,100 in 17(A) for moose, it
16 sounds like it's a really good management program. Some
17 of these other places where they're having difficulty
18 harvesting moose, when we went down to the SRC meeting in
19 Chignik it didn't sound like anybody got a moose. So
20 even after we had our last spring meeting over in Naknek
21 the Staff was doing some aerial surveys and counted about
22 150 moose or so, that's not a whole lot. If the moose
23 are not accessible for the local people going up the
24 river with boats and motors and are more accessible to
25 big game guides dropping off hunters, that's not how I
26 envision the system should work. We'll be discussing
27 that later, I suppose.

28
29 Anybody else for reports.

30
31 MR. EDENSHAW: Mr. Chair. For the
32 Council, on Page 32, under the annual report, there are
33 more recent moose data that the refuge down there in King
34 Salmon provided.

35
36 CHAIRMAN ALVAREZ: Yeah, I seen that,
37 Cliff. Thank you. Okay. I guess if there's nothing
38 else on Member reports, we'll go down to the 2005 annual
39 report reply. Cliff.

40
41 MR. EDENSHAW: Mr. Chair and Council
42 Members. That's what I was just referring you to. The
43 Council only had those two issues, the continuing issue
44 of C&T use for ORV use in Katmai and then also number
45 two, which was the moose survey for Unit 9(E). Number
46 two is pretty self-explanatory. The report was submitted
47 by Darrell and Ron Squibb over there at Alaska Peninsula
48 Refuge in terms of the data that they collected in number
49 one. After each one you can see how far the -- I'm not
50 sure if Ralph has anything he can add to this, but this

1 is what the Park Service provided to us in response to
2 the Council's questions and concerns regarding where
3 they're at in this process in terms of finalizing or at
4 least making a decision for ORV use within the Park
5 Service within the Katmai Preserve.

6
7 CHAIRMAN ALVAREZ: Any comment on the
8 report reply.

9
10 MR. ABRAHAM: (In Yup'ik)

11
12 CHAIRMAN ALVAREZ: Pete says it's good.
13 We'll move on to item number A, open floor to public
14 comments on the Federal subsistence program. The public
15 is encouraged to testify. All they need to do is fill
16 out a testimony card any time they're in the meeting and
17 turn it in and we will hear them. This opportunity goes
18 through the whole meeting.

19
20 (No comments)

21
22 CHAIRMAN ALVAREZ: All right. I guess
23 that means we'll go down to number nine. It looks like
24 most of the people here are Staff, so until there are
25 some public people that want to testify, we'll just keep
26 mentioning that as the meeting progresses. Mr. Edwards.
27 MR. EDWARDS: Thank you, Mr. Chair,
28 Council Members. For the record, Mike Edwards, fisheries
29 biologist with the Fish and Wildlife Service, King Salmon
30 Fish and Wildlife Field Office. Today I'll be presenting
31 the Staff analysis for three fisheries regulatory
32 proposal changes.

33
34 The first one is FP07-05. Was submitted
35 by the Twin Hills Village Council, requests that drift
36 gillnets be permitted as a legal gear type for Federally
37 qualified subsistence users in the Togiak River.

38
39 The proposed regulation would allow the
40 use of drift gillnets by Federally qualified subsistence
41 users in the Togiak River. The proponent is seeking this
42 regulatory change to allow subsistence users to harvest
43 fish more efficiently.

44
45 Federal public waters within the Bristol
46 Bay region include all waters on, flowing through, or
47 adjacent to Federal public lands. This includes all
48 waters within Federal conservation system units,
49 regardless of landownership within those boundaries.
50 This regulation, if adopted, would apply to the Togiak

1 River, which is located within the boundaries of the
2 Togiak National Wildlife Refuge. I'd refer Council to
3 Maps 1 and 2 if they have questions on the jurisdiction
4 there.

5
6 At this time we believe that all salmon
7 stocks in the Togiak River appear to be healthy at this
8 time. The majority of sockeye and Chinook salmon spawning
9 in the Togiak River drainage occurs in Togiak Lake, the
10 mainstem of the river from the mouth of the Gechiak River
11 upstream, and in the five main tributaries to the Togiak
12 River.

13
14 In an overview of subsistence use
15 patterns in 1991, Gross did a detailed study of
16 subsistence use on the Togiak River and he describes
17 subsistence salmon fishing on the river. He stated that
18 harvest methods included set gillnets, seines, drifting
19 with gillnets, spears, and rod and reel. Except for
20 spawning sockeye
21 and some fishing for silver salmon, most of the
22 subsistence fishing effort occurred in the lower 12 miles
23 of the Togiak River. Most of the fish were harvested
24 using set gillnets. He also described drift gillnetting
25 in the lower Togiak River. And he stated that drift
26 gillnetting is a method used by some people
27 who want to catch the majority of their subsistence fish
28 in a short period or in one trip.

29
30 I'll move on to the potential effects of
31 the proposal. We believe that due to the smaller size of
32 the upper reaches and tributaries of the Togiak River,
33 salmon spawning in these
34 locations are vulnerable to over-exploitation with drift
35 gillnets. Harvesting a large number of actively spawning
36 salmon from a localized area can have a detrimental
37 impact on the population. Therefore, we felt that
38 restricting the use of drift gillnets to the lower
39 section of the river will target mostly mixed stocks of
40 migrating fish and would protect most spawning aggregates
41 from possible over-exploitation without placing an undue
42 burden on subsistence users.

43
44 If permitted, the use of drift gillnets
45 would allow subsistence users to harvest fish in a more
46 efficient manner than set gillnets. The recognized
47 practice of subsistence harvesting is to take only what
48 is needed. Therefore, drift gillnet use should not lead
49 to an increase in the amount of fish harvested. In fact,
50 drift gillnets may reduce the harvest, as subsistence

1 users have more flexibility in the amount of harvest with
2 a drift
3 gillnet as compared to the harvest with a set gillnet.

4
5 We felt that the potential impacts for
6 the use of drift gillnets are primarily social. This
7 proposed regulatory change may cause additional conflict
8 between subsistence and sport user groups. Current
9 regulations do not restrict either group in the presence
10 of the other. Currently the set gillnet and sport
11 fisheries compete for fishing locations on a first come,
12 first served basis.

13
14 This proposed regulatory change could
15 lead to an increase in participation in customary trade
16 of subsistence caught salmon for
17 cash sale. The majority of subsistence harvested salmon
18 in Bristol Bay is not eligible for customary trade for
19 cash. However, residents within the Togiak District are
20 qualified under Federal subsistence management to engage
21 in cash sales of subsistence caught salmon.

22
23 Since 2004, a recording form has been
24 required of Federally qualified subsistence users in
25 Bristol Bay who sell subsistence caught salmon to
26 nonrural individuals. Since the inception of the form,
27 there have only been seven forms issued. In all but
28 one case, the qualified subsistence users requesting the
29 form did not sell fish to any nonrural individuals.

30
31 Hopefully, if this proposal is adopted,
32 ADF&G will allow this drift gillnet harvest data to be
33 collected in accordance with the current permitting
34 system in place in Bristol Bay, which is basically the
35 use of ADF&G permit which requires a harvesting report.

36
37 Allowing drift gillnet harvest data to be
38 reported on the current permit would be similar to the
39 situation that currently exists in the Alaska Peninsula
40 and Chignik Fishery Management Areas. In these areas,
41 rod and reel is an approved harvest method under Federal
42 subsistence management regulations. The harvest
43 information is reported on the ADF&G subsistence permit.

44
45 If ADF&G is unwilling to allow drift
46 gillnet harvest data to
47 be reported on their permit, the only remaining option is
48 the creation of a Federal permit from which this harvest
49 data would be collected. Currently, the harvest
50 reporting for the Bristol Bay region is outstanding. The

1 average return on permits is 85 90 percent, which is an
2 outstanding return on subsistence reporting.

3
4 We feel that that high return rate is due
5 almost entirely in part to the effort that ADF&G
6 Subsistence
7 Division put in to getting acceptance of this permit in
8 Bristol Bay. They did a lot of on-the-ground work and a
9 lot of trips to the villages and it's taken them a few
10 years. It took quite a few years when the permits were
11 enacted, but they were able to get acceptance from the
12 public and buy into this permitting and reporting of
13 harvest. We feel that an additional Federal permit would
14 just add confusion to an already confusing dual
15 management system and we're not really in favor of
16 creating another Federal permit to collect this harvest
17 data.

18
19 So the preliminary conclusion was to
20 support this proposal with modification. The
21 modification is to include that the use of drift gillnets
22 are restricted to inland waters of the Togiak River, one
23 mile upstream from the mouth of the river. For
24 clarification, inland waters are defined as waters
25 located landward of the mean high tide or upstream of a
26 line drawn from headland to headland across the mouths of
27 rivers or other waters as they flow into the sea. I'd
28 refer the Council to Map 2 to see what I'm talking about
29 when they refer to headland to headland for what we're
30 considering upriver.

31
32 So the proposed regulation would then
33 read that you may also use drift gillnets not greater
34 than 10 fathoms in length and 2.5 fathoms deep to take
35 salmon in the Togiak River in the first river mile
36 upstream from the mouth of the river.

37
38 And justification. This proposed change
39 with modification would provide Federally qualified
40 subsistence users an additional
41 gear type to improve efficiency and should not result in
42 an increased harvest. Both the proponent of the new
43 regulation and a local Regional Advisory Council member
44 concur with the modification to restrict the use of drift
45 gillnets to the first river mile upstream from the bay.
46 Restricting the use of drift gillnets to the first river
47 mile should provide protections for salmon stocks without
48 placing an undue burden on the subsistence users.
49 Additionally, restricting this activity to the first
50 river mile instead of the entire river as originally

1 proposed should aid in reducing potential conflict
2 between sport and
3 subsistence users.

4
5 Mr. Chair, that concludes my presentation
6 on 07-05.

7
8 CHAIRMAN ALVAREZ: Thank you. I've got a
9 question or two. The original proposal, how long is the
10 river? They're asking for the whole river, right?

11
12 MR. EDWARDS: The original proposal, yes,
13 Mr. Chair, was to allow the use of the drift gillnet in
14 the entire Togiak River.

15
16 CHAIRMAN ALVAREZ: How long is that?

17
18 MR. EDWARDS: I'd defer to Pete.

19
20 MR. ABRAHAM: Mr. Chairman. What is used
21 over there for drifting is, what, 500 yards. It's just a
22 hole where the king salmon mingle there in the high tide.

23
24 CHAIRMAN ALVAREZ: Is that within the
25 first mile?

26
27 MR. ABRAHAM: Yeah. Maybe half a mile
28 from the mouth of the river.

29
30 CHAIRMAN ALVAREZ: So that would be
31 within the first mile as proposed by the Fish and
32 Wildlife Service.

33
34 MR. ABRAHAM: Yeah. Well, whatever Mike
35 Edwards said is way up there. People don't use it up
36 there unless you setnet alongside the river. The hole
37 right there that people -- either this summer or this
38 spring I think only two people used it. The reason why
39 the people use it, people setnet along the beach out
40 there, some in the river, they're getting ready to go
41 commercial fishing and sometimes last minute the family
42 will say, hey, we need 20 more kings and we don't have
43 time to get 20 because commercial fishing is opening next
44 week. So what they do is they go up there and scoop out
45 20, 30 fish from that hole right there and that's it,
46 that takes care of it. It doesn't happen every week.
47 Sometimes this happens maybe once or twice in the
48 summertime.

49
50 I guess Togiak made that proposal. There

1 was some kind of a conflict between the sportsmen and the
2 subsistence users. The people that seine right there
3 does that after -- you know, the sportsmen fish eight
4 hours a day, so after 5:00 o'clock. So, when the tide is
5 right, they go in there like 6:00 o'clock, sometimes in
6 the evening 9:00 o'clock, they go out and scoop what they
7 want down there and that's it. They don't collide with
8 sportsmen. They don't go in there and scoop while
9 there's sportsmen in there.

10

11 Regardless of what the Board wants, they
12 keep doing it because they have to do it for -- I mean
13 I've been over there for four to six years and I seen it
14 happen not all the time, just once in a while.

15

16 CHAIRMAN ALVAREZ: Okay. According to
17 the method we're going to use to review these proposals,
18 you can look under 9 there, 1 through 8, and we just got
19 done with Mike. He will do the introduction and proposal
20 analysis and then we have ADF&G comments, all the way
21 down to public testimony, and then the last item 8 we
22 will do deliberations. So I just think we should
23 probably keep our comments down or otherwise we're going
24 to be here for a long time, until number 8, deliberation,
25 recommendation, justification.

26

27 One thing you mentioned, the permitting
28 process, we just had a Lake Iliamna Fish and Game
29 Advisory Committee Meeting a little over a week ago up in
30 Iliamna and we picked up Slim Moristad with the
31 Commercial Fish. They mentioned that they were thinking
32 about recommending to the Board of Game to eliminate the
33 permits for subsistence because he said not very many
34 people were turning them back in. Most of the
35 information they were getting was surveys on how people
36 did on their subsistence fishing. He thought there
37 wasn't a lot of permits being turned back in, so they
38 were recommending they get rid of the permits. He was
39 telling me they were thinking about proposing to the
40 Board of Fish that they eliminate that and just do the
41 surveys. He said they weren't getting a lot of the
42 subsistence permits back and the information they were
43 getting was on surveys on how people did. He said you
44 get two, three households using one subsistence permit
45 and it wasn't a very good -- they were getting better
46 information on surveys when they're calling households.
47 So that's what he said to me on the way up there.

48

49 MR. EDWARDS: Mr. Chair. That's the
50 first I've heard of that. I guess I would defer to Ted

1 from ADF&G Subsistence, but in conversations I've had
2 with Jim Fall from Subsistence and the Subsistence folks
3 they've been very happy with the permitting reporting
4 here in Bristol Bay. I don't know if Ted would like to
5 comment on that.

6
7 CHAIRMAN ALVAREZ: Ted, you'll be up here
8 on one of these item numbers.

9
10 MR. KRIEG: Sure, I'll be up.

11
12 CHAIRMAN ALVAREZ: Okay. So maybe when
13 you're up here to report you can mention that.

14
15 MR. KRIEG: If you want me to comment on
16 this, I can do that, but I'm not prepared -- I think
17 somebody else is going to be taking care of this.

18
19 CHAIRMAN ALVAREZ: Okay. Go ahead and
20 comment on it if you're not going to be here. Come on up
21 and comment.

22
23 MR. KRIEG: Mr. Chairman and Council
24 Members. Yeah, that's the first I've heard of any plans
25 to discontinue the subsistence salmon permit system.

26
27 CHAIRMAN ALVAREZ: This was probably in
28 Naknek, King Salmon area. That's what he had mentioned.
29 They don't do all of them. He was telling me the return
30 was pretty low, so they relied more on surveys.

31
32 MR. KRIEG: Well, the subsistence salmon
33 permits, we do get good returns. That's pretty much
34 region wide. We don't have any control over the amount
35 of people that get permits. You know, you brought up
36 things about like the households. We recommend that each
37 household get their own permit, but there's some
38 established customs with families, you know, extended
39 families, that will document their harvest on permits.
40 We feel like that's as far as it goes. That subsistence
41 salmon permit system is pretty good information, but we
42 do feel that with household surveys we do get more
43 accurate numbers.

44
45 Like I said, we encourage people to get
46 the permits and then it's important to document the
47 amount of salmon that they need, but we have no control
48 over that. We encourage it. There's been a long
49 history. You know, Molly Chythlook is with BBNA now, but
50 she worked with Subsistence Division since 1981 and they

1 did put a lot of effort into explaining to people the
2 whole process and getting people to return the permits.
3 Eunice Dyasik in our office, she sends out reminder
4 letters and makes calls to people if they don't return
5 their subsistence salmon permits. That's why we get a
6 good return, is because there is a lot of follow up.

7

8 CHAIRMAN ALVAREZ: Thank you. Number 2
9 is ADF&G comments on this proposal.

10

11 MR. HILLSINGER: Thank you, Mr. Chairman.
12 My name is John Hillsinger and I'll present the ADF&G
13 comments. It's nice to be back in Dillingham. I used to
14 be the regional supervisor for Commercial Fisheries
15 Division up until 1998, so it's kind of nice to get back
16 here and see some old friends.

17

18 First, there's a couple points I'd like
19 to make about the comments. One is that ADF&G doesn't
20 see the final Federal Staff analysis before we have to
21 have our comments in. Their analysis and our comments go
22 in the same day to be prepared for the book. So you may
23 see some inconsistencies between our comments and what
24 their final analysis says and that's why it happens.
25 I'll try to point out places where those inconsistencies
26 exist.

27

28 MR. EDENSHAW: Excuse me, John. Mr.
29 Chair and Council Members, on Page 42 and 43 John is
30 probably looking at those. Those are comments that were
31 submitted for publication in the booklet, so there's
32 ADF&G's comments on there that he may be referring to as
33 well as new ones that he may have.

34

35 MR. HILLSINGER: Thank you. The second
36 point is that these comments are put together by people
37 from all the divisions, commercial fisheries, sport
38 fisheries, subsistence, and they're reviewed both at the
39 area and regional and even at headquarters up through the
40 commissioner's office. So they really represent the
41 entire set of State comments, not any one division or any
42 one individual.

43

44 Finally, I want people to realize that
45 Fish and Game has not taken a formal position on any of
46 these three proposals at this time. We're really waiting
47 to hear the discussion here at the Regional Advisory
48 Council meeting. We had some discussions with the
49 Federal Staff earlier and we really want to hear that
50 information before we take a final position. So we've

1 tried to point out issues that we see surrounding these
2 proposals in the hopes that by pointing those issues out
3 that will improve the discussion and lead to resolution
4 of some of those issues. So I just didn't want people to
5 think that if they think the comments sound one way or
6 another that that means that we've already made our mind
7 up. We haven't.

8

9 In this particular proposal, in our
10 comments we refer to the recommendation for limiting
11 drift gillnetting to below the Gechiak River and as you
12 heard in the Federal Staff position, the recommendation
13 is to keep it to the lower one mile of the river. So you
14 will notice that difference in our comments.

15

16 The current state regulations provide for
17 subsistence fishing with set gillnets and spears, except
18 in tributaries, in the Togiak River. Fishing in the
19 river is allowed at any time
20 and there's no limit on the harvest. Additional
21 opportunity is provided in saltwater and also includes
22 drift gillnets as well as set gillnets. The Department
23 believes that at least there appears to be sufficient
24 opportunity for harvest of salmon
25 for subsistence, but we would like to hear discussion of
26 the other benefits of using drift gillnets, particularly
27 the extent to which if harvest is actually limited by
28 requiring set gillnets rather than drift gillnets.

29

30 There are no salmon stocks in this area
31 that have been determined to be either conservation or
32 management concerns, so we don't see that the proposal is
33 necessary to address those concerns. We do have a
34 concern that if the proposal was successful in
35 substantially improving the efficiency of this fishery
36 and if it was not adequately monitored it may raise some
37 conservation issues. The commercial fishery was closed
38 in 1998
39 because of issues arising from customary trade. If this
40 proposal was adopted, we would want to see that that
41 customary trade, which based on the Federal analysis
42 appears to be not heavily used, but we would want to see
43 that there continued to be very good monitoring of that
44 to be sure.

45

46 ADF&G also has some disagreements with
47 the Federal program over exactly where Federal
48 jurisdiction occurs. That leads, I think, in part or to
49 a large extent to our recommendation that we would like
50 to see this proposal taken up first by the Alaska Board

1 of Fisheries.

2

3 As I'll go through the comments, having
4 different State and Federal regulations does create some
5 problems. It creates additional administrative burdens
6 and some problems for users. It's not that we think that
7 people have to go to the Board of Fisheries first for any
8 particular reason, but rather, if the Board of Fisheries
9 were to adopt a proposal like this it would solve a lot
10 of problems that we see arising. Really, this
11 recommendation on our part is to try to make the ultimate
12 solution better and less burdensome for the people in the
13 area.

14

15 As noted in the Federal analysis, we are
16 concerned about how harvest information will be obtained.
17 One of the problems that we run into, the State requires
18 a subsistence permit. We issue a permit. That permit is
19 for subsistence fishing with a set gillnet. I've
20 discussed this with the area and regional and Staff in
21 Commercial Fisheries as well as Subsistence Division and
22 also with Protection and they see a problem with the
23 State issuing a permit for a gear type that's not legal
24 under State regulations. So, what we would have to do is
25 issue a permit for fishing with a drift gillnet and if
26 the State were to issue a permit that allowed fishing
27 with a drift gillnet, that would be directly
28 contradictory to State law. Particularly, the Protection
29 people saw a problem with that. So that's something we
30 need to think about.

31

32 I guess our preferred solution would be
33 that the Federal Subsistence Program issue a permit. I
34 know the issue of Chignik and the Alaska Peninsula was
35 raised. I talked to Jim McCollaugh, who is now the
36 regional supervisor for that area and what I found out is
37 that Fish and Game, for instance in Chignik, issues a
38 permit for subsistence fishing with a gillnet and people
39 may take that permit and go fish with rod and reel but
40 the permit doesn't specify that they can use rod and
41 reel. They essentially ignore the fact that people are
42 using rod and reel

43

44 In most parts of the state, actually the
45 Federal program does issue the permits. If you look at
46 subdistricts 4B and C up on the Yukon where there's a
47 Federal drift gillnet fishery, they issue the permits.
48 Prince William Sound, there's areas where snagging is
49 allowed for subsistence and those people have to have a
50 Federal permit. The same in Southeast Alaska.

1 We're also concerned that the use of
2 drift gillnets would be extremely effective if it was
3 allowed to occur in the upper part of the river, which is
4 clear water. Fish and Game Staff have had some
5 experience using drift gillnets in that area and they
6 said that they're extremely effective. You can see the
7 fish and be able to target your drift. So we're
8 supportive of the recommendation to keep the fishery down
9 in the lower part of the river. We'd like to hear
10 discussion, some of which has already occurred, about
11 where would be the best place to have those limits.

12
13 So, in conclusion, we do have several
14 concerns about this proposal in its current form. We
15 think that consideration of
16 the proposal by the Alaska Board of Fisheries would help
17 ensure a broader public discussion of it, particularly
18 through the committee process that the Board of Fisheries
19 uses. If the
20 Board of Fisheries adopted the proposal, it would
21 alleviate a lot of the concerns about jurisdiction,
22 permitting, and reporting. All of that would be taken
23 care of. There would be no problem with issuing a State
24 permit and getting the reporting. But if the proposal is
25 adopted unilaterally, then those problems still exist.

26
27 So our recommendation is that the Federal
28 Subsistence
29 Board not take action on this proposal until the Alaska
30 Board of Fisheries has had an opportunity to address it.
31 Thank you.

32
33 CHAIRMAN ALVAREZ: Pete.

34
35 MR. ABRAHAM: All for that less than 300
36 yards of where the hole is at, they talk of the king
37 salmon, not other species. We don't have enough
38 information because from that particular hole less than
39 100 king salmon are caught maybe every two years.
40 Sometimes it doesn't even happen because the people get
41 enough king salmon. Of course, they do drift out in the
42 bay to catch them at the same time. The last minute
43 people, especially the larger families, they're getting
44 ready to go. Everybody works to get ready for commercial
45 fishing. The last minute, last few days before the
46 commercial fishing opens, the mother or grandmother would
47 say, hey, we need 20 more for our use for storing,
48 drying, for winter time. We need 20 more. So the
49 grandson goes up there, scoops -- and it's not even clear
50 water. It's murky water in the spring time. Scoops 20

1 or 30 and that's it and it doesn't happen -- the same
2 family doesn't go over there the same place. They have
3 enough fish in the bay to accommodate, enough fish to
4 take care of everything.

5
6 No matter what the Board of Game, no
7 matter who says, those particular people are not from the
8 same family but some other family will keep doing it.
9 They've found a way to do it because there was a conflict
10 between sports and subsistence. Subsistence users don't
11 have no time. They go early hours in the morning or
12 late. The sports people work between 8:00 and 5:00.
13 After 5:00.....

14
15 CHAIRMAN ALVAREZ: Pete, if you have a
16 question for the Staff, but long comments about the
17 fishery I think we should wait until we get down to the
18 deliberation and justification where we discuss this.

19
20 MR. ABRAHAM: When I get there, Mr.
21 Chairman, there will be nothing because I already said
22 what I think and what the people think from that region
23 there.

24
25 CHAIRMAN ALVAREZ: I don't mind making
26 comments, but we should try to keep them short and we can
27 discuss this later at the end when we get to the
28 deliberation. I'm just trying to keep it flowing fast.
29 If we have questions to the Staff, now would be a good
30 time to bring them up, but if there's going to be long,
31 lengthy comments, I think we should wait for
32 deliberation.

33
34 MR. DUNAWAY: Maybe Pete was leading up
35 to a question, but if he doesn't have a question.....

36
37 CHAIRMAN ALVAREZ: Okay. Pete, can you
38 continue and try to make it short until we get down to
39 deliberation.

40
41 MR. ABRAHAM: Actually, the question I
42 got is where did you get all the analysis, surveys. Were
43 they done by the phone or where did you get all the
44 information you got for the drifting here?

45
46 MR. EDWARDS: Again, Mike Edwards, Fish
47 and Wildlife Service. The majority of it came from a
48 Fish and Game funded survey back in '91. It was
49 published in '91. That was to quantify and describe
50 subsistence use patterns on the Togiak. That's the Gross

1 '91 report cited in the analysis.
2
3 MR. ABRAHAM: So you got your information
4 from Mike Edwards?
5
6 MR. HILLSINGER: Mr. Chairman, Mr.
7 Abraham. Yeah, we look at the Federal analysis and
8 that's where we get a lot of that information and that's
9 what we try to respond to, the analysis of the proposal
10 that they've done.
11
12 MR. ABRAHAM: Thank you. That's it.
13
14 CHAIRMAN ALVAREZ: I've got a question of
15 Mr. Hillsinger. ADF&G's recommendation is to be able to,
16 if this proposal passes, go up to Geichak River which is,
17 according to these two maps, about five miles up. Near
18 the top of Page 37, right map. Is that where that river
19 is?
20
21 MR. HILLSINGER: Mr. Chairman, I believe
22 that's right. I should clarify that. In the initial
23 discussions.....
24
25 CHAIRMAN ALVAREZ: If you look at that
26 diagram right there on Page 37, the map that shows the
27 miles, one mile is about how wide a square is. Would
28 that be about five miles up, Pete?
29
30 MR. ABRAHAM: Yeah, Geichak is about 10
31 miles.
32
33 CHAIRMAN ALVAREZ: It's about 10 miles
34 up.
35
36 MR. HILLSINGER: Mr. Chairman. In our
37 initial discussions with the Federal Staff, we thought
38 that their preliminary recommendation would be to limit
39 it to the Togiak River below the Gechiak and we concurred
40 that it should be kept in the lower part of the Togiak
41 River, but the idea of limiting it to the Geichak did not
42 come from Fish and Game, so that's really not our
43 recommendation. Our recommendation was just to keep it
44 in the lower part and to get some input here at the
45 meeting from the people about where that limit should be.
46
47 CHAIRMAN ALVAREZ: Mike, one mile up from
48 the mouth of the bay there, would that be about to the
49 top of the first square according to the little scale
50 right there. So that's one mile up, Pete. If this is a

1 mile up right here from the mouth, is that where most of
2 the people use -- is the hole right here?
3
4 MR. ABRAHAM: The hole is right there and
5 they fish from there to there.
6
7 CHAIRMAN ALVAREZ: So the hole is about a
8 mile and a half up.
9
10 MR. ABRAHAM: Yeah, about a mile and a --
11 yeah, up to here, yeah.
12
13 MR. EDWARDS: Mr. Chair, if I may add,
14 originally our analysis was going to suggest from the
15 Geichak down based on the work in that '91 report. Then
16 conversations with Pete and the original proponent from
17 Twin Hills, they suggested that we could keep it to the
18 first mile of the river and that would meet the
19 subsistence need. That's why we proposed the first mile.
20 If that hole is not exactly one mile, I apologize, and we
21 need to make sure that where we set the boundary is where
22 they would like it to be. But based on initial
23 conversations with them that was what we all agreed to,
24 was the first mile of the river.
25
26 CHAIRMAN ALVAREZ: Okay. Pete, we ought
27 to circle that. It looks like it's almost a mile and a
28 half up. Here's the first mile according to this map
29 scale.
30
31 MR. DUNAWAY: That would make sense.
32 That's why there's a place name there. Usually that's an
33 important place where something has happened.
34
35 CHAIRMAN ALVAREZ: Any more questions.
36 Cliff.
37
38 MR. EDENSHAW: Just to clarify for the
39 Council. I don't want us to get caught up with the
40 State's comments. This proposal was submitted by a
41 gentleman from Twin Hills and when he submitted the
42 initial proposal, he didn't request any restrictions one
43 mile up or two miles up. It's just within the Togiak
44 River, within Federal waters. As long as Pete
45 understands that. You know, when the Council makes their
46 recommendation, they're going to sit there and say they
47 can modify it to reject the Staff analysis and that would
48 just default to what the initial proposer had submitted,
49 which was the use of gillnets in the Togiak River. So
50 what the Council is looking at in the Staff analysis is

1 that Mike modified the Staff analysis to say that one
2 mile up they may not drift gillnet in the Togiak River.
3 So, for one mile up we'd be able to use our gillnets and
4 the initial proposer said just within the Togiak River.
5 He didn't stipulate any restrictions.

6
7 CHAIRMAN ALVAREZ: Okay. I'll just try
8 to clarify the scale of that map. Apparently they don't
9 fish drift -- where they have been anyway is about a mile
10 and a half from the mouth. If they don't drift above
11 that or haven't been, maybe it shouldn't be open. I was
12 going to clarify for Pete where exactly it should be open
13 if they're going to be able to do it. Dan.

14
15 MR. DUNAWAY: I've got a couple. First
16 off, John, you recommend and the State recommends that
17 the State Board of Fish address this. There's going to
18 be a Board meeting out here in Dillingham in December.
19 Is there anything in the works right now that that
20 discussion would open or would there be a long wait
21 period until the next cycle out there?

22
23 MR. HILLSINGER: Mr. Chairman, Mr.
24 Dunaway. It would be possible to take this issue up at
25 that December meeting if the Board members so chose and
26 we have had preliminary discussions with them to talk
27 about the idea of trying to get some of these issues that
28 come before the Federal Board also before the State
29 Board. There's two parts to that. One is the proposals
30 for areas that are in cycle, like Bristol Bay is this
31 year. And the other is what do you do if they're out of
32 cycle and it won't be for two or three years before they
33 come up.

34
35 The Board has a subcommittee that is
36 going to make some recommendations to the State Board as
37 to whether to take some of these things up. I think the
38 way to get that before them is to contact people on the
39 subcommittee and say, yeah, we would like to see the
40 Board of Fisheries take this up at this winter's Bristol
41 Bay meeting. And, gee, one of the members of the
42 subcommittee is former Bristol Bay Regional Advisory
43 Council Member Robert Heyano. He's the chair of the
44 subcommittee that's going to make a recommendation on
45 this issue. So I think that's very possible to do that.

46
47 MR. DUNAWAY: So there would be
48 sufficient public notice that they could tackle something
49 like that?

50

1 MR. HILLSINGER: Yeah, I think so.
2
3 MR. DUNAWAY: And then I've kind of
4 wondered, too, if this Council did adopt this proposal,
5 since they're happening close together -- well, the
6 Federal Subsistence Board won't meet until a little bit
7 later in December. I guess that's another question.
8
9 MR. HILLSINGER: Early January.
10
11 MR. DUNAWAY: I'm just wondering if
12 there's an opportunity to bring the issue along in both
13 processes so that there wouldn't be a delay of two or
14 three years.
15
16 CHAIRMAN ALVAREZ: Cliff.
17
18 MR. EDENSHAW: Mr. Chair. In regards to
19 Dan's comments, when we leave here tomorrow, the Council
20 will have made a recommendation and if they move to adopt
21 the proposal as modified by Mike Edwards' analysis, the
22 Department of Fish and Game will have an opportunity when
23 Staff Committee meets to address the Council. They'll
24 have more opportunity to review the Council's
25 recommendation and the scenario would be the Federal
26 Subsistence Board will either adopt or reject and if they
27 adopt it, the State would likely go through, if it was a
28 big enough issue for them, they will submit an RFR or
29 else the Board will reject it.
30
31 MR. ABRAHAM: Mr. Chairman.
32
33 CHAIRMAN ALVAREZ: Just a minute, Pete.
34
35 MR. DUNAWAY: I recall there was a bit of
36 controversy I think in the '90s and you refer to it in
37 the State analysis about a commercial fishery closure.
38 I'm trying to remember what fishery that occurred on. If
39 my memory serves, it was coho salmon fishery. It was
40 happening over a pretty big chunk of river. I'm
41 wondering if there's somebody here that could remind me
42 what the issue was there. I know drifting, from my own
43 experience over there, that there's the kind that Pete
44 talks about that I don't think anybody got too worked up
45 about, but there was some other more active, harder
46 fishing on a few occasions. I'm just wondering if the
47 State has any more information they could provide us on
48 that.
49
50 MR. HILLSINGER: Mr. Chairman. Tim Sands

1 is here. Maybe he could fill in the details on that.

2

3 MR. SANDS: Good morning. My name is Tim
4 Sands. I'm the commercial fisheries biologist with Fish
5 and Game. I'm aware what Mr. Dunaway is talking about.
6 I wasn't here when it happened, but I believe it was '98
7 that Commercial Fisheries Division shut down the
8 commercial fishery for coho in the Togiak District
9 because they'd flown a survey on the Togiak River and
10 there was a lot of fish in the river and they observed
11 people fishing illegally in the river with drift nets,
12 taking the fish down and selling them to the cannery and
13 came back in subsequent surveys and there wasn't hardly
14 any coho left in the Togiak River. They pretty much
15 wiped it out because they could sell them down at the
16 cannery. Nobody ever proved any of this, but I do know
17 that Fish and Game shut down the commercial fishery over
18 there to prevent any additional commercial fishing in the
19 river illegally.

20

21 CHAIRMAN ALVAREZ: Thank you.

22

23 MR. DUNAWAY: Mr. Chair. I believe some
24 of that was occurring before this traditional sale and
25 barter was recognized.

26

27 CHAIRMAN ALVAREZ: Customary trade.

28

29 MR. DUNAWAY: Customary trade was
30 recognized. I'm trying to figure out now that that's
31 more established, how to enforce and allow the acceptable
32 amount of customary trade and yet not have the problem
33 that I recall where it's pretty serious illegal
34 commercial fishing in the river is what I remember. I'm
35 just wondering has there been a discussion? Is there
36 anyone from enforcement here that could tell me how you
37 could hit a balance between that customary trade that's
38 allowed and yet not have serious heavy-duty harvests
39 going on?

40

41 CHAIRMAN ALVAREZ: We can discuss that
42 later on when it comes to customary trade. Pete.

43

44 MR. ABRAHAM: Tim Sands, you're right on
45 that. They did commercial fish illegally over there. I
46 fought it myself because they were hurting themselves.
47 Once they realized they were hurting themselves, they
48 don't allow -- as far as composition over here, the only
49 thing I'd like to see as an outcome of the whole thing
50 over here is the length of the gear.

1 CHAIRMAN ALVAREZ: The length of the
2 gear?
3
4 MR. ABRAHAM: The length of the gear, 10
5 fathoms. The rest of it, no matter how long we argue
6 about it, you're not going to find much customary use of
7 drifting over there. There's hardly any information no
8 matter how you look because the rest of it, setnetting
9 and drifting out in the bay. I guess in maybe two years'
10 time less than 100 kings from that hole. Sometimes it
11 never happens. Sometimes the hole never happens because
12 people got enough fish out of it for themselves already.
13 The only thing is the length of the gear. I think 10
14 fathoms would be a good size.
15
16 CHAIRMAN ALVAREZ: Well, that's what the
17 proposal is recommending, 10 fathoms. We'll discuss that
18 in deliberations. Any more comments for Fish and Game.
19
20 MR. O'HARA: Yeah, Mike. The question
21 that was brought up here by Alaska Department of Fish and
22 Game, my name is Dan O'Hara, is who has jurisdiction over
23 this water anyway.
24
25 MR. EDWARDS: Mr. Chair, Mr. O'Hara. The
26 Togiak River is within the Federal Conservation Unit,
27 therefore inside the river it's Federal jurisdiction on
28 the fishery.
29
30 MR. O'HARA: So you have jurisdiction
31 over the subsistence use of fish caught in the river with
32 gillnet or spear, whatever. So the State of Alaska
33 doesn't really have any say about what's going to go on
34 in that river anyway.
35
36 MR. EDWARDS: That's my understanding.
37 I'm not a regulations expert, but that's my understanding
38 of the way the regulations read.
39
40 MR. O'HARA: I've seen nothing in the
41 proposal on the mesh size or did I miss that somewhere?
42
43 MR. EDWARDS: No, that's a good point.
44 It was an omission on my part.
45
46 MR. O'HARA: Omission meaning what?
47 Whoever made the proposal didn't put in a mesh size.
48 They put in the fathom but they didn't put the mesh size.
49
50 MR. EDWARDS: Correct.

1 MR. O'HARA: Then I notice on Page 38 it
2 says the average annual salmon escapement from the Togiak
3 River 1994-2003 counting the escapement, I guess, was
4 213,377 sockeye; 13,471 chinook. Up at the top of the
5 Page 39 it says they harvested for apparently subsistence
6 use an average of 915 chinooks. So that's the
7 subsistence harvest?

8

9 MR. EDWARDS: Yes, Mr. O'Hara. That's
10 reported in the area management report.

11

12 MR. O'HARA: So the question, I guess, is
13 the conservation issue of whether or not they use the 10
14 fathoms within the first mile, if that's what the Feds
15 recommended, that they not impact the escapement goals
16 along with that harvest. I guess that's a question I
17 have. If you can take 10 fathoms, go up there -- I've
18 never heard of drifting with a 10 fathom net for
19 subsistence. That's totally unheard of.

20

21 CHAIRMAN ALVAREZ: Yeah, that's one of
22 the questions I had.

23

24 MR. O'HARA: You can go in there with 10
25 families and they decide to go in there and catch 2,500
26 fish, and what that's going to do for your escapement
27 goals is, I guess, a concern that we have. The State of
28 Alaska made that statement, too. How are we going to
29 monitor this, catching kings, so I think we need to
30 answer some of those issues and definitely deal with the
31 first one mile. So what are your thoughts?

32

33 MR. EDWARDS: Could you restate your
34 question? I'm not exactly clear.

35

36 MR. O'HARA: Yeah. You can overharvest
37 in 10 fathoms of gear with 7-3/4" mesh net and really
38 impact your escapement goals. Once these fish are up
39 inside the river and you're concentrating them inside a
40 hole, you can kill off a lot of fish. You can put a
41 setnet in there too and let it go for a while and kill
42 off a lot of fish as well. So I think it's a concern
43 that we have.

44

45 CHAIRMAN ALVAREZ: I'm under the
46 impression that setnetting is allowed right now up there.

47

48 MR. EDWARDS: Yes.

49

50 MR. O'HARA: Yes. Just like the Kvichak

1 or anywhere.

2

3

CHAIRMAN ALVAREZ: Just a minute, Pete.
4 I'm familiar with the Kvichak. The escapement goal for
5 the year takes into account the subsistence harvest.
6 Would this be the same case or if you're going to start
7 taking more fish out of the Togiak River, would you have
8 to ask for more escapement so it can be a sustainable
9 fishery?

10

11

12 MR. EDWARDS: That wouldn't be a Federal
13 decision. The Department of Fish and Game sets the
14 escapement goals. Like we said in the analysis, we
15 really don't perceive this leading to an increase in
16 harvest. I mean based on conversations with Pete and the
17 proponent from Twin Hills, we were going off of their
18 recommendations for net size and we really didn't
19 perceive that this would lead to a tremendous increase in
20 harvest.

21

22 MR. O'HARA: I don't think, Mr. Chairman,
23 you can prevent it either if it does happen. I think
24 there needs to be some.....

25

26 MR. EDWARDS: That's true. But we also
27 couldn't prevent an increase of harvest with a set
28 gillnet either.

29

30 CHAIRMAN ALVAREZ: Apparently they can
31 setnet up there and they're asking to be able to drift,
32 which is going to take more fish. It's going to make a
33 difference on the amount of harvest, I guess, that can be
34 taken up there. I know the State escapement goals, the
35 ones I'm familiar with, the subsistence harvest is
36 figured into the escapement goal.

37

38 MR. O'HARA: The second question I have,
39 Randy, is are they targeting kings or chums or reds or
40 what are they targeting in this driftnet?

41

42 MR. EDWARDS: The original proposal did
43 not specify, Mr. O'Hara. What we heard from Pete this
44 morning is that it appears that Pete's knowledge is that
45 they are targeting Chinook and that's the first I heard
46 of it being species specific. The original proposal was
47 basically just to allow it to harvest fish more
48 efficiently in a shorter period of time. The proponent
49 didn't specify which species.

50

1 MR. O'HARA: I have no problem with the
2 driftnet in there providing you fall within the
3 guidelines of not impacting the escapement goals.
4
5 MR. EDWARDS: We would definitely agree
6 with that.
7
8 MR. O'HARA: You cannot affect the
9 recruitment stock. They've got to be there.
10
11 MR. ABRAHAM: Mr. Chairman.
12
13 MR. O'HARA: Pete.
14
15 MR. ABRAHAM: We're spending too much
16 time on this little thing over here. I've got figures
17 for 2004 because I do the river over there. Just out of
18 my curiosity I counted the king catch over there between
19 the sports and the local subsistence users. 2004, 1,350
20 kings were caught by and kept by the sportsmen over
21 there, that's the entire king season, versus 900
22 subsistence caught kings for the local users. When I got
23 done, I compared my figures with ADF&G and I was very,
24 very close. The escapement or the count of the kings
25 over there are between 10-12,000 kings in Togiak River.
26
27 CHAIRMAN ALVAREZ: You had a question?
28 I'm sorry. Dan.
29
30 MR. DUNAWAY: I'm not sure. Pete, can
31 you answer it since he does river rangering or maybe
32 somebody else. It's been a while since I've been on the
33 Togiak, but I remember some of that lower river was
34 pretty populated with sport fishermen. Is that still the
35 case? Is there still popular drifts for sports fishing
36 upstream of that?
37
38 MR. ABRAHAM: That particular area, the
39 one I just marked right there, that's a sportsman's
40 favorite spot during the king season. Then that's where
41 the local users prefer to get their kings because the
42 king salmon just walk in from the saltwater and mingle
43 there. The reason why they go after it is because it's
44 fresh. There was some kind of a conflict. One sportsman
45 said this is my hole and some local guy got mad, scooped
46 all the kings out of there and came by visit him the next
47 day. The kings were gone. Local people claimed that
48 hole there way before sportsmen came around. That was
49 some kind of conflict there because the sportsman said,
50 hey, get out of there, that's my hole.

1 MR. DUNAWAY: I remember some little
2 squabbles when there was some setnets in a couple of
3 sloughs there that are just ideal for putting a net on.
4 But I was just wondering if that conflict is still going
5 on or have they learned to live with each other.
6
7 MR. ABRAHAM: They learned to live with
8 each other because, like I said, the local people go
9 after 5:00 because there's no more sportsmen. They get
10 their needs and that's it. Or they go up there way early
11 in the morning, like 6:00, 5:00, they scoop and they're
12 done. Like I said, it doesn't happen every other day.
13 It just happened maybe once a year or twice a spring.
14 That's it. Like you said, in two years' time less than
15 100 kings are caught from that hole. It's not affecting
16 anything. It's just convenient for the local people when
17 they're a little desperate to get the fresh kings in the
18 last minute. That's it.
19
20 The only thing I'd like to see outcome of
21 this whole thing is the length of the gear and the people
22 will be happy. No matter what the Federal says, what the
23 State says, they keep doing it. They've been there for a
24 long time.
25
26 CHAIRMAN ALVAREZ: The proposal says 10
27 fathoms and everybody so far has been in agreement with
28 that. At least they haven't recommended anything else.
29 We need to move on and finish this one up and get down to
30 deliberations and we can discuss it some more, Pete.
31
32 MR. ABRAHAM: Yeah.
33
34 CHAIRMAN ALVAREZ: Okay. I kind of let
35 this carry on because I'm hoping that we won't have to
36 discuss it so much in deliberation while we've got these
37 two guys sitting right here. Let's go down to number 3,
38 other State and Federal Agency comments.
39
40 (No comments)
41
42 CHAIRMAN ALVAREZ: Seeing none. Number
43 4, Interagency Staff Committee Comments.
44
45 (No comments)
46
47 CHAIRMAN ALVAREZ: Seeing none. Number
48 5, ADF&G Advisory Committee Comments.
49
50 (No comments)

1 CHAIRMAN ALVAREZ: Seeing none there.
2 Number 6, summary of written public comments.

3
4 MR. EDENSHAW: Mr. Chair and Council
5 Members. There weren't any. We didn't receive any
6 written public comments in the office regarding the
7 proposal.

8
9 CHAIRMAN ALVAREZ: Okay. None on that.
10 Number 7, public testimony. We have one card here for
11 Ferdinand Sharp. He wants to testify on the use of the
12 gillnet gear in the Togiak River.

13
14 MR. SHARP: Good morning, Board and
15 Chairman. I'm Ferdinand Sharp. I'm refuse information
16 technician and it's my job to get as much information as
17 I can so I can either get input from the village and also
18 from the Service.

19
20 CHAIRMAN ALVAREZ: Mr. Sharp, are you
21 testifying for the refuge or for yourself? You can do
22 both if you want.

23
24 MR. SHARP: I'm doing it for the refuge.
25 My job is to be an information technician for my village
26 and for the Service. I keep hearing that this proposal
27 is going to limit the users on the river to one mile. If
28 it's going to make the Fish and Game or the Federal to
29 make it legal, I'd like to see that because my people are
30 tired of, you know, trying to subsist with fear in their
31 heart and they keep telling me that they used to subsist
32 without fear. When they might get the information from
33 me that they're not supposed to do that, they get fear in
34 their heart. What I'm trying to say is if we can make
35 gillnetting legal on any of the rivers because that's how
36 they subsist. Try to limit them, it's going to -- if
37 you're going to pick on me, you always do. This is a
38 very hard job for me, trying to help my own people and
39 also to do service, to do my duty as a refuge information
40 technician. Let's make our subsistence legal so that
41 when sports fishermen tell us we're doing this illegally,
42 we can tell them that we're doing it legally. That's the
43 only thing I'd like to say at this time.

44
45 CHAIRMAN ALVAREZ: Thank you. I have a
46 comment. I support that, you know, making it as easy as
47 possible for subsistence harvest as long as we're not
48 going to be detrimental or not be sustainable. We have
49 other proposals before us coming up that's going to ask
50 to make it easier in other areas and I support that as

1 long as we have a sustainable fishery. I could support
2 having a driftnet fishery in there because apparently Mr.
3 Hillsinger said they also do it up on the Yukon, a
4 driftnet fishery. I think we should have it not on the
5 whole river but a certain area, up to where they've been
6 doing it previously. I just wanted to comment on that.
7 Are there questions for Mr. Sharp.

8

9 (No comments)

10

11 CHAIRMAN ALVAREZ: Thank you. Okay. No
12 other public testimony. I guess we're down to number 8,
13 Regional Council deliberation, justification and
14 recommendation. I've got a question. Maybe, Pete, you
15 can help me out here. The intent of the proposal, is
16 that to get fresh fish or red fish or both?

17

18 MR. ABRAHAM: The freshest kings coming
19 from the ocean.

20

21 CHAIRMAN ALVAREZ: So the fishery is
22 targeting kings?

23

24 MR. ABRAHAM: Just the kings only, but
25 there's always incidental chums, reds now and then. But
26 they're targeting the kings only while they're fresh.
27 After they've been there for a few days, no, they're not
28 going to go grab them. It's a fresh fish when the tide
29 comes in and goes out and they're in there. It's the only
30 time. It's very simple. In two years' time less than
31 100. Only outcome of this whole thing is I'd like to see
32 the regulations of the net maybe 10 fathoms. With 10
33 fathoms they get what they want because it's just a tiny
34 hole.

35

36 CHAIRMAN ALVAREZ: I didn't add my
37 comment to Mr. Sharp. I want to make it easy as possible
38 and be sustainable, but I don't want to break the law
39 either. You wouldn't be able to use dynamite or
40 anything. I should have mentioned that it reminds me of
41 the SRC meeting in Chignik Lake where they can ask the
42 Secretary for anything as long as it meets his four
43 criteria and as long as it's sustainable and doesn't
44 break the law and a couple other things he's obligated to
45 give it to him. That's kind of the same way I feel
46 about. We need to make it easy for the subsistence user
47 as long as it meets those four criteria where they're
48 always going to have fish and not break the law while
49 they're doing it.

50

1 MR. ABRAHAM: Mr. Chairman. Our only
2 complaint was the sportsman. He said this is my hole. No
3 way.

4
5 CHAIRMAN ALVAREZ: Like you said before,
6 the local people were using it before they were and they
7 can still use setnets in that area, can't they?

8
9 MR. ABRAHAM: The setnet, like maybe two
10 miles and then from there down up there because it's
11 easier to get the first reds or kings, especially they're
12 trying to get the reds when they're setnetting with the
13 short nets because they're hungry for fresh fish. Once
14 you get the fresh fish, you pull them off, you set the
15 nets out in the bay and get the fish. I count the
16 setnets when I make a patrol. Before the weekend,
17 Saturday, all the nets are pulled out. There's no net,
18 nothing. Monday comes, two, three this summer. They
19 average about four nets until the red salmon start
20 showing up and they're not there anymore.

21
22 CHAIRMAN ALVAREZ: So what do you think
23 about the proposal here, this support with modification,
24 one mile upriver from the mouth. According to you, the
25 one mile is not where that hole is. Would you like to
26 amend the proposal? I don't want to support the whole
27 river being open.

28
29 MR. ABRAHAM: Just say two miles, three
30 miles from the mouth of the Togiak River, that's it.
31 They cannot and won't go beyond two, three miles because
32 they're not fresh anymore.

33
34 CHAIRMAN ALVAREZ: I have another
35 question. Are they allowed to setnet all the way up?
36 How far up the river?

37
38 MR. ABRAHAM: There's no regulations that
39 I've seen in the book about how far you go up with a
40 setnet. They setnet like two, three miles and down,
41 that's it. No more. A certain time they're pulled out.
42 You don't see them anymore.

43
44 MR. O'HARA: Mr. Chairman. I think I
45 could support two miles, 7-3/4 mesh or something like
46 that. They should have put the mesh size in the
47 proposal. Put a sunset clause in it and five years come
48 back and look at it and see what it's doing. The
49 conflict between the sports and subsistence user is going
50 to go on forever. I'm not going to sit here and worry

1 about that. They have the right to subsist on set
2 gillnet all the way up the river, so they already have
3 that. Pete says that's the area that they use and we can
4 be pretty much guaranteed that it's not going to affect
5 the escapement goals and that's fine, but those are maybe
6 some thoughts.

7

8 CHAIRMAN ALVAREZ: Dan Dunaway.

9

10 MR. DUNAWAY: Yeah, I have had a few
11 thoughts. I did spend some time on that river but it's
12 been quite a while. I've known of a little bit of that
13 drifting going on and kind of would like to address
14 what's truly a traditional use and would clearly be in
15 the spirit of why we're even here. I'd sure prefer to
16 see that it's a State and Federal coordinated thing so
17 you're not getting into all this mess with different
18 permits and who's enforcing what. I'd like to feel
19 confident that that could get sorted out this fall.
20 We've kind of got a great opportunity here with the Board
21 of Fish meeting coming up soon, the same time we're doing
22 this. If that could work, that would be cool.

23

24 Enforcement still concerns me because in
25 my past experience there was an off and on problem with a
26 few bad guys fishing and I don't recall where in the
27 river it was. I think some of it was farther up and it
28 wasn't kings. I think it was more silvers or something.
29 Maybe that's gotten taken care of.

30

31 My impression when I was working over
32 there is that there'd been kind of a long-time problem
33 with neglected setnets. I used to see them. There's a
34 couple of things. It's real hard getting in and out of
35 Togiak River. It's real shallow out front and if you get
36 bad weather or unfavorable tides, you might wait a while.
37 At the same time you can get big rains like we're doing
38 right now and nets out there and people can't get back to
39 it, then those nets sometimes get swept into a wad of
40 roots. I remember seeing these old nets that were all
41 snarled up. I wonder if allowing people to drift and
42 being present with their net might cut down some of that
43 other neglected problem.

44

45 CHAIRMAN ALVAREZ: That's a good point.

46

47 MR. DUNAWAY: Because I also saw a net
48 that didn't get snarled up, but they sat there apparently
49 unattended for four, five days and it might have been
50 tides and weather that they couldn't get over to them.

1 I agree the mesh size would be important.
2 I wondered if there would be something -- it would be
3 complicated, but if it's only a king thing, what if it
4 only went to July 15th or something.

5
6 CHAIRMAN ALVAREZ: That's another thing I
7 thought, the date and time frame.

8
9 MR. DUNAWAY: I'm torn. I kind of want
10 to let this happen because, like Pete said, it's
11 traditional and they've done it a long time. The
12 bureaucratic snarl between the State and the Feds though,
13 I hate to throw the public into that. I don't think the
14 government is serving anybody when they're arguing and
15 the user guy is kind of waiting for the government
16 bureaucrats to sort it out.

17
18 CHAIRMAN ALVAREZ: Pete.

19
20 MR. ABRAHAM: All I ask is to make it
21 simple. Let's not make outlaws of those subsistence
22 users over there. The only thing I'm asking for is the
23 length of the gear. Don't even mention the size. Once
24 you mention the size, they're going to make -- hey,
25 that's illegal. Don't even mention the size. The length
26 of the gear. No matter what it is, no matter how we say
27 it, they're going to keep doing it anyway. Like I said,
28 it's very simple. Let's not make an outlaw of those
29 people, the subsistence users, because they don't use it
30 much.

31
32 CHAIRMAN ALVAREZ: Yeah, that sounds like
33 a good idea. Apparently they only do it once or twice a
34 year. That's what Pete said earlier. Having a time
35 limit on it, would that accomplish anything?

36
37 MR. DUNAWAY: Well, like I say, my
38 experience and recollection, the bad guy problem separate
39 from subsistence was the illegal commercial fishing on
40 cohos. I think one time I was over there in the fall and
41 if I'd have been five minutes earlier I think I would
42 have found somebody drifting on cohos on another year.

43
44 CHAIRMAN ALVAREZ: You're talking about
45 commercial, for commercial sale.

46
47 MR. DUNAWAY: Yeah, part of it. The '98
48 stuff that we're talking to Tim Sands about, yes. I
49 think there's another time, I don't know if they were
50 going to try to do commercial sales or if it was really

1 subsistence home use, but I come around the corner and I
2 can't remember who was in the boat and I think we were
3 just closing sport fishing to cohos over there around '94
4 or something and those guys had a net and a boat and it
5 was pretty wet and there were a few fish in there. I
6 think there had been a little drifting going on that
7 morning. That was a long time ago. Partly what I used
8 to hear being a sport fish biologist was probably
9 complaints like what you're saying about the small scale
10 subsistence use which isn't that big a deal.

11
12 MR. ABRAHAM: We had a couple, two or
13 three dog teams over there. Those are the people that go
14 after with the setnet, coho setnetting, because they want
15 to freeze a large amount of fish for their team. The
16 people over there don't go after coho for brine or
17 smoking because it's not worth it. They freeze it or can
18 it. Commercial, nobody is buying cohos over there
19 anymore. Once in a while Baywatch comes in twice and
20 that's it. The sportsmen are happy because they got
21 enough cohos over there.

22
23 CHAIRMAN ALVAREZ: So, Pete, if you look
24 at the proposal, it recommends 10 fathoms, 2-1/2 fathoms
25 deep or 15 feet deep, same thing. One mile, Mr. Dunaway
26 had mentioned maybe amend it to two miles. Would you be
27 happy with this proposal if it was two miles?

28
29 MR. ABRAHAM: Uh-huh.

30
31 CHAIRMAN ALVAREZ: How do the rest of you
32 guys feel about that? I don't know about a date. Maybe
33 it might not be a good thing to put in a date or a size
34 like Pete says, but we can discuss it some more.

35
36 MR. ABRAHAM: Don't even think about
37 putting a date on it. Length of the net is all I ask.

38
39 CHAIRMAN ALVAREZ: It's 10 fathoms.
40 Isn't that what you were asking?

41
42 MR. ABRAHAM: Ten fathoms.

43
44 MR. DUNAWAY: The original proposal did
45 include 10 fathoms.

46
47 CHAIRMAN ALVAREZ: But the one mile, it
48 might be better to have two miles.

49
50 MR. DUNAWAY: Yeah, Mr. Chair, it would

1 be bad to pass a regulation that only got halfway to the
2 goal for these folks. And they're still going to fish
3 where they're going to fish.

4

5 MR. ABRAHAM: I tried it with 10 fathoms
6 just out of curiosity. I got my kings.

7

8 MR. O'HARA: Mr. Chairman. I'll make a
9 recommendation that we modify the proposal for two miles
10 up this river with 10 fathoms of gear, 2.5 in depth and
11 unless there's something else that needs to be done on
12 that, I'll make that as a motion at least to get it on
13 the floor.

14

15 MR. DUNAWAY: Second.

16

17 MR. O'HARA: Now could I address the
18 motion. Pete mentioned and several comments have been
19 made here about -- you know, when we did the sale of
20 subsistence food up to \$400 or whatever it was and the
21 public safety people said we don't want to have a paper
22 trail on subsistence sold food and the Council said and
23 the Federal Board said, well, if that's what it takes,
24 then you're going to do a paper trail on the fish and if
25 it becomes illegal you have to deal with that issue.

26

27 Pete kind of alluded to the fact that if
28 we don't do it, they're going to do it anyway. Well, you
29 know, all of us are subject to laws. If the people in
30 Togiak want to go ahead and be illegal, they can be
31 arrested like anybody else can be arrested. Alaska
32 Department of Fish and Game and the Feds, they can do
33 their part. If there's an illegal sale of fish, they can
34 go after them. We're not going to sit here and be held
35 hostage by that and you can try it in court, so I think
36 that's fair.

37

38 MR. ABRAHAM: I second the motion.

39

40 MR. O'HARA: It's already been seconded.

41

42 MR. DUNAWAY: Give Pete the second. He's
43 from Togiak.

44

45 CHAIRMAN ALVAREZ: One thing I neglected
46 to do was bring the proposal up on -- somebody move to
47 bring it up on the floor, so I guess we probably should
48 have done that before you amend it.

49

50 MR. O'HARA: Oh, I'm sorry. Okay.

1 CHAIRMAN ALVAREZ: The next ones we do,
2 when we start deliberation, we have to move to bring the
3 proposal up on the floor and then move from there.
4
5 MR. O'HARA: It just says number 9 is
6 Regional Council deliberation, justification and
7 recommendation.
8
9 CHAIRMAN ALVAREZ: But we need to bring
10 the proposal up to the floor.
11
12 MR. O'HARA: Okay. Next time we'll do
13 that.
14
15 MR. DUNAWAY: I have a couple other
16 thoughts on this because I know it's been kind of a
17 nagging issue. The part I like is that there be people
18 in attendance of their gear and it might actually reduce
19 waste.
20
21 The other thing I'd like to seriously
22 consider the request of the State about taking this to
23 the Board. I don't know how we could wrap in some sort
24 of either intent words here. I want to vote for this
25 with the understanding that this can come before the
26 State Board of Fish this fall and that hopefully
27 something could get ironed out that we wouldn't have a
28 lot of the problems that have been raised by both the
29 Federal and State about who writes the permits and who
30 enforces it and that kind of thing. Can we just have
31 that as intent language? I can support this proposal, I
32 believe, with that hope that it could get sorted out this
33 fall at the Board of Fish meeting.
34
35 MR. O'HARA: Mr. Chairman. He could make
36 a friendly amendment if he wants to. If you need time to
37 think about it and get it done, then we could take a
38 break and then come back and finish it up. I think we've
39 got the meat of the issue.
40
41 CHAIRMAN ALVAREZ: There's one other
42 thing I was going to bring up, too. The two miles, my
43 recommendation is that we go by this map on Page 37 and
44 just go up two squares instead of trying to figure follow
45 the river up two miles. Two miles on this map should be
46 two squares up where the line crosses the river. Would
47 that be adequate, Pete?
48
49 MR. ABRAHAM: (In Yup'ik)
50

1 CHAIRMAN ALVAREZ: Okay. Unless you guys
2 can figure out where the boundary is and trying to follow
3 the river up two miles.
4
5 MR. DUNAWAY: Figure out what longitude
6 or latitude that is.
7
8 MR. O'HARA: The Chair can't make a
9 recommendation, but somebody could help him out.
10
11 MR. DUNAWAY: Probably with the
12 permission of the second or Dan could modify his
13 language.
14
15 MR. O'HARA: Sure, that would be fine.
16 That would be part of my recommendation. I don't know.
17 Dan, is that okay with you?
18
19 MR. DUNAWAY: Oh, yeah.
20
21 MR. O'HARA: Two town squares.
22
23 CHAIRMAN ALVAREZ: Is there any more
24 discussion on the proposal.
25
26 MR. O'HARA: We haven't addressed Dan's
27 concern about how the Feds and the State is going to
28 handle a cooperative issue.
29
30 MR. DUNAWAY: I was going to look to
31 Cliff. Have you seen anything like that? Would that be
32 part of the testimony or the discussion or should it
33 actually be part of the proposal?
34
35 MR. EDENSHAW: Mr. Chair. I'm not sure
36 when the Board of Fish is going to meet.
37
38 MR. DUNAWAY: There's our Board man right
39 here, Joe Chythlook.
40
41 MR. CHYTHLOOK: December 4 to 12.
42
43 MR. EDENSHAW: Sandy, do you know when
44 the Staff Committee is going to meet for these fish
45 proposals?
46
47 MR. RABINOWICH: I can look.
48
49 MR. EDENSHAW: Okay. So my question is
50 -- the response I have, Mr. Chair and Council, is that

1 once the Council makes a recommendation between now and
2 December, it would take the full Council, whether by
3 teleconference, to amend or change any of these because
4 we're in a public process. I would almost feel that they
5 would be reacting more so to what the Council has already
6 made their recommendations on because we're here to make
7 a recommendation on the Staff analysis that Mike Edwards
8 wrote up and there isn't too much else after it. Unless
9 Sandy or someone else can answer in response to a memo or
10 a letter that we can send to the Board of Fish in regards
11 to action taken on the proposal.

12

13 MR. ABRAHAM: I'm not going to eat king
14 salmon anymore. We talked about it too much.

15

16 MR. O'HARA: Well, if we can't come to an
17 answer, call for the question.

18

19 CHAIRMAN ALVAREZ: Then we'll vote on the
20 amendment. The amendment was just the two miles. The
21 only thing that's going to change is from one mile to two
22 miles and go by the two squares.
23 All in favor of the amendment signify by saying aye.

24

25 IN UNISON: Aye.

26

27 CHAIRMAN ALVAREZ: Opposed.

28

29 (No opposing votes)

30

31 CHAIRMAN ALVAREZ: The amendment is
32 carried. Now we'll vote on the proposal.

33

34 MR. O'HARA: Question.

35

36 CHAIRMAN ALVAREZ: Cliff.

37

38 MR. EDENSHAW: Just to clarify. I heard
39 Dan mention two townships and then two miles, so it's
40 just going to be two miles.

41

42 CHAIRMAN ALVAREZ: It's the top of the
43 second square. Each square is about a mile, right,
44 according to the diagram.

45

46 MR. EDENSHAW: But just for clarification
47 purposes, just two miles upstream is restricted.

48

49 CHAIRMAN ALVAREZ: Yeah.

50

1 MR. DUNAWAY: Two miles due north
2 actually. River miles, it's going to be probably, what,
3 two and a half miles.
4
5 MR. EDENSHAW: Okay. I'll just put two
6 miles just for clarification.
7
8 CHAIRMAN ALVAREZ: Two squares up. Any
9 more comment.
10
11 MR. O'HARA: Question.
12
13 CHAIRMAN ALVAREZ: The question has been
14 called. All in favor of Proposal 07-05 say aye.
15
16 IN UNISON: Aye.
17
18 CHAIRMAN ALVAREZ: Opposed.
19
20 (No opposing votes)
21
22 CHAIRMAN ALVAREZ: The motion carried.
23 Just a minute. We have more Staff. I guess those of you
24 that arrived since we started the meeting I guess you can
25 introduce yourselves. We'll start with Mr. Chythlook.
26
27 MR. CHYTHLOOK: Mr. Chair, RAC Members
28 and the public, I'm Joe Chythlook, Board of Fish, Board
29 of Game program, regional coordinator for Fish and Game.
30
31 MS. MCBURNEY: Mary McBurney, National
32 Park Service, Subsistence Program manager for Lake Clark,
33 Katmai and Aniakchak.
34
35 MR. RABINOWICH: Sandy Rabinowich, Staff
36 Committee to the Federal Board and the National Park
37 Service.
38
39 MR. LIND: Orville Lind, ranger for the
40 Fish and Wildlife Service down on Alaska Peninsula,
41 Becharof Refuge.
42
43 MS. PETRIVELLI: Pat Petrivelli,
44 anthropologist for the Bureau of Indian Affairs,
45 Subsistence Program.
46
47 MR. KOEPESELL: Mark Koepsell, deputy
48 refuge manager, Alaska Peninsula, Becharof Refuge.
49
50 MR. LUNDERSTADT: Carl Lunderstadt,

1 deputy manager, Togiak Refuge.

2

3 MR. KLEIN: Steve Klein with the Office
4 of Subsistence Management. I'm the chief of Fisheries
5 Information Services.

6

7 MR. SQUIBB: Ron Squibb, U.S. Fish and
8 Wildlife Service, Becharof Refuge.

9

10 CHAIRMAN ALVAREZ: Okay. Thank you. I
11 guess we'll take a short recess.

12

13 (Off record)

14

15 (On record)

16

17 CHAIRMAN ALVAREZ: Back to order. We are
18 on Proposal FP07-06. Mr. Edwards.

19

20 MR. EDWARDS: Thank you, Mr. Chair,
21 Council Members. Mike Edwards, Fish and Wildlife
22 Service, King Salmon Fish and Wildlife Field Office. I'm
23 going to present you the Staff analysis for FP07-06.

24

25 FP07-06 submitted by the Lake Clark
26 Subsistence Resource Commission, requests that snagging
27 with rod and reel, spear or arrow, and hand capture be
28 permitted as legal methods and gear type for use in Lake
29 Clark by Federally qualified subsistence users.

30

31 The proposed regulation would allow
32 snagging, spear or arrow, or hand capture by Federally
33 qualified subsistence users in Lake Clark and its
34 tributaries. The proponent is seeking this regulatory
35 change to provide subsistence users less expensive
36 methods to harvest fish.

37

38 Federal public waters within the Bristol
39 Bay region includes all waters within or adjacent to the
40 Lake Clark National Park and Preserve. I'd refer the
41 Council Members to Map 1. This regulation, if adopted,
42 would apply to Lake Clark and its tributaries located
43 within the boundaries of Lake Clark National Park and
44 Preserve.

45

46 A little biological background. In 2003,
47 the Alaska Board of Fish elevated the Kvichak River
48 sockeye salmon stock to a stock of management concern due
49 to its chronic inability to meet management objectives.
50 The average sockeye salmon escapement for the Kvichak

1 River from 2000 to 2005 was approximately 2.1 million
2 sockeye salmon, while the average escapement into the
3 Newhalen River, which is Lake Clark, for that time period
4 was 310,616.

5
6 The effects of the proposal. If adopted,
7 this proposal would provide Federally qualified
8 subsistence users with methods and gear types that are
9 less expensive to purchase than set gillnets. The
10 recognized practice of subsistence harvesting is to take
11 only what is needed. Therefore, use of these proposed
12 methods should not lead to an increase in the amount of
13 fish harvested. The use of the proposed gear types could
14 reduce harvest as individual fish are targeted and
15 subsistence users have more control over the amount of
16 harvest than with a set gillnet. In addition, these gear
17 types would allow subsistence users to harvest only the
18 target species, thereby reducing the harvest of
19 non-targeted species.

20
21 The proposed use of snagging with rod and
22 reel as a means of harvest is cause for concern. Given
23 the likelihood that not all fished hooked by snagging
24 will be landed, this method will potentially result in a
25 number of fish being injured and depending on the
26 severity of the injury not successfully spawn.
27 Additionally, the injury rate could be very high as there
28 is the potential of the fisher to continue snagging until
29 they are successful. Therefore, snagging with rod and
30 reel in Lake Clark or its tributaries should not be
31 considered a biologically sound method of harvest. The
32 same biological concerns do not exist for the use of
33 spear or bow and arrow as a harvest method.

34
35 The proposed use of hand capture
36 generated a good deal of discussion among Staff and no
37 clear consensus was reached on its use. One argument is
38 that when hand capture is a directed use, meaning that
39 that's the specific intent of the subsistence user,
40 they're going to try and capture with hand, is that the
41 potential impacts, harassing spawning fish, disturbance
42 of the reds, would warrant not approving its use.

43
44 The counter to this argument is that
45 currently sport anglers are permitted to wade in and
46 around spawning salmon, thus disrupting spawning fish as
47 well. When used opportunistically, meaning if the chance
48 presents itself and you could actually grab a fish by
49 hand, we felt that the impacts of hand capture would be
50 acceptable. However, implementation of regulation in

1 which a gear type may only be used opportunistically
2 would be impractical.

3
4 Given the differing Staff opinions on the
5 use of hand capture, we defer a recommendation until we
6 hear from the Bristol Bay Subsistence Regional Advisory
7 Council on the use of hand capture.

8 An additional potential impact is the
9 social conflict between user groups. Sport anglers and
10 subsistence users are likely to target the same areas.
11 Young, in 2005, reports an overlap in area use by both
12 groups, mainly at the outlet of Lake Clark and in the
13 Kijik River drainage. However, within the Kijik, the
14 majority of subsistence fish is typically harvest of red
15 fish, which is post-spawn, and that provides a temporal
16 separation of the users there because most of the sport
17 fishermen are not there at that time.

18
19 Again, we have the same issues -- just
20 for the sake of time, we have the same issue as we did in
21 the previous proposal with the State's concerns on how we
22 would collect the harvest data. Again, we're deferring
23 and are hopeful that the State would allow the
24 continuation of the current permitting system in Lake
25 Clark, the same issues that we had with the Togiak
26 proposal.

27
28 So our preliminary conclusion is to
29 support with modification to include that the use of
30 spear or bow and arrow be permitted as a legal gear type
31 to harvest salmon in Lake Clark and its tributaries.

32
33 Our justification is that this proposed
34 change with modification would allow the use of a
35 traditional harvest method and should not result in an
36 increased harvest. Spear and bow and arrow fishing for
37 salmon targets one fish at a time, so the potential to
38 impact a spawning aggregate is not great. The biological
39 concerns of injury to fish from snagging are sufficient
40 enough that we do not recommend approval of snagging as a
41 legal method.

42
43 Given the differing Staff opinions on the
44 use of hand capture, we defer any recommendations on this
45 aspect of the proposed regulation until hearing from the
46 Council.

47
48 Mr. Chair, that concludes my presentation
49 on FP07-06.

50

1 CHAIRMAN ALVAREZ: Okay. Thank you. Any
2 questions for Mr. Edwards.

3
4 (No comments)

5
6 CHAIRMAN ALVAREZ: Seeing none. Thank
7 you. ADF&G comments.

8
9 MR. HILLSINGER: Thank you, Mr. Chairman.
10 Again, my name is John Hillsinger. I just want to
11 reiterate that ADF&G has not taken a position on this
12 proposal. There's certain information that we would like
13 to gain here at the meeting in order to help us come up
14 with our final position.

15
16 Again, you'll see that there's some
17 inconsistencies in the written comments from the State
18 that are in the book and that was based on our
19 understanding that the preliminary Federal Staff position
20 would be to allow spears only and that includes bow and
21 arrow now, so I'll try to address that, but you will see
22 that inconsistency.

23
24 Salmon may be harvested under state
25 regulations using set gillnets with no limit on the
26 number harvested. Federal regulations are more
27 restrictive than the State and allow only residents of
28 the so-called resident zone communities or of the park
29 itself to harvest salmon with a net for subsistence. We
30 know that salmon escapements in this area have been very
31 low in some recent years, especially 2000 through 2003
32 when
33 Kvichak River drainage escapement goals were not met. In
34 some of those years, amounts necessary for subsistence
35 were not achieved. In poor return years, people do need
36 to fish harder in the Lake Clark area and may also obtain
37 fish from other areas. For instance, if they're
38 commercial fishing in the Naknek River or another area
39 like that.

40
41 So it does appear that the ability to
42 achieve amounts necessary for subsistence is precluded in
43 some years by poor runs. It is not clear what part, if
44 any, the use of only set gillnets plays and whether
45 additional gear types are necessary to provide for
46 continued subsistence uses or to provide a meaningful
47 preference for subsistence uses.

48
49 As noted in the Federal Staff analysis,
50 the Kvichak River is a stock of management concern. The

1 Board of Fisheries has dealt extensively with this in
2 addressing that problem. ADF&G agrees with the Federal
3 analysis that the proposed use of snagging creates social
4 and enforcement problems.

5
6 We do have some concerns about allowing
7 hand capture on social and conservation grounds. We
8 talked to a number of people who have actually practiced
9 hand capture on salmon and the indication from them was
10 that it's much more difficult than one might think to
11 grab a salmon with your bare hands. We realize the
12 experience in Bristol Bay may be somewhat different than
13 the people we talked to, so we're interested in hearing
14 about that. But the people we talked to usually ended up
15 having to run the salmon down and kick it out of the
16 river and we felt that that was not consistent with sound
17 management.

18
19 The Federal Staff analysis also
20 recommends use of bow and arrow. Within the analysis, we
21 didn't see substantial documentation that bow and arrow
22 was a customary and traditional gear type. I'm not
23 familiar enough with that area to know what kinds of
24 problems may occur at trying to harvest salmon with bows
25 and arrows in a river. I know the State allows it for
26 species like pike, which normally is in a lake situation,
27 and depending on the characteristic of the river, I could
28 see some problems with trying to shoot fish with a bow
29 and arrow. I'm not sure that a bow is a substantially
30 less expensive means of harvesting fish. It certainly
31 would have the advantage of being able to target
32 individual fish.

33
34 Jurisdiction issues. Again, I want to
35 reiterate that ADF&G does not accept the claims of
36 jurisdiction that are in the analysis. There's a
37 difference of opinion between the State and Federal
38 programs on where Federal jurisdiction occurs,
39 particularly with regard to State and private land.

40
41 Similar to the previous proposal, we
42 suggest that both the Federal and State Staff assist the
43 proponent in trying to get this proposal before the Board
44 of Fisheries so that the jurisdiction issues and the
45 issue of harvest permitting and reporting, if the Board
46 were to adopt this, would alleviate those problems. It
47 might be reasonable for the Regional Advisory Council to
48 write a letter to the Board of Fisheries suggesting they
49 take that up during their December meeting maybe as part
50 of your action on the proposal.

1 Use of spears does seem to be well
2 documented in the literature. Our initial questions on
3 the use of spears arose because the documentation wasn't
4 included in the analysis, but since then we've gone back
5 to the literature with some of our subsistence Staff and
6 there is good documentation and spears, of course, are
7 allowed in other parts of Bristol Bay and the Togiak
8 River, excluding the tributaries. We do have the same
9 concern about the harvest reporting and the same issue
10 with the permits that we had on the last proposal.
11

12 So, in conclusion, again we'd like to
13 hear some of the Regional Advisory Council discussion and
14 deliberations on whether run size is the primary limiting
15 factor on subsistence uses or if the current
16 participation is actually limited by the cost of using
17 set gillnets. Because of the problems associated with a
18 unilateral adoption of this proposal we would like to see
19 the Board of Fisheries take it up and would recommend
20 that the Federal Subsistence Board not act on the
21 proposal until such time as the Board of Fisheries has
22 had an opportunity to address it. Thank you.
23

24 CHAIRMAN ALVAREZ: Any comments or
25 questions for Mr. Hillsinger. Pete.
26

27 MR. ABRAHAM: What are we targeting,
28 fresh salmon or spawned out?
29

30 MR. HILLSINGER: My understanding is that
31 people would like to target red fish.
32

33 MR. ABRAHAM: Spawned out salmon.
34

35 MR. HILLSINGER: Maybe Mike can address
36 that as well, but that was my understanding.
37

38 MR. EDWARDS: Mr. Chair, Mr. Abraham.
39 Primarily sockeye salmon, both red fish and bright fish.
40

41 MR. ABRAHAM: That's something I can
42 understand. For fresh salmon, there's no more fresh once
43 you hit the river. I thought you guys were targeting
44 spawned-outs in the lakes.
45

46 MR. EDWARDS: The information I received
47 from the SRC was sockeye salmon in general. The only
48 specific mention of red fish was in the Kijik.
49

50 CHAIRMAN ALVAREZ: Thank you. Dan.

1 MR. DUNAWAY: John, I see this
2 jurisdiction issue pops up in every one of the State's
3 comments on these proposals. When I read this, I'm not
4 entirely sure what to do with it because I don't
5 understand. Does the State want to say more about this
6 or are they waiting for more information to be able to
7 say something or what? Like I mentioned earlier about
8 the issue from game proposals for last spring, I am a
9 little concerned and I kind of overlooked it in the
10 discussion on Togiak. I guess maybe could you explain
11 that further for me.

12
13 MR. HILLSINGER: Mr. Chairman, Mr.
14 Dunaway. We've asked for more clarification on the basis
15 for the Federal jurisdiction claims and we're awaiting
16 that so we can better understand the basis of each claim.
17 I'm not an attorney, of course, but there is a lawsuit
18 pending between the State and the Federal programs over
19 some of the waters and I'm probably not the best person
20 to explain it to you, but we wanted to make people aware
21 that this jurisdiction issue did exist and we're trying
22 to ascertain more precisely exactly where State and
23 Federal jurisdiction occur so that users will know when
24 they're out fishing whose jurisdiction they fall under.

25
26 MR. DUNAWAY: So are you saying that
27 really these regulations, the State's perspective would
28 be Federal doesn't have jurisdiction in this situation or
29 that it might not?

30
31 MR. HILLSINGER: There are large areas
32 around Lake Clark that are private land and we would like
33 to know the basis of the claim for jurisdiction over
34 waters adjacent to that private land. We don't accept the
35 claim that those areas necessarily fall under Federal
36 jurisdiction. That remains to be seen, I think, but
37 that's our position right now. We'd like to get more
38 information on exactly what basis that claim of
39 jurisdiction is. Is it based on Federal Reserve water
40 rights, is it based on what.

41
42 MR. DUNAWAY: Maybe that's another
43 question to follow up with Federal folks because they
44 also bring up that they do have jurisdiction. Can you
45 speak to that, Mike, or is there somebody else that can.

46
47 MR. EDWARDS: Mr. Chair, Mr. Dunaway. I
48 was just given some information and this is basically
49 OSM's response to the jurisdiction issue. When the
50 Federal Subsistence Program began in 1990 and again when

1 we started the business of fisheries management in 1999,
2 we published maps in the Federal Register showing
3 jurisdictional boundaries. Those maps were published
4 only after lengthy consultation with the State and what
5 we thought was a general agreement as to the locations of
6 these boundaries. Now it turns out that the State does
7 not agree with a few of these boundaries, including
8 Federal jurisdiction in some waters. Those instances may
9 have to be resolved in the court. However, the vast
10 majority of land and water in Federal jurisdiction are
11 undisputed. The regulatory proposal process is not the
12 proper forum to debate the claims of jurisdiction and
13 maps showing Federal lands and waters are available in
14 our regulation books and on our website.

15

16 MR. DUNAWAY: I think it was at the last
17 meeting we had some notice about the Federal government
18 had agreed -- I think their intertidal areas, agreed that
19 they didn't have jurisdiction, though for some time they
20 did assert they did.

21

22 MR. EDWARDS: Yes, Mr. Dunaway. What
23 that was, when the lines were originally drawn, some bays
24 and marine tidal waters were included in Federal
25 conservation and that was never the intent of the
26 program, so that was basically a regulatory housecleaning
27 process where they rescinded the Federal jurisdiction in
28 those bays and that, by no means, affects either the
29 Togiak River or Lake Clark.

30

31 MR. DUNAWAY: Okay. I guess I thought
32 maybe there was less disagreement, but looking here it
33 looks like there's still some ongoing issues there.
34 Again, I hate to be trying to make regulations on waters
35 that ultimately, you know, we don't have any business
36 putting our nose into.

37

38 MR. EDWARDS: The way the current Federal
39 regulation reads right now is the inside of the
40 conservation unit we have Federal jurisdiction regardless
41 of land ownership and I think that's where some of the
42 confusion comes from. Like on the Togiak, a lot of the
43 lower river from the Wilderness down is corporation land
44 but it's still within the conservation unit. That's
45 where we have that jurisdiction and I think there's some
46 of the same issues in Lake Clark where there may be some
47 in-holdings and stuff, but it's still well within the
48 conservation unit.

49

50 MR. DUNAWAY: John, did you have

1 something to add?

2

3 MR. HILLSINGER: I just was going to
4 reiterate that obviously the State doesn't agree with
5 that. It gets fairly complicated, but navigable waters
6 and claims of Federal Reserve water rights, we don't
7 believe that it automatically holds that because it's
8 within the boundaries of a conservation system unit that
9 it comes under Federal jurisdiction. We think there's
10 language that specifically says that doesn't come under
11 Federal jurisdiction. So there's this difference of
12 opinion. I think it is a legitimate thing to alert the
13 users to in the regulatory process. I don't agree that
14 users should not be aware of this as they're going
15 through the regulatory process.

16

17 MR. DUNAWAY: I'm still a little confused
18 on what we should be doing or what actions would be
19 appropriate, but I guess it helps me understand what's
20 going on here.

21

22 CHAIRMAN ALVAREZ: Pete.

23

24 MR. ABRAHAM: I have fought that
25 jurisdiction from quite a while back. All navigable
26 water was controlled by the State no matter where you
27 walk. But with what we've got over there in Togiak for
28 subsistence purposes, the corporation land, but the river
29 is controlled by the Federal. It's less confusing to the
30 local people over there. Right now, as it's working, the
31 people are a lot happier with what they've got.

32

33 In Aniakchak area, I think it was, there
34 were three rivers over there. One is controlled by the
35 corporation, Federal land and the State. There was a
36 major chaos going on there one time. Not only that, when
37 it was under the State, everything we say or ask was
38 denied by DNR. The reason why we were asking was can we
39 control the sportsmen in Togiak River. Because of State
40 waters, it's open season to everybody in the whole world
41 or United States. The local people would like to cap the
42 sportsmen over there because of subsistence users. Limit
43 sportsmen, limit the companies because of subsistence
44 users. With Federal controlling it, it's much easier for
45 us to work with the Federal than the State. That's my
46 country over there and I fought for that country. I
47 fight for the people over there.

48

49 CHAIRMAN ALVAREZ: Dan.

50

1 MR. O'HARA: You know, John, your
2 recommendation, we might as well go on vacation if you're
3 going to sit here and say every time you come before us
4 to hold off. We'd never get anything done. We let the
5 lawyers worry about that. That's why they get paid the
6 big bucks anyway to handle that. We're dealing with
7 Title VIII of what we deal with here and they've got a
8 proposal before us. As far as I'm concerned, it looks
9 like it's on Federal land and just let the chips fall
10 where they will.

11
12 CHAIRMAN ALVAREZ: Dan, that's my feeling
13 on this. We're here to come up with our own decisions on
14 these proposals. I don't want to wait until the State
15 and Feds agree on whose land is it on or who has
16 jurisdiction. If it's Federal land, we ought to be
17 having our say. If it's State land, it wouldn't be
18 before us. So if these proposals are before us, we need
19 to be stating our position on it. The State doesn't
20 recognize a lot of things the Feds do. That's why this
21 Committee was formed in the first place, is because of
22 compliance with ANILCA. I don't necessarily want to ask
23 the Board of Game, you know, write a letter to them and
24 ask them their feeling on it when it's not their
25 jurisdiction. Although they can have a say on snagging
26 on State waters, they like to keep both regulations
27 similar to each other. I don't necessarily like the
28 snagging part myself. I just don't believe the State
29 Board of Fish has any more say on this than we do.

30
31 Any more questions.

32
33 MR. DUNAWAY: This will be along the
34 lines of the concerns I brought up in Togiak. I had a
35 side conversation with Joe and I want to bring it up.
36 Again, this area would be reviewed for regulation changes
37 by the Board of Fish in the State program here in
38 Dillingham in December. But talking to Joe here, I'd
39 like to ask him to come up and say what the process would
40 be that he understands to try to get State regulations
41 coordinated. It might not be quite as easy as what we
42 thought when we were discussing the Togiak proposal.

43
44 CHAIRMAN ALVAREZ: State regulations
45 coordinated with what?

46
47 MR. DUNAWAY: With Federal regulations.
48 I mean just say in Togiak I voted on that proposal with
49 the hopes that we could get State and Federal
50 regulations, at least have the opportunity to bring them

1 together because we have a State Board meeting this
2 December and we have the Federal Board meeting the coming
3 January. The Board cycle is every three years. It would
4 be quite a wait. There could be an opportunity for this
5 regulation too to come before the State Board. I was
6 wondering if I could ask Joe Chythlook to explain the
7 process. He's the Board's man for the State. It's not
8 quite as simple as bringing it up to the Board of Fish
9 according to Joe.

10

11 CHAIRMAN ALVAREZ: The way it's happened
12 before is we have two different regulations for basically
13 the same area, whether it's State and Federal, which is
14 in the same little area. One agency, either State or
15 Federal, will bring up the other's regulations and
16 deliberate whether they should change theirs to match the
17 other one or vice versa. Trying to ask them, well, we'll
18 wait to have them hash it out and then we'll go with
19 them, I don't think that's the way we should operate.

20

21 MR. DUNAWAY: Well, more to get us all
22 informed about the Board process, to know how this might
23 work, Mr. Chair, is what I was hoping we could do.

24

25 CHAIRMAN ALVAREZ: Joe, can you come up
26 and comment on that.

27

28 MR. CHYTHLOOK: Mr. Chairman, you're
29 chairman of Lake Iliamna Advisory Committee. You're
30 pretty aware of the process. However, I guess to kind of
31 fill in everybody on the process, the Board of Fish calls
32 for regulation proposals every three years and this past
33 year, as you know, was the year for the call for
34 proposals. The deadline was April of 2006. Based on
35 that for Bristol Bay, proposals were submitted and
36 they're compiled in a book. Currently we have about 122
37 Board of Fish proposals that the Board has to address in
38 the December 4 meeting.

39

40 Beyond that, there's no proposal in place
41 as the one that you're discussing. Therefore, in order
42 to get that in the process this year -- the agenda change
43 request deadline is already past. That was August 18 of
44 2006. However, there's one other process that the Board
45 often uses and the public uses if they feel something
46 meets an emergency situation, there's an emergency
47 subsistence petition process. Generally how that works
48 is in a meeting such as December 4, because this is not
49 in the calendar for discussing at that meeting, any group
50 or any individual that has a subsistence concern can

1 bring that petition before the Board and say we would
2 like to have it discussed in this calendar year.

3

4 There's about eight criteria that the
5 Board of Fish and Board of Game goes through in order to
6 accept that petition of the calendar for some future
7 meeting. In this case, if they were to accept whatever
8 petition is brought before them in December, there's
9 several other meetings that will be coming up later in
10 the year. There's AYK meeting coming up, area meeting
11 coming up and also the statewide meeting coming up in
12 March. I guess based on whatever you guys recommend to
13 the Federal Subsistence Board and what the Federal
14 Subsistence Board does with this in January, it could be
15 that if some action was taken on this that Board could
16 take it up in time for the public to review it,
17 Department comment on it and everybody else that's
18 concerned with it to make comments, Advisory Committees,
19 and public testimony process, which is similar to yours.

20

21 Anyway, that's the three avenues that
22 you're aware of that brings proposals to the Board of
23 Fish, Board of Game.

24

25 CHAIRMAN ALVAREZ: Did that satisfy you,
26 Dan?

27

28 MR. DUNAWAY: Yeah.

29

30 CHAIRMAN ALVAREZ: Mr. Hillsinger.

31

32 MR. HILLSINGER: Mr. Chairman. There is
33 one additional avenue. Joe is right in everything he
34 said, but the Board can generate proposals itself. We
35 had this discussion about the need for an agenda change
36 request. The opinion from the Department of Law and from
37 the Board's section is that because Bristol Bay is
38 already on the agenda they could take this up without
39 having to go through the agenda change request. They
40 also discussed the subsistence petition policy. The
41 impression from both the Department of Law and the Board
42 section was they could potentially do this through a
43 Board generated proposal at this December meeting.

44

45 CHAIRMAN ALVAREZ: They've done that
46 before at other meetings without having a proposal where
47 they've made regulations. Joe.

48

49 MR. CHYTHLOOK: Just to address John's
50 statement there. The Board is going to be meeting here

1 -- the Board of Fish is going to be meeting for a work
2 session October 12, I think. At that time I'm sure there
3 will be other petitions before the Board that will come
4 up for people that didn't meet the proposal deadline last
5 April and then agenda change request deadline in August.
6 I'm sure it will be coming up with some petitions.
7 However, there's also a bunch of agenda change requests
8 already that have been submitted and they will also be
9 discussed at this coming meeting. So there's that
10 avenue.

11
12 I guess the thing that the public,
13 including the Department, is aware of is the notice
14 process, something that the Board considers pretty sacred
15 also. I mean adequate notice to the public so they can
16 have adequate time to see what it is and discuss it and
17 come up with comments, pro or con. I think the
18 Department of Law is pretty aware of that and they will
19 defend that. That's one of the main processes the State
20 uses to change regulations and they do it through minimum
21 public notice, adequate public notice and whatever. So
22 that's one thing to consider.

23
24 CHAIRMAN ALVAREZ: Yeah, that's pretty
25 important. When you're spending government money, you
26 need to have public notice out a certain amount of time,
27 otherwise you're not adhering to the public process.

28
29 MR. KOSBRUK: I have a question for Fish
30 and Game. You're in King Salmon.

31
32 MR. HILLSINGER: No, Mr. Chairman, I'm in
33 Anchorage.

34
35 MR. KOSBRUK: Is there anybody here from
36 King Salmon?

37
38 CRAIG: I spent some time in King Salmon,
39 Correction Office, Sport Fish Division.

40
41 MR. KOSBRUK: You know, I'm from
42 Perryville. Until about three or four years ago I always
43 thought that Fish and Game in Chignik controlled out
44 wildlife. I found out it was King Salmon that was doing
45 it, but we never hear boo from King Salmon. We lost all
46 our subsistence. You name it, we lost it. We lost our
47 seals, we lost our sea lions, we lost our salmon, we lost
48 our caribou and there's very few moose. Fish and Game
49 does not inform us of anything. The only place I get my
50 information is from Fish and Wildlife and I wonder why.

1 CRAIG: I'm a sport fish biologist. The
2 person you're referring to is Lem Butler. He's the
3 biologist for Game Division in the King Salmon office and
4 he's who you need to express your concerns to.
5 Unfortunately, he's not attending the meeting this week.
6

7 CHAIRMAN ALVAREZ: We're talking about
8 Proposal 07-06 right now, Boris, so you can bring that up
9 later.
10

11 MR. KOSBRUK: I just wanted to point out
12 that we don't have no input from Fish and Game, no
13 assistance.
14

15 CHAIRMAN ALVAREZ: We're down to number
16 3, other State and Federal Agency comments.
17

18 (No comments)
19

20 CHAIRMAN ALVAREZ: Seeing none. Number 4
21 is Interagency Staff Committee comments.
22

23 (No comments)
24

25 CHAIRMAN ALVAREZ: None there. Number 5,
26 ADF&G Advisory Committee comments. As Joe had said, the
27 Lake Iliamna Advisory Committee met a week ago up in
28 Newhalen and I'm the chairman of that committee also. We
29 brought forth these two proposals for dealing with Lake
30 Clark, this one and the next one. Our Committee
31 supported 07-06 proposal, although there wasn't a lot of
32 discussion on it because it was the end of the meeting.
33 I brought up a reservation about the snagging on it. I'm
34 not real comfortable with it, but I voted for the
35 proposal.
36

37 The comment by one of the guys up there
38 that also serves on the SRC is that this proposal is
39 mainly for when people are out there camping out.
40 They're only going to be taking one or two fish. This
41 isn't going to be their main means of subsistence
42 fishing. Instead of taking a net along and doing it they
43 wanted to be able to do these three means and have
44 something to eat when they're up there.
45

46 So I voted for it even though it's
47 against State law to snag and our Committee is always --
48 there are some people that are always complaining about
49 the -- because of where our area is there's a lot of
50 sport fishermen and they're always saying that they're

1 snagging. Those reds they snag should be part of their
2 bag limit and this and that, so I know they're really on
3 them about the sport fishing snagging. It's so
4 controversial. I think it should be -- it doesn't look
5 good that they do it, so why should the subsistence
6 people do it also. That was my main concern although I
7 voted for the proposal the way it was. Here at this
8 meeting I want to just go on the record I'm not
9 comfortable with it, so we'll bring that up later. But
10 that was the Advisory Committee comment. Pete.

11

12 MR. ABRAHAM: Mr. Chairman. I see allow
13 snagging, spear, bow and arrow, capture by hand. How was
14 the regulation stand before this over here?

15

16 CHAIRMAN ALVAREZ: What I understand you
17 can't do any of that right now. This proposal, snagging,
18 spear, bow and arrow, capture by hand, it's not legal
19 right now. Isn't that true? Mike is saying yes.

20

21 MR. EDWARDS: Mr. Chair, Mr. Abraham.
22 The Chairman is correct. Right now those methods are not
23 legal under Federal subsistence regulations.

24

25 MR. ABRAHAM: My feeling is if we not
26 allow snagging but the rest of it on, to me it's
27 important to keep our culture alive in such areas. If
28 they were doing these before, let's keep them alive for
29 younger generations. As for the regulations, when the
30 State and the Federal don't agree with each other,
31 there's always confusion and confusion hates the public,
32 the local areas. For instance, in Togiak area when we
33 talked about spring hunting, the Federal accepted it,
34 accepted the bird hunting for the spring hunt but the
35 State didn't. There was quite a bit of confusion in Y-K,
36 Bristol Bay, entire bay over here. Some people come and
37 ask me is the spring hunting legal. Yeah, of course it
38 is according to the Federal. The other guy says, no,
39 it's not, which is chaos.

40

41 I think we ought to wait until the State
42 and Feds agree with this thing over here. The bottom
43 line is let us be the tool here to keep our Native
44 culture alive. It's not you and me, but it's younger
45 generation that will be taught.

46

47 CHAIRMAN ALVAREZ: I don't think we can
48 wait for the State and Federal government to agree.
49 They're not in agreement. That's why this Council was
50 formed because the State didn't recognize rural

1 preference. So we are here to make regulations, talk
2 about proposed regulations on Federal land.

3
4 Anyway, I guess that's it for the
5 Advisory Committee comments unless there was some other
6 committee. I don't see any. Number 6, Cliff, summary of
7 written public comments.

8
9 MR. EDENSHAW: Mr. Chair and Council
10 Members. We didn't receive any written comments at OSM.

11
12 CHAIRMAN ALVAREZ: Okay. Number 7,
13 public testimony. I don't see any. Now we are on number
14 8, Council deliberation. I guess we need to move to
15 bring this up on the table.

16
17 MR. O'HARA: So move.

18
19 CHAIRMAN ALVAREZ: Dan O'Hara moves to
20 bring 07-06 up before us. Do we have a second.

21
22 MR. ABRAHAM: I second the motion.

23
24 CHAIRMAN ALVAREZ: Okay, Pete seconded.
25 Comments.

26
27 MR. O'HARA: Is this where we make
28 comments?

29
30 CHAIRMAN ALVAREZ: Yes.

31
32 MR. O'HARA: Boy, you've got to be pretty
33 hard up to catch a salmon by hand. You must have nothing
34 else to do in life, I guess, but chase a salmon around by
35 hand. The snagging thing, you know, the State of Alaska
36 is pretty sneaky about how they regulated their snagging
37 issue because biology 101 on sockeye is that they quit
38 eating at Moller and they're a plankton eater anyway, so
39 they're not a sports fish and yet they can catch, you
40 know, hook and release, probably two or three hundred,
41 500, 1,000 fish a day at Kvichak by snagging them in the
42 head. So the Alaska Department of Fish and Game Fish
43 Board said, yeah, you can snag a fish as long as you hit
44 them in the head. So the fish is going along like that
45 and this line goes in there and they snag them in the
46 face and that's legal. But for some guy up in Nondalton
47 or Pedro Bay on Federal lands and snag them it's illegal.
48 So it's a kind of a pony system really.

49
50 I hauled those sports guys up there. One

1 guy had hooked and released 200 fish in a day, snagging
2 them in the head. The fish wasn't going to bite his
3 hook. They're just swimming by in the millions. You
4 wonder why the public loses credibility. That's my
5 comment.

6
7 CHAIRMAN ALVAREZ: That's a good comment.
8 That brings me back to one of the Advisory Committee
9 members' comment on sport fish catch and release. Unless
10 they're protecting their eggs they'll chase a lure, but
11 most of the time they're getting snagged when they're
12 going by and then those fish sometimes they might not
13 spawn, so his comment was that they should have that as
14 part of their limit. But it's against the law to snag
15 but they do it. So I went along with the proposal that
16 they be allowed to snag and it's only for when they're
17 out camping is probably where they're going to be doing
18 it, so I supported the proposal at the Advisory Committee
19 level, so I could do it at this level also, although it
20 doesn't look good. The sport fishermen are basically
21 doing it, so why shouldn't -- they're not going to snag
22 them and let them go just for fun. Most of the time
23 they're going to be wanting something to eat. Pete.

24
25 MR. ABRAHAM: Under the eyes of the law,
26 us Native people would do a lot of things, like one of
27 them is snagging, but we don't snag to snag the fish for
28 the fun of it. When we stop and camp, we snag one fish
29 for dinner. Like I said, under the eyes of the law we do
30 many, many things illegal, but that's our way of life
31 doing things to survive, but we don't subsist a lot of
32 things legally. That's in the eyes of the Native people.
33 In the eyes of the law there's many laws that don't fit
34 the Yup'ik people when they're surviving, but we're bound
35 by the law, we follow those laws whether they fit or not
36 because we're all under the law.

37
38 For instance, if I see an old guy
39 catching a caribou after season, he's providing for his
40 family. He's not after the antlers. He's providing. To
41 me, he's not breaking the law, but under the eyes of the
42 law he's breaking the law. We do many, many things.
43 There's something I always like to say. I think Yup'ik
44 people were better stewards before the law came, but we
45 need the law now, today, because of our younger
46 generation.

47
48 CHAIRMAN ALVAREZ: Dan.

49
50 MR. DUNAWAY: Like the Togiak one, I have

1 this concern there's not been kind of a coordinated
2 effort by the proposer even to bring this regulation
3 along with the State system as well as the Federal
4 system, especially given this kind of quandary on the
5 jurisdictional issues and the enforcement permit
6 administration systems that have been working pretty
7 good. We're also talking about a stock of concern where
8 we weren't in Togiak. That's been really scary for a lot
9 of folks up there in the Iliamna area. More ready access
10 of State qualified subsistence users from Anchorage and
11 nearby area makes me wonder if we might see greater
12 confusion over who could do what in that area than what
13 we see in Togiak.

14

15 With a little more information about the
16 process of trying to get something like this in front of
17 the Board of Fish I wonder if we were to pass something
18 like this or if we did pass this I would hope it could
19 either go back to the original proposer or maybe the
20 Advisory Committee could make an effort to go through the
21 State process to bring this along.

22

23 CHAIRMAN ALVAREZ: Bring it along?

24

25 MR. DUNAWAY: In the State system. If
26 the Iliamna Advisory Committee is supportive of this
27 proposal and that's a State Advisory Committee, it would
28 really be nice if that committee could write the letter,
29 petition, initiate the process of trying to get this on
30 the State agenda either for December through a Board-
31 generated proposal or an agenda change request for later
32 in the season. Again, to try to cut down any of this
33 inter-jurisdictional confusion.

34

35 I'm absolutely opposed to snagging. No
36 matter what you call it under sport or subsistence. I
37 believe that what I used to call precision snagging of
38 red salmon fishing was less damaging than the random snag
39 them in the belly with a lujon (ph) style that I grew up
40 with.

41

42 CHAIRMAN ALVAREZ: Well, the thing is
43 this snagging here is not for release.

44

45 MR. DUNAWAY: Well, that's what the
46 proposer intends. Once you open it for snagging, that's
47 not necessarily what's going to be -- there's nothing
48 about any fish snagged must be retained.

49

50 CHAIRMAN ALVAREZ: I know, but the whole

1 idea, the way I see it, is that they want to be able to
2 get a fish to eat basically when they're out -- this
3 isn't going to be their primary means of subsistence
4 harvest. This is to use when they're up the river or
5 along the lake or creek when they want something to eat
6 instead of bringing a net along.

7
8 MR. DUNAWAY: Okay. A couple other
9 things I know is that seining has been something that
10 folks in the Igiugig area have expressed interest to me
11 in the past and they haven't had a lot of success in
12 getting it through the Board of Fish. I don't doubt it's
13 a long-term traditional method. I would guess that's
14 what what's his name, Osgood, called a dragnet. I'm
15 wondering if that meant they actually dragged the net
16 around through the water and were ultimately really
17 seining fish.

18
19 CHAIRMAN ALVAREZ: I'm not in favor of
20 bringing this -- asking the Board of Fish if they support
21 this and then going from there. This is on Federal land.
22 This is not their jurisdiction. You're asking that it
23 should be everywhere. If it's going to be on Federal
24 land, you're saying that maybe this should be in State
25 waters also.

26
27 MR. DUNAWAY: Well, even within the same
28 boundaries they're talking about so that these questions
29 whether it's State or Federal waters, they could have
30 written a State proposal to say within the general
31 boundaries of the Lake Clark area. Those State waters
32 and lands where State regulations apply, they could have
33 written a proposal.

34
35 I can't support the proposal as it's
36 written. I might support it with the recommended
37 amendments that the Staff has provided in here. But I
38 would ask everybody to take a serious look again given
39 this stock of concern status.

40
41 CHAIRMAN ALVAREZ: If you look at the
42 harvest in the last five years or the escapement into
43 Lake Clark, it's been 301,000 on the average. I believe
44 the threshold was 10 percent. Lake Clark escapement
45 averaging about 301,000 for the last five years is more
46 than adequate. I'm pretty optimistic that the Kvichak
47 shouldn't have the years like we did four or five years
48 ago where we couldn't even meet the minimum. I'm kind of
49 hoping we don't see that for a while. But if you look at
50 the escapements, it's been more than adequate. What few

1 fish are going to be snagged or taken by these means here
2 it's more ethical. If it's going to harm the escapement,
3 I don't think so.

4

5 MR. DUNAWAY: Well, still I recall when
6 we were having some bum runs folks out in Nondalton area
7 were, I believe, going farther down towards Iliamna and
8 Newhalen to get their fish for a year or two.

9

10 So I guess I'd like to move that we amend
11 that proposal to adopt the Staff recommended language at
12 the minimum. I could support spear. I'm not sure if
13 there's not really any customary and traditional finding
14 that bow and arrow has been used, whether I'd support
15 that or not. I have to be opposed to snagging. We've
16 also seen -- and, Pete, you were mentioning it in the
17 past how the villages and the refuges work together to
18 build up the caribou and moose over there and some of
19 that was by voluntarily suspending some of the old
20 traditional harvest methods. I'm thinking that in some
21 cases traditions might have to change to protect your
22 stocks. I would think that if there is a tradition of
23 snagging that maybe that's something we might have to
24 agree just isn't acceptable.

25

26 CHAIRMAN ALVAREZ: Pete then Boris.

27

28 MR. ABRAHAM: Under the State, snagging
29 is not allowed on any sport fishing whatsoever. Cross it
30 off. Accept spear, bow and arrow. It will make it a lot
31 easier for the State to accept it. Just eliminate
32 snagging and we're all right. Spear, bow and arrow, for
33 culture, let's keep it alive.

34

35 MR. DUNAWAY: So are you seconding my
36 motion to adopt the language proposed by the Staff?

37

38 MR. ABRAHAM: If you cross off the
39 snagging, yes, I'm with you.

40

41 MR. KOSBRUK: I want to point out that
42 I'm on the Federal Subsistence Board, I'm subsistence,
43 and I disagree with you. He just said a while ago when
44 you're out hunting you don't carry a bow and arrow,
45 sometimes you carry a little hook to subsist. We did
46 that. We lived that way. That's our way of life. We're
47 not talking about doing it commercially. This is
48 subsistence board, not a commercial board.

49

50 MR. O'HARA: So, Mr. Chairman, do we have

1 my motion on the floor?
2
3 MR. DUNAWAY: We have a motion to amend.
4 Pete seconded my motion.
5
6 MR. O'HARA: So the only thing eliminated
7 from the proposal.....
8
9 MR. ABRAHAM: Yeah, take the snagging
10 off.
11
12 CHAIRMAN ALVAREZ: Snagging and hand. Is
13 that what you're talking about?
14
15 MR. DUNAWAY: Yeah, rather than get too
16 -- you know, hand, I've seen people catch fish with their
17 hands without a lot of disruption. I've also seen people
18 make a mess and run around, kids or whatever. But for
19 the ease of things, simple, rather than get too tangled,
20 I was going to move that we at least adopt the Staff
21 recommended language as an amendment to this proposal.
22
23 MR. ABRAHAM: We're targeting spawned-
24 outs over here.
25
26 MR. DUNAWAY: Well, that's not what the
27 regulation will read and it won't necessarily be limited
28 to that once the regulation is in place unless we put
29 language to that effect in here.
30
31 MR. ABRAHAM: If you cross off snagging,
32 I'm with you.
33
34 CHAIRMAN ALVAREZ: Also hand capture.
35 Cliff, go ahead.
36
37 MR. EDENSHAW: Mr. Chair. I'd ask Dan if
38 he could refer to Page 49, if his motion is to adopt the
39 proposal as modified by the Staff on Page 49, that
40 eliminates snagging and hand capture. Also, I would like
41 for him to address why he opposes snagging and hand carry
42 because I'm certain Staff Committee or the Board, when
43 they address the proposal, may ask did the Council
44 address why they opposed snagging and hand capture.
45
46 MR. DUNAWAY: Well, I think I've been
47 pretty clear why I oppose.....
48
49 MR. EDENSHAW: Excuse me. Because the
50 original proposal on Page 45 by the Lake Clark SRC

1 requests that snagging, spear or arrow and hand catch be
2 permitted. So, on Page 49 Mike modified the proposal,
3 which allowed the use of spear, bow and arrow, and
4 snagging and hand capture aren't allowed. If Dan's
5 motion is to adopt the proposal as modified by Staff on
6 Page 49, that would be kosher.

7
8 MR. DUNAWAY: Okay, Mr. Chair. If I
9 could speak to my motion. I thought I was pretty clear
10 that snagging is just a bad practice. Whether it's been
11 traditional or not, I don't think it's good for the fish
12 in the long term. And the confusion it could create by
13 allowing it in some cases, regardless of whether it's one
14 fish, I think we'd be better off to eliminate it.

15
16 Hand capture, honestly, I don't know.
17 I'm not necessarily strongly objecting to it, but if it's
18 a matter of somebody thrashing around in the river and
19 harassing a lot of fish and finally kicking one out, that
20 would be up there with snagging. If there's somebody
21 that's slick -- I've heard of folks in Europe that lay on
22 the banks, hang their hands underneath the -- I think
23 there's a term for it -- hang their hand under the bank
24 and when fish comes in they somehow just tickle their
25 belly and slide them out of the river. If it doesn't
26 bother folks to once in a while break a rule.

27
28 So, mostly for simplicity and to get rid
29 of what I think is the worst offense of snagging, I'm
30 sticking with the recommended Staff language.

31
32 CHAIRMAN ALVAREZ: I've got one more
33 comment. Earlier when we were talking about the Togiak
34 River one, Mr. Hillsinger, you said that there's an area,
35 I believe it's the Yukon where they're allowed to drift
36 for subsistence and then you also mentioned another area
37 on Federal land where they're allowed to snag.

38
39 MR. HILLSINGER: Mr. Chairman. Yes,
40 snagging is legal under Federal regulations in some
41 areas. If you had to pin me down on where, I might
42 waffle a little bit, and maybe if there's someone from
43 the Federal Staff -- but I believe the Federal
44 Subsistence Board approved that in, for instance, the
45 Eyak River in Cordova. The Yukon -- of course, drifting
46 for subsistence is legal in most areas under both State
47 and Federal regulations. The area that I was
48 specifically referring to was subdistricts 4(B) and C up
49 around the area of Galena in the middle Yukon where the
50 Federal program legalized drifting but the State didn't,

1 so there's a difference there.

2

3 CHAIRMAN ALVAREZ: I just wanted to see
4 if there's another area that it's legal to snag in the
5 State right now. Apparently there is.

6

7 MR. HILLSINGER: May I double check that?
8 I've got the Federal Subsistence Regulation book and I
9 can check it real quick.

10

11 MR. EDENSHAW: Mr. Chair. Under our 06-
12 07 regulations, under methods and means, it doesn't state
13 that snagging -- or it's not an approved gear type.

14

15 MR. EDWARDS: Mr. Chair. There was a
16 recent regulatory proposal for the Southeast. I'm not
17 certain of the specifics but I looked into it a little
18 bit for this analysis and the Federal Board did approve
19 -- down there it was called hand-lining, which in my mind
20 is completely different than snagging with a rod and
21 reel. That's why I went with the analysis I did here as
22 opposed to hand-lining the Federal Board approved in
23 Southeast. I don't think you could compare them.

24

25 CHAIRMAN ALVAREZ: Any more discussion.

26

27 MR. DUNAWAY: We're kind of waiting for
28 Mr. Hillsinger.

29

30 CHAIRMAN ALVAREZ: While we're waiting,
31 let's see. So the motion Dan Dunaway was -- the
32 amended.....

33

34 MR. EDENSHAW: Staff analysis on Page 49.

35

36

37 MR. EDWARDS: Mr. Chair. If I could, I
38 would just like to make sure it's clarified that in my
39 analysis I deferred any judgment on hand capture by
40 omitting it from modification. I by no means intended
41 for it not to be approved. Since there was dissention
42 among Staff as to the whole argument whether it should be
43 or shouldn't be approved, I decided to just defer the
44 decision. So Cliff's statement about, you know, since
45 it's not in there that means I intentionally didn't want
46 it approved, that's not the case. I just wrote the
47 analysis and the modification awaiting basically your
48 input as to how you guys wanted to recommend the hand
49 capture aspect. So my omission of it was not my intent
50 to say that I didn't want it to be approved.

1
2 CHAIRMAN ALVAREZ: There's a motion on
3 the floor.
4
5 MR. DUNAWAY: The motion was to adopt the
6 recommended language on Page 49.
7
8 CHAIRMAN ALVAREZ: Which is eliminate
9 snagging with rod and reel and hand capture. And you
10 seconded.
11
12 MR. ABRAHAM: Seconded, yeah.
13
14 CHAIRMAN ALVAREZ: Any more discussion.
15
16 MR. ABRAHAM: Question.
17
18 CHAIRMAN ALVAREZ: The question has been
19 called. All in favor of the amendment say aye.
20
21 (Two aye votes)
22
23 CHAIRMAN ALVAREZ: Opposed.
24
25 (Three aye votes)
26
27 CHAIRMAN ALVAREZ: Motion failed.
28
29 MR. EDENSHAW: Mr. Chair. If I could ask
30 the Council, the next thing would be to -- or suggest
31 that they make a motion on the original proposal, which
32 was all four of the methods that were included in the
33 proposal.
34
35 MR. O'HARA: Mr. Chair, I so move.
36
37 CHAIRMAN ALVAREZ: Moved by Dan O'Hara.
38
39 MR. KOSBRUK: Second.
40
41 CHAIRMAN ALVAREZ: Seconded by Boris.
42 Discussion.
43
44 MR. DUNAWAY: I'll be opposed to the
45 final proposal because it includes snagging.
46
47 MR. O'HARA: Call for the question.
48
49 CHAIRMAN ALVAREZ: The question has been
50 called. All in favor of the original proposal as written

1 say aye.
2
3 (Three aye votes)
4
5 MR. ABRAHAM: (In Yup'ik)
6
7 CHAIRMAN ALVAREZ: Opposed.
8
9 MR. DUNAWAY: Aye.
10
11 CHAIRMAN ALVAREZ: Four to one. Motion
12 passes.
13
14 MR. O'HARA: Let's go to lunch.
15
16 CHAIRMAN ALVAREZ: We need to start
17 before 2:00 o'clock. How about 1:45.
18
19 (Off record)
20
21 (On record)
22
23 CHAIRMAN ALVAREZ: Call the meeting back
24 to order at 1:48. Next on the agenda Proposal FP07-07.
25 Mr. Edwards, you can continue.
26
27 MR. EDWARDS: Thank you, Mr. Chair,
28 Council Members. Again, for the record, Mike Edwards,
29 fisheries biologist, Fish and Wildlife Service. I'm
30 going to present the Staff analysis for FP07-07.
31
32 FP07-07 submitted by the Lake Clark
33 Subsistence Resource Commission, requests that beach
34 seine is permitted as a legal gear type for use in Lake
35 Clark by Federally qualified subsistence users.
36
37 The proposed regulation would allow the
38 use of beach seines by Federally qualified subsistence
39 users in Lake Clark and its tributaries. The proponent
40 is seeking this regulatory change to allow subsistence
41 users to harvest fish in a more selective manner.
42
43 Federal public waters within the Bristol
44 Bay region includes all waters within or adjacent to the
45 Lake Clark National Park and Preserve. This regulation,
46 if adopted, would apply to Lake Clark and its tributaries
47 located within the boundaries of Lake Clark National Park
48 and Preserve.
49
50 Again, just like the last proposal, the

1 biological background. In 2003, the Alaska Board of
2 Fisheries elevated the Kvichak River sockeye salmon stock
3 to a stock of management concern due to its chronic
4 inability to meet management objectives.

5
6 The average sockeye salmon escapement for
7 the Kvichak River from 2000 to 2005 was approximately 2.1
8 million sockeye salmon while the average escapement for
9 the Newhalen River was 310,000
10 for the same time period.

11
12 If permitted, the use of beach seines
13 would allow Federally qualified subsistence users to
14 harvest fish in a more selective manner than set
15 gillnets. The recognized practice of subsistence
16 harvesting is to take only what is needed. Therefore, a
17 change of gear type may affect the efficiency of harvest,
18 but not necessarily increase the total subsistence
19 harvest. Beach seine use may reduce harvest as
20 subsistence users would have more control of harvest than
21 they would have with a set gillnet. In addition, the use
22 of beach seines would allow subsistence users to harvest
23 only salmon, reducing bycatch, and could provide a higher
24 quality catch than that obtained from a set gillnet.

25
26 Set gillnets are typically used to target
27 fish that are highly mobile during their daily
28 activities, for example
29 migrating salmon. Aside from natal stream migration, the
30 stream they're going to spawn in or were born in, Pacific
31 salmon movement is greatly reduced once near their natal
32 stream, i.e. staging at stream mouths, or on the spawning
33 grounds. So we're just saying they're not doing a
34 tremendous amount of moving once they're staging to go
35 into the stream or already in the stream.

36
37 The reduction in daily movement makes
38 them susceptible to encircling with active gear, beach
39 seine, and this technique is not really practiced too
40 often with a gillnet. Therefore, if adopted as proposed,
41 this proposal could place spawning aggregates and groups
42 of staging salmon at risk to over-exploitation.
43 Harvesting a large number of salmon from a localized area
44 can have a detrimental impact on specific populations.

45
46 Young, in 2005, documented that Lake
47 Clark does support
48 beach spawning populations of sockeye salmon. Due to
49 their spawning locations these populations could be at
50 risk to over-exploitation by beach seine use. However,

1 work done by Woody, et al., in 2003, reports that there
2 is considerable genetic mixing between these beach
3 spawning populations and that these beach spawning
4 populations do not appear to be as much at risk as the
5 tributary spawning populations.

6
7 Another potential impact is the social
8 impact between user groups. Again, sport anglers and
9 subsistence users are likely to target the same areas.
10 Young, in '05 again, reports overlap in the area used by
11 both groups, mainly at the outlet of Lake Clark and in
12 the Kijik River drainage. Just like the previous
13 proposal, the subsistence effort in the Kijik is mainly
14 targeting post-spawn red fish, so we have that temporal
15 difference of users there.

16
17 Again, just like the other two proposals,
18 we have the same issue of reporting data. I think we've
19 addressed that issue enough that I'll skip that in my
20 presentation.

21
22 So the preliminary conclusion is to
23 support with modification to limit the use of beach
24 seines to Lake Clark and not to permit it in any
25 tributaries to Lake Clark.

26
27 Our justification for that is this
28 proposed change with modification would provide
29 subsistence users an additional gear type and should not
30 result in an increased harvest. Salmon spawning in the
31 tributaries and salmon staging near the mouths of
32 tributaries in Lake Clark are vulnerable to
33 over-exploitation with beach seines. Since it is
34 possible to encircle aggregates of spawning or staging
35 salmon with a beach seine their use in certain areas
36 could have a detrimental impact on specific populations.
37 So restricting the use of beach seines to Lake
38 Clark and ensuring users are aware of the regulation
39 prohibiting the taking of fish from waters within 300
40 feet of a stream mouth used by salmon will protect
41 spawning or staging aggregates from possible over-
42 exploitation and not placing any undue burden on
43 subsistence users.

44
45 Conversations with Lake Clark National
46 Park staff, they've indicated that even with the proposed
47 modifications this regulation will provide opportunity
48 for subsistence users to harvest fish with a beach seine
49 in Lake Clark.

50

1 That concludes my presentation, Mr.
2 Chair.
3
4 CHAIRMAN ALVAREZ: Thank you. Any
5 questions.
6
7 MR. O'HARA: Yes. You said that your
8 modification part would be -- does the proposal say
9 they're targeting the spawn-outs?
10
11 MR. EDWARDS: No. Our modification would
12 be to restrict it out of the tributaries, keep them just
13 in the main lake.
14
15 MR. O'HARA: Yeah, but you said something
16 about the spawn-outs.
17
18 MR. EDWARDS: Part of the overlap in a
19 report that came out from the Park Service they
20 identified uses and there was overlap of use in the Kijik
21 Drainage between subsistence and sport users. When the
22 subsistence users are in the Kijik, mainly they are
23 targeting spawned-out fish and, therefore, there should
24 be a temporal, a time difference between user groups.
25 That's all I was pointing out with that one.
26
27 MR. O'HARA: Well, I think what it boils
28 down to is when the salmon are there -- when they first
29 come to Lake Clark and Six Mile Lake, they come to the
30 sand bars and lay around there and the female, you know,
31 drop their eggs and that's when your beach seine is going
32 to work, regardless of whether they've spawned or going
33 to go to the tributaries, and they will go to the
34 tributaries. These people are going to get them at both
35 times if they want. Right?
36
37 MR. EDWARDS: Well, my recommendation was
38 to allow the use of beach seine but not in the
39 tributaries, just in Lake Clark itself.
40
41 MR. O'HARA: Well, I guess they
42 accumulate at the mouth of the tributary. In the lake
43 it's still legal to use a beach seine.
44
45 MR. EDWARDS: Not right now they can't.
46
47 MR. O'HARA: No, but I mean if we pass
48 this proposal.
49
50 MR. EDWARDS: Right. Well, the current

1 regulation that's on the books now prohibits 300 feet on
2 either side of the mouth of the stream. That's to
3 protect the staging fish before they move into the
4 tributary.

5
6 MR. O'HARA: So they will take the beach
7 seine out along the shoreline and hold it out there and
8 the fish would accumulate in there and then close up the
9 purse just like they were from Chignik or someplace.

10
11 CHAIRMAN ALVAREZ: Pete.

12
13 MR. ABRAHAM: When you seine in the
14 lakes, you pick a spot where the fish are. These are the
15 fish you want. You just scoop and then down, out and in.
16 You don't hurt the fish wherever you want to go like you
17 do in the Chignik area. You just look at what you want
18 and you scoop out and bring it in. That's seining.
19 There will be incidental catch, rainbow, Dolly's,
20 whatever just feeding on the eggs will be incidental. In
21 Togiak, we're very careful what we catch. We may let the
22 females go. We don't even harvest them. Maybe out of
23 100 maybe we pick two females. That's how it works when
24 you seine the spawn-outs.

25
26 CHAIRMAN ALVAREZ: Dan.

27
28 MR. DUNAWAY: I just want to clarify
29 because you hadn't mentioned it in your analysis, but the
30 State does that 300 foot restriction near the stream
31 mouth, that's a Federal and State rule?

32
33 MR. EDWARDS: I'm not certain if it's a
34 State reg, but it is under Federal regulation for Lake
35 Clark.

36
37 MR. ABRAHAM: That was established a long
38 time ago.

39
40 CHAIRMAN ALVAREZ: The existing
41 regulation, Pete, is for Togiak. Lake Clark wants it.
42 The SRC wants it also in Lake Clark and its tributaries.
43 That's the proposal. Togiak apparently already has it.
44 Lake Clark would like to have it. The Fish and Wildlife
45 Service recommends not within 300 feet of the tributaries
46 for Lake Clark.

47
48 Any more questions for Mike.

49
50 (No comments)

1 CHAIRMAN ALVAREZ: Seeing none. ADF&G
2 comments.

3
4 MR. HILLSINGER: Thank you, Mr. Chairman.
5 Again, for the record, my name is John Hillsinger. I'll
6 remind you that ADF&G is not taking a position on these
7 proposals yet. We're interested in the discussion and
8 trying to come to that position. We do offer some
9 comments for your consideration, potentially to help
10 resolve issues. I won't go through all these verbatim.
11 You've heard a lot of these during the last proposal and
12 they're all very similar. I will reiterate that the
13 Kvichak River is a stock of management concern and we
14 kept this in mind as we developed these comments.

15
16 The ADF&G agrees that beach seine gear
17 may have some advantages over set gillnets as they may
18 allow users to be more selective, reduce waste somewhat,
19 and probably are not likely to increase the harvest.
20 However, if they are allowed in spawning
21 tributaries, beach seine gear is more likely to harvest
22 groups of fish spawning in the same location. Given the
23 management concern designation for Kvichak, we would not
24 recommend a blanket provision that would allow beach
25 seine harvest everywhere. And that would depend on the
26 level, pattern, and area of use. So we recognize that
27 there may be greater or less usage in different areas
28 that are preferred.

29
30 The draft Federal Staff analysis
31 recommends limiting the use of beach seines to the lake
32 with a prohibition of fishing 300 feet of the spawning
33 mouth. We agree there are shoreline spawning populations
34 in those lakes. The issue here, I think, is that people
35 are going to use their gillnets, their setnets in all
36 likelihood. I don't expect a lot of residents to go out
37 and purchase a new beach seine. In all likelihood, and
38 in other areas of the state where seining is legal in
39 fresh water, people primarily use their gillnets. So you
40 do have some of the same concerns for seining with a
41 gillnet that you would have for using a set gillnet and I
42 think we need to think about that. You'd still have the
43 potential to tangle and gill fish.

44
45 If the desire is to actually have people
46 use a beach seine, then we would recommend that the
47 requirements be written fairly specifically when they're
48 adopted to ensure that that actually happens. We have
49 the same concern about harvest information that we've
50 described before. Again, while beach seine's may allow

1 harvest to be more selective, you do have a concern for
2 tangling and gilling of non-target animals. That likely
3 would depend somewhat on the mesh size that's used.
4 We're not sure if it would require less effort to seine.
5 It generally takes more people to operate a seine than it
6 does a set gillnet.

7
8 So, our conclusion is that we do see some
9 advantages in allowing people to seine. We're not sure
10 how effective it would be in the lake. We think some
11 consideration should be given to the specifications of
12 the gear. Actually, if you look up the definition of a
13 beach seine, both in State and Federal regulation it's a
14 floating net that's set from and returned to shore. So
15 there's no specifications there with regard to mesh size
16 or anything else. So virtually any net that is set and
17 retrieved to shore would qualify if it has floats. Thank
18 you.

19 CHAIRMAN ALVAREZ: I've got a comment.
20 Repeating the escapement for Lake Clark since 2001 has
21 been 310,000, but the last couple years has been getting
22 more according to Mary McBurney. The escapement for Lake
23 Clark was a little over 700,000 this year, which is more
24 than it's been in a long time. I don't see a problem
25 with the stock of concern there.

26
27 I was talking to our biologist at the
28 last Fish and Game Advisory Committee meeting. The State
29 still is going to maintain that Kvichak is a stock of
30 concern because it had a five year cycle where it didn't
31 meet the escapement and it probably needs to go a full
32 cycle before it's taken off, but it seems to be started
33 that way. We're seeing plenty of escapement, so I don't
34 see a problem with hurting those numbers with this
35 fishery. It's probably not going to increase the
36 subsistence harvest much at all if it does.

37
38 Any comments, questions. Dan.
39

40 MR. DUNAWAY: Listening to this, I start
41 thinking should we or do we have any concerns about the
42 length and depth of a beach seine here. You're from up
43 in that area. Are there other nets these folks might
44 use?

45
46 CHAIRMAN ALVAREZ: A 50 fathom gillnet,
47 you know. You get too much net and you don't have any
48 room. It takes about that much to beach seine. They're
49 along the beach, so they're going to be in shallow water,
50 so I don't think it matters that much on the depth. You

1 need to have a long enough net to adequately seine. I
2 don't think we need to make any regulations on depth or
3 length.

4
5 MR. DUNAWAY: Are they regulated for set?
6

7 CHAIRMAN ALVAREZ: They're regulated for
8 subsistence. The net, I think, is 25 fathoms. It's
9 different in some areas. Naknek is 10 fathoms, but
10 Iliamna or Kvichak Drainage is 25 for subsistence.
11

12 MR. DUNAWAY: In my mind, I keep thinking
13 a one inch or one and a half inch mesh beach seine. If
14 you're seining with 50 fathoms of gillnet, you could
15 seine with way more than you could setnet and you could
16 wrap -- you know, I used to seine all kinds of fish there
17 at Igiugig for sampling. We could wrap up so many reds
18 it could jerk you right off your feet. If you have 5-
19 1/8" mesh, you could have a ton of fish right now,
20 gilled.
21

22 CHAIRMAN ALVAREZ: I think the people
23 know what they're facing or going to get into. Maybe
24 they want to get all of them all at once. That way they
25 don't have to go up there two or three times to get what
26 they want. You could be more selective. You're going to
27 pick a whole bunch of fish in one area, which might be
28 detrimental if you're taking all the fish in that one
29 spot. That's the only problem you could be facing.
30

31 MR. DUNAWAY: And if you're using larger
32 gillnet mesh potentially, because I agree, probably not.
33 I think those seines are 1,500, 2000 bucks, something
34 like that. I was wondering if the Park would have any
35 concerns for potential effects on large size fish of
36 other species; lake trout, pike. I know when we're
37 seining in the Igiugig area we catch lake trout,
38 whitefish on occasion, Dolly or rainbows. Is there a
39 potential, and I'm hoping somebody can answer this, that
40 -- because I like the idea of people being in attendance
41 of their gear. I like the idea of being more selective.
42 But if you're seining with a gillnet, you might not be
43 selective. You might just hammer everything or a lot.
44 Some will always get through. Can you address that
45 question, Mary?
46

47 MS. MCBURNEY: For the record, I'm Mary
48 McBurney, subsistence program manager for Lake Clark
49 National Park. To answer your question, Mr. Dunaway, I
50 haven't talked to our biological staff specifically about

1 other species, but from what I know of personal
2 experience being on Lake Clark that the chance of
3 intercepting pike and whitefish is probably fairly low.
4 I could definitely see lake trout being a possibility.
5 So, in that respect, yes, there is always the potential
6 for bycatch. By the same token, most people are using
7 these seines specifically targeting sockeye salmon so
8 they can take them back to their fish camps and process
9 them, dry and smoke them. Other fish are not considered
10 as desirable. So, having the option to just release
11 those fish they don't want, that is probably the greatest
12 reason why people would like to have this particular
13 harvest method.

14

15 I also wanted to add, generally speaking,
16 it's not just a single family that would go out with a
17 net and beach seine. Usually it's going to be several
18 families that will share a net and seine fish, so there
19 are several households that would be benefitting from
20 usage of a single seine.

21

22 MR. DUNAWAY: So are you saying with
23 multiple families if they got a big load of fish, it
24 would probably be shared around. It wouldn't be like
25 somebody would end up with more than they could deal
26 with.

27

28 MS. MCBURNEY: There would probably be
29 less likelihood of that. For the most part, most people
30 don't want to catch too much fish. It's a lot of work.
31 So, again, being able to have a catch method, unlike
32 gillnetting which you're harvesting essentially dead fish
33 and dying fish, at least you're going to be able to get
34 rid of the other fish you don't want and hopefully leave
35 them to spawn for another day.

36

37 MR. DUNAWAY: That's why I liked the idea
38 of the smaller mesh. If you catch graylings or Dolly's,
39 turn them loose, or keep them if it's legal. If you're
40 cropping off the big fish, especially near where they're
41 spawning, I just wondered if there'd been any thought to
42 that of potential problems.

43

44 MS. MCBURNEY: The intent of the SRC
45 when they put forward this proposal was basically to
46 allow essentially a harvest practice that is currently
47 being used, but people are essentially fishing illegally
48 and we would like to be able to allow them to fish
49 legally using the catch method that they currently use
50 that is efficient and uses the gear that they already

1 have. I have no idea, it's been a while since I've hung
2 net, but purchasing a separate net for seining would be
3 prohibitive for most families. So being able to use
4 their gillnets would definitely be a benefit.

5
6 CHAIRMAN ALVAREZ: Thank you, Mary.
7 Anybody else. We're still on ADF&G comments. Are you
8 done, John?

9
10 MR. HILLSINGER: We're done.

11
12 CHAIRMAN ALVAREZ: Okay. Down to number
13 3. Oh, Cliff, you had something to say.

14
15 MR. EDENSHAW: Yeah, Mr. Chair. I just
16 wanted to communicate to the Council what Mary McBurney
17 said and clarify. I know when we go to Staff Committee
18 they're going to ask if the Council made any
19 recommendations on mesh size. On the previous proposal
20 we didn't. So I can be assured when the Staff Committee
21 addresses those proposals they'll ask the questions about
22 mesh size and it was good for Mary to state that most of
23 those residents will probably utilize gear that they
24 already have. That's all I wanted to state.

25
26 CHAIRMAN ALVAREZ: We're on number 3,
27 other State and Federal Agency comments.

28
29 (No comments)

30
31 CHAIRMAN ALVAREZ: Seeing none. Number 4
32 is Interagency Staff Committee comments.

33
34 (No comments)

35
36 CHAIRMAN ALVAREZ: None. Number 5 is
37 ADF&G Advisory Committee comments. Lake Iliamna Fish and
38 Game Advisory Committee also supported the proposal.
39 There wasn't a whole lot of discussion except that some
40 of the members that live there said they do that. We
41 didn't discuss it very long because we thought it was a
42 good proposal. Any other Advisory Committees.

43
44 (No comments)

45
46 CHAIRMAN ALVAREZ: Seeing none. Number
47 6, summary of written public comments.

48
49 MR. EDENSHAW: Mr. Chair and Council.
50 There weren't any written public comments received at

1 OSM.

2

3 CHAIRMAN ALVAREZ: Okay. Number 7,
4 public testimony. Mr. Chythlook would like to testify.

5

6 MR. CHYTHLOOK: If you don't mind, Mr.
7 Chairman, this is my own personal observation testimony
8 for issues at hand. One of the questions raised and
9 mentioned by Staff often is the method and the gear used
10 for getting subsistence fish. As an Alaska Native who
11 has practiced subsistence for many years, I guess I know
12 most of the methods that are used in Bristol Bay. I
13 don't think the methods used up in Lake Clark or Togiak
14 are any different from how we do it. All of my life I
15 have observed our people use whatever is the most
16 proficient method that has become available to them, i.e.
17 nets. If they're targeting trout, they use smaller nets
18 to catch trout. This proposal is addressing primarily
19 sockeye redfish. Every year my wife and I go and get
20 redfish. We're smart enough to find places where we can
21 get enough redfish to take home what we want.

22

23 I guess I get a little irritated when we
24 hear comments from people saying, well, if we give them
25 some method to use, they'll over-use it, over-exploit it.
26 Historically, in my own personal life, we have never done
27 that. We use the most proficient method available, get
28 the most amount of fish we want to take home so we could
29 dry it in the time we feel is the most appropriate time
30 to dry fish. Usually it's after the flies go away. So,
31 in my own case we wait until about now, but the weather
32 has been kind of bum this year.

33

34 Anyway, I feel that this discussion of
35 people, Staff, whether it's Federal or State, imply that
36 if we allow these people to do it this way, they're going
37 to over-exploit the resource. I think that's a fallacy.
38 I think these people are just asking and have been for
39 years to be able to use the method that has proven to be
40 the most proficient under the circumstance where they are
41 and get the fish and do it right now and not have to wait
42 for the next trip because if you happen to be there and
43 the fish are there and you want to get them, you want to
44 get as many as you want.

45

46 I just wanted to clarify some of the idea
47 that's suggested by people who are scientists who think
48 Alaska Native people are not smart enough to care about
49 the resource also. We do care. The fact that the
50 resource is still there after many years of use speaks

1 for itself that whatever method we have acquired and
2 used, we use it to make sure that we're not -- my wife
3 and I have never said we're going to catch 1,000 fish
4 just because they're there. We're pretty selective. We
5 need 30 fish and we'll get 30 fish. I just wanted to
6 clarify that and I appreciate the opportunity. Thank
7 you.

8

9 CHAIRMAN ALVAREZ: Thank you, Joe.
10 That's pretty much how I think and how people utilize
11 this fishery is what you said. We have another public
12 testifier, Michelle Ravenmoon.

13

14 MS. RAVENMOON: Hi, I'm Michelle
15 Ravenmoon and I'm just wanting to offer a comment for
16 myself as a subsistence user to follow up on the question
17 Dan had asked about catching other species of fish in
18 Lake Clark. I fished in Lake Clark this past year and I
19 had the net out for several days, checking it every day,
20 and every day I caught grayling, pike, lake trout,
21 suckers and whitefish and every one was dead. I couldn't
22 release them, so I had to put them in my freezer, which
23 was fine with me because I'm not into wasting any fish.
24 With the use of seines, they're not dead when you get
25 them and you can release them and that was one of the
26 benefits of putting in this proposal.

27

28 Another comment I'd like to make is the
29 fact that the times are changing and we all have to have
30 full-time jobs and we have very little time for
31 subsistence activities. I know I had to work this whole
32 summer and put up salmon at night, which it's nice to
33 have that 24-hour sun so you can do that. But seining
34 would be more efficient and changing with the times as
35 far as how we subsist, seining would benefit us. We
36 could get it done quicker rather than having to draw out
37 your subsistence season for a long period of time.
38 That's my only comments. Thank you.

39

40 CHAIRMAN ALVAREZ: Questions. Any other
41 public testimony.

42

43 (No comments)

44

45 CHAIRMAN ALVAREZ: All right. Down to
46 number 8, Council deliberation.

47

48 MR. O'HARA: Is this where we bring it to
49 the table?

50

1 CHAIRMAN ALVAREZ: Yes.
2
3 MR. O'HARA: So move.
4
5 CHAIRMAN ALVAREZ: Moved by Dan O'Hara to
6 bring Proposal 07-07 to the table.
7
8 MR. DUNAWAY: Second.
9
10 CHAIRMAN ALVAREZ: Seconded by Dan
11 Dunaway.
12
13 MR. O'HARA: So I get to address the
14 issue then since I made the motion.
15
16 CHAIRMAN ALVAREZ: Yes.
17
18 MR. O'HARA: I appreciate your comment,
19 Dan, because growing up in Pile Bay, right across from
20 Pile Bay was a huge sand bar and you'd have literally
21 hundreds of thousands of fish over there. Some years it
22 would be big pools of fish. We could take a 50 fathom
23 net and circle a lot of fish. My mom and I would put up
24 about 600 fish a day. If you want to know what work is
25 like, I'll tell you, if you split 600 fish a day and hang
26 those fish, I could write a chapter on just how hard it
27 is to do that.
28
29 There's two things there that are really
30 important because we've done them. One of them you can
31 purse them up as a gillnet and you can catch 1,000 fish.
32 It never really did work that way. If we had a small pool
33 of fish, we'd get in there and start chasing them and
34 make them gill and let them get away. But most of the
35 time when we had huge volumes of fish you could just
36 about estimate the number of fish you wanted and let the
37 ends go and they go away. Sometimes two or three of us
38 who live in that village, mostly teenage boys, we would
39 go out together. You put 600 fish in a subsistence skiff
40 and that is a lot of fish.
41
42 So that's way better than a subsistence
43 net in the Kvichak sitting there with two or three
44 hundred fish in it for several days unattended. That
45 will take away subsistence for you right now. That
46 killed subsistence for us from Telephone Point in Naknek
47 on up. That is an abuse system.
48
49 I would think that people who would be
50 doing this type of work in Lake Clark are probably not

1 Park Service guys, but they're going to be Nondalton
2 people who are going to be doing this type of seining. I
3 really feel they'd be pretty careful about it. However,
4 Pedro Bay can come over, Kakhonak can come over, Newhalen
5 can come over. They can go beach seining, too. All those
6 villages can go to that system, you need to keep that in
7 mind, because they're privileged to go there.

8

9 CHAIRMAN ALVAREZ: Igiugig and Kakhonak
10 doesn't have a determination for Lake Clark.

11

12 MR. O'HARA: Oh, they don't? Non-
13 subsistence users, huh? Well, Pedro Bay, Newhalen, Port
14 Alsworth, Iliamna. I would like to see just an inch and
15 a half mesh seine and then take what you want, but I
16 don't think that's a practical thing to happen. I really
17 do believe that the people will be careful. Thank you,
18 Mr. Chairman.

19

20 CHAIRMAN ALVAREZ: I've got a comment.
21 They can beach seine in Togiak?

22

23 MR. ABRAHAM: In the lake.

24

25 CHAIRMAN ALVAREZ: In the lake. But they
26 have to stay 300 feet from the tributaries?

27

28 MR. ABRAHAM: We go ahead of it.

29

30 CHAIRMAN ALVAREZ: I mean the regulations
31 says you have to stay 300 feet from the tributaries.

32

33 MR. ABRAHAM: No, we don't even have any
34 regulations.

35

36 CHAIRMAN ALVAREZ: If we have the
37 regulation in Togiak, I'd like to keep it the same. If
38 it doesn't have to stay 300 feet from the tributaries,
39 why make it any different in Lake Clark than it is in
40 Togiak?

41

42 MR. ABRAHAM: I have not seen any
43 regulations in Togiak.

44

45 CHAIRMAN ALVAREZ: Does anybody know what
46 the regulation in Togiak is?

47

48 MR. EDWARDS: Mr. Chairman. Mike
49 Edwards, Fish and Wildlife Service. Current Federal
50 regulations for all of Bristol Bay state that you may not

1 take fish from waters within 300 feet of a stream mouth
2 used by salmon. That's the entire Bristol Bay area.
3
4 MR. ABRAHAM: That's good enough for me.
5
6 CHAIRMAN ALVAREZ: So if it's that's way,
7 then I would support the Staff recommendation.
8
9 MR. O'HARA: So we need to modify that.
10
11 MR. DUNAWAY: Move to amend the
12 regulation as recommended by Staff on whatever page it is
13 in the analysis. Bottom of 57 and top of 58. I'll make
14 that motion.
15
16 MR. O'HARA: I'll second it.
17
18 CHAIRMAN ALVAREZ: The motion has been
19 made by Dan Dunaway and seconded by Dan O'Hara to amend
20 it to the Staff recommendation.
21
22 MR. DUNAWAY: I'll speak on that a little
23 bit. I'm a little concerned about potential abuse.
24 Appreciating Joe Chythlook's comments, I won't add any
25 more limits, but I would hope that if there's any sense
26 of abuse, too long of nets or something, that maybe
27 there's some language or understanding to use reasonable
28 length nets. But I did want to voice a bit of concern.
29 If there's some person that wants to abuse it, I guess
30 we'll hear about it. So I'll leave my proposed amendment
31 strictly what the Staff recommended here.
32
33 CHAIRMAN ALVAREZ: Any more discussion.
34
35 MR. O'HARA: Question.
36
37 CHAIRMAN ALVAREZ: All in favor of the
38 amendment say aye.
39
40 IN UNISON: Aye.
41
42 CHAIRMAN ALVAREZ: Opposed.
43
44 (No opposing votes)
45
46 CHAIRMAN ALVAREZ: The amendment carried.
47 Now we'll go back to the proposal with the amendment.
48 Any more comment. Dan.
49
50 MR. DUNAWAY: Once again, one of the

1 things I've been really please about while I've been on
2 the RAC is that we've been pretty successful having the
3 Federal regulations and the State regulations work pretty
4 well in concert, coordinated and work together. I think
5 that really serves the users. They won't get caught in
6 the crossfire so much with the bureaucracies and the law
7 enforcement. I see with these several proposals there's
8 a potential for a real divergence here that could end up
9 being a pain for the very folks we're trying to help out.
10 If you have a State Trooper trying to arrest you because
11 you're doing something that's illegal by one set of
12 rules, I'm concerned about that.

13

14 So, once again, I would appeal in this
15 case to the Iliamna Advisory Committee to petition the
16 State Board of Fish to try to adopt a very similar
17 regulation so that the law enforcement folks, the
18 bureaucracies and especially the user is not caught in a
19 crossfire with conflicting jurisdictions and conflicting
20 regulations.

21

22 I've been there myself and I felt
23 terrible when I had to make the decision. Here's an
24 honest guy trying to just get his fish and you've got a
25 couple cops or a couple bureaucracies squabbling over
26 him, he's sitting there going what can I do. Of course,
27 now we learned some of them just say the heck with the
28 bureaucracy and go do what they want.

29

30 Again, I just want to make this appeal
31 that if we can get these regulations and bureaucracies
32 working in concert as much as possible, I'd sure like to
33 see it. It would sure save everybody a lot of headaches.

34

35 CHAIRMAN ALVAREZ: Beach seining has been
36 part of subsistence for Lake Iliamna, that's State
37 waters, and people have done it since Dan was 16 years
38 old.

39

40 MR. O'HARA: That's a long time ago.

41

42 CHAIRMAN ALVAREZ: Yeah. That's before
43 they had nets.

44

45 MR. DUNAWAY: And I know that's been a
46 sore point. Every time I went over in that country I
47 heard about it in my career and I did wonder if there's a
48 way we could help them out because of the selectivity
49 like what Michelle and Joe and other folks said.

50

1 CHAIRMAN ALVAREZ: We will bring it up to
2 the Board of Fish because I think it probably needs to be
3 in the regulation. People do it and have done it for a
4 long time. We need to ask for it and make it legal. Any
5 more comment.
6
7 MR. O'HARA: Vote on the main motion.
8
9 CHAIRMAN ALVAREZ: Okay. We're going to
10 vote on the main motion 07-07 as amended with the Staff
11 recommendation. All in favor say aye.
12
13 IN UNISON: Aye.
14
15 CHAIRMAN ALVAREZ: Opposed.
16
17 (No opposing votes)
18
19 CHAIRMAN ALVAREZ: Motion carried. I
20 guess the next proposal has been withdrawn, so we're down
21 to number 10, request for subsistence wildlife proposals.
22 The floor is open to subsistence hunting regulations.
23 Boris.
24
25 MR. KOSBRUK: You want to talk about
26 that?
27
28 CHAIRMAN ALVAREZ: Now is the time.
29
30 MR. KOSBRUK: I agree with this agree,
31 but what I was concerned about, where we really need it
32 is Perryville and Chignik.
33
34 CHAIRMAN ALVAREZ: Now is the time to
35 bring it up.
36
37 MR. KOSBRUK: There's nothing to talk
38 about. The only thing I could say is we need something
39 for subsistence.
40
41 CHAIRMAN ALVAREZ: Do you want me to
42 bring this up to the floor?
43
44 MR. KOSBRUK: Oh, yes.
45
46 CHAIRMAN ALVAREZ: Here's a resolution
47 from the Bristol Bay Native Association. They just got
48 done with their meeting and it's Resolution 06-32. It's
49 a resolution urging the Fish and Wildlife Service and
50 ADF&G to transplant caribou to the southern Alaska

1 Peninsula and I know they've done it before in the '80s
2 in the Nushagak Peninsula and they're asking they at
3 least transplant 150 caribou from healthy herds to the
4 southern Alaska Peninsula to help restore the caribou
5 population to levels that will support subsistence
6 hunting in some of the villages. Did this pass the BBNA
7 Board?

8

9 MR. KOSBRUK: Yes.

10

11 CHAIRMAN ALVAREZ: It sounds like a good
12 resolution to me.

13

14 MR. KOSBRUK: Can I comment on the
15 transplanting? I recall them talking about it and they
16 helicoptered them and my concern is the helicopters are
17 expensive and too few.

18

19 CHAIRMAN ALVAREZ: That's kind of how
20 they do it. I've seen some pictures that Lem Butler had
21 and Ron Squibb that day last spring when they were doing
22 surveys on calf mortality and disease stuff, they used a
23 helicopter, but it was pretty small. If you're going to
24 transplant large numbers of caribou I suppose you'd have
25 to have bigger helicopters.

26

27 MR. KOSBRUK: My thoughts and the local
28 down there, we've been fighting this for a few years and
29 it was brought to my attention there was hundreds of
30 caribou down in Adak, the biggest ones in Alaska they
31 say. Then you're going to talk about a landing barge.
32 You could do it almost at one time.

33

34 The question I would have to biologists
35 is how many females to males would be the ratio? Anybody
36 know that?

37

38 CHAIRMAN ALVAREZ: At the SRC in Chignik
39 we had Lem Butler, the game biologist for the State, and
40 he says it takes about 25 to 100 cows. The North
41 Peninsula Caribou Herd, they have about 25 to 100 cows
42 but the females weren't getting impregnated because I
43 guess it must be bad conditions and I asked about
44 Mulchatna and they said some years Mulchatna does about
45 -- it only takes about 12 bulls per 100 cows. Normally,
46 he says, it's about 25. That's what they like to see to
47 maintain a herd.

48

49 MR. O'HARA: Mr. Chairman. Where do we
50 start this thing? Is it the State of Alaska that does

1 that? Is the Feds doing it?
2 Did the State of Alaska do the Nushagak Peninsula Herd?
3 There's enough bureaucrats out there to give us an
4 answer.
5
6 How did we initiate the Nushagak
7 Peninsula Herd from the Alaska Peninsula Herd over here?
8 Was that a joint Federal and State program?
9
10 CHAIRMAN ALVAREZ: That was a joint State
11 and Federal program.
12
13 MR. O'HARA: So if it's going to happen,
14 dropping off caribou say at Stepovak Bay, it would be a
15 joint Federal/State program. It could be a starting
16 point of State and Feds again. That's Federal land.
17 Stepovak Bay is Federal land. That's the Alaska Refuge
18 or Alaska Peninsula Refuge or something. There must be
19 somebody from there. There he is. Have him come up to
20 the table and tell us the answer. Ron Squibb.
21
22 CHAIRMAN ALVAREZ: Ron, also, when you
23 come up, can you answer what the population is there now
24 and if nothing was done how long would it take to have a
25 viable population down there where you could harvest
26 them.
27
28 MR. SQUIBB: Are you talking the northern
29 or the southern herd?
30
31 CHAIRMAN ALVAREZ: The southern.
32
33 MR. SQUIBB: I don't know the numbers on
34 that very well at all. I haven't worked there for a few
35 years. The State would know or their biologist there
36 would know that. To my understanding, the northern herd
37 is probably in a little worse shape than the southern
38 herd is, but the southern herd is in good shape. They
39 increased for a while, looked good, then they dropped
40 back again. I guess my -- before you move the animals I
41 would think you need to evaluate the forage base you're
42 putting the animals onto. We don't have direct evidence
43 as to the cause of the decline, but the way it plateaued
44 for 20 years and getting estimates of 17,000 to 20,000
45 caribou and then it started to decline and we're here
46 where we are now.
47
48 We don't have a lot of range study, but
49 when you look at the animals right now, the State
50 veterinarian was here the last two springs and we looked

1 at caribou reproduction. She said these caribou were
2 some of the worst for parasites and disease she's seen in
3 the state.

4

5 Also, calf survival is very low. The
6 last two years we've had seven cows per 100 calves after
7 two weeks of age.

8

9 CHAIRMAN ALVAREZ: You mean seven calves
10 per 100 cows.

11

12 MR. SQUIBB: Seven calves per 100 cows.
13 You need about 25 at that point to get it to grow. Now
14 that, in my mind, points to poor nutrition because the
15 range over that period -- you know, this is all theory
16 because we don't have a good before sample of what the
17 range looked like on the Alaska Peninsula 20, 30 years
18 ago, but I think it's a natural process. Before you put
19 the money and effort into putting more caribou on a range
20 that isn't supporting the caribou that are there, you'd
21 need to know when to put them in when the range is
22 recovering. The recover time is certainly -- it's going
23 to take several years. I can't tell you how many years.

24

25

26 I guess I would caution you to make sure
27 that if you put caribou onto this range where the caribou
28 that are already here are doing very poorly that you
29 might bring in good stock from some place else in this
30 poor range and in two years they'll be in the same
31 condition as the caribou that are out there. That would
32 be my worry. I'm not saying it won't work. I'm saying
33 it needs to be investigated thoroughly before the effort
34 is made.

35

36 CHAIRMAN ALVAREZ: Yeah, that's what my
37 question was, how long would it take to get the
38 harvestable levels with the present amount of caribou
39 there, if you brought some in, could the land handle it.

40

41 MR. SQUIBB: I know if you brought robust
42 animals in they'd do better than the ones that are there
43 unless there was a problem. Every range is different.
44 If you brought them from Adak, it's similar country, I
45 know they're in great shape there, but I don't know you
46 could turn the herd around unless the forage would
47 support the herd. That's the big question, how long it
48 takes the forage to recover, or maybe I'm all wet and I'm
49 just barking up the wrong tree and there's something else
50 going on. I mean before you move a lot of caribou a lot

1 of questions should be answered before there's a waste of
2 resources or it's the wrong time to put the animals on
3 there.

4
5 CHAIRMAN ALVAREZ: How long does it take
6 forage to replace itself?

7
8 MR. SQUIBB: The only reference I have is
9 a couple years ago in talking to Paul Boskofsky. We
10 asked him when is the last time there wasn't any caribou
11 on the Alaska Peninsula and he said the '40s. So
12 sometime between the '40s and when we were at the peak,
13 say 20 years ago, they got enough caribou to get the mass
14 to come back up on their own because they'd done the same
15 thing back then. I can't remember off the top of my head.
16 I could look at the curve and see when it started going
17 up.

18
19 CHAIRMAN ALVAREZ: Do you have an
20 estimate for the population number now?

21
22 MR. SQUIBB: Yes. The best estimate we
23 have is from the last composition count. It's about
24 1,900 animals.

25
26 CHAIRMAN ALVAREZ: So it went from 17,000
27 to 2,000.

28
29 MR. SQUIBB: It held that peak for about
30 17, 20 years.

31
32 CHAIRMAN ALVAREZ: So how long has the
33 population been low?

34
35 MR. SQUIBB: It's only hit bottom here
36 about the time they cut off the Tier II permits, about
37 2000.

38
39 CHAIRMAN ALVAREZ: Before that what was
40 it, just gradually going down?

41
42 MR. SQUIBB: Just gradually. I think
43 right before they did it we were below 10,000 by then.
44 We were in the six or sevens.

45
46 MR. O'HARA: We had a huge meeting in
47 Naknek of all the areas and departments and research and
48 it just kept going down. All this is said and done,
49 Randy, but until these guys go out there to Stepovak Bay,
50 for instance -- we're not going to be transplanting

1 animals back up into the Meshik area. There's no sense
2 in going there. We know what's going on there.

3
4 You can go on the other side of the range
5 and you can do some research on what you have in habitat
6 and then there's nothing saying you can't go ahead and go
7 -- somewhere along the line somebody is going to have to
8 appropriate enough money to go do some research to see if
9 there's habitat that can support the animals. I don't
10 know if the North Peninsula Herd or even what we used to
11 call the Black Hills Caribou Herd, which is now called
12 the South Peninsula Herd, the Cold Bay area, I don't know
13 if they ever came to Stepovak. I don't know if there's
14 history of ever coming to the passes over there or not.
15 Maybe they did and Boris would know that.

16
17 But there's no reason to think that maybe
18 that habitat over in Stepovak Bay, which is a huge flat
19 area in there, I've flown all of it, no reason why that
20 will not support a herd if you go and look at the
21 habitat. The next step would be to get the money to even
22 do the habitat. That's what this Council will have to
23 recommend, that we find out. There's no sense in putting
24 an animal out there if he's not going to survive. If
25 that's the case, then the next step will take its place,
26 just like the Nushagak Peninsula Herd took its place and
27 they came from the North Peninsula Herd, Port Heiden
28 area.

29
30 CHAIRMAN ALVAREZ: We are in a position
31 to do that. We need to discuss this and see what we can
32 do. I think they did it before for the Nushagak
33 Peninsula. If the land will support it, we should ask
34 for it and try to get it done.

35
36 MR. O'HARA: Boris needs to talk.

37
38 CHAIRMAN ALVAREZ: Boris.

39
40 MR. KOSBRUK: Back in the '50s and '60s,
41 I packed up from Stepovak, past Sandy River Pass, Sandy
42 Lake Pass, I climbed up there once. There was eight of
43 us. I think we got 86 caribou. We took it all back.
44 Packed it back from on top of the hill there, right in
45 the pass. The other thing, we had camped there, about
46 halfway up that pass. Then in '62 I started flying. I
47 never went hunting in Stepovak. I always walked up the
48 flats up there.

49
50 In '62 I got a plane and I started

1 checking on Stepovak. At that time I saw two, three
2 hundred herds, a couple of them where the grass is, east
3 end of Stepovak beach and then to the west end on the
4 point there, right above the field. There was a lot of
5 caribou. At that particular time we went to the mountain
6 to pack out. We camped again. The next morning we woke
7 up or were having lunch and someone was looking around.
8 They started talking Native and I didn't know what they
9 were talking about. I know what it is now. It's a
10 moose. I never seen one in my life. They all got shook
11 up, so I went with them. Everybody went out to meet it.
12 I didn't know it was coming until I looked up and seen
13 this great big horse coming and it had horns on it.
14 That's the first moose I've seen. I would say that was
15 '57. We couldn't hit it. Somebody shot it in this leg,
16 you know, and got it halfway across the creek and
17 somebody shot it in that leg and they turned around and
18 came back. I went up and shot it in the head.

19
20 But I've made several trips up there with
21 back board, guys, men, boys. We were the gophers. There
22 was a lot of caribou in those days. Port Heiden had a
23 heck of a lot more caribou.

24
25 CHAIRMAN ALVAREZ: When could we find out
26 if this land could support or how much it could support?
27

28 MR. O'HARA: We need to tell him to go
29 get half a million dollars and get with the program and
30 talk to him.

31
32 MR. EDENSHAW: Mr. Chair and Council.
33 Boris brought before us this resolution and it doesn't
34 address any transplanting of caribou. It just asks if
35 the Board of Game and Federal Subsistence Board on the
36 bottom here to take measures as appropriate to protect
37 and restore the Mulchatna and Nushagak Peninsula Caribou
38 Herds so that they are available for subsistence hunts by
39 local villagers such as by extending predator control
40 measures, eliminating same day airborne hunting, reducing
41 bag limits and modifying existing management plans or
42 agreements for the Nushagak Peninsula Herd to reduce the
43 number of hunting permits. So that's what their
44 resolution is asking the Board of Game and the Federal
45 Subsistence Board.

46
47 CHAIRMAN ALVAREZ: That's the proposal
48 they're asking us?
49

50 MR. EDENSHAW: No, no. This is the

1 resolution that board brought in from BBNA.

2

3 MS. MCBURNEY: There are three of them.

4

5 MR. DUNAWAY: Yeah, I'm trying to sort
6 out what page we're on here. I have a question, Mr.
7 Chair. Just for clarification, first off, I think I'm
8 still talking about caribou transplant that Boris brought
9 up, which apparently is a different topic than what Cliff
10 just brought up. But I wanted to clarify you were hoping
11 to see transplant of caribou where? I believe the South
12 Peninsula Herd would be south of Herenden/Port Moller
13 area.

14

15 MR. KOSBRUK: Right.

16

17 MR. DUNAWAY: Yet you don't hunt down
18 below there, do you? What you would want is caribou up
19 around Perryville, right?

20

21 MR. KOSBRUK: No, no. There's a pass
22 right from Stepovak to Perryville, right to Perryville.
23 They can go on bikes, but it's got to be 10 degrees below
24 zero. Everything will be frozen. And they've got to go
25 two or three so that if one falls through they can help
26 each other.

27

28 MR. DUNAWAY: But, Mr. Chair, Perryville
29 area is officially -- maybe Ron or somebody could clarify
30 for me, is considered North Peninsula. It's just the
31 southern end of the North Peninsula, isn't it?

32

33 MR. KOSBRUK: Usually we go to Port
34 Heiden to hunt, you know, and there was hundreds of
35 caribou there. What happened is they quit coming over to
36 Stepovak. Some biologist from up north, Naknek, and they
37 had the same problem there, Anaktuvuk. There was a
38 couple cabins out there that was stopping them. They
39 removed those and, bam, the caribou came. We have the
40 same problem down there north of the pass, two different
41 villages right there. I call them villages, but they're
42 camps. They've got about five, six, seven homes in each
43 one of them. Bear Lake and Sandy River. I landed there
44 coming up. I was shocked. There was about six, seven
45 airplanes in each one. We were dropping off two people,
46 the winter watchmen for the camps.

47

48 MR. DUNAWAY: Well, I was trying to make
49 clear, if we're going to do any support, I would hate to
50 have us support a transplant effort for South Peninsula

1 and the next thing you know there's caribou being
2 transplanted to Cold Bay instead of Stepovak and Port
3 Heiden.

4
5 MR. KOSBRUK: No, no, no. Stepovak,
6 connected with Perryville.

7
8 MR. DUNAWAY: Well, hopefully we've got
9 enough for discussion there.

10
11 CHAIRMAN ALVAREZ: Well, let's fix up
12 this caribou thing if we're going to do it. Sandy.

13
14 MR. RABINOWICH: Thank you, Mr. Chairman.
15 Sandy Rabinowich with the Staff Committee to the Federal
16 Board and I work for the Park Service. I'm not familiar
17 with these resolutions, but in terms of your discussion
18 about transplanting, the suggestion I would make is if
19 you do choose to favor that, it seems to me the Federal
20 Subsistence Board has somewhere between very limited and
21 no jurisdiction in terms of transplanting animals. So my
22 suggestion would be that if you go that way, to send
23 correspondence to the Fish and Wildlife Service and to
24 the Commissioner of Fish and Game because I think you
25 would be aiming more directly to the entities that could
26 respond. I don't think the Federal Subsistence Board can
27 do very much by way of response on that topic. You could
28 copy the Federal Board certainly. Cliff, do you think
29 what I'm saying makes sense?

30
31 MR. EDENSHAW: Mr. Chair and Council, I
32 think that would be good, but also I know that there's
33 another avenue for the Council if they choose to. Dan
34 LaPlant is the wildlife liaison with the Alaska Board of
35 Game. I know that the refuges send in proposals each
36 year for additional monies to be budgeted to run special
37 projects as well as Fish and Game. They almost
38 unilaterally submit proposals for additional funds the
39 government doles out, so certainly the Council could do
40 something like that as well.

41
42 CHAIRMAN ALVAREZ: Yeah, that's a good
43 idea. We have to start doing something. If the
44 Subsistence Board is not able to do this, then the U.S.
45 Fish and Wildlife Service in conjunction with the State
46 to do these programs and we need to get funding.

47
48 MR. O'HARA: It's going to have to start
49 with us.

50

1 CHAIRMAN ALVAREZ: Yes. We have to ask
2 them to do it for us because it's their job. The way I
3 see it, when they let these populations get so low, you
4 can't even harvest them under Tier II, they're not doing
5 their job very well. Predators is another issue the
6 Subsistence Board has no control over. It's the U.S.
7 Fish and Wildlife Service that we have to ask to
8 implement some kind of program so we can have a harvest
9 of moose and caribou.

10
11 MR. O'HARA: I think, Mr. Chairman, to
12 get the ball rolling, I don't think the U.S. Fish and
13 Wildlife Service or the Alaska Department of Fish and
14 Game could have saved the North Peninsula Herd. I think
15 with the disease that took place and the different things
16 that happened, they just went away. And caribou go away
17 like rabbits or anything else and they eventually come
18 back if you live long enough.

19
20 But I think to initiate what might become
21 something, you know, we pay you good money to tell us the
22 next step here, so what do we have to do? Are we going
23 to sit here and discuss this until 4:00 o'clock?

24
25 MR. EDENSHAW: No. Step one, I would
26 just ask if the Council so chooses to make this in the
27 form of a motion in regards to that one BBNA resolution
28 there. What I could do then is draft a letter on behalf
29 of the Council. As Sandy said, what I could do is direct
30 those to the Board of Game as well as the Federal
31 Subsistence Board. I would get information from Dan
32 LaPlant, who is the individual that receives proposals
33 from refuges and Councils. This Council has even
34 submitted a proposal in the past to fund surveys and
35 numerous other projects on Federal lands.

36
37 CHAIRMAN ALVAREZ: So we need a motion.

38
39 MR. O'HARA: And you need to reap with
40 one hand and sew with the other. I mean we're in a
41 hurry. This is really a serious situation, lack of
42 subsistence and lack of animals. But without the proper
43 research, like Ron and others have said, there's no sense
44 in starting a transplant until you've got something
45 healthy to deal with. But we need a starting point.

46
47 CHAIRMAN ALVAREZ: Dan.

48
49 MR. DUNAWAY: I think we have one. I
50 suppose I can move that we support the BBNA resolution

1 expressing concern for caribou in the North Peninsula and
2 South Peninsula and we would like to encourage project
3 funding that will ultimately improve those herds, to
4 include transplant if that's warranted. If that means to
5 write a letter, I'd like to move that we do something
6 like that.

7

8 MR. O'HARA: So that is a motion?

9

10 MR. DUNAWAY: Yes.

11

12 MR. O'HARA: I'll second that motion, Mr.
13 Chair.

14

15 CHAIRMAN ALVAREZ: A motion by Dan
16 Dunaway, seconded by Dan O'Hara that we direct our
17 coordinator to write letters to get the ball rolling to
18 try to get more caribou down in the North and South
19 Peninsula.

20

21 MR. EDENSHAW: Perhaps if I could ask Dan
22 to possibly amend or change his motion. It probably
23 would be easier if he just said the Council -- because
24 we're discussing it under wildlife proposals and perhaps
25 what would be more appropriate for Dan to do in his
26 motion state that we support the BBNA resolution and just
27 state that we want the Alaska Board of Game and Board to
28 transplant 150 caribou. Certainly all those questions
29 and concerns will come out in the analysis or memo form
30 in regards to appropriate steps.

31

32 MR. O'HARA: I'll withdraw my second.

33

34 MR. DUNAWAY: For sure, that's simpler to
35 write. Take all the steps necessary to transplant
36 caribou to especially the North Peninsula Caribou Herd.
37 That's the area where Boris needs caribou.

38

39 MR. O'HARA: I'll second that.

40

41 MR. DUNAWAY: That motion is fine with
42 me, that wording is fine.

43

44 MR. KOSBRUK: Are you including Stepovak
45 in your motion?

46

47 MR. DUNAWAY: Yes.

48

49 MR. O'HARA: North and South.

50

1 MR. DUNAWAY: I'm trying to help you out,
2 Boris.
3
4 CHAIRMAN ALVAREZ: Any more comment on
5 the motion.
6
7 (No comments)
8
9 MR. O'HARA: Question.
10
11 CHAIRMAN ALVAREZ: The question has been
12 called. All in favor of the motion signify by saying
13 aye.
14
15 IN UNISON: Aye.
16
17 CHAIRMAN ALVAREZ: Opposed.
18
19 (No opposing votes)
20
21 CHAIRMAN ALVAREZ: Motion carried.
22
23 MR. DUNAWAY: Do we have more resolutions
24 there?
25
26 CHAIRMAN ALVAREZ: There was three of
27 them that deal with the caribou. I only have two, but
28 somebody said there was three. They all deal with the
29 same thing basically. The one motion will cover all
30 three.
31
32 MR. DUNAWAY: Oh, okay.
33
34 CHAIRMAN ALVAREZ: I'd like to bring up
35 moose. Last spring we had a proposal by Chignik SRC to
36 close 9(E) for non-residents and we rejected their
37 proposal. Their concern was they're not getting any
38 moose and we went down there this last September and they
39 still hadn't gotten one. It seems to be a problem in
40 9(B) and even 9(C) this year. One thing I can't get out
41 of the Department or Staff is numbers. How much moose do
42 we actually have. For us to do anything about it we need
43 to have numbers. If the numbers are real low, we need to
44 do something about it. I don't believe the numbers are
45 even above average for population of moose in 9(B), (C)
46 and (E). I hear there's quite a bit of moose in 17.
47 Maybe they're coming over here.
48
49 But it's Staff, Fish and Wildlife and the
50 State's job to do those things, give us numbers so we can

1 have something to work with. If we don't have any
2 population numbers on anything, how can we do our job?
3 What are you doing? You sit in an office and come to the
4 meetings and you can't tell us. It's difficult to do
5 anything. I'm getting to the position if the harvesters
6 are having problems harvesting, I'm thinking there must
7 not be any moose because you can't tell me what the
8 population is for moose in these areas, there must not be
9 much if people aren't harvesting any. Even though the
10 weather seems to be changing and getting later and later
11 and the fish are coming later, maybe the moose are not
12 moving around later.

13

14 We might have to consider Chignik's
15 proposal. I didn't want to do it last time, but after
16 this last hunting season, the last couple hunting
17 seasons, there just doesn't seem to be enough moose
18 around. If people are going to have difficulty
19 harvesting, why let non-residents go out to where the
20 moose are and have the moose and the residents can't get
21 any. That's kind of my comment I wanted to make.

22

23 If we need to make some proposals to
24 restrict this, so be it. Subsistence in my opinion is
25 number one. The State makes a lot of money on air taxis,
26 selling \$450 moose tags.

27 My opinion, the moose aren't for them. We have number
28 one priority and if the people can't get them, you might
29 have to consider not letting them harvest so they get
30 enough moose in one area so they can spread out. It's
31 just something I wanted to bring up. I was wanting to
32 see if there was a comment from any of you guys.

33

34 MR. O'HARA: Joe has a comment.

35

36 CHAIRMAN ALVAREZ: Joe.

37

38 MR. CHYTHLOOK: Mr. Chair, I just wanted
39 to appraise you the Board of Game will have call for
40 proposals for this area, including Southcentral, December
41 8. Proposals will be discussed in the March meeting. So
42 now is a good time to be discussing some of the proposals
43 you're talking about and generate proposals to the Board
44 of Game. I don't know what the Federal Subsistence
45 Board's schedule is for game proposals, but the Board of
46 Game definitely will be discussing Units 9 and 17
47 proposals December 8th.

48

49 CHAIRMAN ALVAREZ: Yeah, that is the
50 case. The Board of Game will be taking up proposals for

1 Bristol Bay in March and the deadline is December 8th for
2 proposals to be sent in for the Bristol Bay area. I
3 think that's for State land. Joe is right. Most of the
4 area people do hunt around, if you look at some of the
5 maps, all of the river and creek corridors are State land
6 and then the Federal land are away. We probably need to
7 -- I know our Advisory Committee is going to have a
8 meeting probably later on this month or maybe early next
9 month and submit some game proposals for State land
10 because that seems to be where most of the local hunting
11 is along the rivers and creeks where you can get to it
12 with boats. As most of you probably know, local people
13 use boats and sometimes four-wheelers to get out and do
14 their hunting, but it's the big game guys that are flown
15 out in float planes or dropped off in these remote areas
16 where the Federal land is. The local people can't get
17 out there unless they spend a lot of money and charter
18 out.

19
20 I know we're going to submit a couple
21 proposals. One of them is going to be the same as where
22 they have it in Nushagak 17 where there's a one mile
23 corridor along the river where non-residents are allowed
24 to hunt. We're going to ask for that one and maybe
25 restrict some non-resident hunting in some of those areas
26 to try to get more harvest for the local people.

27
28 MR. O'HARA: Mr. Chairman. Along the
29 lines of what you're talking about, when you go to the
30 Meshik area, and I fly that area all the time, you can
31 close the whole 9(E) down if you want and that's not
32 going to put any more moose in Boris's area unless you
33 take a helicopter and chase them down there or something.
34 They're just not there. They're in the Meshik valley and
35 they're up around lower Ugashik. Even people in Port
36 Heiden have to take a four-wheeler to go up into
37 Aniakchak and look for a moose miles and miles away. So
38 I don't know if anything can be done to make more moose
39 in the Black Lake area. And that is State regulated
40 land, isn't it? That isn't our jurisdiction.

41
42 CHAIRMAN ALVAREZ: No.

43
44 MR. O'HARA: So there really isn't
45 anything we can do. All that area down there is just
46 like the Nushagak, it's huge piles of brush. The moose
47 population is doing well. There's a lot of moose in
48 there. There's huge amounts of moose in there. They can
49 fight off the wolves, they can fight off the bears in
50 that brush and they can survive. I fly Black Lake once a

1 week and looked around the other day and never saw a
2 moose. I know there's moose in there. When you get an
3 18-foot London with 35-horse motor versus a Helio Courier
4 with amphibious floats and \$250,000 worth of money,
5 unless you have it you can't get a moose. I don't know
6 how to fix it. Penalizing the guides is not going to do
7 any good. I really don't know what the answer is.

8

9 CHAIRMAN ALVAREZ: I don't know what to
10 do either. Boris.

11

12 MR. KOSBRUK: I'm not sure you guys are
13 aware of this. I was talking about Bear Lake and Sandy
14 River. I landed there this trip. A couple years past
15 the guys were telling me, like Chignik Lake and Port
16 Heiden, that those two camps there just sit there and
17 wait for the moose and caribou to come there to the pass
18 and pick whatever they want.

19

20 MR. O'HARA: That's on State land, right?

21

22 MR. KOSBRUK: I don't know. I keep
23 hearing that.

24

25 MR. O'HARA: It is. Everything on the
26 Bering Sea side is State land.

27

28 CHAIRMAN ALVAREZ: Ron, do you guys have
29 a population for moose in 9(B) and Preserve? How many
30 guides have concessions in there or outfitters?

31

32 MR. SQUIBB: For the record, Ron Squibb
33 with Alaska Peninsula, Becharof National Wildlife Refuge.
34 Your first question I was looking at here a moment ago in
35 terms of the numbers. Let me find it here again.

36

37 CHAIRMAN ALVAREZ: I asked if you had a
38 population for moose in 9(B).

39

40 MR. SQUIBB: 9(B)? All I have would be
41 9(E).

42

43 CHAIRMAN ALVAREZ: Katmai Preserve.

44

45 MR. SQUIBB: That's outside our
46 jurisdiction.

47

48 CHAIRMAN ALVAREZ: Who does the Katmai
49 Preserve? Mary.

50

1 MS. MCBURNEY: For the record again, Mary
2 McBurney, Lake Clark National Park, Katmai and Aniakchak.
3 9(B) takes in a lot of the Lake Clark, Iliamna Lake
4 areas. Katmai Preserve is largely in 9(C). I know that
5 we have been doing some moose survey work in Lake Clark
6 and Judy Putera has been working on that and also
7 conducting calf studies to see what kind of shape the
8 calves are in roughly from the year they're born to a
9 year after. It's just basically to take a look and see
10 if there's plenty of browse for the moose to support the
11 population.

12
13 The only thing I can really tell you
14 about the Lake Clark population is that it's a low
15 density but stable population, but as far as numbers and
16 bull/cow and cow/calf ratios I don't have that
17 information with me. With respect to moose numbers in
18 Katmai Preserve and along the Aniakchak area I'd have to
19 defer to Troy Hammond, the chief of resources for Katmai
20 National Park, but I could get those numbers for you. It
21 would just be after the meeting.

22
23 CHAIRMAN ALVAREZ: Jeff.

24
25 MR. DENTON: My name is Jeff Denton with
26 the Anchorage Field Office of BLM and also parts of 9(C)
27 and 9(B) are some fairly good size chunks of BLM lands in
28 there, too. I know when Dick Sellers was here we tried
29 to get together to do census type work for years and just
30 the monies and so on weren't there. We're also trying to
31 work that out with Lem to try to get some actual density
32 estimates and population estimate work done. These
33 things are really expensive.

34
35 The only work that I'm aware has been
36 done in recent years I did in 2002 and 2003 just kind of
37 a stratification level winter survey of the BLM portions
38 of both 9(C) and 9(B). At that time, I actually
39 mentioned it before you folks back then that we were
40 noticing even in the summer work there there was a lot of
41 browse that had previously been used as winter ranges.
42 It had three years of growth on them with no use, which
43 indicates either the moose aren't there or aren't there
44 nearly the numbers they were previously. We've noticed
45 this trend over the last five to six years in many areas.
46 So especially this stuff between the Alagnak River and
47 Naknek, for example, Sugarloaf Mountain used to have a
48 lot of moose on it when I first came here. Flew it with
49 Dick Sellers. We don't have but probably 10 to 20
50 percent of the moose we saw back then in that area.

1 The work that I did for winter surveys
2 19(B), five, six hundred moose wintering between Kvichak
3 River and the Nushagak/Kvichak Divide, in those drainages
4 back up in through that country there. Again, that's the
5 last work that's really been done out there that I'm
6 aware of on that comprehensive a scale. I did the same
7 thing in 9(C) in 2003. So I have distribution and
8 numbers and cow/calf ratios. These were done in the
9 spring, March surveys. So that's the latest data that
10 even comes close. It's more of a relative distribution
11 and abundance rather than a population estimate.

12
13 We really need to do the regular, hard-
14 core, intensive, comprehensive density estimates, but
15 priorities are elsewhere in the state and you're talking
16 big bucks to conduct those. I will continue to try from
17 BLM's standpoint at least to organize those kind of
18 efforts. But we haven't been successful for 15 years, so
19 it's got to be raised to some kind of higher priority
20 level in the state.

21
22 MR. DUNAWAY: Is it all going to McGrath
23 area right now?

24
25 MR. DENTON: Well, it's going to several
26 areas. There's a lot of money going to Seward Peninsula,
27 Norton Bay country. We have a lot of higher priority
28 areas in the state right now. Mostly in western Alaska,
29 but mostly north of here, 19(A), 19(E), 21(A), 21(E),
30 22(A), all those are big problem areas. Somehow you've
31 got to compete with the rest of the priorities in the
32 state.

33
34 CHAIRMAN ALVAREZ: Thank you. Maybe we
35 should propose something like the Nushagak River with a
36 one mile corridor for no non-resident hunting on Federal
37 lands that are off the rivers and creeks, like up at Big
38 Creek. Maybe we should propose a one mile corridor on
39 Federal lands in Unit 9 where people can reach from the
40 villages with boats because that's how most of the people
41 do their hunting. From the sound of things, I was asking
42 around the end of the season if anybody got any up Big
43 Creek and it didn't sound like people were harvesting.
44 Maybe Orville might know if anybody got anything up there
45 because he lives in King Salmon. It didn't sound like
46 very many local people were having any luck getting moose
47 up there. Maybe we should propose a one mile corridor on
48 these rivers and creeks where there is Federal land where
49 you can access it by boat. It's just following what the
50 State has up the Nushagak River.

1 MR. DUNAWAY: I didn't bring a State reg
2 book. I was trying to remember if it was a one mile or
3 two mile corridor on the Nushagak.
4
5 MR. O'HARA: One mile either side.
6
7 MR. DUNAWAY: Two miles either side.
8
9 CHAIRMAN ALVAREZ: The reason I bring it
10 up, then we'll be allowed to discuss it next spring. If
11 it doesn't work out, we can reject our own proposal, but
12 next spring it would allow us to discuss it and review
13 it. Fish and Wildlife or the Park Service could have
14 more information for us.
15
16 MR. O'HARA: What Federal land do you
17 want restricted? We can't make a motion until you give
18 us the geographic alliance.
19
20 CHAIRMAN ALVAREZ: Kvichak River
21 Drainage, Naknek River Drainage. Where you can get to
22 with a boat. But if we do this, I'm thinking we're going
23 to have more information by the spring. We can always
24 reject our own proposal. But if we don't propose
25 something, we can't talk about it in the spring.
26
27 MR. KOEPSSELL: Mr. Chairman. Mark
28 Koepsell, deputy manager of Alaska Peninsula, Becharof
29 National Park Refuge. I'd like to offer -- I don't have
30 any data for 2006, but I have a map here that shows the
31 location of moose harvested by transporters and big game
32 guides on the Alaska Peninsula and Becharof Refuges for
33 2005. This will show you a general location of where our
34 big game guides and our transporters took clients out,
35 which generally are non-resident sport hunters, not
36 subsistence hunters. To give you some idea on where the
37 harvest is. It also shows where the land that's under
38 State jurisdiction, whether private allotments, Native
39 corporation. It also shows you guide units that we have
40 on the refuge. And it has in a lighter color guide units
41 where we do not allow moose hunting to occur. So it
42 might help in your determination of a proposal you want
43 to put in.
44
45 MR. O'HARA: Mr. Chairman. Are there any
46 Federal lands on Naknek River? Who's the Naknek
47 biologist for the Feds? Ron, are there any Federal lands
48 on the Naknek River?
49
50 MR. SQUIBB: Not below the Park.

1 MR. O'HARA: Mary's Park. I'm not
2 worried about that then. So you've got Big Creek.
3
4 MR. SQUIBB: Big Creek, but, really, it's
5 a mile or two from the river. They've got to go up a
6 ways by jet boat.
7
8 MR. O'HARA: We hunt there, so that would
9 be two miles on either side. And then you've got the
10 Alakanuk or the white man calls it the Alagnak, the
11 branch. Two thirds of that river is Federal. Then
12 you've got the Kaskanak Creek, Yellow Creek, then you've
13 got Chignik Lakes and Chignik River, Black Lake, Sandy
14 River, Bear River, all on Federal lands. If you want to
15 blanket the area, Randy, that's the area two miles either
16 side if you want to take a non-resident stand.
17
18 CHAIRMAN ALVAREZ: That probably would be
19 a good proposal because we could amend it next spring.
20
21 MR. O'HARA: Let's take a 10-minute break
22 and look at this map the guys put up there and see if
23 we've got all these rivers covered.
24
25 CHAIRMAN ALVAREZ: Okay.
26
27 (Off record)
28
29 (On record)
30
31 CHAIRMAN ALVAREZ: Let's get back to
32 order here.
33
34 MR. O'HARA: Mr. Chairman. After looking
35 at all the records here on the chart, the map above us,
36 we make a recommendation that we have a non-resident zone
37 two miles each side of all Federal rivers in Unit 17(A)
38 and Unit 9.
39
40 CHAIRMAN ALVAREZ: Motion by Dan O'Hara.
41
42 MR. DUNAWAY: Second.
43
44 CHAIRMAN ALVAREZ: Seconded by Dan
45 Dunaway.
46
47 MR. DUNAWAY: Is that strictly for moose
48 hunting?
49
50 CHAIRMAN ALVAREZ: Moose.

1 MR. EDENSHAW: Mr. Chair. Was that two
2 miles on either side?
3
4 CHAIRMAN ALVAREZ: Yes. That's how it is
5 on the Nushagak. Any question.
6
7 MR. ABRAHAM: Question.
8
9 CHAIRMAN ALVAREZ: The question has been
10 called. All in favor signify by saying aye.
11
12 IN UNISON: Aye.
13
14 CHAIRMAN ALVAREZ: Opposed.
15
16 (No opposing votes)
17
18 CHAIRMAN ALVAREZ: Okay. Motion carried.
19 Mr. Dunaway.
20
21 MR. DUNAWAY: One item I really wanted to
22 bring up was that I know that the State regulations for
23 caribou in 17 and possibly parts of 9 the bag limit has
24 been greatly reduced and possibly season dates have been
25 shortened some and I'd like to move that we align the
26 Federal subsistence regulation in those game units with
27 the State. That caribou herd is down around 80,000 now.
28 It was up close to 250,000. We have some poor bull/cow
29 ratios, I believe.
30
31 CHAIRMAN ALVAREZ: I talked to Lem
32 Butler. They took pictures, but they haven't gotten done
33 coming up with a population count. He figures it might
34 be closer to 70,000 for the Mulchatna now.
35
36 MR. DUNAWAY: I'll believe that. I sure
37 never saw one.
38
39 MR. O'HARA: If that's a motion, I'll
40 second it so we can discuss it.
41
42 MR. DUNAWAY: I'd like to move that as a
43 game proposal.
44
45 CHAIRMAN ALVAREZ: Motion by Dan Dunaway
46 to align the Federal regulations in 17 and 9 the same as
47 the State. Seconded by Dan O'Hara. I've got a question.
48 What is the current Federal regulations and the current
49 State? I think the State bag limit went down to three
50 and the Federal is still at five.

1 MR. DUNAWAY: I think so. I believe the
2 State is only one bull from the opening of August 1, some
3 places July, until -- is it November or January,
4 something like that.

5
6 CHAIRMAN ALVAREZ: Cliff, do you have
7 those dates for the State and Federal? And the bag limit
8 for State now is three.

9
10 MR. DUNAWAY: It kind of depends on
11 exactly which sub-unit and game unit you're in what the
12 exact season dates are and what the bag limits are. Like
13 17(A) in the State regulations, all drainages east of
14 Right Hand Point still retains that up to five caribou
15 but the season may be announced. I believe it's up to
16 the Togiak Refuge and the State to agree that there's
17 enough caribou there to be harvested.

18
19 CHAIRMAN ALVAREZ: We're mainly
20 discussing Mulchatna. Those over there are probably not
21 the Mulchatna caribou, are they?

22
23 MR. DUNAWAY: This is an old regulation
24 book here. This is 2005-2006. The newer one does have
25 it reduced to three. Pat, you gave me an older book.
26 Once again I'm going to regret that there isn't a State
27 game biologist here. 17(A), that part that's the to be
28 announced remains the same with five caribou under State
29 regulations. The remaining part of 17(A) has three
30 caribou. Only one caribou either sex may be taken from
31 August 1 to November 30th. Then there's the 17(B)
32 portion, non-resident closed area, resident only in
33 17(B), three caribou. Only one may be harvested August 1
34 through November 30. August 1 through March 15th is the
35 total season. Remainder of 17(B) and a portion of 17(C)
36 east of Wood River and Wood River Lakes three caribou,
37 only one from August 1 to November 30. Season August 1
38 to March 15th. Non-residents in the 17(B), there's only
39 one caribou August 1 through September 30th, which I
40 believe is quite a bit shorter season. It used to go to
41 April. Remainder of 17(C), residents only, five caribou
42 may be announced.

43
44 CHAIRMAN ALVAREZ: What is the non-
45 resident for 17?

46
47 MR. DUNAWAY: 17(B) you can shoot one
48 caribou from August 1 to September 30.

49
50 CHAIRMAN ALVAREZ: How about 9?

1 MR. DUNAWAY: Unit 9(A), that portion of
2 9(C) within the Alagnak River Drainage, one caribou
3 August 1 through March 31st.
4
5 CHAIRMAN ALVAREZ: That's non-resident?
6
7 MR. DUNAWAY: That's resident. Non-
8 resident is one bull August 1 through March 31st. Unit
9 9(B) resident, this is a new part, three caribou total,
10 only one may be taken August 1 through November 30th.
11 The season is August 1 through March 15th. I think it
12 used to be July 15th through March 31st or something. In
13 9(B) non-residents, one caribou August 1 to September 30.
14 9(C), that portion north of the Naknek River and south of
15 Alagnak River, residents only, one caribou by permit
16 during the winter season may be announced. 9(D)
17 residents, one bull, August 10th through September 30.
18 For one antlerless caribou November 15th through March
19 31st. Non-residents, one bull, September 1 through
20 October 10th. The remainder of 9(C) and 9(E) no open
21 season. I think the State brought Unit 18 or the
22 northern adjoining -- there was some discrepancy within
23 State regulations for a little while between adjoining
24 State game management units and I believe they unified
25 those. Did they not, Joe?
26
27 MR. CHYTHLOOK: 19(A) and (B) I think
28 also.
29
30 MR. DUNAWAY: Did that answer your
31 question?
32
33 CHAIRMAN ALVAREZ: Yeah.
34
35 MR. O'HARA: I have a question, Mr.
36 Chairman. We've made a motion on caribou?
37
38 CHAIRMAN ALVAREZ: Yeah. We're on
39 discussion.
40
41 MR. O'HARA: Who's the biologist for the
42 Togiak Refuge for caribou among the Feds? Come up to the
43 table if you would, please.
44
45 MR. WALSH: Pat Walsh.
46
47 MR. O'HARA: I have a question for you.
48 Some of these regulations could be -- is there an
49 emergency order that the Feds could use to change this
50 regulation if something happens we're 100,000 animals or

1 4,000 animals walk by Togiak at an appropriate time and
2 they had to give them a season. That happens in Naknek
3 where a huge amount of Mulchatna animals will come right
4 off Naknek and Lem will give us like a couple days, so
5 the local people go out with snowmachines and four-
6 wheelers or walk and get a caribou. Can this happen in
7 the Federal program?

8

9 MR. WALSH: For portions of the Togiak
10 Refuge where the refuge manager has designated authority
11 by the Federal Subsistence Board, he can establish the
12 opening and closing of the season and the number of
13 permits issued.

14

15 MR. O'HARA: We're talking about an
16 emergency order.

17

18 MR. WALSH: Yeah, I'm not sure if it's
19 referred to as an emergency order.

20

21 MR. O'HARA: How would you handle 4,000
22 caribou walking by Twin Hills and Togiak if we had some
23 of these restrictions on where you could give some of
24 those people subsistence.

25

26 MR. DUNAWAY: Mr. Chairman.

27

28 CHAIRMAN ALVAREZ: Dan.

29

30 MR. DUNAWAY: I would think that that
31 would be in 17(A) and that would be that to be announced
32 provision.

33

34 MR. O'HARA: So that's a State regulation
35 on Federal lands?

36

37 MR. WALSH: It's a Federal regulation.

38

39 MR. O'HARA: So how do you answer that?

40

41 MR. WALSH: I'm not sure since we haven't
42 dealt with that. We've only dealt with it where we've
43 had time in advance to consider the population data and
44 establish the number of permits.

45

46 MR. LIEDBURG: Mr. Chairman. Paul
47 Liedburg, refuge manager with the Togiak Refuge. In a
48 case like that, there are several instances the Board has
49 given us the authority to open and close seasons. We do
50 not have that with caribou in this case, so it would take

1 a special action, I believe, of the Federal Subsistence
2 Board to make that open.
3
4 MR. EDENSHAW: For instance, if we got a
5 call in the morning and it was a slam dunk, it would be
6 taken care of that day or probably two days for the Board
7 members to be contacted because most of them are in
8 Anchorage.
9
10 MR. O'HARA: That answers the question
11 and that would serve a useful method of people getting
12 subsistence if they didn't have a chance to get a caribou
13 in five or six years, which does happen. I just didn't
14 want to make our motion and then lock in something where
15 people have an opportunity to go ahead and get some
16 animals without really hurting the herd. Just a certain
17 amount of animals taken in a couple days is not going to
18 decimate the whole Mulchatna Herd. Thank you.
19 Appreciate that.
20
21 CHAIRMAN ALVAREZ: Any more discussion on
22 the motion.
23
24 MR. O'HARA: We have another year coming
25 up. We can always work on it. If there's no more
26 discussion, I'll call for the question.
27
28 CHAIRMAN ALVAREZ: The question has been
29 called. All in favor of the motion to align the Federal
30 lands with the State regs signify by saying aye.
31
32 IN UNISON: Aye.
33
34 CHAIRMAN ALVAREZ: Opposed.
35
36 (No opposing votes)
37
38 CHAIRMAN ALVAREZ: The motion is carried.
39 Okay. We're still on number 10, wildlife proposals.
40 Anybody have anything else before I move on to 11.
41
42 MR. DUNAWAY: I had mentioned earlier I
43 wanted to bring up this thing I discovered on the State
44 website about State challenging the Federal Subsistence
45 Board's authority to make these regulations regarding
46 brown bear sale of bear parts and I was kind of hoping to
47 find out if there were any problems coming out of this.
48 I've tried to reconstruct my notes from last spring
49 because we talked about it for a while and I remember
50 thinking by adopting the second of the two proposals we

1 might have removed some of the State's concerns and
2 covered any potential abuse of this. But this latest
3 letter that I found on the website, August 25th, it looks
4 like the State still feels there's a real problem. I
5 don't really want to make a proposal, but I wanted to
6 take the opportunity to find out if there's been any
7 evidence of a problem and if there was a problem did we
8 need to re-examine that regulation, but it's not been on
9 the books long enough.

10

11 CHAIRMAN ALVAREZ: John.

12

13 MR. HILLSINGER: Thank you, Mr. Chairman.
14 For the record, my name is John Hillsinger. I know a
15 little bit about this. There have been a couple problems
16 recently that have cropped up. There's been bear claw
17 necklaces that have shown up in gift shops in Juneau
18 recently and one in Southeast and one in Kodiak,
19 instances where bears were killed and the claws were cut
20 off and the carcasses were left there. So those are the
21 three instances I've heard of recently.

22

23 CHAIRMAN ALVAREZ: I've got a paper we
24 picked up in Chignik about some of these handicrafts and
25 it shows a picture of a bear claw handicraft. I guess
26 you can't just drill a hole in it and stick a string
27 through it and call it a necklace and sell it. You have
28 to do a little more than that. I guess they want artists
29 to do it. Anybody can drill a hole, I guess.

30

31 MR. DUNAWAY: This letter goes on to say
32 -- I haven't read it thoroughly, just kind of skimmed it,
33 but there's real concern about allowing this to work its
34 way into the commercial from the State perspective. I
35 was a little concerned if we're beyond the authority of
36 the Board or not. Like I say, I voted for some of these
37 proposals assuming that we had answered some of those --
38 avoided potential abuses. So I guess at this point, in
39 my mind, I want to stay appraised of this and if it
40 becomes an abuse we should seriously reconsider allowing
41 this. Like those guys that were snaring bears in Prince
42 William Sound just for gall bladders and claws.

43

44 CHAIRMAN ALVAREZ: Well, I don't feel
45 that way. I don't want to close commercial fishing down
46 just because there's a few guys that like to fish over
47 the line all the time. There's going to be guys trying
48 to get by doing some of the minimum bear claws because
49 they're not really an artist and know how to do it or
50 just trying to make a few bucks off a bear they got. I

1 don't want to see it taken away from people that are
2 doing it legitimate.

3

4 Sandy. I think that's something the
5 Subsistence Board has to define exactly.

6

7 MR. DUNAWAY: I want to ask the
8 Subsistence Board to be very vigilant about this problem
9 because you could have old fashioned bounty hunter kind
10 of guys going out there shooting bears for claws and not
11 qualified for subsistence in any way and these parts
12 could be sliding into the market under the cover of those
13 regulations. You probably wouldn't support a regulation
14 where you had enough illegal commercial fishermen that it
15 was seriously threatening the population. And that has
16 happened in the past in other places. I think that's why
17 there's been such severe restrictions on bears.

18

19 CHAIRMAN ALVAREZ: Sandy.

20

21 MR. RABINOWICH: There's a little part of
22 this I can maybe shed light on. As you all recall last
23 year, there were two different statewide proposals in
24 front of you that dealt with these issues, as did all the
25 other Councils. The Federal Board last year passed the
26 second one, I think it was 02, and rejected the first
27 one, which was 01. I can't do the details of each of
28 those without looking back at them because they were
29 fairly detailed. So the Federal Subsistence Board
30 modified these regulations last year based on that one
31 proposal. The pamphlet that you're passing around is the
32 program's attempt to explain the current situation.
33 That's what that pamphlet explains. What's considered
34 within the Federal law currently. So if you have
35 questions about that pamphlet, definitely ask now or
36 through Cliff.

37

38 In terms of what I think you're reading,
39 the State of Alaska has filed a request for
40 reconsideration, an RFR, about that regulation the
41 Federal Board passed.

42

43 MR. DUNAWAY: Yes.

44

45 MR. RABINOWICH: So that's still in
46 progress. The Federal Board hasn't taken up that RFR
47 yet, but it will. I don't know the timing. I haven't
48 seen anything on the calendar about exactly when that's
49 coming back, but I'm thinking it out to be in the near
50 future after these meetings get over with. So that will

1 come back up and the Board will decide whether it wants
2 to revisit it based on that RFR or not. So that's my
3 summary of where this issue is at the current time.

4
5 MR. DUNAWAY: Mr. Chair. I would sure
6 appreciate that at future meetings we be appraised of the
7 progress of this. I'd sure hate to see like Kenai
8 Peninsula brown bear get wiped out because we've opened
9 up just enough of a door that they could really abuse the
10 population or somewhere else.

11
12 CHAIRMAN ALVAREZ: Okay, Cliff, do you
13 hear that?

14
15 MR. EDENSHAW: Yes, I did, Mr. Chair.
16 Thank you.

17
18 MR. CHYTHLOOK: Mr. Chair, just a
19 comment. The new Federal Subsistence Board Chair used to
20 be the chair of the Board of Game, so a lot of these
21 issues that you're discussing this may be an opportune
22 time to fix some of your concerns. I know Mike Fleagle I
23 think you'll find -- I know on the Board of Game side or
24 State side he was a pretty reasonable guy. I'm sure
25 he'll carry that with him to the Federal program.

26
27 MR. O'HARA: Mr. Chairman. They have an
28 organization called the Western Alaska Brown Bear
29 Management Program or something like that and this group
30 is a group of people who are just one step short of a
31 bunch of environmentalists who happen to live in Alaska.
32 They told us we couldn't take a brown bear hide from here
33 to Anchorage and process it for a head mount unless we
34 cut the arms and legs off. You know, give me a break.
35 There's enough bears in Lake Iliamna. A diver went down
36 to find a body in Pedro Bay and he found nine carcasses.
37 They asked the people, how did those bears get there.
38 They said they just were not good swimmers. They just
39 couldn't make it.

40
41 I say that because there is a good
42 population of bears, but we're not going to abuse it. If
43 they start abusing it, the Federal law enforcement people
44 can do the same thing you're going to do on the sale of
45 fish in the region. If you start making a Mom and Pop
46 operation and processing and selling and this becomes
47 something other than subsistence, then it needs to go to
48 the courts and we're not going to shy away from that.

49
50 CHAIRMAN ALVAREZ: I guess we're going to

1 go down to number 11, the Fisheries Information Service.

2

3 MS. CRAVER: Good afternoon, Council
4 Members and Mr. Chairman. For the record, my name is Amy
5 Craver and I will be presenting to you the draft 2007
6 Fisheries Monitoring Program from the Southwest Region.
7 The materials I'll be covering can be found in your Board
8 books on Pages 62 through 87.

9

10 This report is organized into three
11 sections. The first section beginning on Page 62
12 provides you with a summary of the Fisheries Monitoring
13 Program statewide.

14

15 The history procedures used to evaluate
16 projects and policy and funding guidelines are discussed.
17 On Page 65, Table 1 provides a breakdown of the numbers
18 of fisheries projects proposed. You will note that the
19 projects are summarized by two types; stock status and
20 trends projects that are biological studies, like
21 escapement weirs, towers and tagging studies and harvest
22 monitoring and traditional knowledge studies that deal
23 with how subsistence users interact with fish resources.

24

25 The last three columns reflect the
26 recommendations made by the Inter-Agency Technical Review
27 Committee. The total funding for 2007 was \$3.9 million.
28 The total cost of funding for all 37 projects submitted
29 was \$4 million and the cost of the 35 projects
30 recommended would be \$3.8 million. Figure 1 on Page 66
31 shows the distribution of funds between Alaska Native,
32 State and Federal organizations.

33

34 The draft Resource Monitoring Plan for
35 the Southwest Region beginning on Page 67 discusses the
36 issues and information needs that went out in the 2007
37 call in November of 2005. Based on the Bristol
38 Bay/Chignik Strategic Plan, the 2007 request for
39 proposals identified three high-priority subsistence
40 fishery units, including Bristol Bay salmon, Chignik
41 salmon and Bristol Bay/Chignik non-salmon.

42

43 Table 1 on Page 68 lists 34 projects that
44 have been funded in the Southwest Region since 2000.
45 Three of these existing projects will continue in 2007.
46 Eighteen proposals were originally submitted for the
47 Southwest Region in 2007. The Technical Review Committee
48 recommended 10 projects for development of investigation
49 plan. Of the 10, six of the projects were stock status
50 and trend projects and four were harvest monitoring and

1 traditional ecological knowledge projects. Of those 10
2 projects, four were withdrawn by the investigators, so
3 they weren't submitted for an investigation plan.

4
5 Table 2 on Page 70 provides a listing of
6 the proposed funding by project. Table 3 on the same
7 page lists the local hire and matching funding proposed
8 by each project.

9
10 The Technical Review Committee listed its
11 priorities for funding of the projects on the top of Page
12 71. After reviewing the seven investigation plans, the
13 Technical Review Committee prioritized them in the
14 following descending order. More detailed descriptions
15 of each of these projects are located in the executive
16 summaries on Pages 74 through 87.

17
18 So the six projects that were recommended
19 for funding are as follows. There was the Kodiak region,
20 there was the Buskin River sockeye salmon weir project
21 and then in your area here, the second project that was
22 recommended by the Technical Review Committee was the
23 Perryville/Clark River coho sockeye aerial counts.
24 Basically this study is a continuation of annual
25 monitoring surveys funded through the Fisheries Resource
26 Monitoring Program since 2003.

27
28 Then the third project that was
29 recommended for funding in the Kodiak area is the McLees
30 Lake Sockeye Weir Project. The next project also in the
31 Kodiak region was Afognak Lake Sockeye Assessment.

32
33 The next project that was recommended for
34 funding was from this region. It's a traditional
35 ecological knowledge project entitled Kvichak Watershed
36 Subsistence Fishing Ethnography. This project would
37 provide a rich ethnographic description of subsistence
38 sockeye salmon fisheries of Nondalton, Newhalen,
39 Iliamna and Port Alsworth and describe changing
40 subsistence salmon fishing strategies and patterns that
41 have developed over the last 20 to 25 years.

42
43 CHAIRMAN ALVAREZ: Can you tell me what
44 ethnology is.

45
46 MS. CRAVER: The ethnographic project is
47 basically going to be focusing on fish camps and
48 interviewing people at fish camp and talking to them
49 about what they're doing right now in terms of
50 subsistence fishing and how that's changed over time, so

1 it's really more interviewing, talking to people, doing
2 participant observation, so the investigators would be
3 spending a lot of time with four fishing families.
4
5 MR. O'HARA: Ethnic, is that.....
6
7 MS. CRAVER: Ethnographic.
8
9 MR. O'HARA: But ethnic is part of the
10 word? No? It's a separate word?
11
12 MS. CRAVER: Right. It's more the
13 methodology.
14
15 MR. O'HARA: Oh, the manner in which.
16
17 MS. CRAVER: The manner in which, yeah.
18 So it's more focused on just sort of capturing a rich
19 description of how a subsistence fish camp works today
20 and how it's sort of progressed over time.
21
22 MR. O'HARA: I never won a spelling bee
23 contest.
24
25 MS. CRAVER: Then the final project
26 that's recommended for funding is from this area and
27 that's the Togiak River Rainbow Smelt Assessment. This
28 project would provide basic life history
29 information on Togiak River rainbow smelt, including
30 spawning locations, run-timing, and collect data on age,
31 sex, and length composition of both the run and
32 subsistence harvest.
33
34 The final project is in the Adak region.
35 This is the Adak Island Subsistence Fishing Project.
36 This project was ranked the lowest and the Technical
37 Review Committee did not recommend this project for
38 funding. However, the Kodiak/Aleutian Council
39 unanimously supported the project. The main concern that
40 the TRC had was some of the members felt that the
41 applicability of the information was a bit premature for
42 Federal subsistence management because as of right now
43 Adak is considered nonrural; however, it looks likely
44 that Adak will be declared rural, so there was a minority
45 of TRC members that felt because Adak may be going rural
46 that it would be important to find out more information
47 about people's pattern of harvest for subsistence
48 fisheries.
49
50 So that's all I have. I don't know how

1 you want to support these projects. Do you want to do
2 them one by one or as a group?
3
4 MR. O'HARA: Mr. Chairman, can I ask a
5 question.
6
7 CHAIRMAN ALVAREZ: Go ahead, Dan.
8
9 MR. O'HARA: You've got the Buskin River
10 sockeye salmon weirs and then you've got Perryville with
11 zero and then you go to the next page and it's
12 Perryville.....
13
14 MS. CRAVER: What page are you on?
15
16 MR. O'HARA: It's Page 71. I go to Page
17 73 and it says Perryville/Clark River coho sockeye aerial
18 counts 2007 is zero, but 2008 is 31,000.
19
20 MS. CRAVER: Right. You know, I might
21 defer to Steve Klein on this one because there's sort of
22 extenuating circumstances.
23
24 MR. KLEIN: They already have funding to
25 do the 2007 portion. The survey would be in September,
26 but in November they need funding. Since the Board won't
27 meet until January, we need that decision now to
28 authorize their funding for November of next year. So
29 basically for Bristol Bay the four projects within your
30 region the Technical Review Committee is recommending
31 they be funded and the Board would want Council's
32 recommendations for them to arrive at their decision.
33
34 CHAIRMAN ALVAREZ: For Perryville, how
35 much did you say that was going to be?
36
37 MR. KLEIN: Usually it's a \$30,000
38 project per year for them to do two helicopter surveys.
39 I'm sure Mike is going to speak to some of the results of
40 that project during his time in the Agency reports. But
41 in terms of the amount of funding available, there's
42 enough funding to fund the three Bristol Bay projects and
43 three projects in the Kodiak/Aleutians.
44
45 CHAIRMAN ALVAREZ: Do we need to vote on
46 their area, too?
47
48 MR. KLEIN: Typically this Council has
49 just voted on projects within your region.
50

1 CHAIRMAN ALVAREZ: Do we have a motion?
2
3 MR. O'HARA: Well, I don't know enough
4 about it really to say one, two and three. So how do you
5 determine dollars for this project or was that a team
6 effort?
7
8 MS. CRAVER: That's the budget that the
9 PI submit that we work with.
10
11 MR. KLEIN: There was about 500,000. And
12 the projects for the Southwest Region, which includes
13 Kodiak/Aleutians as well as Bristol Bay/Chignik, there
14 was about 600,000, so we had to draw the line basically.
15 If you're at Page 71, we prioritized the projects within
16 the Southwest Region and there was seven of them and the
17 last project you see there, Adak Island Subsistence
18 Fishing, there was not sufficient funds, so the six
19 projects above that Adak Island there was enough funding
20 to fund those beginning in 2007. So six of the seven
21 there's sufficient funding. We believe the lowest
22 priority was the Adak Island project and the other six
23 are recommended and there is funding available to
24 encompass those.
25
26 CHAIRMAN ALVAREZ: Why wasn't there any
27 funding in '07 for Perryville? You just didn't put it in
28 there?
29
30 MR. KLEIN: Basically they don't need any
31 money in 2007. They need it in 2008. It's just where we
32 cross our fiscal year. The 2007 dollars are already
33 covered. We should just make the Federal year a calendar
34 year and this wouldn't be a problem.
35
36 MR. DUNAWAY: I'm kind of curious. I've
37 got to admit, I've got a little personal connection with
38 some of the folks in Adak. I used to subsistence fish
39 with Vince Tutiakoff when he lived in Dutch Harbor at
40 McLees Lake. I don't really know what's going on down
41 there. I haven't talked to him in a long time. How
42 much of a setback would it be for them, and this is out
43 of our swimming pool, but I'm curious since I know Vince
44 some. It sounds like if they go rural they're
45 definitely going to be needing some information out of
46 there. How far to the back of the line did they get
47 thrown? Are they going to get a chance of funding in
48 another year or how does that work?
49
50 MR. KLEIN: Actually, the Board still has

1 to act under the recommendations -- of course,
2 Kodiak/Aleutians they did feel the project was a high
3 priority. They recommended it for funding. The Board
4 will be looking at it and it's still possible to be
5 funded in 2007. When we reviewed it technically, most of
6 the TRC thought it should be a biological investigation,
7 so it's possible there could be a biological survey
8 submitted for 2008. It will be looked again in 2008.

9

10 MR. DUNAWAY: But if that was funded this
11 year, then something else would go of these other
12 priorities.

13

14 MR. KLEIN: Something else would have to
15 go. Maybe not in this region, perhaps in the Yukon or
16 the Kuskokwim or North Slope for example.

17

18 CHAIRMAN ALVAREZ: I recommend we approve
19 the three in our area.

20

21 MR. DUNAWAY: I guess I'd move to support
22 the funding in the priorities listed in the recommended
23 year. Just a side note, past experience in Unalaska, I'm
24 sure Adak would like to see funding, but I want to take
25 care of especially Kametolook and Perryville. For me,
26 Kvichak watershed stuff is very high priority. I'm
27 interested that Togiak smelt were not just stuck on
28 salmon because I think these other fish are important
29 too. But I'll move to adopt the priorities listed here
30 as long as Kvichak, Togiak and Perryville don't somehow
31 drop off.

32

33 MR. ABRAHAM: I second that motion.

34

35 CHAIRMAN ALVAREZ: The motion has been
36 made and seconded by Dan Dunaway and seconded by Pete
37 Abraham to approve the three funding, 404, 452 and 408 in
38 our area. Any question.

39

40 MR. O'HARA: Question.

41

42 CHAIRMAN ALVAREZ: The question has been
43 called. All in favor signify by saying aye.

44

45 IN UNISON: Aye.

46

47 CHAIRMAN ALVAREZ: Opposed.

48

49 (No opposing votes)

50

1 CHAIRMAN ALVAREZ: Motion carried.

2 Steve.

3

4 MR. KLEIN: Again, it's Steve Klein for
5 the record with the Office of Subsistence Management. A
6 little brief history. When the Federal government
7 started managing subsistence fisheries we recognized that
8 really we need to get more information and that's why we
9 have about \$5 million for fisheries monitoring and half a
10 million directed to Bristol Bay. Amy just covered some
11 of the research and monitoring that we're doing with that
12 funding and, yeah, you've got a species like rainbow
13 smelt that's very important to subsistence users and we
14 just don't have to go by the luck of the draw and hope we
15 don't overharvest them. We can collect information and
16 manage them.

17

18 Also when we started Federal management
19 we realized that it shouldn't just be State and Federal
20 biologists out there collecting information. That's
21 where we created the Partners for Fisheries Monitoring
22 Program. Within the Southwest Region we established
23 positions with Bristol Bay Native Association for both
24 the fish biologists and social scientists so that they
25 could get out there and help us collect information as
26 well as have intern programs where they can make our
27 future leaders and hopefully getting some of them running
28 the Subsistence Management office, but it's certainly
29 helping us collect information.

30

31 Next up we're going to have Robbin and
32 Valli come up and talk about some of their successes with
33 the Partners for Fisheries Monitoring Program.

34

35 MS. LaVINE: Hello, Mr. Chairman and
36 Council Members. For the record, my name is Robbin
37 LaVine. Through the Partners Program that Steve was
38 talking about I am the subsistence fisheries social
39 scientist at the Bristol Bay Native Association. I am
40 currently the only position. We have had in the past a
41 biologist. Currently that position is vacant and we are
42 kicking around the hope that we may be able to fill that
43 position again. Regardless, with or without the biologist
44 position, we have been very productive at BBNA this year,
45 especially in regards to our intern program and Valli, in
46 a moment, will come talk to you about our success there.

47

48 Just a little background of the Partners
49 Program at BBNA. It started with a fisheries biologist,
50 John Chythlook, in 2003. In 2003 we had one intern

1 through that program. This year we are currently funding
2 10 separate internship positions, eight of which were
3 summer internships and I'll let Valli talk to you about
4 those. Two are separate internships that are going to be
5 positions available for the fall and winter sessions and
6 then we have two summer internships that are continuing
7 through the fall because the host agency has been so
8 thrilled with the assistance of the local young people on
9 their projects that they have requested that they
10 continue on.

11
12 Aside from the intern program, another
13 responsibility of my position is to be involved in FRMP
14 projects. I am wrapping up two research projects. One,
15 the Togiak Tech Project, I have been working with the
16 folks at the Togiak National Wildlife Refuge for a number
17 of years and Pete Abraham as well. We are in the final
18 report stage of that project, the final report stage of
19 the customary trade project that we spoke about again in
20 the spring.

21
22 CHAIRMAN ALVAREZ: What is FRMP?

23
24 MS. LaVINE: Fisheries Resource
25 Monitoring Plan and Program. So these are projects that
26 are funded through FIS and US Fish and Wildlife. BBNA
27 has been co-investigator through our positions, mine and
28 the biologist position, on a number of different projects
29 over the years. The two that I just mentioned, Togiak
30 Tech and customary trade, are wrapping up now. We have
31 BBNA as a co-investigator on the Kvichak Watershed
32 Subsistence Fishing Ethnography Project.

33
34 Actually, I did want to say that even if
35 you looked down here on Page 70, Table 3, and they're
36 showing funds for these various projects as local hire
37 and matching, I did just want to mention that it may not
38 necessarily be considered local hire, but BBNA's portion
39 of the project is going to be compensating four families
40 in the Kvichak River watershed for their assistance in
41 providing information and participating in the research
42 and actually providing their own documentation of their
43 subsistence harvest activities over the course of the
44 year. So that funding actually equates to about \$20,000
45 that that project will actually be putting into the
46 community. BBNA will also be providing local hire for
47 the Togiak River Rainbow Smelt Assessment Project as
48 well.

49
50 I do hope in the new call for proposals

1 in January to actually resubmit the non-salmon harvest in
2 Togiak, Twin Hills and Manakotak project that was
3 actually approved last year, but then pulled again based
4 on over-commitment on some of our partnering agencies and
5 I do believe that this time BBNA would like to take the
6 lead on that particular project.

7
8 Another issue I wanted to bring up, as
9 I've been sitting here listening to the communities
10 concerns as well as the concerns of the RAC, is one of
11 the things we should be doing as a Partners position or I
12 should be doing is making myself available to the
13 communities in regards to their issues and concerns for
14 research in their area. So I do hope that I will be able
15 to spend some time in the Bristol Bay region communities
16 talking with folks about what they might want to see for
17 current projects in regards to subsistence fisheries
18 issues.

19
20 With that, I believe I've covered my
21 program report for the moment. If you have any
22 questions, I'd be happy to address them now.

23
24 CHAIRMAN ALVAREZ: Dan.

25
26 MR. O'HARA: Robbin, you said that
27 perhaps in the future you would be interested in getting
28 information from the communities. Was that on
29 subsistence or was that research or what?

30
31 MS. LaVINE: Subsistence fisheries
32 research projects.

33
34 MR. O'HARA: What would something like
35 that involve? What would you ask them? The amount of
36 fish they use or how they use it, did they get enough or
37 what?

38
39 MS. LaVINE: Well, basically, what are
40 their concerns in regards to subsistence fisheries
41 research. In one capacity, I may solely be an advocate
42 for assisting and writing up proposals in regards to
43 subsistence fisheries research or subsistence fishing.
44 There are a number of projects, as you see every year,
45 and although they might become more competitive these
46 days, I think if we have more community involvement that
47 the projects we put forth as meeting the needs of the
48 community, these might actually come to a head in regards
49 to funding from the FIS and US Fish and Wildlife. So I'm
50 looking for ways in which to integrate the communities'

1 needs and also capacity build in the area of the Bristol
2 Bay region and looking for ways to ensure that the local
3 communities maintain involvement and understanding of the
4 research that's ongoing in the region.

5
6 MR. O'HARA: Mr. Chairman. That would be
7 then only communities such as Perryville, Ivanoff, Port
8 Alsworth, Nondalton, places on Federal lands.

9
10 MS. LaVINE: Unfortunately, it more than
11 likely would have to start there, but that doesn't mean
12 that given any greater opportunity I might be able to
13 secure funding for the regions that are not covered by
14 Federal land, but that would have to be aside from my
15 role in FRMP projects.

16
17 MR. O'HARA: We get narrowed down pretty
18 close on Federal lands. Not a whole lot of it. I mean
19 there's mostly -- the communities are more on State lands
20 then they are on Federal lands.

21
22 CHAIRMAN ALVAREZ: Any more questions for
23 Robbin.

24
25 (No comments)

26
27 CHAIRMAN ALVAREZ: Seeing none. Thank
28 you.

29
30 MS. LaVINE: Now Valli Peterson will
31 brief you on our program this summer. As you all know,
32 Valli Peterson is from South Naknek and she's been
33 involved in a number of different projects as a GS tech,
34 also as a BBNA intern at one point, weren't you?

35
36 MS. PETERSON: No. I was the BBDC FRI
37 intern.

38
39 MS. LaVINE: She'll probably give you
40 some background of her trajectory, but she was a splendid
41 summer intern program coordinator.

42
43 CHAIRMAN ALVAREZ: Valli.

44
45 MS. PETERSON: Well, in August US Fish
46 and Wildlife Service OSM held an intern day in Anchorage
47 and it's a statewide program and BBNA has the largest
48 intern program of all the regions with eight interns.

49
50 MR. ABRAHAM: Excuse me. State your

1 name.

2

3 MS. PETERSON: Oh, I'm going to
4 eventually. Do you want me to do that right now? I have
5 an order here.

6

7 MS. LaVINE: For the record.

8

9 MS. PETERSON: For the record though, my
10 name is Valli Peterson and I'm from South Naknek. I'm a
11 UAF student studying fisheries. I'll start over. So we
12 had intern day in Anchorage. BBNA has the largest intern
13 program and Amy Craver sitting behind me was impressed
14 with our program, so she mentioned traveling here to
15 share the information about our program with you guys.
16 So here I am. I'm going to go over a little bit about
17 myself, the Partners Program, how it's helped me get a
18 hands-on fish experience, shaped my professional goals
19 and allowed me to return to Bristol Bay and work this
20 summer. I'll talk about the interns we had this summer
21 and the successful impacts it's having on the region.

22

23 Well, I grew up commercial and
24 subsistence fishing with my family in South Naknek. I
25 attended high school in Dillingham and now I'm living in
26 Juneau but attending UAF. I'm a senior and I'll be done
27 in May.

28

29 My first affiliation with the US Fish and
30 Wildlife Partners Program started in 2003 in Fairbanks.
31 I interned two summers there and I thought, you know, why
32 am I not using my fisheries knowledge at home in Bristol
33 Bay. Well, this last spring Robbin called me and told me
34 about the intern coordinator position and it was pretty
35 exciting and I was definitely interested in taking the
36 position. Hearing that there was eight interns that I
37 would have to coordinate and supervise was a little
38 overwhelming, but I decided to take the position and took
39 a little bit of advancement going from the intern to
40 intern coordinator, so that was pretty exciting.

41

42 Well, when I arrived here, two of the
43 interns had been hired. Both of them were not from
44 Bristol Bay though and I said my goal to the intern
45 program is to be looking for interns from Bristol Bay,
46 preferably those who grew up in this region fishing, so
47 that's what I did. I spread the word and told people we
48 need interns and I was able to achieve that. We had
49 Jennifer Bennis, Naomi Chythlook working at FRI, Shelly
50 Woods working with US Fish and Wildlife Service as the

1 biologist intern, Abayou Lulairmore (ph) with ADF&G, we
2 had Iris Bowers working with the National Park Service
3 and Jessie Trefon up in Lake Clark with the USGS. So,
4 hopefully one day these students will be the Slim
5 Moristad and the Steve Klein and Mark Lisak of the area.
6 It would be a good thing to get local people in to fill
7 these positions and that's all that the program is about.
8 It's getting local members to play an active role in
9 managing the fisheries and filling those gaps that exist
10 between managers and locals. So, that's it.

11
12 CHAIRMAN ALVAREZ: Thank you. I feel the
13 same way. I would like to see more local people in some
14 of these positions. When our Staff members retire, they
15 have to be filled by somebody. I would like to see local
16 people get more involved also, especially when it comes
17 to -- I'm on some other boards and when it comes to
18 scholarships, I'd like to see people that -- it rates
19 pretty high for me if they go into fish and game
20 management or natural resources and take some of the jobs
21 that some of the Staff members have. That's what I would
22 like to see. Thank you.

23
24 We are on number 12, Agency reports.
25 Unless you have something else, Steve, on 11.

26
27 MR. KLEIN: No. I'm going to do number
28 12. Am I sensing you want the fast version?

29
30 MR. O'HARA: If you repeat yourself,
31 we'll throw you out of here.

32
33 MR. KLEIN: Okay. For Agency reports
34 there's about six issues listed there. Number four is an
35 error, so we're not going to cover that. The first item
36 I have is other rural determinations and that's covered
37 beginning on Page 88 of your books. This is one of two
38 action items. We're asking for input from all of the
39 Regional Advisory Councils on proposed rural/nonrural
40 determinations. That comment period is open through
41 October 27. It's Federal Subsistence Management System.
42 If you're rural, you have the rural preference. So
43 whether a community is rural or nonrural is very key to
44 this program. Every 10 years we look at communities to
45 assess whether there's any change in status from rural to
46 nonrural or vice versa.

47
48 For the Bristol Bay region there's no
49 changes in either communities moving from rural to
50 nonrural or nonrural to rural. If you look at the

1 briefing that starts on Page 88 and goes on for about 10
2 pages, there's several areas of the state where at least
3 the Staff Committee level the Federal Subsistence Board
4 still needs to make a decision, but we're getting input
5 from the Councils on rural/nonrural status. Looking at
6 Prudhoe Bay, Southcentral, Kodiak/Aleutians, the
7 Ketchikan area, there are proposed changes. I could go
8 through each of those if you wish. But for the Bristol
9 Bay region really there are no changes. At the same
10 time, this is your opportunity to provide either oral
11 comments into the record or written comments that we can
12 develop later. It's your choosing.

13

14 CHAIRMAN ALVAREZ: Like Dan said earlier,
15 I don't feel the need to. On the State Advisory
16 Committee, our committee doesn't like to comment on
17 something that's going on in Southeast if it doesn't
18 affect us. This situation here, I'm not real informed on
19 these other communities and whether they qualify or not,
20 so I personally don't want to comment on that. I don't
21 know enough about it. Cliff.

22

23 MR. EDENSHAW: Thank you, Mr. Chair and
24 Council. I do know that all the Chairs of the 10
25 Councils will be invited into Anchorage as part of a
26 continuing process for the rural determinations for the
27 information that's on 89 through 91, so you can expect a
28 phone call from me asking Randy can you come into
29 Anchorage for a board meeting, we're going to address
30 rural.

31

32 CHAIRMAN ALVAREZ: I've been to one.
33 Those that were affected were sure there, but everybody
34 that -- there wasn't much attendance from people that
35 weren't affected by what was going on someplace else.
36 That's the feeling I have unless someone else wants to
37 comment on it. Dan.

38

39 MR. DUNAWAY: I just have a question for
40 Cliff or Steve. I haven't read this real thoroughly. I
41 know this is really hard to anticipate, but do you see
42 any precedent setting potential that might affect -- like
43 Dillingham is kind of hovering on that 2,500 mark.
44 Anything that could come out of this that may have
45 repercussions down our way. Cliff or Steve or anybody
46 else.

47

48 MR. KLEIN: I would just comment that
49 Kodiak, which has a population of 12,000, is being
50 considered moving from rural to nonrural. We'll see how

1 the Board acts on that decision. They just had a public
2 meeting and I think they had over 100 people testify why
3 that shouldn't be done, but that certainly could be
4 precedent setting and something to watch in the case of
5 Dillingham.

6

7 MR. DUNAWAY: Thank you.

8

9 CHAIRMAN ALVAREZ: We don't have to take
10 action on this, do we, Cliff? Do you guys feel strongly
11 we should support or oppose them? I don't. Anybody
12 else?

13

14 (No comments)

15

16 CHAIRMAN ALVAREZ: Seeing none, we'll
17 move on. We won't take action on that.

18

19 MR. KLEIN: Okay. The second issue,
20 number two, is Council composition update. This is not
21 an action item. It's just to brief you where we're at in
22 the process of Council composition. As you'll remember
23 back in 2003 your charters were changed such that a goal
24 was set that we'd have 30 percent representation from
25 commercial and sport users on each Council. This was to
26 primarily meet the requirements of FACA, the Federal
27 Advisory Committee Act, that you should try to represent
28 the total interest and that goes beyond just subsistence.

29

30

31 Of course, our program is always being
32 sued. Back in August we heard from the court that we
33 didn't provide a sufficient administrative record showing
34 why we were using 70 percent subsistence, 30 percent
35 commercial/sport and they ordered us to stop using that
36 70/30 system. We're going to continue with our Council
37 nominations for this fall, but after that we're supposed
38 to have something new in place, so we'll use that one
39 last time as we fill the open Council seats this fall.
40 Our plan is to look at other possible ways of meeting
41 requirements. Maybe 70/30 isn't the right split or maybe
42 there's another way we could make sure we had balance in
43 the Councils.

44

45 We're going to release a public notice,
46 30-day notice in the Federal Register asking for
47 comments. We'll explain our rationale for the 70/30 rule,
48 which is part of the reason the judge said don't use it.
49 We have to provide the documentation. This Council will
50 be able to comment once we issue that 30-day notice.

1 You'll take this up next February or March when you have
2 your next Council meeting. You'll have the opportunity
3 to weigh in.

4
5 CHAIRMAN ALVAREZ: Is the plan still to
6 have 10 members?

7
8 MR. KLEIN: In the case of Bristol Bay,
9 yes. And then the Board will take action in May of 2007.
10 You're going to have your input at the next Council
11 meeting on how we handle this issue, but basically we
12 have to document our rationale on the 70/30, we'll be
13 looking at other options and we'll be bringing those to
14 you in about five months.

15
16 So that's an update on that issue and
17 I'll answer any questions.

18
19 CHAIRMAN ALVAREZ: Any questions. So
20 there was a lawsuit. Is that settled then? We would
21 have had another guy, but he didn't get confirmed by the
22 Secretary of the Interior, a guy from Iliamna. They're
23 waiting to be approved. I guess this is the lawsuit that
24 was holding things up. Has that kind of settled?

25
26 MR. KLEIN: We'll still be using the
27 70/30 rule for the nominations that go to the Secretary
28 this fall. I don't think anything would have been held
29 up.

30
31 CHAIRMAN ALVAREZ: Thomas Hedland from
32 Iliamna, from what I understand, the only thing holding
33 that up is to be signed by the Secretary of Interior,
34 right? Or does the Subsistence Board still have to
35 approve it.

36
37 MR. EDENSHAW: The Board made
38 recommendations to the Secretaries of Interior and
39 Agriculture. Because of that lawsuit they just chose not
40 to submit a packet. They normally forward the packet
41 back east and those weren't approved and sent until just
42 recently. So we don't anticipate those being signed --
43 I'm not even sure if I heard word they've been signed off
44 yet, so it will be a track meet in terms of those
45 individuals who are recommended, at least on this
46 Council, for Region 4. Sandy, have you heard anything on
47 those yet?

48
49 MR. RABINOWICH: As far as I know, not
50 yet, but that would be normal that it's not done yet.

1 CHAIRMAN ALVAREZ: That will fill one of
2 our vacant seats then. So at the next spring meeting he
3 should be on the Council.
4 Any more.
5
6 MR. DUNAWAY: Just real quick. I think
7 there's been less concern about the committees since
8 there's been broader backgrounds on the Council. I sense
9 a less of a sense of polarity, anxiety among some of the
10 user groups, at least around Dillingham, because there's
11 an effort to have real wide perspectives on the Council
12 here.
13
14 CHAIRMAN ALVAREZ: Okay, Steve.
15
16 MR. KLEIN: Still on 12(A). Number three
17 is on Page 100. Basically these are not an action item
18 either. The next one will be. The three items on Page
19 100 are just quick updates on our draft closure policy,
20 draft subsistence use amounts protocol and our draft
21 customary and traditional use policy. Short updates are
22 provided there for you. There's no action for the
23 Council. I could provide more detail or answer
24 questions.
25
26 CHAIRMAN ALVAREZ: Anybody want any more
27 detail?
28
29 MR. O'HARA: No.
30
31 (No comments)
32
33 CHAIRMAN ALVAREZ: Okay. Hearing none
34 we'll move on.
35
36 MR. KLEIN: Then the last issue has to do
37 with hunting licenses. Your counterparts in the
38 Southeast Region wanted to get this issue in front of you
39 and it has to do with should subsistence users have to
40 purchase hunting license in the state of Alaska and that
41 begins on Page 101. Basically the Southeast Council is
42 asking for you to provide your views on hunting license
43 for subsistence hunting. They're soliciting views from
44 all the Councils. Beginning on Page 104 is basically the
45 Southeast Alaska opinion on whether hunting licenses
46 should be required. Currently, hunting licenses are a
47 requirement for subsistence hunting. When we established
48 the Federal Subsistence Management Program, we
49 grandfathered that in from the State regulations. So, in
50 order to subsistence hunt, you have to spend 25 bucks on

1 a hunting license unless you're low income and then you
2 can get it for \$5. The Southeast Council is saying why
3 should we have to do that when this program has been --
4 it's not a temporary program. It's been here for 17
5 years now in the case of game and maybe we ought to
6 revisit that.

7
8 In that write-up they provide the OSM
9 perspective from the earlier days and basically there are
10 benefits from having a hunting license. Alaska
11 Department of Fish and Game is able to conduct some
12 wildlife monitoring and research with what they get from
13 the hunting licenses as well as matching funds. Every
14 time you buy a firearm or shotgun shells that's a tax
15 that goes into wildlife monitoring.

16
17 Southeast Council listed basically seven
18 areas of concern for having the requirement for State
19 hunting license and that begins on Page 106. They're
20 saying these are all Federally qualified users, so why
21 would you need a State license. Secondly, in terms of
22 this program, the hunting occurs on Federal lands, so why
23 the requirement for a State license. Number three, the
24 rationale for adopting a State of Alaska license
25 regulations, they say initially that was reasonable but
26 now they're arguing that a license really isn't warranted
27 any longer. Fourth, current license issues, they think
28 it's time to revisit the requirement. Fifth, ANILCA.
29 Really, there's nothing in Title VIII that says you must
30 have a State hunting license.

31
32 Six, State support for ANILCA subsistence
33 protections. Basically they're saying the State is
34 unable to comply with ANILCA and many of their positions
35 are anti-ANILCA, anti-subsistence user. That write-up is
36 under number six. Under that first paragraph they're
37 saying this opposition to the interests of
38 Federally-qualified subsistence users has been partially
39 funded by the license fees these users pay to the State
40 of Alaska. They expounded on that point quite a bit.
41 Seven is financial implications. They're saying that's a
42 financial burden to get this license and we're not
43 supportive.

44
45 So the Southeast Alaska Council is
46 proposing that we do away with the requirement for a
47 State hunting license and you be issued a Federal hunting
48 license at no cost. We talked about coordination of
49 management and information and getting good harvest
50 information. I think that's part of the rationale why we

1 might have a hunting license. The Southeast Council is
2 asking you for your opinion and they would like you to
3 send a letter of your support or non-support directly to
4 the Southeast Council. They're going to take all the
5 input they get from the 10 Councils in the state and
6 continue to pursue their interest in just having a
7 Federal license and not having to pay for a State hunting
8 license.

9

10 MR. O'HARA: Mr. Chairman. A really good
11 example of a waste of time. Aren't you from Southeast,
12 Cliff?

13

14 MR. EDENSHAW: Yes, sir.

15

16 MR. O'HARA: You ought to go have a
17 Boston Tea Party or something, you know. I mean we waste
18 our time on -- you buy a license, there's lots of things
19 that go into that. Of course, I'm old and I get mine for
20 25 cents.

21

22 CHAIRMAN ALVAREZ: But, anyway, they
23 still have to have a State license to hunt on State land,
24 don't they? So if they don't buy a license, they can't
25 hunt on State land.

26

27 MR. KLEIN: No. They would have to
28 confine their harvest to Federal lands if this went
29 through. My colleague, John, I think, wants to speak to
30 this issue and speak more to the merits of why we should
31 have a State hunting license.

32

33 MR. HILLSINGER: Thank you, Mr. Chairman.
34 For the record, again, my name is John Hillsinger. I
35 think Steve covered this pretty well. One of the long-
36 standing principals of sound management of fish and
37 wildlife is the users help fund the research and
38 management that keeps the wildlife populations healthy.
39 This happens through a kind of two-pronged approach. One
40 is through the Federal excise tax on hunting and
41 equipment and ammunition and that's 10 percent or on some
42 ammunition it's 11 percent. That goes into a trust fund
43 that's divvied up among all the states and it's divvied
44 up according to the number of licenses sold in the state
45 and the size of the state. Obviously, when you put the
46 size of the state in the formula, Alaska does pretty
47 well. Alaska actually gets the maximum amount it's
48 allowed and it's more than what we pay into it, so it's a
49 net gain.

50

1 The other prong of this funding is
2 through the license fees, the \$25. If you're under 16,
3 you don't need a license. If you're over 60, you get the
4 senior license. The thing about that then is that
5 license fee money goes into the fish and game fund and is
6 used for match to get that Federal money. The State of
7 Alaska has to put up one-fourth of the money and the Feds
8 put up the other three-fourths. So every dollar that
9 comes in in fishing license fees generates three more
10 dollars from this Federal fund, so it's really a net
11 benefit. Like I said, the State gets more money back
12 than we put in. So if a large number of people in Alaska
13 did not buy fishing licenses, we would not have the money
14 to match those Federal funds and we would then be losing
15 the excise tax that you're going to pay anyway. I know
16 what shotgun shells cost in Anchorage, so I'm sure
17 they're significantly more expensive here. So if you buy
18 30 or 40 dollars worth of shotgun shells, there's three
19 or four dollars that goes into that excise tax. More of
20 that comes back.

21
22 So it's really an important source of
23 funding. And ADF&G spends about \$15 million a year to
24 manage hunting around the state and that covers surveys,
25 area biologist costs. A lot of this work is done in
26 cooperation with the Federal agencies, so it funds our
27 portion of that work. So it actually grows. I think
28 people should realize that that money does not get used
29 for viewing platforms. Some of the concerns expressed by
30 the Southeast RAC are not accurate. The money doesn't
31 go for viewing platforms, it doesn't go for viewing
32 programs, it does not get used for boat launch ramps on
33 the sport fish side. You pay that through other money.

34
35 As was mentioned, people would have to
36 buy a license to hunt on State lands anyway. So it's
37 really a small investment. That \$25 is a small
38 investment and it grows through the money from the
39 Federal excise tax and it's really an important part of
40 management of fish and wildlife and I think we have a
41 really good program throughout the state and we do a lot
42 of surveys and there are certainly populations that go up
43 and down and we're not always happy with the status of
44 our game populations, but we need that information if
45 we're going to continue to manage them. Thank you.

46
47 CHAIRMAN ALVAREZ: Thanks, John. Dan.

48
49 MR. O'HARA: I don't know. I'm not
50 interested in supporting Southeast on this at all. Just

1 for the purpose of doing something, I'll make the motion
2 that we don't take any action on this.

3

4 MR. DUNAWAY: Or would you want to move
5 to oppose it?

6

7 MR. O'HARA: I can oppose it. That would
8 be fine. I think that licenses are necessary for a lot
9 of the research and different things we do. That's one
10 way the Feds and the State can work together. I'll make
11 a motion that we oppose this.

12

13 MR. DUNAWAY: I'll second.

14

15 CHAIRMAN ALVAREZ: Motion by Dan O'Hara
16 to oppose the proposal by Southeast Council, seconded by
17 Dan Dunaway. I've got a comment. That's kind of how I
18 feel about it. Nobody likes buying a license, but it
19 does a lot of good, although they're going up. I think I
20 paid \$56 last January for my license, but I always buy
21 everything. To hunt on State land you're still going to
22 need the license anyway. I don't see what they're
23 getting at. They can't hunt on State land. If they do,
24 they have to buy a license. They've got the license
25 anyway. Any more comment.

26

27 MR. DUNAWAY: Half the time I go in the
28 Fish and Game office here Andy Aderman is in Jim
29 Willington's office. I think it's pretty cool that State
30 and Federal Agencies coordinate pretty close over here.
31 Ron Squibb and Lem seem to be working together all the
32 time, so I'm not in favor of creating another license.
33 It's more confusion.

34

35 MR. ABRAHAM: Question.

36

37 CHAIRMAN ALVAREZ: Okay. Pete's ready.
38 All in favor of the motion signify by saying aye.

39

40 IN UNISON: Aye.

41

42 CHAIRMAN ALVAREZ: Opposed.

43

44 (No opposing votes)

45

46 CHAIRMAN ALVAREZ: Motion carried we
47 oppose the proposal. I don't know if we went about it
48 the right way. We should have voted on their position
49 and voted it down. I guess we better recess until
50 tomorrow morning.

1 (Off record)
2
3 (TO BE CONTINUED)

1 C E R T I F I C A T E

2

3 UNITED STATES OF AMERICA)

4)ss.

5 STATE OF ALASKA)

6

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

10

11 THAT the foregoing pages numbered 02 through 136
12 contain a full, true and correct Transcript of the
13 BRISTOL BAY FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL
14 MEETING, VOL I, taken electronically by Computer Matrix
15 Court Reporters on the 2nd day of October 2006, beginning
16 at the hour of 9:10 o'clock a.m. at Dillingham, Alaska;

17

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

22

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

25

26 DATED at Anchorage, Alaska, this 12th day of
27 October 2006.

28

29

30

31

32 _____
33 Joseph P. Kolasinski
34 Notary Public in and for Alaska
My Commission Expires: 03/12/08