

1 BRISTOL BAY FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING  
3  
4 PUBLIC MEETING  
5  
6 VOLUME I  
7  
8  
9 Dillingham City Assembly Chambers  
10 Dillingham, Alaska  
11 October 6, 2005  
12 1:00 o'clock p.m.  
13  
14  
15 COUNCIL MEMBERS PRESENT:  
16  
17 Randy Alvarez, Chair  
18 Nanci Morris Lyon  
19 Dan Dunaway  
20 Daniel J. O'Hara  
21 Peter Abraham  
22 Boris Kosbruk, Sr.  
23  
24  
25 Regional Council Coordinator, Clifford Edenshaw

1 P R O C E E D I N G S  
2  
3 (Dillingham, Alaska - 10/6/2005)  
4  
5 (On record)  
6  
7 CHAIRMAN O'HARA: Well, we'd like to call  
8 the meeting to order at this time, and ask the -- our  
9 coordinator to do the roll call.  
10  
11 MR. EDENSHAW: Thank you, Mr. Chair.  
12 This is the starting time at -- actually not the starting  
13 time. It is almost 1:30 here in Dillingham, and it's  
14 October 6th. My name is Clifford Edenshaw. I am the  
15 coordinator for the Bristol Bay Council.  
16  
17 Dan O'Hara.  
18  
19 MR. O'HARA: Here.  
20  
21 MR. EDENSHAW: Randy Alvarez.  
22  
23 MR. ALVAREZ: Here.  
24  
25 MR. EDENSHAW: Pete Abraham.  
26  
27 MR. ABRAHAM: Yeah.  
28  
29 MR. EDENSHAW: Virginia Aleck. Mr. Chair  
30 and Council members, Virginia had some medical  
31 appointments, and the last I spoke with her son, she was  
32 in route back to home, so medical conditions.  
33  
34 Robin Samuelsen. Mr. Chair and Council  
35 members, Robin called me on Tuesday I believe it was, and  
36 he was -- a conflict, he's attending the North Pacific  
37 Fisheries Council meeting in Anchorage, and there were  
38 three agenda items for the Bristol Bay EDC, and he said  
39 upon completion of those, he'll be back here hopefully  
40 tomorrow to attend the remainder of the meeting.  
41  
42 Dan Dunaway.  
43  
44 MR. DUNAWAY: Here.  
45  
46 MR. EDENSHAW: Nanci Lyon Morris.  
47  
48 MS. MORRIS LYON: Here.  
49  
50 MR. EDENSHAW: Andrew Balluta. Of

1 course, Mr. Chair, Andrew's term and Robert Heyano's term  
2 expires on December 2nd, '05, and in conversations with  
3 both of them prior, they chose not to reapply, and Robert  
4 had too many conflicts with his new appointment to the  
5 Board of Fish, and just time constraints, so he chose not  
6 to attend, as well as Andrew Balluta. Andrew just said  
7 that he chose not to reapply, and he chose not to attend  
8 this last meeting here.

9

10 CHAIRMAN O'HARA: Coordinator, we do have  
11 a quorum?

12

13 MR. EDENSHAW: We do, Mr. Chair.

14

15 CHAIRMAN O'HARA: Okay. We'll call the  
16 meeting to order at this time, and I'll ask Pete Abraham,  
17 nice to have you with us here today, would you open in  
18 prayer, please.

19

20 MR. ABRAHAM: Okay. You may not  
21 understand what I'm going to say, but (In Yup'ik).

22

23 CHAIRMAN O'HARA: Thank you, Pete.

24

25 MR. EDENSHAW: Mr. Chair.

26

27 CHAIRMAN O'HARA: Yes.

28

29 MR. EDENSHAW: There was a slight error  
30 on my part, and we have Boris Kosbruk here

31

32 CHAIRMAN O'HARA: Oh-oh.

33

34 MR. KOSBRUK: Here.

35

36 MR. EDENSHAW: For the record, Boris is  
37 here.

38

39 CHAIRMAN O'HARA: The Ayatollah from  
40 Perryville, and you left him out. I can't believe that.  
41 Boris, sorry about that.

42

43 MR. KOSBRUK: They were picking on me.

44

45 CHAIRMAN O'HARA: You're too small, a  
46 little a guy I guess. I didn't even see you.

47

48 In the way of welcome before we have the  
49 election of officers by Cliff Edenshaw, our coordinator,  
50 three of us, Randy Alvarez and Nanci Morris Lyon and

1 myself went up to Nondalton to visit the SRC when they  
2 had their meeting up there, and the meeting was  
3 completely different than here today. I don't know if  
4 there is probably anyone here today who's just a resident  
5 sitting out there with some kind of a title, and when we  
6 got up there, there was no titles and all residents. And  
7 it's kind of cool, because kind of like the judge  
8 striking down Peter's prayer, he did it Yup'ik, it had to  
9 be in Yup'ik I guess to strike it down, but we got up  
10 there, and Glen Alsworth chaired the meeting, and he  
11 said, I would like to have a motion to establish -- you  
12 know, to establish a quorum, and so somebody moved and  
13 somebody seconded, and he said all those in favor said  
14 aye. And they had the whole school, and a lot of the  
15 people from Nondalton, and everybody in the whole place  
16 said aye. And every motion that took place, they voted  
17 yes, and Glen said, I think we have a quorum. I thought  
18 that was pretty cool.

19  
20 And we're glad to have you here today,  
21 but the -- probably just in my opening remarks, it's  
22 incredible to visit up there and see how interested these  
23 people are in fish and game, and the protection of it,  
24 and the big problem they have should that mining thing  
25 take off with the residency type thing in those five  
26 communities. And there was a lot of local participation.  
27 And I understand it's the same down in Chigniks, too,  
28 where these people are really serious about subsistence  
29 on Federal land. And we appreciate that a lot.

30  
31 And we thank you for coming out today,  
32 the department heads. I know it's always difficult on  
33 close to the weekend to come and have to participate with  
34 us in a meeting, but we're glad to have you here today.  
35 And we probably would just go around real quick like  
36 before we have the election of officers and introduce  
37 yourself. If you would just give us your name and your  
38 department. My name is Dan O'Hara. I'm on the Council  
39 here in Bristol Bay from Naknek.

40  
41 MR. ALVAREZ: I'm Randy Alvarez, and I  
42 reside in Igiugig, but I spend quite a bit of time in  
43 Naknek.

44  
45 MR. DUNAWAY: I'm Dan Dunaway. I live  
46 here in Dillingham, and I'm on the Council.

47  
48 MR. ABRAHAM: You all guys know me here.  
49 I don't have to introduce myself.

50

1 CHAIRMAN O'HARA: You don't have to do  
2 that, Pete? That's okay. All right.  
3  
4 MR. ABRAHAM: No, they all know me. Pete  
5 from Togiak.  
6  
7 CHAIRMAN O'HARA: Okay.  
8  
9 MR. ABRAHAM: A troublemaker.  
10  
11 MS. DOWNING: Meredith Downing with  
12 Computer Matrix out of Anchorage.  
13  
14 CHAIRMAN O'HARA: Keep going.  
15  
16 MR. ANGASON: Trefor Angason, observer.  
17  
18 CHAIRMAN O'HARA: Okay. All right.  
19  
20 MR. CHYTHLOOK: Joe Chythlook, fish and  
21 game boards, Dillingham.  
22  
23 MR. FRIED: Steve Fried, U.S. Fish and  
24 Wildlife Service, Office of Subsistence Management,  
25 Anchorage.  
26  
27 CHAIRMAN O'HARA: Okay. We'll come  
28 across over here. Go ahead.  
29  
30 MS. LaVINE: Robbin LaVine from Bristol  
31 Bay Native Association.  
32  
33 CHAIRMAN O'HARA: Okay. Robbin, I  
34 remember you know. Okay.  
35  
36 MS. PETRIVELLI: Pat Petrivelli, Bureau  
37 of Indian Affairs.  
38  
39 CHAIRMAN O'HARA: Okay.  
40  
41 MR. BELLEQUE: Kyle Belleque, Bristol Bay  
42 Native Association.  
43  
44 MR. WILSON: Ken Wilson from BBNA.  
45  
46 CHAIRMAN O'HARA: Okay, Kenny.  
47  
48 MR. BERG: Jerry Berg, fishery biologist  
49 with OSM out of Anchorage.  
50

1 CHAIRMAN O'HARA: All right.  
2  
3 MS. WESTING: I'm Charlotte Westing. I'm  
4 with the Department of Fish and Game, Commercial  
5 Fisheries Division here in Dillingham.  
6  
7 CHAIRMAN O'HARA: Okay. We'll come  
8 across here now and keep going.  
9  
10 MR. KNAUER: Bill Knauer, Fish and  
11 Wildlife Service, Office of Subsistence Management,  
12 Anchorage.  
13  
14 MR. WALSH: Pat Walsh, Togiak Refuge.  
15  
16 MR. EDWARDS: Mike Edwards, fisheries  
17 biologist with the Fish and Wildlife Service out of King  
18 Salmon.  
19  
20 MR. SQUIBB: I'm Ron Squibb with Alaska  
21 Peninsula/ Becharof Refuge, King Salmon.  
22  
23 MR. GOODING: I'm Justin Gooding with  
24 Alaska Peninsula and Becharof Refuge.  
25  
26 MR. WINFREY: I'm Mike Winfrey with  
27 Togiak Refuge.  
28  
29 MR. HAMMOND: Troy Hammond with the  
30 Katmai National Park.  
31  
32 CHAIRMAN O'HARA: In the back.  
33  
34 MR. ALVAREZ: One more guy.  
35  
36 CHAIRMAN O'HARA: Oh, I'm sorry, I didn't  
37 see you. Apologize for that.  
38  
39 MR. NELSON: That's all right. Dave  
40 Nelson, fisheries biologist with the National Park  
41 Service out of Anchorage.  
42  
43 MR. LINN: Orville Linn, the ranger with  
44 Fish and Wildlife Service down in King Salmon.  
45  
46 MR. LONS: Daryle Lons, I'm the refuge  
47 manager for Alaska Peninsula and Becharof Refuges out of  
48 King Salmon.  
49  
50 MR. LUNDERSTADT: Carl Lunderstadt, the

1 deputy manager for the Togiak National Wildlife Refuge.  
2  
3 CHAIRMAN O'HARA: Okay. Is that  
4 everybody from the audience then? Did we leave anybody  
5 out? Okay. We'll come back here. Cliff.  
6  
7 MR. EDENSHAW: I'm Cliff Edenshaw,  
8 coordinator for the Council and Fish and Wildlife  
9 Service.  
10  
11 MR. KOSBRUK: Boris Kosbruk, Perryville.  
12  
13 MS. MORRIS LYON: And Nanci Morris Lyon  
14 from King Salmon.  
15  
16 CHAIRMAN O'HARA: Okay. At this time  
17 we've introduced everyone, and we have several items of  
18 business to take care of today. Our plan is that we be  
19 out of here in plenty of time, early in the afternoon  
20 tomorrow for everyone to make it home for the weekend.  
21 And at this time I'll turn it over to our coordinator.  
22  
23 MR. EDENSHAW: Thank you, Mr. Chair and  
24 Council members. Just a note on the meeting facility  
25 here that the Council is going to meet at 7:00 so we  
26 should close up here by 7:00 o'clock.  
27  
28 And then with that, we'll go ahead and  
29 move on to elections. currently Mr. Don O'Hara serves as  
30 the Council's chair, Robin Samuelson as vice chair, and  
31 Virginia Aleck as the secretary. So the chairs are  
32 normally served one year at a time, as well as the vice  
33 chair and secretary. So at this moment, as chair I'll  
34 open up the floor for nominations for the office of the  
35 chair.  
36  
37 MR. O'HARA: Mr. Chair.  
38  
39 MR. EDENSHAW: Yes, Mr. O'Hara.  
40  
41 MR. O'HARA: I nominate Randy Alvarez as  
42 chair.  
43  
44 MR. EDENSHAW: There's a nomination on  
45 the floor to nominate Mr. Randy Alvarez as chair for the  
46 Council.  
47  
48 MS. MORRIS LYON: Second.  
49  
50 MR. EDENSHAW: A second.

1 MR. DUNAWAY: Move to close the  
2 nominations.  
3  
4 MR. O'HARA: Second the motion.  
5  
6 MR. EDENSHAW: There's a motion to close  
7 the floor to nominations. The Council will.....  
8  
9 MR. O'HARA: That's a called a railroad  
10 job.  
11  
12 MR. EDENSHAW: The Council will go ahead  
13 and do a voice vote. All those in favor of the motion to  
14 nominate and appoint Randy Alvarez as the chair for the  
15 Bristol Bay Council, please signify by saying aye.  
16  
17 IN UNISON: Aye.  
18  
19 MR. EDENSHAW: All those opposed, same  
20 sign.  
21  
22 (No opposing votes)  
23  
24 MR. EDENSHAW: Congratulations, Randy.  
25  
26 CHAIRMAN ALVAREZ: Yeah. Thank you all  
27 right.  
28  
29 MR. EDENSHAW: And then we'll go ahead  
30 and I'll turn the meeting over to you, Randy, and you can  
31 go ahead and complete the portion for the vice chair and  
32 secretary. And as I mentioned before, Robin Samuelsen  
33 serves as the vice chair, and Virginia Aleck has been  
34 serving as the secretary.  
35  
36 CHAIRMAN ALVAREZ: Now I get my own  
37 special microphone.  
38  
39 MR. O'HARA: There you go. Plus a few  
40 other things.  
41  
42 CHAIRMAN ALVAREZ: All right. I didn't  
43 expect this. Dan mentioned a little while ago that he  
44 didn't want to do it, that I should do it, so I says,  
45 well, I guess I probably could if he didn't want to, but  
46 if he -- he was doing such a nice job, if we was going to  
47 continue with it, that would be fine with me, too,  
48 so.....  
49  
50 MR. O'HARA: Since 1990, that's a long

1 time, so it's time to break somebody else in.  
2  
3 CHAIRMAN ALVAREZ: And since it's only  
4 one year at a time, maybe next year we'll get somebody  
5 else. Okay.  
6  
7 So we've got the chair, office of  
8 chairman taken care of. Now we're on down to the office  
9 of the vice chair. Is there any nominations.  
10  
11 MR. O'HARA: Mr. Chairman.....  
12  
13 MR. ABRAHAM: I nominate Dan Dunaway.  
14  
15 CHAIRMAN ALVAREZ: Dan Dunaway has been  
16 nominated. Any second.  
17  
18 MS. MORRIS LYON: Second.  
19  
20 CHAIRMAN ALVAREZ: Nanci seconds.  
21  
22 MR. DUNAWAY: I think Mr. O'Hara had a  
23 question.  
24  
25 CHAIRMAN ALVAREZ: Oh, Dan.  
26  
27 MR. O'HARA: I'll nominate Nanci Morris  
28 Lyon.  
29  
30 MR. DUNAWAY: I'll second the nomination.  
31  
32 CHAIRMAN ALVAREZ: Dan seconds it.  
33  
34 MR. O'HARA: Now, wait a minute. We --  
35 okay. We have two nominations, first and second. Okay.  
36  
37 MR. DUNAWAY: I just had a question. Of  
38 course, we probably need to get officers elected. At the  
39 last meeting we tabled them, because of lack of  
40 attendance. Does anybody have any idea what Robin's  
41 interest in the office is or anything?  
42  
43 MR. O'HARA: Robin's like Dan O'Hara. He  
44 has enough irons in the fire to maybe make it or not make  
45 it, and so I -- you know, I think someone like yourself  
46 and Randy and Nanci and others probably have little  
47 larger holes, Mr. Chairman, if I could mention that, in  
48 their time frame, you know, like two years in a role this  
49 Council was scheduled to meet and I was on vacation, just  
50 on vacation. And I'll guarantee you I wasn't going to

1 give up my wife's vacation to meet with you guys, because  
2 I'd be in really big trouble. So those type of things  
3 happen, and I think maybe the newer Council members who  
4 don't have some of these bigger obligations probably  
5 would, you know, probably tend a little more to the item  
6 at hand. And so if Robin wouldn't be here, he's like  
7 myself and Robert Heyano, we're going to be here or we're  
8 not going to be here, so they can take care of themselves  
9 -- we can take care of ourselves.  
10  
11 MR. DUNAWAY: Okay. Just out of respect  
12 for him and.....  
13  
14 MR. O'HARA: Sure. I appreciate that.  
15  
16 MR. DUNAWAY: Yeah, he certainly has lots  
17 of irons in the fire.  
18  
19 MR. O'HARA: Yeah.  
20  
21 CHAIRMAN ALVAREZ: And he -- the last  
22 year or two he's missed almost half, so he's probably --  
23 he's got a lot of stuff to do, so we probably should have  
24 somebody that's going to be here to be vice chair in case  
25 I have to go some place.  
26  
27 MR. DUNAWAY: In case you have too many  
28 irons in the fire?  
29  
30 CHAIRMAN ALVAREZ: Yeah.  
31  
32 MR. O'HARA: Mr. Chairman, I make a  
33 motion that nominations cease.  
34  
35 CHAIRMAN ALVAREZ: The motion's been made  
36 for nominations to cease. Is there a second?  
37  
38 MR. KOSBRUK: I'd second.  
39  
40 CHAIRMAN ALVAREZ: Boris seconds it.  
41  
42 MR. ABRAHAM: Mr. Chairman. Who -- well,  
43 I nominated him. Did you decline or did you accept?  
44  
45 CHAIRMAN ALVAREZ: No, we have.....  
46  
47 MR. O'HARA: We have two candidates.  
48  
49 MR. DUNAWAY: We have two.  
50

1 CHAIRMAN ALVAREZ: .....Dan and Nanci.  
2 We have two. So we're going to have to vote on this.  
3  
4 MR. ABRAHAM: Okay. Nanci got a second,  
5 too?  
6  
7 MR. O'HARA: Uh-huh. (Affirmative)  
8  
9 MR. ABRAHAM: Okay.  
10  
11 CHAIRMAN ALVAREZ: What's the.....  
12  
13 MR. O'HARA: We have two candidates.  
14 We're.....  
15  
16 CHAIRMAN ALVAREZ: What's the custom? Do  
17 we have a closed -- a paper.....  
18  
19 MR. EDENSHAW: You can go ahead and do a  
20 voice vote.  
21  
22 MR. O'HARA: Mr. Chairman, we have a  
23 motion on the floor first of all we have to deal with.  
24 There's a motion and a second to close nominations.  
25 We've got to close it.  
26  
27 CHAIRMAN ALVAREZ: Oh, okay. All in  
28 favor of closing nominations signify by saying aye.  
29  
30 IN UNISON: Aye.  
31  
32 CHAIRMAN ALVAREZ: Opposed.  
33  
34 (No opposing votes)  
35  
36 CHAIRMAN ALVAREZ: Okay. Nominations are  
37 closed. So now how do you guys normally proceed with  
38 voting?  
39  
40 MR. O'HARA: Well, isn't that the  
41 wonderful thing about the chair, so I don't have to worry  
42 about that.  
43  
44 (Laughter)  
45  
46 MR. DUNAWAY: You get to be  
47 parliamentarian then.  
48  
49 MR. O'HARA: That's right. You can.....  
50

1 CHAIRMAN ALVAREZ: Why don't we.....  
2  
3 MR. O'HARA: You can have a closed  
4 ballot. You can put it on a piece of paper.  
5  
6 CHAIRMAN ALVAREZ: .....do a closed  
7 ballot. That way it's -- I think it's a lot more simpler  
8 or.....  
9  
10 MR. DUNAWAY: I was just -- if Nanci  
11 wants, I could withdraw here or something.  
12  
13 MR. O'HARA: No, I don't think so.  
14  
15 MS. MORRIS LYON: Be my guest, Dan.  
16  
17 MR. O'HARA: You might get it.  
18  
19 MR. DUNAWAY: Go ahead, we'll do secret.  
20 That's fine with me.  
21  
22 CHAIRMAN ALVAREZ: So if you -- do we  
23 have some paper?  
24  
25 MS. MORRIS LYON: I have some blank paper  
26 right here in this, remember. Yeah.  
27  
28 MR. O'HARA: So it is a fixed deal.  
29  
30 MS. MORRIS LYON: I came with empty  
31 pages. I thought they didn't want me to know things.  
32  
33 MR. O'HARA: Oh, really?  
34  
35 MS. MORRIS LYON: They did. This whole  
36 report.  
37  
38 MR. EDENSHAW: Do you need a pen, Boris?  
39 I can go ahead and collect those and tally up the votes  
40 for us.  
41  
42 (Pause)  
43  
44 MR. EDENSHAW: Mr. Chair, there is a tie.  
45  
46 (Laughter)  
47  
48 MR. ABRAHAM: Yeah, that's what I was  
49 afraid of. That's what I was afraid of.  
50

1 CHAIRMAN ALVAREZ: What do we do now?  
2  
3 MR. DUNAWAY: Mr. Chair, I'd be happy to  
4 withdraw and.....  
5  
6 MS. MORRIS LYON: I was going to  
7 volunteer.  
8  
9 MR. DUNAWAY: Or we could fight it out.  
10  
11 MR. EDENSHAW: Mr. Chair, what would  
12 happen is that we opened up the floor for nominations,  
13 and it was it a tie, so that motion will die, and we'll  
14 start over with another -- we'll open the floor again for  
15 nominations for vice chair and go through the procedure  
16 again.  
17  
18 CHAIRMAN ALVAREZ: Okay. The floor is  
19 open for nominations for vice chair.  
20  
21 MR. DUNAWAY: I'd nominate Nanci.  
22  
23 CHAIRMAN ALVAREZ: Dan nominates Nanci.  
24  
25 MR. O'HARA: I'm not going to get into  
26 this one again.  
27  
28 MR. ABRAHAM: Second the motion.  
29  
30 CHAIRMAN ALVAREZ: Seconded by Pete.  
31  
32 MR. DUNAWAY: Move to close nominations.  
33  
34 MR. O'HARA: Second.  
35  
36 CHAIRMAN ALVAREZ: It's been moved to  
37 close nominations by Dan Dunaway and seconded by Dan  
38 O'Hara.  
39  
40 MR. O'HARA: Call for the question.  
41  
42 CHAIRMAN ALVAREZ: The question's been  
43 called for. All in favor of the nominations be closed,  
44 signify by saying aye.  
45  
46 IN UNISON: Aye.  
47  
48 CHAIRMAN ALVAREZ: Opposed.  
49  
50 (No opposing votes)

1 CHAIRMAN ALVAREZ: Hearing the motion's  
2 passed. Nanci is the vice chair.  
3  
4 MR. EDENSHAW: That's correct, Mr. Chair.  
5  
6 CHAIRMAN ALVAREZ: Now the office of  
7 secretary. Yeah. The floor is open for nominations for  
8 secretary.  
9  
10 MR. ABRAHAM: I nominate Dan.  
11  
12 MS. MORRIS LYON: Second.  
13  
14 CHAIRMAN ALVAREZ: Dan Dunaway. Pete.  
15  
16 MR. KOSBRUK: Second.  
17  
18 CHAIRMAN ALVAREZ: Okay. Boris seconds  
19 it.  
20  
21 MS. MORRIS LYON: Move to close.  
22  
23 CHAIRMAN ALVAREZ: Nanci moves to close  
24 it.  
25  
26 MR. O'HARA: Second.  
27  
28 CHAIRMAN ALVAREZ: Dan O'Hara seconds it.  
29  
30 MR. O'HARA: Question.  
31  
32 CHAIRMAN ALVAREZ: Okay. The question's  
33 been called. All in favor signify by saying aye.  
34  
35 IN UNISON: Aye.  
36  
37 CHAIRMAN ALVAREZ: Those opposed same  
38 sign.  
39  
40 (No opposing votes)  
41  
42 CHAIRMAN ALVAREZ: Hearing none, motion  
43 carried. Dan Dunaway is the secretary.  
44  
45 MR. O'HARA: Congratulations.  
46  
47 CHAIRMAN ALVAREZ: Congratulations to  
48 Nanci and to Dan.  
49  
50 MR. EDENSHAW: Mr. Chair.

1 CHAIRMAN ALVAREZ: Cliff.  
2  
3 MR. EDENSHAW: For the Council members,  
4 for the new officers, Randy and Nanci and Dan I just want  
5 to reiterate that as the coordinator for the Council,  
6 yeah, all of you have had to contact me at some time or  
7 another. Please continue to do so. And as you know from  
8 our past experiences, Randy, I'll do everything I can to  
9 work hard with you, as well as the other Council members.  
10  
11 And just for the record, Jerry Berg is  
12 our fisheries biologist. So for the new officers, Jerry  
13 will be handling the Bristol Bay region. I've just  
14 received an email yesterday that Laura Grafedius, who is  
15 not here, she is going to -- she is a wildlife biologist  
16 in our office, and she will take upon the additional  
17 duties for the Bristol Bay region, so at a future  
18 meeting, preferably in the winter, she'll likely come out  
19 here to attend. And Steve Fried, the gentleman sitting  
20 next to Jay, he's our fisheries biologist under the  
21 Fisheries Information Services, FIS, monitoring program,  
22 so Steve is our biologist for the region out here, so  
23 just that you get to know Staff and with that I'll go  
24 ahead and.....  
25  
26 MR. O'HARA: One other thing, Mr.  
27 Chairman.  
28  
29 CHAIRMAN ALVAREZ: Okay.  
30  
31 MR. O'HARA: If they had spelled my name  
32 right up here, I'd still be chair, but.....  
33  
34 (Laughter)  
35  
36 MR. O'HARA: Don't even put that in the  
37 minutes. That's just.....  
38  
39 CHAIRMAN ALVAREZ: Danno, Danno. Book  
40 'em, Danno.  
41  
42 Review and -- No. 5, review and adoption  
43 of the agenda.  
44  
45 MR. O'HARA: Mr. Chairman.  
46  
47 CHAIRMAN ALVAREZ: Yes, Dan.  
48  
49 MR. O'HARA: If we could maybe make an  
50 addition to the agenda under new business, I think one of

1 the things we might review just as a point of interest  
2 would be the number of guides and outfitters presently in  
3 the Lake Becharof Refuge, you know, like in Becharof  
4 Lake, Igiugig, King Salmon River area. This is basically  
5 all Federal lands, so this Council I think would like to  
6 kind of keep an eye on what's taking place there, and the  
7 procedures for which the hunting, mainly of moose, would  
8 be, if we could do that.

9  
10 CHAIRMAN ALVAREZ: Okay. We don't need  
11 to move on that, do we?

12  
13 MR. O'HARA: No, I'm just adding it to  
14 the agenda before we.....

15  
16 CHAIRMAN ALVAREZ: Just add it on. Okay.

17  
18 MR. O'HARA: .....approve it, yeah.

19  
20 MR. EDENSHAW: Mr. Chair, probably what  
21 we could do is just someone -- entertain a motion to  
22 adopt the agenda, and then we can go ahead and  
23 incorporate any changes that the Council members have.

24  
25 CHAIRMAN ALVAREZ: Okay.

26  
27 MR. DUNAWAY: Okay. Move to adopt.

28  
29 MR. KOSBRUK: Second.

30  
31 CHAIRMAN ALVAREZ: The motion been moved  
32 to adopt the agenda by Dan and seconded by Boris. All in  
33 favor -- or, actually, that's right, discussion. We'll  
34 just do that.

35  
36 MR. EDENSHAW: Then, Mr. Chair, while the  
37 Council's looking at some other agenda -- you know,  
38 looking at the agenda, I'll just go over some items that  
39 I have as housekeeping. Under 13.A., No. 1, on the rural  
40 determinations, it has Pete Probasco. Bill Knauer, the  
41 regulations specialist here in our office, in the back  
42 here, will provide the presentation to the Council for  
43 that portion. And Steve is -- so Steve is not coming  
44 into the meeting, Steve Klein?

45  
46 UNIDENTIFIED VOICE: Steve Klein? No, I  
47 think he's at another Council meeting.

48  
49 MR. EDENSHAW: Okay. So if you look  
50 under No. 11, call for wildlife proposals, and then under

1 A, the review of Federal closures, it has Steve Klein. I  
2 believe Bill's also -- Bill Knauer is also going to head  
3 that up, that portion of the agenda for us. And then you  
4 can go ahead and.....

5  
6 CHAIRMAN ALVAREZ: No. 10, isn't Ron  
7 going to do that?

8  
9 MR. EDENSHAW: No. 10? No, Ron Squibb,  
10 and I'll be available to answer questions regarding this  
11 when we get to that portion. No, Ron will be available  
12 for biological questions, or Daryle and Orville.

13  
14 CHAIRMAN ALVAREZ: Okay.

15  
16 MR. O'HARA: No Dave Fisher? Who's  
17 representing Lake Clark at this meeting? Anyone?

18  
19 UNIDENTIFIED VOICE: Lake Clark wasn't  
20 able to send anybody, and so I think it falls to Dave  
21 Nelson who I believe had direct information from Lake  
22 Clark to pass on.

23  
24 MR. O'HARA: Okay. They should be  
25 chastised a little bit. They should be chastised quite a  
26 bit. That's huge lands up there.

27  
28 MR. DUNAWAY: Dan, would you want to talk  
29 at all about what you learned when you attended that  
30 meeting? I'd sure be interested in hearing it.

31  
32 MR. O'HARA: Yes.

33  
34 MR. DUNAWAY: I don't know where we'd put  
35 it in under here.

36  
37 MR. O'HARA: The three of us.

38  
39 CHAIRMAN ALVAREZ: It's on 13.C. Joel  
40 and Mary McBurney -- well, not Mary.....

41  
42 MR. O'HARA: Yeah. Okay.

43  
44 CHAIRMAN ALVAREZ: .....who didn't make  
45 the meeting. She had medical.

46  
47 MR. O'HARA: Dan, Randy and Nanci on that  
48 one. That was really enlightening to be able to do that.

49  
50 MR. EDENSHAW: And then -- and, Mr. Chair

1 and Council members, under the 13.C. for Lake Clark, I  
2 was on the phone yesterday with Clarence Summers who  
3 works with the Park Service, and in lieu of Randy's new  
4 position, perhaps when we get to 13.C. I'll inform the  
5 Council, as part of their, of this Council's appointment  
6 process, we're to have Council members who are also  
7 sitting on the Lake Clark Subsistence Resource  
8 Commission. So when we get to that portion, perhaps,  
9 Randy, you could just call upon me and I'll relay the  
10 information to the Council members that Clarence passed  
11 on to me.

12

13 CHAIRMAN ALVAREZ: Okay.

14

15 MR. EDENSHAW: And then under 13.I, Mr.  
16 Chair and Council members, you could cross Ralph  
17 Anderson's name off, and I'm sure Ken Wilson and Kyle can  
18 go ahead and provide information if BBNA has any. I know  
19 Kyle called me and I provided them some information back  
20 regarding reports.

21

22 MR. O'HARA: Kyle, what's your last name?

23

24 MR. BELLEQUE: Belleque.

25

26 MR. DUNAWAY: B-E-L-L-E-Q-U-E.

27

28 MR. O'HARA: Spell that again? B-A-L-

29 L.....

30

31 MR. DUNAWAY: B-E.....

32

33 MR. BELLEQUE: B-E-L-L-E-Q-U-E.

34

35 MR. DUNAWAY: Also, Mr. Chair, a little  
36 bit along the lines of what Dan O'Hara requested, I'm kid  
37 of curious if anybody has any additional information on  
38 the mine and mine exploration activities throughout the  
39 area, and how -- if we have any new information on how it  
40 may be impacting subsistence areas, and any areas of our  
41 concern.

42

43 CHAIRMAN ALVAREZ: Is there a spot on the  
44 agenda for that, or just maybe in new business, Dan?

45

46 MR. DUNAWAY: Yeah, I'm thinking new  
47 business is -- it sounds like there may be some  
48 information coming out of the discussion with Lake Clark,  
49 but -- yeah, I just want to stay real up on that.

50

1 MR. O'HARA: We should -- Mr. Chairman,  
2 if I could mention along the same line of the agenda, we  
3 had to leave about the time that they got to the  
4 residency type thing up there, and so if we need to call  
5 the park superintendent or -- who's the head law  
6 enforcement guy up there? Lee Fink.  
7  
8 CHAIRMAN ALVAREZ: Yeah, Lee Fink.  
9  
10 MR. DUNAWAY: Oh, yeah.  
11  
12 MR. O'HARA: They stayed. If they could  
13 even summarize something for us. This is -- you know,  
14 we're moving quite quickly on this whole thing. I think  
15 we need as much input as we possibly can. I appreciate  
16 you bringing that up.  
17  
18 CHAIRMAN ALVAREZ: Okay. Is there  
19 anything else you would like to have on the agenda?  
20  
21 MR. DUNAWAY: Let's see. Maybe it will  
22 come up other places. One other question I had was if  
23 there was any new or observed impacts from that Alagnak  
24 in-river commercial fishery. Maybe commercial fisheries  
25 can bring that up.  
26  
27 MR. O'HARA: Ron Squibb or who would  
28 handle that?  
29  
30 MR. DUNAWAY: That would probably be  
31 Katmai Park folks.  
32  
33 MR. O'HARA: No, that's the refuge. Are  
34 you talking about Mother Goose Lake?  
35  
36 MR. DUNAWAY: No, no, Alagnak.  
37  
38 MS. MORRIS LYON: No, Alagnak, yeah. Up  
39 north.  
40  
41 MR. KOSBRUK: Park Service.  
42  
43 MR. O'HARA: Oh, I'm sorry. I'm sorry.  
44  
45 MR. O'HARA: Yeah. No, that would be  
46 Mary McMurney.  
47  
48 CHAIRMAN ALVAREZ: You're talking about  
49 the wild river or the preserve?  
50

1 MR. DUNAWAY: Well, you know, they're  
2 just -- it again might be out of the jurisdiction of  
3 Federal management and all, but if -- I know that in-  
4 river Alagnak commercial fishery, if there was any sort  
5 of concerns or any information again, it might be.....  
6  
7 CHAIRMAN ALVAREZ: Yeah, we don't have  
8 any State biologists from King.....  
9  
10 MR. DUNAWAY: We have one.  
11  
12 CHAIRMAN ALVAREZ: Oh, yeah.  
13  
14 MR. DUNAWAY: She might have something.  
15  
16 CHAIRMAN ALVAREZ: Sorry.  
17  
18 MS. WESTING: (Indiscernible, away from  
19 microphone)  
20  
21 CHAIRMAN ALVAREZ: I was thinking about  
22 from King Salmon. Or even Lem. Do we have the State  
23 biologist for game?  
24  
25 UNIDENTIFIED VOICE: Lem wasn't able to  
26 make it today. Lem Butler wasn't able to make it here  
27 today.  
28  
29 CHAIRMAN ALVAREZ: And who -- do we have  
30 a State biologist for game when we're talking about the  
31 North Peninsula caribou? I guess, Ron, you'll probably  
32 -- you probably are just as up on it as anybody else on  
33 the caribou.  
34  
35 UNIDENTIFIED VOICE: They won't be able  
36 to make it here today (indiscernible, away from  
37 microphone).  
38  
39 CHAIRMAN ALVAREZ: All right.  
40  
41 MR. O'HARA: One more thing, Mr.  
42 Chairman.  
43  
44 CHAIRMAN ALVAREZ: Yeah, Dan.  
45  
46 MR. O'HARA: Not that we can do anything  
47 about it, but the Mother Goose Lake thing. Is that U.S.  
48 Fish and Wildlife refuge there?  
49  
50 MR. LONS: Yes, it is.

1 MR. O'HARA: And will you be handling  
2 that?  
3  
4 MR. LONS: I can address if you'd like.  
5  
6 MR. O'HARA: Yeah, that would be -- I  
7 think it's really a point of interest, if nothing more  
8 just to educate us on what has happened down there would  
9 be very good.  
10  
11 CHAIRMAN ALVAREZ: So that.....  
12  
13 MR. O'HARA: Where would that go under  
14 then?  
15  
16 CHAIRMAN ALVAREZ: Could that go under  
17 13.F, Daryle, on the.....  
18  
19 MR. LONS: Excuse me?  
20  
21 CHAIRMAN ALVAREZ: Could that go under  
22 13.F. of the agenda?  
23  
24 MR. LONS: Okay.  
25  
26 CHAIRMAN ALVAREZ: Okay That's part of  
27 the national wildlife refuge, isn't it?  
28  
29 MR. LONS: Yeah.  
30  
31 MR. O'HARA: Yeah. Okay.  
32  
33 CHAIRMAN ALVAREZ: Okay. So why don't we  
34 just put it under that.  
35  
36 MR. LONS: Okay.  
37  
38 MR. O'HARA: It's Mother Goose Lake. Mr.  
39 Chairman, hearing no more further questions on the  
40 agenda, there has been a motion, and I'll call for the  
41 question.  
42  
43 CHAIRMAN ALVAREZ: The question has been  
44 called for to adopt the agenda as amended, right, Dan?  
45  
46 MR. O'HARA: Yes.  
47  
48 CHAIRMAN ALVAREZ: Okay. All in favor of  
49 the agenda as amended signify by saying aye.  
50

1 IN UNISON: Aye.  
2  
3 CHAIRMAN ALVAREZ: Opposed.  
4  
5 (No opposing votes)  
6  
7 CHAIRMAN ALVAREZ: Hearing none, the  
8 agenda motion passed. Okay.  
9  
10 No. 6, the minutes of March 14th and  
11 15th, 2005, the meeting held in Naknek.  
12  
13 MR. DUNAWAY: I guess we could move to  
14 adopt.  
15  
16 CHAIRMAN ALVAREZ: Dan moves -- Dunaway  
17 moves to adopt.  
18  
19 MR. O'HARA: Second.  
20  
21 CHAIRMAN ALVAREZ: Seconded by Dan  
22 O'Hara.  
23  
24 MR. DUNAWAY: I do have some discussion.  
25  
26 CHAIRMAN ALVAREZ: Okay. Discussion.  
27  
28 MR. DUNAWAY: I'm not sure what page it's  
29 on. I did find a discrepancy regarding our actions at  
30 the last meeting on Wildlife Proposal 05-10. I think  
31 it's a matter of kind of a mess up in the cut and paste  
32 where it says in the minutes that we moved to adopt that  
33 proposal, and I believe we moved to oppose it. And I  
34 found that on-line, and I'm not sure exactly where it is  
35 in the book.  
36  
37 MR. EDENSHAW: Mr. Chair and Council  
38 members, that's on Page 9, up on the top of Page 9 in  
39 your books. And, Mr. Chair, while we're going through  
40 this, if I can just give a minute to -- for those in the  
41 chairs and over here in the public, all the information  
42 that we're going over this afternoon and tomorrow in our  
43 books, we have extra books that are on the table, and  
44 pretty much everything that's -- that we're going over  
45 that the Council members have are in the books, with the  
46 exception of maybe the -- for those of you who grabbed  
47 this large portion of the closed units, and that's  
48 probably the only items that aren't inside the books.  
49  
50 CHAIRMAN ALVAREZ: Okay. Yeah, I see.

1 That doesn't make sense the way it's written. I see what  
2 you're talking about, Dan. So we -- I don't remember how  
3 we voted on it, but it looks like it would be better to  
4 have opposed this, and it's probably what we did, right?

5  
6 MR. DUNAWAY: Well, that's my  
7 recollection. I know I was talking about it, and I  
8 didn't write down our vote on my own personal notes, but  
9 even the letter that Larry Mercurief sent back to us  
10 regarding the Subsistence Board action was that the  
11 proposal was rejected partly based on our opposition to  
12 it, as well as other opposition, and it was kind of a  
13 burdensome proposal for subsistence hunters. So I  
14 believe it's a matter of, like you say, kind of computer  
15 error in the final typing of the minutes that -- because  
16 I didn't -- I remember being in opposition of it, and yet  
17 we show here that the motion passed six to zero, and I --  
18 unless we moved to oppose it, and I try not to do that.

19  
20 CHAIRMAN ALVAREZ: Yeah, I know, that's  
21 not the way to -- that we should be working.

22  
23 MR. DUNAWAY: It gets confusing.

24  
25 MR. EDENSHAW: Mr. Chair and Council  
26 members, if we look on Page 10, what Dan's talking about,  
27 under the motion, it's normal for -- the protocol for the  
28 way the Council's done this in the past was to adopt the  
29 proposal, and so as a housecleaning, at the last sentence  
30 we could just say the motion failed oh-six.

31  
32 MR. DUNAWAY: Yeah.

33  
34 MR. EDENSHAW: And that's the same as  
35 rejecting the proposal, because that's how we like to  
36 address the proposals anyway is for the Council to adopt  
37 the proposal, and then whether they vote it up or done.  
38 So as a housecleaning, I can just -- if it's okay with  
39 the Council, I could say the motion failed zero-six, four  
40 absent.

41  
42 MR. O'HARA: Mr. Chairman, I can't  
43 remember now, I looked it up earlier today when I believe  
44 you sent an email or Cliff sent an email, and I looked it  
45 up in the book, and it shows that particular proposal was  
46 a consent agenda item by the Federal Board on how we  
47 voted. So you're right, it did not go anywhere.

48  
49 MR. DUNAWAY: Yeah, I think that letter  
50 may be these.....

1 MR. O'HARA: It is in this packet, and I  
2 had it earlier, and I couldn't find it. I looked it up.  
3 I should have marked it under.....  
4  
5 MR. DUNAWAY: I think it's, yeah, on Page  
6 16 through 19, or -- yeah. Because that's the way I  
7 remember it.  
8  
9 CHAIRMAN ALVAREZ: Yeah, it doesn't make  
10 sense that we wouldn't have, so -- yeah.  
11  
12 MR. DUNAWAY: We were moving pretty fast.  
13  
14  
15 MR. O'HARA: It was on Page 19.  
16  
17 CHAIRMAN ALVAREZ: So let's -- well.....  
18  
19 MR. O'HARA: We opposed it. Our Council  
20 opposed it on Page 19. You're right. That's where I saw  
21 it today.  
22  
23 CHAIRMAN ALVAREZ: Is there anything  
24 else, Dan, that you want to bring up on the minutes?  
25  
26 MR. DUNAWAY: That's the only thing I  
27 spotted, and I don't know if we need to move to change  
28 those or if we could like Cliff said, just call it  
29 housekeeping and adopt it assuming the housekeeping will  
30 be done.  
31  
32 MR. O'HARA: I think we ought to make a  
33 correction, make a motion to make a correction of the  
34 minutes, and that way.....  
35  
36 CHAIRMAN ALVAREZ: Okay.  
37  
38 MR. DUNAWAY: Okay. I'll just.....  
39  
40 CHAIRMAN ALVAREZ: Dan, you will so move?  
41  
42 MR. DUNAWAY: Can I move it to correct it  
43 to show that our vote on that motion was zero to six, and  
44 it failed.  
45  
46 CHAIRMAN ALVAREZ: Failed instead of  
47 passed.  
48  
49 MR. DUNAWAY: Yeah.  
50

1 MS. MORRIS LYON: Second.  
2  
3 CHAIRMAN ALVAREZ: Okay. There's been a  
4 motion by Dan, seconded by Nanci to change the passed to  
5 failed. And all in favor of that signify by saying aye.  
6  
7 IN UNISON: Aye.  
8  
9 CHAIRMAN ALVAREZ: Opposed.  
10  
11 (No opposing votes)  
12  
13 MR. O'HARA: Mr. Chairman, I make a  
14 motion that we accept the minutes of, let's see, what was  
15 that date.  
16  
17 MS. MORRIS LYON: March 14th.  
18  
19 MR. O'HARA: March 14th as corrected.  
20  
21 CHAIRMAN ALVAREZ: Okay. The motion's  
22 been made by Dan O'Hara to accept the minutes as  
23 corrected.  
24  
25 MS. MORRIS LYON: Second.  
26  
27 MR. DUNAWAY: Second.  
28  
29 CHAIRMAN ALVAREZ: Seconded by Dan  
30 Dunaway. All in favor signify by saying aye.  
31  
32 IN UNISON: Aye.  
33  
34 CHAIRMAN ALVAREZ: Opposed.  
35  
36 (No opposing votes)  
37  
38 CHAIRMAN ALVAREZ: Motion carried. The  
39 minutes are accepted.  
40  
41 Okay. The Chair's report. Well, since  
42 -- Dan O'Hara, why don't you -- did you get -- have  
43 anything you were going to bring to the meeting as Chair?  
44  
45 MR. O'HARA: No, the only thing I'd just  
46 mention here is on Page 16 it shows that a letter was  
47 addressed to me by Mitch Demientieff, the Chair of the  
48 Federal Board, and that we submitted to him the report,  
49 which is item number B. And what else was there to add  
50 besides that, Cliff?

1 MR. EDENSHAW: There wasn't too much else  
2 there, Mr. O'Hara.  
3  
4 MR. O'HARA: Whatever the Council went  
5 for in their March meeting was taken care of at the  
6 Federal Board level when I represented you at that time.  
7 So we've -- you know, like I told the people in  
8 Nondalton, we were about 99 percent, almost everything  
9 we've gone for on the Council, and I reassured them again  
10 on my little bumper sticker that said, you know, I love  
11 my country, it's my government I fear, so I didn't want  
12 those department heads to start feeling too good about  
13 themselves. But I don't have to worry about that any  
14 more. We've got a new chair.  
15  
16 CHAIRMAN ALVAREZ: Okay.  
17  
18 MR. DUNAWAY: Just under your other hats.  
19  
20 MR. O'HARA: Yeah. Yeah.  
21  
22 MR. EDENSHAW: Mr. Chair.  
23  
24 CHAIRMAN ALVAREZ: So that was A, right?  
25 Okay. Cliff.  
26  
27 MR. EDENSHAW: And Council members, if  
28 you'll look on Page 16, Randy, for future meetings, as  
29 part of this process, the Federal Subsistence Board  
30 submits as you can see up on the left-hand corner, an  
31 805(c) letter, and this is the result of actions and  
32 recommendations this Council has made regarding whether  
33 it's wildlife proposals or fisheries as we're going to do  
34 this afternoon, and as you'll continue going through this  
35 process, the Council will make recommendations on these  
36 fisheries proposals this afternoon. And you can pencil  
37 down in your calendar December 6th will be your first  
38 meeting to attend in Anchorage for rural determination,  
39 and then in January the Federal Subsistence Board will  
40 meet in Anchorage to address these recommendations by  
41 this Council as well as the other nine Councils for  
42 fisheries proposals.  
43  
44 CHAIRMAN ALVAREZ: Okay.  
45  
46 MR. O'HARA: Mr. Chairman.  
47  
48 CHAIRMAN ALVAREZ: Dan.  
49  
50 MR. O'HARA: I take back all those nasty

1 remarks I made about Lake Clark.  
2  
3 CHAIRMAN ALVAREZ: Yeah, I.....  
4  
5 MR. O'HARA: Lee Fink just walked in the  
6 door and we're in good shape.  
7  
8 CHAIRMAN ALVAREZ: I see Mr. Lee Fink  
9 from Port Alsworth, the chief ranger at the Lake Clark  
10 National Park. I guess since he's here, now he can do  
11 the report for Lake Clark when we get there.  
12  
13 All right. You missed the voting, Lee.  
14 They made me do all the talking.  
15  
16 MR. FINK: That sounds good.  
17  
18 MR. DUNAWAY: Good thing you got practice  
19 at the last one.  
20  
21 CHAIRMAN ALVAREZ: Yeah.  
22  
23 MR. DUNAWAY: You did a good job.  
24  
25 CHAIRMAN ALVAREZ: No. 7.B. Mr.  
26 Edenshaw.  
27  
28 MR. EDENSHAW: Thank you, Mr. Chair and  
29 Council. At this time what I can go ahead and do is ask  
30 if the Council members have any resource concerns for  
31 our 2005 annual report. And what I will do is gather any  
32 information the Council has concerns, and put that up in  
33 the formal report for the Council for their review. And  
34 then a the March meeting we'll go ahead and it will be a  
35 final report that the Council will review. And if  
36 there's anything else prior to that being submitted to  
37 the Federal Subsistence Board, we can go ahead and make  
38 those changes then. But between -- at this meeting now  
39 would be -- I would like for the Council, if they have  
40 any concerns for the 2005 report, please make those known  
41 to me, and I'll go ahead and go back to Anchorage at the  
42 conclusion of this meeting, and before we meet in, what  
43 is it, in March, fax you guys a draft report for your  
44 review and when it's finalized, it will be submitted to  
45 the Federal Subsistence Board. And those resource  
46 issues.....  
47  
48 CHAIRMAN ALVAREZ: So then when -- if  
49 anything is deemed that we want to have in that report,  
50 when we get to it in the meeting, we'll just note, have

1 you note it down so that it will be on the report.  
2  
3 MR. EDENSHAW: Okay.  
4  
5 MR. O'HARA: Mr. Chairman.  
6  
7 CHAIRMAN ALVAREZ: Dan.  
8  
9 MR. O'HARA: Would this be a time to  
10 voice our concerns about the resource in the area?  
11  
12 MR. EDENSHAW: Yes, Mr. Chair.  
13  
14 MR. O'HARA: Okay. I think one of the --  
15 you know, it's kind of like the cart before the horse  
16 type thing a little bit, because as we go through the  
17 agenda and the different agencies give their report,  
18 we'll get an idea where the strengths and weaknesses are  
19 at. but we might keep in mind as we go through this  
20 particular region, I know that Boris in his area has had  
21 some streams that have not come back even for the purpose  
22 of subsistence. You know, that's a real concern. And  
23 Boris has been on the Council now for some time, and he  
24 and I have talked about that.  
25  
26 And the other concern I have is that it  
27 seems like the Alaska Peninsula and the Nushagak  
28 District, Nushagak being on State lands, but the Alaska  
29 Peninsula, 40 percent being Federal lands, they have --  
30 those two have a pretty good moose population. However,  
31 adjacent to Naknek and Igiugig and some of these areas,  
32 we don't seem to have a very good return -- or  
33 recruitment of stock on the number of calves that are  
34 surviving, and I think the moose population is something  
35 is something we don't want to lose control of.  
36  
37 And over in Pete's area now, they're  
38 pretty good well, and that group is growing pretty good.  
39  
40 I know that Lem, the biologist over  
41 there, says if we did not address the cow moose situation  
42 on.....  
43  
44 CHAIRMAN ALVAREZ: Big Creek?  
45  
46 MR. O'HARA: Big Creek, yeah. The cow  
47 thing, he was going to write a proposal, so we need to  
48 keep that on our front burner. And that would be my main  
49 concern.  
50

1 Thank you, Mr. Chair.  
2  
3 CHAIRMAN ALVAREZ: Okay. So I guess if  
4 there's nothing else, like I was saying, if an issue  
5 comes up during one of the agency reports, we can have it  
6 noted to Cliff that it brought up in our annual report.  
7 So that would, you know -- Boris.  
8  
9 MR. KOSBRUK: I'd like to question the  
10 seasons, you know, for closing caribou. But what I'm  
11 concerned about is you regulate us pretty good, and the  
12 wolves we're not regulating, that's one of my biggest  
13 concerns.  
14  
15 CHAIRMAN ALVAREZ: Okay. Yeah, there is  
16 -- they're being regulated, but it's not -- with the  
17 amount of population, you're probably -- that there is,  
18 it should be more liberal in my opinion, too. And it  
19 doesn't seem like it's any more, but, you know, the way  
20 the State works with.....  
21  
22 MR. KOSBRUK: But down there, you can't  
23 to hunting.....  
24  
25 CHAIRMAN ALVAREZ: It's not as.....  
26  
27 MR. KOSBRUK: .....with a snow machine or  
28 a four-wheeler, because of all the -- you can't -- kind  
29 of restricted.  
30  
31 CHAIRMAN ALVAREZ: I know. It's not like  
32 -- we can't land and shoot any more, you know, and that's  
33 -- it would be hard to do unless, you know, they change  
34 the law on that, but it's something we could talk about  
35 and see we can do.  
36  
37 MR. KOSBRUK: If I remember right, I  
38 think it was probably the first time I was -- the first  
39 year I was on the Board here that the local boy counted,  
40 what, five or six moose that were dead because of wolves.  
41 They were bothering me that they were taking them and  
42 can't shoot -- and that's more damage there than the.....  
43  
44 CHAIRMAN ALVAREZ: Well, that sounds like  
45 that's something you want to have in our annual report  
46 then, Boris, so we'll note that to Cliff and we can  
47 discuss that. Let's see, where would we place it.  
48  
49 MR. ABRAHAM: Yeah, Mr. Chair, are we on  
50 7.C.?

1 MR. O'HARA: Yeah, 7.C.  
2  
3 CHAIRMAN ALVAREZ: Yes.  
4  
5 MR. EDENSHAW: Mr. Chair, if I could just  
6 provide some information to Boris, I believe it was three  
7 years ago the Council, and it was almost addressed as a  
8 Statewide proposal, but the wolf harvest was increased  
9 from two to 10 here in the region, and for those  
10 residents who reside out here that don't know, you can  
11 use a snow machine on Federal lands to go out and shoot  
12 wolves.  
13  
14 MR. KOSBRUK: We get no snow.  
15  
16 MR. O'HARA: But you can't chase them.  
17  
18 MR. EDENSHAW: I know. So I think in  
19 terms of Boris' concern about wolves, there was proposals  
20 that were submitted to increase the wolf harvest limit,  
21 which was -- which the Board approved. And then Kenny's  
22 here, and believe I addressed -- through BBNA's  
23 communicating with me and sharing of information, they  
24 submitted a proposal to the State Board of Game to enact  
25 a wolf -- perhaps Kenny can help me with this.  
26  
27 CHAIRMAN ALVAREZ: Management plan.  
28  
29 MR. EDENSHAW: Yes.  
30  
31 CHAIRMAN ALVAREZ: I was working on.....  
32  
33 CHAIRMAN ALVAREZ: And the State went  
34 ahead and.....  
35  
36 CHAIRMAN ALVAREZ: .....on that also.  
37  
38 MR. EDENSHAW: .....rejected that.  
39  
40 CHAIRMAN ALVAREZ: Yes.  
41  
42 MR. EDENSHAW: Based on -- and I forgot  
43 the justification, so -- and Boris' concern there, at  
44 least on the Federal side, we've increased the harvest,  
45 and in terms of access, you can use snow machines.  
46 People were concerned about those.  
47  
48 CHAIRMAN ALVAREZ: They didn't call it a  
49 wolf management plan. It was a predator.....  
50

1 MR. EDENSHAW: Predator control.  
2  
3 CHAIRMAN ALVAREZ: .....management plan.  
4  
5 MR. EDENSHAW: Yeah, predator management.  
6  
7 CHAIRMAN ALVAREZ: Not control.  
8  
9 MR. EDENSHAW: Correct. Management.  
10  
11 CHAIRMAN ALVAREZ: They didn't like the  
12 word control either. So they.....  
13  
14 MR. EDENSHAW: Okay. So but anyway, Mr.  
15 Chair and Council members, that's what I've been able to  
16 -- at least since I've served as the coordinator for the  
17 last five years, in terms of the proposals that have been  
18 submitted to this Council, and that have been taken to  
19 the Federal Board level, as well as what has gone on on  
20 State lands here in the region.  
21  
22 CHAIRMAN ALVAREZ: Okay. The  
23 representatives from BBNA are here, and that will be on  
24 probably tomorrow on agency reports on I. Kenny, maybe  
25 you guys can dig up the information and refresh us on  
26 what really the law -- why they turned that down, the  
27 management plan and what we ended up with.  
28  
29 MR. WILSON: You want that done tomorrow?  
30  
31 CHAIRMAN ALVAREZ: Yeah.  
32  
33 MR. WILSON: Okay.  
34  
35 CHAIRMAN ALVAREZ: Well, during your  
36 report. So your report is on 13.I., so maybe you can put  
37 that in your report tomorrow.  
38  
39 MR. DUNAWAY: I think one of the other  
40 agency reports I saw had some mention of wolf  
41 populations, and I'm guessing it's Ron's. One of the  
42 ones that's in the book, there's a little paragraph about  
43 it. I didn't have a chance to read it.  
44  
45 CHAIRMAN ALVAREZ: You know, also we have  
46 the guy who's always going to all our Board of Fish and  
47 Board of Game meetings, Joe right there, and he sits  
48 right up at the -- he should -- he might remember  
49 something on that, and he could bring before us tomorrow  
50 why -- I can't remember why they rejected that proposal,

1 why we didn't get a predator control plan, Joe.

2

3 MR. CHYTHLOOK: We could look at the  
4 summary, and that's all we have is just a summary of  
5 actions. We don't -- we don't go into detail on the  
6 reasons why, but we could check it.

7

8 CHAIRMAN ALVAREZ: Okay.

9

10 MR. EDENSHAW: And also, Mr. Chair,  
11 before we continue, I just want to encourage -- I know I  
12 met Trefon at the airport, and if there's any other  
13 members of the public, if you wish to come up here and  
14 address the Council, please do so. Just fill out a slip  
15 over here and bring it up to me, and I'll go ahead and  
16 pass it out to Randy, but -- and for those others who  
17 plan to come up here and address the counsel, we've set a  
18 table up here, and please state your name and who you  
19 work for for the record.

20

21 Thank you, Mr. Chair and Council members.

22

23 CHAIRMAN ALVAREZ: All right. I forgot  
24 about that. Good thing you reminded everybody, Cliff.  
25 That's your job.

26

27 All right. Are we on to No. 8 then? I  
28 think, is there any more from.....

29

30 MR. ABRAHAM: Mr. Chairman.

31

32 CHAIRMAN ALVAREZ: Pete.

33

34 MR. ABRAHAM: I've got a brief report  
35 from Togiak area. 17(A) anyway.

36

37 CHAIRMAN ALVAREZ: Okay.

38

39 MR. ABRAHAM: For the past three or four  
40 years, we had an average of about 50 wolf hunters over  
41 there, registered hunters, but this year we had 74  
42 registered hunters over there. Well, 74 sounds like it's  
43 many hunters, but they're per raft, so we're looking at  
44 30 hunters, about 30, 34 hunters, and that's 30 boats.  
45 And out of those 30 boats, about 20 to 24 moose were  
46 harvested, and that was there.

47

48 And as for caribou, I think 13 were  
49 harvested along with the moose over there. Togiak  
50 region, or Togiak Valley is over there doing very good.

1                   And Quinhagak is kind of backing out on  
2 -- well, doing work with us actually. We're already  
3 divided. They're divided and, you know, because one part  
4 was to go hunting, one guy doesn't want to go with us,  
5 but we just.....

6  
7                   Now, Goodnews Bay, we met with them over  
8 there about a week and a half ago. Of course, I went  
9 over there beforehand and talked to the people. And they  
10 aligned with the lower Kuskokwim people over there for --  
11 on the moratorium, you know, five -- 1,000 animals in  
12 five years. What Goodnews did was five years for hunted  
13 moose. So the moose are migrating into that valley over  
14 there very rapidly. And people over there cooperating  
15 with everybody. In fact, they're working with ADF&G and  
16 U.S. Fish and Wildlife.

17  
18                   CHAIRMAN ALVAREZ: Can the population  
19 support the harvest that happened this last.....

20  
21                   MR. ABRAHAM: You betcha. Yeah. You  
22 might see 100 moose over there next year. You never  
23 know.

24  
25                   CHAIRMAN ALVAREZ: That's good. Good.

26  
27                   MR. ABRAHAM: Yeah. And as for the --  
28 I'm the river ranger over there. The people, the anglers  
29 are down a little, but the catch didn't change much, you  
30 know, catch and release. Although the silvers were late  
31 this year. I didn't think they were going to come, but  
32 they came. We needed a couple of high winds over there  
33 to push them in a little.

34  
35                   And before that, I had a visitor from  
36 Washington, D.C., from the Office of Secretary of  
37 Interior, wanting to know about subsistence way of life  
38 in our region over there. Last spring I tried to tell  
39 him, you know, don't -- I mean, come out like in early  
40 part of June when you could see a lot of subsistence  
41 gathering then. The time he came, there was very little  
42 activity, of course. But he asked a lot of questions,  
43 now we subsist. He'd never been out to a rural area  
44 before. What he gathered was just a brief questions, you  
45 know, that we answered from various villages, and take it  
46 back to Washington, D.C. That you take our refuge  
47 manager over here. He has spent 17 years in this region.  
48 He didn't learn nothing. So, you know, how do you expect  
49 somebody from Washington, D.C. just glance through our  
50 native way of life, what we have learned, every right

1 there.

2

3 What I think I'm going to do is I'm going  
4 to get some old guy in Togiak, and sit in the table and  
5 tape ourself together, him speaking Yup'ik, and I'd  
6 translate, and then send that copy to him. This is the  
7 way of Yup'ik way of life, and go around and take a  
8 picture of people doing subsistence way of life, you  
9 know, cutting fish or gathering fish or harvesting moose,  
10 whatever. But, you know, I haven't cleared with my boss  
11 here, but I had thought about it.

12

13 But he had fun. I thought I was the  
14 worst fisherman in the river. He's the worst, he's worse  
15 than I am.

16

17 (Laughter)

18

19 MR. ABRAHAM: So that made me feel  
20 better. That's all I've got, Mr. Chairman.

21

22 CHAIRMAN ALVAREZ: Okay, Pete, that's  
23 sounds good. You might have trouble finding anybody  
24 older than you though.

25

26 MR. ABRAHAM: What's that?

27

28 MR. DUNAWAY: I think there's a few guys  
29 got him beat.

30

31 CHAIRMAN ALVAREZ: That would be good,  
32 yeah, I know it's hard for those guys to understand how  
33 we operate, even Anchorage, they don't understand our  
34 lifestyle, especially, you know, when I work -- I also  
35 serve for the State advisory committee for Iliamna, and  
36 our region is a lot different to what -- how we operate  
37 than Anchorage or Fairbanks, and, you know, it's -- they  
38 were surprised what it takes for us to have a meeting,  
39 and how much it costs.

40

41 MR. O'HARA: Mr. Chairman, along that  
42 same line, though, when you take like someone like Daryle  
43 Lons -- how long have you been in our region, Daryle?

44

45 MR. LONS: Eight years.

46

47 MR. O'HARA: Eight years. You know, they  
48 should put a contract out, a minimum five years or don't  
49 show up, because you barely get to know people in five  
50 years. And I'm in a business of knowing that you don't

1 know your people in five years, you're just barely  
2 getting started. And you've got an excellent point  
3 there, Pete, you know, people come breezing through,  
4 they're an expert, they're gone, and we suffer with some  
5 kind of regulation out of D.C., and it doesn't work.  
6 That's what makes this Federal Council so very vital.  
7 From the roots on up.

8

9 CHAIRMAN ALVAREZ: Any more reports?

10

11 MR. EDENSHAW: Mr. Chair and Council  
12 members, at the previous meeting, and this will be for  
13 the -- I've been working -- I have completed tables for  
14 almost all of the committees, but Dan had -- when we  
15 first began discussion with the Pebble Mine, Dan brought  
16 up the issue of having baseline data, subsistence harvest  
17 of fish and wildlife resources for the community, so the  
18 best I could do is going through the technical papers  
19 with the -- under the community profile data base, and  
20 I've been able to print out and gather data for almost  
21 all the community except for three. And for Togiak, Twin  
22 Hills and the other one, they've -- I've been working  
23 closely with Ted Krieg, but Ted said that there was a  
24 draft report that was recently completed, so I'm unable  
25 to -- I'd rather just wait until that's done. And  
26 hopefully by the -- by our March meeting, I believe we're  
27 going to meet in March?

28

29 MR. O'HARA: February.

30

31 CHAIRMAN ALVAREZ: February. And  
32 hopefully the Council members will see with these issues  
33 that the Council brings forth at this meeting, but that  
34 wit the community profiles, I'll have those included in  
35 the '05 report.

36

37 CHAIRMAN ALVAREZ: Okay.

38

39 MR. DUNAWAY: Thank you.

40

41 CHAIRMAN ALVAREZ: I guess I should  
42 comment on the North Peninsula caribou, because I'm  
43 affected by them greatly. It's -- as most of you know,  
44 this last year the State isn't going to issue any Tier II  
45 permits for the North Peninsula caribou, and that's --  
46 you know, it's been getting worse. Now it can't get any  
47 worse. So when the agencies come up, and Ron, to talk  
48 about what's going on, it will have to -- we need to note  
49 it in our annual report to the Board that --our concerns,  
50 Cliff, and so that we have a big problem, and it's one of

1 the biggest we've got in our area, in the Bay. So, you  
2 know, there's a lot of areas that -- especially fish,  
3 where there's not much -- you know, but you can still  
4 subsist them. Well, this North Peninsula, we can't even  
5 do that for caribou any more, it's that bad. So it is  
6 probably one of our biggest problems, and we need to  
7 discuss that and put it in the report that it is a big --  
8 one of our greatest problems we're faced with. And with  
9 no predator control, it's not going to make it any  
10 easier, it doesn't make it any easier. And the depart --  
11 one of the reasons why, if I remember, that the  
12 department didn't support it is they didn't think it was  
13 bad enough or that much of a problem, and so now it is,  
14 so maybe we can get it changed.

15  
16 And they did throw us a bone though, they  
17 made it -- it used to be illegal to chase a wolf with a  
18 snow machine, or pursue a wolf on a snow machine. Now  
19 you can do it, but you have to be -- you know, there's  
20 still some stipulations on how you can do it. So that's  
21 kind of what my report on that for now is.

22  
23 And if there's anything else that anybody  
24 wants to say?

25  
26 MR. DUNAWAY: I think Boris.

27  
28 CHAIRMAN ALVAREZ: Boris.

29  
30 MR. KOSBRUK: Yes. It was brought up to  
31 me several times on this, I don't know if you or Dan were  
32 around, but I attended one meeting, probably my first one  
33 in King Salmon, I think that was 10 years ago or so.  
34 Terrible problems down there. And there was a biologist  
35 in the audience was from north, about there. We were  
36 talking about migration of caribou. They'd kind of  
37 slowed down, didn't come over the ridge here. And the  
38 biologist got up and made a speech to the to the Board  
39 and told them that they had the same problem in Anaktuvuk  
40 in the past, you know, caribou going through it. And he  
41 said there was three or four cabins out in the middle out  
42 there. They decided to remove them, and right then he  
43 said, it was -- it solved the problem.

44  
45 So I'm wondering, those cabins -- I  
46 haven't seen it myself, but they say there's about four  
47 or five cabins on the north side of Veniaminof, Sandy  
48 Lake, somewhere around that area. That's the pass that  
49 going closed. And there's -- I don't know, but they said  
50 there was four or five cabins there. I just wondered if

1 that has any effect.

2

3 CHAIRMAN ALVAREZ: I don't know. I know  
4 there's a cabin there just inside from Port Heiden that I  
5 -- out in the valley there, and I've hunted there, what,  
6 a little over 20 years ago, and when the caribou come  
7 through there, they don't like it. They're running. In  
8 fact, we were in the cabin waiting for them. You go over  
9 -- just -- the cabin's on a knoll right in the middle of  
10 the valley, and we were just -- you go out and look, get  
11 outside the cabin about 100 feet, and look over, and you  
12 can see for about a mile or two, see if anything's  
13 coming. Then you go back in the cabin and wait. And  
14 when they do come, they're running. They don't like that  
15 place. In fact, we stayed in the cabin too long one  
16 time, and we looked out the window, and they're running  
17 by the window. But it is -- it might make a big  
18 difference. I know they didn't like that place, because  
19 they were running.

20

21 MR. KOSBRUK: But, you know, I have to  
22 make sure that those cabins, where they're at, it's State  
23 land I think. That's what they tell me anyway. But  
24 they're the ones that's regulating that. The same thing  
25 in Anaktuvuk, but they removed them, just to check it  
26 out, and it worked. I heard there were several cabins  
27 back in the hill there, on this side, for moose, you  
28 know.

29

30 CHAIRMAN ALVAREZ: But if they're on  
31 somebody's property, or corporation property, it would be  
32 -- you know, I don't know what you can do about that.

33

34 MR. KOSBRUK: It's not. No, it's not.  
35 It's State land. But I was trying to -- you know, we're  
36 hurting, it's pretty bad down there for caribou. Of  
37 course, there's nothing to migrate now.

38

39 CHAIRMAN ALVAREZ: Yeah.

40

41 MR. KOSBRUK: That's the problem. But  
42 then they tell me -- I brought it up myself, that if  
43 they're going to decide to bring some down to the area  
44 there, that they shouldn't use helicopters. You should  
45 use a landing barge to get some down there. A lot  
46 cheaper and a lot more.

47

48 CHAIRMAN ALVAREZ: Okay.

49

50 MR. DUNAWAY: Yeah, Mr. Chair.

1 CHAIRMAN ALVAREZ: Dan.  
2  
3 MR. DUNAWAY: On the Northern Peninsula  
4 caribou, I was in contact with Ralph Anderson, and that  
5 was the -- the North Peninsula caribou was really high on  
6 his list of concerns, too. That was -- I just asked him  
7 in passing what his biggest concern was, and that was it.  
8 And I'm sure BBNA will elaborate, but.....  
9  
10 CHAIRMAN ALVAREZ: It's one of mine,  
11 because it's -- you know, I think it's one of our biggest  
12 problems we're faced with is trying to get that back, you  
13 know. It's something we need.  
14  
15 MR. DUNAWAY: Yeah. I've hunted them a  
16 bit, too, and it's sad to see them so poor. I don't  
17 depend on them, but.....  
18  
19 CHAIRMAN ALVAREZ: You know, it -- we  
20 need to try something different or, you know -- I'm not  
21 exactly sure what needs to be done, but if anybody has  
22 any comments or suggestions on what we should try, you  
23 know, we should at least discuss it, you know, trying to  
24 bring those back.  
25  
26 MR. O'HARA: It's going to be an agenda  
27 item.  
28  
29 MR. DUNAWAY: Yeah.  
30  
31 CHAIRMAN ALVAREZ: Anyway, before we go  
32 on to 8, let's take a short break.  
33  
34 (Off record)  
35  
36 (On record)  
37  
38 CHAIRMAN ALVAREZ: Call the meeting back  
39 to order. No. 8, public comment. If anybody wants to  
40 comment, they need to submit a -- fill out a green card  
41 and.....  
42  
43 MR. DUNAWAY: I think they're white right  
44 now.  
45  
46 CHAIRMAN ALVAREZ: They're white? I  
47 thought.....  
48  
49 MR. DUNAWAY: Maybe they're green, but  
50 there's some white ones over there.

1 CHAIRMAN ALVAREZ: A card.  
2  
3 MR. O'HARA: Wrong country.  
4  
5 CHAIRMAN ALVAREZ: And give it to Cliff  
6 or we will -- they can do that at any time during the  
7 meeting. We will be accepting public comment. All they  
8 need to do is fill a card out.  
9  
10 MR. O'HARA: Man, you guys are a bunch of  
11 cheapskates. 70 bucks.  
12  
13 CHAIRMAN ALVAREZ: Yeah. So I don't see  
14 anybody jumping up and wanting to testify right now, so  
15 we'll leave that open, and so anybody that wants to do it  
16 tomorrow or this afternoon can fill out a card.  
17  
18 So I'll move on to No. 9, fisheries  
19 proposal reviews and Regional Council recommendations.  
20 So, Cliff, you want to.....  
21  
22 MR. EDENSHAW: Mr. Chair, well, perhaps  
23 while we proceed through this, Jerry can come up here  
24 first, and I'll give him this number here. While Jerry's  
25 doing this, I can go ahead and go through some general  
26 protocol here for the Council. Here, Jerry.  
27  
28 (Making phone call)  
29  
30 MR. EDENSHAW: Mr. Chair and Council  
31 members, what we're just waiting is I called by Sandra  
32 Travers from the United Fishermen of Alaska in Juneau,  
33 and she wanted to provide comments on our three fisheries  
34 proposals, so Jerry, if you would go ahead and call her.  
35 At least -- what time is it? I told her what time to  
36 expect us to call her.  
37  
38 And if the Council members, Mr. Chair,  
39 would turn to Page 2, up at the top, we'll go ahead and  
40 go through the protocol here for the proposals, and  
41 Jerry, who's on the phone here, is our fisheries  
42 biologist, will provide the presentations on these one,  
43 two, three, four fisheries proposals. And on No. 1,  
44 Charlotte Westing here from Fish and Game has said she  
45 will come up and provide comments to these proposals, and  
46 then we'll go ahead and go through the other portions,  
47 and lastly the Council's recommendation. And, Mr. Chair,  
48 for the -- I don't have the exact date in front of me,  
49 but when we -- when the Federal Board meets in January,  
50 you'll attend this meeting and provide the Council's

1 recommendations as well as what other issues the Board  
2 takes up at its January meeting.  
3  
4 CHAIRMAN ALVAREZ: Okay. What proposal  
5 -- let's see who's going to state the.....  
6  
7 MR. EDENSHAW: We're waiting for -- Jerry  
8 is right in front of you.  
9  
10 CHAIRMAN ALVAREZ: Jerry's going to state  
11 the proposal.  
12  
13 MR. EDENSHAW: He's going to do the  
14 presentation for the analysis.  
15  
16 MESSAGE MACHINE: You have reach Sandra  
17 Travers at United Fishermen of Alaska, Subsistence  
18 Outreach Program. Please leave a message.  
19  
20 MR. EDENSHAW: Good afternoon Sandra.  
21 This is Clifford Edenshaw with U.S. Fish and Wildlife  
22 Service, Office of Subsistence Management. We're on  
23 teleconference calling the number you directed us to when  
24 I spoke with you last week in regards to providing  
25 testimony regarding four fisheries, subsistence fisheries  
26 proposals. And again, it's almost 3:00 o'clock. You can  
27 always -- I can try and call you afterwards. I don't  
28 have a number here. We're meeting at a public facility  
29 of the Bristol Bay Assembly Chambers here in Dillingham.  
30 I think I told her to call the City, but.....  
31  
32 MR. O'HARA: City Council.  
33  
34 MR. ABRAHAM: Is that it?  
35  
36 MR. EDENSHAW: That covers that, Mr.  
37 Chair.  
38  
39 CHAIRMAN ALVAREZ: Okay. All right. Mr.  
40 Berg, are you going to go over the proposal for -- which  
41 one are you going to start on?  
42  
43 MR. BERG: I'll start with Proposal 1,  
44 Mr. Chair.  
45  
46 CHAIRMAN ALVAREZ: Okay. Proposal No. 1,  
47 the sale of.....  
48  
49 MR. ABRAHAM: Page what?  
50

1 MR. O'HARA: Page 21.  
2  
3 CHAIRMAN ALVAREZ: 21. Okay. You have  
4 the floor.  
5  
6 MR. BERG: Thank you, Mr. Chair, members  
7 of the Council. For the record, my name is Jerry Berg.  
8 I work in the Office of Subsistence Management out of  
9 Anchorage.  
10  
11 I also want to just relay a message from  
12 Mr. Dave Fisher. He did retire last week. He wanted to  
13 tell the Council he wished he could be here, but he was  
14 also looking forward to his retirement, and he was going  
15 to miss not being involved with you guys any more, so I  
16 know.....  
17  
18 MR. O'HARA: I'll bet he is.  
19  
20 MR. BERG: Actually I think he's down in  
21 Buenos Aires right now on a vacation, so I'm sure he's  
22 having a good time.  
23  
24 MR. O'HARA: Good for him. Well, we'll  
25 miss him, too.  
26  
27 MR. BERG: So I'll present the next four  
28 proposals for the Council. Proposal 1 is a Statewide  
29 proposal. Our lead author was Helen Armstrong, an  
30 anthropologist in our office. She did a very good job,  
31 but I'll go ahead and present the information.  
32  
33 Like I said, it's a Statewide proposal.  
34 It was submitted by our office, and it requests that  
35 Federal regulations be established to allow the sale of  
36 handicrafts made from non-edible byproducts of  
37 subsistence harvested fish or shellfish. Now, this was  
38 brought to our attention last spring, and, you know, we  
39 realized this is an existing practice and that we did not  
40 have anything that addressed it in our regulations, even  
41 though it specifically allow -- it is specifically  
42 allowed for in ANILCA. So since we did not receive a  
43 proposal, we drafted a proposal ourselves in our office  
44 and submitted it.  
45  
46 The intent of the proposal is just to  
47 accommodate existing practices. It would correct  
48 basically an administrative oversight on our part,  
49 because, as I said, it's specifically allowed in ANILCA.  
50 It would provide the same opportunities in Federal -- to

1 Federal subsistence users that are currently being  
2 proposed under State regulations. When we started  
3 looking into this, we also found out that the State has  
4 it in law, but they don't have it in regulation, so they  
5 also have submitted an ACR to the Board of Fisheries to  
6 basically do the same thing as what we're talking about  
7 here today in this proposal.

8

9                   So it would affect all areas of the  
10 State, and you can see the proposed language on Page 24,  
11 and the analysis right at the top of Page 24 in the bold  
12 italics type. Basically the wording would read that you  
13 may sell handicraft articles made from the non-edible  
14 byproducts, including, but not limited to skin, shell,  
15 fins, and bones of subsistence harvested fish or  
16 shellfish.

17

18                   And we felt like we needed to put what we  
19 meant by byproducts, because some people do eat different  
20 parts of the fish, so we wanted to be clear that -- what  
21 would be allowed to be made into handicrafts.

22

23                   Now, as you may remember over the past  
24 few years there's been some wildlife proposals that dealt  
25 with the sale of handicrafts made from parts of black and  
26 brown bears, and so it was that along with some other  
27 folks that contacted us, contacted our office, that  
28 brought this lack of a regulation for fisheries to our  
29 attention.

30

31                   Adopting the proposal would not provide  
32 any additional harvest opportunities for subsistence  
33 users, because current salvage regulations require that  
34 harvests occur primarily for consumption. Because fish  
35 and shellfish cannot be harvested solely for raw parts  
36 due to -- to be made into handicrafts, it's not expected  
37 to increase the fish harvests to any degree. Adopting  
38 the proposal would benefit subsistence users by providing  
39 for existing practices, and allowing the same  
40 opportunities to subsistence users under Federal  
41 regulations as are proposed under State regulations, and  
42 it would also reduce regulation complexity.

43

44                   So as you can see on Page 25, our  
45 conclusion and recommendation is to support the proposal  
46 as it's written. That's all I have, Mr. Chair. I'd be  
47 happy to try to answer any questions that Council may  
48 have.

49

50                   MR. O'HARA: Mr. Chairman.

1 CHAIRMAN ALVAREZ: Dan.  
2  
3 MR. O'HARA: Mr. Berg, at the top of Page  
4 24, byproduct. What was your definition of byproduct  
5 there?  
6  
7 MR. BERG: Byproducts, in parenthesis  
8 we've put in including but not limited to skin, shell,  
9 fins, and bones of subsistence harvested fish or  
10 shellfish.  
11  
12 MR. O'HARA: Okay. Well, I guess the  
13 only issue that I would address is salmon, because I'm  
14 not too familiar with the rest of the items that would be  
15 made into some kind of a craft. But, you know, we eat  
16 the bones and we eat the skin and we eat the head and the  
17 liver and the heart and the milk and eggs and the fins  
18 and everything. I mean, it's -- you never think of  
19 killing a salmon and then making a purse out of it I  
20 guess. You'd eat the skin.  
21  
22 But apparently this is really kind of a  
23 housekeeping item, if you want to not eat the skin, you  
24 can tan it and do something. So that's basically what  
25 we're talking about?  
26  
27 MR. BERG: Yeah. That's correct. Yeah,  
28 basically -- yeah, and there are people who do make  
29 certain items out of the -- out of fish skin and  
30 different bones, and so, yeah, we basically wanted to  
31 make it, you know -- ANILCA says non-edible byproducts,  
32 but we wanted to be clear that, you know, we realize that  
33 some people do eat various parts in various areas of the  
34 State, and so we wanted to be clear that it is -- it does  
35 allow, even though some people may not eat the skin, some  
36 people do, so we wanted to be clear that skin is allowed  
37 to be used to make handicrafts.  
38  
39 MR. O'HARA: And we are talking about  
40 Federal qualified subsistence users that would be using  
41 this product and some would use skins and some would not,  
42 and so -- thank you.  
43  
44 MR. BERG: Correct. Yes.  
45  
46 MR. O'HARA: Yeah, I understand that.  
47 Thank you.  
48  
49 MR. ABRAHAM: Mr. Chairman.  
50

1 CHAIRMAN ALVAREZ: Pete.  
2  
3 MR. ABRAHAM: Jerry, what area of the --  
4 what area of Alaska are we targeting on this craft, made  
5 out of handcraft, non-edible products or bad products?  
6 What area? Is that in -- because there are different  
7 regions that does different things. Some areas, they  
8 don't even use fish for arts and crafts. What area are  
9 we targeting right now? I mean, is entire Alaska?  
10  
11 MR. BERG: Yeah. Mr. Chair, yeah, Pete,  
12 this is -- it would basically -- it's for the whole  
13 state, but under the Federal regulations, it would only  
14 apply -- only apply to Federal public waters, so  
15 basically within refuges and national parks -- or most  
16 national parks, and forests, so.....  
17  
18 MR. ABRAHAM: Yeah, I understand that.  
19 Yeah.  
20  
21 MR. BERG: .....it basically would  
22 include all Federal waters within the state. So any fish  
23 that was harvested under Federal regulations would be  
24 allowed to make non-edible products into handicrafts.  
25 And realizing that, you know, not all areas of the state  
26 may utilize subsistence harvested fish for handicrafts,  
27 but they could if they wanted to. And so some areas do  
28 and some areas don't, or some areas probably use some  
29 parts and not others, so we just want to make one  
30 Statewide regulation that applies to everybody that  
31 hopefully encompasses everybody without trying to make  
32 regionalized regulations for each region that are  
33 different.  
34  
35 MR. ABRAHAM: Yeah.  
36  
37 MR. BERG: So we're hoping that this will  
38 encompass the whole state, and apply to everybody equally  
39 and accommodate what the existing practices are.  
40  
41 MR. ABRAHAM: Yeah, that's why I'm  
42 addressing this, because not all of them don't know where  
43 Federal waters are, or where, you know, State waters are.  
44 So it's going to be complicated for some areas there.  
45 But if we're talking the entire Alaska, well, fine, you  
46 know. But a very fine thing on Federal waters.  
47  
48 MR. BERG: Yeah, Mr. Chair, and that's  
49 why the State Department of Fish and Game has also  
50 submitted a proposal to the Alaska Board of Fisheries to

1 make the same regulation in State regulations, so it  
2 basically would apply under State and Federal  
3 regulations. It would apply to all waters, whether  
4 you're harvest -- and so fish harvested under State  
5 subsistence regulations and Federal subsistence  
6 regulations would be allowed to be made into handicrafts,  
7 as people are currently doing. It's just not on the  
8 books.

9

10 MR. ABRAHAM: Yeah.

11

12 MR. BERG: So we're just trying to make  
13 an administrative oversight correction here through this  
14 regulation.

15

16 MR. ABRAHAM: Thank you, Mr. Chair.

17

18 CHAIRMAN ALVAREZ: Okay. Yeah, that --  
19 navigable waters, are they -- they're under Federal  
20 jurisdiction, aren't they? Even -- it might not be State  
21 -- I mean, it might be State lands, but what -- aren't  
22 navigable waters under Federal jurisdiction?

23

24 MR. BERG: Well, what's under  
25 Federal.....

26

27 CHAIRMAN ALVAREZ: They can be though,  
28 right?

29

30 MR. BERG: .....jurisdiction is anything  
31 within a national wildlife refuge boundary. Even if  
32 there's a public in-holding within the refuge, the  
33 Federal -- for Federal fisheries jurisdiction, it's  
34 anything within the boundary of the refuge or the park.

35

36 CHAIRMAN ALVAREZ: Okay.

37

38 MR. O'HARA: Mr. Chair.

39

40 MR. BERG: So it's not -- regardless if  
41 its navigable or not.

42

43 CHAIRMAN ALVAREZ: Dan.

44

45 MR. O'HARA: I think one thing that  
46 always confused me was that, you know, like Togiak, it's  
47 truly Federal and I think the waters down in Chignik are  
48 truly Federal. But then you take like the Alukanuk or  
49 the Branch or the Alagnak, this is State maintained  
50 waters in Federal lands. In other words, they have more

1 to say of the regulation of what takes place on the  
2 Branch's waters than the Federal people have to say on  
3 what happens on the Branch's waters. Isn't that true?

4

5 MR. BERG: Which waters are you speaking  
6 to?

7

8 MR. O'HARA: The Branch River or the  
9 Alagnak or the Alukanuk as we call it over there. In  
10 other words, two-thirds of the Branch is Federal.....

11

12 MR. BERG: Right.

13

14 MR. O'HARA: .....but it's State  
15 regulated. In other words, they determine the number of  
16 fish that go up there. They determine the number of fish  
17 that are caught. They determine the five species of fish  
18 that go in there. The State of Alaska under Federal  
19 waters still maintains the management resource of that  
20 river.

21

22 MR. BERG: Because the majority of the  
23 harvest occurs in State-managed waters.

24

25 MR. O'HARA: Okay.

26

27 MR. BERG: And so, you know, the Federal  
28 regulations would still apply within the Federal  
29 conservation unit, so the upper water would still -- the  
30 Federal regulations still apply to the Federal waters and  
31 upriver there just aren't many users that use that upper  
32 area. So, yeah, I think the -- you know, certainly the  
33 State commercial uses probably, you know, dictate the  
34 majority of the harvest for that area.

35

36 CHAIRMAN ALVAREZ: Okay. Is there any  
37 other -- Nanci.

38

39 MS. MORRIS LYON: And so, clari -- so  
40 you're saying that on waters that have combined effort  
41 whoever has the largest use has the say?

42

43 MR. BERG: Well, no, the Federal  
44 regulations still apply to those waters, but I think, you  
45 know, just by the sheer number of fish that are harvested  
46 under commercial uses, that's really going to dictate the  
47 numbers of fish going up that river, more so than the  
48 number of subsistence users that use that area,  
49 because.....

50

1 MS. MORRIS LYON: Okay. So you're saying  
2 just in that particular area.....  
3  
4 MR. BERG: .....just because of the sheer  
5 numbers of fish that are harvested.  
6  
7 MS. MORRIS LYON: .....but once you get  
8 into the Federal side, then those rules apply up there.  
9 It's just that they tend to be more regulated, because  
10 the State waters are down below being used heavier?  
11  
12 MR. BERG: Right.  
13  
14 MS. MORRIS LYON: Okay.  
15  
16 MR. BERG: Where there's more harvest  
17 occurring.  
18  
19 MR. O'HARA: Mr. Chairman. I'd like to  
20 clarify this, because I think Mr. Dunaway would probably  
21 help us more than anyone, since you work these streams.  
22 Let's take for instance now up at Nondalton, the stream  
23 there coming down from.....  
24  
25 MR. DUNAWAY: Tazimina?  
26  
27 MR. O'HARA: Tazimina. That is Federal  
28 lands, State managed waters, period.  
29  
30 MR. DUNAWAY: Yeah.  
31  
32 MR. O'HARA: So the Feds have nothing to  
33 say about how many fish are caught by the sports guys in  
34 the Branch River, even if it's Federal lands.  
35  
36 MR. DUNAWAY: Yeah, Mr. Chairman. I'm  
37 trying to reach back to my other life, and remember all  
38 that. I was pretty well versed in it, and the lady with  
39 the Department of Fish and Game, Tina Cuning, is the  
40 best versed that I know of. Probably some of the DNR  
41 folks. But, yeah, I believe my last understanding was,  
42 it was Federal jurisdiction really only existed in non-  
43 navigable waters, very small waters. I think even the  
44 Togiak River is State managed sport, and Federal  
45 subsistence.  
46  
47 MR. O'HARA: Because it's navigable.  
48  
49 MR. DUNAWAY: Yeah. Kanektok was a bit  
50 of an issue, but I think Kanektok, Goodnews and all are

1 really the State has the jurisdiction over the deeper  
2 waters. You get into the real small trickles, it becomes  
3 Federal water. And I don't know if anything's changed  
4 since, other than my memory's flagging fast.

5  
6 MR. O'HARA: I don't think so.

7  
8 MR. DUNAWAY: But I can see that for  
9 consistency and to serve the public, I hated being in  
10 that middle ground of who's in charge, and it's nice when  
11 the State and Feds can agree on a regulation, and that  
12 serves the public best, that if they're standing there in  
13 the river, whatever they're doing, they know -- or they  
14 should have reasonable opportunity to know that -- what's  
15 legal and what's not. And I think more recently the  
16 Federal government has actually acknowledged more of the  
17 State authority in some places, and I'm -- I think that's  
18 part of this marine jurisdiction thing that we have a  
19 folder on. And then it seems like I saw something else,  
20 but I have to admit I'm foggy on it these days. I don't  
21 have to deal with it weekly, so.....

22  
23 MR. O'HARA: Yeah. Mr. Chairman. I  
24 guess you'll.....

25  
26 CHAIRMAN ALVAREZ: Go ahead, Dan.

27  
28 MR. O'HARA: .....have the floor there.  
29 In relation to what Pete said and what I asked earlier,  
30 and there's a lot of people out there who are department  
31 heads who are knowledgeable about this, and that's fine,  
32 but -- and Nanci brought up before we brought this  
33 proposal up, and it kind of all dovetails together, this  
34 is a Statewide, Federal-wide dubbing things together type  
35 things, more of a bookkeeping item than actually whether  
36 there's going to be an increase of salmon.

37  
38 You sure picked a good time to put up  
39 those maps.

40  
41 (Laughter)

42  
43 MR. O'HARA: I wish I were the chair.  
44 I'd rule somebody out of order right there.

45  
46 CHAIRMAN ALVAREZ: Don't pay any  
47 attention to him.

48  
49 MR. O'HARA: Don't pay any attention to  
50 him? It sounds like a buffalo herd going by out there.

1                   So actually it's a thing that, you know,  
2 if we realign it with the Feds, there's probably not  
3 going to be any more increase in salmon caught to make a  
4 purse or whatever those guys do with those things. So  
5 it's a housekeeping item.

6  
7                   MR. ABRAHAM: You know, yeah, Mr.  
8 Chairman. That's what confuses me, because any navigable  
9 water is controlled by the State, normally. You know, I  
10 tried that before. I mean, I tried to make Togiak River,  
11 you know, Federal waters. That water is controlled by  
12 the State. No way. DNR says no way. That's what, you  
13 know, that's confusing. Where are the Federal waters? I  
14 mean, when you go fish for halibut, yes, then you deal  
15 with the Federal. The rest of the fish, no. His maps  
16 are getting crooked.

17  
18                   (Laughter)

19  
20                   CHAIRMAN ALVAREZ: I told you don't pay  
21 attention to him.

22  
23                   MR. O'HARA: Sure. What did he say? I  
24 couldn't hear you.

25  
26                   CHAIRMAN ALVAREZ: I know that's  
27 confusing, because the Coast Guard has jurisdiction on  
28 navigable waters, and they're a Federal agency, but when  
29 it deals with fish, now the State's -- they let the State  
30 manage it, you know, the way it's been going, but, you  
31 know, I know it's -- there's not determination on it.  
32 Everybody's wondering how is it working? I mean, what's  
33 the -- what are the laws.

34  
35                   MR. DUNAWAY: Mr. Chair, my experience  
36 when I was trying to figure some of that out, when we're  
37 working, the Coast Guard uses a somewhat different  
38 definition of navigable I think was my experience. They  
39 kind of looked at where there was major river traffic,  
40 like barges. Like I think they figured they went up to  
41 Koliganek on the Nushagak, because barges go that far.  
42 And they kind of seem to have a little less rigorous  
43 definition than what the State and Feds argue about as  
44 far as who's got the last ounce of authority. But, I  
45 don't know, I see Dave Denton and I see Jason Dye and a  
46 few other folks, and now it looks like a guy waiting in  
47 the wings there, Mr. Knauer, that -- because we used to  
48 wrestle with this all the time, and there's a -- I think  
49 -- I don't remember if I mentioned her name, but Tina  
50 Cunning is the lady with the Department of Fish and Game

1 who has the State's take on it the best I could  
2 understand, so that's enough.

3

4 CHAIRMAN ALVAREZ: Jerry.

5

6 MR. BERG: Yeah. Thank you, Mr. Chair.  
7 Yeah, I didn't quite understand the question I think on  
8 some of the first couple questions, so I don't know if I  
9 got you guys more confused or not, but let's take the  
10 Togiak River, for example. The Togiak River is entirely  
11 within the Togiak National Wildlife Refuge, and so it is  
12 completely under Federal jurisdiction. So Federal  
13 regulations apply, but they only apply to subsistence  
14 uses. We do not prevent sport users from going in there,  
15 so sport State users can still go in there and fish, but  
16 if there's a shortage, then the subsistence users have  
17 priority over other non-subsistence uses. So the  
18 subsistence users would always have priority if there  
19 comes time when there's a shortage.

20

21 It doesn't matter -- the navigable/non-  
22 navigable was at issue prior to 1999 when the Federal  
23 jurisdiction got expanded to most areas of the state. It  
24 was a navigable/non-navigable issue until then, until  
25 1999, and it changed in 1999 to include all waters within  
26 Federal conservation system units, which are basically  
27 the refuges and the parks and the forests in the state.  
28 So it doesn't matter if it's navigable or non-navigable.  
29 It just matters whether it's within the boundary of those  
30 units.

31

32 So for the Togiak River, Federal  
33 jurisdiction is complete and it applies to the whole  
34 river, but it only applies for subsistence. And if  
35 there's plenty of fish, then you can have a commercial  
36 and a sport fishery in those areas as long as you're  
37 meeting subsistence needs. If you start having shortages  
38 and you're not meeting subsistence needs, that's when you  
39 need to start taking action to start reducing harvest in  
40 those other non-subsistence uses to protect the  
41 subsistence priority. Have you got anything to add to  
42 that, Bill?

43

44 MR. ABRAHAM: Mr. Chairman, yes, I  
45 understand that, you know. But, see, that's where the  
46 confusion comes in for the local people. They see 17  
47 sportsmen up there, and then those are under the State.  
48 And there are 17 boats of subsistence users out there.  
49 They're being cited by, you know, protection officer.  
50 Hey, you're wasting your fish out there. And while the

1 sportsmen out there wasting fish and aren't being cited.  
2 So that's where the confusion. I have to go back and,  
3 you know, retell a story. To the subsistence users and  
4 public users, it sounds confusing. Whose side are you  
5 on, you know, they just point at my finger, and say, hey,  
6 whose side are you on here. Well, you know, according to  
7 DNR, that's all the navigable water is under the State.  
8 But when I say under the Federal jurisdiction, you  
9 subsistence users are, you know, breaking the law. And  
10 then they just go, hey, that's too confusing. There  
11 should be more -- something more simpler to deal with  
12 this over here, because you -- you know, if I try to tell  
13 it to them again, there will be chaos out there. Now,  
14 that's not just Togiak, that's the entire Alaska. When  
15 everything's under the Federal, and the State will try to  
16 be -- and the subsistence users are confused.

17

18 Thank you, Mr. Chairman.

19

20 CHAIRMAN ALVAREZ: Okay. State your name  
21 and go ahead.

22

23 MR. KNAUER: I'm Bill Knauer. But for  
24 the record, I'm Dan O'Hara.

25

26 (Laughter)

27

28 MR. KNAUER: No, actually I'm Bill  
29 Knauer. I'm a regulations specialist with the Office of  
30 Subsistence Management, and Jerry is absolutely correct.  
31 Since 1999 all inland waters within the conservation  
32 system units for the purposes of subsistence, are under  
33 Federal jurisdiction. That was a result of the outcome  
34 of the lawsuit referred to as the Katy John lawsuit. And  
35 the issue of navigability was does not enter in except on  
36 some of the unassociated BLM lands, such as you've got in  
37 parts of 17 and 9, Unit 9. And in those areas, it is  
38 only on the non-navigable waters. But within the Togiak  
39 Refuge, within Lake Clark, within the Alaska Peninsula  
40 and Becharof, if it's within the boundary, it makes no  
41 difference who has the title, for Federal subsistence  
42 purposes, it's under Federal jurisdiction, and that's  
43 what we -- when we're referring to Federal waters, that's  
44 what we're referring to. We're not referring to any of  
45 the marine waters where there might be Coast Guard  
46 jurisdiction or anything like that. We're referring to  
47 the Federal public waters as we define them in  
48 regulation.

49

50 CHAIRMAN ALVAREZ: Okay.

1 MR. ABRAHAM: Thank you.  
2  
3 CHAIRMAN ALVAREZ: So we're dealing with  
4 Federal subsistence regulations, so in other words it  
5 would be under the Federal jurisdiction, because that's  
6 what we're dealing with. We're not dealing with State  
7 subsistence, so.....  
8  
9 MR. ABRAHAM: That's understandable. But  
10 when you have two books like this over here, that's  
11 Federal and that's the State. That's where the confusion  
12 comes.  
13  
14 CHAIRMAN ALVAREZ: Yeah. What you're  
15 saying is the people don't understand whose laws they're  
16 under I guess, even if it's under State.  
17  
18 MR. ABRAHAM: Yeah.  
19  
20 CHAIRMAN ALVAREZ: On State property or  
21 State lands.  
22  
23 MR. ABRAHAM: Yeah.  
24  
25 CHAIRMAN ALVAREZ: But they're still.....  
26  
27 MR. ABRAHAM: Like last week in Goodnews  
28 Bay, one guys says, well, we've seen these floaters  
29 coming down with the caribou, and goes, you know, what's  
30 going on? You know, I thought you -- you know, from the  
31 land. I says, well, according to the Federal  
32 regulations, it doesn't say any sport hunting. But the  
33 State says, yeah, one caribou. And they were confused,  
34 see. You know, a lot of -- us, me, especially, I  
35 understand what the book says, but the older guy out  
36 there, Bavel Emarit (ph) for instance from Hooper Bay, I  
37 know he's been living there for a long time, and when he  
38 sees something like that, hey, that's -- what's going on?  
39 The same thing happened to, you know, this arts and  
40 crafts deal over here. Make it simple, you know, or just  
41 leave it alone.  
42  
43 CHAIRMAN ALVAREZ: Okay. All right.  
44 We're down to the comments. Alaska Department of Fish  
45 and Game.  
46  
47 MS. WESTING: Good afternoon. My name is  
48 Charlotte Westing. I'm representing the Department of  
49 Fish and Game. I work for Commercial Fisheries, but I've  
50 been asked to represent the Subsistence Division today.

1                   And Jerry pretty much covered it to the  
2 best of my understanding. It's basically the regulation,  
3 the Federal and the State regulations are mirroring each  
4 other, and the State regulation is going before the Board  
5 of Fish. So it's basically clearing up something that  
6 was previously unclear, and making it to where both  
7 regulations accomplish the same objective.  
8  
9                   CHAIRMAN ALVAREZ: What is the Department  
10 of Fish and Game's stand on this? Do they support the  
11 proposal?  
12  
13                   MS. WESTING: Yeah, we completely support  
14 it.  
15  
16                   CHAIRMAN ALVAREZ: I didn't see that.  
17  
18                   MS. WESTING: It's been submitted on the  
19 State side as well, so we're both, both the Federal, you  
20 know, and State are submitting pretty much the same  
21 thing. So we're in agreement. It mirrors.  
22  
23                   CHAIRMAN ALVAREZ: Okay.  
24  
25                   MR. O'HARA: Mr. Chairman.  
26  
27                   CHAIRMAN ALVAREZ: Dan.  
28  
29                   MR. O'HARA: In the last part of our book  
30 there, on 27, Charlotte, it just talks about the fact  
31 that, you know, we're dealing with the issue right now,  
32 and you'll be dealing with the issue a little on.  
33  
34                   MS. WESTING: Are you.....  
35  
36                   CHAIRMAN ALVAREZ: That's a different  
37 proposal, isn't it? That's 06.  
38  
39                   MR. O'HARA: Oh, is it?  
40  
41                   CHAIRMAN ALVAREZ: Yeah.  
42  
43                   MR. O'HARA: Did I go too far? Oh, your  
44 proposal's already in and everything?  
45  
46                   MR. CHYTHLOOK: Page 22.  
47  
48                   CHAIRMAN ALVAREZ: 22. Page 22.  
49  
50                   MR. DUNAWAY: It says the same thing.

1 CHAIRMAN ALVAREZ: Okay. 22 is the one  
2 we're on. They support it.  
3  
4 MR. O'HARA: Yeah. Okay. That's the  
5 same thing.  
6  
7 CHAIRMAN ALVAREZ: Okay. There it is.  
8  
9 MR. O'HARA: In other words, it's going  
10 to be the same as our proposal later on in your calendar  
11 frame.  
12  
13 MS. WESTING: They didn't give me any  
14 comments to bring today. They just told me to express to  
15 the Council here that our regulation is -- that it  
16 completely the Federal regulation, and that it's pretty  
17 much just a housekeeping issue, just to make things more  
18 clear.  
19  
20 MR. O'HARA: Yeah. The State's comments  
21 will be presented at the up and coming Council meeting as  
22 well as being provided in advance to the Council, because  
23 the Regional Advisory Council is being published early in  
24 the public review process of Federal fish subsistence  
25 proposals, draft comments from Alaska Department of Fish  
26 and Game are not included. But it's the same. Okay.  
27 Good.  
28  
29 CHAIRMAN ALVAREZ: Are there any other  
30 comment to Charlotte.  
31  
32 (No comments)  
33  
34 MR. ABRAHAM: (In Yup'ik)  
35  
36 CHAIRMAN ALVAREZ: All right. That's  
37 good.  
38  
39 MR. ABRAHAM: Uh-huh.  
40  
41 CHAIRMAN ALVAREZ: No. 2, other Federal,  
42 State and tribal agencies. Who would -- Cliff, who  
43 would.....  
44  
45 MR. EDENSHAW: That's just a chance for  
46 other organizations here in the region, BBNA or --  
47 Charlotte said she's representing Fish and Game, so that  
48 omits them, and there aren't any other State agencies I  
49 see here willing to step forward and provide any comments  
50 they may have.

1 (No comments)  
2  
3 CHAIRMAN ALVAREZ: Seeing none, No. 3,  
4 fish and game advisory committees.  
5  
6 MR. CHYTHLOOK: You're it.  
7  
8 (Laughter)  
9  
10 MR. O'HARA: You're the chair of the.....  
11  
12 MR. DUNAWAY: Yeah, it's you, yeah,  
13 Robert or Robin or somebody.  
14  
15 MR. O'HARA: Go for it, man, you can  
16 speak an hour for that.  
17  
18 CHAIRMAN ALVAREZ: No. No. I'm -- I  
19 think it's a good proposal.  
20  
21 No. 4.  
22  
23 MR. EDENSHAW: Mr. Chair, if the Council  
24 would turn to Page 26, I'll go ahead and read into the  
25 public record here. We received three written comments.  
26 They're located as I said on Page 26. The Ahtna  
27 Subsistence Committee supports the proposal. The Ahtna  
28 Subsistence Committee supports the sale of handicrafts  
29 made by subsistence users from non-edible byproducts of  
30 fish and shellfish. Subsistence users should be allowed  
31 to sell these handicrafts.  
32  
33 The Chilkoot Indian Association supports  
34 the proposal. the Chilkoot Indian Association supports  
35 the sale of handicrafts made by subsistence users from  
36 non-edible byproducts of fish and shellfish. This  
37 Statewide change has the potential to help economically  
38 deprived region to generate needed cash. It also makes  
39 sense to use as much of the harvested fish to minimize  
40 waste, and this change would also promote cultural skills  
41 with the tribes.  
42  
43 And Karen Pletnikoff of the APIA, the  
44 Aleutian Pribilof Islands Association, wrote in and said  
45 she supports the proposal. this proposal offers more  
46 opportunities for subsistence users.  
47  
48 And that concludes written public  
49 comments, Mr. Chair.  
50

1 CHAIRMAN ALVAREZ: All right. Thank you,  
2 Cliff. No. 5, public testimony. Anybody from the public  
3 want to comment on this.  
4  
5 (No comments)  
6  
7 CHAIRMAN ALVAREZ: Seeing none, down to  
8 C, Council deliberation.  
9  
10 MR. DUNAWAY: So move to adopt.  
11  
12 MS. MORRIS LYON: Second.  
13  
14 CHAIRMAN ALVAREZ: All right. Mr.  
15 Dunaway moves to adopt, and seconded by Nanci.  
16  
17 MR. O'HARA: Ask for any discussion.  
18  
19 CHAIRMAN ALVAREZ: Okay. And discussion  
20 on this?  
21  
22 MR. DUNAWAY: Well, I'm supporting it.  
23 It sure makes sense to me, and hopefully it would address  
24 one of your concerns, Pete, and clarify it and make it  
25 legal, and, shoot, you know, up on the Kuskokwim kids  
26 used to have salmon skin boots and such like that, so  
27 it's pretty traditional I believe, and if it's not going  
28 to do any biological harm, shoot, let's free folks up to  
29 do what they've been doing. And I'm for it.  
30  
31 MR. ABRAHAM: Mr. Chairman.  
32  
33 CHAIRMAN ALVAREZ: Pete.  
34  
35 MR. ABRAHAM: It's not going to affect my  
36 region over there, you know, as far as the art and  
37 handicraft. I have not seen anything like it for a long,  
38 long time. So it's not going to affect or perk up ears  
39 over there anyway.  
40  
41 CHAIRMAN ALVAREZ: Yes. You know, I feel  
42 the same way. Nobody's going to get rich off of this.  
43 Everybody's not going to -- because it passes, nobody's  
44 going to be jumping to go into business doing this sort  
45 of thing, you know, so it's just something that some of  
46 the -- you know, they can use some of their subsistence  
47 resources to try to generate a little bit of money,  
48 which, you know, we all know some of the regions, some of  
49 these villages are pretty -- the economy's pretty poor,  
50 and this would sure -- it would help a little bit, and,

1 you know, and every little bit helps, so I would be  
2 supporting the proposal also.  
3  
4 Anybody else want to comment on.....  
5  
6 MR. ABRAHAM: (In Yup'ik)  
7  
8 MR. DUNAWAY: Call for the question.  
9  
10 CHAIRMAN ALVAREZ: The question's been  
11 called. Okay. All in favor of supporting the proposal  
12 as written signify by saying aye.  
13  
14 IN UNISON: Aye.  
15  
16 CHAIRMAN ALVAREZ: Opposed.  
17  
18 (No opposing votes)  
19  
20 CHAIRMAN ALVAREZ: Okay. Motion carried,  
21 and the Proposal 01 is passed six-zero.  
22  
23 Now, Mr. Berg, Proposal No. 06.  
24  
25 MR. BERG: Yes, thank you, Mr. Chair. As  
26 you can see, Proposal 6 starts on Page 27 in your book.  
27 Proposal 6 was submitted by your Council last fall. It  
28 was basically an alignment proposal as the result of an  
29 Alaska Board of Fisheries action that occurred in  
30 February of '04, and the proposal would provide  
31 subsistence users additional fishing opportunities in  
32 some locations of the Alaska Peninsula area by reducing  
33 the area closed to subsistence fishing when there are  
34 commercial openings.  
35  
36 This change would -- this would change a  
37 requirement that subsistence fishing be closed within a  
38 50-mile radius of an area opening to commercial fishing.  
39 The proposed regulation would simply close subsistence  
40 fishing in a district before and after commercial  
41 openings instead of -- so basically it would close  
42 subsistence fishing within the districts instead of  
43 within a 50-mile radius.  
44  
45 You probably remember discussing this  
46 some last fall. The Federal jurisdiction in this area is  
47 very limited, because most of the commercial fishing, if  
48 not all of it I believe, occurs in marine waters and the  
49 Federal jurisdiction is very limited in marine waters in  
50 this area.

1                   The changes in the State regulation also  
2 included references to sections, sections within  
3 districts, which are smaller areas, that may also be  
4 closed before and after a commercial fish opening.  
5  
6                   All of the salmon stocks in the Alaska  
7 Peninsula area appear to be healthy at this time, so  
8 there's no conservation concerns.  
9  
10                  As I said, the Federal proposal only  
11 refers to districts and does not include the reference to  
12 sections that may be closed before and after commercial  
13 openings. This could lead to Federal regulations  
14 continuing to be more restrictive if a commercial opening  
15 were to be announced in a specific section within a  
16 district.  
17  
18                  So the conclusion is to support the  
19 proposal with the modification to include the word  
20 sections in the regulatory wording so that it will align  
21 with State regulation and also allow for that management  
22 within those sections to be the same as what the State is  
23 currently doing.  
24  
25                  That's all I have, Mr. Chair. If there's  
26 any questions, I'd be happy to try to answer those.  
27  
28                  CHAIRMAN ALVAREZ: Anybody got any  
29 questions for the Council members.  
30  
31                  (No comments)  
32  
33                  CHAIRMAN ALVAREZ: Seeing none, we will  
34 go down to the Alaska Department of Fish and Game  
35 comments.  
36  
37                  MS. WESTING: This is basically another  
38 proposal to just bring the Federal and State regulations  
39 into line with each other. And the State agrees with the  
40 recommended modification that would include sections to  
41 provide additional opportunity, so the State supports it  
42 with that recommendation.  
43  
44                  CHAIRMAN ALVAREZ: Counsel members,  
45 comments for the State.  
46  
47                  MR. DUNAWAY: Do we need to move to  
48 adopt? Are we -- move to adopt.  
49  
50                  MR. O'HARA: Wait a minute, we.....

1 MR. DUNAWAY: Or do we need to go  
2 through.....  
3  
4 MR. O'HARA: Federal, State, fish and  
5 game advisory, summary of written comments, and public  
6 testimony. Got to go through all those.  
7  
8 CHAIRMAN ALVAREZ: Yeah, I know, but  
9 Dan's asking do we need to adopt it now, or do we wait  
10 until we get to C.  
11  
12 MR. DUNAWAY: Or was I jumping the gun  
13 there a little bit.....  
14  
15 MR. O'HARA: Yeah.  
16  
17 CHAIRMAN ALVAREZ: Can we.....  
18  
19 MR. DUNAWAY: .....because you brought up  
20 discussion from us, so.....  
21  
22 CHAIRMAN ALVAREZ: Can we adopt it down  
23 on C.....  
24  
25 MR. DUNAWAY: I'll wait.  
26  
27 CHAIRMAN ALVAREZ: .....Council  
28 deliberation, before we deliberate, adopt it, and listen  
29 to the.....  
30  
31 MR. DUNAWAY: I'll wait.  
32  
33 MR. O'HARA: We've got to go through  
34 those steps.  
35  
36 CHAIRMAN ALVAREZ: Yeah.  
37  
38 MR. O'HARA: There's a ton of lawyers  
39 sitting out there somewhere going to correct something.  
40  
41 CHAIRMAN ALVAREZ: Okay. We're down on  
42 No. 2, other Federal, State and tribal agencies want to  
43 comment on this proposal.  
44  
45 (No comments)  
46  
47 CHAIRMAN ALVAREZ: Seeing none, No. 3,  
48 fish and game advisory committees.  
49  
50 (No comments)

1 CHAIRMAN ALVAREZ: None. No. 4, summary  
2 of written comments. Cliff.  
3  
4 MR. EDENSHAW: Mr. Chair and Council  
5 members, there weren't any written public comments  
6 submitted.  
7  
8 CHAIRMAN ALVAREZ: Okay. No. 5, public  
9 testimony on this.  
10  
11 (No comments)  
12  
13 CHAIRMAN ALVAREZ: Seeing none, we're  
14 down to C now. Dan, do you want.....  
15  
16 MR. DUNAWAY: I move to adopt with the  
17 recommended changes. Move to adopt with the recommended  
18 changes so we don't have to go through the whole  
19 amendment hassle.  
20  
21 CHAIRMAN ALVAREZ: Okay. The motion's  
22 been made to adopt with recommended amendment changes.  
23  
24 MR. O'HARA: I'll second the motion.  
25  
26 CHAIRMAN ALVAREZ: Dan O'Hara seconds.  
27 Okay. Comments.  
28  
29 (No comments)  
30  
31 MR. ABRAHAM: Question.  
32  
33 CHAIRMAN ALVAREZ: The question's been  
34 called. All in favor of Proposal 06 signify by saying  
35 aye.  
36  
37 IN UNISON: Aye.  
38  
39 CHAIRMAN ALVAREZ: Opposed.  
40  
41 (No opposing votes)  
42  
43 CHAIRMAN ALVAREZ: Motion.....  
44  
45 MR. ABRAHAM: Mr. Chairman. Can I just  
46 -- I'd like to comment something here for benefit of  
47 Togiak.  
48  
49 CHAIRMAN ALVAREZ: Weren't you supposed  
50 to do this before we voted, Pete?

1 MR. ABRAHAM: Yeah.  
2  
3 MR. DUNAWAY: He called the question.  
4  
5 MR. ABRAHAM: I'd like to commend  
6 Charlotte for managing Togiak Bay for commercial fishing.  
7 That's her second year managing the area over there, and  
8 she's.....  
9  
10 MS. WESTING: Third.  
11  
12 MR. ABRAHAM: Oh, third. She has done a  
13 super job over there, I'm proud of her, because we got  
14 our fish in the Togiak Lake over there on time. Yeah.  
15 I'm proud of her.  
16  
17 CHAIRMAN ALVAREZ: The fish are listening  
18 to you.  
19  
20 (Laughter)  
21  
22 CHAIRMAN ALVAREZ: All right. All right.  
23 Then good job.  
24  
25 MR. O'HARA: Well, in that case whoever  
26 is doing the Branch ought to get a purple heart it went  
27 to five million fish. Wow.  
28  
29 MR. DUNAWAY: Slim would appreciate that.  
30  
31 MR. O'HARA: Yeah.  
32  
33 CHAIRMAN ALVAREZ: Yeah. No wonder he  
34 didn't want to show up. Okay.  
35  
36 That motion was passed six to zero.  
37  
38 Now the next one would be 07, Jerry.  
39  
40 MR. BERG: Yes, Mr. Chair. Thank you.  
41 Proposal 7 starts on Page 34. Actually there's a good  
42 map on Page 34 that shows the -- this proposal addresses  
43 the Chignik Management Area, so there's a good map on  
44 Page 34 to refer to. Again this is another alignment  
45 proposal. Proposal 7 was submitted by your Council again  
46 last fall. It requests that the current 48-hour closure  
47 to subsistence fishing before the first commercial salmon  
48 fishing opening in the Chignik Management Area be reduced  
49 to 24 hours for those who hold a commercial fishing  
50 license within the Chignik Management Area, or that they

1 be limited to the provisions specified on a subsistence  
2 fishing permit.

3  
4 Again the Alaska Board of Fisheries took  
5 this proposal up and took this action in November of  
6 2004, so this would be an alignment proposal. Again,  
7 Federal jurisdiction is very limited in the Chignik area,  
8 actually just to a small area around the Semidi Islands.

9  
10  
11 The changes in State regulation were that  
12 the 48-hour closure to subsistence fishing before the  
13 first commercial salmon fishing opening was reduced to 24  
14 hours for those who hold a commercial fishing license.  
15 The change also added a 12-hour subsistence closure to  
16 these same users after a commercial fishing period.  
17 Commercial fishing license holders are required to  
18 register with ADF&G at the Chignik River weir prior to  
19 subsistence fishing. These regulations are also  
20 stipulated on the State-issued subsistence fishing permit  
21 for that area.

22  
23 MR. O'HARA: Mr. Chairman, where are you  
24 reading the 12-hour thing? What page?

25  
26 MR. BERG: That's -- those are some  
27 changes that the Alaska Board of Fisheries made, and  
28 they're not specifically stated in the regulation, but  
29 what is in the regulation is or as may be specified on  
30 the permit. So these are some changes the Alaska Board  
31 of Fisheries made, but they're specified on the permit,  
32 and they're quite specific, so I think it's pretty  
33 important that we reference the permit itself, because  
34 that's where all the changes are stipulated is on that  
35 permit.

36  
37 MR. O'HARA: Mr. Chairman.

38  
39 CHAIRMAN ALVAREZ: Yeah.

40  
41 MR. O'HARA: Jerry, if you hold a  
42 commercial fishing license under the proposed regulations  
43 on Page 35, a fishing license, you may not subsistence  
44 fish for salmon within 24 yours before the first State  
45 commercial salmon fishing opening in Chignik area, or as  
46 may be specified in subsistence fishing permit, and then  
47 would you explain a relationship to the 12 hours? I  
48 didn't get that.

49  
50 MR. BERG: The Alaska Board of Fisheries

1 also made a change that added a 12-hour subsistence  
2 closure to these same users after a commercial fishing  
3 period.

4  
5 MR. O'HARA: Okay. 24 hours before and  
6 12 hours after.....

7  
8 MR. BERG: Right.

9  
10 MR. O'HARA: .....you can't. In other  
11 words, I would assume that would be for the purpose of  
12 maybe selling subsistence fish?

13  
14 MR. BERG: I think so, yeah.

15  
16 MR. O'HARA: Yeah. Okay.

17  
18 MR. BERG: And there's also some more  
19 other stipulations that are added to the permit, and  
20 that's why we've included a copy of the permit as part of  
21 the appendices you can see on Page 44 and 45. You can  
22 see there's special permit provisions, so there's  
23 actually some other permit provisions that are not in our  
24 regulations, but I think as long as we specify as  
25 specified on the permit in our regulation, then that  
26 would cover us.

27  
28 And in fact, I guess with that, you know,  
29 there are -- the salmon stocks in that area are healthy.

30  
31  
32 And also part of an issue that came up  
33 when I was going through this regulation is that the  
34 State also issues emergency orders throughout the summer  
35 that may change what gear's allowed for subsistence  
36 fishing in that area. And every time the State does  
37 that, then our in-season manager, Jim Larson, who's in  
38 King Salmon, he would have to issue a special action for  
39 the Federal side to mirror the State action so that our  
40 regulations mirror the State regulations.

41  
42 So what I'm actually suggesting in the  
43 preliminary conclusion is to support the proposal as it's  
44 written with the modification to simply state that  
45 subsistence fishing is allowed as specified on the State  
46 subsistence salmon permit, and to also align Federal  
47 regulations for qualified users with any openings,  
48 closings and changes to fishing methods issued through  
49 State emergency orders as defined in Alaska statutes. So  
50 basically you can see the wording that I've put into

1 regulation down there. That would basically say, you  
2 know, any specifications that are on the permit also  
3 apply to Federal users, and in addition to that, any  
4 changes the State manager makes through an E.O. during  
5 the summer would apply automatically to Federal users in  
6 that area without our Federal in-season manager having to  
7 basically issue a special action doing exactly the same  
8 thing. So it just makes it a little bit cleaner, a  
9 little bit quicker and less cumbersome I think for the  
10 public to understand why there's two sets of regulations,  
11 so the State just makes the one action, and then  
12 everybody is in alignment at that point.

13

14 So that's all I have, Mr. Chair. I'd be  
15 happy to try to answer any questions if you have them.

16

17 CHAIRMAN ALVAREZ: Anything to Jerry.

18

19 MR. DUNAWAY: Well, I just want to say  
20 back to my crab management days, we wished for this kind  
21 of Federal/State coordination on crab. It would have  
22 really reduced some major headaches. So I sure like that  
23 idea.

24

25 Kind of a comment more to Charlotte to  
26 take back to the State, I'm amazed what Chignik does with  
27 subsistence versus what Bristol Bay area Staff is allowed  
28 to do. Bristol Bay Staff in my time with the Fish and  
29 Game was read the riot act. We couldn't even ask people  
30 how many fish they wanted to take, let alone even hint at  
31 any sort of limitation, and yet Chignik allows a  
32 limitation on their subsistence harvest. I'm really  
33 amazed at that inconsistency. Maybe that's what the  
34 difference in advisory committees gets you.

35

36 But I'm also amazed at the other  
37 restrictions they have. Fifty miles and 48 hours seems  
38 rather brutal, so I think this is moving in the right  
39 direction for those folks that really need subsistence.  
40 It's something a lot more comparable to what I'm used to  
41 around Bristol Bay, and other places. It seems a lot  
42 more fair. And I think even Kuskokwim is a lot more  
43 accommodating.

44

45 MR. O'HARA: Well, Mr. Chairman, of  
46 course, Bristol Bay has 2800 permits and Chignik has 105,  
47 so there's a pretty big difference in terms of the  
48 fishery. But also the State of Alaska has allowed us --  
49 they've given a senior citizen area of subsistence. Much  
50 easier to get to, and being able to, you know, go to the

1 nearest area with a vehicle or a skiff or something, like  
2 we have there at Naknek. And then go a little farther  
3 into the closed waters of Naknek River, and beyond the  
4 boundaries of the commercial fishing area, and put your  
5 subsistence net out while the guy's over here drifting  
6 commercially, you know. That is -- that makes the system  
7 work. That's a workable system. They know there's a cop  
8 standing there at the boundary line. You're not going to  
9 take your fish down and sell it with a permit or anything  
10 like that. I mean, some people do it, but the biggest  
11 percentage that we who have done this all our life in  
12 that region, for me since '69, and some of these people  
13 before that, it's very workable, and you get your fish.  
14 300 fish. My wife and I and 15 cases canned, to help our  
15 children and grandkids. That's a good use of  
16 subsistence. It's a workable thing.

17  
18 And I'm glad to see, you know, I'm glad  
19 to see being able to align regulations so that we don't  
20 continue to talk about the thing that Pete's talking  
21 about here where we have all these lines drawn, and  
22 people don't understand.

23  
24 When the subsistence thing first came  
25 about, Alaska Independent Fish and Marketing Association  
26 asked me to speak at their annual meeting, and were  
27 wondering if the Federal were going to take over the  
28 State management of commercial fishing. And I thought to  
29 myself, where in the world did you get an idea like that.  
30 You know, it was going to become customary and  
31 traditional use for the guys in Seattle. It was so far  
32 fetched, you talk about confusion in Togiak, those guys  
33 hadn't a clue, you know, and I said, no. I said the in-  
34 season management of all of Bristol Bay is going to be  
35 State of Alaska, because once that interim -- you know,  
36 the in-season management, then you get your harvest,  
37 you've got your har -- then you get your escapement, and  
38 then somewhere along the line it's the fed.

39  
40 CHAIRMAN ALVAREZ: We were giving those  
41 guys, the outsiders, a little scare. They all heard  
42 that, and we said, well, we're the only ones who are  
43 going to be able to fish out here, because it's all going  
44 to be subsistence, and we'll be able to sell all our  
45 fish, and it gave them a little bit of something to think  
46 about.

47  
48 MR. O'HARA: You're the guy who did that  
49 to those poor guys. Okay.

50

1 MR. DUNAWAY: Yeah, they went tilt real  
2 big time.  
3  
4 MR. O'HARA: Where are we at?  
5  
6 CHAIRMAN ALVAREZ: We're on the State's  
7 report, unless there's -- if anybody doesn't have  
8 anything for Jerry.  
9  
10 (No comments)  
11  
12 CHAIRMAN ALVAREZ: Seeing none, the State  
13 comments.  
14  
15 MS. WESTING: Thank you, Mr. Chair. For  
16 this proposal, I have written comments that I'll submit  
17 probably tomorrow when we reconvene. These comments were  
18 sent to me by John Helsinger and Jim McCollough, and  
19 they're both involved with the management of the Chignik  
20 fishery.  
21  
22 I'll do my best to answer your questions,  
23 but I live and work in Bristol Bay, so my knowledge of  
24 the area is pretty small.  
25  
26 Again, the purpose of this regulation is  
27 to bring into align the Federal and State regulations,  
28 and so they have voiced a couple of concerns about if  
29 they really truly are bringing the regulations in line  
30 with this proposal.  
31  
32 If you look under background and  
33 historical harvest, this is on Page 38, in the first  
34 paragraph, there is some confusion in the section over  
35 definitions. The State considers salmon taken out of the  
36 commercial catch to be personal use rather than  
37 subsistence. The bottom right box on a fish ticket  
38 requires species ID and number of fish removed for home  
39 consumption from a commercial harvest. The fish ticket  
40 refers to these fish as not sold-slash-personal use.  
41 Only State residents are allowed to subsistence and  
42 personal use fish, and commercial fishermen, skippers and  
43 crew members, are not necessarily State residents.  
44 Characterizing this take as subsistence should lead to  
45 situations -- could lead, excuse me, to situations where  
46 a non-resident crew member taking a fish from the  
47 commercial catch to eat at home could be cited for a  
48 subsistence violation.  
49  
50 Fish taken under sport fishing

1 regulations are not taken for subsistence. They're taken  
2 under sport fishing regulations. Only the Federal  
3 regulation allow the use of rod and reel for subsistence,  
4 and only those fish taken under those regulations should  
5 be marked on a subsistence permit. Fish taken under  
6 sport fish regulations should not be considered  
7 subsistence caught fish.

8

9 Also in that section, table I should be  
10 updated with 2004 data from Jim Fall with the Division of  
11 Subsistence.

12

13 Additionally, on Page 39, in the first  
14 paragraph, second to last sentence, the analysis states  
15 prior to the use of lead nets by the Chignik Cooperative,  
16 many Chignik area residents harvested, et cetera, in the  
17 Chignik Lagoon. This sentence is better than the  
18 original text, but it is still misleading. The leads are  
19 in a 300-foot reach of the Chignik River, from Pillar  
20 Rock to Mensis Point. The lagoon is at least two miles  
21 long. The leads do not prevent Chignik area residents  
22 from harvesting their salmon. While there is less  
23 subsistence opportunity i the Pillar to Mensis reach of  
24 the river, that does not preclude subsistence gill net or  
25 seine subsistence harvests by area residents.

26

27 And that's a summation of the comments  
28 that I was given.

29

30 CHAIRMAN ALVAREZ: Okay. Any questions  
31 for Charlotte from the Council members. Okay. Seeing  
32 none.....

33

34 MR. DUNAWAY: Well, I'm.....

35

36 CHAIRMAN ALVAREZ: Dan.

37

38 MR. DUNAWAY: I wish I knew the area a  
39 little better. So could it be that part of the problem  
40 is just the confusion on what regulations exist? I know  
41 -- boy, I wish Virginia was here, because she was talking  
42 about those leads causing troubles. Do you know about  
43 it, Boris, of what's going on there?

44

45 MR. KOSBRUK: No, we don't have any  
46 problems with the river, with the system that's going on  
47 now.

48

49 CHAIRMAN ALVAREZ: I think what she was  
50 concerned about having subsistence opening at the same

1 time as the commercial opening. Then they were running  
2 into conflicts.  
3  
4 MR. DUNAWAY: Well, it seemed also though  
5 that some of these leads tend to usurp some of their  
6 prime subsistence locations and they're kind of unable to  
7 go do their thing, because the lead's there. But here  
8 again I'm pretty.....  
9  
10 CHAIRMAN ALVAREZ: Isn't the -- I don't  
11 know much about it, but isn't a lead part of the  
12 commercial fishing, take it.....  
13  
14 MR. DUNAWAY: Yeah, I think they put them  
15 out and I think they stay out or something like that.  
16  
17 CHAIRMAN ALVAREZ: Oh, I didn't  
18 understand it. Jerry.  
19  
20 MR. KOSBRUK: They just hoist it up, you know,  
21 they tie it up if they want to lift it up. They tie it  
22 up.  
23  
24 CHAIRMAN ALVAREZ: Oh, so they leave it  
25 out then, kind of like a running line or something, like  
26 setnetters leave their buoys and their lines running?  
27  
28 MR. KOSBRUK: No, they just strap it.  
29 They strap the net, they strap it up.  
30  
31 CHAIRMAN ALVAREZ: So it's out there, but  
32 it's just pulled, strapped up so it can't fish.  
33  
34 MR. DUNAWAY: It's more like a curtain  
35 raised up.  
36  
37 MR. KOSBRUK: Yeah, pulled.  
38  
39 CHAIRMAN ALVAREZ: Right. Or it can't  
40 lead. Right. Okay.  
41  
42 MR. O'HARA: That's ashore, and then the  
43 lead, I've seen it come just straight like that. And it,  
44 you know, like Boris said, it's that deep, but if he  
45 wants to roll it up, then the fish can go underneath.  
46  
47 And Virginia talked to me about it when I  
48 was down there, and she said that these leads were  
49 preventing subsistence use, and I talked to most of the  
50 people.

1 MR. KOSBRUK: No.  
2  
3 MR. O'HARA: They didn't -- they said,  
4 no, so.....  
5  
6 MR. KOSBRUK: That's the first I heard  
7 that, too.  
8  
9 MR. O'HARA: Yeah. And this is a  
10 directive for the fish to go this way then, and then the  
11 weir's up here. And, what do you call the Chignik guys,  
12 your group?  
13  
14 MS. MORRIS LYON: Co-op.  
15  
16 MR. O'HARA: Co-op. You know, are  
17 allotted so much fish. They're easier to get to.  
18 They've directed them, and the percentage and everything.  
19 And her concern was, is that these leads were preventing  
20 subsistence use. And I was there every week, and I  
21 talked to a lot of people who did not agree on that  
22 issue, but that's everybody's privilege to do that.  
23  
24 MR. KOSBRUK: What that lead is trying to  
25 do really is prevent over-escapement because of the  
26 habitat. And they manage it pretty close.  
27  
28 CHAIRMAN ALVAREZ: Jerry.  
29  
30 MR. BERG: Yeah, thank you, Mr. Chair.  
31 Yeah, I'm certainly not an expert on that Chignik  
32 cooperative, but I have spoken with the Fish and Game  
33 Staff there quite a bit, trying to understand better for  
34 myself how that works. And, yeah, I guess those leads,  
35 you know, kind of -- they do block off the fish to a  
36 certain degree, but they also have an opening. I think  
37 it's required to be at least 100 feet wide to allow some  
38 fish to escape through, and previous to that, their  
39 management was they would let fish build up in the lagoon  
40 before they'd have a commercial fishery, and so there  
41 were large pulses of fish going up the river, and people  
42 could subsistence fish and get their fish relatively  
43 quickly. And now they've kind of moderate -- through  
44 their management, there's kind of a steady stream of fish  
45 going through the river, so it sounds like from what I  
46 can understand, is that it might take people a little bit  
47 longer to get their subsistence fish, but there's still,  
48 you know, a steady stream of fish going though. And like  
49 Boris said, you know, there are times when there aren't a  
50 big build up of fish behind those leads, that they

1 actually are required to tie the net up in, I think, you  
2 know, they specify how many places they have to tie it up  
3 in and whatnot, but.....

4  
5 And the next proposal actually addresses  
6 some of the subsistence uses in the river itself. And  
7 this proposal, you know, is basically just centered  
8 around the commercial license holders and how they can  
9 fish around commercial openings, but, anyway.....

10  
11 You know, certainly those leads are  
12 somewhat controversial. You've probably seen them in the  
13 news and whatnot, and the Board of Fish actually has  
14 another ACR in front of them this fall to address that  
15 cooperative again. But it has changed, it sounds like it  
16 has changed the management and the escapement of salmon  
17 going through the Chignik River somewhat, and so it  
18 sounds like it is also changing somewhat the subsistence  
19 use patterns in that area, because it might take people a  
20 little bit longer to get their fish than it used to. So,  
21 anyway that's what I've gathered from it, and I think the  
22 next proposal will address some of those concerns a  
23 little bit more directly.

24  
25 Thank you, Mr. Chair.

26  
27 CHAIRMAN ALVAREZ: Mike, do you want to  
28 make a comment?

29  
30 MR. EDWARDS: Mr. Chairman. If I could  
31 speak to the Chignik thing a little bit.

32  
33 CHAIRMAN ALVAREZ: Okay.

34  
35 MR. EDWARDS: I'm not an expert, but a  
36 little bit familiar with it. Mike Edwards with King  
37 Salmon Fish and Wildlife Field Office.

38  
39 And briefly a real quick history. In the  
40 Chigniks, the way the commercial fishery used to be  
41 managed prior to the co-op, there was a large build-up of  
42 fish that was required in a management plan prior to  
43 commercial fisheries opening. With the advent of the co-  
44 op, Fish and Game removed that build-up. They just  
45 started fishing on a State date, and that's what Jerry  
46 was referring to. We'd received complaints after the  
47 advent of the co-op that what used to be a big slug of  
48 fish that came, people would target. Well, that was gone  
49 when the co-op came.

50

1                   So in response to that, either last year  
2 or two years ago, this Council and our office, we  
3 submitted a proposal to change -- to suggest that the  
4 Fish and Game change management plans, so the new  
5 management plan down there, when the co-op is in effect,  
6 they're required to have a build-up of 20,000 fish past  
7 the weir before they start commercial fishing, and then  
8 the leads are any time the co-op is not fishing, the  
9 leads are removed out of the water. And that seems to  
10 have worked this summer. There was a big push of fish  
11 early, subsistence users were getting fish early, and  
12 then the State was happy with their management of the  
13 commercial fisheries. We weren't receiving any phone  
14 calls or anything, and talking with the folks at the  
15 Chignik weir, everything seemed to go pretty good this  
16 year in the Chigniks. So just to try and clear up a  
17 little confusion of what's -- because it is a very  
18 confusing situation down there.

19  
20                   So I think there were subsistence issues,  
21 and they were addressed in recent changes in the  
22 management plan of the Chignik.

23  
24                   MR. O'HARA: Mr. Chairman.

25  
26                   CHAIRMAN ALVAREZ: Dan.

27  
28                   MR. O'HARA: Mike Edwards is it?

29  
30                   MR. EDWARDS: Yes.

31  
32                   MR. O'HARA: Okay. Mike, the biggest  
33 concern is that you didn't even get a second run, and  
34 that went in somebody else's fishing boat somewhere else,  
35 but other than Chignik. That's not the issue of the day,  
36 however.

37  
38                   MR. EDWARDS: Yeah. Well, last year's  
39 was the late run, yeah. This year they did better. They  
40 met their goal. They stopped fishing, and August 9th was  
41 the last commercial opening, but.....

42  
43                   MR. O'HARA: Yeah, but they didn't --  
44 they had practically nothing on the second run as far as  
45 Chignik getting any fish in commercial use.

46  
47                   MR. EDWARDS: Not in the commercial use,  
48 correct.

49  
50                   MR. O'HARA: Yeah. I mean, well, that's

1 the name of the game.....  
2  
3 MR. EDWARDS: But subsistence use, there  
4 was.....  
5  
6 MR. O'HARA: .....you know, if you're  
7 going to fish, you might as well fish commercially. We  
8 take two percent for subsistence, and then you've got  
9 your harvest -- I mean, your escapement, and then, you  
10 know, we'll make a few bucks. But just to manage a  
11 fishery for escapement only is hue and cry. But that's  
12 nothing to do with anything other than I want to comment,  
13 you know, there just wasn't anything left for the second  
14 run. They made nothing.  
15  
16 MR. EDWARDS: This year was definitely  
17 better than last year, that's for sure with the late run,  
18 but it's still.....  
19  
20 MR. O'HARA: I can't imagine how bad that  
21 would be, you know. That's good. Appreciate that  
22 comment.  
23  
24 CHAIRMAN ALVAREZ: Okay. Any other  
25 Federal.....  
26  
27 MR. O'HARA: Mr. Chairman, right here.  
28  
29 CHAIRMAN ALVAREZ: Oh, Nanci.  
30  
31 MS. MORRIS LYON: Yeah, I guess I have a  
32 question between the two, the commercial and subsistence  
33 -- or the State and the Federal. It doesn't sound to me  
34 like we're aligning anything, because it sounds like now  
35 the State doesn't agree with what the Federals have  
36 written up. So what -- I guess I'm still confused, and  
37 what are the key items we need to listen to?  
38  
39 MS. WESTING: Yeah. From what I  
40 understand, the only trouble that the State side has with  
41 the proposal is just definitions and the way that things  
42 are discussed in the proposal, but I -- it doesn't appear  
43 to me that there's anything, you know, about the proposal  
44 itself that State objects to. It's just in the  
45 background and history portion, and such as that. They  
46 feel like some of what's been presented is not  
47 representative of what their perspective is.  
48  
49 CHAIRMAN ALVAREZ: Cliff.  
50

1 MR. EDENSHAW: Mr. Chair, perhaps Jerry  
2 can help me with this, but, Charlotte, you state that  
3 ADF&G, is it the field office out here, or else in  
4 Anchorage that has concerns over the language in the  
5 proposal? If so, the Staff Committee's going to meet in  
6 December, and Randy will have an opportunity, if he  
7 chooses to do so, to teleconference into the meeting when  
8 the Interagency Staff Committee will make their  
9 recommendations to the Board prior to the December  
10 meeting, so at that time, if, Charlotte, are these  
11 comments that you're talking about, you'll be able to  
12 provide tomorrow? The written comments, or else.....  
13

14 MS. WESTING: Yeah, I can bring these  
15 written comments for tomorrow, and these are comments  
16 that were sent to me by the Kodiak regional supervisor,  
17 and, yeah. So they're not my personal comments. They  
18 were sent to me by people who are directly involved with  
19 Chignik, and I'm assuming they'll be addressing it in  
20 other meetings further on down the line. They just  
21 wanted me to read their statement onto the record today.  
22

23 MR. EDENSHAW: Okay. Because that's all  
24 I wanted to know is for the record, so when the Staff  
25 Committee meets in December, that -- so Randy will be  
26 prepared, and perhaps if I receive those, I can always  
27 fax or email those to you ahead of time.  
28

29 CHAIRMAN ALVAREZ: Okay.  
30

31 MR. O'HARA: Good.  
32

33 MR. DUNAWAY: Randy.  
34

35 CHAIRMAN ALVAREZ: Dan.  
36

37 MR. DUNAWAY: Oh, sorry. So I'm still --  
38 you're helping me get it clarified, but so what do you  
39 expect to provide tomorrow, just a copy of what you just  
40 read to us.....  
41

42 MS. WESTING: Just a copy of what I've  
43 just read.  
44

45 MR. DUNAWAY: .....or additional  
46 language?  
47

48 MS. WESTING: What I was going to submit  
49 is just the copy of what was sent to me from that office,  
50 which is what I read into the record today.

1 MR. DUNAWAY: Okay. So it won't be  
2 additional wording or language. Okay.  
3  
4 MS. WESTING: No.  
5  
6 MR. DUNAWAY: And then again, mainly  
7 their comments are directed towards this background  
8 information, and not to the text of the actual proposed  
9 regulation?  
10  
11 MS. WESTING: As best as I can  
12 understand, yes.  
13  
14 MR. DUNAWAY: Okay. I was just kind of  
15 concerned if we were going to try to take action here,  
16 and then tomorrow they way, well, we recommend some  
17 different language, and we're trying to get aligned and  
18 go, well, how do we do this. So.....  
19  
20 MR. O'HARA: Mr. Chair.  
21  
22 CHAIRMAN ALVAREZ: Dan.  
23  
24 MR. O'HARA: There's no reason why we  
25 can't have all the information on it, and table it until  
26 tomorrow and see if what she had to say would -- you  
27 know, we don't have that many proposals before us, and  
28 tomorrow we'll have Staff reports and.....  
29  
30 CHAIRMAN ALVAREZ: Okay. Any objections  
31 to that?  
32  
33 MS. WESTING: I might add, sorry, that I  
34 don't really have any additional information. I'm just  
35 going to present to you what I read into the record, so  
36 that you can analyze it, cogitate over it yourselves.  
37  
38 MR. O'HARA: Well, if we act on the  
39 proposal today, you won't have to make any comment  
40 tomorrow, because it will all be done basically. So I  
41 guess that's what I was kind of driving at, yeah.  
42  
43 CHAIRMAN ALVAREZ: Jerry.  
44  
45 MR. BERG: Yeah, Mr. Chair. Just  
46 listening to her comments, you know, I don't quite  
47 understand all of it, but I certainly have talked to Jim  
48 McCullough quite a bit about this proposal, and some of  
49 his comments are new to me. But it sounds to me like,  
50 you know, he doesn't -- he may not agree with some of the

1 way I've worded some of the information in here, but I  
2 don't think they disagree with the recommendation that's  
3 in front of you, because basically we're basically saying  
4 that a commercial fishing license holder could  
5 subsistence fish basically as they put -- whatever they  
6 put on their permit. So, you know, they can change their  
7 permit, the stipulation on their permit to whatever they  
8 -- and that's why we put it that way, because, you know,  
9 there could be changes from the Board of Fish meeting  
10 this fall that we're not aware of, so that's why we put  
11 it that way.

12  
13 So that's my understanding is that he's  
14 not disagreeing with the outcome, but he maybe is a  
15 little bit concerned about some of the way that it's  
16 described in here, and probably in specific reference to  
17 the Chignik cooperative and how it's operated, because,  
18 you know, that issue is fairly sensitive. So, you know,  
19 I've worked with him pretty closely so far, but maybe he  
20 just hadn't -- you know, we haven't had a chance to talk  
21 in a while, so maybe -- you know I just don't understand  
22 some of his new comments, but, you know, and if you'd  
23 prefer, I can talk to him in the morning on the phone, if  
24 you want to wait until later to take action on it, but I  
25 really don't think that his comments are going to reflect  
26 anything on the recommended language in the regulation.

27  
28 CHAIRMAN ALVAREZ: So how do you guys  
29 feel on that?

30  
31 MR. BERG: It's up to you.

32  
33 MR. O'HARA: Well, I'll just.....

34  
35 CHAIRMAN ALVAREZ: Cliff.

36  
37 MR. KOSBRUK: I have no problem with  
38 everything he said as far as I'm concerned. Just these  
39 questions here is just because they don't understand the  
40 system, I can see that.

41  
42 CHAIRMAN ALVAREZ: Cliff, what do you  
43 have to say?

44  
45 MR. EDENSHAW: Mr. Chair, along with what  
46 Jerry's already -- I wanted to thank Mike Edwards,  
47 because when the Council did these proposals last March,  
48 Mike was the one that -- as soon as -- and his language  
49 in the proposals when we met was right off from the Board  
50 of Fish, so you can already look at the proposed -- at

1 what the current State regulations are, and come exactly  
2 from the Board of Fish. So I agree with Jerry that  
3 what's in the recommendation is no different than what's  
4 already on the books for the State.  
5  
6 MR. DUNAWAY: Oh, it is already on the  
7 State side.  
8  
9 MR. EDENSHAW: Yeah, the Board of Fish  
10 met just prior to the Council meeting in March, and so  
11 these regulations that Jerry has in the analysis were  
12 already there, so it's almost like perhaps Jim -- or the  
13 concerns may be just over stuff on the permit, and Jerry  
14 has covered that, stating that the Federal managers will  
15 -- you know, the permit language, if there's any changes,  
16 emergency openings, those would be covered on the Federal  
17 permits. So really there's.....  
18  
19 MR. O'HARA: Nothing will change.  
20  
21 MR. EDENSHAW: Yes.  
22  
23 MR. O'HARA: Yeah. Okay.  
24  
25 CHAIRMAN ALVAREZ: Nanci.  
26  
27 MR. EDENSHAW: Yeah, it states on it.  
28  
29 MS. MORRIS LYON: That answers my  
30 concerns.  
31  
32 MR. O'HARA: Yeah.  
33  
34 CHAIRMAN ALVAREZ: Okay. Well, we might  
35 as well.....  
36  
37 MR. DUNAWAY: Mine, too.  
38  
39 CHAIRMAN ALVAREZ: We might as well just  
40 take action on this and get it over with. Nothing new  
41 then to come up tomorrow then, so.....  
42  
43 MR. O'HARA: What little box are you in  
44 there?  
45  
46 CHAIRMAN ALVAREZ: We're on -- we just  
47 got done with.....  
48  
49 MR. O'HARA: Charlotte?  
50

1 CHAIRMAN ALVAREZ: .....State. Well, we  
2 had Mike Edwards on other Federal/State. We're still on  
3 there, No. 2. Is there any other Federal, State and  
4 tribal agency?  
5  
6 (No comments)  
7  
8 CHAIRMAN ALVAREZ: Seeing none, down to  
9 fish and game advisory committee. I guess I don't --  
10 speaking for the Iliamna Lake Advisory Committee, we  
11 don't normally comment on something that really doesn't  
12 effect, but maybe the Chignik one may, but I don't see  
13 them here, or any comment, written comments, so I guess  
14 not.  
15  
16 Summary -- Cliff, is there any summary of  
17 written comments?  
18  
19 MR. EDENSHAW: Mr. Chair and Council  
20 members, there weren't any written public comments.  
21  
22 CHAIRMAN ALVAREZ: Okay. No. 5, we're  
23 down to the public testimony. Anybody from the public  
24 want to testify on this proposal.  
25  
26 (No comments)  
27  
28 CHAIRMAN ALVAREZ: Seeing none, down to  
29 C., Council deliberation. We need to -- somebody move to  
30 adopt.  
31  
32 MR. DUNAWAY: Move to adopt with the  
33 recommended changes.  
34  
35 CHAIRMAN ALVAREZ: Okay. Dan Dunaway  
36 moves to adopt with the recommended change.  
37  
38 MS. MORRIS LYON: Second.  
39  
40 CHAIRMAN ALVAREZ: Nanci seconds it. Any  
41 more comment on this proposal.  
42  
43 MR. DUNAWAY: I like the flexibility  
44 built in. The only thing, as long as Fish and Game  
45 doesn't get too flexible. I guess the boundaries have  
46 kind of been brought in with the stipulation of getting  
47 rid of 48 hours and getting rid of 50 miles. I think  
48 those are really onerous and excessive. And that's the  
49 purpose of this so. Well, I think that was -- will be a  
50 new era in coordination between the fed and the State.

1 So it looks like Boris has something.  
2  
3 MR. O'HARA: Getting a little scary.  
4  
5 CHAIRMAN ALVAREZ: Boris.  
6  
7 MR. KOSBRUK: Yeah, I'd like make a  
8 comment on these proposals you're talking about here,  
9 that you're talking about. Before Fish and Game passed  
10 those, they go to advisory committees which we have in  
11 the communities, five villages. They're involved in that  
12 pretty heavy.  
13  
14 MR. O'HARA: So you're okay with it.  
15  
16 MR. KOSBRUK: So we're arguing about what  
17 they've been arguing already. That's what you're doing.  
18  
19 MR. O'HARA: Yeah. I think that's one of  
20 things, Mr. Chairman, I just would -- Boris is the one  
21 who really has to live with this and more knowledgeable  
22 than I am, and it sounds like he's happy with it.  
23  
24 CHAIRMAN ALVAREZ: Certainly I am. I  
25 don't know much about the fishery down there, but, you  
26 know, I like to make it as easy on them to subsist as we  
27 can without conflict, you know. And if this --  
28 apparently this does, so I would support it.  
29  
30 MR. O'HARA: Call for the question.  
31  
32 CHAIRMAN ALVAREZ: The question's been  
33 called. All in favor of supporting the proposal signify  
34 by saying aye.  
35  
36 IN UNISON: Aye.  
37  
38 CHAIRMAN ALVAREZ: Opposed.  
39  
40 (No opposing votes)  
41  
42 CHAIRMAN ALVAREZ: Motion carried,  
43 six/zero. Okay.  
44  
45 Now we're down to No. 08, are we? Jerry,  
46 you have the floor.  
47  
48 MR. BERG: Thank you, Mr. Chair. This is  
49 our last proposal, fishery proposal. Proposal 8 again  
50 was submitted by your Council as a follow up to the

1 Alaska Board of Fish meeting last November, or November  
2 of '04. It requests that Federal subsistence regulations  
3 be aligned with the State regulations to allow users of  
4 subsistence fish for salm -- to allow users to  
5 subsistence fish for salmon within the Chignik River  
6 itself, except for an area 100 yards upstream and  
7 downstream of the ADF&G weir. Additionally, salmon  
8 would not be allowed to be taken within the Chignik River  
9 upstream of the weir to Chignik Lake from July 1st to  
10 August 31st.

11

12 This action was taken by the Alaska Board  
13 of Fish to increase subsistence harvest opportunity, as  
14 there were reports of some residents in Chignik Lake that  
15 were not meeting their subsistence needs for salmon.

16

17 The Federal jurisdiction in this area  
18 does extend to the Chignik River, so it's entirely within  
19 the Federal jurisdiction.

20

21 The proposed regulatory change would  
22 align Federal and State regulations regarding the  
23 additional area open within the Chignik River during the  
24 early sockeye run. If adopted, the additional fishing  
25 area would not likely impact subsistence harvest levels,  
26 nor would it likely impact the sockeye salmon stock  
27 status within the Chignik Management Area, because most  
28 people are already fishing under the State-issued permit.  
29 So it would just be aligning Federal regulations, because  
30 we do have jurisdiction in that area.

31

32 Although there are State and Federal  
33 regulations that prohibit subsistence fishing within 300  
34 feet of any weir for most areas of the state, it would  
35 help reinforce regulations to specifically state these  
36 regulations in the Chignik Management Area section of the  
37 public regulations book.

38

39 There's also no need to reference the  
40 Chignik River in the last sentence of the proposed  
41 language, because the Chignik River is not a tributary to  
42 Chignik Lake.

43

44 So the proposed recommendation is to  
45 support the proposal with the modification to use feet  
46 instead of yards so that we're consistent throughout our  
47 regulations as a unit of measure, and delete the  
48 reference to not allowing the take of salmon within 300  
49 feet upstream or downstream of the weir, since it's  
50 already prohibited in most areas of the state. So we

1 would delete that portion of it in regulation. And also  
2 delete the reference to the Chignik River weir -- or the  
3 Chignik River in the last sentence for clarification,  
4 because the river's not a tributary to Chignik Lake.  
5

6 So you can see the recommended language  
7 on the middle of Page 49, so it would basically read, you  
8 may not take salmon in that portion of the Chignik River  
9 from a point 300 feet upstream of the ADF&G weir to  
10 Chignik Lake from July 1st to August 31st. Salmon may  
11 not be taken in Black Lake or any tributary to Black or  
12 Chignik Lakes.  
13

14 So that's all I have. I'd be happy to  
15 try to answer any questions, Mr. Chair.  
16

17 CHAIRMAN ALVAREZ: Why do you want to  
18 change it to 300 feet from 100 yards?  
19

20 MR. BERG: Because we already have a  
21 regulation in our books that talks about 300 feet, you  
22 cannot subsistence fish within 300 feet of any weir, dam  
23 or unnatural obstruction in a river. So we already  
24 prohibit that, so it would just be easier to just  
25 reference 300 feet. So basically it's already closed  
26 within 300 feet of the weir in State and Federal  
27 regulation, and so this would just say you may not take  
28 salmon in the river from a point 300 feet upstream of the  
29 weir to the lake. So basically it opens the lower river  
30 to subsistence fishing.  
31

32 CHAIRMAN ALVAREZ: I was just wondering  
33 why you want to -- it's the same distance.  
34

35 MR. BERG: Yeah. It's just keeping.....  
36

37 CHAIRMAN ALVAREZ: Why you wanted to make  
38 the change.  
39

40 MR. BERG: .....the same unit of measure  
41 within the regulation.  
42

43 CHAIRMAN ALVAREZ: Yeah, I see what  
44 you're talking. The State uses the same measurement, and  
45 between subsistence and when there's commercial fishing  
46 going on, too, so it's feet.  
47

48 MR. BERG: Yeah, it's just a matter of  
49 semantics I guess. Feet and yards.  
50

1 CHAIRMAN ALVAREZ: Any more for Jerry.  
2  
3 MR. O'HARA: Yeah. Jerry, Page 49,  
4 Chignik area-dash-salmon, you see that? 27.1(8)(ii)?  
5  
6 MR. BERG: Yes.  
7  
8 MR. O'HARA: You may not take salmon in  
9 that portion of the Chignik River from a point of 300  
10 feet upstream, the ADF&G weir. I know where that's at.  
11 I understand that. To Chignik Lake from July 1 to August  
12 31st. Salmon may not be taken in Black Lake or any  
13 tributary of Black Lake. Is that talking about  
14 commercial, or is that talking about subsistence?  
15  
16 MR. KOSBRUK: Subsistence.  
17  
18 MR. O'HARA: So you can't catch  
19 subsistence during those period of time in the river and  
20 the lakes and Black Lake?  
21  
22 MR. BERG: Right. In Black Lake or any  
23 tributary to Black or Chignik Lakes.  
24  
25 MR. O'HARA: From July until August.  
26 Boris, is that right?  
27  
28 MR. KOSBRUK: No, I'm confused on that  
29 part, too. I really am, and I.....  
30  
31 MR. O'HARA: Well, man of living, I mean,  
32 that's a long time not to catch a salmon. What does this  
33 mean?  
34  
35 MR. KOSBRUK: They do subsistence fish, don't get  
36 me wrong there.  
37  
38 MR. O'HARA: Well, you know where the  
39 weir is, it's way down the river from the lakes.  
40  
41 MR. BERG: Right.  
42  
43 MR. O'HARA: Okay. And the river is  
44 called Chignik River.  
45  
46 MR. BERG: Right.  
47  
48 MR. O'HARA: Yeah, it's Chignik River, it  
49 runs out of the Chignik Lake into the lagoon. So 100  
50 feet above that weir all the way to the headwaters of

1 Black Lake no salmon is caught by the Chignik people from  
2 July 1 to August 31st, is that right?  
3  
4 MR. BERG: That's correct.  
5  
6 MR. KOSBRUK: Excuse me, you've been to  
7 Chignik?  
8  
9 MR. O'HARA: Yeah.  
10  
11 MR. BERG: I have not.  
12  
13 MR. O'HARA: Okay. Well, you better have  
14 this man explain it to us, because that's unbelievable.  
15  
16 MR. KOSBRUK: They do have, you know, the  
17 river goes up, come out of the Chignik Lake.  
18  
19 CHAIRMAN ALVAREZ: Mike.  
20  
21 MR. BERG: Yeah. Maybe Mike can help us  
22 understand this.  
23  
24 MR. EDWARDS: Mr. Chair, the Council,  
25 Mike Edwards, King Salmon Fisheries Office. I'd like to  
26 try and clear that up a little. It is from above the  
27 weir, 100 yards -- 100 feet above the weir to the lake.  
28 It's just that section of the river that's closed July to  
29 August, and that's mainly a chinook salmon conservation  
30 issue. You could still subsistence fish in Chignik Lake.  
31  
32 MR. O'HARA: Once you get to the end of  
33 the river to the lake, which is right there.....  
34  
35 MR. KOSBRUK: He answered it.  
36  
37 MR. O'HARA: .....you can put your net  
38 up.  
39  
40 MR. EDWARDS: In the lake.  
41  
42 MR. O'HARA: In the Lake.  
43  
44 MR. EDWARDS: Once you're in Chignik  
45 Lake, you can put.....  
46  
47 MR. O'HARA: Well, that's just the --  
48 that's the question I asked, and the answer was no.  
49  
50 MR. EDWARDS: No, I don't have a copy of

1 the regs, but my understanding is that inside the lake  
2 you can subsistence fish, in Chignik Lake.  
3  
4 MS. MORRIS LYON: That's not what it  
5 says.  
6  
7 MR. O'HARA: That's not what it says  
8 here.  
9  
10 CHAIRMAN ALVAREZ: That's not what it  
11 says.  
12  
13 MR. BERG: Not what it says.  
14  
15 MR. KOSBRUK: They do.  
16  
17 MR. O'HARA: I was going to say that is  
18 -- I couldn't believe that I'd see something like that,  
19 yeah.  
20  
21 MS. MORRIS LYON: It says lake, yeah.  
22  
23 MR. KOSBRUK: But that's confusing to me,  
24 because that's.....  
25  
26 MR. EDWARDS: That's any tributary to  
27 Black and Chignik Lake.  
28  
29 (Pause)  
30  
31 MR. EDWARDS: Or in any tributary to  
32 Black -- right. That's not closing the lake. That's  
33 right. That's what I'm saying, the lake is open.  
34  
35 MR. BERG: The lake is open, not the  
36 weir.  
37  
38 MR. EDWARDS: Right. That's what my  
39 point was, was the Chignik Lake is open.  
40  
41 MR. BERG: Oh, right. The Lake itself is  
42 open. Right. Right. But Black Lake is closed.  
43  
44 MR. EDWARDS: Black Lake has always been  
45 closed.  
46  
47 MR. BERG: Right.  
48  
49 MR. EDWARDS: And tributaries to Chignik  
50 Lake, i.e. the Clark River.....

1 MR. BERG: There we go.  
2  
3 MR. EDWARDS: .....has always been  
4 closed. And what this does is reduce the.....  
5  
6 MR. BERG: I think we've got it clarified  
7 now.  
8  
9 MR. EDWARDS: .....period of closure to  
10 just two months as opposed to the entire year.  
11  
12 MR. BERG: Right.  
13  
14 MR. EDWARDS: And it also, what Jerry  
15 said, opens up below the weir, which had been closed in  
16 the past.  
17  
18 MR. BERG: Yeah, I think we've got it  
19 clarified. The lake itself is open, it's just the  
20 tributaries to the lake that are closed. The Chignik  
21 Lake itself is open, because.....  
22  
23 MR. O'HARA: Okay. In other words,  
24 you're not going on the spawning ground.  
25  
26 MR. BERG: .....we know people like to  
27 get red fish there or whatever.  
28  
29 MR. O'HARA: Yeah, you're not going into  
30 the spawning ground, just like we don't go into spawning  
31 ground.  
32  
33 MR. BERG: Right. Right. But Black Lake  
34 is closed. It's always been closed.  
35  
36 MR. O'HARA: Well, that's okay. That's a  
37 spawning ground, too. Yeah. But I mean, to say that you  
38 can't go from where the river stops and that lake begin  
39 to put out a subsistence net, and you know you'd have a  
40 war on your hands.  
41  
42 MR. BERG: Right.  
43  
44 MR. O'HARA: And a bunch of mad Aleuts.  
45 They're mad half the time anyway as far as I know, those  
46 guys.  
47  
48 (Laughter)  
49  
50 CHAIRMAN ALVAREZ: So then Chignik Lake

1 is open from July 1st to August 31st.  
2  
3 MR. O'HARA: Can we take a little break  
4 and then come back and then be done with the AFR, or how  
5 do you want to handle that. This is our last proposal we  
6 have?  
7  
8 MR. BERG: Yes.  
9  
10 MR. O'HARA: Okay. Whatever you want.  
11  
12 CHAIRMAN ALVAREZ: Okay. Let's finish  
13 this up, then we'll take a little break.  
14  
15 MR. O'HARA: Okay. So where are we at in  
16 our deliberations?  
17  
18 CHAIRMAN ALVAREZ: We're on deliberation.  
19 In fact we're on the comments. We've got vote -- we have  
20 an amendment be -- I mean a.....  
21  
22 MS. WESTING: I haven't.....  
23  
24 MS. MORRIS LYON: We haven't heard State  
25 yet.  
26  
27 MR. O'HARA: Charlotte. We haven't  
28 heard.....  
29  
30 MR. DUNAWAY: Yeah, we've got to go  
31 through the box.  
32  
33 MS. MORRIS LYON: We haven't heard State  
34 yet. We just heard the reading of it.  
35  
36 CHAIRMAN ALVAREZ: Okay. I'm getting  
37 ahead of myself. That was for the last one.  
38  
39 MR. DUNAWAY: We're getting rummy.  
40  
41 CHAIRMAN ALVAREZ: Yeah. I know.  
42  
43 MR. O'HARA: Department of Fish and Game.  
44  
45 CHAIRMAN ALVAREZ: Charlotte.  
46  
47 MS. WESTING: Okay. Once again I'm just  
48 going to read the comments that were submitted to me by  
49 John Hilsinger and Jim McCullough. Hopefully there won't  
50 be any surprises this time.

1 MR. O'HARA: Are they anywhere in our  
2 book or not?

3  
4 MS. WESTING: I'll be submitting these  
5 this afternoon or tomorrow as well.

6  
7 First of all, looking on Page 49, this is  
8 under modified proposed regulation. The proposed Federal  
9 regulation will not mirror the current State regulations.  
10 The Chignik regulation was modified at the November 14th  
11 through 16th Board of Fish meeting to more clearly define  
12 the closure date. The difference is that the State  
13 regulation closes subsistence fishing from July 1st  
14 through August 31st, and the proposed Federal regulation  
15 closes it from July 1st to August 31st. Depending on the  
16 Federal interpretation of the word to, the Federal  
17 regulation could allow subsistence fishing to begin 12:01  
18 a.m. August 31st while the State regulation does not  
19 allow fishing to start until 12:01 a.m. September 1st.

20  
21 MR. O'HARA: That's really splitting the  
22 hairs.

23  
24 MS. WESTING: Additionally, under  
25 justification, the last paragraph on Page 49, the final  
26 paragraph indicates that the closure within 300 feet of  
27 the weir should be in this Federal regulation as a  
28 reminder, but it was deleted. If that language is put  
29 back in, it should say within 300 feet of any weir, not  
30 300 feet upstream or downstream, since the use of the  
31 word or may imply that people have a choice of fishing  
32 either above or below, which is not the intent.

33  
34 For reference, the State regulations are  
35 as follows. 5 AAC 01.475 is repealed and readopted to  
36 read: 5 AAC 01.475, waters closed to subsistence  
37 fishing. Salmon may not be taken (1) from July 1st  
38 through August 31st, in the Chignik River from a point  
39 300 feet upstream from the Chignik weir to Chignik Lake.  
40 (2) in Black Lake or any tributary to Black Lake or  
41 Chignik Lake. In effect before 1985, blah-blah-blah.

42  
43 I'll submit these tomorrow with all the  
44 numbers and quotes.

45  
46 MR. DUNAWAY: Well, it's too bad you  
47 can't do it now, but.....

48  
49 MR. O'HARA: Yeah. Well, we can postpone  
50 it, too. It doesn't matter. It doesn't look like

1 there's much.  
2  
3 MR. DUNAWAY: No, but there is some real  
4 wording that needs addressing maybe.  
5  
6 MR. O'HARA: Well, we can table it with  
7 no problem.  
8  
9 CHAIRMAN ALVAREZ: Does it make that much  
10 difference, 24 hours?  
11  
12 MR. DUNAWAY: Yeah, it would I would  
13 think, from my experience.  
14  
15 CHAIRMAN ALVAREZ: Jerry.  
16  
17 MR. BERG: Yeah, that was a failure on my  
18 part to see that change, and it would be better to make  
19 them identical to use the word through. So I would  
20 recommend replacing the word to with through in the  
21 proposed regulation on Page 49, so it would read to  
22 Chignik Lake from July 1 through August 31, and then it  
23 would be identical to the State regulation. So that was  
24 a failure on my part. I apologize I didn't catch that.  
25 I should have. I've looked at it for about three months  
26 now, but.....  
27  
28 CHAIRMAN ALVAREZ: Any comment on that.  
29 Okay.  
30  
31 MS. MORRIS LYON: I would comment that I  
32 think the part about including the weir, it probably does  
33 not need the redundancy.  
34  
35 CHAIRMAN ALVAREZ: All right. So then,  
36 Charlotte, would that take care of that for you?  
37  
38 MS. WESTING: It definitely takes -- from  
39 what I understand, it would take care of the problem with  
40 the dates. I'm not sure if it addresses their concerns  
41 with the weir. I'm not clear on -- were you -- first of  
42 all, I'm not clear if that was omitted or not.  
43  
44 MR. BERG: Yeah, his comment regarding  
45 the weir and the 300 feet was we were thinking about  
46 putting some information in our public regulations book  
47 just to remind people of the closure within 300 feet of  
48 the weir. And so his comment wasn't really in regards to  
49 how we word our regulation, just to make people aware in  
50 the public regulations book of a regulation that's

1 already in place.  
2  
3 CHAIRMAN ALVAREZ: Pete.  
4  
5 MR. ABRAHAM: Mr. Chairman, how long that  
6 weir's going to be in that place there? The weir, how  
7 long is it going to be there?  
8  
9 MR. BERG: Is it going to be there or has  
10 it been there?  
11  
12 MR. ABRAHAM: Well, both ways, you know.  
13 How long it's going to be there.  
14  
15 MR. BERG: Well, I think that weir's been  
16 there since, boy.....  
17  
18 MR. DUNAWAY: 30s I think.  
19  
20 MR. BERG: .....the 1920s or long -- it's  
21 the longest existing weir in the State of Alaska.  
22  
23 MR. O'HARA: Well, that may not be the  
24 question he's asking, you know. When it's not being used  
25 for the salmon, it's removed every.....  
26  
27 MR. ABRAHAM: No, I mean -- what I mean  
28 is, you know, we get these fundings for such projects  
29 like this here, for putting in like weir. And if that  
30 weir has a length of, you know, of time here, you know,  
31 five years, how long it's going to be there more, because  
32 how long the funding's going to last.  
33  
34 MR. O'HARA: As long as the fish last.  
35  
36 MR. ABRAHAM: Well, it's there forever?  
37  
38 MR. O'HARA: It's there to stay. It's  
39 not going anywhere. That's how they manage their fish  
40 run and escapement.  
41  
42 CHAIRMAN ALVAREZ: That's how they count  
43 them, do their escapement?  
44  
45 MR. O'HARA: If I understand correctly.  
46 It's just like your salmon seasons in Togiak, they're  
47 going to stay as long as the fish stay.  
48  
49 MR. ABRAHAM: Uh-huh.  
50

1 MR. O'HARA: So it's not going anywhere.  
2  
3 MS. WESTING: Well.....  
4  
5 MR. O'HARA: What's that?  
6  
7 MS. WESTING: We've actually almost lost  
8 our tower in the past, so I don't know if that's a good  
9 comparison, but.....  
10  
11 MR. BERG: As long as Mother Nature  
12 allows it.  
13  
14 MR. DUNAWAY: It's as permanent as any  
15 tower is. And it's been there longer than many towers,  
16 and it's likely to be there for quite some time. They  
17 put it in with a pile driver. This isn't any little hand  
18 operation.  
19  
20 UNIDENTIFIED VOICE: The late 1920s is  
21 when it.....  
22  
23 CHAIRMAN ALVAREZ: So would that.....  
24  
25 MS. WESTING: I concur with that  
26 interpretation. I think if they're just concerned that  
27 in his description that it's clear what they mean in  
28 reference to proximity to the weir, and it doesn't affect  
29 the regulation, then I think that's probably accurate.  
30 So with that change, I think that will satisfy them. I  
31 hope.  
32  
33 MR. DUNAWAY: The change of the?  
34  
35 MS. WESTING: The date.  
36  
37 MR. DUNAWAY: Date, yeah. Now, then the  
38 other part, what did they recommend? I got lost a little  
39 bit. Now, Nanci's saying get rid of the redundancy.  
40  
41 MS. WESTING: I think what Jerry was  
42 saying is that this wasn't really addressing the  
43 regulation, it's addressing the supplemental material  
44 that would be included for people as far as what the  
45 rules are with your proximity to a weir, so he can do  
46 what he wants to with those comments for that, but it  
47 won't affect the regulation.  
48  
49 MR. DUNAWAY: Okay.  
50

1 MR. O'HARA: Mr. Chairman.  
2  
3 CHAIRMAN ALVAREZ: Dan.  
4  
5 MR. O'HARA: I will move that we table  
6 Proposal FP06-8 until Friday at 10:00 a.m., that both the  
7 Federal and the State sides comply with the wording on  
8 this proposal for our satisfaction. And when you make a  
9 motion to table, there is no second, and it doesn't come  
10 off until the person who made the proposal brings it off  
11 the table, which would be 10:00 o'clock tomorrow morning.  
12  
13 CHAIRMAN ALVAREZ: You won't die by then?  
14  
15 (Laughter)  
16  
17 MR. O'HARA: Let's see, I should write up  
18 a little will. No, until we're both satisfied, you know.  
19 And there's no discussion on the motion. When you table  
20 it, it doesn't go anywhere until it's brought off the  
21 table.  
22  
23 CHAIRMAN ALVAREZ: Okay. Well, that  
24 sounds final.  
25  
26 MR. O'HARA: That makes things a little  
27 more -- no, you're going to have to vote on the issue  
28 tomorrow, but we're not going to do any more work on it  
29 until that side and that side are really happy with the  
30 wording on this thing.  
31  
32 CHAIRMAN ALVAREZ: Sounds good.  
33  
34 MR. O'HARA: I think all you have to do  
35 is you need to call your supervisor or the next level up,  
36 or perhaps Edward can help make the thing satisfactory.  
37 You know, we can do other work up until that point, and  
38 it's the last proposal we have. So, just to make it a  
39 little more interesting.  
40  
41 CHAIRMAN ALVAREZ: Okay.  
42  
43 MR. DUNAWAY: It probably would be  
44 helpful to kind of have some of that written stuff right  
45 in front of us, although I'm feeling pretty good about it  
46 over all.  
47  
48 MR. O'HARA: I think we're real close,  
49 and, you know, it's a workable thing. It's Boris' fish  
50 we're dealing with, and I think they do fine on their

1 subsistence, period, but this will marry it up good.  
2  
3 MR. DUNAWAY: I think I have Hilsinger's  
4 home phone if you need it.  
5  
6 MS. WESTING: Yeah, I was going to call  
7 him today and couldn't get ahold of him, so I don't know  
8 if I'll even get in touch with him before 10:00 a.m.  
9 tomorrow, but I'll give it my best shot.  
10  
11 CHAIRMAN ALVAREZ: So it looks like  
12 we're, if that's tabled, we're on No. 10, the wildlife  
13 special action, Northern Peninsula Caribou Herd. I  
14 suppose we could start on that. Cliff is going.....  
15  
16 MR. EDENSHAW: Scratchy throat.  
17  
18 CHAIRMAN ALVAREZ: What do you think,  
19 Cliff.  
20  
21 MR. DUNAWAY: He's thinking break maybe.  
22  
23 CHAIRMAN ALVAREZ: Let's take a break.  
24  
25 (Off record)  
26  
27 (On record)  
28  
29 CHAIRMAN ALVAREZ: Come back to order.  
30 We are on No. 10, the wildlife special action.  
31  
32 MR. ABRAHAM: Page?  
33  
34 MR. DUNAWAY: 50.  
35  
36 CHAIRMAN ALVAREZ: Page 50.  
37  
38 MR. O'HARA: Or the lack thereof it could  
39 be.  
40  
41 CHAIRMAN ALVAREZ: Who is going to  
42 introduce this. Ron, are you going to speak on this  
43 proposal?  
44  
45 MR. EDENSHAW: Come on up here, Ron. Mr.  
46 Chair and Council members, Ron will help with some  
47 biological questions you have, and I'll go ahead and go  
48 through the process for the Council.  
49  
50 For those of you sitting down here, if

1 you'd look on Page 50 of your books, we have WSA05-02,  
2 which is a wildlife special action which was submitted by  
3 our office, which would close caribou hunting on Federal  
4 public lands in Unit 9C, remainder, and Unit 9E. This  
5 closure became effective August 10th, 2005. And as part  
6 of this public meeting today, it will also serve as a  
7 public meeting for this special action.

8

9 And Bill Knauer can help me if I have any  
10 mind blanks here, but a special action is good for 60  
11 days, so October 10th the special action will end, you  
12 know, will cease.

13

14 So at that time the Council -- we have a  
15 wildlife cycle, and a period for proposals. You know, we  
16 have on the table anyway we have currently that you may  
17 submit wildlife proposals to change hunting regu -- you  
18 know, Federal subsistence hunting regulations, C&T up  
19 until I believe it's towards the end of this month, or  
20 November.

21

22 But anyway, OSM submitted this proposal,  
23 because the State chose not to issue permits, and that  
24 was their way of -- because most of the hunt has been  
25 administered by a Tier II hunt, and the refuge in  
26 conjunction with the Department of Fish and Game helped  
27 issue their portion of Tier II permits to Federal users.

28

29

30 So with that, I'll go ahead and stop, and  
31 the Council will certainly have some action to take  
32 before we adjourn tomorrow.

33

34 CHAIRMAN ALVAREZ: Okay. So then we'll  
35 go to report from Ron?

36

37 MR. KNAUER: Mr. Chairman. On this  
38 subject, like he said the -- an emergency special action  
39 goes for 60 days, and our process is that the regulation  
40 -- or the action can't be extended unless there is a  
41 hearing in the affected area. The seasonal term has got  
42 a fall season and a late fall/early winter season, which  
43 is longer than 60 days. So by having it on the agenda  
44 here, it meets the regulatory requirement of having a  
45 hearing. The public has an opportunity to comment on it,  
46 and you can recommend to the Board at this time that,  
47 yes, you wish this to be extended or not, depending upon  
48 your feelings relative to this, and the information that  
49 will be presented on the population, the caribou  
50 population in that area. So this meets a procedural

1 requirement.

2

3

CHAIRMAN ALVAREZ: Okay.

4

5

MR. O'HARA: Mr. Chairman. What that boils down to is that we can deal with whether we want to extend the season, and then Ron is going to fill us in on what's happening with the caribou, is that right?

9

10

MR. EDENSHAW: Mr. Chair and Council members. What the Council can do is just as Mr. Knauer said, you could submit a motion to extend the closure, which would cover these dates that Mr. Knauer mentioned here, which if you look on Page 50, it talks about the November 15th through February 28th season. And under the Federal Subsistence Board's purview, as a house cleaning item, they could go ahead and extend the closure. And if the Council chooses to do so, may want to consider after hearing lengthy biological analysis and data by Ron Squibb from the Alaska Peninsula Refuge is consider submitting a proposal to close the season altogether, because I'm certain the Board wouldn't want to continue addressing this by emergency special action.

24

25

CHAIRMAN ALVAREZ: No. It's probably the best that we do extend the closure, or, you know, close it altogether until further notice, but I was con -- one of my concerns is, you know, to close it, what ramifications would we have to go through to get it reopened again if it's -- is there anything that -- special things that we might need to do just to reopen it, or just the same process, just vote to reopen it? Because I hate to close something that when -- if we could just temporary not issue any permits like the State is doing, instead of completely close it.

36

37

Bill.

38

39

MR. KNAUER: Mr. Chairman. If you were to recommend the current closure be extended, it would extend through the end of the current season, the current regulatory year. If you did not submit a proposal then for next year, the season would then be the same as it is currently, unless somebody else submitted a proposal. So it would open then again next year. If there were a conservation concern next year, someone would then have to again submit a special action for closure. But to open or close regulations, since our regulations expire every year, it's very easy to submit a proposal, you know, based on population data. If you see a significant

1 increase in the herd, and it looks like it would be able  
2 to support a harvest, the Council submits a proposal to  
3 open it, and then it's evaluated and goes through process  
4 the same way you're looking at these fish proposals, and  
5 we'll be looking at wildlife proposals during your winter  
6 meeting.

7  
8 CHAIRMAN ALVAREZ: Yeah. I guess I was  
9 just wondering if we were to close it, there's probably  
10 nothing special that needs to take place just to have it  
11 reopened, and it probably -- I don't see -- with this  
12 current population being down to about 1200, it doesn't  
13 look like it's going to be opened in the near future.  
14 You know, it probably -- so it might be the best thing to  
15 do.

16  
17 MR. KNAUER: If you have a concern, we're  
18 right now in the proposal period for wildlife for the  
19 2006/2007 regulatory year, so in addition to taking  
20 action on the special action for this regulatory year,  
21 the remainder of which for this particular season would  
22 be November 15th to February 28th, you may wish to put in  
23 a proposal for next year.

24  
25 MR. O'HARA: Mr. Chairman.

26  
27 CHAIRMAN ALVAREZ: Dan.

28  
29 MR. O'HARA: What they're saying is we  
30 could extend as of October 10th to February 28th, and  
31 then in the new proposal year, if things don't work out,  
32 we could make a proposal to close the season.

33  
34 MR. KNAUER: The proposal period ends  
35 October 21, so you would need to put in a proposal before  
36 October 21 for next year. At that point, that's when  
37 your regional support team of your biologists and  
38 coordinators evaluate that proposal. They analyze it.  
39 That's when ADF&G looks at it. That's when the public  
40 has an opportunity to comment, and then it comes back  
41 before you during your winter meeting to hear those  
42 reports and for your Council's recommendation for Board  
43 action in May.

44  
45 CHAIRMAN ALVAREZ: Dan.

46  
47 MR. DUNAWAY: Mr. Chair. How -- I'm  
48 trying to think. Is it very unusual to have a special  
49 action to open a season? I'm thinking maybe not. I  
50 think they've done it in Togiak, haven't they?

1 CHAIRMAN ALVAREZ: Yes, they've done it  
2 in Bethel for Mulchatna when they first moved up to that  
3 area about 10 years ago, or eight years ago.  
4  
5 MR. KNAUER: Yeah. That's exactly right.  
6 We normally get special actions both ways, to close  
7 because of low populations, or to open because of very  
8 unusual circumstances, either migration into an area, or  
9 sometimes extremely unusual weather conditions that have,  
10 for example, prevented hunters from being in the field.  
11 Maybe it was a very low water year, high fire year that  
12 prevented the hunters from the village from being out and  
13 harvesting animals, and we've had a request to, you know,  
14 in a very unusual circumstance to open a season for a  
15 week, or to extend a season. So we've done that.  
16  
17 MR. DUNAWAY: So, Mr. Chair, your concern  
18 about getting it reopened, if there was a closure  
19 proposal, that's another avenue.  
20  
21 CHAIRMAN ALVAREZ: It would be just the  
22 same process as closing it as opening it I guess, the  
23 same thing.  
24  
25 MR. KNAUER: That is correct. Every year  
26 we get proposals from the public, from Councils, from  
27 fish and game advisory committees, from subsistence  
28 resource commissions, from the Alaska Department of Fish  
29 and Game to make closures, openings, increase or decrease  
30 harvest limits, change methods and means, and they're all  
31 treated equally. They're all analyzed by the regional  
32 team. They're all put out for public comment, for ADF&G  
33 comment, and they all come before the pertinent regional  
34 Council or Councils as the case may be, and then come  
35 before the Board.  
36  
37 CHAIRMAN ALVAREZ: Okay. I understand,  
38 you know. I'm in favor of closing it because of the  
39 population is so low, but I just wanted to discuss  
40 anything that, you know, that might be unforeseen to get  
41 it reopened, you know, if we were to close it. But since  
42 it is the same process to have it reopened as to make a  
43 proposal to close it, you know, it doesn't look like to  
44 be that big of a process just to, you know, just time and  
45 public comment and would take of it. And we need to  
46 close it, and instead of taking special action every six  
47 months or whenever, or every year, it would be best just  
48 to have it closed for a while.  
49  
50 Cliff.

1 MR. EDENSHAW: Mr. Chair and Council  
2 members. Perhaps with Daryle here also with the refuge  
3 manager from the Alaska Peninsula, I think it was a year  
4 or two ago the Federal Subsistence Board, and this is an  
5 extenuating circumstance, because of the current low  
6 population of the herd, but I certainly wouldn't want us  
7 to go into '06 and, you know, I'm not certain how the  
8 refuge feels about not issuing permits as a way to manage  
9 the hunting over there by Federal subsistence hunters,  
10 users. I mean, it's -- because you look on Page 50 and  
11 at the bottom here, under a footnote here, the note, the  
12 State will not issue any Tier II permits for the  
13 2005/2006 season. So you can see already that the State  
14 is not going to close their season, they're not --  
15 they're just not going to issue permits. And that's how  
16 the hunt has been managed over the last few years is a  
17 Tier II hunt.

18  
19 CHAIRMAN ALVAREZ: But in the past, on  
20 Federal land, wasn't there a couple of Tier II permits  
21 issued on Federal land for caribou?

22  
23 MR. EDENSHAW: It's been 10 percent of  
24 the total allocation. If there was 500 permits, then the  
25 refuge would hand out 50 permits.

26  
27 CHAIRMAN ALVAREZ: So if the refuge  
28 didn't hand out any permits, there wouldn't be any  
29 hunting either, would there?

30  
31 MR. EDENSHAW: Correct.

32  
33 CHAIRMAN ALVAREZ: So could we just go  
34 that route, not hand any -- not -- just make the same  
35 statement that there won't be any permits available this  
36 year? But we would have to do the same thing every year?

37  
38 MR. SQUIBB: You know, I'm not an expert  
39 on this as Bill Knauer is, but if you have a reg book and  
40 it has in there a hunt listed, you know, you're basically  
41 communicating to the hunting public that there's an  
42 opportunity to hunt there, so if you were to continue  
43 going that route and not closing the hunt, then the reg  
44 would have, you know, the hunt listed, and you would have  
45 anticipation.

46  
47 MS. MORRIS LYON: I can see that as being  
48 as confusing as Pete was talking about earlier.

49  
50 CHAIRMAN ALVAREZ: Yeah, okay. Bill.

1 MR. KNAUER: Yeah, Mr. Chairman. The  
2 only time we've done something like that is when in our  
3 regulations the statement is that up to 10 permits will  
4 be issued, or up to 15 permits will be issued. And in  
5 that case we have had a couple of situations where due to  
6 an extremely low population the field manager that had  
7 the authority had issued a press release that there would  
8 be no permits issued that year, because of the low  
9 population. But there was specific wording that  
10 indicated that, you know, there was going to be a  
11 variable number of permits up to a certain amount. If  
12 there is just a statement as we have here that one bull  
13 by Federal registration permit or Tier II permit, that,  
14 as Ron indicated, that that does imply that there is an  
15 opportunity there.

16  
17 CHAIRMAN ALVAREZ: Okay.

18  
19 MR. O'HARA: So we may have to close that  
20 hunt. We probably will have to close it then.

21  
22 CHAIRMAN ALVAREZ: So we're probably  
23 going to have to make a proposal at this meeting if it's  
24 -- you're saying by the end of October it needs to be in.

25  
26 MR. DUNAWAY: Just tell Cliff to do it.

27  
28 CHAIRMAN ALVAREZ: Oh, yeah. All right.  
29 I guess we're on to Ron's report.

30  
31 MR. SQUIBB: Okay. For the record, I'm  
32 Ron Squibb with the U.S. Fish and Wildlife Service,  
33 Alaska Peninsula Refuge. And I didn't come prepared with  
34 the -- you know, for this particular thing, so what I'm  
35 going to do is just do the caribou part of my normal  
36 agency report, which has the information in it, and we'll  
37 address any questions you have. And that is on Page 116  
38 of the book.

39  
40 And so you look at that basically on --  
41 excuse me, there was a little printing error in here.  
42 Yeah, it actually starts on 121, but 121 is the first  
43 page after 115 in your book, if that makes it any clearer  
44 for you. So there's a little typo in there on that page  
45 number, so when you get to Page 121, which is between 115  
46 and 117, you're in the right place.

47  
48 MR. EDENSHAW: Was that our error, Ron?

49  
50 MR. SQUIBB: Well, that's how it's

1 printed. Okay. So I'll just give you the highlights of  
2 that section on the Northern Alaska Peninsula Caribou  
3 Herd, and then we'll address your question afterward.

4  
5                   Justin Gooding in our Staff worked with  
6 Lem Butler, the area biologist, and they came up with a  
7 very good caribou calf survival study this last year, and  
8 the last time that was done on the Northern Peninsula  
9 Caribou Herd, was done when Dick Sellers was still the  
10 area biologist, and they did that in 1998 if I recall  
11 correctly, for the Northern Peninsula herd. And in this  
12 year's calf survival study, we were able to collar 42  
13 newborn calves with radio collars, and then they were  
14 monitored daily for the first couple of weeks of the  
15 study, and then weekly thereafter. And of those 42  
16 newborn calves, by August, only three were still alive,  
17 and two were missing. Thirty-three deaths were  
18 investigated, and of those, 79 percent of those  
19 mortalities were attributed to bears and wolves.

20  
21                   Sixteen of 19 calves that survived past  
22 two weeks of age died. And that's very -- that's an  
23 important threshold, the two weeks of age, because after  
24 two weeks of age, generally caribou calves can basically  
25 run with the herd, and their mortality rate should be  
26 about like an adult. You know, they're going to a little  
27 slower, a little weaker, but basically after two weeks  
28 they should be fairly able to run with the herd and avoid  
29 predators. And having mortality during that period of  
30 time, so great a mortality, having 16 of 19 calves not  
31 make it during that period, indicates we have weak calves  
32 who may not be developing at the normal rate of caribou  
33 in healthier herds.

34  
35                   Then concurrent with that, Lem and with  
36 help from our Staff did the parturition survey, which is  
37 a survey of the cows to see whether or not they're  
38 pregnant, and basically it's dependent upon -- they look  
39 at the cow, they look obviously if a calf is following,  
40 that's a free square, or you look for a distended udder,  
41 and this is all from a Super Cub like airplane. Or you  
42 look at the antlers. If they're still in hard horn,  
43 they're likely to have calves on them. And so from that  
44 survey, and basically looking at cows greater than or  
45 equal to two years old, they found 57 percent pregnancy  
46 rate. And that is rather low and likewise implies poor  
47 nutrition.

48  
49                   As part of the calf survival study,  
50 getting back to that, the State veterinarian, Kimberly

1 Beckman, joined in that effort for the first two weeks  
2 and a little later of the calf study, and analyzed calf  
3 carcasses, several calf carcasses and three older caribou  
4 for parasites and disease. And the parasite load that  
5 she found in the Northern Peninsula calves and the three  
6 older animals that we took indicated that the parasite  
7 load in the Northern Alaska Peninsula Caribou Herd is the  
8 highest documented in an any Alaskan caribou herd. So  
9 we've got a lot of parasites.

10

11 And we can give you more detail on that,  
12 but basically the parasite load will affect pregnancy in  
13 cows, it will affect their robustness, it will affect  
14 their ability to grow and prosper, because basically  
15 they've got a lot of other things using the food that  
16 they're ingesting, and, you know, riding with them, just,  
17 you know, for just a simple explanation.

18

19 CHAIRMAN ALVAREZ: Ron.

20

21 MR. SQUIBB: Yes.

22

23 CHAIRMAN ALVAREZ: Has this parasite  
24 problem been always at this level, or is it just higher  
25 now than say 10, 15, 20 years ago?

26

27 MR. SQUIBB: When they did the last calf  
28 survival study in '98, they did not go into the same  
29 detail of -- you know, they weren't doing as detailed  
30 necropsy, you know, studies of the dead animals as were  
31 done this year. I know they documented -- again, this is  
32 off my memory, which is not always perfect, but they  
33 documented pneumonia and lung work at that time. And I  
34 don't -- I can't recall what else, but there wasn't as  
35 thorough an investigation for parasites. They didn't do  
36 the same -- there wasn't the same veterinarian, a  
37 different veterinarian at that time was here. But they  
38 didn't take as many samples and check as many tissues, et  
39 cetera. It wasn't as thorough a study of parasites.

40

41 But I would think -- I can't remember the  
42 survival rate after two weeks at that time, but my  
43 recollection is that it wasn't as low as this. I can't  
44 tell you the numbers right now. So I don't think the  
45 parasite load at that time was as high.

46

47 Let me ask Justin if he has any -- do you  
48 have any insights on that, Justin, about the comparison  
49 with the '98? Come on up here.

50

1 MR. GOODING: I'm Justin Gooding with the  
2 Fish and Wildlife Service in King Salmon.

3  
4 Yeah, well, I do. There is some insight.  
5 Some of the diseases they found in samples that we had  
6 archived since 2001, we started detecting the presence of  
7 bovine respiratory disease complex. And we had something  
8 on the order of 200 or 250 blood samples from prior to  
9 2000, the year 2000 and prior, and there was zero  
10 prevalence before that. Samples 2001 through 2005, 57  
11 percent prevalence. So something showed up there  
12 sometime around 2000, 2001. And that's a respiratory  
13 disease, a couple of viruses, and a bacteria in the  
14 lungs, which in concert with lung worm can cause  
15 pathology and mortality in caribou. So that's something  
16 new.

17  
18 But like Ron said, other than that, they  
19 weren't looking for everything that we were looking for  
20 when they've done investigations like this in the past.

21  
22 CHAIRMAN ALVAREZ: Did -- you said we had  
23 the highest -- that this area has the highest parasite  
24 rate in the whole state.

25  
26 MR. SQUIBB: Cow parasite burden or --  
27 yeah, in caribou.

28  
29 CHAIRMAN ALVAREZ: It's probably the most  
30 temperate, the warmest. Does the parasites do better in  
31 the warmer than in the cold? Does that.....

32  
33 MR. SQUIBB: Do you want to take a shot  
34 at that?

35  
36 MR. GOODING: Yeah, that's a good  
37 question. There's so many different ways of living with  
38 all these different organisms. I'm not really sure. The  
39 ones we're concerned about, they go into sort of a torpor  
40 type stage over the winter, whenever it gets cold, and  
41 they can live through harsh conditions, and then they'll  
42 come back out and start developing again the following  
43 spring, so I'm not really sure. There's lots of  
44 different kinds of parasites we're talking about, so --  
45 yeah, that's definitely a good hypothesis, but we don't  
46 really know.

47  
48 CHAIRMAN ALVAREZ: I was just wondering  
49 about that. It's been warm, and we're probably the --  
50 this is probably the warmest area in the whole state

1 where caribou are, so would it help to keep the  
2 parasites.....  
3  
4 MR. SQUIBB: It might be interesting.....  
5  
6 CHAIRMAN ALVAREZ: .....more parasites  
7 around?  
8  
9 MR. SQUIBB: I guess the only comparison  
10 to follow your thought on that is in '99, the year after  
11 they did the Northern Peninsula calf survival study in  
12 '98, they did a similar one, and I was involved in that  
13 one, on the Southern Peninsula herd, which is going to be  
14 warmer, if you will, than the Northern Peninsula range,  
15 not by -- you know, probably the same or maybe a little  
16 warmer. And again I don't have access to those data,  
17 because they did the same -- well, actually the  
18 veterinarian was not there on that, on the '99 study, so  
19 there were probably fewer samples other than, you know,  
20 stuff that was taken for general blood work at that time,  
21 so I don't think we can have a comparison.  
22  
23 CHAIRMAN ALVAREZ: Dan O'Hara.  
24  
25 MR. O'HARA: Two things. Very few  
26 caribou have been spotted on the Alaska Peninsula, and I  
27 fly for Pen Air and talk to all the pilots, and we  
28 connect with the guides and we connect with their planes  
29 that do the spike camps, and then it's just pretty much  
30 all -- Bush King all the way to Mel Gilletson on up to,  
31 you know, Triple A, to Pilot Point, and then from there  
32 on up. I mean there just isn't any caribou. They just  
33 have not found any caribou.  
34  
35 The other day somebody found a big, big  
36 bull, and they were really happy. Paul Bascofy saw a  
37 huge bull.  
38  
39 nd so the question is, you know, when the  
40 spruce beetle hit Pedro Bay, it killed all the big trees  
41 and all the little ones lived. And so it means one or  
42 two things. The big ones weren't going to survive, but  
43 the younger, stronger ones were going to survive. Is it  
44 possible some caribou are going to survive, or is this  
45 too early in the study to find out, that some are not  
46 going to live and some are going to live?  
47  
48 The second question is, is this --  
49 sometimes a parasite can become contagious and talking  
50 with Lem the other day, he seemed to think this could

1 become something that would spread into the Mulchatna  
2 herd. Is that -- have you guys discussed that?

3  
4 MR. SQUIBB: Basically the -- I don't  
5 know about transmission from adult to adult. I know that  
6 as Justin was saying of Ostertagia, some of these do  
7 survive over winter and then that's where they get picked  
8 up from, you know, when there's concentrations of animals  
9 in traditional calving grounds like there are in the  
10 ongoing traditional calving grounds in the Northern  
11 Peninsula herd, such as the Cinder River area, and the  
12 Sandy River area where, you know, they're set up to do  
13 that, you know, where they would get exposed, could get  
14 re-exposed.

15  
16 Now, I don't -- do you have any other  
17 insights on that?

18  
19 MR. GOODING: Yes.

20  
21 MR. O'HARA: Well, yeah, you know, you  
22 have the Mulchatna herd and the North Peninsula herd  
23 coming together in King Salmon October through March.

24  
25 MR. GOODING: In winter.

26  
27 MR. O'HARA: And those -- they mingle  
28 among each other, and I was just wondering if they  
29 are.....

30  
31 MR. GOODING: Right. Yeah, I know that  
32 they.....

33  
34 MR. O'HARA: .....if something is passed  
35 on.

36  
37 MR. GOODING: And I've talked with Lem  
38 about this, too.

39 MR. O'HARA: You did?

40  
41 MR. GOODING: It's something that --  
42 some of them, like the respiratory viruses can be  
43 transmitted directly from animal to animal, so it's -- we  
44 don't know what the prevalence rate is in other herds,  
45 and we don't know if there are seasons when transmission  
46 is more common. I mean, it's basically kind of an  
47 unknown area.

48  
49 MR. O'HARA: There's not much you can do  
50 about it. I mean, you know, it's just like when Mother

1 Goose Lake cut loose with that stuff coming into it, and  
2 everything died. We had no control over it. So, thanks.

3

4 MR. GOODING: Well, to some degree.

5

6 CHAIRMAN ALVAREZ: Dan Dunaway.

7

8 MR. DUNAWAY: Yeah. One thing, my  
9 samples were quite small and my ability to really look at  
10 an animal's pretty limited as being a fish biologist, but  
11 I used to hunt that Cold Bay herd quite a bit in the  
12 early 80s, and I used to get three to five animals a  
13 year, or four, whatever it was allowed, plus I was  
14 usually hunting with some other folks. But my impression  
15 was that as we approached that peak, and then the early  
16 stages of the decline, just from cutting up my own  
17 animals, it struck me that the parasite load -- I started  
18 looking in the livers, and, you know, when you're  
19 butchering, you might see these little spots now and  
20 then. And my sense was that I saw a lot more parasites  
21 in those animals that I took at the last of that. I  
22 didn't hunt when it really collapsed. By then I think  
23 I'd moved up here. But that's a pretty limited and  
24 really unscientific sample. But I used to call Sellers  
25 and pass what I saw on.

26

27 The other thing -- well, there's a couple  
28 other things. I wonder if the heavy parasite load might  
29 mean they have a lot of intermediate hosts that help  
30 spread and help them -- which was like some of these, a  
31 wolf has to eat a caribou, and then that one life stage  
32 goes through the wolf, and then a caribou picking up the  
33 lichens pick up the next stage. Which leads me to wonder  
34 if maybe it would be better -- it sounds awful, but maybe  
35 that whole range needs a rest. If there's less hosts for  
36 those parasites, or the -- I forget the other, the  
37 reproductive stage, maybe it just has to rest just like I  
38 think cattlemen -- I think they let some of their range  
39 rest and part of it is to avoid parasites. I don't know,  
40 but it's kind of wild speculation.

41

42 MR. SQUIBB: Well, what you're saying is  
43 -- it follows the logic of a caribou cycle, and that, you  
44 know, presumably it's they're in poor shape because they  
45 don't have the traditional quality, you know, to maintain  
46 them in prime shape, because it's -- a parasite is just  
47 -- there's parasites in all of us to some degree or  
48 another, and caribou as well, and the ability of the  
49 animal to fight the parasites, their immune system is  
50 compromised when they're on a poor forage base. And

1 similarly your analogy, the range -- you know, if you're  
2 a cattleman, you rest the range, but resting the range is  
3 generally thought of to allow the vegetation to recover,  
4 and, you know, secondarily, you know, yeah, at the same  
5 time you're going to get rid of some parasite hosts, or  
6 some parasites, because they're going to have no hosts  
7 and those things will not persist after a couple of years  
8 of resting the range. So they all go hand in hand. And  
9 so that's what we're -- you know, it's a combination, and  
10 it's kind of coming down real hard on the herd now, but  
11 presumably, you know, the higher quality forage has been  
12 eaten, you know, during the period from the early 40s  
13 when the herd came back out of its previous low until  
14 their peak. And they held their peak for, what, 20 years  
15 or something, and then now this is a natural part of the  
16 cycle. And the parasites are in the system, and they're  
17 going to, you know, expand and so therefore parasites --  
18 you know, the ways they get infected by those things that  
19 over-winter on the range or over-winter in other hosts,  
20 you know, they're going to be at a higher density, so  
21 it's just -- you know, that's the way it works. I'm not  
22 an expert at it, but, you know, you all.....

23  
24 CHAIRMAN ALVAREZ: Ron, how long did that  
25 low last? You know.....

26  
27 MR. SQUIBB: The last low, I -- can you  
28 recall.

29  
30 MR. GOODING: Well, I think you know.....

31  
32 MR. O'HARA: You're talking about the  
33 Black Hills Caribou Herd that he's talking about?

34  
35 MR. SQUIBB: No, we're just talking about  
36 the Northern Peninsula herd's last low was -- you know  
37 when they last bottomed out -- I don't know, was it the  
38 early 40s or the last 40s, I can't recall.

39  
40 MR. GOODING: You know, the problem is  
41 that the data gets kind of spotty before that, you know.  
42 There are records, but the records are of the Alaska  
43 Peninsula Caribou Herd, in which the Southern herd and  
44 the Northern herd were grouped into one. And the caribou  
45 on Unimak Island were part of that, too, so trying to  
46 separate how many animals were well on the Peninsula gets  
47 a little difficult, but you know, it looks like it might  
48 be about a 40-year type cycle, but, you know, you've got  
49 to take that with a grain of salt, because of the way  
50 things were collected, information was collected in the

1 past.

2

3 CHAIRMAN ALVAREZ: I know there never  
4 used to be -- a long time ago, you know, my dad was  
5 telling me that -- he's 83 now, and he was born in  
6 Naknek, and there never used to be any caribou. That's  
7 why they brought the reindeer in.

8

9 MR. GOODING: Right.

10

11 CHAIRMAN ALVAREZ: One of the reasons,  
12 you know, to make some money, but there was never much  
13 caribou, and then even moose, there was -- they had to go  
14 hunt moose up in the park at Brooks. They'd go hunt  
15 moose up there. And there, you know, but we have a lot  
16 more game than we've ever had, you know, but I think --  
17 except for the caribou are kind of low, you know, but our  
18 predators are surely high. I guess everything is kind of  
19 cyclic, and, you know it's.....

20

21 MR. GOODING: Yeah. One thing to keep in  
22 mind.....

23

24 CHAIRMAN ALVAREZ: It goes up and down,  
25 that's for sure, and we need to, you know.....

26

27 MR. GOODING: We were looking really hard  
28 for these parasites. We were taking lots of samples,  
29 just because we wanted to know what was there, because we  
30 had a notion that there might be a heavy parasite load in  
31 the herd. And the extent to which the parasites are  
32 affecting the survival or reproduction, we don't know.  
33 That's something we don't know yet, so we think that the  
34 parasites are having a big effect, but it's, you know,  
35 the beginning of an investigation and trying to figure  
36 out how big of an effect the parasites are having, versus  
37 the range, versus the predators, so.....

38

39 MR. SQUIBB: And since we're on that  
40 track, do you want to go ahead and talk about about the  
41 plans for the next year and any.....

42

43 MR. GOODING: Well, yeah, I guess the  
44 data we collected allowed us to form the hypothesis that  
45 the parasites are affecting the herd, so we're going to,  
46 beginning in a couple weeks here, capture a sample of up  
47 to 50 cows, and we're going to treat half of them with an  
48 anti-helminthic drug that will remove a lot of the  
49 parasite burden. And by combining that with information  
50 on their survival rates and rates of mortality due to

1 predators, and the rates of calf production, and the rate  
2 that their calves died due to predators, malnutrition,  
3 we're going to basically just try and tease apart the  
4 influence of the parasites versus the condition of the  
5 range versus the predators, so -- I mean, if we're going  
6 to try and provide subsistence harvest by manipulating  
7 this population at all, then we've got to know what's  
8 influencing the population, so that's kind of where we  
9 are. We don't really know the extent to which all these  
10 things are influencing the population, so we're trying to  
11 figure it out.

12

13 CHAIRMAN ALVAREZ: Yeah, unless you  
14 figure out what's causing the problem, you can't fix it.  
15 If you can't figure out what's causing, you know, the  
16 problem, you can fix it. So why don't you continue with  
17 your report and we'll probably -- we want to get out of  
18 here so some people can go to the bank.

19

20 MR. SQUIBB: Again, you know, as we  
21 discussed just now, presumably the major driving force in  
22 this whole system is, you know, the range was overgrazed  
23 basically. And how long, you know, it's going to take  
24 that to recover is the bottom line. Whether we, you  
25 know, can help the herd in any way in terms of its  
26 numbers by manipulating other things, we don't know, but  
27 in an attempt to understand, you know, we're going to try  
28 to learn what the parasites are doing compared to animals  
29 -- you know, by comparing a Justin said animals that are  
30 more free of parasites versus the ones that, you know,  
31 have the average of the herd, so hopefully we'll learn  
32 something from that.

33

34 And then all I have left I think is just  
35 basically what you guys already know. The post-calving  
36 count dropped from 3400 in 2004 to 1200 this year. And  
37 there's just a lot of noise in those numbers. You know,  
38 there's -- because of weather, we can't just march down  
39 the Peninsula with two planes and just sweep it out in a  
40 week. The years we've done that, it's been great, but  
41 this year, you know, was one of the not so good ones, and  
42 so we'll sometimes go into areas, and if we don't have  
43 radio -- other than the radio collars, we don't know  
44 whether we've counted an animal or not, you know. We'll  
45 count areas and we move down. So there's -- they can  
46 move from areas we haven't counted to ones we have, and  
47 vice versa, so it's -- you know, don't take these numbers  
48 as exact, but it's obvious the herd's in decline and it's  
49 staying in decline, and whether it's 1200 or 1600 or  
50 1,000, you know, we don't know, but, you know, we'll keep

1 doing these basically surveys to get that background  
2 number.  
3  
4 But I wish I had -- I've been coming here  
5 to talk to this Council for some time, and it's, you  
6 know, it's no fun of mine, either, you know. I never  
7 bring any good news it seems like.  
8  
9 Anyway, so the herd is down, and we're  
10 doing our best to try and understand the details of the  
11 causes. Any questions for either of us?  
12  
13 CHAIRMAN ALVAREZ: You earlier said the  
14 pregnancy rate for the cows was 57 percent. What's  
15 average?  
16  
17 MR. GOODING: I can tell you, using the  
18 same method that we've used to get this pregnancy rate,  
19 they had rates of 20 percent higher, so 77 to 85 percent  
20 in '98 and '99 when they were doing this.  
21  
22 CHAIRMAN ALVAREZ: Okay. Any of you guys  
23 got any questions for.....  
24  
25 MR. O'HARA: Yeah, I do.  
26  
27 CHAIRMAN ALVAREZ: Dan.  
28  
29 MR. O'HARA: Excuse me, Dan, do you  
30 have.....  
31  
32 MR. DUNAWAY: A little later. I was just  
33 going to commend them for looking at something new. I  
34 read some of this, and went, man, I hadn't really thought  
35 about parasites, you know, I've basically been harping on  
36 predation, which no doubt's a part of it, but.....  
37  
38 Also though, seeing some of this, if I'm  
39 hunting over, I'm going to be careful if I'm messing  
40 around in any kind of carcass. That always gives me the  
41 willies.  
42  
43 CHAIRMAN ALVAREZ: Yeah.  
44  
45 MR. SQUIBB: Yeah, I guess the thing is  
46 like you've saying, it's all spun together, you know, the  
47 vulnerability to predators, the range condition, the  
48 food, and the nutritional quality they're getting and the  
49 parasites that they're more vulnerable to, because their  
50 immune systems are weaker, because of their nutrition,

1 but likewise, then once they get into greater parasites,  
2 they're going to spread them more, so it's a fairly  
3 complicated ecological thing going on out there.

4  
5 MR. DUNAWAY: Snowball.

6  
7 CHAIRMAN ALVAREZ: Dan.

8  
9 MR. O'HARA: Yeah. Five years ago, you  
10 know, when you came to us and the thing started here,  
11 obviously it became somewhat of a nutrition type thing.  
12 If a cow loses its calves in February and March, aborts  
13 the calves, there's something wrong with the animal.  
14 This is no wolf or a bear problem, it's an illness.

15  
16 MR. SQUIBB: Right.

17  
18 MR. O'HARA: And, of course, it's  
19 heightened by predation, but putting a collar on a calf,  
20 does that kind of hinder his survival rate? I mean, I  
21 wouldn't want to tie something around my kid's neck when  
22 he was two days old.

23  
24 MR. SQUIBB: I guess we just compare it  
25 with putting the same collar with the same weight on the  
26 same aged animal in '98 didn't result in, you know -- the  
27 mortality rates are much higher now than they were then.  
28 So I think, yes, we may have influenced, you know,  
29 vulnerability of some of those young animals, but we know  
30 at least that, you know, the situation now, their  
31 vulnerability to predators is greater than it was in  
32 1998.

33  
34 MR. O'HARA: And then the caribou herd  
35 you referred to, Dan, in Cold Bay, when I was on the  
36 advisory board of the State of Alaska on this herd, you  
37 called it the Southern herd, and we called it the Black  
38 Hills Caribou Herd, and at that time it was south of  
39 Moller, and I didn't think there was any recollection of  
40 those two herds, north and south, ever getting together,  
41 maybe they did, because the Alaska Peninsula Herd that we  
42 referred to, North Peninsula, they calved all the way  
43 from, you know, Wild Man all the way up to Port Heiden.  
44 The last few years they've been into the flats there by  
45 Cinder River, and not very many left there. But that  
46 herd came back after a few years, but this one here is  
47 not rebounding like that one rebounded, because now you  
48 can go down there and get your caribou, which is a good  
49 success story.

50

1 MR. DUNAWAY: Yeah, it turned around  
2 quicker than I expected.  
3  
4 MR. O'HARA: Yeah.  
5  
6 MR. SQUIBB: That one has dropped.  
7  
8 MR. GOODING: Yeah, that one is dropping  
9 now also.  
10  
11 MR. O'HARA: It is?  
12  
13 MR. GOODING: Yeah. So it came up for a  
14 couple of years, the counts were increasing, and it looks  
15 like recruitment has been really low, comparable to the  
16 Northern herd for the last couple years now, and the  
17 counts have gone down.  
18  
19 MR. O'HARA: Hungry time?  
20  
21 CHAIRMAN ALVAREZ: Yeah, I guess we'll  
22 recess until tomorrow morning. What time, Cliff? What  
23 time do we show back up?  
24  
25 MR. EDENSHAW: 8:00.  
26  
27 CHAIRMAN ALVAREZ: 8:00 o'clock in the  
28 morning.  
29  
30 MR. EDENSHAW: And then for us up here at  
31 the table, we'll have to take out stuff, because the City  
32 Council's going to meet here at 7:00.  
33  
34 (Off record)  
35  
36 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

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

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DATED at Anchorage, Alaska, this 16th day of  
October 2005.

\_\_\_\_\_  
Joseph P. Kolasinski  
Notary Public in and for Alaska  
My Commission Expires: 03/12/08