

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

BRISTOL BAY FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL

PUBLIC MEETING

VOLUME II

Dillingham, Alaska
October 7, 2008
8:50 o'clock a.m.

COUNCIL MEMBERS PRESENT:

- Randy Alvarez, Chairman
- Pete Abraham
- Alvin Boskofsky
- Molly Chythlook
- Dan Dunaway
- Boris Kosbruk, Sr.
- Daniel O'Hara

- Regional Council Coordinator - Donald Mike

Recorded and transcribed by:

Computer Matrix Court Reporters, LLC
700 W. 2nd Avenue
Anchorage, AK 99501
907-243-0668/907-227-5312
jpk@gci.net/sahile@gci.net

1 P R O C E E D I N G S

2
3 (Dillingham, Alaska - 10/7/2008)

4
5 (On record)

6
7 CHAIRMAN ALVAREZ: I'll call the
8 meeting back to order. Ten minutes to 9:00. On the
9 agenda, we were down to 7, but we can still go back if
10 any of the Council members on 6(B) want to report
11 anything. Donald.

12
13 MR. MIKE: Thank you, Mr. Chair. Just
14 briefly I wanted to give an update to the Council. I
15 handed out this morning from the Bering Sea Fishermen's
16 Association the pamphlet called FAIR Advocate, which
17 Dave will do a presentation under Agency reports. In
18 addition to that, his program will include the handout
19 I just gave out this morning. It's titled To Access
20 the Bering Sea Fishermen's Association Website, so
21 that's what I handed out this morning.

22
23 I also handed out the Becharof Wildlife
24 Refuge Agency report to the Council and it's got U.S.
25 Department of Interior letterhead. Also Beth Spangler
26 has provided copies of the Fisheries Resource
27 Monitoring Program.

28
29 In preparation for the National Marine
30 Fisheries Service, a presentation later this morning, I
31 handed out a yellow copy titled the North Pacific
32 Fishery Management Council Evaluating Measures to Limit
33 Chinook Salmon Bycatch in the Bering Sea Pollock
34 Fishery.

35
36 Mr. Chair, I talked to the National
37 Marine Fisheries Staff and they said they'd be here
38 this morning. When they do so, we can get back to
39 number 7 and have them to their presentation.
40 Basically they're seeking input on their proposed
41 Environment Impact Statement that the Fisheries Service
42 will be preparing.

43
44 Under Council member reports, Mr. Boris
45 Kosbruk, he had a concern about the migration route for
46 the Southern Peninsula Caribou Herd in his region, so I
47 think he can address that and I've had some maps made
48 out for the Council's reference.

49
50 That's it, Mr. Chair. Thank you.

1 CHAIRMAN ALVAREZ: Thank you, Donald.
2 Boris, did you want to have a report or concerns on the
3 caribou.

4
5 MR. KOSBRUK: The migration route is
6 blocked with cabins. The last few years it's been that
7 way. I found that out three, four years ago. Six or
8 seven cabins in Bear Lake and Sandy Lake river. Six or
9 seven in each one of them. Now they just told me last
10 year that they're down to one in Bear Lake river. They
11 migrate straight over to Stepovak Bay. There is no
12 caribou over there because of that. That's been going
13 on for quite a few years. I just found that out a
14 couple years ago. I asked them if they call that
15 management. They have a heck of a lot to learn about
16 that. We don't have anything down there now.

17
18 CHAIRMAN ALVAREZ: Boris, is there
19 hunting? I thought that area was closed for caribou.

20
21 MR. KOSBRUK: There's nothing to hunt.
22 There's nothing. Absolutely nothing. Not only that,
23 we have moose problems too, except it's more toward
24 Chignik, to Ivanof Bay, which is next to Perryville,
25 between Perryville and Shanes Lake. They migrate from
26 head of Chignik Lake to a valley that comes out right
27 back of Ivanof Bay and they've got cabins there waiting
28 for them things to come out and they call that sports
29 hunting and I'm totally against that. We are anyway.
30 There's nothing. There's no management in that area
31 for that.

32
33 For years I was leader in Chignik
34 fishing quite a few years, 20 years, but no way could I
35 get any response from Chignik Fish and Game. Come to
36 find out they're all fish, not game. I still haven't
37 made any headway with the game department.

38
39 CHAIRMAN ALVAREZ: Boris, those cabins,
40 if it's closed for hunting, are those cabins
41 interfering with the migration?

42
43 MR. KOSBRUK: They're right in the
44 path.

45
46 CHAIRMAN ALVAREZ: Does that make a
47 difference?

48
49 MR. KOSBRUK: Very much. Blocks it
50 off. One time I packed from top of that hill there on

1 Stepovak and that's the first time my eyes set eyes on
2 Bristol Bay itself. We packed from the top of that
3 hill there down to Ivanof Bay, double pack. Six, seven
4 of us.

5
6 CHAIRMAN ALVAREZ: So what do you think
7 should be done?

8
9 MR. KOSBRUK: Well, I talked to -- oh,
10 what's his name, one of the commissioners that's in
11 there now, Amel Nye, I told him it's got to have some
12 management. That trophy hunting, if you ask me, I'd
13 tell him just give them a Trapper Nelsen pack board and
14 have them walk up there and go hunting. Landing in a
15 caravan there with six or seven people, there's eight
16 people to hunt and sit there, drink their coffee,
17 watching out the window and they call that sport
18 hunting.

19
20 CHAIRMAN ALVAREZ: You're talking about
21 moose?

22
23 MR. KOSBRUK: Caribou.

24
25 CHAIRMAN ALVAREZ: Caribou is open. I
26 thought the.....

27
28 MR. KOSBRUK: No, no, no. They were
29 both open. Moose and caribou, right there, but, like I
30 said, moose is a little different. They go to Ivanof
31 Bay. I asked somebody to bring a map about Bear Lake
32 and Sandy River and I'd show to the Board here what
33 route to take to get down there. I haven't flown that
34 area for quite a while, I don't have a plane anymore,
35 but there used to be hundreds of caribou there in my
36 time flying. Now there's none.

37
38 CHAIRMAN ALVAREZ: Okay. Thanks,
39 Boris. Anybody have a comment about Boris's report.

40
41 (No comments)

42
43 CHAIRMAN ALVAREZ: Hearing none.
44 Thanks, Boris. Anybody else have any concerns for the
45 Council members.

46
47 (No comments)

48
49 CHAIRMAN ALVAREZ: Okay. Moving on
50 then. We will skip over 7 and wait until the North

1 Pacific Council members arrive and we'll take them when
2 they're ready. We'll proceed down to number 8, the
3 fisheries proposal review and Council recommendations.
4 Proposal FP09-11. Who's going to give us the analysis
5 of the proposal?
6

7 MS. SPANGLER: Good morning, Mr. Chair.
8 Council members. My name is Beth Spangler and I'm a
9 fisheries biologist with the Office of Subsistence
10 Management, Fisheries Division. I will be resuming the
11 responsibilities that Steve Fried had for the Southwest
12 Region for OSM.
13

14 I'm going to provide a brief overview
15 this morning of the Fisheries Proposal 09-11 and the
16 draft analysis that was actually submitted by your
17 Council. It can be found on Pages 24 to 31 of your
18 Council books.
19

20 The proposal requests Federal
21 subsistence fishing regulations be aligned with State
22 subsistence fishing regulations for the Chignik
23 Management Area to allow subsistence salmon fishing in
24 the Chignik Lake tributaries of Clark River and
25 Home Creek from their confluence with Chignik Lake
26 upstream one linear mile.
27

28 The proposed regulation would provide
29 Federally-qualified subsistence users to continue
30 long-established fishing practices while providing
31 additional fishing areas in Clark River and Home Creek,
32 currently allowed under State regulations.
33

34 This regulation could potentially
35 create enforcement concerns with differences between
36 Federal and State
37 regulations specifically regarding methods and means of
38 harvest in the area.
39

40 Federally-qualified subsistence users
41 are not required to have a State permit to take salmon
42 by snagging (hand line, rod and reel), spear, bow and
43 arrow, or capture by hand in the Chignik area and State
44 regulations do not allow the subsistence take of salmon
45 by these methods. However, additional fishing
46 opportunity is not expected to greatly impact
47 subsistence harvest levels or the sockeye salmon
48 population within the Chignik
49 Management Area.
50

1 As identified in the January 2008 Board
2 of Fish meeting, the harvest is anticipated to meet the
3 needs for late season sockeye and/or for occasional
4 fresh fish consumption. Subsistence harvest would be
5 limited from the confluence of both tributaries
6 upstream one mile to protect spawning habitat upstream
7 of that point.

8
9 The proposed Federal regulation that
10 was submitted states the Chignik River/Black and
11 Chignik Lakes areas. You may not take salmon in the
12 Chignik River from a point 300 feet upstream of the
13 ADF&G weir to Chignik Lake from July 1 through August
14 31, in Black Lake, or any tributary to Black or Chignik
15 Lakes, except those waters of Clark River and Home
16 Creek from their confluence with Chignik Lake upstream
17 one linear mile.

18
19 OSM's preliminary conclusion can be
20 found on Page 24 and that is the Fisheries Proposal 09-
21 11. We support this with modification. Our
22 modification is to change linear mile to mile to
23 clarify the areas open to subsistence fishing, reduce
24 regulatory complexity, and enforcement concerns.

25
26 Mr. Chair, this concludes my
27 presentation and I'm happy to answer any questions that
28 your Council might have.

29
30 CHAIRMAN ALVAREZ: Any questions for
31 Beth. Dan.

32
33 MR. DUNAWAY: Yeah, Mr. Chair, thank
34 you. I read this a little while ago and I realize I
35 didn't get it clear in my head. If this were adopted
36 as written, it would allow Federally-qualified folks to
37 use additional methods with this -- I missed this part
38 about arrow, gillnet, so on. Okay, I guess I hadn't
39 realized that that would be part of the package here.
40 Thank you.

41
42 MS. SPANGLER: On Page 25, that
43 difference is identified under other relevant Federal
44 regulations.

45
46 CHAIRMAN ALVAREZ: Dan.

47
48 MR. DUNAWAY: I guess we should
49 probably have more input here from other folks. If
50 this proposal is to align it with State regulations,

1 what part gets aligned? It sounds like in some ways it
2 would be a lot different if we're adding new gear types
3 and methods and means.

4

5 MS. SPANGLER: Well, the existing
6 regulation doesn't allow fishing in that one mile area
7 from Chignik Lake upriver. On Page 25 where it says
8 existing Federal regulations, you can compare that to
9 the proposed Federal regulations right below it, so it
10 adds that you can have subsistence harvest in the
11 waters of Clark River and Home Creek from the
12 confluence upstream one mile. If this did not come
13 into effect, then that would not be allowed under
14 Federal regulations, but it currently is more liberal
15 under State regulations and you're allowed those
16 opportunities under State regulation but not Federal
17 currently unless we align ourselves.

18

19 CHAIRMAN ALVAREZ: Dan, I think what
20 this proposal does is it opens the area under Federal
21 regulations as it is in the State, but it allows the
22 same means and methods that is currently allowed at
23 Lake Clark and over in Togiak for some of the means and
24 methods. Is that correct?

25

26 MS. SPANGLER: That's correct. The
27 difference is that under Federal regulations you don't
28 need a permit for snagging by spear, bow and arrow and
29 capture by bare hand. So, for those particular means,
30 I'll let the State speak for themselves, but it's my
31 understanding their concern is that it won't be
32 recorded because you don't need a permit for those
33 methods, those specific ones. Seines, gillnets, rod
34 and reel, it's aligned with State.

35

36 CHAIRMAN ALVAREZ: Thanks. Anymore
37 comments. Dan.

38

39 MR. O'HARA: Alvin, what they're
40 talking about here is 300 feet above the weir to the
41 lake no fishing, no nets. Starting from the lake on up
42 into Chignik Lake and you've got all the way to Black
43 Lake, there is subsistence fishing with nets or
44 whatever. Is that right?

45

46 MR. BOSKOFKY: Along the river system
47 from July 1st to August 31st you can't use nets in the
48 river or Black Lake.

49

50 MR. O'HARA: From the weir to the lake.

1 MR. BOSKOFISKY: Yeah.
2
3 MR. O'HARA: From the lake on up, what
4 can you use?
5
6 MR. BOSKOFISKY: In the lake you can use
7 gillnet.....
8
9 MR. O'HARA: All the way into Black
10 Lake, can you do subsistence there?
11
12 MR. BOSKOFISKY: Yeah.
13
14 MR. O'HARA: So what does it change?
15
16 MR. BOSKOFISKY: But you can't use nets.
17
18 MR. O'HARA: You can't use nets in
19 Black Lake?
20
21 MR. BOSKOFISKY: No.
22
23 MR. O'HARA: How about Chignik Lake?
24
25 MR. BOSKOFISKY: Chignik Lake you can.
26
27 MR. O'HARA: What about the mouth of
28 the rivers, streams?
29
30 MR. BOSKOFISKY: From the mouth of the
31 river all the way up in the lake you can use a net.
32
33 MR. O'HARA: But not into Black Lake.
34
35 MR. BOSKOFISKY: No. But you can use
36 rod and reel.
37
38 MR. O'HARA: Unless you've flown over
39 the area and looked at it and see what they do, it's
40 like a jigsaw puzzle, but when you looked at it, we've
41 looked at it from the air and saw what they're doing.
42 That clarifies it a little bit for me. Thank you, Mr.
43 Chairman.
44
45 CHAIRMAN ALVAREZ: Anybody else.
46 Boris.
47
48 MR. KOSBRUK: You know, I grew up in
49 Chignik. I was born in Chignik Lagoon. In my younger
50 days, everybody subsistence with nets, with seines the

1 beginning of the season before fishing started. Then
2 along came a gillnet from Bristol Bay or where from I
3 don't know. They showed up there and that was a
4 change. I questioned Fish and Game the last couple
5 years. They're counting fish in order to tell how much
6 fish are escaped, but yet they've got five or six nets
7 at the beginning of the lake there. They're catching
8 them there for subsistence in the lakes. I asked them
9 if they subtracted that from their escapement because
10 to count that escapement and then give us a report and
11 then the other guys are taking them away, that's
12 confusing.

13

14 I'm not against subsistence, I'll tell
15 you that, but never before in my life did they ever
16 fish in the lakes before the village was there.
17 Everybody got their fish in the lagoon. When the
18 closing time came, they got their subsistence right
19 there in the lagoon. Never before in the lake.

20

21 CHAIRMAN ALVAREZ: I don't know if it's
22 any different than up in the Kvichak, but they count
23 the escapement at Igiugig, Fish and Game does, but that
24 escapement allows for the subsistence catch up in the
25 lake and also what's harvested under the sport fishing
26 regulations. So the escapement number also takes into
27 account what is caught under subsistence and sport
28 fishing, but is it any different down in Chignik?

29

30 MR. KOSBRUK: Well, I tried to question
31 that when I was talking to our biologist down there
32 this summer and last summer. It gives us escapement
33 tally, but does it subtract that subsistence catch. I
34 don't think so. It gets very confusing. I'm not
35 against subsistence. Don't get me wrong there. I'm
36 just trying to get management set up straight where
37 we'll know.

38

39 Another thing that changed during my
40 time was Perryville didn't know what a gillnet was, you
41 know, until they got connected with Port Heiden and up
42 in that area. Then they started sending pieces of net
43 down. That's probably one of the reasons why we lost
44 our salmon in Kametolook one year because there's
45 gillnets right in the spawning area and that's bad.
46 Now the locals there are trying to stop that. What we
47 need from Fish and Game is no fishing allowed with
48 gillnets because that is spawning area and that is very
49 crucial to us. We've got to get that escapement.
50 We've got to get that cycle going. But to catch them

1 all like that, we lost them all.

2

3 To top everything off, they started
4 fishing in Mitrofanina Island back when Probasco got on
5 that Fish and Game in Chignik, Pete Probasco. I told
6 him about that 20 times, if not more, that we never
7 fished out there before. He told me I can open that
8 thing any damn time I want to. Well, that's not
9 managing our fisheries very nice. Jack Lechner, the
10 guy that built Chignik up, I know him. He's still
11 alive. I talk to him a lot. He told me that those
12 silvers are going to circle around Mitrofanina in that
13 area until they're close to seven or eight pounds and
14 then they're moving in. They don't have that chance
15 when they're fishing out there. That summer they
16 fished to the very end. They never did that before.

17

18 The sad thing about the whole thing and
19 the truth is they had sets out there for silvers and
20 reds and they'd tighten that net up where they could
21 see them and pick them out. In the meantime, the dogs
22 and humpies are floating upside down. That's wanton
23 waste. I tried to point that out to Fish and Game, but
24 you might as well talk to a door.

25

26 I'd like to see her proposals and get
27 her number so I can contact her maybe. That would be
28 nice. I know quite a bit about that. I was leader
29 there for quite a few years, both in the village and
30 the fisheries. So I'm pretty knowledgeable on that
31 part. Thank you.

32

33 CHAIRMAN ALVAREZ: Dan.

34

35 MR. O'HARA: Mr. Chairman. What's the
36 story on one linear mile versus a statute mile? Maybe
37 you don't understand that.

38

39 MS. SPANGLER: That proposal that we
40 received from your Council had a linear mile, which is
41 how the State regulations used to have linear mile, and
42 they changed to, for clarification, just one mile.
43 There was a lot of question about what constitutes a
44 linear mile and it was determined that they modified
45 theirs to just go with one mile to reduce any question
46 or complexity. So it would just simply be one mile
47 upriver. So, in order to be completely aligned with
48 the State in regard to the regulation, that was our
49 recommendation, to go ahead and change it from one
50 linear mile to one mile so that both the State and the

1 Feds have the same verbiage to help with enforcement
2 concerns and to help reduce any other complexity that
3 there might be if one said linear mile versus one just
4 being one mile.

5
6 MR. O'HARA: So you can go up Clark
7 River and Home River one mile.

8
9 MS. SPANGLER: One mile.

10
11 MR. O'HARA: That's just on the left-
12 hand side of the runway as you go up, real close.

13
14 CHAIRMAN ALVAREZ: Okay. Thanks. The
15 way I see it, it opens under Federal regulations the
16 same as open under State regulations except the means
17 and methods are a little bit different. Any more
18 comments or questions.

19
20 (No comments)

21
22 CHAIRMAN ALVAREZ: Okay. We'll move on
23 to Alaska Department of Fish and Game comments. Go
24 ahead.

25
26 MR. ANDERSON: Thank you, Mr. Chair. I
27 can address any of the concerns you had with Fish and
28 Game after I read in our comments. My name is Todd
29 Anderson. I'm the assistant out in Chignik for the
30 Alaska Department of Fish and Game. The Department's
31 full comments will be entered into the record and I am
32 summarizing our comments here.

33
34 This proposal states it wishes to align
35 the Federal regulations with recent actions taken by
36 the Alaska Board of Fisheries to liberalize the State
37 subsistence fishery. However, a modification is needed
38 to the proposal in order to align Federal and State
39 regulations as intended.

40
41 The State has serious conservation
42 issues due to all of the different methods and means
43 utilized by Federal subsistence fishers without a
44 permit and reporting requirements in an area that is
45 easily assessable by nearby communities. It will not
46 be possible to determine the accumulative harvest
47 levels in these tributaries. The Federal Board
48 liberalizing a fishery without requiring some sort of
49 reporting is not consistent with principals of sound
50 management and conservation of a fish and wildlife

1 resource.

2

3

4 State regulations prohibit non-
5 Federally-qualified users from using the liberal
6 methods and means allowed by Federal subsistence
7 regulations. This proposal may cause further confusion
8 for Federally-qualified users because there are no
9 Federal public lands in or near the area identified in
10 this proposal. Federally-qualified subsistence users
11 would have to be sure they are not standing on State
12 and/or private land when fishing under Federal
13 subsistence regulations in the area. The user may be
14 cited while fishing on State lands and using Federal
15 subsistence gear that is not authorized under State
16 regulation.

17 Liberal State subsistence fisheries are allowed on all
18 lands, so adoption of this proposal is not necessary
19 for meaningful subsistence opportunity.

20

21 The subsistence fisheries in the
22 Chignik area provide an annual household limit of 250
23 fish, and subsistence fishermen can be authorized to
24 take more fish if they need it. Legal gear types
25 allowed for the Chignik area subsistence fishery
26 include gillnets and seines, except that in Chignik
27 Lake purse seines may not be used. Additional gear
28 types can be specified and added to the State
29 subsistence permit upon request.

30

31 Deliberations of Fisheries Proposal
32 08-11 at the December 2007 Federal Board meeting
33 included specific discussions in support of the
34 adoption of the proposal because the increased harvest
35 was estimated to be reasonably small and the
36 proponent s intent was to harvest one or two fish at a
37 time. Further discussions by the Federal Board and
38 Regional Advisory Council chairs also supported
39 liberalizing Federal subsistence users methods and
40 means to allow for harvests of individual salmon while
41 traveling light, camping, picking berries, or hunting.

42

43 Discussions at the Federal Board
44 meeting did not consider the impacts the adoption of
45 this proposal would have on the sockeye salmon stocks
46 within Clark River and Home Creek because both were
47 closed to Federal subsistence fishing at the time of
48 the Board meeting.

49

50 We, the Department, urge you to oppose
the proposal unless it is modified so that Federal

1 subsistence users are authorized to use only the same
2 methods and means in the Clark and Home Creek area as
3 are authorized in State regulations, which are
4 gillnets. We also ask that the proposal be modified to
5 require permitting and harvest reporting.

6
7 Thank you, Mr. Chair.

8
9 Alaska Department of Fish and Game
10 Preliminary Comments to the Regional Advisory Council

11
12 FP 09-11 Opening Fishing in Tributaries
13 of Chignik Lake

14
15 Introduction:

16
17 This proposal would open federal
18 subsistence fishing for one linear mile of water in
19 both Clark River and Home Creek upstream from their
20 confluence with Chignik Lake, located within the state
21 Chignik Fishery Management Area. This proposal
22 purports to align the federal regulations with recent
23 actions taken by the Alaska Board of Fisheries to
24 liberalize the State subsistence fishery. However, a
25 modification is needed to the proposal in order to
26 align federal and state regulations as intended.

27
28 Impact to Subsistence Users:

29
30 If adopted as proposed, federally
31 qualified subsistence users would be allowed to
32 subsistence fish in the lower mile of Clark River and
33 Home Creek, currently closed under federal regulations.
34 The Federal Subsistence Board recently liberalized
35 allowable methods and means and eliminated permit and
36 reporting requirements in the Chignik watershed.
37 Federal regulations currently allow federally qualified
38 subsistence users to utilize rod and reel, bow and
39 arrow, spear, bare-hand capture, and snagging in Clark
40 River and Home Creek without a federal subsistence
41 permit, and State regulations prohibit non-federally
42 qualified users from using the above listed means for
43 subsistence fishing. Adoption of FP09-11 may cause
44 further confusion for federally qualified users because
45 there are no federal public lands in or near the area
46 identified in this proposal. Federally qualified
47 subsistence users would have to be sure they are not
48 standing on State and/or private land when fishing
49 under federal subsistence regulations in the area. The
50 gear type allowed for federal subsistence fishing is

1 radically different from what is allowed under state
2 regulations, a factor that is likely to cause further
3 user confusion. This confusion may lead to a user
4 being cited while fishing on state lands and using
5 federal subsistence gear that is not authorized under
6 state regulation. Liberal state subsistence fisheries
7 are allowed on all lands, so adoption of this proposal
8 is not necessary for meaningful subsistence
9 opportunity. Adoption of this proposal would be
10 confusing for users and increase risk of enforcement
11 actions.

12

13 Opportunity Provided by State:

14

15 Salmon may be harvested under Alaska
16 Board of Fisheries regulations using gillnets and purse
17 seines. The State provides a subsistence preference on
18 all lands, and liberal state subsistence fisheries for
19 salmon are provided on the Alaska Peninsula. The
20 subsistence fisheries in the Chignik area provide an
21 annual household limit of 250 fish, and subsistence
22 fishermen can be authorized to take more if they need
23 it. Legal gear types allowed for the Chignik area
24 subsistence fishery include gill nets and seines,
25 except that in Chignik Lake purse seines may not be
26 used. Additional gear types can be specified and added
27 to the state subsistence permit (5 AAC 01.470).

28

29 Each management area has specific
30 stipulations on the respective area s subsistence
31 permits, e.g., timing restrictions to separate
32 subsistence and commercial fishing, gillnet length
33 limits in areas open to commercial fishing, and closed
34 waters. A commercial salmon license holder or a
35 Commercial Fisheries Limited Entry Salmon Permit holder
36 may subsistence fish for salmon during a commercial
37 salmon fishing period (5 AAC 01.485) but may not
38 subsistence fish 12 hours before or 12 hours after each
39 commercial fishing period. If a commercial salmon
40 license holder or a Commercial Fisheries Limited Entry
41 Salmon Permit holder in the Chignik Management Area
42 goes subsistence fishing in Chignik Lagoon, Lake, or
43 River, they are required to contact Alaska Department
44 of Fish and Game (Department) staff at the Chignik weir
45 in order to separate subsistence and commercial
46 harvests.

47

48 The Alaska Board of Fisheries
49 established the combined amounts necessary for
50 subsistence for communities in the Alaska Peninsula

1 area as 34,000-56,000 salmon annually. The amounts
2 necessary for subsistence for the Chignik Area (Chignik
3 Bay, Central, and Eastern Districts of Chignik
4 Management Area) is 5,900 14,250 salmon annually.

5

6

Conservation Issues:

7

8

9 No salmon runs on the Alaska Peninsula
10 are currently listed as a stock of concern by the
11 Alaska Board of Fisheries. However, the recent late-
12 run sockeye salmon returns, which primarily migrate to
13 Chignik Lake and its tributaries, have slightly
14 decreased over time. Both Clark River and Home Creek
15 are the primary spawning beds for the tributary bound
16 portion of the late-run sockeye salmon which return to
17 the Chignik River watershed. Increases in undocumented
18 in-tributary exploitation would not be detectable due
19 to the lack of a federal reporting requirement.
20 Significant increases of unreported harvest in Clark
21 River and Home Creek may, over time, lead to
22 conservation issues which might not be detected in a
23 timely manner and might require severe fishery
24 restrictions when detected.

25

26

27 The Federal Board recently liberalized
28 allowable methods and means for federal subsistence
29 fisheries and eliminated permitting and reporting
30 requirements for federally qualified users who choose
31 to utilize rod and reel, bow and arrow, spear, bare-
32 hand capture, and snagging. The elimination of
33 permitting and reporting requirements for federally
34 qualified users causes the Department to have serious
35 concerns about the potential for localized depletion of
36 sockeye salmon stocks in Clark River and Home Creek if
37 a significant increase of harvest results. Since the
38 Federal Board does not monitor the federal subsistence
39 fishery, authorizing additional freshwater subsistence
40 fisheries that target unmonitored wild stocks is not
41 consistent with principles of sound management and
42 conservation of fish and wildlife resources.

43

44

45 Deliberations of FP08-11 at the
46 December 2007 Federal Board meeting included specific
47 discussions by three Federal Board members who were in
48 support of adoption of the proposal because the
49 expected increase in harvest was estimated to be
50 reasonably small and the proponent's intent was to
harvest one or two fish at a time (Federal Board
Transcripts, December 20, 2007, pages 228 and 229).
Further discussions by the Federal Board and Regional

1 Advisory Council chairs also supported liberalizing
2 Federal subsistence users methods and means to allow
3 for harvests of individual salmon while traveling
4 light, camping, picking berries, or hunting.
5 Discussions at the Federal Board meeting did not
6 consider the impacts the adoption of FP08-11 would have
7 on the sockeye salmon stocks within Clark River and
8 Home Creek, because both were closed to federal
9 subsistence fishing at the time of the Board meeting.
10 Cumulative unreported harvest from creeks that are near
11 communities and easily accessible was not considered at
12 the December 2007 Federal Board meeting when the
13 methods and means were liberalized for the federal
14 subsistence fisheries on the Alaska Peninsula.

15

16 Jurisdiction Issues:

17

18 In order for rural residents and
19 enforcement personnel to know where they can legally
20 participate in federal subsistence fisheries, we
21 request detailed land status maps showing areas and
22 specific boundaries of waters claimed to be within
23 federal subsistence jurisdiction and the basis for
24 those claims. Maps provided by federal staff to date
25 are not accurate enough to ensure federal subsistence
26 users do not inadvertently fish from lands not under
27 federal jurisdiction. Significant portions of federal
28 lands surrounding the area are bordered by state or
29 private lands in these areas there is either no federal
30 jurisdiction or federally qualified subsistence fishers
31 cannot participate in federal subsistence fisheries
32 while standing on non-federal lands. During the
33 December 2007 Federal Board meeting, State of Alaska
34 Wildlife Trooper testimony (Federal Board Transcripts
35 December 11, 2007, pages 89-91) illustrated to the
36 Federal Board the importance of users understanding and
37 knowing jurisdiction and land status. This testimony
38 explained that when an enforcement officer encounters
39 an individual conducting an activity that is prohibited
40 by State regulations and the individual is on State or
41 private lands, including State owned submerged lands,
42 the person may be cited.

43

44 Recommendation:

45

46 Oppose. If adopted, the Federal Board
47 is urged to modify the proposal so that federal
48 subsistence users are authorized to use only the same
49 methods and means in Clark River and Home Creek rivers
50 as are authorized in state regulations. Adopting a

1 modified version of the proposal which would allow
2 federally qualified subsistence users to fish in the
3 lower mile of Clark River and Home Creek with gill nets
4 would mirror State subsistence fishery regulations.
5 Federally qualified users who participate in the
6 federal subsistence fishery while using a gill net
7 would be required under the federal subsistence fishery
8 to obtain a permit and report harvests. The Department
9 would support a modified proposal which ensures that
10 harvest is annually reported to allow for better
11 management of the fisheries.

12
13 CHAIRMAN ALVAREZ: Thanks, Todd. You
14 stated that the area this proposal is referring to is
15 not Federal land there?

16
17 MR. ANDERSON: Yes, as I understand it
18 in the maps I have seen, there are no Federal lands in
19 the lower one linear mile. The Federal lands that
20 apparently Federal subsistence management, OSM, are --
21 these waters are flowing out of Federal lands much
22 further up the drainage. Apparently that's the blanket
23 issue that is turning these waters into Federal waters.

24
25 CHAIRMAN ALVAREZ: I'm a little
26 confused now. This proposal, the way it's written,
27 what we're proposing is on State lands. There's no
28 Federal land. So if this were to pass, we'd be making
29 Federal regulations for activities that would be either
30 on State land.....

31
32 MR. ANDERSON: Or subsistence users
33 standing on State property or State land and private
34 land in the lower one linear mile of Home and Clark
35 Creek.

36
37 CHAIRMAN ALVAREZ: So, in other words,
38 this proposal would not change any -- it has no
39 jurisdiction, so it wouldn't do any good to make this
40 proposal. Is that the way I understand it?

41
42 MR. ANDERSON: Yeah. I don't know
43 where this can go when these two creeks -- when people
44 are standing on State land and public land. There is a
45 map somewhere. I'm not sure if you guys were provided
46 it yet. It doesn't show it very well when it's printed
47 out in black and white.

48
49 CHAIRMAN ALVAREZ: Page 29 there's a
50 map in our proposal book. I can't tell which is State

1 and Federal lands. Dan, do you understand what I'm
2 saying? I'm confused, but we can't make Federal
3 regulations for activities that are being conducted on
4 State land. It would be a null proposal even if we
5 passed it. It wouldn't have any effect, right?

6
7 MR. DUNAWAY: Yes, Mr. Chairman. We've
8 been pretty cautious on that in the past. I would ask
9 -- this is a pretty nice map provided, but in the
10 future I hope they keep in mind that these things come
11 out black and white. I can't tell State from Federal
12 from Native allotments. Thank you, Mr. Chair.

13
14 CHAIRMAN ALVAREZ: Page 35 shows a map
15 with some color on it, but apparently there is some
16 Federal land there at the mouth of Home Creek.

17
18 MR. ANDERSON: I do not have that map.
19 The information was provided to me by George Pappas,
20 the Federal liaison with the Alaska Department of Fish
21 and Game. Dan.

22
23 MR. O'HARA: Todd, looking at that map,
24 it shows Home Creek there and then no Federal land
25 touches Clark River. I don't know what the distance
26 would be. We have two tributaries of Home Creek. Both
27 have Federal lands. The dark shade, is that right, as
28 far as we know?

29
30 MR. ANDERSON: Further upstream or
31 right against the lake you're saying?

32
33 MR. O'HARA: From the lake upstream. I
34 don't know how far that goes up. If those dark markers
35 up above are the mile, then Federal jurisdiction is at
36 the very mouth down at the creek it looks to me. Is
37 that what you see?

38
39 MR. ANDERSON: You're right. This map
40 doesn't show -- it's hard to tell which colors are
41 Federal land.

42
43 MR. O'HARA: It's not a very good map.
44 I mean the Native corporation puts out maps that at
45 least has colors on it and you can tell. I think this
46 is a pretty big concern. That's the reason I brought
47 it up.

48
49 MR. ANDERSON: Just speaking with
50 George Pappas, there's quite a bit of land that is all

1 private and State land in these linear one miles.
2 Where that exact boundary is due to this map not having
3 the right color, I'm not sure. I'd have to talk to him
4 and get back to you after a break.

5
6 MR. BOSKOFISKY: Randy, I think what
7 they're talking about is these dark areas. That's
8 Native allotments.

9
10 CHAIRMAN ALVAREZ: Okay. Native
11 allotments are conducted under State regulations.

12
13 MR. O'HARA: Okay. There you are
14 again.

15
16 CHAIRMAN ALVAREZ: And then you look at
17 those black lines that are approximately one linear
18 mile or one mile and according to the proposal it would
19 be closed up to those lines, but according to the map
20 there's no Federal lands above there, so I don't know
21 what good this proposal by passing it would do then if
22 there's no Federal lands that we could make regulation
23 on. Unless I'm missing something. Are there Staff
24 that could have something different than what I'm
25 thinking? Dan.

26
27 MR. DUNAWAY: Yeah, Mr. Chair. Maybe
28 Todd could show us on this map if we went to just
29 revised language would those mile markers -- the new
30 marker, that would probably be downstream of those
31 linear mile markers that are shown in the Page 35 map?

32
33 MR. ANDERSON: Are you asking whether
34 they'd be further upstream?

35
36 MR. DUNAWAY: Where would the new
37 proposed mile marker be on those rivers compared to
38 what's indicated as a linear mile marker?

39
40 MR. ANDERSON: I'm not sure exactly
41 where they would be. We did not get up there and put
42 up signs this year.

43
44 CHAIRMAN ALVAREZ: Dan, even if it
45 moved a little bit, it probably wouldn't make any
46 difference.

47
48 MR. DUNAWAY: I'm guessing it would be
49 downstream because it would be following the contours.
50 Yeah, I really appreciate what Mr. Boskofsky said, that

1 those darker land marks close to the lake edge are
2 probably Native allotments. I appreciate that
3 information. Thanks.

4

5 CHAIRMAN ALVAREZ: Dan.

6

7 MR. O'HARA: Todd, you opposed the
8 proposal because you felt like the stock was threatened
9 by this additional type?

10

11 MR. ANDERSON: Repeat that, please.

12

13 MR. O'HARA: More area being opened for
14 subsistence fishing, the State of Alaska opposes that?
15 It's a threat to management, a threat to the stock.

16

17 MR. ANDERSON: A threat to management
18 is the fact that there's no reporting. By passing this
19 proposal, there's no need to report what you've caught
20 there and we'll never know how many fish they're
21 pulling out of the river.

22

23 MR. O'HARA: Under the State program we
24 report all of the fish caught by species.

25

26 MR. ANDERSON: Yes. Every subsistence
27 permit has an area to fill that in.

28

29 MR. O'HARA: It has to be that way or
30 we can't tell what we're taking.

31

32 MR. ANDERSON: Yeah, there's nothing
33 with this proposal stating that you need to report what
34 you caught and there's no procedures for Federal
35 subsistence users to report to anybody.

36

37 CHAIRMAN ALVAREZ: I was at the Federal
38 Subsistence Board meeting about a year ago when the
39 first proposal came up for Lake Clark when we had the
40 snagging and the hand catch and spear regulation. The
41 State representative said it was illegal under State
42 regulations to do that, especially snagging, so to get
43 by -- because the State was the only one that had the
44 reporting method, to get by that the Federal
45 Subsistence Board, if I recall, made a regulation that
46 it didn't have to be recorded or report harvest, so
47 that's where this came from if I'm not mistaken. The
48 catch would be so minimal by doing it by these means
49 and methods.

50

1 Anyway, back to the proposal. I'm with
2 the understanding that even if we pass this it wouldn't
3 have any effect because there's no State land there, so
4 why should we take it up. Beth.

5
6 MS. SPANGLER: In regards to the land,
7 the refuge does contain that area; however, there's
8 land holdings within it that are Native land holdings
9 and those areas follow the State regulations. Where
10 the confusion is, is that Federally -- if you're in the
11 water, you would have to be following Federal
12 regulations, but if you stepped onto the land, you
13 would be following State regulations. So the confusion
14 is are you in the water or are you on the land where
15 you're fishing.

16
17 The concern I think that the State has
18 then is that if the methods and means aren't the same,
19 then you could be -- you know, where are you when
20 enforcement was to come up and question how you are
21 harvesting. But, with that in mind, the intent of this
22 original proposal was to assist subsistence users that
23 would be in maybe the private landholding area and
24 they're there. Traditionally they've maybe gone and
25 subsistence fished in those areas and they're in the
26 water and we're only talking about a difference with
27 the taking of fish with snagging, spear, bow and arrow
28 or capturing by hand. They're the only methods that
29 are different and it's only if you're taking a fish by
30 snagging, spear, bow and arrow or hand. So it's those
31 issues that would be out of alignment with the State.

32
33 This proposal, from my understanding of
34 it, was a concern of subsistence users that they
35 weren't getting late sockeye needs met. That it was
36 specifically for that concern and it was also for an
37 occasional fresh fish that may be desired that was in
38 those areas. The concern would only be if those
39 particular methods were desired and the concern
40 appeared to be just in the late season sockeye period
41 of time.

42
43 CHAIRMAN ALVAREZ: Beth, my concern was
44 that if we support this proposal, would the activity be
45 taking place in Federal managed waters? The harvester
46 might be on land, but the fish are in the water, you
47 know, so if the water is Federally managed, you'd be
48 under Federal management. I didn't see where there was
49 any Federal waters or the area where the proposal
50 discussed is in Federal waters, but I guess you said

1 that all these waters here are under Federal
2 jurisdiction.

3

4 MS. SPANGLER: The waters, yes.

5

6 CHAIRMAN ALVAREZ: Okay. Dan.

7

8 MR. DUNAWAY: Yeah, thanks, Mr. Chair.

9 I know in some of Togiak Refuge waters there the State
10 and the Feds don't agree on whose waters some of these
11 rivers are. I don't know if Todd would know what the
12 State's perspective is on that. Maybe Todd or some of
13 the folks who live in Chignik, are these rivers
14 navigable in any form? I guess I'd ask Todd and Mr.
15 Boskofsky.

16

17 CHAIRMAN ALVAREZ: Todd.

18

19 MR. ANDERSON: That's getting into what
20 is navigable. You can take a jet boat up in the spring
21 on the Clark I know. How far you can make it, I
22 haven't tested that. I don't know what the State or
23 Federal ruling is on navigability on either of these
24 two streams.

25

26 MR. BOSKOFSKY: Just cut the axle and
27 you can get up there with jet boats on real high water.
28 If we had a lot of rain, you can make it up with an
29 outboard. Most of this activity done going up with
30 bikes and snagging out of the river.

31

32 MR. KOSBRUK: Word was going around
33 that Feds would live under State law, that's all the
34 rumors I heard, as far as management goes.

35

36 CHAIRMAN ALVAREZ: Dan, do you think we
37 don't have enough answers for this?

38

39 MR. O'HARA: I don't think so. I don't
40 think the people sitting before us have the answers
41 either. I think maybe we'll have to look at the
42 counselor -- I forget his name, on the Federal side.

43

44 MR. ANDERSON: Ken Moore and Keith
45 Goltz.

46

47 MR. O'HARA: Yeah. I think we need to
48 run this by them and find out what we're doing here.
49 You know, you're standing in a river fishing and then
50 you get out on State land, you get arrested by State

1 people for doing something illegally on State land once
2 you get out of Federal waters. That's really confusing
3 to me. I think it ought to be pretty clear.

4
5 It doesn't look to me like there's much
6 fish taken, Beth, for a linear mile, you know, yet you
7 legally say you have to report every fish. The same
8 thing happens in Naknek. I want to get back to you,
9 Todd, on this net thing. You can kill a lot more fish
10 with a net than you can with a bow and arrow. You know
11 that as well as I do. The guys in Naknek with setnets
12 permits with their 10 fathom subsistence and get 600
13 fish and go sell them. These type of things, if they
14 don't have good guidelines, you don't know what's going
15 to happen. Maybe it will become a sports fishery up
16 there in that linear mile. So I think we need more
17 clarification. I don't think it's going to affect the
18 subsistence fishing in the Chigniks to stop Alvin and
19 those guys from getting fish if we table this until our
20 next meeting.

21
22 You can put the nets in the mouth of
23 the Home and Clark?

24
25 MR. ANDERSON: In the creek as long as
26 you're not blocking the entire creek off. I think it's
27 50 percent.

28
29 MR. O'HARA: What's the length of the
30 net, 25 fathoms?

31
32 MR. ANDERSON: In the lake?

33
34 MR. O'HARA: Yeah.

35
36 MR. ANDERSON: I don't know the
37 subsistence regulations on the length of a net.
38 Everybody owns their own net there.

39
40 MR. O'HARA: Well, in Bristol Bay it's
41 10 fathoms. I think in Chignik -- what are you guys
42 using in the lake there, Alvin, 25?

43
44 MR. BOSKOFISKY: We use both 25 and 50.

45
46 MR. O'HARA: Did you say 25 and 50?

47
48 MR. BOSKOFISKY: Yeah.

49
50 MR. O'HARA: You'd have a commercial

1 fishing operation with that much.

2

3 CHAIRMAN ALVAREZ: We use 25 in
4 Kvichak.

5

6 MR. ANDERSON: Our commercial fishery
7 is no gillnets.

8

9 MR. ABRAHAM: Mr. Chairman. Like Dan
10 says, this is quite confusing. This snagging and bow
11 and arrow by hand is never used every day. It's an
12 occasional type of thing, once in a great while. I
13 suggest you take that back and rewrite it and make it
14 less confusing for the subsistence users and introduce
15 it to us. We're not going to get anywhere with what we
16 have here. I suggest talk to the counselors or whoever
17 or the people in Chignik area what is the best for them
18 and come back to us next year with a better proposal so
19 it will be less confusing. Thank you.

20

21 CHAIRMAN ALVAREZ: Pete, this is our
22 proposal from last time. It was brought before us and
23 we supported it and proposed it. I didn't know the
24 ramifications of whose waters they are and I'm still
25 confused about that and how that works. As Beth said,
26 the land might be under State jurisdiction, but the
27 water apparently is under Federal jurisdiction at the
28 lake there. Dan.

29

30 MR. O'HARA: I think there should be
31 some reporting on what you take. The Chigniks, with
32 the exception of the silvers this year and some pinks,
33 have had very, very marginal type fish, so we should be
34 as careful as we can. I suggest we send Mary McBurney
35 down there for a month. Do you hear that, Mary
36 McBurney? Do you want to go to Chignik for a month and
37 look at the fish? She says yes.

38

39 (Laughter)

40

41 MR. O'HARA: I just wanted to see if
42 you were listening or not.

43

44 MS. MCBURNEY: I wasn't. I apologize.

45

46 MR. O'HARA: That's okay. I'm only
47 kidding. I think we ought to look at it a little more.
48 It's not going to hurt the subsistence fishing down
49 there.

50

1 CHAIRMAN ALVAREZ: Alvin.
2
3 MR. BOSKOFISKY: Mr. Chair. As far as I
4 know, if any of the other people are like me, if I snag
5 fish up there, it's being snagged in Federal waters,
6 I'm standing on maybe two inches of water on the bank,
7 but all of that fish is still recorded. I report it on
8 my State permit. So I don't see where the problem
9 would be about catching under the Federal regulation or
10 not. We still report them.
11
12 CHAIRMAN ALVAREZ: Boris.
13
14 MR. KOSBRUK: If we're going to talk
15 about stuff like this, we should have Fish and Game
16 here from Chignik too.
17
18 MR. ANDERSON: I'm here.
19
20 MR. KOSBRUK: Chignik? What's your
21 name?
22
23 MR. ANDERSON: Todd. I spoke with you
24 briefly on the phone.
25
26 MR. KOSBRUK: I never met you. I
27 talked to a guy from Chignik last summer a couple
28 times.
29
30 MR. ANDERSON: Yeah, Todd Anderson. I
31 spoke with you on the phone a few times. You might
32 have talked with Mark also.
33
34 MR. KOSBRUK: Anyway, I'm glad you're
35 here. You're at Chignik weir?
36
37 MR. ANDERSON: Yeah, at the weir.
38
39 MR. KOSBRUK: We're thinking about
40 getting some signs, you know, fishing prohibited. Some
41 boys want to get out there and get subsistence. I
42 don't give a damn if you're 20 feet away from the
43 river, that's bad. We've got to have those signs out
44 there.
45
46 CHAIRMAN ALVAREZ: Out in Perryville
47 you're talking?
48
49 MR. KOSBRUK: Yeah, Perryville or that
50 area, the vicinity, western district. Even a sign up

1 in the spawning area is needed because one year we lost
2 everything. There was just no management there, that's
3 all. Fish and Wildlife rehabbed them for us. Fish and
4 Game didn't do it. They could care less.

5
6 MR. ANDERSON: There's a lot of streams
7 that we do get to every year. The storms take them
8 out, of course. Some places are tough to land.

9
10 MR. KOSBRUK: I hear rumors this
11 summer, Perryville this summer. I heard a plane flew
12 over and they heard him on VHF saying he didn't like
13 what he's seen. Apparently he seen somebody setting a
14 net out Marley Creek there and Three Star. I don't
15 blame him for saying that. I'm glad he did. But
16 trying to get escapement there and then have them take
17 them out right in the mouth there is bad when you count
18 on them for subsistence. That's what I'm trying to get
19 at. Trying to preserve our subsistence way of life,
20 but you can't do it if you're up there drifting with a
21 gillnet. We never had gillnets until we got involved
22 with Bristol Bay, you know, like Port Heiden and that
23 made a difference.

24
25 CHAIRMAN ALVAREZ: Thanks, Boris.
26 Beth.

27
28 MS. SPANGLER: Mr. Chair. I just
29 wanted to go back to looking at the existing Federal
30 regulations. Just to keep in mind that upon your
31 deliberations that by not accepting this proposal it
32 brings even further divergence between the Federal and
33 the State. On Page 25, if you look at the existing
34 Federal regulation and the proposal Federal regulation
35 that your Council proposed, you can take a look at
36 that. If we don't adopt this proposal, there will not
37 be subsisting Federal subsistence fishing allowed in
38 the Clark River and Home Creek in that one mile area in
39 the water or off the water, on the land.

40
41 This proposal does bring the Federal
42 and the State more closely in line. We do have that
43 one issue still left with the methods issues and that
44 would perhaps be a proposal with the other relevant
45 Federal regulations that's at the bottom of Page 25
46 where there is that divergence.

47
48 This proposal looks at the existing
49 Federal regulation and the proposed Federal regulation,
50 the area that's bold, that does bring them closer

1 together at this time. So I just wanted to come back
2 to that when you're doing your deliberations.

3
4 CHAIRMAN ALVAREZ: Thanks, Beth. The
5 inter-agencies, they don't have -- I'm confused about
6 who had jurisdiction. I guess if the inter-agencies
7 had no problem with this proposal or they saw it
8 differently than what I was looking at, that it does
9 regulate the Federal waters. I don't see any problem
10 with passing it if that's the case. The only
11 difference that I see is the means and methods is
12 different. I could go along with passing this proposal
13 the way it's written then. Dan.

14
15 MR. DUNAWAY: Well, I like trying to
16 get the regulations as close together as possible, but
17 I would suspect if we had some higher level Fish and
18 Game person or State person here, they'd be disagreeing
19 on that jurisdiction issue. I'm not sure, but I've
20 seen it a lot of other places. I'm getting really
21 frustrated that the State and the Feds can't hammer
22 that out. I'm just going to start beating on this drum
23 every chance I get. Hammer it out to serve the public.
24 Neither government is serving the public, and that's
25 their job, if they're constantly squabbling over
26 jurisdiction over whose water it is.

27
28 So if you can carry that message up. I
29 know it would be hard for you to do, Todd, because I
30 used to try it. It has to happen almost at the
31 Governor's office level. I don't know who in the Feds,
32 but quit squabbling and leaving the public confused.
33 They're not serving the public, the people who are
34 paying them. Get that jurisdictional issue fixed and
35 don't leave the public standing with one foot in the
36 water and one foot on land wondering whether the heck
37 they're legal. That really bothers me a lot.

38
39 I always personally have a real issue
40 with the snagging part. I think biologically it's not
41 really defensible regardless of past practice, though I
42 do realize that a certain amount of it happens anyway.
43 Also, I suspect even if there isn't an official
44 reporting, which I would like to see, the household
45 surveys that are occasionally done would probably
46 capture some of that information eventually.

47
48 I'm talking and partly trying to make
49 up my mind. I'm in some ways not inclined to support
50 this, but if it could bring things more in alignment,

1 that really appeals to me. I'm still inclined to ask
2 you to go back and get refined more or at minimum
3 modify it as recommended in the executive summary,
4 adopt an amended form. Mr. Chair.

5

6 CHAIRMAN ALVAREZ: Dan.

7

8 MR. O'HARA: I think if we're going to
9 hinder the subsistence up the rivers to a point, we
10 should probably go ahead and pass it. I agree with Dan
11 100 percent. It's been my concern that these people
12 haggling this stuff out get so turf oriented that we
13 don't get much work done for the people.

14

15 We probably should pass it and then
16 come back and visit it and ask the legal department on
17 both the State side and the Federal side to try to give
18 us an answer so that people can use subsistence.

19

20 I took a guy up to Igiugig here a
21 couple years ago and in three days he caught 200
22 sockeye. Never once did a sockeye ever bite a hook.
23 He cast it out there and the fish was going by like
24 that and they hit it and the State of Alaska said it
25 was legal for snagging, you know. But it's all okay
26 because these guys were paying \$10,000 to come here,
27 but they're not paying that much money in Clark River.
28 So it goes back to whether you can use the fish or not
29 because we are a subsistence board. That's what we do
30 on the Council.

31

32 I would support it if we would come
33 back and visit it to get a little more legal advice,
34 but I don't want to hold up the subsistence process in
35 the fact we're trying to get this done. So I think
36 just to make sure Alvin and these guys are taken care
37 of we just go ahead and pass it, but we need to come
38 back and revisit it. I want some legal counsel on it.
39 We may have to get Sarah Palin to help us or something.

40

41 CHAIRMAN ALVAREZ: We could pass it and
42 send it to the Federal Subsistence Board and then have
43 them deal with the legal issues. Let's move on.
44 Federal, Tribal Agency and State comments. Any.

45

46 (No comments)

47

48 CHAIRMAN ALVAREZ: Okay. Number four,
49 InterAgency Staff Committee comments.

50

1 (No comments)
2
3 CHAIRMAN ALVAREZ: Seeing nobody get
4 up. Fish and Game Advisory Committee comments.
5 Donald.
6
7 MR. MIKE: Mr. Chair. I didn't receive
8 any request for Fish and Game Advisory Committee
9 comments. Thank you.
10
11 CHAIRMAN ALVAREZ: Number six, written
12 public comments.
13
14 MR. MIKE: Mr. Chair. To my knowledge,
15 we did not receive any written public comments in our
16 office nor any last minute written comments. Thank
17 you.
18
19 CHAIRMAN ALVAREZ: Number seven, public
20 testimony. Any.
21
22 (No comments)
23
24 CHAIRMAN ALVAREZ: Seeing none. Nobody
25 signed up for that. We're down to number eight,
26 Regional Council deliberation, recommendation and
27 justification. Dan.
28
29 MR. DUNAWAY: I'd like to move to adopt
30 with the modifications recommended in the executive
31 summary, as Staff recommended.
32
33 CHAIRMAN ALVAREZ: Okay. Motion to
34 adopt Proposal 09-11. Any second.
35
36 MR. BOSKOFKY: Can we get that
37 clarification again on what you're recommending.
38
39 CHAIRMAN ALVAREZ: Dan.
40
41 MR. DUNAWAY: Mr. Chair. I think the
42 simplest way is on Page 24, there's a table and four
43 blocks down it says OSM preliminary conclusion.
44 Support Proposal FP09-11 with modification to change
45 linear mile to mile to clarify the areas open to
46 subsistence fishing, reduce regulatory complexity, and
47 enforcement concerns. The modified regulation should
48 read
49 Chignik Area Salmon, a legal reference there, Chignik
50 River/Black and Chignik Lakes areas. You may not take

1 salmon in the Chignik River, from a point 300 feet
2 upstream of the ADF&G weir to Chignik Lake from July 1
3 through August 31, in Black Lake, or any tributary to
4 Black or Chignik Lakes, except those waters of Clark
5 River and Home Creek from their confluence with Chignik
6 Lake upstream one mile.

7

8 That's what I had moved to adopt.

9

10 CHAIRMAN ALVAREZ: Any second.

11

12 MR. BOSKOFKY: I'll second.

13

14 CHAIRMAN ALVAREZ: Seconded by Alvin.

15 Any more discussion on this proposal. Dan.

16

17 MR. O'HARA: Yes. You have three
18 miles. You've got a linear, you've got a statute and
19 you've got a nautical mile. I think it should be a
20 statute mile because everybody knows a statute mile.
21 The difference between the other two is considerable.
22 I guess as long as you understand just one mile is a
23 statute mile that's fine. That's fine with me, Mr.
24 Chairman.

25

26 CHAIRMAN ALVAREZ: Any more comment.

27

28 MR. O'HARA: Call for the question.

29

30 CHAIRMAN ALVAREZ: The question has
31 been called. All in favor of Proposal 09-11 signify by
32 saying aye.

33

34 IN UNISON: Aye.

35

36 CHAIRMAN ALVAREZ: Opposed.

37

38 (No opposing votes)

39

40 CHAIRMAN ALVAREZ: Motion carried in
41 support of Proposal 09-11. Donald, go ahead, and then
42 we'll take a break.

43

44 MR. MIKE: Thank you, Mr. Chair. The
45 Council passed Proposal 09-11 as modified. During the
46 discussion the Council adopted this proposal as
47 modified and the Council will leave it up to the Board
48 to hash out the legal issues, correct?

49

50 CHAIRMAN ALVAREZ: That's right.

1 They'd probably have the same issues anyway even if we
2 got them explained to us or changed it. Pass the buck.
3 Dan.

4

5 MR. DUNAWAY: Yeah, Mr. Chair. In the
6 comments, I wouldn't mind my little gripe to be
7 emphasized or to at least certainly be in there. Like
8 I say, it's my own little soap box, but I'm tired of
9 hearing from it from different angles. They need to
10 work on fixing it or shoving it up to where it will get
11 fixed. Thank you, Mr. Chair.

12

13 CHAIRMAN ALVAREZ: Okay. Let's take
14 five.

15

16 (Off record)

17

18 (On record)

19

20 CHAIRMAN ALVAREZ: We're going to go
21 back to number 7 on the agenda, the salmon bycatch
22 Environmental Impact Statement in the Bering Sea
23 pollock fishery. We have Nicole Kimball and Diana
24 Stram. You have the floor.

25

26 MS. KIMBALL: Thank you. Thanks for
27 making time for us on the agenda today. My name is
28 Nicole Kimball. This is Dr. Diana Stram. We're both
29 fisheries analysts. We actually work with National
30 Marine Fisheries Service, but we work for the North
31 Pacific Fishery Management Council.

32

33 You're probably familiar with the
34 council, but basically we work with National Marine
35 Fisheries Service to manage the Federal groundfish
36 fisheries, primarily groundfish in Federal waters, so
37 everything from three miles out to 200 miles. We work
38 with the State of Alaska to manage salmon, scallops and
39 crab, but one of the main fisheries and the authorities
40 that we have is to manage the Bering Sea pollock
41 fishery and that includes bycatch of salmon that's
42 caught in that fishery. So that's the action that
43 we're dealing with today.

44

45 I know that Donald handed out this
46 flyer we sent out. This went out to about 600
47 villages, ANCSA corporations, village corporations,
48 municipal governments in order to make people aware of
49 both the schedule and kind of the schedule for
50 community and regional outreach meetings that we're

1 trying to do in order to get the word out about this
2 proposed action in front of our council.

3
4 Normally we would be bringing two
5 council members with us in order to help field
6 questions, but we're still at the end of our own
7 council meeting, the last day is today, so
8 unfortunately they couldn't be here with us, but they
9 let us out in order to come and talk to you.

10
11 Donald also handed out to you this
12 little booklet and I think there's some in the back. I
13 don't know if it will be helpful or not, but it was
14 done last year to give a summary of our council
15 process. We have five meetings a year. They're all
16 public meetings. Three of them are in Anchorage, one
17 is in either Seattle or Oregon, and one is in a fishing
18 community, which usually rotates between Sitka, Dutch
19 Harbor or Kodiak. Like I said, all the meetings are
20 public and our council receives public testimony prior
21 to doing any action and prior to the council making a
22 decision on any action we have to create an analysis of
23 the social, economic and environmental impacts of that
24 action.

25
26 The document that the council is going
27 to have in front of them in April of 2009 is showing
28 them the impacts of proposed action on salmon bycatch
29 in the Bering Sea pollock fishery. That's the document
30 that's in development right now. Diana has a draft
31 copy that's with her that's a pretty huge document, but
32 that will be published for the public to review in
33 December and the target date is December 5th.

34
35 So this is really just kind of a
36 preview of here's the type of information that's going
37 to be in that document, here are the council's
38 preliminary preferred alternative. They tried to pick
39 a preferred alternative in order to notice the public
40 that this is where we're leaning, so please provide
41 comments specific to that alternative or tell us why we
42 should be looking at something else.

43
44 You've got the booklet, the flyer and a
45 copy of Dr. Stram's PowerPoint presentation in case you
46 want to go back to any of the tables or anything in
47 that presentation and that presentation is probably 15
48 to 20 minutes. You can speed us up if it's taking too
49 long.

50

1 Us being here is one of several
2 meetings that we're trying to do in working with the
3 coordinators for the Regional Advisory Councils.
4 Unfortunately we couldn't make the Yukon/Kuskokwim
5 Delta meeting because it was during our council meeting
6 or the Seward Peninsula one, but we are attending
7 obviously your meeting today. We'll be at the
8 Association of Village Council Presidents meeting
9 tomorrow in Bethel and then we'll also be able to
10 attend the Eastern Interior RAC, the Northwest Arctic
11 RAC, the Western Interior and we're trying to also
12 schedule a meeting in Nome. So this is the first of
13 several meetings just to try to reach out to people
14 that might not otherwise be able to come to our council
15 meeting in Anchorage and provide their testimony there.

16
17 We're going to do the best we can to
18 answer questions on this draft document. The purpose
19 for being here is for Diana to provide you with an
20 overview of the councils preliminary preferred
21 alternative, what they think they might take action on
22 in April of 2009, explain the concepts that the council
23 is using to try to reduce salmon bycatch and this is
24 specific to chinook and make you aware of the schedule
25 for releasing this draft document. Any feedback that
26 we get today from you or from the public, we'll
27 document that and provide it to the council so they
28 have that information in front of them prior to making
29 a decision and that will be in the final document.

30
31 I guess that's all I have in the way of
32 introduction. Dr. Stram is going to do a PowerPoint
33 presentation unless you have any introductory
34 questions.

35
36 CHAIRMAN ALVAREZ: We probably will at
37 the end of your presentation.

38
39 DR. STRAM: Thank you. I'll skip over
40 some of these as Nicole has covered a lot in her
41 introduction. Again, my name is Diana Stram and I'm
42 one of the analysts working on this analysis by the
43 council.

44
45 We do work with the National Marine
46 Fisheries Service, but just to highlight that the
47 council provides these public meetings in order for
48 people to comment to the council on the different
49 actions that the council is considering at any one
50 time, whether that's participating in a meeting in

1 person, providing written comments, as well as written
2 comments on a specific analysis when it is released for
3 public review.

4
5 So this is the specific problem and it
6 has to do with chinook salmon bycatch in the pollock
7 fisheries. In our pollock fisheries we catch both
8 chinook and what we lump together as non-chinook.
9 Right now we're dealing with the chinook bycatch
10 problem. We do catch non-chinook bycatch as well,
11 which is 98 percent chum bycatch. That is a separate
12 issue that the council is also dealing with. They've
13 chosen to go on two separate tracks timewise for
14 dealing with both chinook and chum, so the chum
15 analysis we'll be discussing that in December with the
16 council about management measures for chum. We do have
17 current management measures in place for chum, but what
18 we're looking at right now are alternative measures.
19 The action we're discussing today is specific to
20 chinook bycatch.

21
22 Chinook salmon are caught accidentally
23 as bycatch in the pollock fishery. By law you cannot
24 retain salmon in any Federal fisheries. They are by
25 law counted, but they cannot be retained or sold. When
26 they are retained, it is solely so that they can either
27 be counted at a processing plant on board or donated to
28 a food bank. Some proportion of the salmon that is
29 brought on board is donated to food banks, but they're
30 all basically dead from the time they're taken on
31 board. They are not returned to the sea unlike other
32 bycatch we have because they must be enumerated so that
33 we can get precise counts of the salmon we have but
34 they cannot be profited from.

35
36 The main problem is the amount of
37 bycatch that's increased in recent years. What this
38 graph shows you is from 1992 through 2007 the chinook
39 salmon mortality in the eastern Bering Sea pollock
40 fishery. You can see where it has gone up and down
41 over the years but on an increasing trend basically
42 since 2000. 2007 was the highest that we've ever had
43 historically where we had about 122,000 chinook bycatch
44 in the pollock fishery.

45
46 By contrast, in 2008 thus far we have
47 two different fisheries for pollock. One is the A
48 season fishery over the winter. The other is the B
49 season fishery which begins in June but is far more
50 concentrated in August through October. The A season

1 fishery had very low chinook bycatch in 2008 and the B
2 season fishery has continued to have low bycatch.
3 Again, we're responding to the increasing trend in the
4 last five years despite the fact that in 2008 bycatch
5 has been far below recent historic levels.
6

7 The measures that we have in place
8 currently. We have always been grappling with the
9 bycatch issue of both chinook and chum bycatch in the
10 Bering Sea. What we've had previously are time area
11 closures for different large scale regulatory areas in
12 the Bering Sea both for chum and chinook. What we
13 found in recent years is that these large scale
14 closures were unable to respond to different changes in
15 abundance or the location of salmon or pollock in the
16 Bering Sea and we're basically getting reports that the
17 closures themselves are potentially exacerbating the
18 problem because the large scale area closure would
19 trigger, by reaching a certain cap, force the fleet out
20 of that area and then they're running into areas of
21 even higher bycatch. So it was clear that the council
22 needed to come up with a different solution and think
23 of things outside of just the straight time area
24 closures that we've managed bycatch in the past.
25

26 So these are the kind of concerns that
27 have been raised to the council, both the potential
28 impacts of any bycatch as well as increasing bycatch on
29 western Alaska salmon runs. We have international
30 treaty obligations through the Pacific Salmon Treaty to
31 return fish through the Yukon River to Canada and we're
32 looking at the impact of these controlling measures on
33 the pollock fishery.
34

35 The main thing that the council is
36 looking at right now are absolute limits on the amount
37 of chinook that could be caught in the pollock fishery.
38 What this means is that it would be an actual cap and
39 it's a cap on the pollock fishery that would cause the
40 fishery to cease fishing upon attainment of that cap.
41 We've done this in other fisheries but never in the
42 pollock fishery before and not for salmon bycatch.
43

44 We've had trigger limits and when
45 people talk about trigger limits versus a hard cap, a
46 trigger limit is something that triggers a time and
47 area closure. So that's what we've had in the past
48 where large-scale area closures that upon attainment of
49 a cap triggered the area closure itself. So fishing
50 could continue outside of the closure, but the cap

1 level then triggered the closure. That's one of the
2 measures we're looking at, but what we're also looking
3 at that has not ever been done for the pollock fishery
4 is an absolute number that when it is reached the
5 pollock fishery shuts down.

6
7 As Nicole indicated, in order to do any
8 sort of management measure, we have to evaluate. We
9 need an environmental analysis of the impacts of this.
10 So, in addition to other aspects, what we're really
11 looking at is the impact of these caps, looking at the
12 stock of origin of the bycatch from genetic
13 information, the adult equivalent, which is the number
14 of salmon that would have returned to any river system
15 in any one year, as well as looking at the run
16 strengths by rivers across western Alaska as well as in
17 the Pacific northwest.

18
19 There are four main alternatives that
20 the council is evaluating. We always have to evaluate
21 everything against our no action alternative, which are
22 our existing salmon measures. Again, currently, those
23 are large-scale time area closures for chinook in the
24 Bering Sea. Under our current program, given this
25 issue of the closures exacerbating it, we took
26 management measures in recent years to exempt the
27 pollock vessels from the large-scale area closure that
28 are participating in what's called a voluntary rolling
29 hot spot system where they have their own management
30 ability to shut down short term area closures in season
31 in the fishery.

32
33 We're not able to do that from a
34 regulatory standpoint, but the fishing industry in and
35 of themselves under this agreement that they have put
36 forward they look at what's called hot spots of salmon
37 bycatch and they draw area closures that are in place
38 for either three to seven days and they vary every week
39 and they vary by where the vessels are and what their
40 bycatch rates are. That's the current system that's
41 ongoing right now and these area closures are
42 triggering every week to mitigate against bycatch.

43
44 The other alternatives then that we're
45 looking at in conjunction with our current system again
46 is this hard cap system and what we're looking at is a
47 range of hard caps and these numbers are considered on
48 an annual basis but they are partitioned by our two
49 fishing seasons. So we're looking at numbers that
50 basically range between 29,700 and 87,500 chinook

1 annually.

2

3

4 The way the alternatives are formulated
5 by the council, the cap is divided between the A season
6 winter fishery and the B season fall fishery. There
7 are a large range of different options for how you
8 divide it by A and B season, how and whether you roll
9 over any excess from the A season to the B season, as
10 well as for how the caps themselves are allocated by
11 sectors.

12

13 We have different sectors that are
14 fishing in the pollock fishery. For almost all the
15 alternatives it considers allocating specific
16 proportions to sectors. So, for our catcher processor
17 sector, our catcher vessel sector, which is a shoreside
18 sector, our CDQ, which we consider a sector for
19 purposes of this and the mothership sector.

20

21 I would note when we start to look
22 forward at analyzing these alternatives and the effects
23 of them, just by virtue of dividing a cap further,
24 taking an annual cap, dividing it seasonally and then
25 partitioning it to sectors, it makes it much more
26 difficult to ever achieve your annual cap. If there's
27 any

28 reason for dividing it out to sectors, whether you care
29 or not who gets what section of the cap, dividing it to
30 a sector automatically makes it more difficult to
31 achieve the annual cap on an annual basis because
32 different sectors end up reaching their limits at
33 different times or not at all by season.

34

35 We are also looking at different
36 triggered area closures, so we are looking again back
37 to our old concept of time area closures but looking at
38 different areas and the areas that we're looking at are
39 very, very large scale and would be triggered by
40 different cap levels. That's another alternative
41 that's on the table, updated closure areas looking at
42 broader scale.

43

44 Then finally, as Nicole indicated, the
45 council has indicated a preliminary preferred
46 alternative. The council reviewed a draft document in
47 June of 2008 that included these three alternatives and
48 out of them they crafted what they considered to be
49 their preliminary preferred alternative. Again, that's
50 for purposes of notifying the public in the draft
51 document as to the general direction the council

1 intends to go.

2

3

4 The council does not have to go with
5 their preliminary preferred alternative. They're
6 putting it forward to alert the public that this is the
7 direction they may go in and they want to receive
8 comment from the public on whether or not that is a
9 good direction that people agree with that or would
10 like them to look at something else.

11

12 So just briefly then, what this
13 preliminary preferred alternative includes, it is
14 looking at hard caps and it looks at two different hard
15 caps. A high cap -- again, these are the annual
16 numbers, but a high cap of 68,000 chinook and this
17 would be achieved if vessels are participating in an
18 approved inter-cooperative agreement that is
19 specifically designed to allow incentives to reduce
20 bycatch below the cap level.

21

22 It's a two cap system. The low cap
23 then is a cap of 47,500 chinook. If the council does
24 not feel that an appropriate ICA agreement has been
25 brought forward to the council that they believe meets
26 what they have laid out as their objectives for a
27 program that would reduce bycatch.

28

29 The high cap then also includes a back
30 stop cap. This is a much lower cap and the intent of
31 the back stop cap is to provide incentive for vessels
32 to continue to work within the inter-cooperative
33 agreement to reduce bycatch by providing them this back
34 stop that if they don't participate in it, they no
35 longer have the high cap of 68,000 under which they're
36 fishing. They're fishing under a much more reduced
37 cap. Again, that is supposed to provide the incentive
38 for vessels to fish under the ICA as opposed to
39 dropping out of it.

40

41 The specifics of the caps themselves
42 then. Both caps are partitioned in the same manner.
43 The caps are divided between A and B season with 70
44 percent of the cap to the A season and 30 percent of
45 the cap to the B season. They're allocated to the four
46 pollock fishing sectors that I mentioned. The actual
47 allocation to the inshore catcher vessel sector is
48 further allocated all the way down to the cooperative
49 level.

50

 These caps are specifically designed so

1 that the sectors could transfer caps. They're called
2 fully transferrable caps. The caps could be transferred
3 among sectors in a given season. They can also be
4 rolled over from the A season to the B season in the
5 same calendar year so that they have that available to
6 fish from as well.

7
8 Both caps are treated equally. The
9 difference between them is about 20,000 salmon. What
10 the council would be looking at then if this were to go
11 forward as their preferred alternative, if they're
12 deciding between conferring the lower cap or the higher
13 cap, it is based on the program that is put forward
14 voluntarily by industry that is intended to convince
15 the council that that is an appropriate program that is
16 responsive to bycatch both in low and high years of
17 abundance.

18
19 So, currently, the industry is working
20 conjunctivally to develop this program that they think
21 would meet the council's intent. At our council
22 meeting that we're still in the process of as Nicole
23 indicated, we just heard presentations yesterday from
24 industry on their progress towards trying to come up
25 with some incentive-based program so that the council
26 would feel comfortable giving a higher cap. If the
27 council feels that they have not developed this
28 incentive program to meet their needs under this
29 preferred alternative they designed, they would then go
30 with the lower cap, which again is still separated by
31 season and by sector.

32
33 What we're doing now is analyzing the
34 impact of all these cap levels and all these
35 constraints on a whole lot of different resource
36 categories. We're looking at the impact on the pollock
37 stocks, on chinook salmon, the impact of constraining
38 the pollock fishery on chum salmon as well. We also
39 look at other groundfish, prohibited species and forage
40 fish, other marine resources. We look at environmental
41 justice, which is specifically designed to look at are
42 there disproportional impacts on low income or minority
43 populations as a result of imposing these caps. And
44 then we have a comprehensive treatment of the economic
45 impacts of these caps, which includes both impacts on
46 the pollock as well as on the salmon fisheries.

47
48 So how do we go about evaluating these
49 cap impacts. What we have done in this analysis is
50 looked backwards at the years 2003 to 2007 and we

1 looked at pollock and chinook catch. If that cap had
2 been in place over that time period, when would the
3 pollock fishery have had to stop fishing under that
4 cap. And then given that hypothetical closure date,
5 then we look at if they stopped fishing how many salmon
6 would they not have caught in that year and how much
7 pollock would they have had to forego in reaching their
8 constraint on their cap for salmon.

9
10 So this forms the basis for our impact
11 analysis. We're required to provide an overview of
12 what the impacts are of any action that the council is
13 evaluating and looking at. Our means of doing it for
14 this analysis is in a retrospective manner because we
15 don't have the ability to project forward for this to
16 see what the caps would do in the future and what
17 impact they would have on salmon stocks in the future.
18 We can't project that part forward, so instead we look
19 backwards to see what would have happened and calculate
20 that.

21
22 So now we have an idea of what our
23 bycatch number would have been and how many salmon we
24 would not have caught. Now what does that translate
25 into. Into salmon returning to the river system. We
26 know that not all salmon that are caught as bycatch
27 would have survived to return to the river system as
28 adults, so we take into account the mortality and that
29 some of them would have died in the ocean and others
30 would have returned in that year or a subsequent year
31 to spawn to the river systems.

32
33 So we're looking at what number of
34 salmon would have returned in that year, what the adult
35 equivalents would have been. This is the way of taking
36 the high number of 122,000 salmon in one year and
37 trying to figure out how many of those actually would
38 have gone as adults back to river systems in that year.
39 So it's discounting it for what would have died in the
40 ocean and how many weren't old enough to return to
41 spawn in that year.

42
43 So given that we have his adult
44 equivalent model that we're using and what this model
45 does is looks at observer data and then we're also
46 combining this with the best available genetics data
47 that we have on the river of origin of those salmon.
48 So what we're doing is providing an estimate from this
49 model of the numbers of chinook that do not return to
50 individual river systems because they have been caught

1 in the pollock fishery. So, again, it considers the
2 ocean mortality, takes into account the age of the
3 salmon in the bycatch based on age categories of what
4 salmon would have returned to river systems based on
5 age of maturity of the river systems.

6
7 How do we figure out which river they
8 would have gone back to. Based on recent genetic
9 information that we have from ADF&G and University of
10 Washington staff scientists, we have information on the
11 river of origin from the genetics of the bycatch sample
12 in the pollock fishery. We know that it's very
13 dependent on both what season it is as well as where in
14 the Bering Sea the salmon was caught. It's variable by
15 spacial location where it's caught which river it would
16 have gone back to and where the origin of it is.

17
18 We have these genetic samples then that
19 we have brought into this model to look at
20 approximating the river of origin from these bycatch
21 samples. There is a lot of uncertainty in this. There
22 have been a variety of studies that have looked at
23 bycatch, stock of origin and the pollock fishery. What
24 we've chosen to do in this study is use the one that is
25 the most recent that looks at 2005 and 2006 pollock
26 fishery data. We're also incorporating some older
27 studies that looked at late '90s.

28
29 We do know that the stock of origin is
30 variable by year, season and location, so we're trying
31 to take that into account in attributing to river of
32 origin. Again, this is to approximate our impacts.
33 This is by no means a perfect way of bringing them back
34 to the rivers of origin. We're just trying to get a
35 rough estimate of how many and to which system so we
36 know which impact.

37
38 Again, these are preliminary results.
39 We're still in the process of refining our analysis.
40 Looking at what is our impact overall of all the
41 bycatch, looking at the highest years under
42 consideration, which is 2007 at 122,000, and then the
43 lowest year of bycatch under that five year period
44 which is 2003. Over the range of alternatives that are
45 being considered, in the highest year this range of
46 alternatives would reduce the bycatch overall by
47 anywhere between 37 to 92 percent of the total. In the
48 lowest year there are some alternatives that have no
49 impact on the bycatch because the caps were not reached
50 in that year and there are more constraining

1 alternatives that would still have a 52 percent
2 decrease in overall bycatch even in the lowest year.

3
4 Translating that into the specific
5 Western Alaska river system impacts using a blanket
6 assumption, this is incorporated into the model, but
7 the most recent genetics data would attribute about 54
8 percent of the bycatch to Western Alaska, which is an
9 aggregate category. Out of that we've then partitioned
10 out the Yukon, the Kuskokwim and Bristol Bay. Of
11 those, we've been using the proportions that if you
12 have the aggregate Western Alaska grouping, 40 percent
13 of that would be to the Yukon, 26 percent to the
14 Kuskokwim and 34 percent to Bristol Bay and Nushagak.
15 So calculating over the range of the alternatives that
16 we have how many salmon over the high and low years
17 would have been saved and then gone on to return to
18 those river systems.

19
20 So basically for the Yukon, the
21 estimates would vary from about 1,200 to 13,000,
22 depending on the alternative. Kuskokwim about 800 to
23 8,000. And for Bristol Bay anywhere from 1,000 to
24 11,000. Just to note, we're not limiting this to those
25 river systems. There are other Western Alaska river
26 systems that may be affected.

27
28 Our ability to estimate to any one
29 specific river system ends up going back to the
30 genetics and the degree to which the genetics that
31 we're utilizing can identify a single river system. In
32 general, they're aggregated river systems, so we can't
33 break them out smaller than what the aggregate from the
34 genetics is. I would say that the genetics is ongoing
35 and a whole lot of money and pressure has been put on
36 funding organizations to look at stock of origin of
37 bycatch in the pollock fishery to improve these
38 estimates, to improve down to the river system as well
39 as to get a much broader spacial scale and to increase
40 the sampling for this specific purpose, to try to
41 delineate this better.

42
43 So where are we in the process right
44 now of our analysis. We're currently conducting these
45 outreach meetings to provide kind of advance
46 information on what we're looking at in this analysis
47 and when the analysis will be available. Our target
48 date for releasing it, as Nicole indicated, is December
49 5th. It's a very dense analysis. It's about 800 pages
50 long right now. We hope to be able to pare this down

1 slightly to synthesize it better, but the chances are
2 very good that it's going to be close to 800 pages
3 regardless. So we're trying to make sure everybody
4 knows when it's available, how much time you'd have to
5 comment on it.

6
7 We're estimating a 60-day public
8 comment period. What that means is that over the
9 public comment period that's when anyone has the
10 ability to submit letters that indicate your thoughts
11 on the analysis, your thoughts on a preferred
12 alternative to provide your input into the public
13 process prior to the council taking action on this,
14 which would be scheduled for April of 2009.

15
16 Should the council continue on this
17 schedule and take final action in April of 2009, it
18 takes a certain amount of time for the National Marine
19 Fisheries Service to implement new regulations, so the
20 estimate is that if final action is in April of 2009,
21 the new regulations to implement this new program would
22 be in place by the beginning of 2011.

23
24 Nicole already indicated this. These
25 are what our outreach meetings are that we have
26 currently scheduled. We're really trying to make a
27 pretty good faith effort to try to get out to a lot of
28 these different regions and we appreciate the ability
29 to come and speak with you today. We have several
30 other meetings that we're trying to attend in the month
31 of October and in Nome probably in February.

32
33 Again, what we're trying to do is
34 highlight that we are seeking public input and there
35 are a variety of ways that you can provide your input.
36 You can write a letter to the council or the National
37 Marine Fisheries Service, you can speak with council
38 staff and council members at regional meetings. You
39 can also come testify at our April 2009 meeting in
40 Anchorage and give verbal or written testimony. Also,
41 when you submit a letter to NMFS during the public
42 comment period, that becomes part of the permanent
43 record of this analysis as does testimony to the
44 council at these meetings.

45
46 What your comments could address are
47 the scope, content and the adequacy of the document we
48 put forward, how we've analyzed the impacts and to what
49 extent that's appropriate, the merits or demerits of
50 our alternatives that are put forward, as well as your

1 recommendation for a preferred alternative. What would
2 you like to see the council do.

3

4 So we're targeting December 5th. This
5 document will be available to download from the NMFS
6 Alaska website and we've put this information on the
7 handouts we gave to you and we can also leave contact
8 information too. You can also request a printed copy
9 either from the NMFS website or you can call directly
10 to request a copy. You can also contact the council
11 office and we can make arrangements to provide you a
12 copy as well.

13

14 That's what we have to say. That's our
15 website as well for the council office. Thank you very
16 much for your time.

17

18 CHAIRMAN ALVAREZ: Thank you, Diana.
19 We appreciate you guys coming and giving us your
20 PowerPoint on what they're considering and the
21 alternatives. It is important to us, our subsistence
22 foods, which are chinook and chums, that are being
23 discussed here. We do have some questions and I did
24 attend the Council meeting in Kodiak for the Federal
25 Subsistence Board last spring and I was one of four
26 Council members. There were three other regions at the
27 Council meeting. The director was there, Pete Probasco
28 and Rod Campbell also attended the meeting, and we did
29 testify on behalf of our individual regions of what was
30 happening in the recent years.

31

32 I appreciate that they're considering
33 caps. The high cap, I think, of 68,000 is not, in my
34 opinion, adequate for our concerns mainly because if
35 you look at what happened this last fishing season the
36 runs for chinook all around the state were pretty low.
37 If the runs were high all over the state, 68,000 would
38 be a good number. I believe that the Yukon didn't even
39 have any fishing openings for chinook. When you go up
40 there, they'll probably want the numbers really low,
41 lower than you gave. Our Council recommended, I think,
42 68,000 cap at the meeting and I think that still needs
43 to be pretty low considering that there wasn't very
44 many chinook in some of the river system last year.
45 What I understand, Naknek River barely got their
46 escapement. The Nushagak did get their escapement, but
47 it wasn't what they were forecasted to be.

48

49 I think the National Marine Fisheries
50 or the North Pacific Council needs to consider that the

1 last couple of years these runs have been less than
2 what was forecasted by ADF&G and these caps, as I
3 understand, came out before this last season. After
4 this season was over with, the forecast was less again
5 than what ADF&G predicted. That needs to be taken into
6 consideration for these caps. My opinion is it
7 probably needs to be the minimal cap number.

8
9 You were talking about rolling hot
10 spots some of the trawlers were using and from what I
11 understand the rolling hot spots didn't seem to be
12 working. The fishermen themselves admitted to that,
13 but they were still hoping to continue doing that.

14
15 Any other Council members have any
16 comment. Dan.

17
18 MR. DUNAWAY: Thank you, Mr. Chair.
19 Thank you very much for bringing this. You've got a
20 lot of stuff to wade through to get to this. It's nice
21 to see you're doing the best you can.

22
23 I've got a few comments here. You say
24 this PowerPoint presentation is going to be available
25 online?

26
27 DR. STRAM: We can certainly make it
28 available online.

29
30 MR. DUNAWAY: That would be helpful
31 because this is really nice but it's still kind of hard
32 to read, especially the trend chart. It would be nice
33 to look at bigger. So I'd appreciate that if you could
34 do it.

35
36 One of my other things, this final
37 document that will be online, is it going to be in one
38 chunk? As you get out here in the Bush, people say
39 it's online, well, I get knocked off and I have minimal
40 ability to download. If it was in small pieces, it
41 would be truly available to us that live as remote as I
42 do, which isn't much compared to Igiugig.

43
44 DR. STRAM: We could put that on by
45 chapter, the executive summary and then each chapter.
46 We can bring that back to NMFS and request that they be
47 sure to do that with this document.

48
49 MR. DUNAWAY: Great. That would really
50 be appreciated so it truly is available to folks.

1 DR. STRAM: And I should just note that
2 you can also request a hard copy if people really have
3 trouble downloading and can't even do it by chapters.
4 There's a form on that website and you can send that to
5 NMFS and they'll send you a hard copy. We're required
6 to do that. So make sure people know about that as
7 well.

8
9 MR. DUNAWAY: Some of the agencies will
10 send you a CD.

11
12 DR. STRAM: We're hoping that's it so
13 we're not shipping boxes.

14
15 MR. DUNAWAY: A couple other comments,
16 Mr. Chair. This one is probably way out of your field,
17 but it crossed my mind. In the past, I've heard some
18 of these food bank fish ended up being distributed in
19 the Lower 48 west coast. It sure would be nice if
20 those fish went to Western Alaska where they didn't get
21 to in the first place. I know that's probably way out
22 of what you're able to do.

23
24 The other thing, as far as this
25 rollover, and I'm just kind of shooting from the hip on
26 a lot of this, the rolling over a cap, if they were
27 really good in January in A season and barely scratched
28 their cap then, would they get to roll over the whole
29 thing or some reduced proportion?

30
31 DR. STRAM: The way the preferred
32 alternative is structured, they can roll over up to 80
33 percent. So the range of rollovers that the council --
34 they could look at anything, but the preferred
35 alternative specifically delineated that no more than
36 80 percent of what's remaining and that's by sector.

37
38 MR. DUNAWAY: Okay, Mr. Chair. I'm
39 glad to hear that. You do want to encourage them to
40 conserve. At the same time, even to me, 80 percent and
41 that's plus their fall cap, if they went and got all of
42 that in one spot, you could still whack a stock pretty
43 hard it seems to me.

44
45 DR. STRAM: I didn't go into the
46 specifics of it, but when the council was looking at
47 seasonal apportionments for the cap itself, the A
48 season for the pollock fishery is the most valuable
49 season. So if they want to have salmon for anything,
50 they want to have it for the A season because that's

1 their pollock roe season. So the council specifically
2 looked at a range of seasonal apportionments from 50/50
3 A to B, all the way to 70/30 A to B. All of that is
4 still on the table for them, but their preferred
5 alternative delineated 70/30 as a seasonal split so
6 that you'd have more salmon available to you in the A
7 season, but if you conserved it, you would have an
8 additional amount in the B season. Basically looking
9 at it, the B season with only 30 percent is often quite
10 constraining because they have less salmon available in
11 the B season. That's how the whole thing was
12 structured, so you do have less available in the B
13 season.

14

15 MR. DUNAWAY: Okay. Shooting from the
16 hip again, it still seems a little high to me. I
17 wondered if there would be some sort of reward for them
18 across the whole year. I just briefly in the last week
19 or so saw some reference that some people are saying
20 that your average size of the pollock in the whole
21 catch is declining and some people are interpreting
22 that as you're starting to head into some trouble for
23 the basic stocks you're fishing. I understand that
24 that interpretation is probably disputed, but there
25 might be some ultimate reward even in the pollock
26 fishery if they're forced to conserve based on salmon.

27

28 I have friends in Dutch Harbor and Sand
29 Point that fish these. Going conservative can't hurt.
30 I've lived through the king crab crash in Dutch Harbor
31 and I've read about the crashed on the east coast. Go
32 conservative.

33

34 DR. STRAM: Mr. Chair. Mr. Dunaway.
35 If you're talking about the average size in the pollock
36 stock, we have annual stock assessments and pollock is
37 one of the ones for which we have the most information.
38 The age composition is considered in the biological
39 recommendation by year. If the industry does start to
40 catch smaller and smaller pollock, that's incorporated
41 into the stock assessment and the results of that is
42 that the quota itself does go down so that you cannot
43 continue to fish on -- only on the smaller fish if
44 that's what the fishery is continuing to catch.

45

46 From the pollock stock standpoint,
47 there is an automatic feedback there and it does result
48 in a lower quota, but that's our annual process for
49 stock assessment for pollock regardless. This year in
50 particular, I would say that the pollock quota in the

1 last couple years has been going down.

2

3 MR. DUNAWAY: My last one here would be
4 not to forget the other species of salmon. It sounds
5 like you're trying to integrate all this and I know
6 that's a huge task, but I'd encourage you to keep
7 looking after those other ones because there's times
8 where we've been through some real chum problems on the
9 west coast and you get up in the Kuskokwim where they
10 didn't get many kings and chums didn't show up, it gets
11 really hard. Thank you, Mr. Chair.

12

13 DR. STRAM: Just to respond to the chum
14 question, I would note that this whole issue started
15 because we had a really high catch of chum in 2005,
16 over 700,000 chum, by the pollock industry. Since that
17 time that's declined dramatically, but the council has
18 been continually reiterating that makes chum no less a
19 priority. It's just when we got to the point --
20 originally we were looking at these as a combined
21 analysis for both chinook and chum. As the complexity
22 of the analysis evolved and the complexity of the
23 regulations that would be involved in putting caps on
24 the pollock fishery, it seemed more expedient to get
25 measures in place immediately and the way to do that
26 was to split them so we looked at chinook separately,
27 but with the intention to continue to come back with
28 measures for chum because we were pretty well aware of
29 the fact that even though we are at a declining level
30 of chum bycatch, it could just as easily next year
31 increase.

32

33 So the schedule currently for chum is
34 the council has alternatives on the table and they are
35 very similar alternatives. They're looking at hard caps
36 on the pollock fishery that are chum salmon specific
37 and those alternatives are currently going to be
38 reviewed by the council in December. So the council
39 will look at what they have on the table for chum,
40 decide whether or not that is a sufficient range of
41 alternatives and then forward that on to the analysts
42 for analysis. So it was really more of a timing and
43 not at all an indication of one being more or less
44 important than the other.

45

46 CHAIRMAN ALVAREZ: Diana, thank you.
47 Was it determined by the North Pacific Council why the
48 bycatch more than doubled in that short amount of time?
49

50 DR. STRAM: Mr. Chairman. No, I really

1 wish we knew. We're looking at everything we know of
2 both in ocean productivity of salmon and fleet behavior
3 changes. There's no smoking gun. There was no
4 absolute fleet behavior change. There's nothing that
5 we understand absolutely about change in ocean
6 productivity. We're looking at whether the problem is
7 either there's more salmon in certain time periods or
8 in certain areas or salmon and pollock are co-locating
9 more. That would be far more dangerous, but we don't
10 know the answer, so we're just reacting to it and
11 trying to figure out a way to limit it.

12

13 CHAIRMAN ALVAREZ: From what I
14 understand, the runs haven't increased that much over
15 those years, but the bycatch went up and I was
16 wondering why. I had heard that -- is the pollock
17 fishery having to fish a lot more to catch their
18 allocation than they used to?

19

20 DR. STRAM: They have moved further
21 northwest in some years and in recent years, mostly in
22 response to moving away from salmon closures and then
23 looking for higher pollock CPUE, but when we've looked
24 at -- we've been working with the pollock stock
25 assessment author on this analysis as well, so he's
26 looked extensively at the catch in the pollock fishery
27 just to look at are we fishing longer and that's why
28 we're catching more salmon. There's an incremental
29 change, but there's no obvious relationship there, so
30 we don't have an explanation specific to that.

31

32 CHAIRMAN ALVAREZ: If they are fishing
33 more, it would seem to me that the chance of having
34 bycatch go up would be greater. I hope they take into
35 account the recent returns to these river systems in
36 Western Alaska the last couple years or so seem to be
37 going down and I hope they consider if they're going to
38 put a cap on that that cap takes into consideration
39 these runs seem to be declining. A cap of a certain
40 number might be adequate if the runs were healthy, but
41 they don't seem to be healthy, so I hope the North
42 Pacific Council considers that when they're making
43 their determinations.

44

45 Is there any other comments from the
46 Council members. Pete.

47

48 MR. ABRAHAM: Yeah, Mr. Chairman.
49 Again, thank you on behalf of the people over here and
50 on behalf of the audience. It's good for us sometimes

1 to give it our frustration because half the time we
2 can't do anything about a lot of things. That's why
3 when you go to the small villages you hear a lot of
4 frustration.

5
6 In my case, I work for U.S. Fish and
7 Wildlife as an RIT, refuge information technician, and
8 I'm asked a lot of questions from local people over
9 there. Like two years ago they asked me how come we're
10 getting nothing but jacks, those small kings. Well,
11 how do I answer those things like that. I have friends
12 on the coast I start calling, Kuskokwim, Yukon,
13 Scammon, how are you guys doing with the kings. Well,
14 basically the whole bay was -- they were all catching
15 small kings everywhere. They asked me how come. I
16 said, I'm sorry, I don't know.

17
18 When you do something in a large scale,
19 there tends to have a snag here and there. You are
20 realizing all this we all know. Like Randy says
21 there's a decline on return on chinook salmon. In
22 Togiak River, that's the smallest river in Bristol Bay
23 on returns on the salmon family. We've been averaging
24 about 10-12,000 return on chinook over there. Last
25 year and this year are in low numbers.

26
27 It scares me because when you study
28 Western Alaska or Y-K area, the Native communities, you
29 will find about 80 percent of their diet is fish. I
30 mean no matter where you go, it's not just the salmon,
31 the fish is what their diet is. Moose, caribou, musk
32 ox, they have closures, seasons.

33
34 Anyway, it's good to hear from you
35 people how you're progressing and what you're trying to
36 do. I think it would be helpful too if you get
37 information from local level, like ADF&G. We've got
38 people in small villages that are counting subsistence
39 catch on all salmon families. That will give you some
40 information. That's a lot of years. I thank you very
41 much for being over here to talk to us.

42
43 DR. STRAM: Mr. Chairman. I probably
44 should have mentioned this from the start, but ADF&G is
45 a cooperating agency with us on this analysis, so we've
46 been working extensively with each of the area
47 management biologists, for example the Nushagak area
48 we've been working with ADF&G area management
49 biologist. ADF&G has been providing us up-to-date
50 information to the extent they have it so we can

1 incorporate -- with the intention that by the time we
2 publish this draft document all the information we can
3 assemble by river system, both on subsistence catch,
4 commercial catch, run strength, update on the 2008
5 season, all of that is incorporated in it.

6

7 MR. ABRAHAM: Mr. Chairman. I think
8 five, six years ago as a river ranger in Togiak River I
9 used to study the catch of king salmon and silver
10 salmon. The sport catch was averaging about 3,500 per
11 season over there. When the local harvest catch was
12 averaging about 750 chinooks in the village over there.
13 Silver salmon varies, but the people depend on the fish
14 like I said a while ago. I'm glad ADF&G is cooperating
15 with you guys. There's some local level people over
16 there. They'll give you some information because
17 you've got some people gathering the subsistence camps
18 in Bristol Bay area over here. Thank you.

19

20 CHAIRMAN ALVAREZ: Anybody else. Dan.

21

22 MR. O'HARA: We appreciate you coming
23 and talking with us today. It's pretty rare that we
24 have the North Pacific Fishery Management Council come
25 to an Advisory Council and talk to us. I assume that
26 the bottom fishery is divided into the Bering Sea and
27 then the southern part from Kodiak on down to Southeast
28 still.

29

30 DR. STRAM: Yes, this action is solely
31 on the Eastern Bering Sea pollock fishery.

32

33 MR. O'HARA: So it's just the Bering
34 Sea. The guys in Southeast aren't doing very well on
35 kings either, you know. I mean at \$7.50 a pound in
36 Sitka with very few fish. Anyway, you had a low catch
37 one time of 52 percent. This may not be a fair
38 question because you might have to go look at it. Do
39 you remember how many fish that was, the bycatch, that
40 time?

41

42 DR. STRAM: Do you mean the
43 alternatives that would have reduced it by 52 percent?

44

45 MR. O'HARA: Well, you said you had a
46 low catch of 52 percent or maybe I misunderstood that.
47 I was wondering if you could translate that into number
48 of fish caught. It was on your PowerPoint up there.

49

50 DR. STRAM: Right. What I was trying

1 to explain was it varies. Because we looked at this in
2 retrospective by year, so what we're looking at is
3 those trends from 2003 to 2007, applying all those
4 alternatives and looking at the range and trying to
5 summarize it basically. If you look, 2003 is the
6 lowest one. Any of the alternatives, whether they're
7 the most or the least constraining, would result in
8 either no reduction or 52 percent reduction in even the
9 lowest year. So the one that would result in the 52
10 percent reduction is the lowest cap under
11 consideration, which is 29,300.

12
13 You have to then consider when we're
14 looking at the impacts it's not just the cap level it's
15 also how it's partitioned seasonally and how it's
16 divided out by sectors. So there's different options
17 for those, but basically if you're trying to look at
18 what the most constraining cap is and where you get the
19 most bang for your buck in salmon reduction, once you
20 have the analysis you'd be looking at the lowest cap
21 levels, which usually lead to the most reduction. Not
22 always. There's ways to manipulate seasonal and sector
23 allocations.

24
25 So it's not to try to find the lowest
26 one and then figure out where it matches up with the
27 options to seasonally allocate it and sector allocate
28 it. Different sectors catch higher proportions of
29 bycatch. When you have less of an allocation, for
30 example, to the shoreside sector, you wind up getting
31 more of a salmon reduction because the shoreside sector
32 tends to catch more salmon than say the mothership or
33 the offshore sector.

34
35 MR. O'HARA: Yeah, I knew it was a
36 complicated formula and I knew it would take quite an
37 answer. What produces the greatest number of fish in
38 Western Alaska, is it cod or pollock? Is there more
39 cod or pollock caught per ton?

40
41 DR. STRAM: You mean in the directed
42 fishery in the Bering Sea?

43
44 MR. O'HARA: Yes.

45
46 DR. STRAM: It would be pollock.

47
48 MR. O'HARA: It's higher than cod.
49 Because cod is very high.

50

1 DR. STRAM: Cod is very high.

2

3 MR. O'HARA: What percentage do you
4 have from the hard on bottom catch of both kings and
5 cohos? You probably don't have a bycatch of cohos.
6 The king salmon will hear the trawl coming on hard on
7 bottom. He's in mid water catching -- you know, he's a
8 predator along with the silvers and dogs and king
9 salmon. Sockeye, of course, he's up there with the
10 plankton, so we're not worried about him. No bycatch
11 there.

12

13 You touched a little bit on cohos, but
14 what do the hard on bottom do on kings.

15

16 DR. STRAM: For the most part, when
17 we're talking about the Bering Sea pollock fishery,
18 hard on bottom trawling is prohibited, so you're only
19 talking about mid water trawling. The difference
20 between catching chinook and everything else, we really
21 don't catch coho, silvers. We really only catch chum
22 when it looks -- we have observer estimates of the
23 species composition in any year and over the whole time
24 series it's almost consistently 98, 99 point something
25 percent chum. So we really are talking about chum when
26 you look at that.

27

28 MR. O'HARA: You mention that you had
29 some genetic type information, very little, from river
30 systems in Western Alaska. The more it develops, I
31 suppose you can get a higher idea what system was being
32 impacted by the bycatch of the pollock fishery.

33

34 DR. STRAM: What we have for genetic
35 information it has to do with how we aggregate it, so
36 we have a lot of information on the systems in Western
37 Alaska, but they tend to be aggregated into a coastal
38 Western Alaska genetic group and that genetic group
39 includes the lower Yukon, the Kuskokwim and Bristol
40 Bay. So we have very good genetic estimates as long as
41 you aggregate them at that level, so then you can look
42 at the impacts to all of those basically on the same
43 trend. When we try to break them out by river system
44 to the Yukon, Kuskokwim and Bristol Bay separately,
45 then we have to go back in time to a different analysis
46 that they broke it out based on a different analysis of
47 the genetics from the late '90s, so we tried to do that
48 in order to discuss river systems separately, but the
49 current genetics would aggregate those lower sections
50 of the river as well as the entire Kuskokwim together.

1 MR. O'HARA: Alaska Department of Fish
2 and Game are the ones who have been doing the research?
3

4 DR. STRAM: It is. It's Jim Seeb and
5 Bill Templin. Bill Templin is still with the Alaska
6 Department of Fish and Game and Jim Seeb has now moved
7 to the University of Washington, but it's their genetic
8 work that uses the most recent data. We've tried to
9 consider -- it's very consistent when you look at
10 aggregate Western Alaska with Meyer's work from the
11 late '90s in terms of looking at the percentage to
12 Western Alaska systems. So Meyer's work from both the
13 '80s and the '90s gave estimates of about 60 percent
14 from the earlier samples, 56 percent from the '90s
15 samples to Western Alaska of the bycatch. When you
16 aggregate the same river systems for Templin and Seeb's
17 study, you end up with about 54 percent.
18

19 We made the decision to use the most
20 recent bycatch data because that's over the time period
21 that we're looking at, so basically the first thing
22 you'd be looking at is the fact that about 54 percent
23 of the bycatch would be attributed to Western Alaska
24 rivers in aggregate. Then we try to again use the
25 other data we have available to break it out into
26 making some sort of impact discussion to individual
27 rivers.
28

29 MR. O'HARA: DNA type stuff will shut
30 the pollock fishery down. I mean that's the hard core
31 stuff and we need it badly and research. The Alaska
32 Department of Fish and Game, with the budgets we have
33 in Alaska now, it would be really worthwhile to make
34 sure we get more of that because that's what will
35 really tell. Here in Bristol Bay I punched about 37
36 belugas and took the sampling. Over a period of time
37 it becomes a scientific piece of equipment that you can
38 say here you are. This is where you're going to stop
39 or this is where you're going to start. Here in
40 Bristol Bay we name and number and count every one of
41 them. Every salmon that comes by here we look them
42 over, handle them, before they go upstream. I mean
43 that's why we have such a healthy fishery.
44

45 I guess one other thing is, I was on
46 the original advisory council until sometime in the
47 '90s and we had five species that was prohibited
48 species. It was salmon, halibut, herring -- what were
49 the five. Anyway, the two biggest were salmon and
50 halibut then. We tried to get some help from the sport

1 guys in those days and they didn't even want to talk to
2 us about that. Now all of a sudden the stocks are
3 being impacted the sports guys are getting involved.
4 They have a lot of power. We'll work with them.

5
6 The other question I have is this. As
7 you know, a percentage of the bottom fishery is going
8 to the coastal villages and the coastal villages all of
9 a sudden are putting up fish plants. One is being put
10 up at Platinium. Guess what they're doing. They're
11 saying leave the king salmon alone. We'll take the
12 bottom fish. So there you've got a conflict with us
13 saying we want to extract as many kings away from the
14 pollock fishery as you can and all of a sudden the
15 economy in Western Alaska is affected by somebody
16 giving them the chance to go out and get some bottom
17 fish. You're going to hear that too. You've probably
18 already heard it.

19
20 I guess the last thing is maybe a
21 comment. I don't think they should be given any of
22 those king salmon to any educational system or anybody
23 who needs them. There should be nothing given away
24 because it's an incentive for these guys in mid water
25 to, you know, stretch the rules and we will. All of us
26 do. We do it in every phase of our life. It's just
27 part of the greed. So I don't see that anything should
28 be -- if it's dead -- it all goes over dead anyway. We
29 know that. Just throw it away until you start reducing
30 the bycatch. Thank you very much.

31
32 DR. STRAM: Mr. Chairman. If I could
33 just respond to the sampling for the genetics. There
34 has been a big push in recent years and more pressure
35 on the pollock industry as well as on our observer
36 program to collect the genetic samples and to beef up
37 both -- they're currently looking at a better sampling
38 design that would increase the sampling rate and
39 working with the genetic scientists so that -- while
40 they're working on refining river systems so that we
41 have better information, the National Marine Fisheries
42 Service is then working on a better sampling so that we
43 have a better distribution in the Bering Sea.

44
45 I mean the ideal is that on an annual
46 seasonal basis we know exactly what the composition of
47 the bycatch was in any one year and they are trying to
48 work towards that. It's just taking time to throw
49 their resources at it right now.

50

1 MR. O'HARA: Thank you very much. That
2 is so critical and we need to do that. Time and area
3 closures, once you reach a cap, you have observers on
4 board, is there any other scientific group on board
5 other than just an observer? That's all, just an
6 observer? So they do the count and then they send you
7 the numbers and then you have to make a decision?
8

9 DR. STRAM: Nicole can probably speak
10 to this better. The sampling protocol for salmon
11 depends on which type of vessel and whether the
12 observer is on board, if it's a catcher processor and
13 they're counting the salmon on board the catcher
14 processor or for catcher vessels delivering to a
15 processing plant, then you have the observer at the
16 processing plant, but the estimate is taken then on the
17 offload as opposed to on board where they're monitoring
18 just for no discarding.
19

20 MR. O'HARA: Did I hear you say that
21 there are no bycatch of coho on hard on bottom?
22

23 DR. STRAM: We really don't catch any
24 other species of salmon for the most part. When you
25 look at anything other than king salmon it is chum
26 salmon. Our percent of bycatch in the fishery of all
27 the other salmon species is incredibly low in
28 comparison to chum salmon.
29

30 MS. KIMBALL: The majority of those
31 sectors have two observers on board 100 percent of the
32 time for the catcher processor fleet and the mothership
33 fleet. Only the catcher vessel fleet that delivers on
34 shore has one observer on.
35

36 CHAIRMAN ALVAREZ: You said they have
37 two observers?
38

39 MS. KIMBALL: The catcher processor
40 fleet had two observers on board.
41

42 CHAIRMAN ALVAREZ: I was going to ask
43 you how confident are the bycatch numbers?
44

45 MS. KIMBALL: I think in this fishery
46 in particular they're very confident, especially
47 compared to other fisheries. The majority in the Gulf
48 of Alaska for instance where we're getting anywhere
49 from 10 to 30 percent observer coverage. But in this
50 particular fishery of pollock, we're the most confident

1 in those numbers.

2

3 CHAIRMAN ALVAREZ: Thank you. Dan.

4 MR. O'HARA: Along that same line, the
5 reason they put two observers on board is you have to
6 sleep sometime and these guys would catch fish and
7 throw them away as much as they could while the
8 observer was sleeping. My son was out on that boat and
9 he was throwing the halibut and cod and king salmon
10 overboard. That was his job when it came in from the
11 trawler on the back of the boat. He threw the
12 prohibited species overboard and he said they were all
13 dead basically. But he said they happened to have a
14 lady on board who was an observer and while she was
15 sleeping they'd throw as much as they could overboard.
16 As soon as she woke up, they'd just start spreading a
17 few bodies around the floor and make it look like they
18 did a good job. So I think with two observers they
19 might stay awake a little longer and that's a good
20 thing.

21

22 MS. KIMBALL: They're trying to prevent
23 any pre-sorting on any of these boats, that's true.

24

25 MR. O'HARA: You don't believe they'd
26 do something like that, do you.

27

28 DR. STRAM: I would also say as part of
29 this, when regulations go forward from this, in order
30 for the National Marine Fisheries Service to impose and
31 have confidence in the precision of the estimates of
32 salmon to manage on a cap level once they go below the
33 sector level. So for the shore side cooperatives to
34 allocate salmon all the way down to that cooperative
35 level that is the section of the fleet that has less
36 observer coverage. So, in order to allocate to that
37 level is a mandatory requirement to have 100 percent
38 observer coverage. So prior to this measure going
39 through to the cooperative level that section of the
40 fleet that does not currently have 100 percent coverage
41 must have it in order to get a salmon allocation.

42

43 CHAIRMAN ALVAREZ: Thank you. Does
44 anybody have anything else.

45

(No comments)

47

48 CHAIRMAN ALVAREZ: We appreciate you
49 guys coming here and reporting to us. Thank you and
50 have a good day. Dan.

1 MR. DUNAWAY: I'm not sure if this
2 would be premature or what, but I'm curious, would the
3 Council want to make a statement, forward a statement
4 for the record as far as supporting? I kind of roughed
5 out some language to the effect that if we had a letter
6 or a resolution to support efforts to minimize bycatch
7 or should we just leave it individually? I'm kind of
8 looking for direction.

9
10 CHAIRMAN ALVAREZ: You know, if you
11 look at this PowerPoint, we supported bycatch of 38,000
12 when I testified to the North Pacific Council last
13 spring and that number came from '92 to 2002. That was
14 the average then. Since then it shot up. I suppose
15 when they come out with this 800 pages and we get Staff
16 to tell us exactly what it says to us, then we can come
17 out with a statement then before they finalize what
18 they're going to do. What do you think about that?

19
20 MR. DUNAWAY: Yeah, that might be more
21 appropriate. I'm wondering if our winter meeting might
22 occur during the public comment period, so that might
23 be a better time to do it. We've kind of all gone on
24 record, I think, as pretty much supporting. If you can
25 get it to zero, that would be great, but I know that's
26 a hard job. The public comment period was December to
27 March?

28
29 MS. KIMBALL: The formal public comment
30 period would be December 5th through February 2nd.
31 We'll certainly take these individual comments back and
32 assimilate them into the document, but a formal
33 resolution from your body would be great if you can do
34 that during the public comment period or just prior to
35 the council's April decision even.

36
37 CHAIRMAN ALVAREZ: Yeah, I think that
38 would probably be appropriate. Somehow we could get
39 the information and then I guess we'd have to have our
40 coordinator inform us and then poll us on that so that
41 we could comment as the Council at that time. Dan.

42
43 MR. O'HARA: Nicole, could you tell us
44 the dates one more time and I also have a suggestion.

45
46 MS. KIMBALL: It's on your flyer that
47 Donald gave to you. The public comment period should
48 begin December 5th. It may be a day or so off from
49 that, but it's going to be 60 days from that time
50 period. So the first week of February would be ending.

1 And that's the formal public comment period on this
2 draft EIS and I guess I was trying to emphasize you can
3 send comments in at any time and it's not going to be
4 disregarded.

5
6 MR. O'HARA: Mr. Chairman. I think
7 what we should do is take your thoughts and what Dan
8 has there and come up with a resolution that we would
9 give as a Council to Randy to go ahead and sign and get
10 in since he's the Chair.

11
12 The second thing is, on December 1st
13 and 2nd the Bristol Bay Native Corporation board of
14 directors is going to have a village workshop at the
15 Hilton Hotel in Anchorage. You've have about 29
16 villages in there and you'll be there at the time for
17 the Pacific Council. They are looking for some agenda
18 items that would basically really affect that area and
19 it might be a good thing if you had time to come. It's
20 at least 350 to 400 of the village people from
21 Southwest Alaska come to that. You'd reach a huge
22 amount of people on this particular item.

23
24 MS. KIMBALL: That's the BBNA board
25 meeting?

26
27 MR. O'HARA: BBNC.

28
29 MS. KIMBALL: This may be why our
30 meeting got bumped. Our council meeting isn't until
31 the following week, so we could be available for that.
32 I can get in touch with them and see if they'd like us
33 on the agenda.

34
35 MR. O'HARA: I know you guys usually
36 show up at our Christmas party and eat our food and
37 dance with our women.

38
39 (Laughter)

40
41 CHAIRMAN ALVAREZ: Donald.

42
43 MR. MIKE: Thank you, Mr. Chair. Just
44 looking at the calendar for winter 2009 meeting, the
45 Bristol Bay is scheduled to meet March 23-24 in Naknek.
46 If the Council wishes to pass some sort of resolution
47 on the North Pacific Fisheries Management Council EIS,
48 it would be nice to have a motion saying what the
49 resolution is and then myself and staff will draft up
50 the resolutions for Randy's signature. Thank you, Mr.

1 Chair.

2

3 CHAIRMAN ALVAREZ: I don't know what
4 the resolution would say until we see what they're
5 actually going to do. I suppose we could stick by our
6 original recommendation of 38,000, you know, as I
7 showed you on that PowerPoint. Dan, do you have a
8 suggestion.

9

10 MR. DUNAWAY: Mr. Chair. I have a
11 little rough language I could work in something like
12 that with maybe a draft resolution to start with. Just
13 real quick, what I wrote was a letter or resolution to
14 support the National Marine Fisheries Service's efforts
15 to minimize bycatch of all salmon species in the Bering
16 Sea pollock fishery. The RAC supports caps limits
17 regulations that are very conservative and preferred to
18 err in the favor of salmon stock. Maybe add the
19 language in the past we supported no more than 38,000
20 bycatch. I had language saying we recognize many of
21 our communities get benefits from the Bering Sea
22 pollock fishery as well. Please note recent 2007-2008
23 chinook salmon returns to some Bristol Bay rivers have
24 not been as strong as expected. We support additional
25 data collection and analysis to refine these efforts to
26 minimize bycatch and that was my rough language.

27

28 CHAIRMAN ALVAREZ: That sounds
29 appropriate. We need to mention, since they came out
30 with their recommendation numbers, that the forecast --
31 I mean the return has been below forecast, so we need
32 to mention that our recommendation of 38,000 probably
33 needs to be no more than that and maybe minimize to be
34 less than that if the runs are going to be continuing
35 to be below ADF&G forecast. Dan.

36

37 MR. O'HARA: Mr. Chairman. Is that a
38 motion, Dan?

39

40 MR. DUNAWAY: I can make it one if the
41 Council likes the general terms or with some direction
42 maybe I could work with Randy and Donald to tune it up
43 more. What's the pleasure of the Council?

44

45 MR. O'HARA: I think we should just
46 take it and go. It sounds to me if that's rough
47 language and you had something good, we'd probably be
48 in the library someplace I imagine. Let's just make a
49 motion to go ahead and do it.

50

1 CHAIRMAN ALVAREZ: Dan, you so move.

2

3 MR. DUNAWAY: Mr. Chair. I move that
4 we develop a draft resolution following the general
5 language I read previously, adding that we prefer a cap
6 of 38,000 chinook salmon and language to the effect
7 that recent returns to Bristol Bay rivers of chinook
8 salmon have fallen below ADF&G forecasts.

9

10 I know some of those numbers we saw
11 showed in their maximum scenarios 8,000 chinooks to
12 Nushagak. Say it's really only half that. 4,000
13 chinook salmon can make the difference between closure
14 of the sport fishery, an uproar in the subsistence
15 fishery and restrictions in the commercial fishery
16 here. It gets real tense. The management plan we had
17 in Nushagak was literally forged in fire. It works
18 pretty darn well now, but when the kings aren't there
19 everybody is at each other's throats. Some of the
20 first to complain is that upriver villages aren't
21 seeing their subsistence fish. That puts pressure on
22 everybody.

23

24 CHAIRMAN ALVAREZ: Dan, are you
25 deliberating?

26

27 MR. DUNAWAY: I'm yammering. Doi.

28

29 CHAIRMAN ALVAREZ: Is there a second.

30

31 MR. O'HARA: I'll make the second, but
32 let's make note where the motion stopped and the
33 comment period began. You usually make a motion,
34 second it, then comment.

35

36 CHAIRMAN ALVAREZ: There's been a
37 motion and seconded by Dan O'Hara. Now we're on
38 discussion. I would like to say that you brought up a
39 good point there, Dan. As I commented earlier, the
40 Naknek River barely made the escapement for chinooks.
41 The last few years the runs had been probably at least
42 double what the forecast was. I mean the minimum
43 escapement had been and it barely made the escapement
44 last year.

45

46 You had mentioned that if we fall below
47 the minimum escapement, it will effect the subsistence
48 user, the commercial and sport fishermen because of
49 restrictions. A big impact it would make on the
50 commercial sockeye fishery. It would probably end up

1 having to have windows in my opinion to allow chinook
2 up the Naknek River and those windows would be allowing
3 a lot of over-escapement for sockeye, which has already
4 been occurring. If that were to be the case, it would
5 really be a big impact on the economics of the fishery
6 and so it is a big issue of what can happen. I just
7 wanted to comment on that, of what we could be faced
8 with.

9

10 Is there any more discussion.

11

12 (No comments)

13

14 MR. O'HARA: Call for the question.

15

16 CHAIRMAN ALVAREZ: The question has
17 been called. All in favor of the motion for the
18 resolution signify by saying aye.

19

20 IN UNISON: Aye.

21

22 CHAIRMAN ALVAREZ: Opposed.

23

24 (No opposing votes)

25

26 CHAIRMAN ALVAREZ: Motion carried. All
27 right. So that will bring us to number 9.

28

29 MR. MIKE: Yes, Mr. Chair. I would
30 make a suggestion. Since we already have the
31 PowerPoint projector on, we could get into the Bering
32 Sea Fishermen's Association report since we're already
33 in fisheries. It's up to the Council. You can go to
34 number 9 or hear another report from Mr. Dave Cannon.

35

36 CHAIRMAN ALVAREZ: Okay. I forgot
37 about that. Dave, would you come up. You can state
38 your name and organization.

39

40 MR. CANNON: Thank you, Mr. Chairman.
41 Members of the Council. My name is Dave Cannon and I'm
42 here with the Bering Sea Fishermen's Association. What
43 I would like to talk to you today about is a program we
44 have. I believe most people are familiar with the
45 Bering Sea Fishermen's Association. We've got a
46 program called the FAIR Program and it stands for
47 Fisheries Awareness Information and Responsibility.

48

49 I know we passed out one of these
50 newsletters and I'm hoping you've seen these before

1 because we mailed out 30,000 of these to people
2 throughout the Bering Sea area. So I at least hope
3 some people in this room are familiar with the program.

4
5 What I want to talk about is an
6 informational forum on our website and I passed out a
7 piece of paper with actual instructions on how to
8 access the website. It's been a little tricky. So if
9 you decide to get on there and want to put a post on,
10 which I hope you will be -- and this presentation
11 actually is not just specific to the Council here. I'm
12 hoping the biologists, researchers, subsistence
13 fishermen, commercial fishermen, anybody will help
14 contribute to this.

15
16 This is basically just a hard version
17 of a newsletter I passed out earlier. This would be
18 the actual website for the Bering Sea Fishermen's
19 Association and the program I'm talking about is under
20 the purple programs column there where there's the
21 fisherman with the net in his hand and the FAIR. What
22 a person would do is click on the FAIR. We also have a
23 calendar, which a meeting like this or any particular
24 event that you have upcoming that you would like people
25 to be aware of, you can go ahead and contact Bering Sea
26 Fishermen's Association and we'll include that on a
27 calendar here.

28
29 What we want to do is work together as
30 all users in the Bering Sea; agencies, commercial
31 subsistence fishermen. There's a lot of issues we
32 heard here; oil and gas development, bycatch issues,
33 things like that. People, if they have an opinion,
34 concern, you can go on and post onto the forum your
35 concerns. It could be anything from fish related,
36 Bering Sea ecosystem related, and I'll show you some
37 examples of some of the things we've posted already.

38
39 One of the things we want to definitely
40 point out is we're in the early stages of this, so if
41 you have any suggestions on how to improve it,
42 definitely let us know. Let's say then we did get into
43 the forum section of the website. What you want to look
44 for is the words fisheries discussions. I apologize
45 for how small some of the lettering is here. But this
46 is what you would see on the web page. You would click
47 on fisheries discussions and then this is just a
48 listing of the majority of the topics that had already
49 been posted. They range everything from -- our most
50 popular one was the river break-up this spring when the

1 Kuskokwim broke up. I put a little blurb in there and
2 I included some photos and so far we've had over 400
3 people at least look at that particular post.

4
5 We have everything from beluga whales
6 that were sighted in the Kuskokwim here this summer and
7 we've got research, the sockeye salmon, a particular
8 project that was through the Arctic Yukon Kuskokwim
9 Sustainable Salmon Initiative. There's been research
10 with Dolly Varden here on the Togiak Refuge, Mark
11 Lisac. We've got a thread going for that. Everything
12 from the Yukon River subsistence restrictions enacted.
13 A bycatch you'll see there.

14
15 So if you have any topic you want to
16 express a concern about, just go ahead and you can sign
17 on and you would need to register and post your issue.
18 This is one, Spruce needle rust, which I don't know if
19 you folks saw it down here in Bristol Bay, but up there
20 in the Kuskokwim anyway this was pretty common. I
21 recall one day on the radio call-in show in Bethel a
22 person from Tuluksak called up and wasn't sure if this
23 had to do with the mining activity that was going on
24 upstream or what. If someone were to see something
25 like that and maybe get on and say, hey, this is what I
26 saw but I'm not sure what it is, is there anybody out
27 there who knows what this is and can pass on the
28 information. So we did a little write up for that
29 Spruce needle rust.

30
31 Here's a recent update, Friday, the
32 19th of September, on the bycatch with the meeting that
33 did occur in Anchorage just a few days ago.

34
35 One other aspect of the program is an
36 actual database where people with more specific
37 observations can go in and actually include coordinates
38 where you might have seen something very unusual.
39 Let's say that you saw some fish species that you've
40 never seen before. Hopefully, if you were able to get
41 a picture of it, you could document it that way. Then
42 go ahead on the back side of the sheet I gave you are
43 instructions on how to actually work through this
44 interactive map database.

45
46 One of the benefits I see for this
47 particular program would be to update the State's
48 anadromous waters catalogue. I don't know how many
49 people here are familiar with that, but the State of
50 Alaska tries to keep track of every stream that has

1 anadromous fish in it. Depending on whether or not
2 there are those anadromous fish in those waters, there
3 might be certain regulations as far as development and
4 things like that. That database that they have is not
5 complete, so hopefully people who are out there on the
6 ground if they are familiar with the catalogue might
7 say, oh, this particular stream does not show up in the
8 catalogue as having pink salmon or chinook salmon. If
9 you know that they're in there, you can go in on this
10 and note that and then we will be working with the
11 Department of Fish and Game to update that catalogue.

12

13 This is just how to work through that
14 site. You would pick the area that you're in and
15 here's Hooper Bay as an example and you can go in and
16 draw lines and put little points on there, pinpoint
17 exactly where you saw that unusual sighting.

18

19 Getting back to the forum section where
20 you can just go ahead and blog. If people are proud of
21 their subsistence catch that year and have a nice
22 picture of your fish rack, anything that has to do with
23 the Bering Sea ecosystem, there's a lot of people I'm
24 sure that would be interested. Even people probably in
25 the Lower 48 who can get on the internet here and just
26 see what's going on in Western Alaska and within the
27 Bering Sea.

28

29 I guess I'll end it there because I
30 know it's getting close to lunch, but if you have any
31 questions.

32

33 CHAIRMAN ALVAREZ: Thank you, Dave. I
34 do. You mentioned on the Yukon there, the Spruce
35 beetle rust you called it? What is it?

36

37 MR. CANNON: That was Spruce needle
38 rust. It was common in the Kuskokwim and the Yukon.
39 It's a fungus. I've talked to quite a few local people
40 and they've seen it over the years. It erupts I don't
41 know how regularly, but this year it was very thick up
42 there in the Holitna where that picture is from and it
43 affects the new growth on the spruce trees. Next year
44 it will actually go into the Labrador tea.

45

46 CHAIRMAN ALVAREZ: The reason why I
47 said that, I was up at Naknek Lake in August coming
48 down from Brooks Camp and we seen a stream with this
49 golden stuff on the water and I didn't know what it was
50 and the guy that was with me he didn't know what it was

1 and it looked like that picture you had there. That
2 must have been what it was because there's a lot of
3 spruce trees up there. Is it hazardous?

4
5 MR. CANNON: No, but I spent a month up
6 on that Holitna and my hay fever the entire time was
7 just terrible. In fact, my dog was sneezing for
8 several weeks. It was something else. I guess the key
9 point here is with climate change concerns. I think
10 this is a very good avenue here to note these changes
11 we have been seeing and will continue to see as time
12 goes on.

13
14 CHAIRMAN ALVAREZ: Dan.

15
16 MR. O'HARA: Yeah, you better call Al
17 Gore on that one, I guess. That thing goes way back.
18 I grew up on Lake Iliamna and Iliamna is 30 miles wide
19 and 93 miles long and I seen it from Kanakanak all the
20 way over to Knudsen Bay, just solid. It's a normal
21 phenomenon. It's harmless.

22
23 MR. CANNON: Yeah, one of the people
24 also that called up on that call-in show, they said it
25 had something to do with the substraits coming to the
26 surface. So sometimes this misinformation can just
27 spread like wildfire. So hopefully a site like this
28 can help minimize some of those rumors and things and
29 we can definitely pass on good information to each
30 other.

31
32 CHAIRMAN ALVAREZ: Another thing I see
33 on this newsletter here, the board of directors,
34 there's a vacant position for Bristol Bay. Is that
35 being filled?

36
37 MR. CANNON: I can't answer that right
38 now, but I can check on that and get back with you.

39
40 CHAIRMAN ALVAREZ: I was just
41 wondering.

42
43 MR. CANNON: Are you interested?

44
45 CHAIRMAN ALVAREZ: No. Somebody else
46 should be. I've got enough. I just told Boris I need
47 to taper down. He says, yeah, you need to.

48
49 MR. CANNON: I will follow up and just
50 talk to Karen Gillis and see if there is that opening

1 and if there might be some interest.

2

3 CHAIRMAN ALVAREZ: Anybody else. Pete
4 says it's good. Thank you, Dave. Okay. I guess now
5 that brings us to 9. How long do you think this is
6 going to take, Donald? Any more action items?

7

8 MR. MIKE: The last two, 9 and 10, are
9 action items. Item number 9, the presentation is going
10 to take about 10 minutes and then there's discussion by
11 the Council for input on the program. I think that
12 would be better addressed after lunch.

13

14 CHAIRMAN ALVAREZ: Okay. Then we will.

15

16 MR. MIKE: Another action item is from
17 the Bureau of Land Management on the Timber Use Policy.
18 We have a representative from the BLM to present that
19 report. How long is that report going to be, Dan?

20

21 MR. SHARP: Fairly quick.

22

23 MR. MIKE: Fairly quick. If you want
24 to move on to item number 10 before lunch, the Council
25 could do that. What's your wish, Mr. Chair.

26

27 CHAIRMAN ALVAREZ: What about 9, how
28 long will that take?

29

30 MR. MIKE: The presentation itself will
31 be about 10 minutes and then there's some discussion
32 and the public would like to provide input, so that
33 will be probably another 20 minutes.

34

35 CHAIRMAN ALVAREZ: Okay. I'd inform
36 you guys I'd like to be done by 3:00 o'clock. Nathan
37 wants to catch the 5:00 o'clock flight back to
38 Anchorage. Lunch might interfere with that, so let's
39 just continue and get those two done first and then see
40 where we are. So let's go to number 9. Beth.

41

42 MS. SPANGLER: Almost good afternoon.
43 My name is Beth Spangler and I'm with the Office of
44 Subsistence Management and I was just going to provide
45 a brief overview on the Monitoring Program and a
46 request for some input on our issues and information
47 needs.

48

49 I think as all of you know Office of
50 Subsistence Management has two primary functions. We

1 work on regulatory issues where we develop and change
2 hunting and fishing subsistence regulations as we
3 worked through some of those issues this morning and we
4 also oversee primarily fisheries research that provides
5 information needed that helps direct subsistence
6 fisheries management.

7

8 The two parts are important because in
9 order to have healthy, sustainable fisheries we need
10 effective management and regulations, all of which is
11 obviously dependant on sound science and good
12 information. That information most often comes from
13 the people that are living in the communities that we
14 are expected to serve.

15

16 The Fisheries Resource Monitoring
17 Program funds many of these projects where the people
18 have identified those issues and information needs that
19 they have. Since 2000 in your region, the Fisheries
20 Resource Monitoring Program has funded 43 projects, of
21 which 29 have been in the Bristol Bay/Chignik are. To
22 determine what projects need to be funded, we work on
23 those issues and information needs. That is what I
24 want to talk about today. It starts on Pages 36 of
25 your Council books and it goes through Page 41. In
26 particular with the Southwest Region, that starts on
27 Pages 39.

28

29 The document that you have that you'll
30 find on these pages is draft and we're looking to you
31 today to let us know if there are any other research
32 needs that should be included in the request for
33 proposal that are not there.

34

35 This is not an action item that you
36 need to vote on, but we're looking for your ideas and
37 suggestions today. The Monitoring Program does fund
38 two types of projects, both stock status and trend
39 projects and harvest monitoring and traditional
40 ecological knowledge projects.

41

42 With stock status and trends, these are
43 fish populations and stock type projects that can be
44 anything from weirs to ASL projects that provide
45 information on fish population structure and genetic
46 studies of fish populations, among many types of
47 projects. On Table 1, the items I had put on your desk
48 this morning are a list of projects that we've funded
49 since 2000 and Table 2 are projects that are currently
50 in the water.

1 The second type of project OSM
2 Fisheries Division funds are those on harvest
3 monitoring and traditional ecological knowledge
4 projects. These types of projects provide information
5 about subsistence fish harvest that is needed to
6 provide better management. Projects include why fish
7 are harvested at a certain time and place or where the
8 fishing is occurring. This information is used to show
9 how much a community depends on fish, how much is
10 needed and to document local observations about
11 changes.

12
13 The Monitoring Program this year has
14 about \$6 million that is going to go out for a call for
15 proposals for projects starting in 2010. This call
16 will go out in November of this year with a closing in
17 January. The dollars are divided up by region around
18 the state, generally according to the amount of Federal
19 public lands and management issues in your area.

20
21 All proposals addressing subsistence
22 fisheries on Federal public lands will be considered
23 and there does need to be that connection. The 2010
24 requests for proposals is focused on high-priority
25 information needs developed either by strategic
26 planning efforts or from expert opinions from the
27 councils, the Technical Review Committee, Federal and
28 State managers and staff from the Office of Subsistence
29 Management.

30
31 For your region, separate strategic
32 plans were developed originally in 2004 for both
33 Bristol Bay/Chignik non-salmon and for the
34 Kodiak/Aleutians salmon.

35
36 The document in your Council book is a
37 summary of the priority information needs for all six
38 regions, but I just wanted to, especially in the
39 interest of time, focus on Southwest Region first.

40
41 It is important to note that while
42 Monitoring Program project selections will not be
43 limited to information needs identified in this draft
44 document, proposals addressing other information needs
45 need to show why projects are needed to better manage
46 subsistence fisheries starting in 2010.

47
48 In your book, the bottom of Page 39, is
49 where we have the issue and information needs
50 identified for Bristol Bay/Chignik non-salmon and also

1 for Kodiak/Aleutians salmon starting on Page 40. For
2 Bristol Bay/Chignik non-salmon, the only need that's
3 identified at this point is documenting trends in
4 whitefish harvest and use from Lake Clark communities.

5
6 I also wanted to note on Page 41 of
7 your Council books there's an inter-regional priority
8 information needs that calls for projects addressing
9 climate change and its effects on subsistence
10 fisheries. The inter-regional category is for projects
11 that include two or more regions. While OSM is asking
12 investigators submitting proposals for any single
13 region to consider examining or discussing climate
14 change effects, OSM is also interested in projects on
15 climate change that cover more than one region.

16
17 On a side note, on all proposals, even
18 if they're out of region, OSM is encouraging
19 investigators that are conducting long-term projects to
20 participate in a standardized air and water temperature
21 monitoring program. We provide calibrated temperature
22 loggers and associated equipment, analysis, reporting
23 services and access to a temperature database. We are
24 encouraging investigators to include their willingness
25 to participate in this program in their proposals if
26 they are inter-regional or within the region.

27
28 For those inter-regional projects
29 related to climate change, we are looking for climate
30 change on subsistence resources and uses and how
31 subsistence fisheries management can be better adapted
32 to deal with these effects. That's the focus there.

33
34 So, in closing, we are looking for
35 ideas and suggestions of research that your Council
36 feels would be of highest priority that are missing
37 from this document that need to be included for those
38 projects that would begin in 2010. Looking at Table 2,
39 you can take a look that I think all but one of your
40 projects will be closing by the end of 2009. So the
41 question before you is what issues and information
42 needs are missing that would need to be on here that
43 would help facilitate the opportunity for those
44 proposals to get through the process during 2009 so
45 that those projects could begin in 2010.

46
47 Mr. Chair, this concludes my
48 presentation and I'd be happy to answer any questions
49 that you or the Council may have.

50

1 CHAIRMAN ALVAREZ: Any questions. Dan.
2
3 MR. O'HARA: Thank you, Beth, for that.
4 Table 2, do you have that in front of you?
5
6 MS. SPANGLER: Yes.
7
8 MR. O'HARA: Without a doubt, that
9 Perryville/Clark River coho, sockeye, they have had
10 such devastated runs down there that we need to
11 continue to look at that.
12
13 I don't know, do we blanketly support
14 what was given for us for Bristol Bay because we're not
15 going to deal with Kodiak simply because I don't
16 understand what they do in Kodiak and they can handle
17 that on their own. Do we pick and choose one of these
18 or all these we can say yes to?
19
20 MS. SPANGLER: The projects here and on
21 Table 2.....
22
23 MR. O'HARA: They're ongoing?
24
25 MS. SPANGLER: They're ongoing and
26 they're ongoing through 2009 with the exception of the
27 Lake Clark sockeye counting tower. That is funded
28 through 2011. What we're asking for today are ideas of
29 projects. It doesn't need to be a specific project.
30 It can be concerns of chinook or what are your concerns
31 you have for your region that are issues that need to
32 be identified in this document. This document is then
33 part of the call that goes out in November that says
34 what are the issues and then proposals come in to
35 address those issues. So we're looking at kind of the
36 big picture, broad scale right now.
37
38 MR. O'HARA: Mr. Chairman. If I might
39 continue. From what we heard from the North Pacific
40 Council today and the decline in chinook, Pete, over in
41 your area. You said they were pretty small. And
42 what's happened in Nushagak, would it be appropriate
43 for us to say additional research or genetic type stuff
44 to take place to help us out or where are we at there?
45 Help us out. That would be additional things to put
46 into the mix.
47
48 CHAIRMAN ALVAREZ: Doug, you had
49 something.
50

1 MR. McBRIDE: Mr. Chairman, thank you.
2 Doug McBride, the Anchorage Fisheries Office. Part of
3 my duties, I'm also the Federal in-season manager. Mr.
4 O'Hara brought up a very good point that I just want to
5 point out from a management perspective. When you look
6 at the issues that this Council is probably going to be
7 dealing with over the next couple years, certainly the
8 status of chinook runs throughout the region is clearly
9 a concern. They've been mediocre at best and other
10 places seriously in the tank throughout Southcentral
11 and Western Alaska.

12
13 My office has been running a chinook
14 program in coordination with Pete and the Togiak
15 National Wildlife Refuge in Togiak. We just started
16 that this year. The way I would portray that in the
17 interest of time here is I think we've got a good start
18 on it, but I think there's a lot of work that remains
19 to be done. We're getting our first look at rigorously
20 trying to estimate distribution of spawning in the
21 drainage. We have not cracked the nut of trying to
22 estimate abundance, which was part of the original
23 study design. That program, as Beth mentioned, is
24 funded through next year, 2009, but with this call for
25 proposals coming up in 2010, I would urge the Council
26 to consider from a management perspective is to keep
27 the issue of chinook assessment on the list of issues
28 and information needs for all obvious reasons that were
29 talked about this morning. Mr. Chairman.

30
31 CHAIRMAN ALVAREZ: Anybody else. Pete.

32
33 MR. ABRAHAM: 07-402 Buskin River weir.
34 Is that a creek -- I seen a sign that said Buskin River
35 or Buskin Creek, I can't quite remember which it is.
36 It's a small stream, but it says over here 79,000 on it
37 for the weir. Do you have an idea how big the river
38 is?

39
40 MR. McBRIDE: Mr. Chairman. Mr.
41 Abraham. When I was with OSM, Buskin River is right in
42 Kodiak. It's right by the airport in Kodiak. It's not
43 super small, but it's not super large either. I'm
44 trying to think of a creek it would be analogous to. It
45 would probably be similar in size to the smaller
46 tributaries of the Togiak, but it floods. It's a
47 floating weir I think ADF&G puts in there, but it's a
48 weir project in Kodiak looking at sockeye and coho, I
49 believe.

50

1 MS. SPANGLER: It provides the primary
2 subsistence needs for folks in that area in the Buskin
3 River.

4
5 MR. ABRAHAM: Yeah, Mr. Chairman. It
6 just clicked in my mind it's Buskin, it's Russian, not
7 Buskin. I'm trying to picture how small it was, but I
8 remember now. It's by the airport. Thank you.

9
10 CHAIRMAN ALVAREZ: Dan.

11
12 MR. O'HARA: Beth, the Alakanuk, white
13 man call it the Alagnak. It's a branch river. Do they
14 still have a Federal counting station there in the
15 branch? I think that's how we found out they had 5
16 million fish up there one time.

17
18 MS. SPANGLER: No, there's not a
19 Federal one up there now. It's State.

20
21 CHAIRMAN ALVAREZ: Dan.

22
23 MR. DUNAWAY: I'm not sure these would
24 fall under the funding requirements, but we're still
25 looking at we had a concern of oil lease sales out in
26 the bay and I think there was a comment when we were
27 hearing Mr. Hoefflerle's testimony yesterday that at one
28 point we were advocating looking at outmigrating smolt
29 or requesting that that be looked at in incoming adults
30 and that's still a concern. I guess I'd like to at
31 least get it on the record. If there was a way that
32 subsistence funding could support some research out
33 there. It might fall under required environmental
34 impacts for the oil companies, but that's one concern.

35
36 I have ongoing concerns with potential
37 mining impacts. There's miners crawling all over
38 Bristol Bay, scratching rocks and drilling holes. Some
39 of that I think is in Native land, possibly in the
40 preserve or near the preserve north of Katmai. I'm not
41 sure. Those are two concerns I would have, but I don't
42 know if they fall in the guidelines that would allow
43 them to be funded through Federal subsistence.

44
45 CHAIRMAN ALVAREZ: Beth, on Table 1
46 here, Bristol Bay salmon, are all these projects being
47 implemented or are these just what we'd like to do?

48
49 MS. SPANGLER: Table 1 actually covers
50 all the projects that are complete. When you look

1 under project number, the first two numbers represent
2 the year. So if it was 00, it was initiated in 2000.
3 Each of the projects could have gone up to three years
4 for this particular table. It could have been funded
5 from one to three years in duration. All of the
6 projects on Table 1 are complete. That's why the
7 latest you see is 2005. Table 2 are those that are
8 ongoing projects, potentially ending in 2009. I just
9 provided these to give you an overall view since the
10 inception of the program in 2000 of the projects that
11 have been funded through our office.

12

13 CHAIRMAN ALVAREZ: That answers that.
14 So what do we need to do, Donald. Move to support the
15 recommendations for -- Dan.

16

17 MR. O'HARA: You're looking for some
18 additional things that we need to do. We need to do
19 the chinook in Togiak and the Nushagak. Sockeyes come
20 back now for the last eight years everywhere except
21 Lake Iliamna. We had escapement of sockeye, so we
22 don't need to dive into sockeye anymore. Next year is
23 going to be as big as last year. The areas of troubles
24 species, I think, is in the chinook. Anything we can
25 do to find out where these guys are going and why
26 they're not coming back and why they're small. These
27 are ongoing in Table 2. If we want to get our hands on
28 more money to do other projects that's going to
29 benefit, I would say definitely we'd recommend to you
30 the chinook things. Whatever form it comes in, you
31 guys know the best way to go. But I would say that
32 would be a big priority, Randy.

33

34 CHAIRMAN ALVAREZ: Yeah, that sounds
35 right. I don't know how much Federal land is up in
36 Nushagak, but I know the Naknek River up at Big Creek
37 up in the preserve -- most of the kings in the Naknek
38 River are either going to Big Creek or King Salmon
39 Creek and both of those have Federal land. Is the weir
40 still up in Big Creek? Is that project done?

41

42 MR. McBRIDE: Mr. Chairman. That
43 project was completed several years ago and is no
44 longer being run.

45

46 CHAIRMAN ALVAREZ: So how are the
47 escapement estimates being made? Like Dan said, that's
48 a main concern of ours now because of the bycatch. The
49 dwindling numbers, now that they're getting close to
50 the minimum of what's needed for escapement, it

1 probably needs to be watched more closely. That would
2 probably be something we need to research. Dan.

3

4 MR. O'HARA: The King Salmon River in
5 Egegik has a lot of kings in it and I don't know if
6 anyone has any idea -- maybe the Alaska Department of
7 Fish and Game might know something about that. That's
8 a very important river that goes up into the park. I
9 guess you've got to go a long ways for a king into
10 Federal lands. Nushagak has to go a long way.

11

12 MR. DUNAWAY: I don't know if there's
13 any.

14

15 MR. McBRIDE: There's little dabs along
16 there with some BLM land somewhere up there.

17

18 MR. O'HARA: Does it justify throwing a
19 few bucks in there?

20

21 MR. DUNAWAY: From my past experience,
22 no. Mr. Chair. When I was working with Fish and Game,
23 I don't think we could generally feel we could justify
24 or fall under the authority to get anything funded up
25 in that area is my recollection, Mr. Chair. Doug was
26 my boss for part of that time.

27

28 MR. McBRIDE: Not speaking as that,
29 Dan, but as a Federal manager, there's a difference
30 between the discussion you had this morning in terms of
31 the jurisdiction of fisheries, that whole discussion
32 you guys had over in Chignik, as opposed to what
33 projects you can fund. The project connection is
34 looser than the jurisdiction questions you guys were
35 discussing this morning, but there does have to be some
36 Federal lands. Unfortunately, trying to find something
37 in the Nushagak I don't think is possible. Certainly
38 anything in Naknek or Togiak has that connection. I
39 would think Egegik would have the same connection.
40 There's Federal lands up there that those fish are
41 coming out of.

42

43 Probably what you'd want to consider is
44 improving escapement assessment of chinook salmon that
45 support subsistence fisheries. Something along those
46 lines would then give the Staff and the system enough
47 guidance to look at proposals that would meet that
48 criteria. Mr. Chairman.

49

50 MR. O'HARA: Mr. Chairman. We should

1 just take -- like we know Big Creek is good, we know
2 that the King Salmon River is good. We know the
3 Ugashik, all those tributaries go into the Alaska
4 Peninsula Preserve or whatever that is. That's all
5 Federal lands. You have kings going in there. You
6 ought to just take what we have there and give
7 something back to us.

8

9 Otherwise, I don't want to sit here and
10 say this much goes to Big Creek and this much goes to
11 Togiak. If you took direction from the Council and
12 said we'd like you to look at those things and put some
13 money into it, then you go do it. We don't know which
14 is the best one to deal with. That's what you get paid
15 to do. That would be my recommendation.

16

17 CHAIRMAN ALVAREZ: Beth.

18

19 MS. SPANGLER: And that's what we're
20 looking for. We're looking for recommendations for you
21 for us to include it in our issues and information
22 needs that are going to go out in November so that the
23 investigators and all the researchers can then give us
24 proposals. So providing guidance that would be on
25 chinook assessment for your region is what we would
26 need to provide to the researchers to come back and
27 tell us what their concerns are in their individual
28 areas. They need to then demonstrate what the Federal
29 nexus is or the Federal connection is along with other
30 issues, like capacity building and making sure it stays
31 within the guidelines of meeting the Federal
32 subsistence fisheries connections and issues.

33

34 CHAIRMAN ALVAREZ: Dan.

35

36 MR. DUNAWAY: That's helpful. I just
37 want to express my disappointment in not seeing a
38 couple more State fisheries biologists at least here
39 today to hear this. I'm going to have to go rattle
40 their cage down there. I do know it became for a while
41 -- the State process of getting involved was pretty
42 onerous and that was a State self-imposed thing
43 somewhat. My sense was that once you got working with
44 the Feds on it they were pretty flexible and doing
45 everything they could to make it work. But it would
46 have been nice for them to be here to hear them or
47 maybe have some ideas of their own. I guess they'll be
48 getting a request for proposals or an encouragement to
49 participate from your office, Beth. Anyway, that's all
50 I had.

1 CHAIRMAN ALVAREZ: Pete.

2

3 MR. ABRAHAM: I'd like to commend your
4 boys this summer working out at Togiak, the log cabin
5 over there. I started calling them Deadliest Catch 2.

6

7 (Laughter)

8

9 MR. ABRAHAM: Because they go out
10 whether it's blowing, snowing, whatever, they used to
11 go out. The main thing I wanted to say something over
12 here. ADF&G counts fish up there near Togiak Lake, but
13 when they get up to the quota, they leave and there's
14 still fish coming in. I have not mentioned this to
15 anybody. There's occasionally king salmon going
16 through up there. Not very much, but some of them make
17 it up there. Sometimes that's after the State gets out
18 of there. I know that area because it's my river.
19 Where the kings used to spawn are dry now. There used
20 to be abundance of king salmon spawning. They're
21 mostly in the main river now, not like they used to be.

22

23 I never told the boys this summer
24 because I wanted them to find out for themselves where
25 the kings are. I know where the kings spawn all the
26 time over there because I used to help observe when we
27 do air count. They're concentrating in the main river.
28 The thing of it is over there, if the State quits
29 counting in a tower, is it possible for your guys or
30 somebody to extend their count for at least two more
31 weeks? Find out how much more red salmon goes up to
32 the lake. You know, you're not going to count like
33 50,000. It's going to average like 30,000 after leave
34 there. That's just something that's been bothering me
35 for some time. Thank you, Mr. Chairman.

36

37 CHAIRMAN ALVAREZ: It bothered you,
38 Pete?

39

40 MR. ABRAHAM: You bet. You bet me
41 boots.

42

43 CHAIRMAN ALVAREZ: Pete brought up a
44 good thought there on run timing. It might be
45 interesting, if global warming is affecting the return
46 of the salmon, because I know the department that
47 counts sets up their towers at a certain time and they
48 pull them down at a certain time ever year, and it
49 might be interesting if the run timing is being changed
50 and they're not counting the majority of them. I know

1 on the Kvichak, for instance, up at Igiugig, when they
2 quit counting usually around the 27th of July, there
3 are quite a bit more because Kvichak is a big system.
4 The problem then would be are they counting chums or
5 are they counting reds. I suppose if they sampled them
6 they would have a better idea, but I know it is
7 something we need to be concerned about if global
8 warming affects them.

9
10 MS. SPANGLER: Mr. Chair. That already
11 would be covered in the current draft priority
12 information needs because it's documented through the
13 inter-regional as well as in the preface that those
14 projects that address climate change are something that
15 the office is interested in receiving, those types of
16 proposals. Right now, as it stands, we just have
17 identified for Bristol Bay whitefish harvest proposals.
18 Those are allocated an amount of that \$6 million that
19 we would have for proposals starting in 2010.

20
21 What I'm hearing from the Council is
22 that they're also interested in assessment for chinook
23 that would be appropriate for Federal subsistence uses
24 in your region, is that correct?

25
26 CHAIRMAN ALVAREZ: Yeah. Any other
27 suggestions. Pete, you have another one?

28
29 MR. ABRAHAM: You bet me boots. It
30 seems to me right now our priorities should be chinook
31 salmon. We need to watch that very closely. If it
32 goes down any further, it's going to restrict us rather
33 than restrict those guys out there on the high seas.
34 That's my thoughts. Quyana.

35
36 CHAIRMAN ALVAREZ: Okay. Donald, do we
37 need to take action on this.

38
39 MR. MIKE: Mr. Chair. It's up to you.
40 What Ms. Spangler was getting at was she was requesting
41 additional input on research needs and information. If
42 it's the wish of the Council, they can go on record and
43 make a recommendation to Beth Spangler as a motion.
44 Thank you, Mr. Chair.

45
46 CHAIRMAN ALVAREZ: All right. I don't
47 think we need to. We haven't before, have we?

48
49 MR. O'HARA: No. You're going to go
50 after the cohos. You're going to take care of silver

1 salmon that Pete needs. I'm not so sure offshore
2 leasing (away from microphone). That would be my
3 recommendation.

4

5 MS. SPANGLER: Mr. Chair. If I could
6 just add to Mr. O'Hara. Yeah, I think some of that
7 would be a little bit challenging to make the
8 connection to Federal subsistence fishes and our
9 program direction. However, by adding chinook
10 assessment, it would give investigators better
11 direction. You'd be steering them to give us proposals
12 towards chinook assessment concerns in your area. It
13 doesn't preclude investigators from putting in other
14 proposals that they might determine are necessary
15 between now and January. It just provides better
16 direction for our organization if we're hearing what
17 you say your current needs are.

18

19 People can, if they put a compelling
20 proposal together to say why a proposal on cohos are
21 necessary. Of course, we're going to receive that as
22 well. This document will provide more specific
23 direction to what the people from your region are
24 saying are the biggest concerns right now and will be
25 heard.

26

27 CHAIRMAN ALVAREZ: All right, thanks.
28 So that takes care of that then. Let's go down to
29 number 10, Bureau of Land Management.

30

31 (Off record)

32

33 (On record)

34

35 MR. SHARP: Mr. Chairman. Members of
36 the Council. My name is Dan Sharp. I'm with Bureau of
37 Land Management. A little background as to the reason
38 I'm in front of you here this afternoon. In January of
39 this year the Chairman of the Western Interior RAC,
40 Jack Reakoff, sent a letter to the Federal Subsistence
41 Board asking for the respective agencies to provide
42 some clarification as to their policies and how they're
43 going to address subsistence use of something besides
44 fish and wildlife, basically other renewable resources.
45 My presence here is to present BLM's draft timber use
46 policy in response to Mr. Reakoff's letter to the
47 Federal Subsistence Board.

48

49 It's fairly straightforward. You
50 should have it in front of you there. What we're

1 looking for are comments and not necessarily at this
2 moment, but please take time to consider the policy and
3 see how it may address the subsistence needs of you and
4 your constituents. We're not looking for a vote or a
5 motion on this particular policy.

6
7 In summary, the best as I can squeeze
8 these three and a half, four pages down into a
9 paragraph, the policy will provide for non-commercial
10 harvest of up to 15 cords per calendar year of standing
11 dead or down timber without need for authorization or a
12 permit in hand or so. This would be a change from what
13 is current BLM policy requiring permits, but the law
14 that's currently on the books has some of the dates go
15 back to the 1870's where they talk about providing
16 timber for settlers and prospectors and they were
17 allowing I think up to 200 cords a year. A lot of it
18 was to provide for sternwheelers and stuff moving up
19 the Yukon. So clearly an update is needed to put a
20 subsistence use of timber in the context of ANILCA.

21
22 So, in essence, what this policy does
23 is provide up to 15 cords for firewood. There is an
24 allowance for house logs. If it's standing timber,
25 green timber or in a sensitive area, there may be a
26 requirement for a permit so that any potential harm to
27 the habitat could be mitigated or at least addressed in
28 some fashion. The only instance where the 15 cord
29 timber limit wouldn't apply would be for BLM lands
30 where it would be otherwise already restricted, like
31 Wild and Scenic River.

32
33 One of the common issues is that BLM
34 lands aren't that accessible for a lot of individuals.
35 Most of the river corridors have been taken up by
36 allotments and such. While they're trying to provide
37 an opportunity for firewood and house logs, it may not
38 be suitable for all areas and it may not be offering
39 much per say. Again, the reason this came up at the
40 Western Interior RAC was because they've got a highway
41 running right through BLM lands and they can drive up
42 and harvest timber and house logs. It's certainly an
43 important issue for them up there.

44
45 What I'm looking for and the page I
46 handed out does have my contact information on there,
47 what BLM is doing right now is soliciting comments from
48 potentially affected RACs and their constituents to see
49 if this particular policy addresses their needs and we
50 would like to incorporate any comments we would receive

1 and then formalize this policy probably sometime this
2 winter.

3
4 There's one paragraph, the title is
5 somewhat cumbersome, it discusses other vegetative
6 resources, but on Page 3 of the policy where it
7 discusses special forest products basically those are
8 berries, folks who want to do birching or other small
9 uses of vegetative materials, won't require an
10 authorization.

11
12 The last point I'd like to make is that
13 while a permit may not be required and authorizations
14 may not be required, it would certainly be in an
15 individual's interest and in the agency's interest if
16 we could document harvest and document where harvest
17 does occur simply for those instances where folks want
18 to document customary and traditional use there is some
19 record of it. So perhaps in future years when these
20 land designations may change, there is a history of use
21 that's been recorded and future plans and future
22 changes in land status can incorporate that.

23
24 With that, I'd be happy to answer any
25 questions.

26
27 CHAIRMAN ALVAREZ: Pete.

28
29 MR. ABRAHAM: Last winter we had an
30 incident in Togiak in the refuge area. Somebody had
31 went around and chopped off the spruce trees, live
32 ones, so they contacted me and, of course, I'm always
33 in the middle. I get accused, attacked, called names
34 and everything. I looked it up in the policy book and
35 when I talked to our corporation about it because we
36 don't have enough trees to get a dog excited about it
37 over there. They're not going with what we've got over
38 there. A lot of these things I don't mention to the
39 people in the refuge because it's not -- we don't have
40 a forest over there, but we had that incident last
41 winter. I don't know how to say it, but it made the
42 refuge people look bad, you know, chopping up live
43 spruce trees, 26 or 27 of them or something like that.
44 That's all I got. Thank you.

45
46 CHAIRMAN ALVAREZ: Dan.

47
48 MR. DUNAWAY: Dan, do you know if this
49 draft has been sent like to upriver Nushagak villages?
50 I think there's some potential -- I know there's some

1 BLM land along the Iowithla. Some of that's timbered
2 and there's some near the Mulchatna that I'm wondering
3 if some of our upriver villages might make use of that
4 and they might like to know about this policy. Do you
5 know if you distributed this pretty widely?
6

7 MR. SHARP: Mr. Chairman. Dan. This
8 is the initial distribution that I'm aware of. It's
9 going out to the RAC's and we did receive some feedback
10 in Nome as to other outlets to provide this policy. So
11 that's one of the reasons I'm here is to figure out who
12 might make use of this. Who should we put this in
13 front of. I will stress this is a BLM policy that the
14 refuge, the Forest Service, the Park Service, have
15 their own policies and they may require permits, they
16 may have different allowed amounts and stuff. This
17 isn't a blanket policy for all Federal lands. This
18 only covers BLM lands, but I appreciate the additional
19 contact information. I'll talk to you afterwards and
20 get those.
21

22 CHAIRMAN ALVAREZ: This is a policy I
23 think I got last spring. When it came out, it was a
24 book about a half-inch thick or something.
25

26 MR. SHARP: It could be.
27

28 CHAIRMAN ALVAREZ: Yeah. I got it from
29 the BLM last March or April. I recall going through it
30 and the 15 cords and berries. I guess being the
31 chairman I got a copy of it. I think it's a book about
32 that thick.
33

34 MR. DUNAWAY: Before I forget, Dan,
35 also BBNA right here, Harold Andrew, has a forestry
36 office and if you had any extra handouts you could just
37 drop them by him.
38

39 CHAIRMAN ALVAREZ: Alvin.
40

41 MR. BOSKOFKY: I attended an SRC
42 chair's meeting in Anchorage last fall and Glen
43 Alsworth brought this issue up at the meeting trying to
44 find what kind of regulations there was for cutting
45 firewood because they were running into problems up in
46 Port Alsworth of people trying to stop them from taking
47 firewood.
48

49 CHAIRMAN ALVAREZ: Yeah, that would be
50 on preserve land probably.

1 MR. BOSKOFISKY: I think it's on State
2 land.

3
4 CHAIRMAN ALVAREZ: Around Port Alsworth
5 I don't think there's any State land. Most of that's
6 preserve, I think.

7
8 MR. BOSKOFISKY: Anyway, that's why he
9 was trying to get some type of policy for cutting
10 firewood.

11
12 CHAIRMAN ALVAREZ: That's something I
13 would like to see too because I know at Naknek Lake,
14 when we go up there and camp out, we need firewood and
15 there's a lot of spruce beetle kill up there. I'd like
16 to see what their policy is on cutting that too, but
17 this is a BLM policy. I would be interested in seeing
18 what the Park Service policy is also for subsistence
19 uses of wood and berries up in the preserve and park
20 too.

21
22 Any more for Dan on this policy.

23
24 MR. O'HARA: A question, Mr. Chair.

25
26 CHAIRMAN ALVAREZ: Dan.

27
28 MR. O'HARA: Do you know offhand where
29 your lands are at in Southwest Alaska?

30
31 MR. SHARP: Mr. Chairman. Dan. I
32 generally look at the hunting regs and that's about as
33 fine a resolution as I've really looked at the area
34 there. There is, I believe, south of Igiugig, close to
35 the branch, it's sort of a patchwork of BLM lands. To
36 be honest, it's ever decreasing as BLM is turning over
37 to the State and Native corporations, so it's
38 constantly changing. It may, in fact, provide some
39 house logs if there's a Native allotment close by.
40 There may be instances where folks could take advantage
41 of it. There's probably lots of instances where this
42 isn't an advantage to folks necessarily.

43
44 Mr. Chair, one more thing. I do have a
45 copy of other agencies' subsistence timber policies and
46 stuff. I'll make a copy of it and provide that to you.

47
48 CHAIRMAN ALVAREZ: Okay, good. Thanks.
49 Anything else.

50

1 (No comments)

2

3 CHAIRMAN ALVAREZ: Number 11, annual
4 report topics. 12, Agency reports. Donald.

5

6 MR. MIKE: Thank you, Mr. Chair.
7 There's one additional -- I wouldn't call it an action
8 item, but it's a follow up on Unit 9 moose the Council
9 discussed yesterday. I don't know if this is a good
10 time to bring it forward. The Council's intent on this
11 work session you had yesterday as far as the work group
12 meeting. Thank you, Mr. Chair.

13

14 CHAIRMAN ALVAREZ: I put that down
15 under new business.

16

17 MR. MIKE: That's correct. I just
18 wanted to remind you that's sort of an action item
19 before you moved on to other stuff, but it's up to you,
20 Mr. Chair. Thank you.

21

22 CHAIRMAN ALVAREZ: Agency reports.
23 U.S. Fish and Wildlife Service. Status of rural/non-
24 rural RFRs. Gary.

25

26 MR. GOLDBERG: Thank you, Mr. Chair.
27 I'm Gary Goldberg with the Office of Subsistence
28 Management doing the Agency reports and I've got a
29 couple other reports in addition to the status of the
30 rural/non-rural RFRs.

31

32 The Federal Subsistence Board received
33 six Requests for Reconsideration of decisions made in
34 December 2006 in its review of rural/non-rural
35 determinations. These RFRs were compiled in a booklet
36 and sent to all Council members.

37

38 The first step in reviewing an RFR is
39 for a staff threshold analysis to be performed in order
40 to ascertain whether any of the claims in the request
41 meet the criteria for reconsideration by the Board.

42

43 The Board will accept a request for
44 reconsideration only if it is based upon information
45 not previously considered if it demonstrates that the
46 existing information used by the Board
47 is incorrect, or demonstrates that the Board's
48 interpretation of information, applicable law, or
49 regulation is in error or contrary to existing law.

50

1 The threshold analyses of claims in the
2 RFRs were reviewed by the Board in July 2008. The
3 Board rejected all claims in all six requests, which
4 concludes the administrative process on these six RFRs.
5 Since that time formal letters have gone out from the
6 Chairman of the Board to all the proponents of the
7 requests for reconsideration and concerned parties
8 received cc's of those letters.

9
10 You can get more information on the
11 Office of Subsistence Management website on there.
12 We'll have each of the analyses that were performed,
13 the Staff Committee recommendations and also the
14 incoming requests for reconsideration. Are there any
15 questions related to that?

16
17 CHAIRMAN ALVAREZ: Seeing none, no.
18 Are you going to do any others?

19
20 MR. GOLDBERG: I've got a couple other
21 things here. Just a general statement to make. Early
22 on there was a statewide proposal that was submitted by
23 the State of Alaska. It was identified as Fisheries
24 Proposal 09-01 and it dealt with a clarification
25 dealing with accumulation of harvest limits for
26 subsistence fisheries and sport fisheries. The
27 Councils will not be taking any action on that
28 proposal. Of course, it is not in your Council book
29 this time. The State of Alaska withdrew FP09-01 and
30 consistent with Federal subsistence management program
31 procedures, a proponent may withdraw a proposal before
32 a Council takes action on it, so that has been
33 withdrawn.

34
35 The last thing is an update. The Ninth
36 Circuit Court of Appeals has upheld the Federal
37 Subsistence Board decision on customary and traditional
38 use determination for Chistochina. A news release has
39 been put out to this effect. It was issued on
40 September 23rd and it affirmed the Board's decision to
41 recognize the customary and traditional use of moose
42 throughout Unit 12 by residents of the village of
43 Chistochina.

44
45 The State of Alaska filed a lawsuit in
46 2006 challenging the Board's decision, arguing that
47 evidence showed that residents of Chistochina hunted
48 moose in only a portion of Unit 12. The State said the
49 Board violated Title VIII of ANILCA by making a
50 customary and traditional use determination that was

1 too broad in scope and could cause unnecessary
2 restrictions on non-subsistence users.

3

4 The State also said the Board violated
5 the administrative procedure act by making a decision
6 that was not supported by record. In most cases, the
7 practice of the Board is to adopt a customary and
8 traditional use determination for Federal lands within
9 specific units or subunits. This approach is intended
10 to avoid a regulatory patchwork that would evolve if
11 customary and traditional use findings were
12 individually linked to each discreet parcel of land
13 traditionally used by rural Alaskans. The court noted
14 that if the Board had to restrict every customary and
15 traditional use determination in the precise area in
16 which a rural community had demonstrated use of a
17 wildlife population, the C&T determinations would
18 quickly become unmanageable.

19

20 This concludes my briefing from the
21 Office of Subsistence Management.

22

23 CHAIRMAN ALVAREZ: Thanks. Any
24 questions for Gary. Dan.

25

26 MR. DUNAWAY: Is that decision
27 available on the Federal website?

28

29 MR. GOLDBERG: I know for a fact the
30 press release it. I don't know if we have the full 30-
31 page decision up there, but we can certainly do that if
32 you think that would be something you're interested in.

33

34 MR. DUNAWAY: No. Mr. Chair. Just a
35 press release is fine. So I know it's there if I want
36 to look at it. Thanks.

37

38 CHAIRMAN ALVAREZ: All right, Gary.
39 Thanks. B, ADF&G report. Ted, you're up.

40

41 MR. KRIEG: Ted Krieg with Subsistence
42 Division, Alaska Department of Fish and Game here in
43 Dillingham. Mr. Chair. Council members. I was just
44 going to update you. There's three projects that are
45 either ongoing or starting up here that I'm involved in
46 among some other things, but these are kind of the main
47 things I thought I'd let you know about.

48

49 One of them is an OSM project. It's
50 Kvichak subsistence salmon project and we've been doing

1 work up in Iliamna, Newhalen, Nondalton and Port
2 Alsworth. Most of our field work is done on that,
3 although we are going to do additional updates on the
4 subsistence salmon permits for those communities. What
5 we do is a household subsistence harvest survey that
6 will go house to house and just update the subsistence
7 salmon numbers for this past summer. That's probably
8 going to be happening in January and February.

9
10 The other project and I'm kind of
11 getting up to speed on this, but it's the Bering Sea
12 Integrated Ecosystem Research Project and there's five
13 communities that are involved in this project. Togiak
14 is one of them, so you're going to be hearing more
15 about this, Pete.

16
17 My part in it as Subsistence Division
18 -- we already have the approval from the community, but
19 there's a local research or a local -- they're calling
20 it community advisory board that we have to develop
21 over there, so we'll do that. We'll have a baseline
22 subsistence harvest survey, which our baseline is for
23 all subsistence resources, so we'll be doing a baseline
24 survey there and then there's also going to be some
25 traditional ecological knowledge research that will
26 happen in Togiak also.

27
28 Then the last thing, we just got word
29 funding will be available and this is through the
30 Pebble Limited Stephen R. Braund & Associates who was
31 hired by the Pebble people to do the cultural studies.
32 There's going to be funding to do our baseline surveys
33 in Clarks Point and Aleknagik and we just found that
34 out recently, so we haven't contacted those communities
35 yet. That will be something that's coming up. That's
36 not necessarily Federal land, although Aleknagik might
37 have some with Togiak Refuge.

38
39 That's all I have at this point.
40 Thanks.

41
42 CHAIRMAN ALVAREZ: Thanks, Ted.
43 Anybody comment.

44
45 (No comments)

46
47 CHAIRMAN ALVAREZ: Seeing none.
48 Thanks. Next, Togiak National Wildlife Refuge.

49
50 MR. WALSH: I've got a long report

1 there, but I can give you an abbreviated one if you
2 like. So, seeing your heads nod, I will give you an
3 abbreviated report. If you turn to Page 2, go to the
4 second from the bottom. There's a Dolly Varden
5 genetics study that the Togiak Refuge is doing in
6 conjunction with our conservation genetics lab. Dolly
7 Varden rank only second to salmon as a subsistence
8 resource for some of the villages on Togiak Refuge, so
9 we've done a lot of work with that species over the
10 years.

11
12 What this project is doing is
13 characterizing the genetic structure of all the Dolly
14 Varden populations within the major drainages of Togiak
15 Refuge and the area surrounding it. For the last three
16 years the samples have been collected and the genetics
17 lab is now doing its work. What this will result in is
18 a database of genetic stocks for all of this area that
19 can be used to characterize individual stocks from
20 mixed stock aggregations.

21
22 The next project I'll mention is on the
23 next page, second from the bottom, Nushagak Peninsula
24 Caribou. We've mentioned to this Council in the past
25 the history of this caribou herd. It's one that was
26 established by transplanted in the late '80s. Grew
27 rapidly until 1997 where it peaked around thirteen or
28 fourteen hundred and then it declined rapidly for the
29 next 10 years or so.

30
31 For the last three years this caribou
32 population has been a little under 600 and 600 is a
33 threshold that the Nushagak Peninsula Caribou Planning
34 Committee established as a level where hunting would be
35 permitted. So, for the last three years there have not
36 been any hunts permitted for this caribou herd. The
37 planning committee will meet here within a month or so
38 to determine whether that's going to continue for this
39 year.

40
41 MR. O'HARA: Could I ask you a question
42 on this.

43
44 MR. WALSH: Yes, sir.

45
46 MR. O'HARA: Is it predation or
47 vegetation or the bears found them, wolves found them,
48 anything?

49
50 MR. WALSH: The next project talks

1 about wolf predation on the Nushagak Peninsula Herd.
2 It's a difficult question you're asking. What's
3 causing this population to decline. There's three most
4 likely reasons.

5
6 One is habitat change. We've measured
7 declines in the lichen communities on the peninsula.
8 They're not depleted. It's not like Hagemeister Island
9 where everything is completely wiped out, but there has
10 been a decline in habitat quality that we've been able
11 to measure.

12
13 The second thing is predation. There's
14 wolves, bears, coyotes and other predators there.
15 Wolves have been assumed to be the most likely problem
16 and the Nushagak Peninsula Caribou Planning Committee
17 has encouraged us to investigate that. So we began a
18 radiotelemetry project there two years ago. The focus
19 was to determine how much time wolves within the
20 vicinity of the peninsula actually spend down there.
21 They don't spend all their time down there. The
22 peninsula is a flat, open area where it's not safe for
23 a wolf in the winter time. Also, over the last 20
24 years doing monthly radiotelemetry flights on the
25 peninsula for caribou, we've only seen wolves on two
26 occasions, although during that same period of time we
27 see them regularly off the peninsula. So our assumption
28 was they don't spend much time there.

29
30 Two years ago we captured wolves from
31 nearby packs and then followed them using GPS telemetry
32 that gave us locations once every three hours. We
33 found that one pack did not use the peninsula at all.
34 The second pack did use the peninsula about 40 percent
35 of the time and primarily during the late summer and
36 fall. They didn't use the peninsula at all during the
37 calving season when you'd expect most caribou predation
38 to take place. We suspect they were off the peninsula
39 praying on moose calves then, but we don't know that.

40
41 We do know that they weren't on the
42 peninsula and we do know by looking at the caribou
43 production that production and survival to fall remains
44 good. Thirty to 40 calves per 100 cows. This last
45 year we still had 40 calves per 100 cows that survived
46 to the fall.

47
48 This is just the first year of this
49 project. We will keep you advised as it goes on, but
50 there's more wolf use than we originally thought was

1 the case, but it still doesn't seem to be the smoking
2 gun in lowering and holding this caribou population
3 down.

4

5 The last project I'll mention is on the
6 next page that deals with moose. We monitor moose
7 populations refuge-wide, both on the Unit 18 side and
8 the Unit 17 side, and the good news for us this year is
9 moose in the Goodnews drainage finally reached a
10 threshold of 100, at which time we and ADF&G agreed
11 with the village of Goodnews Bay to petition both
12 Boards and open moose hunting. We did that and for the
13 first time in a number of years there's a moose hunt
14 there and they harvested 11 bulls this fall.

15

16 The other point I'd make is that
17 demographic and weight records indicate that moose on
18 Togiak Refuge still remain among the most productive
19 and the heaviest in the state, so it's still a growing
20 moose population.

21

22 That's all I have.

23

24 CHAIRMAN ALVAREZ: Dan.

25

26 MR. O'HARA: The moose population, we
27 saw that thing grow from years back from very little to
28 a huge amount of moose. I don't think you've had the
29 predation as much as you've had in other areas. For
30 instance, on the Alaska Peninsula down in some of those
31 areas wolves were three or four and then 25. Over in
32 Naknek there's about three different packs that come
33 right in when -- the Mulchatna Herd comes in about
34 Thanksgiving, December time. There's one right next to
35 Paul's Creek that lives in the timber and the guys who
36 trap them and hunt them watch them from the hills and
37 there will be five or six of them that send two wolves
38 out to snake one caribou and drag him over there and
39 the rest of them got him. They don't want to get
40 involved with this pack. Pretty fascinating what they
41 do.

42

43 The predation might not be as severe
44 there as it is in other places. Your food chain must
45 be pretty good.

46

47 MR. WALSH: That is the case. The
48 nutritional conditions are very good because there
49 weren't any moose there for a long time, so in time
50 nutritional conditions are going to go down and moose

1 weights will be similar on Togiak Refuge with other
2 places where there's been long-established populations.

3
4 You're probably right on differences in
5 the number of predators there. We don't have good
6 numbers on wolves. We have better numbers on bears,
7 which are important moose predators. We have about 30
8 brown bears per 1,000 square kilometers on the refuge.
9 There's more than double that on the Alaska Peninsula,
10 so there's a big difference.

11
12 CHAIRMAN ALVAREZ: Thanks, Pat.

13
14 MR. ABRAHAM: Pat.

15
16 CHAIRMAN ALVAREZ: Pat, you're not done
17 yet. Pete didn't say asistug (ph).

18
19 MR. ABRAHAM: Yeah, when I don't say
20 asistug, you remain.

21
22 (Laughter)

23
24 MR. ABRAHAM: We have talked about the
25 caribou down there for some time and wondering why the
26 population were not going up. I kept saying at one time
27 or another when we had about 1,400 caribou down there
28 some of them traveled beyond out there and some of them
29 never come back. I kept telling Andy Cape Dillingham
30 and Cape Constantine caribou down there speak the same
31 language. The other guys up north have a different
32 accent. So it's a possibility the caribou might go out
33 of the area there and never come back and that's why
34 the population never rise. That's just a theory I had
35 in my mind for some time. Thank you.

36
37 CHAIRMAN ALVAREZ: I guess you're done
38 now.

39
40 MR. ABRAHAM: Asistug (ph).

41
42 CHAIRMAN ALVAREZ: Next we have Alaska
43 Peninsula/Becharof Wildlife Refuges.

44
45 MR. BRITTON: Good afternoon, Mr.
46 Chair. Council members. My name is Ron Britton and
47 I've recently joined the Staff at Alaska
48 Peninsula/Becharof National Wildlife Refuges as the
49 supervisory wildlife biologist. So I'm kind of new to
50 this, but it's good to be back in Alaska. I lived up

1 here for a good while in the '90s and it's good to be
2 home.

3
4 I wanted to mention that we currently
5 do not have any OSM funding for projects and don't have
6 fisheries projects that are on line, but that I see is
7 one of my jobs right up front, to try o work with our
8 Fisheries Division, with our neighboring refuges and
9 with the State Fisheries Program to try to determine
10 what our priorities might be for looking at subsistence
11 fisheries issues. So we do have that on our radar
12 screen.

13
14 The sheet that I handed out are a
15 couple things that have been -- it's a status report of
16 some of the things that are occurring shortly on the
17 refuge and have started up since the last meeting with
18 this group. We had a Federal subsistence moose season
19 for 2008. This kind of summarizes the hunts that we're
20 looking at. Thus far we've only had five applicants,
21 so it's still a small pool and no harvest statistics
22 in. I suspect we'll have some good statistics for the
23 next report at the next meeting.

24
25 The 2008 moose trend-area surveys we
26 hope to tackle. In the past couple years we've been
27 hindered by low snow cover. There is one correction in
28 the second line from the bottom of the moose trend-area
29 surveys. It actually should say surveys if sufficient
30 snow-cover conditions occur.

31
32 The bear season. This just summarizes
33 what the hunt status is right now that we're monitoring
34 for subsistence. There have been no applicants to date
35 in the fall and winter brown bear hunting season in 9C,
36 but in 9E we have one applicant. No harvest statistics
37 as of yet.

38
39 I want to mention one thing that we
40 have annually, the Becharof Science Camp. This year we
41 had seven students from seven villages and we really
42 look forward to keeping that going because it's a
43 really good nexus with the villages and the Native
44 community so we can try to be mentors to the students
45 that are out there in the science area.

46
47 Finally, the caribou herd composition
48 surveys we're hoping to start during October in concert
49 with Fish and Game and that's kind of where we're at
50 status-wise. I'm coming up to speed and hope to be

1 fully up by the next meeting but certainly by next
2 summer.

3

4 CHAIRMAN ALVAREZ: Dan.

5

6 MR. O'HARA: Ron, nice to have you on
7 board. You're in King Salmon?

8

9 MR. BRITTON: Yes.

10

11 MR. O'HARA: Well, we'll definitely be
12 pounding on your door once in a while and come see you.
13 There's a couple things. I fly for PenAir. As a 135
14 pilot, one of my jobs is packing the moose hunters into
15 places like Sandy River and Cinder River, Painter Creek
16 and all these places. I've been asking them for the
17 last three years on how the calf recruitment stock has
18 been taking place and it's on a steady decline.

19

20 About three years ago, these guys stay
21 there all season and every year it's moose. So when I
22 pick one of them up I always ask them to give me some
23 statistical information on the survival rate of the
24 calves. Three years ago there were 33 calves they saw.
25 This is not the whole peninsula. It's what they
26 observed in a geographical area that they've been
27 coming back to for three years, all these guys, so they
28 know it pretty well. So three years ago there was 31
29 to 33 calves they estimated and a pretty good number of
30 younger bulls that survived, but a huge difference
31 between the two and three year old bulls and the ones
32 with 57 to 67 inches. I mean these guys sit there days
33 on end for all of moose season watching. I mean they
34 really have an idea. Two years ago they had 21 to 22
35 that they saw survive. This year it was about 11. So
36 you see a steady decline.

37

38 Now that's not scientific information,
39 but it's an indication of what's happening on their
40 survival rate. Of course, the bears are like rats,
41 they're everywhere. I'm not kidding you. So I don't
42 think the Park Service refuge people want to talk about
43 a predation program, but one of these days we're going
44 to be talking about it.

45

46 MR. BRITTON: Well, I would like to
47 face some of the bear issues. We currently don't have
48 a survey that's for bears that gives us a good picture
49 what's out there, so we need to get with the park and
50 with Fish and Game to try and figure out how we can get

1 a better picture of that.

2

3 MR. O'HARA: Dick Sellers used to be
4 our biologist. He's retired. He said you could kill
5 off 23 percent of the bears and you'd still have a huge
6 amount of bears left. You just can't go out and kill
7 off 23 percent of the bears. That's not a good thing
8 to do. However, I've noticed this year and up and down
9 the peninsula almost six days a week and mainly from
10 Wildman, which is close to Moeller to King Salmon and
11 all places in between, that I seen three or four small
12 herds of caribou this year. Do you have a number on
13 caribou this year?

14

15 MR. BRITTON: I don't.

16

17 MR. O'HARA: Fish and Game would have
18 that?

19

20 MR. BRITTON: They would.

21

22 MR. O'HARA: Thank you.

23

24 CHAIRMAN ALVAREZ: I'd like to comment
25 at the last spring meeting when I attended the Federal
26 Subsistence Board meeting the predation issue came up
27 and the Chairman of the Federal Subsistence Board
28 commented that the U.S. Fish and Wildlife Service
29 already does implement predator control, they've been
30 doing it for years down in the Aleutians for rats and
31 foxes, so it wouldn't be something that would be new to
32 the service.

33

34 Anyway, any more comments. Pete.

35

36 MR. ABRAHAM: Asistug.

37

38 MR. BRITTON: Thank you very much.

39

40 CHAIRMAN ALVAREZ: All right. Here we
41 go. Lake Clark/Katmai National Park and Preserve.
42 Anybody.

43

44 (No comments)

45

46 CHAIRMAN ALVAREZ: Okay. Aniakchak
47 National Monument and Preserve.

48

49 MR. LABRIE: Good afternoon, Mr.
50 Chairman. Council. My name is Neal Labrie. I'm the

1 new chief ranger for Katmai National Park based out of
2 King Salmon. I've been there a little over a year.
3 Evidently I'm the only one left here of the original
4 crew. I can only speak to Katmai and Aniakchak. The
5 messages I was requested to pass on were as follows.
6 First of all, the superintendent, Ralph Moore, wanted
7 me to let you know that progression-wise the meetings
8 on the Pike Ridge Boundary Project and Boundary
9 assessment out that way there were two public scoping
10 meetings held in May and June of this year.

11
12 As you heard previously, the refuge
13 manager of Becharof, Daryle Lons, has moved on. His
14 wife, Helen, was our compliance and planning chief for
15 the park and that was one of her primary projects. So,
16 with Helen gone, she's still working on that project
17 remotely and the Park is actively following up to fill
18 that position as soon as possible to continue that
19 work. So there will be a little time lag, but the Park
20 is continuing to work on that planning process for Pike
21 Ridge through the winter period.

22
23 One of the objects I handed out,
24 unfortunately Mary is already gone who can speak a lot
25 more to the history and the Council is probably very
26 familiar with that, is the ATV report for the
27 subsistence use of ATV's and the history of that for
28 Kokhanok, Igiugig and Levelock and the other villages
29 that utilize the Katmai Preserve area. I can't offer
30 much more than that at this point other than that's
31 there. Again, I know the superintendent is looking to
32 move on this material. I know it's been a long time
33 coming. That's my general understanding.

34
35 The map that was on the top is a copy
36 of the map that's on the right-hand side over here on
37 the wall and that is for the new 9C bear hunt that
38 began October 1st this year and will be running through
39 the end of May 2009. Ten permits are available. We
40 have yet to receive any inquiries or requests for
41 permits for that subsistence bear hunt. If you have
42 any questions on that, that is at least something I can
43 speak to mostly today.

44
45 For the Chair's previous question, I
46 heard him talking about the timber collection material
47 around Naknek Lake and the Katmai lands and I can
48 certainly provide to you and the Council some more
49 information on that afterwards and get you some
50 information on that as far as what the current

1 regulatory status is on all that.

2

3 CHAIRMAN ALVAREZ: I brought that up,
4 you know, because of the current situation of the price
5 of fuel. More and more people are turning to wood
6 stoves. I've been up there quite a bit and there's a
7 lot of dead trees along the lake. Pretty soon they're
8 just going to fall over. If there was some kind of
9 policy on being able to harvest those for firewood,
10 that would be good.

11

12 MR. LABRIE: Yes, we do have some
13 regulatory allowances that would allow for the use of
14 dead and down timber for fire and some of those other
15 things. I'll be happy to provide you that material.

16

17 That was my list of things to pass on.
18 If there are any questions I can answer, I'll be happy
19 to do so.

20

21 CHAIRMAN ALVAREZ: Dan.

22

23 MR. O'HARA: What was your name?

24

25 MR. LABRIE: Neal Labrie, N-E-A-L L-A-
26 B-R-I-E.

27

28 MR. O'HARA: And you're located at
29 Katmai/King Salmon?

30

31 MR. LABRIE: I am in King Salmon
32 office, yes.

33

34 MR. O'HARA: We're glad Ralph has stuck
35 around. He ought to be congratulated. He's been here
36 the longest of most anybody. I really appreciate what
37 he's done. I wonder if you'd elaborate a little bit
38 more on where bear permits are issued and the date,
39 spring or fall.

40

41 MR. LABRIE: The bear hunt currently
42 right now started October 1st and will be running until
43 the end of May. We did get up to Igiugig for one visit
44 a couple weeks ago. Ralph and I went up and visited
45 with several folks from the village right there in the
46 airport office and had a great conversation on the bear
47 hunt as well as some other topics. We've been unable
48 to hook up and set up a time for Kokhanok or Levelock
49 yet to try to get out to those villages. The permits
50 themselves are available directly through the King

1 Salmon office. I have those in my office and I'll be
2 the issuing party for those permits.

3

4 MR. O'HARA: What drainage do they take
5 in here? I can't tell by looking at this.

6

7 MR. LABRIE: We tried to color code the
8 map, so everything in green is what's open for the
9 hunt. Everything in red is kind of go, no go, green
10 and red. It does take in all of the preserve area to
11 the north. It does include the Alagnak River drainage
12 and you'll see BLM and refuge areas that are included
13 on that map are also in green. So, if it's in green,
14 it is an acceptable area. This is only including the
15 Federal lands that are managed in 9C. None of the
16 State lands, I believe, are included in that.

17

18 MR. O'HARA: Thank you very much. I
19 appreciate that.

20

21 CHAIRMAN ALVAREZ: Okay. Thank you,
22 Neal. I was gone working when you stopped in Igiugig.
23 My wife says -- I called home and she said you guys
24 were having a meeting. I appreciate you guys showing
25 up. Just too bad I wasn't there. I guess I should
26 have applied for a bear permit. I told Dan I'll share
27 it with him. All right. Thanks. What do you say,
28 Pete?

29

30 MR. ABRAHAM: Asistuuq.

31

32 MR. LABRIE: Thank you.

33

34 CHAIRMAN ALVAREZ: Now we're at
35 Aniakchak National Monument and Preserve. Anybody.

36

37 MR. O'HARA: I think that was Mary.

38

39 CHAIRMAN ALVAREZ: Gone. BLM. Do you
40 guys have anymore?

41

42 MR. BEYERSDORF: Just real brief,
43 Chairman Alvarez. Members of the Council. I just
44 wanted to update you in regards to the Bay Plan, the
45 Resource Management Plan. The final EIS is out. There
46 were some protest issues with that. The Washington
47 office and our office here in Anchorage are working on
48 that to resolve those later on this fall and to have a
49 final approved record of decision later this fall.
50 That's all that I had for the Council.

1 CHAIRMAN ALVAREZ: Thanks, Geoff.
2 Okay. BBNA.

3
4 MS. CARTY: Good afternoon. Courtenay
5 Carty, subsistence fisheries scientist at BBNA through
6 the OSM Partners for Fisheries Monitoring Program. I
7 don't have too much to update you guys on today other
8 than our internship program for the summer 2008 just
9 wrapped up last week. We had seven interns and one
10 local research assistant working on four different FRMP
11 projects that Beth gave you information on earlier.
12 Our internship program was pretty successful. We had
13 five different tribal governments in Alaska represented
14 this summer, so we were excited about that. All the
15 students are pursuing degrees in science or fisheries
16 and education with hopes to come back to Bristol Bay.

17
18 Thank you for the recommendations for
19 the chinook research for the FRMP call this year.
20 We're getting excitedly nervous about putting forth
21 some proposals, working with Molly on that.

22
23 On a side note, I'm helping our marine
24 mammal coordinator here in the Natural Resource
25 Department put together a population survey project to
26 the North Pacific Research Board on Iliamna seals. We
27 haven't been able to get a hold of anybody in Igiugig
28 about that, so we might need to talk about that later
29 this afternoon. Any questions?

30
31 CHAIRMAN ALVAREZ: Pete.

32
33 MR. ABRAHAM: Courtenay, I wanted to
34 meet you last summer in Togiak, but the time you were
35 coming I was patrolling, I think. I wanted to commend
36 your guy down there for Kwethluk. I can't remember his
37 name now.

38
39 MS. CARTY: Wilson Berlin.

40
41 MR. ABRAHAM: Yeah. He's a super kid.
42 He really tried hard. I wanted to commend him to you
43 because that's when I started calling them Deadliest
44 Catch 2 gang down there. Thank you.

45
46 CHAIRMAN ALVAREZ: Beth.

47
48 MS. SPANGLER: Mr. Chair. I also just
49 wanted to give an update on the Partners Program. It's
50 another hat I wear at OSM. We did receive notification

1 for approval for continuation of funding for
2 Courtenay's position at BBNA. The cooperative
3 agreement is set to expire at the end of 2009 and we
4 did just receive approval to put out a request for
5 proposals for the Partners Program as well as the
6 Monitoring Program and that will also go out in
7 November of this year for those positions that would be
8 open competitive process for all to apply, which we're
9 hoping BBNA will apply in the future for the
10 continuation of the Partners Program that serves your
11 region. The funding amount will be \$300,000 open state
12 wide to Partners for Fisheries Monitoring Program,
13 including fisheries biologist, social scientists and
14 educators. So that call will also be out very similar
15 to the Monitoring Program call.

16
17 CHAIRMAN ALVAREZ: All right. Thanks.
18 I guess I should comment. I got a letter passed
19 through from BBNA from Frank Logusak from Togiak from
20 the Walrus Commission. They're asking Advisory
21 Committees to support a letter to the National Marine
22 Fisheries or the North Pacific Council to restrict the
23 draggers around Round Island and keep them farther away
24 because the walrus population is going down from recent
25 years. I think they want to move the off limits from
26 five miles presently to, if I'm not mistaken, 10 miles
27 away to keep the draggers out. That was just something
28 I wanted to pass on if Council wanted to support that.
29 I suppose we would have to get a copy from Helen
30 because I don't have it with me. I got it about a week
31 or so ago. So I just wanted to bring that forward.

32
33 Anybody else. Dan.

34
35 MR. O'HARA: Mr. Chairman. I think we
36 should put that under new business, B, a letter of
37 support restricting the draggers within 10 miles.

38
39 CHAIRMAN ALVAREZ: I think we should
40 get that letter first.

41
42 MR. O'HARA: We addressed it in Bristol
43 Bay Native Corporation pre-annual meeting over in
44 Naknek and we did a resolution. What we put in there
45 was we would support BBNA's resolution providing the
46 rest of the Bristol Bay family did not have heartburn
47 with it.

48
49 CHAIRMAN ALVAREZ: I think we should
50 support it. Can you get a copy of that?

1 MS. SPANGLER: I'll do my best. Helen
2 is out today. Frank Woods, our subsistence
3 coordinator, is with Frank Logusak actually testifying
4 today about that at the North Pacific Fisheries
5 Management Council.

6
7 CHAIRMAN ALVAREZ: It's probably for
8 the next Council meeting. Any more.

9
10 MR. ABRAHAM: Asistug.

11
12 MS. SPANGLER: Thank you.

13
14 CHAIRMAN ALVAREZ: U.S. Fish and
15 Wildlife Service Anchorage Field Office.

16
17 MR. McBRIDE: Mr. Chairman. Members of
18 the Council. Doug McBride with the Fisheries Program,
19 Anchorage. Just in follow up to the conversation we
20 had previously, the Anchorage Fisheries Office used to
21 be the King Salmon Fisheries Office, so that's the
22 staff that was moved into Anchorage. We still are
23 running subsistence-funded programs in Bristol Bay. We
24 talked about some of them a little earlier today. The
25 main programs we've been running are in Togiak. We've
26 talked about the chinook program already. We finished
27 the rainbow smelt project. That was a two-year study.
28 We're finishing up the coho surveys in Perryville. The
29 only thing to pass on, the timing of this meeting is
30 difficult because we don't have the analysis done from
31 the studies done in the summer, but we'll be finishing
32 those analyses and doing those reports this winter and
33 we'll definitely have Staff here at your meeting next
34 fall when you're considering recommendations for new
35 subsistence-funded projects. We'll have results from
36 all those studies for you at that time. Mr. Chairman.

37
38 CHAIRMAN ALVAREZ: Thanks, Doug.
39 Pete's busy, so you can go.

40
41 MR. ABRAHAM: Asistug.

42
43 CHAIRMAN ALVAREZ: Does that take care
44 of Agency reports? We didn't miss anybody? Okay.
45 Down to new business. We have A, Council topics for
46 January '09 Board meeting. What's that, Donald?

47
48 MR. MIKE: Mr. Chair. Council topics
49 for January 2009 Board meeting is just another
50 opportunity for the Council to bring up any issues in

1 front of the Board.

2

3 CHAIRMAN ALVAREZ: The Federal
4 Subsistence Board. Okay.

5

6 MR. O'HARA: Mr. Chairman. When do
7 they meet in January?

8

9 MR. GOLDBERG: The Federal Subsistence
10 Board public meeting is January 13th through 15th, 2009
11 in Anchorage.

12

13 MR. O'HARA: Thank you.

14

15 CHAIRMAN ALVAREZ: Okay. Anybody have
16 any suggestions.

17

18 MR. O'HARA: The letter of support for
19 these draggers to move 10 miles offshore I think would
20 be a good one. However, the yellow fin sole are just
21 like a plague. Was there going to be a letter found
22 that we could do a draft from?

23

24 MR. DUNAWAY: Give Courtenay a few
25 minutes. I think she probably ran over to her office
26 next door to find a letter.

27

28 CHAIRMAN ALVAREZ: We're doing A, what
29 to submit to the Federal Subsistence Board for their
30 January meeting they're going to have, our concerns. I
31 suppose we should bring up the salmon bycatch issue is
32 still ongoing and we feel because of the current run
33 from last year, which is less than forecasted, our
34 concerns are even greater that the bycatch should be no
35 more than the 38,000 average from '92 to 2002 and
36 probably less if there are less chinooks available.
37 Dan.

38

39 MR. DUNAWAY: In light of that, given
40 that we were going to draft up a resolution to the
41 North Pacific Fisheries Management Council, should we
42 cc the other Councils with a copy of this as well to
43 kind of underscore our concerns? Mr. Chair.

44

45 CHAIRMAN ALVAREZ: Do we need to do
46 that or just direct Donald to put it on our concerns to
47 them. Donald.

48

49 MR. MIKE: Mr. Chair. To address Dan
50 Dunaway's comments on cc'ing other Council members I

1 think would be a good idea, particularly Y-K and Seward
2 Pen and Eastern and Western Interior Regions. Thank
3 you, Mr. Chair.

4
5 CHAIRMAN ALVAREZ: Okay. Do we need to
6 have a resolution or just direct you to put that in a
7 letter and cc them?

8
9 MR. MIKE: Mr. Chair. I'm going to be
10 working with Dan Dunaway on the resolution on the
11 bycatch issue and we'll make sure it's cc'd to the
12 other regions.

13
14 CHAIRMAN ALVAREZ: Okay. Anything else
15 for the January Board meeting.

16
17 MR. O'HARA: Yes. I think we should,
18 if we can with this Council today, take action on the
19 proposed Game Management Unit 9B and 9C with the low
20 density of moose populations. Pass a motion to have
21 this meeting in King Salmon on October 29th and 30th,
22 including Ugashik's Advisory Committee and if we can
23 get that accomplished, I think that should go to the
24 Federal Board as well to begin the work to get that
25 dealt with.

26
27 CHAIRMAN ALVAREZ: That's coming up on
28 B, but I suppose we could put it on A to inform the
29 Federal Board that we're going to do this at that time.

30
31 MR. O'HARA: The quicker the better.

32
33 CHAIRMAN ALVAREZ: And the same thing
34 with the walrus letter, which would probably be C, that
35 could also be on part of A to inform them of that issue
36 too.

37
38 Okay. Anybody else have anything to
39 put on the topics for the Federal Subsistence Board
40 January meeting. Dan.

41
42 MR. DUNAWAY: I've kind of created a
43 little list here. I don't know if it should go to the
44 Federal Board or not. There was talk of requesting the
45 Minerals Management Service to follow through on
46 supporting those many studies in the Bristol Bay prior
47 to the oil lease sale. Then I was talking to Donald
48 about other jurisdictional squabbles and he was saying
49 they're working on an update for the memorandum of
50 agreement between the State and Feds. I don't know if

1 that's a Federal Council item or if it's one we could
2 just ask to be an agenda item in the next meeting for
3 us. They're all in my mind new business items here.
4 So kind of going through my list. Thank you.

5

6 CHAIRMAN ALVAREZ: Yeah, I think that's
7 a concern of ours we should put to the Federal
8 Subsistence Board about the studies that need to be
9 done before it is put out for leasing for oil and gas.

10

11

12 Anything else then.

13

14 (No comments)

15

16 CHAIRMAN ALVAREZ: Okay. That's it for
17 A then. Going to B, this working group. Dan, you
18 weren't here yesterday when Joe Chythlook was here. We
19 kind of got a date for the -- let's see, let me grab
20 this first. The Bristol Bay RAC, Lake Iliamna Fish and
21 Game Advisory Committee, Naknek/Kvichak Fish and Game
22 Advisory, Lake Clark SRC, BBNA, people from the guiding
23 industry and transporting industry to be notified we
24 want to have a meeting for these two moose proposals.
25 It was decided that the Lake Iliamna Fish and Game
26 Advisory Committee would have a meeting on the 29th to
27 discuss this so that we would have a position to
28 present to the RAC on the 30th. That's kind of where
29 we stand. There was no suggestions on what should
30 happen. The only thing we came up with was having the
31 working group meet with the State. In fact, I don't
32 even see the State on this list.

33

34 MS. WILLIAMS: They read it. This is
35 Liz Williams with OSM. We worked with them on it, so
36 that's probably why they nor OSM are on there, because
37 we worked on this document together. I talked to the
38 main office this morning and told them about the post
39 Lake Iliamna Advisory Committee meeting and there's a
40 conflict with another RAC meeting on the 30th. They
41 were thinking more mid to late November before
42 Thanksgiving for the working group.

43

44 CHAIRMAN ALVAREZ: Who is that?

45

46 MS. WILLIAMS: Larry Buklis, the deputy
47 at OSM.

48

49 CHAIRMAN ALVAREZ: What's the date
50 again?

1 MS. WILLIAMS: They didn't have a
2 specific date. They're still trying to work this out.
3 Sometime after the Western Interior RAC meeting and
4 before Thanksgiving. Donald, do you have the dates of
5 that meeting? It's at the end of October. It's like
6 the 27th through the 28th.

7
8 CHAIRMAN ALVAREZ: Okay. Dan.

9
10 MR. O'HARA: The Thursday before
11 Thanksgiving is the boat show in Seattle. All of us
12 who are going to participate in this is going to be at
13 the boat show, so keep that in mind too.

14
15 CHAIRMAN ALVAREZ: Does Larry or OSM
16 Staff have to be there?

17
18 MS. WILLIAMS: Some of that Staff
19 doesn't, so they can probably be flexible on that date.
20 They just weren't sure logistics-wise if they could put
21 it together on the 30th. I can't speak for exactly
22 what they were going to do, but I mentioned to them the
23 plan and they didn't think that would work, but maybe
24 it can.

25
26 CHAIRMAN ALVAREZ: Yes, I'm thinking
27 because Joe Chythlook with the advisory committee, our
28 coordinator for the Fish and Game Advisory Committee,
29 he has a lot on his plate and that worked for him and
30 Lem Butler said that was a good date for him. To move
31 it back towards the end of the month, I don't know if
32 it would throw a wrench in the works. If OSM could
33 spare somebody, I'm sure we don't need to have
34 everybody there. Donald. Anyway, you can see what I'm
35 trying to do here. If we can keep it the way it is,
36 that would be best because it seemed like it would work
37 yesterday for everybody that's not here now. Like Dan
38 says, he's not going to be able to be at that meeting
39 and I'm not sure what I've got either.

40
41 MS. WILLIAMS: Excuse me, Mr. Chair.
42 Thanks. I'll bring that back to them, especially those
43 confirmations of attendance that you mentioned.

44
45 CHAIRMAN ALVAREZ: Do you guys have any
46 more questions on this working group.

47
48 (No comments)

49
50 CHAIRMAN ALVAREZ: Seeing none. Number

1 C would be that walrus letter. She probably can't find
2 it. If you guys wanted to, we could move to support
3 that letter. I believe it was asking the North Pacific
4 Council to close that dragging around Round Island from
5 five miles to 10 miles.

6

7 MR. ABRAHAM: It's even affecting the
8 harbor seals over there. They're moving out of there.
9 Two years ago we got two young pup seals and we put
10 radios on them in Anchorage and brought them back and
11 released them. Know where they are right now?

12

13 MR. O'HARA: In your stomach.

14

15 (Laughter)

16

17 MR. ABRAHAM: In Ugashik area. They
18 just directly went down there. The seals are moving
19 out because there's no more food.

20

21 CHAIRMAN ALVAREZ: So you want to move
22 that we support the letter, Pete?

23

24 MR. ABRAHAM: Yeah, we support.

25

26 MS. CARTY: Courtenay Carty, BBNA. I
27 just called Helen at home and she said what the Walrus
28 Commission wants to bring forth to the Council is a 25-
29 mile boundary, not a 10-mile boundary, and that the
30 letter itself was written by Hans Nicholson. If you
31 wanted to pass a resolution or write a letter of
32 support, the sooner you could do it the better. That's
33 the scoop.

34

35 MR. O'HARA: What happened to the
36 resolution that BBNA put out? We had one at our
37 meeting on Friday and it was from BBNA. It was a good
38 one.

39

40 MS. CARTY: I have no idea.

41

42 MR. O'HARA: We could make a motion to
43 take that resolution that Bristol Bay Native
44 Association formulated and have our coordinator look at
45 it, draft something up give it to the Council and if we
46 could just make a motion to support the concept, you
47 can't go wrong on that and I'm prepared to do so.

48

49 CHAIRMAN ALVAREZ: Yeah, that sounds
50 good. Twenty-five miles seems like quite a bit. It

1 should be more than it is now, more buffer zone for the
2 walrus and protecting the seals also. Donald.

3

4 MR. MIKE: Thank you, Mr. Chair. If I
5 could see that letter, like Mr. O'Hara was suggesting,
6 the Council can pass a motion to support the concept.
7 It will be pretty easy to draft up a letter for the
8 Chair's signature. Thank you.

9

10 MR. O'HARA: Mr. Chairman. I make a
11 motion that a letter be drafted by Donald off of the
12 present Bristol Bay Native Association resolution or
13 letter and be sent out by the Chairman of the Council.

14

15 CHAIRMAN ALVAREZ: The motion has been
16 made. Do I hear a second.

17

18 MR. ABRAHAM: Second.

19

20 CHAIRMAN ALVAREZ: Seconded by Peter.
21 Any more comment.

22

23 (No comments)

24

25 MR. DUNAWAY: Question.

26

27 CHAIRMAN ALVAREZ: The question has
28 been called for. All in favor signify by saying aye.

29

30 IN UNISON: Aye.

31

32 CHAIRMAN ALVAREZ: Opposed.

33

34 (No opposing votes)

35

36 CHAIRMAN ALVAREZ: Motion carried
37 unanimously. Okay. Time and place of next meeting.
38 Dan.

39

40 MR. DUNAWAY: Clarify. Do we just
41 leave those as asking Minerals Management Service to
42 follow through on their many recommended studies? Was
43 that good enough that we just forward those on to the
44 Board in January or do we want to do more with that?
45 On the same lines, did we already formally support this
46 draft resolution that I kind of cobbled together and
47 worked with Donald or do we need to do that at this
48 point?

49

50 CHAIRMAN ALVAREZ: Yesterday, when

1 Terry Hoeffler testified on that, there was concern
2 that if they're going to have a lease in 2011 and
3 currently they're only doing two studies, one for Right
4 whales and for climate or something, but there were a
5 lot of recommendations for studies, smolt outmigration,
6 run timing of the salmon coming back and none of these
7 studies had been done. We feel that there needs to be
8 these studies and other studies completed before they
9 can have the oil lease. That's the concern Dan wanted
10 to put to MMS. Was that MMS or Federal Subsistence
11 Board?

12

13 MR. DUNAWAY: We were going to mention
14 them to the Federal Subsistence Board. We could send
15 something to the Minerals Management Service.

16

17 CHAIRMAN ALVAREZ: We already did that
18 in Item A for topics for the January Board meeting.

19

20 MR. DUNAWAY: Okay. I'm a little
21 confused on the order here. Okay. If that's
22 sufficient, good enough.

23

24 CHAIRMAN ALVAREZ: You're asking if we
25 need to pass a resolution or inform MMS about our
26 concerns, just write a letter to inform them about our
27 concerns for the oil lease sales?

28

29 MR. DUNAWAY: Yes, sir.

30

31 CHAIRMAN ALVAREZ: Donald, can you do
32 that?

33

34 MR. MIKE: Mr. Chair. Yes, I can. The
35 letter to Minerals Management Service, that letter can
36 go directly to the Federal Subsistence Board since this
37 Council doesn't have any jurisdiction in the Agencies.
38 It would be better for it to go to the Federal
39 Subsistence Board directly. Thank you, Mr. Chair.

40

41 CHAIRMAN ALVAREZ: Okay. That will be
42 fine. Now we're at number 14 then. Do we have to
43 schedule both meetings, Donald? One thing we have to
44 do on this fall meeting is move it back because we're
45 having trouble getting Nanci Lyons here and Thomas
46 Hedlund because they're guiding. We probably need to
47 have this fall meeting later on in October. Donald.

48

49 MR. MIKE: Thank you, Mr. Chair. The
50 meeting window calendar starts on Page 46. Bristol Bay

1 chose March 23 and 24 for the winter meeting in Naknek.
2 Is that still the wish of the Council? If so, I'd like
3 to propose an action for the Regional Advisory Council
4 to consider -- for the Council to attend the meeting in
5 Naknek, I think it would be a good idea to have Council
6 members travel on a Monday and the Council starts on
7 Tuesday and return home on Wednesday if we get done
8 early. The reason I'm saying that is the flight
9 schedule. Some flights don't fly on Sunday and it adds
10 to travel time for Council members that don't need to
11 travel that extra day. That's something for the
12 Council to consider, Mr. Chair.

13

14 CHAIRMAN ALVAREZ: Yeah, for me to come
15 from Igiugig, the mail plane is on Monday about 1:00 or
16 noon. I'd have to come down on Monday and have the
17 meeting on Tuesday and Wednesday then. That's probably
18 how we have to have the rest of our meetings.

19

20 MR. O'HARA: What's the date of Bristol
21 Bay?

22

23 MR. MIKE: Mr. Chair. The date of the
24 Bristol Bay meeting is March 23 and 24, but I was
25 suggesting that the Council travel on 23rd of March and
26 then start the meeting on the 24th, a Tuesday, and when
27 you get done early you can send all the Council members
28 back to their homes on the 25th.

29

30 CHAIRMAN ALVAREZ: So how about in
31 October, if we travel on a Monday, the 19th, and have
32 the meeting on the 20th and 21st. Would that be all
33 right.

34

35 MR. MIKE: Those dates are currently
36 open, Mr. Chair, so I'd lock on those dates for the
37 Council.

38

39 MR. DUNAWAY: In Dillingham?

40

41 CHAIRMAN ALVAREZ: Dillingham, yeah.
42 The spring meeting is in Naknek and the fall meeting is
43 over here.

44

45 MR. ABRAHAM: Donald. On the March
46 24th and 25th, more than likely we'd end up having to
47 crawl back on the 26th then.

48

49 MR. O'HARA: Yes, because PenAir will
50 be gone by 11:00 o'clock.

1 CHAIRMAN ALVAREZ: When is AFN in
2 October next year?
3
4 MR. MIKE: I think it's easily the week
5 of October 19th for AFN.
6
7 CHAIRMAN ALVAREZ: So maybe we should
8 move that back to the 27th and 28th. Pete.
9
10 MR. ABRAHAM: Mr. Chairman. When we
11 meet in Naknek, they put us way out there in the
12 boondocks all the time. I like that place closer to
13 the meeting area. Out there, you know, you might be
14 eaten by wolves.
15
16 (Laughter)
17
18 MR. O'HARA: Hey, it's a subsistence
19 thing, you're supposed to be out there.
20
21 MR. ABRAHAM: No, really, I like to see
22 more access to stores and stuff like that in Naknek. I
23 don't like the idea of staying out there anymore
24 because we're volunteers.
25
26 CHAIRMAN ALVAREZ: You're right. I
27 know there's bed and breakfasts in Naknek. The D&D
28 should be open and they have hotel rooms too upstairs.
29
30
31 MR. ABRAHAM: Who's that guy, Alvin,
32 Bed and Breakfast?
33
34 CHAIRMAN ALVAREZ: Alvin Aspen.
35 Donald, is Aspen's Bed and Breakfast on the list of
36 places we can use?
37
38 MR. MIKE: Yeah, we can get him on the
39 list. It shouldn't be any problem. We just need to
40 work with the vendor.
41
42 CHAIRMAN ALVAREZ: You better get him
43 on the list then.
44
45 MR. DUNAWAY: He used to be.
46
47 MR. BOSKOFSKY: He used to be on the
48 list before. I stayed there.
49
50 MR. MIKE: If we travel on a Monday and

1 have a meeting Tuesday and Wednesday, I think we'll
2 accommodate most of the Council members to get them
3 home. Mr. Chair, you selected your fall 2009 meeting
4 for October 27th and 28th in Dillingham, is that right?

5
6 CHAIRMAN ALVAREZ: Yes. Okay. Next is
7 adjournment.

8
9 MR. MIKE: Mr. Chair. Before anybody
10 makes a motion for adjournment I have a couple
11 announcements I'd like to make. This is for charter
12 members of the Regional Advisory Council and we
13 recognize our charter members in the 10 regions. Mr.
14 Dan O'Hara and Mr. Pete Abraham have been charter
15 members since the program started and the program and
16 I'm sure most of the Council members appreciate their
17 volunteer service and their dedication to the
18 subsistence program. For their efforts and time they
19 put on this program, we'd like to recognize them with a
20 certificate of recognition.

21
22 If we have any Federal or State Staff
23 that would like to contribute to their accomplishment,
24 you're more than welcome to do so.

25
26 I have here a certificate of
27 appreciation for Peter Abraham, a charter member of the
28 Bristol Bay Subsistence Regional Advisory Council 1993
29 through 2008, with gratitude for 15 years of continuous
30 service to the people of Bristol Bay through the
31 Federal Subsistence Management Program. This was
32 signed by Pete Probasco, our assistant regional
33 director, and Michael Fleagle, our Federal Subsistence
34 Board Chair.

35
36 (Applause)

37
38 MR. MIKE: Thank you, Pete. And Dan
39 O'Hara, thank you for your service and what I read from
40 Pete's certificate, it pretty much says the same thing,
41 and signed by Pete Probasco and Michael Fleagle. Dan.

42
43 (Applause)

44
45 MR. O'HARA: I appreciate this very
46 much. As you well know, you audience have worked this
47 a long time. The Federal Subsistence Program, Title
48 VIII, has been very good to the Native people and the
49 rural Alaska people. We wouldn't have gotten it. What
50 they've done is they started from the grassroots level

1 on up and unfortunately State of Alaska made the
2 mistake of starting from the top on down and that's too
3 bad.

4

5 I guess the comment I'd like to make is
6 you notice this book is really small this time and that
7 means that over the number of years, Randy, a lot of
8 these things have been settled. If you've got fish and
9 game coming back, it's all going to go along just fine.
10 The other day the Bristol Bay Native Corporation board
11 of directors met for their annual shareholders meeting
12 and we didn't have too many people in Naknek. Guess
13 why. Things are going well and it's duck hunting
14 season. Who's going to go listen to that when you can
15 go get a duck. The same here, too. There was only two
16 or three proposals. That's because things are going
17 well.

18

19 I do think it's been very good and we
20 appreciate the good management and thank you very much.

21

22 CHAIRMAN ALVAREZ: Donald.

23

24 MR. MIKE: Mr. Chair, thank you. Mr.
25 O'Hara, thank you for your comments. The good
26 management is the result of the good work put up by the
27 Regional Advisory Councils. Thank you.

28

29 CHAIRMAN ALVAREZ: Anything else before
30 we adjourn. Gary.

31

32 MR. GOLDBERG: Thank you, Mr. Chair. I
33 have here a letter from Mike Fleagle, Chair of the
34 Federal Subsistence Board and he's like to express his
35 thanks to you for attending the North Pacific Fishery
36 Management Council's June meeting in Kodiak. he states
37 that it's clear from your testimony that you and the
38 other Council Chairs spend a great deal of time
39 preparing your testimony before the management council
40 and your efforts were well received at this meeting and
41 he commends you on a job well done. As an expression
42 of his and our appreciation, we'd like to present you
43 with this coffee mug.

44

45 (Applause)

46

47 CHAIRMAN ALVAREZ: Ted, you had
48 something.

49

50 MR. KRIEG: I thought somewhere in

1 there I heard that the public could thank these guys
2 too and I guess I feel compelled. When I started at
3 BBNA, it was ANILCA subsistence funding and that was my
4 job, to come to these meetings. Over the years I've
5 missed very few of them, only three I think, but I know
6 how much effort it takes and the time you guys spend at
7 these meetings. So Dan and Pete, for being here all
8 these years, thank you very much. I appreciate it.

9

10 And I know for all the Council members,
11 it's an effort to get here and those guys from down at
12 Chignik and Perryville, that's a long ways to come up
13 here for this meeting. So thanks for your time and
14 effort.

15

16 CHAIRMAN ALVAREZ: Thanks, Ted. We're
17 adjourned.

18

19 (Off record)

20

21 (END OF PROCEEDINGS)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 23 through 133 contain a full, true and correct Transcript of the BRISTOL BAY FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOL II, taken electronically by Computer Matrix Court Reporters on the 7th day of October 2008, beginning at the hour of 8:50 o'clock a.m. at Dillingham, Alaska;

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

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

DATED at Anchorage, Alaska, this 15th day of October 2008.

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