

1 YUKON-KUSKOKWIM DELTA FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING

3  
4 PUBLIC MEETING

5  
6 VOLUME I

7  
8  
9 Moravian Church Fellowship Hall  
10 Bethel, Alaska  
11 September 30, 2010  
12 9:00 a.m.

13  
14  
15  
16  
17  
18  
19  
20 COUNCIL MEMBERS PRESENT:

- 21  
22 Lester Wilde, Sr., Chairman  
23 Greg Roczicka  
24 Paul Manumik  
25 William Brown  
26 James Charles  
27 Raymond Oney  
28 Harry Wilde  
29 Mary Gregory  
30 Elias Kelly  
31 Aloysius Unok  
32 John Andrew  
33  
34  
35 Regional Council Coordinator, Alex Nick

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44 Recorded and transcribed by:  
45  
46 Computer Matrix Court Reporters, LLC  
47 135 Christensen Drive, Suite 2  
48 Anchorage, AK 99501  
49 907-243-0668  
50 sahile@gci.net

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P R O C E E D I N G S

(Bethel, Alaska - 9/30/2010)

(On record)

CHAIRMAN L. WILDE: Call the meeting to order. Mr. Nick, would you please call the roll.

MR. NICK: James Charles.

MR. CHARLES: Here.

MR. NICK: John Andrew.

MS. GREGORY: He's coming in the door.

MR. NICK: Raymond Oney.

MR. ONEY: Yes. Here.

MR. NICK: William Brown.

MR. BROWN: Here.

MR. NICK: Harry Wilde.

MR. H. WILDE: Yeah.

MR. NICK: Aloysius B. Unok.

MR. UNOK: Yes.

MR. NICK: Mary Gregory.

MS. GREGORY: (In Yup'ik)

MR. NICK: Elias Kelly.

MR. KELLY: Here.

MR. NICK: Lester Wilde.

CHAIRMAN L. WILDE: Here.

MR. NICK: Paul Manumik.

MR. MANUMIK: Here.

MR. NICK: Greg Roczicka.

1 MR. ROCZICKA: Here.  
2  
3 MR. NICK: Robert Aloysius needed to be  
4 excused because he had a family emergency.  
5  
6 Did I miss anyone? Let's see. I have  
7 11 present and 1 excused, Mr. Chairman.  
8  
9 CHAIRMAN L. WILDE: Thank you, Mr.  
10 Nick. At this time we'd like to ask James Charles,  
11 will you please do the innovation for us.  
12  
13 MR. CHARLES: Let us pray.  
14  
15 Thank you, Lord, for the opportunity to  
16 get together again. We thank You for  
17 all your blessing, health and safety  
18 and all the resource You have given us.  
19 Lord, we ask Thee to be with us  
20 throughout the meeting, and whatever  
21 decisions we make be helpful to the  
22 people at home that we represent. So  
23 we ask Thee to be with us throughout  
24 the meeting.  
25  
26 Thank you.  
27  
28 In Jesus' name, amen.  
29  
30 CHAIRMAN L. WILDE: Thank you, Mr.  
31 Charles.  
32  
33 At this time down to item 4, election  
34 of officers. I think we appoint Mr. Nick as the  
35 temporary chair for the election of officers. Mr.  
36 Nick.  
37  
38 MR. NICK: Mr. Chair, before we go into  
39 that, the Council at their last meeting in March this  
40 year, they deferred that item to this meeting.  
41 However, I've been thinking, and I think Larry could  
42 help me on this one. Some of the terms are going to be  
43 ending in December for at least some of the existing  
44 council members. So it's entirely up to the Council  
45 what you want to do, if you want to hold the election  
46 as the Council who was present here in March decided,  
47 or it's up to you if you want to defer it to your  
48 winter meeting.  
49  
50 Mr. Chair.

1 MS. GREGORY: Mr. Chair.  
2  
3 CHAIRMAN L. WILDE: Anaan, go ahead.  
4  
5 MS. GREGORY: Yeah. I make a motion  
6 that we defer the elections of officers to our winter  
7 meeting.  
8  
9 CHAIRMAN L. WILDE: The motion's been  
10 made to defer the elections until the winter meeting.  
11 Do I hear a second.  
12  
13 MR. ONEY: Second. Ray Oney.  
14  
15 CHAIRMAN L. WILDE: Seconded by Mr.  
16 Oney. Any further discussion.  
17  
18 (No comments)  
19  
20 MR. ONEY: Question.  
21  
22 CHAIRMAN L. WILDE: The question's  
23 called for. All in favor say aye.  
24  
25 IN UNISON: Aye.  
26  
27 CHAIRMAN L. WILDE: All opposed same  
28 sign.  
29  
30 (No opposing votes)  
31  
32 CHAIRMAN L. WILDE: Motion's carried.  
33 Thank you.  
34  
35 At this time I think the coordinating  
36 fisheries committee meeting I think would probably be  
37 handled the same way. Mr. Nick, any suggestions.  
38  
39 MR. NICK: Mr. Chair. We have one  
40 vacancy by resignation, Mr. Folger who was a member of  
41 the coordinating fisheries committee for Lower Yukon.  
42 That's vacant. In the Lower Yukon there's Ray Oney I  
43 believe. He's the only one. So if you want to defer  
44 that, too, it's up to you. Mr. Chair.  
45  
46 CHAIRMAN L. WILDE: What is the feeling  
47 of the Council. Any comments. Mr. Roczicka.  
48  
49 MR. ROCZICKA: Mr. Chairman. I haven't  
50 discussed it with anyone further at this time. I guess

1 I wasn't really up to speed, and apologize for that,  
2 but I'd recommend if Elias Kelly would be willing, we  
3 would ask him if he would be willing to serve on that  
4 committee.

5  
6 MR. KELLY: Mr. Chair. Greg.

7  
8 CHAIRMAN L. WILDE: Elias. Go ahead.

9  
10 MR. KELLY: This is my last -- I don't  
11 think I reapplied for the RAC membership, so I don't  
12 know if I'd qualify for that. And this may be my last  
13 meeting for the YK RAC.

14  
15 MR. ROCZICKA: That answers that, Mr.  
16 Chairman, I guess.

17  
18 MS. GREGORY: Mr. Chair.

19  
20 CHAIRMAN L. WILDE: Madam Gregory.

21  
22 MS. GREGORY: Can I ask people to turn  
23 your cell phones off or put them in that vibration  
24 thing, because it's distracting.

25  
26 CHAIRMAN L. WILDE: Any further  
27 discussions on the coordinating fisheries committee for  
28 the Lower Yukon. We need to have that position filled  
29 I think for the next season. There's going to be a lot  
30 of fisheries issues concerning the Yukon. If it's all  
31 right with the rest of the Council members, I could  
32 appoint someone.

33  
34 (No comments)

35  
36 CHAIRMAN L. WILDE: Mr. Manumik, would  
37 you be willing to serve on the fisheries coordinating  
38 committee for the Lower Yukon?

39  
40 MR. MANUMIK: Yes, Mr. Chairman.

41  
42 CHAIRMAN L. WILDE: So be it. Okay.  
43 We are down to item 6, housekeeping items and  
44 announcements. Mr. Nick.

45  
46 Before we go there, I'd like to let the  
47 public know that public comments are welcome for each  
48 agenda item, but make sure you fill out a green -- do  
49 we have those testimony forms? Alex's got the green  
50 testimony forms. You can get those testimony forms

1 from Alex Nick.

2

3 Public -- I don't think there's going  
4 to be any public time limits since there aren't that  
5 many people that are going to be testifying, but in the  
6 event that there is a lot of people that are going to  
7 be testifying, then we may be setting up a time  
8 schedule depending on the time that we have remaining  
9 in our meeting.

10

11 And please also note that the times for  
12 the meeting each day, the order of business, the agenda  
13 are estimated and are subject to change without notice.  
14 You can contact any personnel from the Office of  
15 Subsistence Management staff present at the meeting for  
16 the current agenda and meeting schedule.

17

18 I think at this time, I forgot to have  
19 our guests being introduced. I think at this time  
20 that's what we'll do, starting from the young man way  
21 in the back with the gray beard.

22

23 MR. OVIATT: Hi. I'm George Oviatt. I  
24 am here representing the Bureau of Land Management, and  
25 I'm glad to be here.

26

27 CHAIRMAN L. WILDE: Yep, that's you.

28

29 MR. REARDEN: Spencer Rearden. I'm a  
30 wildlife biologist for OSM.

31

32 CHAIRMAN L. WILDE: Mr. Paukan.

33

34 MR. PAUKAN: Moses Paukan from St.  
35 Mary's. They just asked me to come over here at the  
36 last minute yesterday, so I'm here present.

37

38 MS. BLAIR: My name is Kay Larson Blair  
39 and I'm presenting on my graduate research for  
40 Kuskokwim Chinook salmon.

41

42 MR. ALEXI: I'm Martin Alexi from  
43 Mountain Village.

44

45 MR. POLTY: I'm Evan Polty from Pilot  
46 Station. I'm here representing the advisory counsel.

47

48 MR. ALSTROM: I'm Bill Alstrom  
49 representing Yupit of Andreafski from St. Mary's. Also  
50 the Yukon River Drainage Fishermen's Association.

1                   MR. JENKINS: My name is David Jenkins.  
2 I'm an anthropologist with OSM.  
3  
4                   MS. JOSEPH: I'm Alissa Joseph, ONC  
5 college intern, and subsistence related.  
6  
7                   MS. GREEN: Dayna Green with Fish and  
8 Game, assistant manager, in Fairbanks.  
9  
10                  MR. BRAZIL: Chuck Brazil, Alaska  
11 Department of Fish and Game, Division of Commercial  
12 Fisheries.  
13  
14                  MR. BERG: Good morning. Jerry Berg,  
15 InterAgency Staff Committee member for Fish and  
16 Wildlife Service out of Anchorage.  
17  
18                  MS. SWEETMAN: I'm Joni Sweetman, and  
19 I'm representing the Bering Sea Fishermen's  
20 Association, from Anchorage.  
21  
22                  MR. CANNON: I'm Richard Cannon, OSM  
23 fisheries biologist.  
24  
25                  MS. CARROLL: Holly Carroll, assistant  
26 area manager for the Kuskokwim River, Department of  
27 Fish and Game.  
28  
29                  MR. WILSON: I'm Seth Wilson from  
30 Division of Subsistence in Fairbanks.  
31  
32                  MS. RINGER: I'm Danielle Ringer with  
33 the Department of Fish and Game, Division of  
34 Subsistence in Fairbanks as well.  
35  
36                  MR. BUE: I'm Fred Bue, Fish and  
37 Wildlife Service, Yukon River Federal manager.  
38  
39                  MR. BUKLIS: Good morning. My name is  
40 Larry Buklis. I'm with the Office of Subsistence  
41 Management. I'm the Fisheries Division chief.  
42  
43                  CHAIRMAN L. WILDE: There are several  
44 gentlemen back there.  
45  
46                  MR. OWEN: Yes. Moses Owen from Akiak  
47 Native Community.  
48  
49                  MR. NICOLAI: James Nicolai, I came to  
50 meeting.

1 MR. PUPON: I'm Gary Pupon. I'm  
2 biological technician at Fish and Wildlife.  
3  
4 MR. L. ANDREW: I'm Louie Andrew, Fish  
5 and Wildlife Service.  
6  
7 MR. NICK: Alex Nick, Council  
8 Coordinator, OSM.  
9  
10 MR. MASCHMANN: I'm Gerald Maschmann  
11 with the US Fish and Wildlife Service, and I work with  
12 Fred Bue on Yukon River salmon management.  
13  
14 MS. LEONETTI: Cheskuk (ph) is my  
15 Yup'ik name. The English name is Crystal Leonetti.  
16 I'm a new hire at US Fish and Wildlife Service as the  
17 Alaska Native affairs specialist.  
18  
19 CHAIRMAN L. WILDE: Thank you. And  
20 your recording secretary, ma'am.  
21  
22 MS. DOWNING: Meredith Downing with  
23 Computer Matrix in Anchorage.  
24  
25 CHAIRMAN L. WILDE: Thank you. Mr.  
26 Charles.  
27  
28 MR. CHARLES: James Charles from  
29 Tuntutuliak, RAC member. I'm also Kuskokwim salmon  
30 management working group member, AC chair. Thank you.  
31  
32 MR. ANDREW: John W. Andrew from  
33 Kwethluk, Council member.  
34  
35 MR. H. WILDE: Harry Wilde, Council  
36 member from Mountain Village.  
37  
38 MR. BROWN: William F. Brown from Eek.  
39  
40 MR. ROCZICKA: Greg Roczicka, Council  
41 representative from Bethel.  
42  
43 CHAIRMAN L. WILDE: Lester Wilde from  
44 Hooper Bay.  
45  
46 MR. MANUMIK: Paul Manumik from Nunam  
47 Iqua.  
48  
49 MR. ONEY: Raymond Oney from Alakanuk.  
50

1 MR. UNOK: Al Unok from Kotlik.  
2  
3 MS. GREGORY: My name is (In Yup'ik)  
4 and people know me as Mary Gregory. I'm from Bethel.  
5 I'm all over the state.  
6  
7 MR. KELLY: Elias Kelly, Pilot Station,  
8 and I'm also Pilot Station Traditional Council.  
9  
10 CHAIRMAN L. WILDE: Thank you. At this  
11 time we'll get down to our housekeeping items. Mr.  
12 Nick.  
13  
14 MR. NICK: Mr. Chair. Council members.  
15 Audience. for the record my name is Alex Nick. I'm  
16 Council coordinator for YK and Seward Pen regions.  
17  
18 When you get to agenda, when you get to  
19 the revision of agenda, ADF&G has requested that  
20 Kuskokwim salmon season summary be moved up to item 11.  
21 So we should remember that when we get there.  
22  
23 And also on the agenda under general  
24 discussion we need to add ADF&G Subsistence Division I  
25 believe, Fairbanks. And it was my understanding that  
26 Seth Wilson and Danielle Ringer will be presenters.  
27  
28 And under housekeeping items, we have  
29 sad news from one of our Council members. He was  
30 prepared to attend this meeting. Bob Aloysius' father  
31 passed away the other night, and for that reason he was  
32 not able to attend this meeting. He wanted us to keep  
33 him and his family in our prayers.  
34  
35 This meeting was scheduled to be held  
36 in St. Mary's as those of you who were present last  
37 winter know. Unfortunately, because of the  
38 requirements that we have to meet, like CCR  
39 requirements, St. Mary's did not meet that, so we had  
40 no choice but to relocate the meeting to Bethel. And  
41 for St. Mary's representatives, we apologize for that.  
42 And hopefully in the future we will be able to meet  
43 there.  
44  
45 We have a couple of biological  
46 technicians, I think for short bio techs. Mr. Derrick  
47 Evan who was stolen from me by Louie Andrew. Actually  
48 Derrick's supposed to be manning the table over there,  
49 but it's okay for you to be sitting over there. He's  
50 going to be assisting next two days along with a young

1 lady. I don't know if she's show up yet. Her name is  
2 Dara Friday. She's also a student and bio tech. She  
3 will be assisting with copies and other things that we  
4 need, you know, that I can't run around and get for  
5 you, Mr. Chair.

6  
7 And also, during last winter's meeting  
8 we ended up -- for those of you who were here, we ended  
9 up with too many copies, so I made only 15 copies of  
10 all of the topics that are in the workbook. We have  
11 limited copies for council members and presenters who  
12 don't have workbooks right here at the end of the  
13 table. So let us know when you need them.

14  
15 Thank you, Mr. Chair.

16  
17 CHAIRMAN L. WILDE: Thanks, Mr. Nick.  
18 At this time we'll call on Mr. Andrew for the welcoming  
19 remark.

20  
21 MR. L. ANDREW: Thank you. My name is  
22 Louie Andrew. On behalf of Orutsararmiut Native  
23 Council, which I'm a council member also, I welcome you  
24 to Bethel to hear the concerns and issues before you.  
25 And also you as the representative of your people as  
26 well, do you have some questions as well, too. And I  
27 certainly thank the people here as well. Welcome to  
28 bring forth your presentations concerning our wildlife  
29 and natural resources.

30  
31 Thank you. Welcome.

32  
33 CHAIRMAN L. WILDE: Thank you, Mr. Nick  
34 [sic]. Anaan.

35  
36 MS. GREGORY: Yeah. As a tribal member  
37 of Orutsararmiut Native Council, I'd like to add to  
38 that welcome and want to make sure that you guys feel  
39 at home, especially in this church which I am a member  
40 of. And if you need any questions about this building  
41 or anything, you can ask me, and I'm glad that you are  
42 here to work with us and to hear us, and don't be  
43 offended when I start talking, okay?

44  
45 CHAIRMAN L. WILDE: Thank you, Anaan.  
46 And I would like to welcome all of you to attend, and  
47 welcome you all to our meeting. It's always good to  
48 know that there are people out there that are concerned  
49 enough about our subsistence way of life to be able to  
50 attend some of the meetings and the decisionmaking that

1 we have to do in order to get some of these regulations  
2 passed. And we all on the Council need the help that  
3 we can get, every bit of help that we can get from our  
4 people that are out there that are also trying to get  
5 subsistence from our sometimes dwindling resources.  
6 And I'd just like to welcome you all also.

7  
8 At this time we'll review and adopt the  
9 draft agenda. The agenda is as follows. Item 9,  
10 review and approve draft minutes from March 2 to 4,  
11 2010 meeting. Item 10, Regional Advisory Council  
12 concerns and comments. Item 11, Yukon River salmon  
13 post season report.

14  
15 Item 12 is 2010-2012 Federal  
16 subsistence regulatory change proposals. The  
17 presentation procedure will as item 1, introduction of  
18 proposals and analysis; number 2, Alaska Department of  
19 Fish and Game comments; number 3 -- this is the order  
20 that the procedure will be for the proposals -- item 3  
21 or step 3 will be Federal, state and tribal agency  
22 comments; step 4 will be the InterAgency Staff  
23 Committee comments; step 5 is fish and game advisory  
24 committee comments; step 6, summary of written public  
25 comments; step seven, public testimony; step 8,  
26 Regional Advisory Council deliberation, recommendation  
27 and justification.

28  
29 We have the following proposals.

30  
31 FP11-01, restrict depth of gillnets  
32 will be presented by Rich Cannon.

33  
34 FP11-02, Yukon River Chinook salmon  
35 conservation plan is also presented by Rich Cannon.

36  
37 Item FP11-03, define additional  
38 subdistricts along the Yukon River, also presented by  
39 Rich Cannon.

40  
41 Rich has got a lot of work this morning  
42 I see.

43  
44 (Laughter)

45  
46 CHAIRMAN L. WILDE: FP11-04, prohibit  
47 use of fishwheels to harvest salmon in Yukon River  
48 Districts 4 and 5 will also be presented by Rich  
49 Cannon.

50

1                   Item FP11-05, prohibit customary trade  
2 of salmon and use of salmon for dog food in Yukon River  
3 Districts 4 and 5 will be presented by David Jenkins.

4  
5                   FP11-07, prohibit use of drift gillnets  
6 to harvest salmon in Yukon River Districts 4 and 5 will  
7 be presented by Rich Cannon.

8  
9                   FP11-08, prohibit customary trade of  
10 salmon in the Yukon River Fisheries Management Area in  
11 any year Chinook salmon harvests are restricted will be  
12 presented by David Jenkins.

13  
14                   FP11-09, limit customary trade of  
15 Chinook salmon in the Yukon River Fisheries Management  
16 Area and require customary trade record keeping will  
17 also be presented by David Jenkins.

18  
19                   Item 13 will be a report by the  
20 Fisheries Resource Monitoring Program, Larry Buklis  
21 We'll review and make recommendations on priority  
22 information for 2012 Fisheries Resource Monitoring  
23 Plan.

24  
25                   Item 14, other fisheries presentation.  
26 Item A will be survival of Kuskokwim River Chinook  
27 salmon will be presented by Kay Blair. Alaska Native  
28 Science and Engineering Program will be presented by  
29 Alissa Joseph.

30  
31                   Item 15, subsistence wildlife issues.  
32 Item A under that is 2010 Kuskokwim moose hunt update,  
33 State/Federal staff.

34  
35                   Item 16 is the agency/organization  
36 reports. Item A, Office of Subsistence Management  
37 briefings will be done by the staff. Number 1 under  
38 that agency report will be brown bear claw handicraft  
39 working group update. Item 2 will be update on salmon  
40 bycatch in the Bering Sea/Aleutian Islands pollock  
41 fisheries. Item 3 will be briefing on the new Federal  
42 subsistence permit system.

43  
44                   Item B under the United States Fish and  
45 Wildlife Service will make a presentation on the Yukon  
46 Delta Refuge. Number 2, the Togiak Refuge.

47  
48                   Item C under the Bureau of Land  
49 Management.

50

1 Under D, Alaska Department of Fish and  
2 Game, and they will make a presentation on wildlife  
3 conservation. And item 2, Kuskokwim salmon season  
4 summary.

5  
6 Item E, Association of Village Council  
7 Presidents update. Item F, Yukon River Drainage  
8 Fisheries Association. Item G, Yukon River Inter-  
9 Tribal Watershed Council.

10  
11 Item H, Tribal representatives. Under  
12 H will be Pilot Station Traditional Council, salmon and  
13 net size. 2, Orutsararmiut Native Council. Three,  
14 Kuskokwim Native Association.

15  
16 I, Municipal government  
17 representatives.

18  
19 J will be ANCSA village corporation  
20 representatives.

21  
22 K, other organizations. Under that  
23 will be Bering Sea Fishermen's Association.

24  
25 Item 17, under Regional Council  
26 business will be, A, review of Federal Subsistence  
27 Board reply for 2009 annual report. Item B is 2010  
28 annual report topics. Item C, confirm date and place  
29 of winter 2010 Council meeting. Item D, select date  
30 and place for fall 2011 Council meeting.

31  
32 18, closing comments; 19, adjourn.

33  
34 Are there any additions or deletions to  
35 the agenda. Anaan.

36  
37 MS. GREGORY: Mr. Chair. Alex, what  
38 item did you want to move?

39  
40 MR. NICK: Through Chair, Ms. Gregory,  
41 under agency organization, Fish and Game for Kuskokwim  
42 salmon summary. They wanted us to move it up to item  
43 11. (In Yup'ik) Last page. D.2.

44  
45 MS. GREGORY: D.2.

46  
47 MR. NICK: Yeah. Move that to item 11.  
48 Mr. Chair.

49  
50 CHAIRMAN L. WILDE: Which was that?

1 MR. ROCZICKA: 16.D.2.  
2  
3 MS. GREGORY: (In Yup'ik)  
4  
5 MR. NICK: Last page.  
6  
7 CHAIRMAN L. WILDE: 16.  
8  
9 MR. ROCZICKA: 16.D.2 to item 11.  
10  
11 CHAIRMAN L. WILDE: Okay.  
12  
13 MS. GREGORY: 16.D.2 to Number 11.  
14  
15 CHAIRMAN L. WILDE: Okay. I've got it.  
16  
17 MR. NICK: Mr. Chair.  
18  
19 CHAIRMAN L. WILDE: Mr. Nick.  
20  
21 MR. NICK: Fairbanks representatives,  
22 where do you want your topics under? Which topics?  
23  
24 MR. BRAZIL: I think under -- it would  
25 probably be best appropriate under Number 14, other  
26 fisheries presentations.  
27  
28 CHAIRMAN L. WILDE: Item C.  
29  
30 MR. BRAZIL: Yes, Mr. Chair.  
31  
32 CHAIRMAN L. WILDE: And who is that  
33 organization?  
34  
35 MR. MASCHMANN: Fish and Game.  
36  
37 CHAIRMAN L. WILDE: Fish and Game.  
38 What's your presentation? What was the name of the  
39 presentation?  
40  
41 MR. BRAZIL: Thank you, Mr. Chair. The  
42 name of the presentation is just a brief overview of  
43 the Division of Subsistence, our projects. And I'm new  
44 to these RAC meetings, so I'm unsure if it would  
45 probably be most appropriate under number 14, unless,  
46 Mr. Chair, Mr. Nick, if you prefer, under Alaska  
47 Department of Fish and Game, number D, either or.  
48 Number 14 is good then.  
49  
50 Thank you.

1 CHAIRMAN L. WILDE: Okay. Thank you.  
2 Any other items. Mr. Alstrom.  
3  
4 MR. ALSTROM: Thank you, Mr. Chair and  
5 Board members. May I make an addition to the agenda?  
6  
7 CHAIRMAN L. WILDE: Yes, you may.  
8  
9 MR. ALSTROM: I'm looking at -- I don't  
10 know what it would be appropriate to go under. Item 15  
11 on subsistence wildlife issues. Once again my name is  
12 Bill Alstrom. I represent the Yupit of Andreadfski  
13 Tribal Council, St. Mary's. And I can either put it  
14 under item 15, subsistence wildlife issues, or go under  
15 tribal representatives.  
16  
17 CHAIRMAN L. WILDE: Yeah, we could put  
18 it in under item B under 15, if that's okay with you.  
19  
20 MR. ALSTROM: Item B. Okay. that will  
21 be fine. Thank you.  
22  
23 CHAIRMAN L. WILDE: Any further  
24 additions to the agenda. Mr. Gregory.  
25  
26 MR. ROCZICKA: Mr. Chairman.  
27  
28 CHAIRMAN L. WILDE: Roczicka, I'm  
29 sorry. Mr. Gregory.  
30  
31 MR. ROCZICKA: One item of note I guess  
32 just for future, it's kind of an editorial, but  
33 actually it's substantive as well. Under 16. H. where  
34 it has tribal representatives, you have Kuskokwim  
35 Native Association. Kuskokwim Native Association is  
36 not a tribe. It represents the villages of that area,  
37 but just as AVCP is not a Federally-recognized tribe,  
38 so that should actually be under other organizations  
39 along with Bering Sea and AVCP or others like that.  
40  
41 However, as far as additions to the  
42 agenda, under item 15, I'd like to add the Unimak  
43 environmental assessment that had just recently came  
44 out. Although it's not directly in our region, it  
45 speaks specifically to an issue that we consistently  
46 put in our annual reports as far as the failure of the  
47 managers to manage their populations to provide for  
48 subsistence throughout the State.  
49  
50 CHAIRMAN L. WILDE: Okay. Any other

1 additions. Mr. Charles.

2

3 MR. CHARLES: Mr. Chairman. I brought  
4 with me a resolution on -- it looks like it may be for  
5 15 also, subsistence wildlife issue that the village  
6 council gave me yesterday because they couldn't make  
7 it.

8

9 CHAIRMAN L. WILDE: Tuntutuliak.

10

11 MR. CHARLES: Right. Thank you.

12

13 CHAIRMAN L. WILDE: C. D. Under D,  
14 item D.

15

16 MS. GREGORY: (In Yup'ik)

17

18 CHAIRMAN L. WILDE: Under other -- you  
19 wanted that under wildlife?

20

21 MR. CHARLES: It's for you I guess.  
22 But they gave it to me to bring to you. Thank you.

23

24 CHAIRMAN L. WILDE: Okay. We can put  
25 it under subsistence wildlife issues, item D.

26

27 Mr. Manumik.

28

29 MR. MANUMIK: Mr. Chairman. On item  
30 14.A. you mentioned survival of Kuskokwim and Yukon  
31 River Chinook salmon; is that combined?

32

33 CHAIRMAN L. WILDE: No, that's survival  
34 of Kuskokwim River Chinook salmon.

35

36 MR. MANUMIK: You mentioned Yukon also.

37

38 CHAIRMAN L. WILDE: I don't remember  
39 that, but it's not on the agenda.

40

41 MR. MANUMIK: That's why I asked.

42 Thank you.

43

44 CHAIRMAN L. WILDE: Okay. Yeah, it's  
45 just the survival of Kuskokwim River, not the Yukon.  
46 I'm sorry.

47

48 Any further additions or deletions.

49 Mr. Brown.

50

1 MR. BROWN: Yeah. We've been working  
2 on a resolution in Eek about moose, extension line  
3 about South Fork. And I asked my staff back home,  
4 there's supposed to be a presenter from my place. By  
5 the time it's completed yesterday, supposed to be  
6 completed yesterday. They would bring it in. And I  
7 don't know where to put it.  
8  
9 MR. ROCZICKA: Under subsistence  
10 wildlife.  
11  
12 MR. BROWN: Probably on item 15.  
13  
14 CHAIRMAN L. WILDE: Under 15, under  
15 subsistence wildlife, it will be.....  
16  
17 MR. ROCZICKA: Eek moose hunt boundary.  
18  
19 CHAIRMAN L. WILDE: What is that again,  
20 Greg? Could you make sure that everybody got that  
21 right?  
22  
23 MR. ROCZICKA: Charlie, are you  
24 referring to the boundary for the Quinhagak/Goodnews  
25 River moose hunt?  
26  
27 MR. BROWN: Yes.  
28  
29 MR. ROCZICKA: So you'd like to discuss  
30 that boundary.  
31  
32 CHAIRMAN L. WILDE: Okay.  
33  
34 MS. GREGORY: (In Yup'ik)  
35  
36 MR. ROCZICKA: Put it in as item E  
37 under subsistence wildlife issues would be a good spot  
38 for that.  
39  
40 CHAIRMAN L. WILDE: Under 15.  
41  
42 MR. ROCZICKA: 15. E.  
43  
44 CHAIRMAN L. WILDE: 15. E.  
45  
46 MS. GREGORY: (In Yup'ik)  
47  
48 MR. ROCZICKA: Unimak environmental  
49 assessment.  
50

1                   CHAIRMAN L. WILDE: Unimak  
2 environmental assessment.  
3  
4                   Any further additions, deletions.  
5  
6                   (No comments)  
7  
8                   CHAIRMAN L. WILDE: If not, any  
9 further.....  
10  
11                  MS. GREGORY: Mr. Chair. I move that  
12 we adopt the agenda as amended.  
13  
14                  CHAIRMAN L. WILDE: The motion's been  
15 made by Mary to adopt the agenda as amended. Do I hear  
16 a second to the motion.  
17  
18                  MR. CHARLES: Second the motion.  
19  
20                  CHAIRMAN L. WILDE: Seconded by Mr.  
21 Charles. Any further discussion.  
22  
23                  (No comments)  
24  
25                  MR. ONEY: Question.  
26  
27                  CHAIRMAN L. WILDE: The question's  
28 called for. All in favor say aye.  
29  
30                  IN UNISON: Aye.  
31  
32                  CHAIRMAN L. WILDE: All opposed.  
33  
34                  (No opposing votes)  
35  
36                  CHAIRMAN L. WILDE: Motion's carried.  
37 We have an agenda to work with.  
38  
39                  Review and approve, item number 9,  
40 minutes from March 2 to 4, 2010 meeting. Council.  
41  
42                  MS. GREGORY: Mr. Chair.  
43  
44                  (In Yup'ik)  
45  
46                  MS. GREGORY: On Page 10 under Mr.  
47 Cannon's presentation, the sentence is not complete.  
48  
49                  (In Yup'ik)  
50

1 CHAIRMAN L. WILDE: Mr. Nick.  
2  
3 MR. NICK: Mr. Chair. Mary, what line?  
4  
5 MS. GREGORY: (In Yup'ik)  
6  
7 MR. NICK: (In Yup'ik)  
8  
9 MS. GREGORY: The last line there,  
10 under the last paragraph on Page 10.  
11  
12 MR. NICK: Okay. Thank you.  
13  
14 CHAIRMAN L. WILDE: Any further  
15 comments on the minutes. Corrections. Deletions.  
16  
17 (No comments)  
18  
19 CHAIRMAN L. WILDE: Council members.  
20  
21 MR. ROCZICKA: Move to approve the  
22 draft minutes.  
23  
24 CHAIRMAN L. WILDE: The motion's been  
25 made to approve the draft minutes as corrected.  
26  
27 MR. CHARLES: Second, Mr. Chairman.  
28  
29 CHAIRMAN L. WILDE: Seconded by Mr.  
30 Charles. Any further discussion. Any further  
31 discussion.  
32  
33 (No comments)  
34  
35 MR. MANUMIK: Question on the motion.  
36  
37 CHAIRMAN L. WILDE: The question's been  
38 called for. All in favor say aye.  
39  
40 IN UNISON: Aye.  
41  
42 CHAIRMAN L. WILDE: All opposed.  
43  
44 (No opposing votes)  
45  
46 CHAIRMAN L. WILDE: Motion's carried.  
47  
48 We're down to item 10, Regional  
49 Advisory Council concerns and comments. We'll start  
50 with Mr. Charles. Any comments or concerns.

1 MR. CHARLES: Thank you, Mr. Chairman.  
2 My concern, the only thing I have now is the  
3 coordinating fisheries committee CFC, whatever they  
4 call it. And maybe Greg or Jeff might remember from  
5 Kuskokwim Salmon Management meetings, we had CFC member  
6 all the time. Bob Aloysius has attended at CFC member.  
7 And we were trying to fit the membership at that time,  
8 but I was still on the CFC member. Before that, Mary  
9 was CFC member alternate for Kuskokwim. So I am, too.  
10 I think I'm still CFC member, but I want to clear that  
11 this time, because Bob has been attending as CFC member  
12 for Kuskokwim. And we always need those people for  
13 salmon management working group meetings. We have a  
14 lot of meetings throughout the summer. So I'm -- if  
15 I'm still in and Bob is not attending sometimes. But I  
16 am elder representative also, so I have two seats on  
17 that working group. Would that work out for this RAC?  
18 I'm already a member as the elder.

19  
20 CHAIRMAN L. WILDE: Go ahead, Mr. Nick.

21  
22 MR. NICK: Thank you, Mr. Chair. Mr.  
23 Charles, Vince Mathews I believe was coordinator for  
24 the coordinating fisheries committees in the past. Now  
25 he's moved on I understand to refuges. And there's  
26 been some rather confusing appointments from your  
27 group, Kuskokwim River Salmon Management -- what do you  
28 call that, Greg?

29  
30 MR. ROCZICKA: Working Group.

31  
32 MR. NICK: Kuskokwim River Salmon  
33 Management Working Group. There were some confusions  
34 in the past, and I was contacted by Beverly Hoffman.  
35 But according to our records, for example, the Lower  
36 Yukon Coordinating Fisheries Committee member now is  
37 Ray Oney, and Mr. Manumik is just finally appointed.  
38 For Lower Kuskokwim, James Charles' name was listed,  
39 Bob Aloysius' name was listed as a RAC representative,  
40 and Mary Gregory was listed as alternate. So that's  
41 kind of how we deal with that.

42  
43 Mr. Chair.

44  
45 CHAIRMAN L. WILDE: Thank you, Mr.  
46 Nick. Did that get you straightened there, Mr.  
47 Charles? Okay.

48  
49 Mr. Andrew, do you have any comments?  
50

1 MR. ANDREW: Mr. Chairman. I have  
2 several over here, two on fisheries and one on wildlife  
3 issues. Excuse me.

4  
5 This past summer we have to meet with  
6 the Alaska Department of Fish and Game and Fish and  
7 Wildlife to close our river for king fisheries, because  
8 maybe it was second time in a row we had very low  
9 numbers showing up on our weir, which is usually pretty  
10 close to 50 miles up by air; I don't know how many  
11 miles on the river. And this is not the first year we  
12 had to mention now, actually the first year we had to  
13 close down our king fishery. In the past we had to  
14 tell our people to pull off their king or large mesh  
15 size nets on the river. And everywhere along the  
16 Kuskokwim, I know that we have king salmon are  
17 returning in low numbers year after year. We -- I  
18 don't want to point fingers at other people, because  
19 this information I get from my villagers, and from  
20 other people that go out and harvest them. This summer  
21 we had to voluntarily ask our -- or ask them to  
22 volunteer to pull out their king nets at the river and  
23 restrict it down to four-inch gear.

24  
25 And the other fishery issue we have is  
26 every year we see people set out nets out there, and  
27 some of them don't even bother to check them or clean  
28 them, especially on the small whitefish nets. That's  
29 the other one.

30  
31 The third one is predator control.  
32 Other areas of our region always request for predator  
33 control. Our region on the Lower Kuskokwim area, we  
34 don't have any, but we really do need predator control  
35 as every spring we've seen moose kills up there, mostly  
36 calves. Most of them are by brown bear and a few by  
37 black bear.

38  
39 The other one is wolves. We know it's  
40 because of a wolf. I used to go out there, I used to  
41 see quite a few wolf kills up there, especially in the  
42 years when we have heavy snow, and especially on  
43 caribou. When the wolves go on a killing spree,  
44 they'll kill off one after another without eating them.  
45 They'll just kill them and they take the bladder or  
46 something in the rear, and then they just leave them.  
47 And we've seen those. A lot of the people that go out  
48 have seen that year after year. And Fish and Wildlife  
49 have done nothing about it yet, because maybe none of  
50 our people have ever put a proposal for it.

1 Thank you.  
2  
3 CHAIRMAN L. WILDE: Thank you, Mr.  
4 Andrew.  
5  
6 Mr. Wilde. Harry, do you have any  
7 comments. Concerns or comments.  
8  
9 MR. H. WILDE: No.  
10  
11 CHAIRMAN L. WILDE: Okay. Mr. Brown,  
12 do you have any concerns or comments. No? Yes?  
13  
14 MR. BROWN: No, not to comment.  
15  
16 CHAIRMAN L. WILDE: Okay. Thank you.  
17 Mr. Roczicka.  
18  
19 MR. ROCZICKA: Mr. Chair. I might as  
20 well. I'm going to follow up a little bit on what John  
21 mentioned, is that issue, and clarifying that as far as  
22 the predator management that he spoke of and so forth,  
23 those are policy issues that actually come down and  
24 really points toward the failure of the subsistence  
25 management system within this State, in that those come  
26 from the East Coast. They come from Washington, D.C.  
27 It's not our area managers that have any control on  
28 that. It's a policy, and that's the level that we have  
29 to deal with it at. And I've never been so  
30 disillusioned, frustrated and actually down-right  
31 betrayal of the Service in the decision that it made in  
32 Unimak, and we'll discuss that further.  
33  
34 I just recently talked to AFN just this  
35 morning and yesterday regarding this. The Service has  
36 yet to even respond to the resolution that went forward  
37 to them asking for direct action from the Secretary,  
38 from the Fish and Wildlife Service, and they said in  
39 just the whole subsistence issue, we're feeling very  
40 encouraged by this current administration that sits in  
41 the presidency that said that they were going to be  
42 very aggressive and assertive in addressing Native  
43 issues, but yet they've been essentially non-responsive  
44 to AFN directly in trying to address their subsistence  
45 concerns, so it's really frustrating, but keep after  
46 it.  
47  
48 Thank you.  
49  
50 CHAIRMAN L. WILDE: Thank you, Greg.

1 Mr. Elias Kelly.

2

3 MR. KELLY: Mr. Chairman. My only  
4 concerns is with the fisheries and later on in the  
5 agenda I will be giving a presentation for the Pilot  
6 Station Traditional Council. So other than that, I  
7 don't have any other comments.

8

9 CHAIRMAN L. WILDE: Thank you, Mr.  
10 Kelly. Anaan.

11

12 MS. GREGORY: First of all, I'd like to  
13 be excused this afternoon for a couple of hours.

14

15 And I agree with Mr. Andrew and Mr.  
16 Roczicka about the people that are supposed to be  
17 protecting my subsistence way of life. They don't even  
18 know what I eat. And we should have people from Alaska  
19 or from the villages, you know, be in charge of those  
20 regulations and what rules that we make should be  
21 adhered to. And my concern is that when I eat, I don't  
22 want nobody to tell me what to eat, because I never  
23 tell you guys what to eat. Where to shop.

24

25 Thank you.

26

27 CHAIRMAN L. WILDE: Thank you. Mr.  
28 Unok.

29

30 MR. UNOK: I have no comment, and my  
31 first time in the meeting.

32

33 CHAIRMAN L. WILDE: Thank you. Mr.  
34 Oney.

35

36 MR. ONEY: Yeah. Thank you, Mr.  
37 Chairman. First of all I'd like to thank the Board and  
38 the people, the Staff, for putting up with me all these  
39 years. Although this may be my last year as a RAC  
40 member, I want to thank you and all the board members  
41 here.

42

43 There will always be issues facing our  
44 way of life, speaking as a Yup'ik, and that's the  
45 reason why I encourage you people out there to  
46 participate in this process, to hear your concerns,  
47 that we may address those during this meeting.

48

49 Thank you.

50

1 CHAIRMAN L. WILDE: Thank you, Mr.  
2 Oney. Mr. Manumik.

3  
4 MR. MANUMIK: Mr. Chairman, members of  
5 the board. For the Lower Yukon River Chinook salmon  
6 mesh size, there have been comments made by young  
7 fishermen and women who take care of our subsistence-  
8 caught fish, are saying that the mesh size that has  
9 been approved for use next summer is going to kill off  
10 all the female Chinook salmon that are entering the  
11 Yukon. So they would like to see that mesh size be not  
12 used for another year. And also some of the younger  
13 men are also commenting on that same issue, saying that  
14 they are going to be killing off all the female Chinook  
15 that are migrating up the Yukon to spawn.

16  
17 And also on the Bering cisco, the women  
18 are also saying that they are taking our food from  
19 their dinner table. So they want some kind of feedback  
20 from this Council to be recommended to the Federal  
21 Subsistence Board for their concerns.

22  
23 And I also would like to hear a comment  
24 from Al Unok from Kotlik about the Bering cisco.

25  
26 Thank you, Mr. Chairman.

27  
28 CHAIRMAN L. WILDE: Thank you, Mr.  
29 Manumik. Mr. Unok.

30  
31 MR. UNOK: They shut down some of the  
32 areas where they can get that (In Yup'ik). If they do  
33 that in your area for some years, it will work. They  
34 shut it down for two years, no commercial for that  
35 area, the fish were increasing this year. They're  
36 more, because they cannot go in there and commercial  
37 fish. Does that answer your question?

38  
39 MR. MANUMIK: Yeah.

40  
41 CHAIRMAN L. WILDE: Thank you. I've  
42 got a comment I'd like to make. You know, I went  
43 through all these proposals that are coming before us,  
44 and one thing I've noticed is that there are a couple  
45 proposals in here that have absolutely no direction to  
46 conserving our subsistence fisheries along the Yukon,  
47 and it seems that there are a couple proposals in here  
48 that are only there for type of frustrated vengeance on  
49 the part of Lower -- a couple of proposals that are in  
50 there.

1 I just want to let you know that, you  
2 know, we've worked all these years to get our people  
3 along the Yukon River together from all the way up from  
4 the border on down, and these two proposals will just  
5 -- this couple of proposals in here will have a  
6 tendency to draw us apart, and I don't think that the  
7 Subsistence Council was formed to start fights within  
8 the regions. I think what we need to do with those  
9 proposals is to knock them down and let the public know  
10 that we are here for the good of our people and the  
11 subsistence use of our resources in our area. And  
12 there's no room in the subsistence world for us to be  
13 fighting with other groups in our area. And I just  
14 want to make sure that I put that in front of you,  
15 because that's been bothering me all the time that I  
16 was going through these proposals.

17  
18 And another thing, you know, I missed  
19 the last meeting because I was in the hospital, and I  
20 know that there's a lot of you members that were out  
21 praying for me, and I want to thank you all for your  
22 prayers and you can see the results of your prayers,  
23 because I'm sitting here. Otherwise I would have been  
24 six feet underground, except for a couple of good  
25 fortune and good work of the man upstairs. Thank you  
26 all.

27  
28 Okay. We'll go down to the Yukon River  
29 post season report. US Fish and Wildlife and ADF&G.  
30 We start work now.

31  
32 MS. GREGORY: Before we start, can we  
33 have a break?

34  
35 CHAIRMAN L. WILDE: Okay. If it's all  
36 right with you, let's have a 10-minute break.

37  
38 (Off record)

39  
40 (On record)

41  
42 CHAIRMAN L. WILDE: Call the meeting  
43 back to order. We are down to Yukon salmon post season  
44 report. Go ahead.

45  
46 MR. MASCHMANN: Mr. Chairman and  
47 Council. My name is Gerald Maschmann, and I work for  
48 the US Fish and Wildlife Service in Fairbanks, and I  
49 work for Fred Bue who's now the Yukon River Federal  
50 manager.

1                   The document that I handed out is a  
2 fairly thorough summary of the 2010 season. And if the  
3 Chairman and Council would allow, I'd like to just do a  
4 summary of this document so I don't have to read that  
5 entire document into the record.

6  
7                   CHAIRMAN L. WILDE: That's fine.

8  
9                   MR. MASCHMANN: Okay. Preseason, the  
10 2010 Chinook and fall chum salmon runs were projected  
11 to be below average to average. The summer chum salmon  
12 run was projected to be near average, while coho salmon  
13 were anticipated to be average.

14  
15                   Because Chinook salmon have performed  
16 below expectations in recent years, the US/Canada Yukon  
17 River Panel provided funds as it had in 2009 to  
18 coordinate a special outreach preparation program  
19 during the winter and spring. In May, prior to the  
20 start of the salmon fishing activity, ADF&G and US Fish  
21 and Wildlife with input from users distributed a joint  
22 Yukon River salmon fisheries 2010 outlook sheet that  
23 described expectations of run strength and management  
24 approaches for the coming season.

25  
26                   Most subsistence salmon fishermen  
27 delayed their fishing effort due to high gas prices and  
28 low fish abundance early in the season. Throughout the  
29 drainage there were episodes of wet and cold weather  
30 and high water events with heavy debris loads which  
31 preempted subsistence fishing. As the Chinook salmon  
32 migration moved upriver, managers considered reducing  
33 fishing time in order to conserve salmon, but found  
34 that poor fishing conditions coincided with periods  
35 when Chinook salmon were passing through those areas.

36  
37                   Consistent with the preseason  
38 management plan, no directed Chinook salmon commercial  
39 periods occurred. Directed summer chum commercial  
40 fishing periods were opened starting on June 28th and  
41 occurred in Districts 1, 2, 4, and 6. The preliminary  
42 season total commercial summer chum salmon directed  
43 periods in Districts 1, 2, 4 and 6 combined was 9,897  
44 Chinook and 232,888 chum salmon.

45  
46                   In-season run strength assessment of  
47 Chinook and summer chum salmon was mainly based on the  
48 lower river test fisheries at Emmonak and Mountain  
49 Village, the Pilot Station and subsistence fishermen  
50 catch reports. The preliminary end of season pilot

1 station sonar estimate was approximately 114,500  
2 Chinook salmon as compared to the 1995 to 2008 average  
3 passage of 141,000 salmon. The total Chinook salmon  
4 passage at Eagle sonar was 34,600 and the border  
5 passage estimate was 33,000. This was below the  
6 Canadian spawning escapement goal of 42,500.

7  
8                   The preliminary end of season Pilot  
9 Station sonar estimate was approximately 1.3 million  
10 summer chum as compared to the 1995 to 2008 average  
11 passage of 1.6 million fish.

12  
13                   After observing the performance of the  
14 summer chum salmon, managers entered the 2010 fall chum  
15 season expecting a below average fall chum run around  
16 600,000. Near the midpoint of the fall chum run, the  
17 run size projection was on track to be near 400,000,  
18 which was well below expectations. To conserve fall  
19 chum salmon, all main river districts except  
20 Subdistrict 5D were placed on their regulatory windowed  
21 schedules. Additionally, one subsistence fishing  
22 period was canceled beginning in District 1 and  
23 implemented chronologically upriver through  
24 Subdistricts 5B and C. Later in the season upriver  
25 escapement projects were indicating that restrictions  
26 were no longer necessary and subsistence fishing  
27 schedule was relaxed in the rest of the Yukon River  
28 mainstem. Although escapement assessment continues, it  
29 appears that the drainagewide objective, the Chandalar  
30 River, Tanana River and Canadian mainstem fall chum  
31 salmon stocks have attained their escapement  
32 objectives. The Sheenjek and Fishing Branch Rivers may  
33 end near or below their goals.

34  
35                   The coho salmon run also had later than  
36 average timing with a near average run size for the  
37 season. Based on in-season assessment, managers did  
38 not open a directed fall chum salmon commercial  
39 fishing. Commercial fishing did open late in the  
40 season to target coho salmon in Districts 1, 2, and 6.  
41 The preliminary Yukon area fall season commercial  
42 harvest at this time is approximately 2200 fall chum  
43 and 3500 coho salmon.

44  
45                   Management of both the summer and fall  
46 seasons were challenging due to the weak and unusually  
47 late salmon runs. Many fishermen voluntarily lowered  
48 their subsistence harvest goals throughout the area,  
49 worked harder than usual, or shifted their harvest to  
50 other fish species to provide for household subsistence

1 needs this year. In-season management actions were  
2 taken to conserve both Chinook and fall chum salmon.  
3 Subsistence fishing periods were canceled during the  
4 fall season, sport fishing and personal use fishing  
5 were closed in the fall, and some commercial fishing  
6 opportunity for summer chum and coho salmon was  
7 foregone to further conserve Chinook and fall chum  
8 salmon. The end results were that most escapement  
9 goals were achieved with some Chinook and fall chum  
10 stocks falling short of their goals.

11  
12 The outlook for 2011 will be prepared  
13 by ADF&G after escapement information and age  
14 composition analysis are completed over the next  
15 several months.

16  
17 CHAIRMAN L. WILDE: Thank you. Are  
18 there any questions.

19  
20 MS. GREGORY: Mr. Chair. Can you --  
21 when you have a report like this, and if you make it in  
22 time, I'd like to maybe -- you should send one to every  
23 member of the Council, because we're busily reading  
24 whatever you're trying to tell us, and we get this  
25 hasty information from you guys. You're there year  
26 round, and then it would be good to send us a copy of  
27 your report before you presented it.

28  
29 CHAIRMAN L. WILDE: Any further  
30 comments.

31  
32 MR. HAYES: Mr. Chair. Advisory  
33 Council members. My name is Steve Hayes, and I'm the  
34 summer season area manager for the Yukon for Fish and  
35 Game. And I just wanted to add a couple things. I  
36 think Gerald covered most of it.

37  
38 And just in reference to your comment,  
39 we do try to get these done pretty quickly, but, you  
40 know, unfortunately, like the fall season is just going  
41 on. The fall season fishery. And, of course, we're  
42 still trying to collect all the data on the projects,  
43 and we want to present you guys with the best available  
44 data we can, so unfortunately this is about the soonest  
45 we can get this information to you guys. And I would  
46 stress to you that some of these numbers are going to  
47 change from what you have in front of you right now  
48 until we get our final season summaries out.

49  
50 But also just to comment kind of on the

1 summer season for Chinook and summer chum, I think one  
2 thing we're going to have to do, you know, as Gerald  
3 said, you know, since 1998 these runs have been  
4 variable and unpredictable. It's not like it was prior  
5 to '98 where the kings came in and we went commercial  
6 fishing, there were enough for subsistence, we met our  
7 escapement and everything went like clockwork. So, you  
8 know, for now those days are not here, and until they  
9 do come back, you know, once we can start to meet  
10 escapement and provide for subsistence and some surplus  
11 for commercial harvest, we're going to have to go, you  
12 know, like last year where we actually reduced  
13 subsistence fishing time and whole periods. I think  
14 next year we're looking at that type of management  
15 again.

16  
17                                   And the main thing is it's  
18 unpredictable. We don't know what we're going to get  
19 back. You know, we're getting high escapements in some  
20 years and we're not getting anything back for it as far  
21 as the return, the run of fish coming back. And vice  
22 versa. Some years we have low escapements and we get  
23 good fish back. But this year should have been a  
24 pretty good king run, and it turned out that it was  
25 much lower than predicted.

26  
27                                   And we missed the Canadian goal pretty  
28 big. They had to reduce their harvest up there. They  
29 only took about 1500 fish for aboriginal fisheries, and  
30 on average they used to take about 8,000.

31  
32                                   So we're going to have to do a better  
33 job of meeting those goals, I mean, for the future for  
34 these fish, for the resource. And we'll be working on  
35 that in the upcoming months, you know, and how we  
36 manage this last year and how we can apply things  
37 differently in the future. But we'll also be working  
38 with YRDFA. They plan to do the winter meetings again,  
39 more spring, to bring the users together to come up  
40 with a plan like we did the last two years, you know,  
41 on how to meet escapement and provide for subsistence  
42 and to kind of spread the harvest around.

43  
44                                   And then I did want to point out that  
45 the State Fish and Game did receive funding from the  
46 State Legislature to do some projects this year to try  
47 to make our assessment better. Pilot Station sonar,  
48 we've had difficulties there because of high water  
49 conditions or for whatever reasons. We're continuously  
50 trying to make that project assess or run better. And

1 we deployed a side-scan sonar out there this year. We  
2 don't have the results yet. We'll be working on those  
3 results in the upcoming months and later on we should  
4 be able to let people know how that went.

5  
6 We also employed longer drift gillnets.  
7 Previously we used 25 fathom gillnets. This year we  
8 used 50 fathom next to the 25 fathom to try to see if  
9 we're having any type of species apportionment problem  
10 where we're actually missing the fish because we're  
11 using too short, and that's possible. And, of course,  
12 we'll have those results later.

13  
14 And the lower river test fishery, we  
15 did relocate several of our sites. We worked with  
16 local fishermen this summer. We put nets in quite a  
17 few different places, but in the end I think we ended  
18 up with some pretty good sites. So, you know, of  
19 course, we'll have to monitor that every year to make  
20 sure that those sites are still productive throughout  
21 the years, but we did do that.

22  
23 And, of course, this funding is not  
24 just a one-year thing, so we'll be doing some of these  
25 things again next year. You know, also looking at  
26 different site location, which I'm not -- I don't know  
27 where they're at at that point. But, you know, there's  
28 been a lot of talk about moving the sonar, so different  
29 locations are being looked at. Whether it's feasible  
30 to move it or not at this time, I don't know. But it  
31 is being looked at.

32  
33 So that's all I have for the salmon.  
34 It was a tough year. You know, next year's probably  
35 not going to be any better. I mean, the one thing  
36 that's consistent on this river is the need for the  
37 salmon hasn't changed; it hasn't gone down, but these  
38 runs are just not that great. So we'll have to come up  
39 with another plan this spring which may look somewhat  
40 similar to 2009 where we actually have to reduce  
41 subsistence time or possibly pull periods or something.  
42 But we'll be getting input from users.

43  
44 That's all I've got I think.

45  
46 CHAIRMAN L. WILDE: Any questions. Go  
47 ahead, Mr. Unok.

48  
49 MR. UNOK: I have a question on the  
50 sonar difficulty problem you guys had this year. You

1 guys had the same problem last year. What was it?

2

3 MR. HAYES: Actually with the Pilot  
4 Station sonar this summer there was no problems with  
5 the equipment and counting. You know, it actually did  
6 a pretty good job this year as far as assessing the  
7 run. Last year they had some difficulties with, you  
8 know, you get debris because of the high water  
9 conditions that cause river bands on what you can see  
10 on the fish. We didn't have those issues this year, so  
11 it actually did a pretty good job of counting the fish  
12 this year.

13

14 CHAIRMAN L. WILDE: Go ahead, follow  
15 up.

16

17 MR. UNOK: Is there anything you guys  
18 can solve the problem?

19

20 MR. HAYES: Well, as I referenced  
21 earlier, this summer we tried a side-scan sonar, which  
22 is separate from the current sonar equipment we have.  
23 And the idea was to see if maybe we're missing fish  
24 deeper in the water. You know, fishermen say that, you  
25 know, the kings run deeper, so we're trying to see if  
26 we're missing fish there. We're looking at different  
27 sites potentially to move the sonar, or different sites  
28 to move the equipment to. And also different drift  
29 nets, longer drift nets. So we are currently -- this  
30 summer we did do that and we're going to continue to  
31 test those things with the plan is to improve upon the  
32 assessment of that project.f

33

34 Now, I caution people that, you know,  
35 it's a big river, you know, and it's an index that we  
36 get from that project. It's not an exact number of  
37 fish. And I think people need to be aware of it. You  
38 can put everything you have into it, but it's not going  
39 to give you an exact number. It's going to give you an  
40 index to use to manage the fishery with. And that's,  
41 excuse me, the problem we're in right now is that we  
42 have these runs that maybe barely get enough to meet  
43 escapement and provide for subsistence, or you may be  
44 10, 15,000 fish short. And it's difficult to manage  
45 that type of a run on this river. And that's where in  
46 2009 when we had to restrict subsistence, we were in  
47 that position. You know we were -- we actually ended  
48 up over-escaping by about 17,000 kings into Canada.  
49 It's tough to manage for that amount of fish in this  
50 river. So I just caution people to think that with all

1 this work that goes into it, that it's going to give us  
2 a perfect number in the future, because it won't, but  
3 it will give us the best estimate that we can come up  
4 with out of it to manage the fishery with.

5  
6 CHAIRMAN L. WILDE: Go ahead.

7  
8 MS. GREGORY: Mr. Chair. What's your  
9 name again?

10  
11 MR. HAYES: Steve Hayes.

12  
13 MS. GREGORY: Mr. Steve, can you  
14 explain your treaty obligations to the Canadian on your  
15 post season report, Page 4?

16  
17 MR. HAYES: Mr. Chairman. Council  
18 members. I apologize, I'm still getting over a cold.  
19 Our treaty obligation is to Canada. And I think most  
20 of us are aware that, you know, at least 50 percent of  
21 the kings that run up the Yukon are bound for Canadian  
22 waters, you know, to spawn and for their aboriginal  
23 fisheries, too. But we're obligated to put a certain  
24 number of kings across the border into Canada for  
25 escapement into their streams and also for their  
26 harvest for what would be our subsistence fishery here.  
27 We're also obligated to provide that number of fish.

28  
29 So right now, this year, we had an  
30 escapement goal of 42,500 being the minimum for Chinook  
31 into Canada. Well, that just covers the escapement.  
32 That's what we were required to put in at a minimum for  
33 escapement into Canada. Then you have to add on the  
34 harvest, which is what we call the TAC, is what, it  
35 gets complicated, but it's a percentage of what we  
36 harvest of Canadian fish, we have to put across the  
37 border into Canada. So basically to do a rough math,  
38 this year we were looking at trying to put in about  
39 55,000 kings into Canada, across the border. Well, we  
40 only got 33,000 roughly. So we were way off this year.

41  
42 CHAIRMAN L. WILDE: Is that -- okay.

43  
44 MS. GREGORY: I have another comment.  
45 When they're way up that river and they're ready to  
46 spawn and they're not as fresh as they are when they  
47 just come in. And how many, the Canadian people, how  
48 much of that is gathered as subsistence?

49  
50 MR. HAYES: Well, every year's

1 different, you know on what they will take for their  
2 subsistence use, depending basically on the run size,  
3 on how many fish are coming across the border. On  
4 average they take about 8,000, but more recently  
5 because of these poor runs that we've been having,  
6 they've been taking around a couple thousand. But this  
7 year, this summer, right now the preliminary estimate  
8 is that they took about 1,500 kings for their  
9 aboriginal fishery.

10

11 MS. GREGORY: And how many -- what's  
12 the population that use that subsistence fishery?

13

14 MR. HAYES: I don't have the answer to  
15 that. We can get that for you.

16

17 CHAIRMAN L. WILDE: Any further  
18 questions for the Fish and Game. Mr. Oney.

19

20 MR. ONEY: Thank you, Mr. Chairman. I  
21 know it seem like, you know, year after year we're  
22 facing with different issues. For the last three, four  
23 years we've been interested in the issue of  
24 Ichthyophonus, and Ichthyophonus kind of dropped off  
25 the issue for the last year or two, and I do not know  
26 what is going on with that. Now we're dealing with  
27 fish size. And it seems like there's, you know, study  
28 after study about the salmon on the Yukon, and it seems  
29 like we're not getting anywhere with the end results of  
30 this study. So I don't know what's really going on  
31 with the fisheries on the Yukon.

32

33 I know definitely one that I could  
34 identify, which we all can identify here in this room  
35 is the high seas fishery taking a good majority of  
36 them, and that's one issue that we need to target to  
37 let them know about our concerns on the Yukon  
38 fisheries, mainly the Chinook, because of the declines  
39 and the rebuilding stages that we've been trying to do  
40 over the years.

41

42 That's my concern about, you know.  
43 We're it seems like dealing with issues, you know, year  
44 after year, something different always come up within  
45 the year or two. Maybe if you could address that  
46 Ichthyophonus, where we're at. Thank you.

47

48 MR. HAYES: Mr. Chairman. Mr. Oney.  
49 We're still monitoring for Ichthyophonus. We monitor  
50 at Emmonak and at Eagle sonar. I can't give you

1 specific numbers. I don't have that information with  
2 me, but we are monitoring it on a yearly basis, and  
3 it's funded through the Yukon River Panel to run that  
4 project.

5  
6                   What we have seen is that at this point  
7 the percentage of infected fish has gone down over  
8 time, but it is still there and we're continuing to  
9 monitor for it. And, of course, through time we'll  
10 have to figure out how to use that information in the  
11 management of the fishery. You know, at this time  
12 we're not really sure -- if you don't even know how  
13 many fish are infected, how do you manage for it.

14  
15                   And you actually brought up a good  
16 point with, you know, all these issues that we have.  
17 You know, it's bycatch, Ichthyophonous, we have all  
18 these unknown, you know, marine environment,  
19 potentially issues there, in-river issues that we don't  
20 even know, because we're obviously missing a lot of  
21 fish. And it's not just one thing that is taking all  
22 those fish. It's more combined, or several things.  
23 And it's unfortunate. It takes time to get to it, and,  
24 of course, like I said, there are things we don't know,  
25 like in the marine environment, potentially what's  
26 going on.

27  
28                   There's a lot of pointing fingers at  
29 the bycatch. They do take, you know, incidental fish.  
30 They have done studies and shown that the majority of  
31 the fish they take, and I'm not going to throw out  
32 numbers, because I don't have it in front of me, but  
33 they're not taking all of the kings we're missing.  
34 We're missing a lot of kings. And they take a small  
35 fraction of what we're missing.

36  
37                   CHAIRMAN L. WILDE: Okay, Mr. Oney?  
38 Okay.

39  
40                   Mr. Manumik.

41  
42                   MR. MANUMIK: Yeah. Thank you, Mr.  
43 Chairman. Members of the board. And under your  
44 subsistence monitoring project, you interviewed 45  
45 people from Emmonak, and you have test net fisheries  
46 located in Middle Mouth and also in Emmonak area.  
47 Those fish that are caught by the Fish and Game and  
48 given to the local people in Emmonak, are those people  
49 in the village counting them as their own catch or -- I  
50 know in the Federal subsistence law that you cannot

1 count what you didn't catch as your own household  
2 subsistence-caught fish.

3

4 That's my question.

5

6 Thank you.

7

8 MR. HAYES: Mr. Chairman. When we  
9 conduct our subsistence surveys, which are actually  
10 going on right now in the communities, the fish that  
11 are caught by the Department test nets that we give  
12 away to people for subsistence use, when they ask them,  
13 they will ask them the question, did you receive fish  
14 from other people or from ADF&G. So those fish are  
15 recorded. We keep track of them, and they are  
16 subsistence use fish, and they're reported so, you  
17 know, if Lester had gotten some fish from us, he would  
18 tell our interviewer that, yeah, we got 20 fish from  
19 Fish and Game. And then we account for those. That  
20 way we're tracking all the fish that are being  
21 harvested.

22

23 I don't know if that answers your  
24 question or not.

25

26 CHAIRMAN L. WILDE: Answer your  
27 question?

28

29 MR. MANUMIK: Unh-unh. (Negative)

30

31 MR. MASCHMANN: Mr. Chair. If I can,  
32 for Emmonak it wasn't 45 people interviewed, it was a  
33 few of the heavy fishermen, a few of the heavy fishing  
34 households were interviewed 45 times. And typically  
35 those households are not going down to get fish at Fish  
36 and Game. We've picked out for these interviews  
37 families or households that are heavy to medium  
38 fishermen, and we interview them throughout the season  
39 to see how they're doing and how they're progressing.  
40 So I don't know if that clarified some on that table.

41

42 CHAIRMAN L. WILDE: Any further  
43 questions. Any further questions for -- Mr. Hayes, go  
44 ahead.

45

46 MR. HAYES: I did have one more  
47 comment. I wanted to comment on a comment that the  
48 Council on the 7-1/2-inch mesh size change going into  
49 effect in 2011. Now, that will go into effect for  
50 subsistence and commercial fishing for next year. And

1 I know one of the comments was to delay it by another  
2 year, and the recommendation I would have is if you're  
3 looking at wanting to do that, you would have to  
4 obviously put in a request to the Board of Fishery and  
5 also the Federal Subsistence Board, because they also  
6 passed that for the subsistence fishery. So that's not  
7 something that as a manager I have the control to just  
8 not let that go into regulation.

9

10 CHAIRMAN L. WILDE: Okay. Mr. Elias.

11

12 MR. KELLY: Yes, Mr. Chairman. You  
13 know, I grew up in Pilot Station, and I'm very familiar  
14 with the river. Pilot Station sonar site has been  
15 there since the early 1980s, and, you know, since that  
16 time we've gone through a lot of technology changes.  
17 And now in this day and age, for example, the internet  
18 is here. Some days I can't get over how huge it is.

19

20 And I have a request for not only the  
21 Alaska Department of Fish and Game, but also for the  
22 Fish and Wildlife Service. If they can have available  
23 on the internet the raw data of the Pilot Station sonar  
24 counts, sonar data, the test fish data, species  
25 apportionment, you know, and just available over the  
26 internet where other agencies, other groups can access  
27 this data and make your own conclusions.

28

29 So I think that's the only comment I  
30 have right now.

31

32 CHAIRMAN L. WILDE: Steve, you have  
33 rebuttal?

34

35 MR. HAYES: Mr. Chairman, Mr. Kelly.  
36 We actually -- I'll have to get site, the link to it,  
37 but we actually do currently have some of that data on  
38 the Department's website. And there's actually  
39 escapement data information that you can go get,  
40 historical information and stuff. And they're  
41 continuously working on building that stuff up for the  
42 public. and I think that might be something good that  
43 we can put a handout together for maybe the next  
44 meeting to bring to direct you folks to where you can  
45 go for this stuff.

46

47 CHAIRMAN L. WILDE: Go ahead.

48

49 MR. KELLY: Yes, Mr. Chairman. Steve,  
50 yes. This data, I mean, not only for Pilot Station

1 sonar site, but also for Mountain Village, Eagle test  
2 fishery, and all the other sites that are monitored  
3 along the Yukon River. Even this information would  
4 apply to the Kuskokwim River, too. So where the raw  
5 data is available as it is.

6

7 Mr. Chairman.

8

9 CHAIRMAN L. WILDE: Okay. Mr. Paukan,  
10 you have a question?

11

12 MR. PAUKAN: Yeah, I have a couple of  
13 questions if I may on subsistence.

14

15 MR. ROCZICKA: He needs to come to the  
16 mic so it's on record.

17

18 CHAIRMAN L. WILDE: Moses, could you  
19 please -- could you come to the mic so that the  
20 recording secretary could get.....

21

22 MR. PAUKAN: There's a couple of  
23 questions I'd like to ask.

24

25 CHAIRMAN L. WILDE: And please state  
26 your name and where you're from, please, for the  
27 record.

28

29 MR. PAUKAN: My name is Moses Paukan  
30 from St. Mary's.

31

32 CHAIRMAN L. WILDE: Turn it on for him.

33

34 MR. PAUKAN: Oh, okay. I'm new on this  
35 one. My name is Moses Paukan from St. Mary's. I was  
36 asked to come by our tribal council yesterday  
37 afternoon, so I'm here.

38

39 But I'd like to ask a couple of  
40 questions here about subsistence, you know, regulatory  
41 window, subsistence salmon fishing. We've never had  
42 windows before for a long, long time until last few  
43 years since they claim that king salmon run was  
44 reducing per year. And the blame was the mouth of  
45 Yukon fishermen were blamed for catching too much fish  
46 when taking chum salmon -- I mean king salmon. So when  
47 they put the windows on, the subsistence fishermen  
48 started fishing pretty heavy because they were given so  
49 many hours to fish, and if you have three or four, five  
50 boys fishing for their mother, they all go out and

1 fish. And they bring in abundance of fish for their  
2 mother or their wives. And then they catch too much of  
3 those so they have -- it goes to waste, because they  
4 cut them all in one or two days. So when you had no  
5 windows, we'd go out as needed. If the mother said, we  
6 need fish today, so we'd go out that day and catch a  
7 few fish or Chinook for them to cut the fish, you see,  
8 instead of having 50, 60, 70, 80 kings in one day when  
9 they can't even cut those, that amount of fish in one  
10 day. So if you were to repeal this somehow, or you  
11 cause the repeal of the window portion of this  
12 regulation, we will go back to the old system. They  
13 would go fish -- they'd go out and fish as needed like  
14 we used to do before.

15

16 The same way with animals. We used to  
17 fish -- I mean, we used to go out hunt as needed only,  
18 instead of going out and getting, 10, 15 moose in the  
19 village in one day's time. So those regulations that  
20 are imposed now are making the reduction go fast,  
21 because they're wasting the meat.

22

23 On top of that you've got this sport  
24 fisherman coming in now that's going to make it worse.

25

26 And the other thing is the fall chum,  
27 there was hardly any fish running last summer. There  
28 was abundance of fish we know, because we were out  
29 there catching fish. Once you have one pulse coming in  
30 from the mouth of Yukon up to Pilot Station sonar,  
31 there's a lot of fish there from mouth of Yukon to  
32 Pilot Station. There's more than what you figure here  
33 on your report. So I'd just like to mention that so  
34 that maybe you guys can consider taking those -- taking  
35 this window system away, regulation away if you could.

36

37 Thank you.

38

39 CHAIRMAN L. WILDE: Go ahead, Steve.

40

41 MR. HAYES: Mr. Chairman and Mr.  
42 Paukan. I'll address the regulatory subsistence  
43 schedule and then I'll let Mr. Estensen cover the fall  
44 chum question.

45

46 Of course, most of are aware that the  
47 regulatory subsistence schedule went into effect in  
48 2001, and, of course, the idea is to spread the harvest  
49 of the fish around amongst the users. Pre-regulatory  
50 schedule, you know, people would tend to harvest mostly

1 -- a lot of their fish on like the first pulse of fish  
2 that came through, which has all of its problems. That  
3 first pulse is heavily made up of Canadian fish, which  
4 we need to get Canadian fish across the border to  
5 spawn. So the idea was not to reduce subsistence  
6 harvest. And what we've seen is that over the time is  
7 that people still were taking on average about 50,000  
8 kings for subsistence. It's just kind of adjusted when  
9 they're catching those fish so that you have periods of  
10 time that these fish are moving upriver unmolested.

11  
12 If you were looking to wanting to  
13 eliminate the regulation, of course, you would need to  
14 put a proposal into the Board of Fishery to address  
15 that issue with them. That's again something out of my  
16 control as a manager just not to get rid of that  
17 regulation. But that would be a proposal to the Board  
18 of Fishery to look at that. And then.....

19  
20 CHAIRMAN L. WILDE: Mr. Paukan, did you  
21 understand what Mr. Hayes was saying?

22  
23 MR. PAUKAN: Not quite, but.....

24  
25 CHAIRMAN L. WILDE: The windows were  
26 not set by this Council. The windows were set by the  
27 Board of Fish and the Subsistence Board. They're the  
28 ones on control of that. We have absolutely nothing to  
29 say about that, although we could, like Steve said, put  
30 in a proposal to change those windows. But if you're  
31 interested in doing that or if Andreafski interested in  
32 doing that, you're always welcome to put in a proposal  
33 to that effect.

34  
35 Okay, thank you.

36  
37 Go ahead, Steve.

38  
39 MR. ESTENSEN: Yeah. Mr. Chair. Jeff  
40 Estensen, Fish and Game, area manager, fall Yukon.

41  
42 And just addressing the comments  
43 regarding the fall chum this year, I'll just kind of  
44 reiterate what Steve said earlier, that Pilot, you  
45 know, is an index. It's not an exact count. During  
46 the season we are continuously checking and kind of  
47 looking at how the Pilot numbers line up with other  
48 indicators we have, such as the Lower Yukon test fish,  
49 Mountain Village. And then as the season progresses  
50 and the fish start moving upriver, we start getting

1 information from our upriver projects and, you know,  
2 indications this year from everything kind of lined up,  
3 talking with the people at Pilot Station, that this  
4 was, you know, as far as operation is concerned, water  
5 conditions and whatnot, it was a good year for  
6 operation. And the bottom line is that all the  
7 information we got from all the projects do just kind  
8 of line up and say that we did have a low abundance  
9 year for fall chum.

10

11 CHAIRMAN L. WILDE: Any questions,  
12 Council members. Mr. Brown.

13

14 MR. BROWN: Yeah, I have a concern  
15 about your escapement information. I'm just wondering,  
16 I used to work in the Bristol Bay area. Their spawning  
17 ground was not too far from the Bay. And on the  
18 Kuskokwim it's different from Bristol Bay area. The  
19 spawning ground is somewhere in way up there in the  
20 Holitna area. And I'm wondering about Yukon, before  
21 they come out to the Canadian border, if there's some  
22 spawning ground before they come out.

23

24 MR. HAYES: Mr. Chairman. Mr. Brown.  
25 I guess the easiest way to explain it is that along the  
26 entire Yukon River drainage there's spawning areas for  
27 both Chinook and chum salmon. We have the Andreafsky  
28 River which is at the mouth of the Yukon, it's in  
29 District Y-2 by St. Mary's, which is actually a stream  
30 that we do monitor with a weir with Fish and Wildlife  
31 Service. And, of course, as you go up river, we have  
32 Anvik River, which is in the middle river, Yukon River,  
33 we monitor for chums. We have a sonar site there. So,  
34 yes, there's spawning grounds all the way from  
35 basically the mouth of the river all the way to the  
36 headwaters and the Canadian border, and we cover them  
37 with towers, weirs, sonar, aerial surveys to count  
38 fish.

39

40 CHAIRMAN L. WILDE: Any further  
41 questions.

42

43 MS. GREGORY: Mr. Chair. Who wrote  
44 this report?

45

46 MR. MASCHMANN: It would be myself and  
47 Fred Bue.

48

49 MS. GREGORY: Can you put your names  
50 down when you do that so we can get at you?

1 (Laughter)  
2  
3 MR. MASCHMANN: Yes, we can.  
4  
5 MR. HAYES: Leave my name off it.  
6  
7 CHAIRMAN L. WILDE: Any further  
8 questions. Mr. Kelly.  
9  
10 MR. KELLY: Yes. Thank you, Mr.  
11 Chairman. I guess this is for Jeff.  
12  
13 MR. ESTENSEN: Yes.  
14  
15 MR. KELLY: Yes. Regarding the fall  
16 chum fisheries. Do you guys also manage the fall  
17 whitefish or the cisco fisheries, too? So and, you  
18 know, how -- I didn't see the report on this. Can you  
19 update us on that?  
20  
21 MR. HAYES: Well, again this year we  
22 did have a permit that we issued to Kwik'pak Fisheries  
23 for up to 10,000 pounds of cisco. They took that  
24 harvest I think it was about three days. It was pretty  
25 fast this year that they actually took it. I don't  
26 have the exact numbers at this time, because we have to  
27 get the fish tickets in so that we can enter them to  
28 get what the actual count was. But it ended up being I  
29 think close to like 11,000 pounds taken. They went  
30 over by about 1,000 pounds. It's an experimental  
31 fishery, so I mean there have been times when they've  
32 been under that 10,000 pounds and there's probably  
33 going to be times when they're maybe a little over as  
34 we learn how to manage this fishery.  
35  
36 One thing we did do a little  
37 differently this year, I think there was a comment in  
38 the Kotlik area with the subsistence fishermen there  
39 that at times throughout -- since we've had this  
40 fishery that it interfered with the subsistence  
41 fishermen. And at the request of many of the  
42 subsistence fishermen and the buyer that had the permit  
43 to buy these, we did close an area down that made it to  
44 where commercial fishermen cannot fish in those areas  
45 and interfere with the subsistence fishermen. So I  
46 haven't heard from any subsistence fisherman on how  
47 well they thought it worked, but we'll be finding that  
48 information out. And if it worked, we'll continue to  
49 do it as long as we have the fishery.  
50

1 CHAIRMAN L. WILDE: Follow up?

2

3 MR. KELLY: Yeah. Would you apply that  
4 fishery -- I mean that fishery was only in District Y-  
5 1. Would you apply to other districts on the Yukon  
6 River?

7

8 MR. HAYES: That's actually a good  
9 question, and last winter -- the majority of the  
10 fishery takes place in District 1, and last winter the  
11 buyer, Kwik'pak Fishery, did request a permit to fish  
12 in District Y-2, and we gave them a permit for up to  
13 5,000 pounds of cisco. The problem is that from what  
14 I'm understanding from the fishermen there is that the  
15 fish are farther out in the river. They're deeper. So  
16 they have a harder time catching them up in that area.  
17 So they only took about 800 pounds out of the 5,000  
18 pounds that they were allowed. And this fall when I  
19 gave them the permit for District 1, I also asked them  
20 if they wanted a permit for District 2, because I was  
21 willing to try it again in District 2, but it sounded  
22 like the fishermen weren't interested because of the  
23 difficulties of actually trying to catch the fish  
24 there. But it's not that it's something that we  
25 wouldn't do in the future if we can figure out how,  
26 maybe using drift nets or something.

27

28 So we'll continue to look at it.

29

30 CHAIRMAN L. WILDE: Go ahead, continue.

31

32 MR. KELLY: Yes. Steve, is there a  
33 certain net size that those fishermen use for Y-1?

34

35 MR. HAYES: Yeah. They're restricted  
36 to 4-inch or smaller, but typically most of them use 3,  
37 3-and-a-half-inch. And the idea with the 4-inch or  
38 smaller is to keep them off of sheefish.

39

40 CHAIRMAN L. WILDE: Okay? Any further  
41 questions.

42

43 MS. GREGORY: I have a comment. In the  
44 Yup'ik culture, we see that gussacks are beatnuks (ph),  
45 which means that gussacks are the depleters of  
46 resources, because you guys don't take into  
47 consideration what the -- what resource is being used  
48 before you make up your mind to open up a fishery. And  
49 I just heard my colleagues here that Lower Yukon people  
50 are saying that you guys are depriving of their

1 subsistence by overharvesting cisco. And I was raised  
2 on cisco when I was down at Kipnuk, and I know what  
3 they mean. That's when I told you not to be offended  
4 when I speak my mind.

5  
6 CHAIRMAN L. WILDE: Please don't. Any  
7 further question, any further discussion, questions for  
8 the Department.

9  
10 (No comments)

11  
12 CHAIRMAN L. WILDE: If not, thank you  
13 very much, gentlemen.

14  
15 Let's take a 10-minute break. We're  
16 going to be going into a lot of work after this.

17  
18 (Off record)

19  
20 (On record)

21  
22 CHAIRMAN L. WILDE: Sorry about that.  
23 I forgot to -- on the agenda change we had Kuskokwim  
24 post season report also on item 11, so we're going to  
25 get into that next. The Kuskokwim post season report.  
26 US Fish and Wildlife, Fish and Game.

27  
28 MR. BRAZIL: Good morning, Mr. Chair,  
29 committee members. I'm Chuck Brazil, Kuskokwim area  
30 manager with Fish and Game.

31  
32 MS. CARROLL: I'm Holly Carroll,  
33 assistant area manager for the Kuskokwim River, Fish  
34 and Game, Commercial Fisheries.

35  
36 MR. ESTENSEN: Mr. Chair. Jeff  
37 Estensen, Fish and Game, fall Yukon manager, but I used  
38 to be the Kuskokwim manager earlier this year.

39  
40 CHAIRMAN L. WILDE: Okay. Begin.

41  
42 MR. BRAZIL: This year there was a  
43 total of 16 commercial fishing periods that began on  
44 the 25th of June through the 12th of August. An  
45 average of 123 permit holders participated in each  
46 commercial opening this year, and the commercial  
47 harvest was approximately 2700 Chinook salmon, 22,430  
48 sockeye salmon, 93,150 chum salmon, and 58,000 coho  
49 salmon. The ex-vessel value this year was about  
50 \$765,600 for these fisheries combined.

1 Chinook returns this year were below  
2 average at all of our monitored locations; however,  
3 Kogrukluk escapement of 5400 Chinook was within the  
4 escapement goal range, but at the lower end.

5  
6 CHAIRMAN L. WILDE: May I interrupt  
7 you?

8  
9 MR. BRAZIL: Yeah, please.

10  
11 CHAIRMAN L. WILDE: You know, prior to  
12 this meeting some time ago we requested that all  
13 reports be in a written form and presented to the  
14 Council. Do you have anything that's written that you  
15 could present that we could look at?

16  
17 MR. BRAZIL: At that point I didn't.  
18 All of our data was being put together by our fisheries  
19 staff, and I just got all the final numbers yesterday  
20 morning and basically put it together yesterday and  
21 this morning and finished that up, but I can have that  
22 to you probably after lunch, because one of our  
23 fisheries biologists is actually reviewing it right  
24 now. Could pass that out.

25  
26 CHAIRMAN L. WILDE: Good. How does the  
27 Council feel, that you want to defer this after.....

28  
29 MS. GREGORY: Defer it to another time  
30 when you can give us the concrete evidence.

31  
32 CHAIRMAN L. WILDE: Are you going to be  
33 able to do that this afternoon?

34  
35 MR. BRAZIL: I can do that, Mr. Chair.

36  
37 CHAIRMAN L. WILDE: What does the rest  
38 of the Council feel. Do you want the report now or  
39 defer it to later to get the written report in front of  
40 you.

41  
42 MR. ANDREW: Mr. Chairman. I move that  
43 we table it for this afternoon.

44  
45 MS. GREGORY: Second.

46  
47 CHAIRMAN L. WILDE: The motion's been  
48 made and seconded to defer this report until this  
49 afternoon, until we get the written report. All in  
50 favor signify by saying aye.

1 IN UNISON: Aye.  
2  
3 CHAIRMAN L. WILDE: All opposed.  
4  
5 (No opposing votes)  
6  
7 CHAIRMAN L. WILDE: So be it.  
8  
9 MR. BRAZIL: All right. Thanks.  
10  
11 CHAIRMAN L. WILDE: So we'll come back  
12 and check with you later.  
13  
14 MR. BRAZIL: Yep.  
15  
16 CHAIRMAN L. WILDE: We are down to item  
17 12. We'll suspend the rules later this afternoon to  
18 hear the Kuskokwim report.  
19  
20 The presentation procedure will be as  
21 follows. In the proposals we'll have introduction of  
22 the proposal and analysis. And then we'll have the  
23 Alaska Department of Fish and Game comments. After  
24 that we will have the Federal, State and Tribal agency  
25 comments, InterAgency comments after that. And after  
26 the fish and game advisory committee comments, the  
27 sixth step will be summary of written and public  
28 comments, and public comments will be on the schedule  
29 7, and then we'll have deliberation at the end.  
30  
31 Go ahead with introduction of proposal  
32 and analysis, Mr. Cannon.  
33  
34 MR. CANNON: Thank you, Mr. Chairman.  
35 Good morning, Council members. My name is Richard  
36 Cannon. I'm the Yukon River OSM fisheries biologist.  
37  
38 I will be presenting some of the  
39 analysis to you this morning beginning with two that  
40 are similar proposals, Fishery Proposal 11-01 and 11-  
41 06, both dealing with depth of gillnets. And our  
42 analysis looks at both those proposals and we will  
43 explain the differences and the similarities as I go  
44 through a summary of the analysis.  
45  
46 To begin with though, I wanted just to  
47 make some clarifications of what's in your Council  
48 books. If you're following along, on Page 29 and 30,  
49 there are some sections of the analysis that apply to  
50 all of the rest of the analyses for the Yukon River,

1 and that's the extent of Federal public waters, those  
2 that are under the Federal management system. And on  
3 Page 30 is a map that will apply to all of the  
4 proposals that shows where they occur throughout the  
5 Yukon drainage in Alaska. So that figure applies to  
6 all the proposals.

7  
8 And then the customary and traditional  
9 use determinations, those people on the Yukon River  
10 drainage that the Federal subsistence rules apply to  
11 are covered on Page 29. So you won't see that in the  
12 individual analysis. That's just a clarification.

13  
14 Okay. I'll begin then with the  
15 analysis for Proposal 01 and 06 dealing with depth of  
16 gillnet. And that analysis can be found in your  
17 workbooks on Pages 31 through 58. Proposal 11-06 [sic]  
18 was submitted by the Eastern Interior Alaska  
19 Subsistence Regional Advisory Council. It requests  
20 that all gillnets, both commercial and subsistence with  
21 greater than 6-inch stretch mesh be restricted to not  
22 more than 35 meshes in depth in Federal public waters  
23 of the Yukon drainage. Proposal 11-06 was submitted by  
24 the Mountain Village Working Group, and this would  
25 restrict the depth of 7-1/2-inch stretch mesh gillnets  
26 to 20 meshes in depth in Yukon River Districts 4 and 5.

27  
28 So we have two proposals. 01 would  
29 apply to the entire river and it requests a reduction  
30 to 35 meshes maximum depth for meshes 6 inches and  
31 greater, and then we have a similar proposal, is 06  
32 that would only apply to Districts 4 and 5 and it would  
33 reduce the gillnets of 7-1/2-inch meshes down to 20.  
34 So I want to make sure you understand what that two  
35 proposals are asking for.

36  
37 11-01 specifically addresses regulatory  
38 change that the Eastern Interior Council felt would  
39 enhance the quality of escapement. The proposal's  
40 based on the concern that the average length and weight  
41 of returning adult Chinook salmon is declining, and  
42 because of the belief that the existing allowable  
43 gillnets goes deeper than 35 meshes disproportionately  
44 harvest larger sized female Chinook salmon over males.  
45 This is about the size of the fish and the sex ratios.  
46 This proposal would be applied to all gillnet fisheries  
47 occurring in Federal public waters.

48  
49 The stated purpose of 11-06 is to  
50 increase the numerical, the number of fish escaping by

1 decreasing the catch efficiency of gillnets in two  
2 upper river Yukon River fishing districts.

3  
4 Okay. I want to make sure you  
5 understand the differences between the two proposals  
6 before I continue. Does anybody have any questions  
7 about that?

8  
9 MS. GREGORY: (Indiscernible, mic not  
10 on)

11  
12 MR. CANNON: Yes. Mrs. Gregory.

13  
14 MS. GREGORY: I thought that this 35 6-  
15 inch was already in the books, or am I wrong?

16  
17 MR. CANNON: There was a change -- no,  
18 that one has not. It's been before the Board of  
19 Fisheries, before the Federal Subsistence Board in the  
20 past, but it's never been approved. This is being  
21 resubmitted by the Eastern Interior Council again this  
22 year.

23  
24 CHAIRMAN L. WILDE: Any further  
25 questions.

26  
27 (No comments)

28  
29 CHAIRMAN L. WILDE: If I may, Mr.  
30 Cannon, I believe that the reason why this particular  
31 proposal, 11-01, was not pushed at the last meeting was  
32 because the stretch mesh size was reduced to 7.5, and  
33 at that time they felt that there was going to be a  
34 reduction in the mesh size, because of the mesh size  
35 reduction anyway. So that's one of the reasons why  
36 Eastern Interior did not push this proposal at the last  
37 meeting.

38  
39 And as for Proposal No. 11-06, if I  
40 may, I think this is one of those proposals that we  
41 don't need, to get rid of, because this doesn't make  
42 any sense to me at all, because the people up in that  
43 area also are subsistence users and they use the same  
44 kind of gear we do on the Lower Yukon. I don't think  
45 we should go and make a proposal that would in any way  
46 have a sense of being able to -- of trying to get back  
47 for something that was done not by the people that  
48 proposed it, but by the Board of Fish.

49  
50 So I feel that both of these proposals

1 should be -- I'm not going to vote for either one of  
2 those.

3

4 Mr. Cannon.

5

6 MR. CANNON: Thank you, Mr. Chairman.  
7 My comments are going to be fairly brief on these two,  
8 and they'll kind of focus just on what I think are some  
9 of the key points, and so I'll continue.

10

11 Our analysis indicates that reducing  
12 depth of gillnets would likely result in reducing  
13 fishing efficiency, certainly it will, of the gear for  
14 commercial and subsistence fishermen. However, there  
15 is no way to quantify reliably if a reduction of mesh  
16 depth to 20 meshes, which is really shortening the nets  
17 a great deal, would be more effective than reducing  
18 harvest numbers using fishing time which managers  
19 routinely do in order to reduce harvest levels. In  
20 addition, there's no way to quantify data -- no  
21 quantifiable data available to predict what effect  
22 reduction would have on the harvest of the larger and  
23 older age female Chinook salmon. We just don't know  
24 that that really would be effective.

25

26 There's no new information since this  
27 proposal was last considered supporting decreasing the  
28 size or the depth of the gillnets since this decision  
29 was taken up by the Federal Subsistence Board last  
30 year. There's been no new information.

31

32 Key information used in the analysis  
33 summarized published studies that examined the spatial  
34 distribution of migrating salmon in rivers. This  
35 research suggests that migrating salmon generally swim  
36 near the river bottom to avoid the current. Larger  
37 fish swim farther offshore in deeper water to avoid the  
38 surface drag at the surface of the river.

39

40 Evidence for Yukon River Chinook salmon  
41 from a large tagging project suggests that Yukon River  
42 swim [sic] along the river bottom following submerged  
43 river channels at depths ranging all the way from a few  
44 feet to almost 90 feet in depth. So it ranges a great  
45 deal in terms of their depth. And this was actually  
46 based on fish that were tagged with tags that tell you  
47 what the depth that they're swimming at are.

48

49 This information can be found on Page  
50 38 and summarized in Figure 1 on Page 39.

1                   Test fishing with gillnets at Pilot  
2 Station sonar did not show any difference in size of  
3 fish between shallower inshore catches and deeper  
4 offshore catches. Sonar traces show, however, that  
5 fish do disperse rapidly to avoid fishing activities.  
6 So fish are smart. I mean, when people start, you  
7 know, putting nets in the water, the fish, they  
8 scatter.

9  
10                   The Pilot Station data is summarized in  
11 Table 1 on Page 40. And that's really the best  
12 information we've got.

13  
14                   If adopted, either proposal would pose  
15 an additional burden on some, if not all, affected  
16 users since they would have to modify their existing  
17 gillnets on top of the mesh size change that's going  
18 into effect in 2011.

19  
20                   This also would expand the differences  
21 between the State and Federal subsistence regulations,  
22 which would cause more confusion. And under State  
23 regulations subsistence fishermen wouldn't be making  
24 these changes, so it would just add to difficulties in  
25 enforcement and compliance.

26  
27                   So we're not recommending. Our  
28 proposed action would be that this not be adopted.

29  
30                   Thank you, Mr. Chairman.

31  
32                   CHAIRMAN L. WILDE: Thank you, Rich.  
33 Any questions of the introduction and analysis.

34  
35                   (No comments)

36  
37                   CHAIRMAN L. WILDE: If not, thank you.  
38 Alaska Department of Fish and Game comments.

39  
40                   Mr. Brown, you have a question. I'm  
41 sorry.

42  
43                   MR. BROWN: Yeah.

44  
45                   CHAIRMAN L. WILDE: Just a minute. Mr.  
46 Brown, go ahead.

47  
48                   MR. BROWN: Yeah, I have a comment  
49 about my background. In my area by the mouth of the  
50 Kuskokwim area, I used to -- sometimes I used to

1 navigate some of those duck boats. They used to have a  
2 complete.....

3  
4 CHAIRMAN L. WILDE: I'll have to call a  
5 point of order on that. We're on the proposal. Are  
6 you speaking for the proposal?

7  
8 MR. BROWN: Yeah, I'm going to  
9 mention.....

10  
11 CHAIRMAN L. WILDE: Okay. Go ahead.

12  
13 MR. BROWN: .....about my state.

14  
15 CHAIRMAN L. WILDE: All right.

16  
17 MR. BROWN: Okay. To my mind, in that  
18 area some places it's 70 to 90 feet in the main  
19 channel, and along the shoreside sometime it's like 30  
20 to 40 feet cut bank on the shoreline. So in my mind,  
21 reducing this mesh depth, it don't make any sense to  
22 me, because sometimes when we're trying to catch fish,  
23 we go out in deeper channel. If the weather's rough,  
24 we can't stay close to the shore and we move further  
25 away from the coast. So sometimes if we try to fish in  
26 the main channel, there's not catches. Even our  
27 sonar's telling you there's some fish, but they're way  
28 deep within down there in the bottomside. That's why  
29 to my mind I don't support that shorten the depth.

30  
31 Thank you.

32  
33 CHAIRMAN L. WILDE: Thank you, Mr.  
34 Brown. Mr. James Charles.

35  
36 MR. CHARLES: Thank you, Mr. Chairman  
37 I don't go along with the proposals, too, both 1 and 6,  
38 because I've seen those gear change proposals, or when  
39 we change gears a long time ago at Quinhagak for  
40 commercial fishing, there was more site cases over  
41 there than before. And another problem is when we  
42 changed the depth of the net to 20 meshes deep, people  
43 are going to be fishing longer and spend more time on  
44 the river, and be complaining like Brown said. Even  
45 there's fish out there, they're going to see there's no  
46 fish out there. So I'm like Mr. Chairman Wilde, I  
47 won't support those proposals.

48  
49 Thank you.

50

1                   CHAIRMAN L. WILDE: Thank you. But if  
2 the Regional Advisory Council will note that on our  
3 procedure, there's item 8, on step 8, you have the  
4 opportunity to make your recommendation, justifications  
5 then. But if we could go through the procedure, we'd  
6 go a lot faster if you guys will let me go through the  
7 procedure and use the procedure as written.

8  
9                   Alaska Department of Fish and Game.

10  
11                   MR. PAPPAS: Thank you, Mr. Chair.  
12 George Pappas, Department of Fish and Game, Subsistence  
13 Liaison Team. I'm the fisheries biologist of this  
14 arena.

15  
16                   Please accept our apologies for being  
17 late this morning. Alaska Air made us get on and off  
18 the plane three times for no apparent reason, so I'll  
19 apologize about that.

20  
21                   Our comments begin on Page 44 in your  
22 book, and Mr. Cannon and OSM Staff did a great job of  
23 presenting all the details so I'll do my best to  
24 summarize. And please hit the buzzer if I'm speaking  
25 too fast or missed a few points.

26  
27                   Thank you, Mr. Chair.

28  
29                   The proponents are concerned that the  
30 deeper gillnets will select for older and larger  
31 Chinook salmon which are believed to migrate in deep  
32 water. The Federal Subsistence Board and Alaska Board  
33 of Fisheries previously reviewed similar proposals to  
34 restrict gillnet depth in the Yukon River fisheries and  
35 took no action or opposed those proposals.

36  
37                   Data from recent radio tagging projects  
38 on the Yukon River Chinook salmon indicated that the  
39 Chinook salmon utilize the entire depth of the water  
40 column during migration. Even if net depth  
41 restrictions could alter harvest in a specific  
42 location, fishermen could compensate for a reduced net  
43 depth by fishing in shallower locations where shallower  
44 nets would not impede harvest of larger and more viable  
45 Chinook salmon. There are insufficient data to  
46 demonstrate that gillnet depth restrictions would  
47 effectively alter the size and age composition of the  
48 harvest.

49  
50                   As for impacts for subsistence users,

1 if Proposal FP11-01 and 11-06 are adopted, harvest of  
2 Chinooks and other salmon species in the Federally-  
3 regulated subsistence fisheries on the Yukon could be  
4 negatively impacted. These fishermen would potentially  
5 need to fish longer hours to harvest the same number of  
6 fish with less efficient nets. Modification of  
7 existing nets or purchase of new nets might be  
8 necessary in order to comply with gear type  
9 restrictions that differ between State and Federal  
10 fisheries.

11  
12 If Federal regulations regarding  
13 allowable gear types are not the same as State  
14 regulations, it will create a conflicting patchwork of  
15 waters under differing State and Federal regulations,  
16 and it might be difficult for subsistence users to know  
17 the boundaries for each.

18  
19 For conservation issues that we  
20 discussed earlier, the Yukon River Chinook salmon stock  
21 is currently classified as a stock of yield concern.

22  
23 And opportunities provided by the  
24 State, salmon may be harvested under State regulations  
25 throughout the majority of the Yukon River watershed,  
26 including a liberal subsistence fishery. Under State  
27 regulations, subsistence is the priority consumptive  
28 use; therefore State subsistence fishing opportunity is  
29 directly linked to the abundance and is not restricted  
30 unless the run size is inadequate to meet escapement  
31 needs.

32  
33 The Department opposes both of these  
34 proposals.

35  
36 Thank you, Mr. Chair.

37  
38 \*\*\*\*\*  
39 STATE OFFICIAL WRITTEN COMMENTS  
40 \*\*\*\*\*

41  
42 Alaska Department of Fish and Game  
43 Comments to the Regional Advisory Council

44  
45 Fisheries Proposals FP11-01 and  
46 FP11-06: Yukon River gillnet depth restrictions.

47  
48 Introduction:

49  
50 The Eastern Interior Regional Advisory

1 Council submitted proposal FP11-01 to limit all  
2 gillnets (state commercial, state subsistence, and  
3 federal subsistence fisheries gear) with a stretched  
4 mesh size greater than six inches to a maximum of 35  
5 meshes in depth in the Yukon River where federal  
6 subsistence regulations apply. Stanislaus Sheppard of  
7 the Mountain Village Working Group submitted proposal  
8 FP11-06 to limit gillnets with a stretched mesh size of  
9 7.5 inches to a maximum depth of 20 meshes for federal  
10 subsistence fishing in districts 4 and 5 of the Yukon  
11 River. The proponents are concerned that deeper  
12 gillnets select for older and larger Chinook salmon,  
13 which are believed to migrate in deep water. Proposal  
14 FP11-06 was also submitted to allow more salmon to  
15 escape to the spawning grounds and did not  
16 differentiate between species or sizes of salmon.

17  
18 The Federal Subsistence Board  
19 previously reviewed similar proposals to restrict  
20 gillnet depth in the Yukon River fisheries (FP05-03,  
21 FP06-04, FP09-13) and took no action or opposed those  
22 proposals. The Alaska Board of Fisheries unanimously  
23 opposed a proposal to restrict subsistence and  
24 commercial gillnets to 35 meshes in depth in the Yukon  
25 Area during its meeting January 26 31, 2010, after  
26 thorough review in an open public process that included  
27 numerous oral and written reports. The Alaska Board of  
28 Fisheries adopted a maximum mesh size of 7.5 inches for  
29 subsistence and commercial gillnets effective in 2011  
30 in the Yukon Area. The Federal Subsistence Board took  
31 no action on deferred proposal FP09-13 to limit mesh  
32 depth at the April 13 14, 2010, meeting after adopting  
33 deferred proposal FP09-12, which paralleled the Alaska  
34 Board restriction of a maximum mesh size of 7.5 inches.  
35 The change in mesh size effectively reduces the maximum  
36 depth of commercial gillnets in districts 1 3 by  
37 approximately three feet compared to the depth of an  
38 8.5-inch mesh gillnet (commensurate with the current  
39 gillnet commercial fishery). Most subsistence  
40 fishermen will likely use their commercial gillnets for  
41 commercial fishing.

42  
43 Data from a recent radio-tagging  
44 project on Yukon River Chinook salmon indicate that  
45 Chinook salmon utilize the entire depth of the water  
46 column during migration. (John Eiler, National Marine  
47 Fisheries Service Auke Bay Laboratory, Juneau; personal  
48 comm. 2009). Even if net depth restrictions could  
49 alter harvest in a specific location, fishermen could  
50 compensate for a reduced net depth by fishing in

1 shallower locations, where a shallower net would not  
2 impede harvest of larger and more valuable Chinook  
3 salmon. There are insufficient data to demonstrate  
4 that gillnet depth restrictions would effectively alter  
5 size and age composition of the harvest.

6  
7                   Impact on Subsistence Users:  
8

9                   If FP11-01 and FP11-06 are adopted,  
10 harvest of Chinook and other salmon species in  
11 federally-regulated subsistence fisheries on the Yukon  
12 River could be negatively impacted. These fishermen  
13 would potentially need to fish longer hours to harvest  
14 the same number of fish with less efficient nets.  
15 Modification of existing nets or purchase of new nets  
16 might be necessary in order to comply with gear type  
17 restrictions that differ between the federal and state  
18 fisheries. If federal regulations regarding allowable  
19 gear types are not the same as state regulations, it  
20 will create a conflicting patchwork of waters under  
21 differing state and federal regulations and might be  
22 difficult for subsistence users to know the boundaries  
23 for each.

24  
25                   Conservation Issues:  
26

27                   The Yukon River Chinook salmon stock is  
28 currently classified as a stock of yield concern.  
29 Since 2001, subsistence harvest levels have reached the  
30 amounts reasonably necessary for subsistence use within  
31 state regulations, except for 2002, 2008, and 2009. A  
32 majority of the Yukon River drainage escapement goals  
33 have been met or exceeded since 2000, including the  
34 Chena and Salcha rivers, which are the largest  
35 producers of Chinook salmon in the United States  
36 portion of the drainage. The agreed-to escapement  
37 objective for the Canadian mainstem was met every year  
38 from 2001 through 2006, with 2001, 2003, and 2005 being  
39 the three highest spawning escapement estimates on  
40 record. However, the escapement objective for the  
41 Canadian mainstem was not met in 2007 and 2008.  
42 Exploitation rate on the Canadian-origin stock by  
43 Alaskan fishermen has decreased from an average of  
44 about 55% (1989 1998) to an average of about 44% from  
45 2004 2008 (Howard et al. 2009). Although the  
46 subsistence harvest remains stable at nearly 50,000  
47 Chinook salmon annually, commercial harvests have  
48 decreased over 60% from an average of 100,000 annually  
49 (1989 1998) to the recent 5-year average (2005 2009) of  
50 nearly 23,000 fish. It is not possible to determine if

1 size-selective harvests, variations in environment, or  
2 a combination of factors are causing a decrease in  
3 harvest of age-7 fish or decreasing size trends of  
4 older fish (JTC SSS 2006). Decreasing size of Chinook  
5 salmon has been anecdotally noted across much of the  
6 state in recent years. However, increasing the number  
7 of larger and older Chinook salmon in spawning  
8 escapements through mesh size regulations should  
9 provide better future production potential.

10

11 Opportunity Provided by State:

12

13 Salmon may be harvested under state  
14 regulations throughout the majority of the Yukon River  
15 watershed, including a liberal subsistence fishery.  
16 Gear types allowed are gillnets, beach seines, hook and  
17 line attached to a rod or pole, hand lines, and fish  
18 wheels. Although all gear types are not used or  
19 allowed in all portions of the Yukon River drainage,  
20 drift and set gillnets and fish wheels harvest the  
21 majority of fish taken for subsistence uses. Under  
22 state regulations, subsistence is the priority  
23 consumptive use. Therefore, state subsistence fishing  
24 opportunity is directly linked to abundance and is not  
25 restricted unless run size is inadequate to meet  
26 escapement needs. When the Yukon River Chinook salmon  
27 run is below average, state subsistence fishing periods  
28 may be conducted based on a schedule implemented  
29 chronologically throughout the Alaska portion of the  
30 drainage, which is consistent with migratory timing as  
31 the salmon run progresses upstream. Federal  
32 regulations under Special Actions to restrict  
33 federally-eligible users have been rare and mirrored  
34 in-state, in-season actions necessary to meet  
35 escapement goals, except where state and federal  
36 regulations differ in subdistricts 4-B and 4-C.  
37 Amounts reasonably necessary for subsistence Chinook  
38 salmon (5AAC 01.236 (b)), as determined by the Alaska  
39 Board of Fisheries, were met in the Yukon River  
40 drainage for six of the last nine years.

41

42 Jurisdictional Issues:

43

44 A large percentage of the lands along  
45 the Yukon River are state or private lands on which  
46 subsistence users must use gear types consistent with  
47 state regulations. Detailed maps are needed that  
48 depict land ownership and specific boundaries of areas  
49 where federal regulations are claimed to apply, so that  
50 fishermen can know whether they are on state or private

1 lands (including state-owned submerged lands and  
2 shorelands) where they must comply with state laws and  
3 regulations. The Federal Subsistence Board does not  
4 have authority to apply gear restrictions, such as  
5 gillnet mesh size and depth regulations, to  
6 state-regulated commercial and subsistence fisheries.

7

8 Recommendation:

9

10 Oppose proposals FP11-01 and FP11-06.

11

12 Cited References:

13

14 Howard, K. G., S. J. Hayes, and D. F.  
15 Evenson. 2009. Yukon River Chinook salmon stock  
16 status and action plan 2010; a report to the Alaska  
17 Board of Fisheries. Alaska Department of Fish and  
18 Game, Special Publication No. 09-26, Anchorage.

19

20 JTC SSS (Joint Technical Committee  
21 Salmon Size Committee of the Yukon River US/Canada  
22 Panel). 2006. Potential causes of size trends in Yukon  
23 River Chinook salmon populations. Alaska Department of  
24 Fish and Game, Division of Commercial Fisheries,  
25 Regional Information Report No. 3A06-07, Anchorage.

26

27 CHAIRMAN L. WILDE: Thank you, Mr.  
28 Pappas. Any questions for George.

29

30 (No comments)

31

32 CHAIRMAN L. WILDE: If not, thank you.  
33 We are now down to Federal and Tribal agency comments.  
34 Anybody from the Tribal agency.

35

36 (No comments)

37

38 CHAIRMAN L. WILDE: No comments from  
39 Tribal agencies. InterAgency Staff Committee comments.

40

41 MR. BERG: Thank you, Mr. Chairman.  
42 Jerry Berg, InterAgency Staff Committee member for Fish  
43 and Wildlife Service.

44

45 The InterAgency Staff Committee did  
46 review all of these proposals. We met in a meeting in  
47 Anchorage over a month ago, and all of our comments  
48 have been incorporated into the written analysis that  
49 Rich presented and into the following analysis for all  
50 these proposals. So we don't have any further comments

1 for any of the proposals, because all of our comments  
2 have already been incorporated.

3

4 Thank you, Mr. Chair.

5

6 CHAIRMAN L. WILDE: Thank you, Jerry.  
7 Fish and game advisory committee comments. Any fish  
8 and game advisory committee members here.

9

10 (No comments)

11

12 CHAIRMAN L. WILDE: Nobody here. Mr.  
13 James Charles.

14

15 MR. CHARLES: Thank you, Mr. Chairman.  
16 Since this is Yukon proposal, I'm from the Kuskokwim,  
17 so Yukon people may have comment. Thank you.

18

19 CHAIRMAN L. WILDE: Thank you, Mr.  
20 Charles. Any further comments.

21

22 (No comments)

23

24 CHAIRMAN L. WILDE: No comments from  
25 advisory committee.

26

27 MS. GREGORY: Mr. Chair. (In Yup'ik)

28

29 CHAIRMAN L. WILDE: Pretty soon, yeah.  
30 We've got a couple more steps to go.

31

32 Summary of written public comments.  
33 Mr. Nick.

34

35 MR. NICK: Thank you, Mr. Chair. Do  
36 you want me to read the comments?

37

38 CHAIRMAN L. WILDE: There are written  
39 comments.

40

41 MR. NICK: Mr. Chair. The written  
42 comments could be found in your workbook on Page 47.

43

44 CHAIRMAN L. WILDE: What page?

45

46 MR. NICK: Page 47.

47

48 CHAIRMAN L. WILDE: Page 47.

49

50 MR. NICK: For Proposal FP11-01 there

1 are 3 in support of the proposal and 4 opposing  
2 Proposal 1. And for Proposal 6, no support for that  
3 proposal and there's 8 in opposition to the Proposal 6.  
4 Mr. Chair.

5  
6 CHAIRMAN L. WILDE: Thank you.

7  
8 MR. NICK: And if you want me to, I  
9 could read the comments, but they're on.....

10  
11 CHAIRMAN L. WILDE: Does anybody feel  
12 that those comments need to be read. They're all  
13 written in the book so you could read those. You  
14 should be able to have read those already. Unless you  
15 want some time to take those up, but I don't think so.

16  
17 So we'll just go ahead and public  
18 testimony on the Proposals 01 and 06. Any public  
19 testimony.

20  
21 Mr. Sandone. I'm sorry, I've got you  
22 down here and forgot your little blue sheet. Oh, these  
23 are the comments that Mr. Sandone will have on each of  
24 the proposals, somewhere in here. Anybody else need  
25 the comments. You've got enough over that way.

26  
27 (No comments)

28  
29 CHAIRMAN L. WILDE: Recording secretary  
30 needs one. Okay. Mr. Sandone.

31  
32 MR. SANDONE: Mr. Chairman. My name is  
33 Gene Sandone and I live in Wasilla, Alaska. In a  
34 former life I worked for Fish and Game. I worked for  
35 Fish and Game for 26 years. And currently I'm a  
36 fishery research biologist representing Kwik'pak  
37 Fisheries, and my comments will represent their views.

38  
39 Kwik'pak Fisheries' recommendation, we  
40 both agree with OSM's preliminary conclusion and the  
41 State of Alaska recommendation to oppose FP11-01 and  
42 FP11-06.

43  
44 We feel that the recent changes to the  
45 mesh size in the Yukon to 7-1/2-inch stretch mesh  
46 that's going to be implemented next year is a major  
47 change and we need to evaluate the results of that  
48 regulation change before we go any further. Kwik'pak  
49 Fisheries believe that that's going to provide many  
50 more older aged fish and fecund females to escape the

1 fishery and arrive on the spawning grounds.  
2  
3 Mr. Chair.  
4  
5 CHAIRMAN L. WILDE: Thank you, Mr.  
6 Sandone.  
7  
8 Any other public comments.  
9  
10 (No comments)  
11  
12 CHAIRMAN L. WILDE: There being none,  
13 what is the wish of the Council concerning 01 and 06.  
14 Mr. Roczicka.  
15  
16 MR. ROCZICKA: Mr. Chairman. Just to  
17 get the motion on the table, I'll move to support  
18 Proposals 11-01 and 06.  
19  
20 CHAIRMAN L. WILDE: Motion's been made  
21 to.....  
22  
23 MS. GREGORY: Second.  
24  
25 CHAIRMAN L. WILDE: .....support '01  
26 and '06 by Mr. Greg Roczicka. Seconded by Mary  
27 Gregory.  
28  
29 Any further discussion. Any questions.  
30  
31 MS. GREGORY: (In Yup'ik)  
32  
33 MR. MANUMIK: Mr. Chairman.  
34  
35 CHAIRMAN L. WILDE: Mr. Manumik.  
36  
37 MR. MANUMIK: Yeah. Mr. Chairman. My  
38 question is these two proposals that you are making a  
39 motion on, you're going to be recommending these to the  
40 Federal Subsistence Board for their.....  
41  
42 CHAIRMAN L. WILDE: Yes. That is  
43 usually our recommendation to the Board.  
44  
45 MR. MANUMIK: Okay. But I don't  
46 support these two, because there's two proposal. One  
47 is for 20-mesh and the other one is for 35-mesh. I  
48 don't support either one. Thank you.  
49  
50 CHAIRMAN L. WILDE: For your

1 information and the Council members who weren't here at  
2 the time that we had this discussion, our motions are  
3 always made in the positive. So if you're against a  
4 motion, you have the privilege of voting no. But all  
5 our proposals -- or all our motions for proposals are  
6 made in the positive.

7

8 Mr. Unok.

9

10 MR. UNOK: Yeah. I have a question.  
11 On those proposals are they separated on the Yukon, or  
12 it's going to affect the whole Yukon?

13

14 CHAIRMAN L. WILDE: It's just on the  
15 Yukon proposals. They're both affecting on -- they  
16 both are for the Yukon.

17

18 MR. UNOK: The whole river?

19

20 CHAIRMAN L. WILDE: The whole river.

21

22 MR. UNOK: Not by section?

23

24 CHAIRMAN L. WILDE: Right. Mr. Cannon.

25

26 MR. CANNON: Mr. Chairman. Just a  
27 clarification. I know this is a little confusing since  
28 we're dealing with two proposals, but Proposal 01 deal  
29 with the whole river.

30

31 CHAIRMAN L. WILDE: Yeah. Okay.

32

33 MR. CANNON: 06 deals with just  
34 Districts 4 and 5. So we thought there were enough  
35 similarities between these proposals that you could  
36 take them up together, but you could take them up  
37 separately if you chose to. That's up to you. But  
38 there is a little bit of difference, but most of the  
39 information and a lot of our conclusions were similar  
40 for both proposals.

41

42 Thank you, Mr. Chairman.

43

44 CHAIRMAN L. WILDE: What is the feeling  
45 of the Council. Mr. Roczicka.

46

47 MR. ROCZICKA: Yeah. Thank you, Mr.  
48 Chairman. I'd be voting against support of these  
49 proposals as well. And as far as the justification  
50 goes, I pretty much concur with all the Staff analysis

1 that's come out of it, especially that the intent of it  
2 -- well, certainly one of them is more of a vengeful  
3 type of thing rather than a substantive effect, and  
4 that it's not going to do anything to really help out  
5 the size, age or sex and age classes of the fisheries  
6 that are there. There's means already in place that  
7 can be achieved through time and area closures. And  
8 although the windows aren't popular, that is one of  
9 their purposes as well. It's much less intrusive to  
10 subsistence fishing. So I'll be voting against this  
11 one.

12  
13 CHAIRMAN L. WILDE: Thank you, Mr.  
14 Roczicka.

15  
16 James. Mr. Charles.

17  
18 MR. CHARLES: Thank you, Mr. Chairman.  
19 I stated my comment before, so I can add a little bit  
20 to that one, too, because gear change costs a lot of  
21 money, too, for people who doesn't have income. So if  
22 we vote for this one, or these two proposals that it's  
23 going to caused people to buy new nets.

24  
25 Thank you.

26  
27 CHAIRMAN L. WILDE: Thank you, Mr.  
28 Charles. Any further comments.

29  
30 MR. H. WILDE: Mr. Chairman.

31  
32 MS. GREGORY: Mr. Chair. I'll ask for  
33 a roll call vote when we do.

34  
35 CHAIRMAN L. WILDE: Okay. Mr. Wilde.

36  
37 MR. H. WILDE: Mr. Chairman. I've been  
38 working with the Yukon for a long time. Since Hal  
39 Spark, one time isn't made to Upper Yukon and Upper  
40 Yukon, some people to kick me out from their meetings  
41 as they don't want to talk about. One is more like  
42 barking at each others.

43  
44 Now we have been working hard, very  
45 hard as myself. Twelve years I've been trying to work  
46 after Hal Spark sent me up there. We work hard best as  
47 we can. They chase me out from up there. So, Mr.  
48 Chairman, we've been work hard trying to work together  
49 with the upriver, and the upriver people also need some  
50 fish to eat like us. Mr. Chairman, there's two

1 proposals I will not support.  
2  
3 CHAIRMAN L. WILDE: Thank you, Mr.  
4 Chairman. Any further comments.  
5  
6 (No comments)  
7  
8 CHAIRMAN L. WILDE: If not, Mr. Nick,  
9 will you please take the roll.  
10  
11 MR. NICK: Thank you, Mr. Chairman.  
12 James Charles.  
13  
14 MR. CHARLES: No.  
15  
16 MR. NICK: John Andrew.  
17  
18 MR. ANDREW: No.  
19  
20 MR. NICK: Raymond Oney.  
21  
22 MR. ONEY: I take it we're voting on  
23 11-01/11-06 combined?  
24  
25 CHAIRMAN L. WILDE: Yes.  
26  
27 MR. ONEY: Okay. Oppose.  
28  
29 MR. NICK: Harry Wilde.  
30  
31 MR. H. WILDE: No.  
32  
33 MR. NICK: William Brown.  
34  
35 MR. BROWN: No.  
36  
37 MR. NICK: Aloysius Unok.  
38  
39 MR. UNOK: Oppose.  
40  
41 MR. NICK: Mary Gregory.  
42  
43 MS. GREGORY: No.  
44  
45 MR. NICK: Elias Kelly.  
46  
47 MR. KELLY: No.  
48  
49 MR. NICK: Lester Wilde.  
50

1 CHAIRMAN L. WILDE: No.  
2  
3 MR. NICK: Paul Manumik.  
4  
5 MR. MANUMIK: No.  
6  
7 MR. NICK: Greg Roczicka.  
8  
9 MR. ROCZICKA: No.  
10  
11 MR. NICK: Mr. Chair. Zero support, 11  
12 oppose.  
13  
14 CHAIRMAN L. WILDE: Thank you. At this  
15 time I think we'll take a break for lunch. Take an  
16 hour and a half. Sometimes it takes a little long  
17 sometimes for us to get our meals, so let's be back by  
18 1:30. Hour and a half for lunch. Thank you.  
19  
20 (Off record)  
21  
22 (On record)  
23  
24 (Mary Gregory not present)  
25  
26 CHAIRMAN L. WILDE: Call to order.  
27 Before we begin, Alex Nick has a couple announcements.  
28 And for those of you who did not sign in, the sign-in  
29 sheet is over there on the table. We ask that you  
30 please sign in before you -- as you're coming in.  
31 Thank you.  
32  
33 We are down to Proposal No. FP11-02.  
34 Mr. Cannon.  
35  
36 MR. CANNON: Mr. Chairman. If I'd  
37 might, I'd like to offer a suggestion to your Council  
38 about taking up the rest of the proposals. There's  
39 Proposal 11-07, if you were to move it to after 11-04,  
40 that would complete all of my presentations and all of  
41 the fisheries management type proposals. And then that  
42 would leave you from -- 05, 08 and '09 all deal with  
43 customary trade. And it might be a way to kind of put  
44 that series of customary trade proposals all in one  
45 single block for your Council's consideration.  
46  
47 That's just a suggestion, Mr. Chairman.  
48  
49 CHAIRMAN L. WILDE: Okay. I will take  
50 that into consideration.

1 I'm sorry, Mr. Nick, I forgot that I  
2 asked you to make those announcements.  
3  
4 Could you just wait just to give Alex a  
5 minute here?  
6  
7 Go ahead, Alex.  
8  
9 MR. NICK: Thank you, Mr. Chair.  
10 Because it's our Yup'ik tradition, and because I'm  
11 grateful, a couple of my grandkids got their first  
12 moose this fall. I went ahead and bought some snacks  
13 for everyone, limited snacks for everyone. And I don't  
14 want to look like a great person, but just want to  
15 follow my Yup'ik tradition to share with strangers with  
16 whatever limited snack we have over there. So help  
17 yourself.  
18  
19 And what Richard just mentioned was  
20 going to be the second one, so that's all I have.  
21  
22 Mr. Chair.  
23  
24 CHAIRMAN L. WILDE: Any further  
25 announcements.  
26  
27 (No comments)  
28  
29 CHAIRMAN L. WILDE: If not, there's a  
30 request to suspend the rules to bring Proposal No. 11-  
31 07 to be included along with the fisheries proposals.  
32  
33 Mr. Roczicka.  
34  
35 MR. ROCZICKA: Mr. Chairman. I'd move  
36 to suspend the rules to put Proposal 11-07 immediately  
37 following Proposal FP11-04.  
38  
39 CHAIRMAN L. WILDE: The motion's been  
40 made. Do I hear a second.  
41  
42 MR. ONEY: Second. Ray Oney.  
43  
44 CHAIRMAN L. WILDE: Seconded by Mr.  
45 Brown. Any further discussion.  
46  
47 (No comments)  
48  
49 CHAIRMAN L. WILDE: All in favor  
50 signify by saying aye.

1 IN UNISON: Aye.

2

3 CHAIRMAN L. WILDE: All opposed.

4

5 (No opposing votes)

6

7 CHAIRMAN L. WILDE: So be it. Mr.  
8 Cannon, you have the floor.

9

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

11

12 The analysis for Proposal 11-02 begins  
13 on Page 51 of your Council books. This proposal,  
14 submitted by Jack Reakoff from Wiseman, requests that  
15 Federal public waters of the Yukon River be  
16 periodically closed to subsistence and commercial  
17 fishing from the river mouth to the Canadian border.  
18 These rolling closures as they would roll upriver would  
19 correspond to periods of the Chinook salmon migration  
20 when stocks returning to Canadian waters constitute the  
21 majority of the run. No harvest on these stocks would  
22 be allowed for at least 12 years or until such time as  
23 this stock's abundance and escapement quality is  
24 restored to a level that provides sustained yield to  
25 support historic levels in your commercial and  
26 subsistence fisheries.

27

28 The proponent submitted this proposal  
29 to address long-standing concerns expressed by Yukon  
30 River fishers and Regional Advisory Councils regarding  
31 diminished quality of escapement for Yukon River  
32 Chinook salmon that spawn in Canada in order for the  
33 State and Federal programs to cooperatively address  
34 this issue.

35

36 However, the existing State Chinook  
37 salmon management plan would have to be revised to  
38 establish an optimal escapement objective rather than a  
39 maximum sustained yield objective approach which is  
40 currently in place. And that I've covered in the  
41 analysis and the reasons why. This issue is discussed  
42 on Pages 53 and 54 under the existing State regulations  
43 subheading of your analysis. And this has to go all  
44 the way back to the State constitution, and I thought  
45 that that would be something you need to understand  
46 about why the State has to go through that process for  
47 them to address the proposal in the way that is being  
48 offered here if you wanted to do it cooperatively.

49

50 The biological background which begins

1 on Page 58 of the analysis updates the Chinook salmon  
2 stock status information recently provided the Federal  
3 Board when it considered mesh size changes, and  
4 specifically addresses measures of quality of  
5 escapement and managing for escapement goals in Alaska.  
6 That's what my analysis attempts to do.

7  
8 In addition, the analysis provides some  
9 new information on the run timing of Canadian-origin  
10 stocks provided by a study of radio-tagged Chinook  
11 salmon. This is new information. This information is  
12 summarized in Figure 7 on Page 64. The discussion of  
13 this information is found on Page 63. What it says is  
14 individual Canadian Chinook stocks enter the Yukon  
15 River over a protracted period of time. This  
16 information suggests that simply closing the fishery  
17 during the first pulse may not be an effective means to  
18 conserve all Canadian-origin stocks. Rather, reducing  
19 exploitation over the run by reducing fishing time when  
20 necessary may be a more effective conservation measure.

21  
22 The recommendation to oppose the  
23 proposal is based largely on the Canadian stock run  
24 timing information that would support taking  
25 conservation measures throughout the run rather than  
26 just on the first pulse or pulses. This could be  
27 accomplished during years when poor runs -- with poor  
28 runs by pulling periods during the scheduled windows  
29 subsistence openings throughout the run or until such  
30 time that the in-season assessment of the run could  
31 determine that the run was large enough to allow  
32 additional fishing opportunity.

33  
34 However, individual stocks comprising  
35 the Middle and Upper Yukon stock groups, they both  
36 enter the river in a very compressed time period,  
37 that's important to know, with run timing being highly  
38 overlapped. So the Tanana stocks and the Canadian  
39 stocks are very much overlapped. Differences in timing  
40 among these stock do not appear based on this new work  
41 to offer a way, a means, to conserve or target  
42 individual stocks based on run timing, because they're  
43 so overlapped.

44  
45 However, there may be sufficient  
46 difference in migratory timing of the lower river  
47 stocks, which are the stocks that, you know, spawn in  
48 the Andreafsky and the lower part of the river, they do  
49 come in later. So the timing differs between those  
50 stocks and the middle and upper, may be large enough to

1 allow managers to use these differences to effectively  
2 target or conserve the various stocks.

3

4 Thank you, Mr. Chairman.

5

6 CHAIRMAN L. WILDE: Thank you, Mr.  
7 Cannon.

8

9 Any comments from the Department of  
10 Fish and Game. Or, first of all, any questions on the  
11 analysis.

12

13 (No comments)

14

15 CHAIRMAN L. WILDE: If not, any  
16 comments from the Department of Fish and Game.

17

18 MR. PAPPAS: Thank you, Mr. Chair.  
19 George Pappas, Department of Fish and Game.

20

21 Our comments can be found on Page 76.  
22 I forgot to mention earlier, our comments as they  
23 appear in the book will be incorporated into the  
24 transcripts.

25

26 This proposal was submitted to  
27 establish a 12-year management plan to prohibit harvest  
28 of Chinook salmon in sequentially rolling statistical  
29 areas closures during the first pulse of returning  
30 salmon or the second pulse if the first pulse does not  
31 materialize in waters claimed under Federal  
32 jurisdiction from the mouth of the Yukon to the  
33 Canadian border. If adopted, Federal subsistence users  
34 would be required to forego harvest of Chinook salmon  
35 during the first or second pulse of Chinook salmon  
36 returning to the Yukon River in waters claimed under  
37 Federal jurisdiction through the year 2022 unless stock  
38 status and conditions improve before that time.

39

40 The proponent anticipates Federal  
41 subsistence users who fish in Federally-claimed waters  
42 will likely see a reduction in harvest during enactment  
43 of this fisheries management plan. If Federal  
44 regulations differ from State regulation, fishing for  
45 Chinook salmon may be more liberal in the waters not  
46 claimed under Federal jurisdiction. This would  
47 increase the responsibility of subsistence users to  
48 identify the applicability of differing subsistence  
49 laws and regulations based on land ownership and  
50 claimed Federal jurisdiction.

1 Salmon may be harvested under State of  
2 Alaska regulations throughout the majority of the Yukon  
3 River, including a very liberal -- excuse me, including  
4 a liberal subsistence fishery. Under State  
5 regulations, subsistence is a priority consumptive use;  
6 therefore State subsistence fishing opportunity is  
7 directly linked to abundance and is not restricted  
8 unless run size is inadequate to meet escapement needs.  
9 When Yukon River Chinook salmon run is below average,  
10 the State subsistence fishing periods may be conducted  
11 based on a schedule implemented chronologically  
12 throughout the Alaska portion of the drainage which is  
13 consistent with the migratory timing as the salmon run  
14 progresses upstream.

15  
16 Now, this conservation issues section,  
17 I'll read through it once here and I won't read it for  
18 the rest of the proposals, but it does apply for the  
19 rest of the proposals.

20  
21 The Yukon Chinook salmon stock is  
22 currently classified as a stock of yield concern.  
23 Since 2001 subsistence fishing time in the Yukon area  
24 has been limited by a windows schedule. The majority  
25 of the Yukon River drainage escapement goals have been  
26 met or exceeded since 2000, including the Chena and  
27 Salcha Rivers, which are the largest producers of  
28 Chinook salmon in the United States' portion of the  
29 drainage. The escapement objective for the Canadian  
30 mainstream was met every year from 2001 through 2006,  
31 with 2001, 2003, and 2005 being the three highest  
32 spawning escapement estimates on record. The  
33 escapement objective for the Canadian mainstream was  
34 not met in 2007 and 2008, and also 2010.

35  
36 Although the subsistence harvest  
37 continues to remain stable at nearly 50,000 Chinook  
38 salmon annually, commercial harvests have decreased  
39 over 60 percent from an average of 100,000 annually  
40 between '89 and '98, and the recent 5-year average  
41 between 2005 and 2009 of nearly 23,000 fish.

42  
43 Considering all salmon species  
44 together, the overall subsistence salmon harvest in  
45 Yukon area has declined by approximately 30 percent  
46 since 1990. Specifically fall chum harvest have fallen  
47 within the ANS ranges only three times since 2001.

48  
49 It is not possible to determine whether  
50 size selectivity -- size selective harvest, variations

1 in environment or a combination of these factors are  
2 causing a decrease in harvest of age 7 fish, or  
3 decreasing size trends of older fish. Decreasing size  
4 of Chinook salmon has been anecdotally noted across  
5 much of the State in recent years.

6  
7                   However, an increasing number of larger  
8 and older Chinook salmon in spawning escapements  
9 through mesh size regulations should provide for a  
10 better future production potential. The Alaska Board  
11 of Fisheries adopted a maximum mesh size of 7.5 inches  
12 for subsistence and commercial effective in 2011 for  
13 the Yukon area. The Federal Subsistence Board took no  
14 action on deferred Proposal FP09-13 to limit the mesh  
15 depth at the April 13th and 14th, 2010 meeting after  
16 adopting deferred Proposal FP09-12 parallel to the  
17 Alaska Board of Fish restrictions of a maximum mesh  
18 size restriction of 7.5 inches.

19  
20                   A large percentage of lands along the  
21 Yukon River are State or private lands on which  
22 subsistence users must use gears consistent with the  
23 State regulations. If this proposal is adopted,  
24 detailed maps are needed to depict the land ownership  
25 and specific boundaries of areas where Federal  
26 regulations are claimed to apply so that fishermen know  
27 when they are on State or private lands, including  
28 State-owned submerged lands and shore lands where they  
29 must comply with State regulations and laws.

30  
31                   It is not necessary to prohibit harvest  
32 of all Chinook salmon during the first pulse of  
33 regulation for a 12-year period if a harvestable  
34 surplus is available. A management strategy of  
35 fisheries closures during the first pulse poses a  
36 hardship to subsistence users and would likely increase  
37 exploitation of other stocks or stock groupings.

38  
39                   As part of a preseason planning with  
40 public involvement, this type of action can be taken by  
41 managers through emergency order authority as a  
42 conservation measure to meet escapement goals in the  
43 Yukon River and the Yukon River treaty commitments.  
44 However, managers and fishermen need the flexibility in  
45 order to adjust this management strategy. For example,  
46 given the variation in stock-specific run timing, it  
47 may be better to biologically distribute subsistence  
48 quotas of the first two pulses rather than singling out  
49 the first pulse throughout the river.

50

1 Mr. Chair. The Department opposes this  
2 proposal. Thank you.

3  
4 \*\*\*\*\*  
5 STATE OFFICIAL WRITTEN COMMENTS  
6 \*\*\*\*\*  
7

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

10  
11 Fisheries Proposal FP11-02:

12  
13 Establish a new Yukon River Chinook  
14 salmon fisheries management plan for all fisheries in  
15 order to protect the first pulse of returning salmon.

16  
17 Introduction:

18  
19 Jack Reakoff submitted this proposal to  
20 establish a 12-year management plan to prohibit harvest  
21 of Chinook salmon in sequentially rolling statistical  
22 area closures during the first pulse of returning  
23 salmon (or the second pulse if the first pulse does not  
24 materialize) in waters claimed under federal  
25 jurisdiction from the mouth of the Yukon River to the  
26 Canadian border. The proponent indicates this first  
27 pulse protection plan will provide greater protection  
28 of the Chinook salmon stocks without negatively  
29 impacting conservation of other stocks. The proposal  
30 requests the pulse protection plan be implemented for  
31 at least 12 years or until such time that Chinook  
32 salmon stock abundance and quality are restored to a  
33 level that provides sustained yields from normal  
34 commercial and subsistence fisheries. Note that  
35 approximately half of Yukon River Chinook salmon spawn  
36 in Alaska and do not migrate the full 1,900 miles of  
37 river.

38  
39 Impact on Subsistence Users:

40  
41 If adopted, federal subsistence users  
42 would be required to forgo harvest of Chinook salmon  
43 during the first or second pulse of Chinook salmon  
44 returning to the Yukon River in waters claimed under  
45 federal jurisdiction through the year 2022 unless stock  
46 status and conditions improve before that time. The  
47 proponent anticipates federal subsistence users who  
48 fish in federal-claimed waters will likely see a  
49 reduction in harvest during enactment of this fisheries  
50 management plan. If federal regulations differ from

1 state regulations, fishing for Chinook salmon may be  
2 more liberal in waters not claimed under federal  
3 jurisdiction. This would increase the responsibility  
4 of subsistence users to identify the applicability of  
5 differing subsistence laws and regulations based on  
6 land ownership and claimed federal jurisdiction.

7

8 Opportunity Provided by State:

9

10 Salmon may be harvested under State of  
11 Alaska regulations throughout the majority of the Yukon  
12 River watershed, including in a liberal subsistence  
13 fishery. Gear types allowed are gillnet, beach seine,  
14 hook and line attached to a rod or pole, hand line, and  
15 fish wheel. Although all gear types are not used or  
16 allowed in all portions of the Yukon River drainage,  
17 drift and set gillnets and fish wheels harvest the  
18 majority of fish taken for subsistence uses. Under  
19 state regulations, subsistence is the priority  
20 consumptive use. Therefore, state subsistence fishing  
21 opportunity is directly linked to abundance and is not  
22 restricted unless run size is inadequate to meet  
23 escapement needs. When the Yukon River Chinook salmon  
24 run is below average, the state subsistence fishing  
25 periods may be conducted based on a schedule  
26 implemented chronologically throughout the Alaska  
27 portion of the drainage, which is consistent with  
28 migratory timing as the salmon run progresses upstream.  
29 Federal regulations under Special Actions to restrict  
30 federally-eligible users have been rare and mirrored  
31 the state in-season actions necessary to meet  
32 escapement goals, except where state and federal  
33 regulations differ in subdistricts 4-B and 4-C.  
34 Amounts reasonably necessary for subsistence (ANS) for  
35 Chinook salmon (5AAC 01.236 (b)), as determined by the  
36 Alaska Board of Fisheries, have been met in the Yukon  
37 River drainage for six of the last nine years (below  
38 ANS in 2002, 2008, and 2009).

39

40 Conservation Issues:

41

42 The Yukon River Chinook salmon stock is  
43 currently classified as a stock of yield concern.  
44 Since 2001, subsistence fishing time in the Yukon Area  
45 has been limited by a windows schedule, which was  
46 further restricted in 2008 and 2009 because of  
47 conservation concerns for Chinook salmon. Subsistence  
48 harvest levels for Chinook salmon have been within the  
49 amounts reasonably necessary for subsistence (ANS)  
50 ranges since 2001, except for 2002, 2008, and 2009. A

1 majority of the Yukon River drainage escapement goals  
2 have been met or exceeded since 2000, including the  
3 Chena and Salcha rivers, which are the largest  
4 producers of Chinook salmon in the United States  
5 portion of the drainage. The escapement objective for  
6 the Canadian mainstem was met every year from 2001  
7 through 2006, with 2001, 2003, and 2005 being the three  
8 highest spawning escapement estimates on record. The  
9 escapement objective for the Canadian mainstem was not  
10 met in 2007 and 2008. Exploitation rate on  
11 Canadian-origin stock by Alaskan fishermen decreased  
12 from an average of about 55% (1989 1998) to an average  
13 of about 44% from 2004 through 2008 (Howard et al.  
14 2009). Although the subsistence harvest continues to  
15 remain stable at nearly 50,000 Chinook salmon annually,  
16 commercial harvests have decreased over 60%, from an  
17 average of 100,000 annually (1989 1998) to the recent  
18 5-year average (2005 2009) of nearly 23,000 fish.  
19 Considering all salmon species together, the overall  
20 total subsistence salmon harvest in the Yukon Area has  
21 declined by approximately 30% since 1990 (Fall et al.  
22 2009:39). Specifically, fall chum salmon harvests have  
23 fallen within ANS ranges only three times since 2001  
24 (Fall et al. 2009:43).

25  
26 It is not possible to determine whether  
27 size-selective harvests, variations in environment, or  
28 a combination of factors are causing a decrease in  
29 harvest of age-7 fish or decreasing size trends of  
30 older fish (JTC SSS 2006). Decreasing size of Chinook  
31 salmon has been anecdotally noted across much of the  
32 state in recent years. However, increasing the number  
33 of larger and older Chinook salmon in spawning  
34 escapements through mesh size regulations should  
35 provide for better future production potential. The  
36 Alaska Board of Fisheries adopted a maximum mesh size  
37 of 7.5 inches for subsistence and commercial gillnets  
38 effective in 2011 in the Yukon Area. The Federal  
39 Subsistence Board took no action on deferred proposal  
40 FP09-13 to limit mesh depth at the April 13 14, 2010,  
41 meeting after adopting deferred proposal FP09-12  
42 parallel to the Alaska Board restriction to a maximum  
43 net mesh size restriction of 7.5 inches.

44  
45 Jurisdiction Issues:  
46

47 A large percentage of the lands along  
48 the Yukon River are state or private lands on which  
49 subsistence users must use gear types consistent with  
50 state regulations. If this proposal is adopted,

1 detailed maps are needed that depict land ownership and  
2 specific boundaries of areas where federal regulations  
3 are claimed to apply, so that fishermen know when they  
4 are on state or private lands (including state-owned  
5 submerged lands and shorelands) where they must comply  
6 with state laws and regulations.

7

8 Other Issues:

9

10 It is not necessary to prohibit harvest  
11 of all Chinook salmon during the first pulse by  
12 regulation for a 12-year period if a harvestable  
13 surplus is available. A management strategy of  
14 fisheries closures during the first pulse poses a  
15 hardship to subsistence users and would likely increase  
16 exploitation on other stocks or stock groupings. As  
17 part of preseason planning with public involvement,  
18 this type of action can be taken by managers through  
19 emergency order authority as a conservation measure to  
20 meet escapement goals and Yukon River Treaty  
21 commitments. However, managers and fishermen need  
22 flexibility in order to adjust this management  
23 strategy. For example, given the variation in stock  
24 specific run timing, it may be better biologically to  
25 distribute subsistence closures over the first two  
26 pulses rather than singling out the first pulse  
27 throughout the river.

28

29 Recommendation:

30

31 Oppose.

32

33 Cited References:

34

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36 Braem, J.J. Simon, W.E. Simeon, D.L. Holen, L. Naves,  
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38 Krieg, and D. Koster. 2009. Alaska subsistence salmon  
39 fisheries 2007 annual report. Alaska Department of  
40 Fish and Game Division of Subsistence, Technical Paper  
41 No. 346, Anchorage.

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44 Evenson. 2009. Yukon River Chinook salmon stock status  
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46 Fisheries. Alaska Department of Fish and Game, Special  
47 Publication No. 09-26, Anchorage.

48

49 JTC SSS (Joint Technical Committee  
50 Salmon Size Committee of the Yukon River US/Canada

1 Panel). 2006. Potential causes of size trends in Yukon  
2 River Chinook salmon populations. ADF&G, Division of  
3 Commercial Fisheries, Regional Information Report No.  
4 3A06-07, Anchorage, AK.

5  
6 CHAIRMAN L. WILDE: Thank you, George.  
7 Tribal agency comments. Any tribal agencies here would  
8 like to make comments on this proposal.

9  
10 (No comments)

11  
12 CHAIRMAN L. WILDE: If not, fish and  
13 game advisory committee comments.

14  
15 MR. CHARLES: No comment.

16  
17 CHAIRMAN L. WILDE: No comments from  
18 the advisory group from the Kuskokwim. I don't think  
19 we have anybody here from the Yukon.

20  
21 Summary of written comments. Mr. Nick.

22  
23 MR. NICK: Mr. Chair. Members of the  
24 Council. Summary of written public comments are on  
25 Page 79 of your workbook. And there are 1 support and  
26 5 opposed. Mr. Chair.

27  
28 CHAIRMAN L. WILDE: Thank you, Mr.  
29 Nick. Public testimony. Mr. Sandone.

30  
31 MR. SANDONE: Mr. Chair. My name is  
32 Gene Sandone. I live in Wasilla Alaska. I represent  
33 Kwik'pak Fisheries. And Kwik'pak Fisheries is opposed  
34 to Proposal FP11-02.

35  
36 I'd like to make a few more comments if  
37 I may. Our commitment to Canada, or US commitment to  
38 Canada is to provide for the minimum spawning  
39 escapement plus Canada's share of the harvest. If we  
40 try to manage for specifics -- we are not obliged to  
41 manage for specific stocks into Canada. And I believe,  
42 sincerely believe that trying to manage them at the  
43 mouth of the river is impossible.

44  
45 The first pulse of the Chinook salmon  
46 that come in is the largest, usually the largest that  
47 come into the river, and it usually contains the most  
48 Canadian-origin salmon. After that the percentage of  
49 subsequent pulses of Canadian fish falls off. As Mr.  
50 Cannon said, the other two stocks, the middle river

1 stock and the lower river stock, are much more  
2 compressed, but there is overlapping.

3

4                   So I'd like to stress a couple things  
5 here. Harvest, both commercially and subsistence,  
6 should be commensurate with run size. When there's  
7 poor runs, there's less harvest. When there's higher  
8 runs, you know, you have full-blown subsistence and  
9 also commercial. In most years subsistence fishing  
10 restrictions are not necessary to achieve escapement  
11 goals.

12

13                   Additionally, the new maximum mesh  
14 size, gillnet, at 7-1/2 may play an important role in  
15 allowing more larger and older age fish to escape the  
16 fisheries and be allowed to spawn in greater numbers  
17 throughout the drainage. However, some form, and I  
18 want to concentrate on the first pulse, because it's  
19 the largest and contains the most Canadian fish, may be  
20 necessary in some years to protect the Canadian  
21 component when segments of that run is poor.

22

23                   During the most recent AYK Board of  
24 Fish meeting in 2010, the Board adopted a regulation  
25 that gives ADF&G managers emergency order authority to  
26 sequentially close fisheries to allow pulses of Chinook  
27 salmon to migrate upstream with little or no  
28 exploitation through all fisheries to their spawning  
29 grounds. This regulation will also be used to bolster  
30 escapement to particular sections of the river when  
31 those runs are also poor. However, shifting too much  
32 of the harvest onto Alaska stocks, however, can be  
33 detrimental -- have detrimental consequences on those  
34 stocks. Harvest should be spread out over the entire  
35 Chinook salmon run.

36

37                   District 5 harvests the most stocks  
38 that are bound to Canada. They are in the upper  
39 portion of the drainage, and aside from the stocks that  
40 go to the Sheenjek and Chandalar, which are minor in  
41 comparison, it's mainly Canadian stocks they harvest in  
42 District 5. Therefore, it may be prudent to reduce the  
43 harvest of the first pulse of Chinook salmon within the  
44 mainstem Yukon River in Districts 1, 2, and 3, and  
45 possibly even 4 to allow more fish to escape into  
46 District 5 to provide for subsistence opportunity in  
47 District 5 and also Canadian escapement. A slight  
48 restriction on the first pulse, for example, like  
49 pulling one period, may provide enough fish for upper  
50 river subsistence users and for escapement into Canada.

1                   The Lower Yukon will be able to harvest  
2 on the second and third pulse, and thereby harvest  
3 slightly more Chinook salmon bound for Alaskan  
4 tributaries and reduce their exploitation on Canadian  
5 stocks.  
6

7                   As you well may know, most of the  
8 subsistence harvest is front-end loaded. I think there  
9 was studies done that suggested that 90 percent of the  
10 subsistence harvest is taken in the first half of the  
11 run. So slightly delaying the harvest may not only  
12 provide benefits to subsistence users in District 5 and  
13 also the Canadian aboriginal people and also the  
14 escapement, but also may provide economic benefits,  
15 because allowing more Canadian fish to pass upriver may  
16 prompt an earlier fishery for summer chum salmon in the  
17 drainage. So I think it's kind of a win/win situation.  
18

19                   The complete closure of the first pulse  
20 of Chinook salmon would unnecessarily cause hardship to  
21 all subsistence fishers within the Alaska portion of  
22 the Yukon drainage and in most years is totally  
23 unwarranted. The majority of the Yukon River drainage  
24 escapement goals have been exceeded since 2000. I  
25 think Mr. Pappas went into this about the escapement  
26 goals. We're doing fairly well on escapement. We've  
27 had basically three out of the last four years bad in  
28 Canada, but hopefully that will be turned around,  
29 especially with the new regulations that affect mesh  
30 size in the Yukon.  
31

32                   Mr. Chair.

33  
34                   CHAIRMAN L. WILDE: Thank you, Mr.  
35 Sandone.  
36

37                   Regional Advisory Council deliberation,  
38 recommendation, justification. Mr. James Charles.  
39

40                   MR. CHARLES: Thank you, Mr. Chairman.  
41 As Gene reported, that first run are usually big on the  
42 Yukon River. I mean, Chinook is bigger. But on  
43 Kuskokwim, our first catch is down lower part of  
44 Kuskokwim are always small. So people -- working group  
45 members will what they see, because I've said this  
46 before at working group meetings. People voluntarily  
47 change their gear to a smaller gear in spring time for  
48 Chinook fishing. So down at the mouth -- close to the  
49 mouth of Kuskokwim we catch more with smaller gear. I  
50 mean, we catch more Chinook in the small -- with the

1 smaller gear. So people voluntarily -- nobody tell them  
2 to change, but they do it themselves, because they can  
3 catch more fish that way. And they're with the smaller  
4 gear, and that's better for us.

5  
6 And back in 1980s we stop commercial  
7 fishing for Chinook here on Kuskokwim, so as long as we  
8 subsistence fish for Chinook with any size gear, people  
9 are happy. But for commercial fishing, they were not  
10 happy the first year, but they're getting used to it.

11  
12 Thank you.

13  
14 CHAIRMAN L. WILDE: Thank you, Mr.  
15 James. Mr. Charles. Mr. Roczicka.

16  
17 MR. ROCZICKA: Mr. Chairman. I'd move  
18 to support Proposal 11-02.

19  
20 CHAIRMAN L. WILDE: Motion's been made  
21 to support Proposal 11-02. Do I hear a second.

22  
23 MR. MANUMIK: Second for discussion.

24  
25 CHAIRMAN L. WILDE: Seconded by Mr.  
26 Manumik. Any further discussion. Mr. Manumik, go  
27 ahead.

28  
29 MR. MANUMIK: Mr. Gene Sandone, I'd  
30 like to make a recommendation. You know, women in the  
31 Lower Yukon River for subsistence purposes, they handle  
32 all their summer needs, and they should be addressed to  
33 find out exactly what they're putting up, you know,  
34 whether they're putting up the female or the male, and  
35 the size of the salmon that they are putting up for the  
36 summer needs -- I mean, winter needs. That is my  
37 recommendation. They need to interview the women more.  
38 They need to get their voices heard.

39  
40 Thank you.

41  
42 CHAIRMAN L. WILDE: Thank you, Mr.  
43 Manumik. And that is absolutely true, because all the  
44 women in our area are the ones that handle our  
45 subsistence fish. They're the ones that cut them, and  
46 we're the guys that are out there catching them.

47  
48 Well, anyway that's good advice, thank  
49 you.

50

1 Any further discussion on this  
2 proposal. Mr. Unok.

3  
4 MR. UNOK: I have a question for Mr. --  
5 what do you mean by run? You bigger fish? I think  
6 there was understanding on your report. I heard you  
7 said bigger run, not bigger fish.

8  
9 MR. SANDONE: Yes. Mr. Chairman. When  
10 I said the first pulse is usually the largest, I meant  
11 in numbers of fish coming through. And when I said  
12 it's mostly comprised of -- or it's mostly comprised of  
13 Canadian fish, the Canadian fish are present in that  
14 pulse in a higher proportion usually than they are in  
15 subsequent pulses. It is true that the Canadian run is  
16 protracted over time. They are present basically  
17 throughout the run. And the other runs, the middle run  
18 and the lower run are less abundant usually and their  
19 run timing is more compressed usually than the  
20 Canadian.

21  
22 But I'm not talking about size of fish.  
23 Okay. I'm talking about absolute numbers.

24  
25 CHAIRMAN L. WILDE: Thank you, Mr.  
26 Sandone.

27  
28 Any further discussion. Mr. Roczicka.

29  
30 MR. ROCZICKA: Thank you, Mr. Chairman.  
31 I'm going to be voting in opposition to this proposal.  
32 As I looked, again I'd -- it was well laid out with  
33 both the State and Federal Staff as well as our public  
34 testimony that essentially it's not a necessary thing.  
35 It's another one of the proposals maybe not of  
36 frustration, but trying to make a point by the author.  
37 In fact he reflected the same to me in a discussion  
38 some time back.

39  
40 Also, if folks are thinking this is  
41 something that may be just directed only at the lower  
42 river, you know, in Districts Y1, 2, or 3, that's  
43 certainly not the case either. If you look at the  
44 public comments that people took the time to send in, 7  
45 of the 8 are in opposition and all of those folks are  
46 from the 4, 5, and 6 districts, from the upper river  
47 also.

48  
49 But, yeah, the primary thing is that  
50 it's an unnecessary restriction on subsistence and

1 would be a significant burden to subsistence users, so  
2 would vote in opposition.

3

4 CHAIRMAN L. WILDE: Any further  
5 discussion.

6

7 (No comments)

8

9 MR. CHARLES: Question

10

11 CHAIRMAN L. WILDE: The question's  
12 called for. Roll call, please, Mr. Nick.

13

14 MR. NICK: Mr. Brown. A point of  
15 clarification, Mr. Chair. Are you voting now?

16

17 CHAIRMAN L. WILDE: Yes. We're voting  
18 on Proposal P11-02.

19

20 MR. NICK: Okay. We'll start it with  
21 Mr. Brown.

22

23 MR. BROWN: Yeah. I just want to have  
24 clarification how we can vote yes or not, what this  
25 means.

26

27 CHAIRMAN L. WILDE: What a yes?

28

29 MR. ROCZICKA: What does yes or no  
30 mean.

31

32 CHAIRMAN L. WILDE: What did you want.

33

34 MR. BROWN: On this.

35

36 CHAIRMAN L. WILDE: Yes means, yes, you  
37 want the proposal to pass. No means, no, you do not  
38 want the proposal to pass. I can't hear you.

39

40 MR. NICK: Mr. Chair. Maybe I can  
41 explain that in Yup'ik.

42

43 CHAIRMAN L. WILDE: Would you, please.

44

45 MR. NICK: Yeah. Thank you, Mr. Chair.  
46 Mr. Brown. (In Yup'ik)

47

48 MR. BROWN: Since I'm not from the  
49 Yukon, I just want to abstain my vote.

50

1 MR. NICK: Okay. Mr. Charles.  
2  
3 MR. CHARLES: No.  
4  
5 MR. NICK: Mr. Oney.  
6  
7 MR. ONEY: No.  
8  
9 MR. NICK: Mr. Manumik.  
10  
11 MR. MANUMIK: No.  
12  
13 MR. NICK: Mr. Harry Wilde.  
14  
15 MR. H. WILDE: No.  
16  
17 MR. NICK: Mary Gregory is not in.  
18  
19 CHAIRMAN L. WILDE: She's excused for  
20 the moment.  
21  
22 MR. NICK: Okay. Mr. Kelly.  
23  
24 MR. KELLY: No.  
25  
26 MR. NICK: Mr. Lester Wilde.  
27  
28 CHAIRMAN L. WILDE: No.  
29  
30 MR. NICK: Mr. Unok.  
31  
32 MR. UNOK: No.  
33  
34 MR. NICK: Mr. Roczicka.  
35  
36 MR. ROCZICKA: No.  
37  
38 MR. NICK: Robert's excused. Mr.  
39 Andrew.  
40  
41 MR. ANDREW: No.  
42  
43 MR. NICK: Mr. Chair. I have 0  
44 support, 9 in opposition, 1 abstention, 2 excused.  
45  
46 CHAIRMAN L. WILDE: Thank you. The  
47 proposal fails.  
48  
49 At this time I think I promised the  
50 Kuskokwim fisheries management that they would have a

1 report after lunch, because they were not ready this  
2 morning. Are you ready to give your report? Okay. I  
3 think at this time we'll switch gears a little bit and  
4 listen to our report before we get to item 3.

5  
6 MR. BRAZIL: Mr. Chair. Committee  
7 members. I'm Chuck Brazil, Kuskokwim area manager with  
8 Alaska Department of Fish and Game.

9  
10 MS. CARROLL: Holly Carroll, assistant  
11 area manager, Kuskokwim River, Department of Fish and  
12 Game.

13  
14 MR. ESTENSEN: Mr. Chair. Jeff  
15 Estensen, ADF&G.

16  
17 MR. BRAZIL: This is the 2010  
18 preliminary Kuskokwim area fisheries summary. In 2010  
19 a subsistence fishing schedule was not implemented as  
20 salmon runs were adequate to provide for subsistence  
21 harvest. We had a total of 16 commercial fishing  
22 periods this season. Chinook salmon escapement was  
23 monitored.

24  
25 Can you guys hear me? Can you hear me?

26  
27 CHAIRMAN L. WILDE: Yes.

28  
29 MR. ROCZICKA: Talk a little closer to  
30 the mic.

31  
32 MR. BRAZIL: What's that?

33  
34 MR. ROCZICKA: Speak a little more  
35 directly into the mic or maybe a little closer would  
36 help.

37  
38 MR. BRAZIL: Okay. The 2010 harvest of  
39 Chinook was 2,730. There was a harvest of  
40 approximately 22,425 sockeye. Coho harvest was 58,030.  
41 And the chum harvest was approximately 93,150. For a  
42 total of 176,360 commercially harvested salmon in the  
43 Kuskokwim area.

44  
45 This year there was a total of 433  
46 permit holders who participated in the commercial  
47 fisheries with an estimated ex-vessel value of  
48 \$765,000, which is greater than 60 percent of the 10-  
49 year average.

50

1 Chinook salmon escapements this season  
2 were below average in the seven streams that were  
3 monitored with weirs and the two aerial survey index  
4 streams that were conducted. Aerial surveys were  
5 difficult this year to conduct due to high water  
6 conditions. The Kogrukluk River escapement of Chinook  
7 salmon was approximately 5400 fish and was within the  
8 escapement goal range of 5300 to 14,000.

9  
10 Sockeye salmon escapement ranged from  
11 below average to above average on the seven systems  
12 that were monitored. The Telaquana had an escapement  
13 of approximately 72,000 fish, Kogrukluk 14,000, and  
14 Kwethluk 4300. They had the largest escapements in the  
15 Kuskokwim drainage.

16  
17 Chum salmon escapements were also  
18 evaluated on seven tributaries and by sonar on the  
19 Aniak. Chum escapement on Kogrukluk of 60,000 exceeded  
20 the upper end of the escapement goal range of 15,000 to  
21 49,000 fish, while Aniak sonar estimated 430,000 chum  
22 salmon passing and was within the escapement goal range  
23 of 220,000 to 480,000 chum salmon.

24  
25 Coho salmon escapements this year were  
26 monitored on five tributaries. Kogrukluk made their  
27 escapement goal with 16,000 coho salmon passing through  
28 the weir, and the escapement goal range is 13,000 to  
29 28,000 coho salmon.

30  
31 And overall throughout the Kuskokwim  
32 River area, abundance of chum and sockeye was  
33 considered to be good while Chinook and coho was  
34 considered to be below average this season.

35  
36 Do you have any questions for us.

37  
38 CHAIRMAN L. WILDE: Any questions. Mr.  
39 Roczicka.

40  
41 MR. ROCZICKA: Thank you, Mr. Chair.  
42 In looking at those numbers, going through the season  
43 specifically for Chinook, it was pretty frightening to  
44 say the least, to see it shaping up so dismally. But I  
45 know several of the weirs, if not all of the weirs were  
46 pretty much washed out for like the last month of when  
47 they would ordinarily be counting. Can you fill in a  
48 little bit more on that and how the numbers are arrived  
49 at?

50

1 MR. BRAZIL: That's correct, Greg.  
2 Doug Mullineaux, the fishery research biologist  
3 estimated escapements during periods of when weirs were  
4 inoperable.

5  
6 MR. ROCZICKA: Yeah, I know the  
7 question's probably more appropriate for Mr. Mullineaux  
8 when we meet up with him there. And I'm just  
9 squeaking over again with that amount of unknown, I'd  
10 say almost a third of the season the weirs were down  
11 because of that high water, so. And during the peak of  
12 the run actually reaching the spawning grounds as well,  
13 so I'd like to question those numbers a little bit  
14 more, especially when we're looking at just barely  
15 squeaking over the line of that 5300 being the lower  
16 end of the range, and coming in at 54. Although if  
17 history's any indication, the failed runs of '98 to  
18 2000 gave us the best returns we'd had on the Kuskokwim  
19 for Chinook and some unrecorded history, too.

20  
21 MR. BRAZIL: That's correct, Greg.  
22 Your question would probably be best directed at Doug,  
23 and we can get back with you on that as well.

24  
25 CHAIRMAN L. WILDE: Mr. Brown, do you  
26 have a question.

27  
28 MR. BROWN: No question.

29  
30 CHAIRMAN L. WILDE: I see your light  
31 was on.

32  
33 Any further questions.

34  
35 (No comments)

36  
37 CHAIRMAN L. WILDE: If not, thank you  
38 for your report.

39  
40 MR. BRAZIL: Thank you, Mr. Chair.  
41 Committee members.

42  
43 CHAIRMAN L. WILDE: We are down to Mr.  
44 Cannon, Proposal No. FP11-03. We'll have the  
45 introduction and proposal and the analysis.

46  
47 MR. CANNON: Thank you, Mr. Chairman.  
48 Again for the record my name is Richard Cannon. I'm  
49 the OSM Yukon fisheries biologist.

50

1                   The analysis for Proposal 11-03 begins  
2 on Page 81 of your Council books. This proposal was  
3 submitted by Andrew Firmin from Fort Yukon. The  
4 proposal requests that Federal public waters of the  
5 Yukon River Subdistrict 5D be subdivided into 3  
6 subdistricts to provide managers additional flexibility  
7 to more precisely regulate harvest while conserving the  
8 Chinook salmon run that spawns in the Upper Yukon  
9 River.

10  
11                   This proposal as submitted appears to  
12 change existing State regulations. If the Board were  
13 to adopt the proposal as Federal regulations, and  
14 redefine the subdistrict boundaries, State and Federal  
15 regulations would not be aligned and could result in  
16 confusion for fishermen.

17  
18                   The intent of the proposal is to  
19 provide managers enhanced capability to manage  
20 subsistence fisheries in Subdistrict 5D and thereby  
21 conserving upper river Chinook salmon spawning stocks.  
22 And basically it has some merit.

23  
24                   Map 2 found on Page 84 and Table 1 on  
25 Page 88 provide a summary of the relevant information  
26 associated with this proposal.

27  
28                   This Subdistrict 5D is very long,  
29 requiring over a week for migrating fish to travel  
30 through it. Therefore the intent of the proposal makes  
31 some sense and should be supported. However, other  
32 options are available to address the positive intent of  
33 this proposal without placing State and Federal  
34 regulations potentially in conflict.

35  
36                   In the short term, both State and  
37 Federal managers could agree with the benefit of  
38 modifying existing boundaries of Subdistrict 5D. For  
39 example, during the 2009 fishery season, managers used  
40 emergency order authority to divide the subdistrict  
41 into upper and lower subdistrict during the management  
42 of the fall chum salmon fishery. This could  
43 potentially be done for the Chinook salmon fishery as  
44 well.

45  
46                   A longer term option might be for the  
47 proponent to submit the proposal to the Board of  
48 Fishery during its future meetings. If adopted as  
49 State regulation, existing Federal regulations would  
50 automatically adjust so that State and Federal

1 regulations would be consistent.

2

3 That concludes my presentation on this  
4 proposal, Mr. Chairman.

5

6 Thank you.

7

8 CHAIRMAN L. WILDE: Thank you, Mr.  
9 Cannon.

10

11 Any comments from the Department of  
12 Fish and Game.

13

14 MR. PAPPAS: Thank you, Mr. Chair. Our  
15 comments begin on Page 93 in your book. I'll summarize  
16 these and they will be incorporated into the  
17 transcripts.

18

19 This proposal was submitted to further  
20 subdivide the Yukon River fishing area Subdistrict 5D  
21 into three new subdistricts for the purposes of  
22 improving management and efficiency of the Federal  
23 subsistence fishery. This proposal was also submitted  
24 as a proposal to the Alaska Board of Fisheries, and the  
25 intent of the proposal is to give managers a finer tool  
26 to more precisely regulate harvest while protecting  
27 portions of the salmon run. The proponent indicates  
28 the size of Subdistrict 5D, approximately 400 miles, is  
29 too large to effectively manage the pulses of fish that  
30 require protection.

31

32 Federal subsistence users could benefit  
33 from sequential closures due to increased opportunity  
34 to harvest fish when salmon pulses are present.  
35 Federal subsistence users within proposed subdistricts  
36 could benefit from more precise and succinct area  
37 closures. Adoption of this proposal has the potential  
38 for more evenly distributed Federal subsistence harvest  
39 within Subdistrict 5D during salmon runs that require  
40 reduced exploitation for conservation purposes.

41

42 Regarding jurisdiction issues, the  
43 Federal Board does not have the authority to establish  
44 regulatory boundaries for the Federal -- excuse me, for  
45 the State-regulated commercial and subsistence  
46 fisheries. If the Federal Subsistence Board adopts  
47 fisheries subdistrict boundaries that are different  
48 than the existing boundaries authorized by the Alaska  
49 Board of Fisheries, subsistence users will be  
50 responsible for knowing where the claimed Federal

1 jurisdiction applies and difficulty in enforcement may  
2 result.

3  
4 Other issues. The Department of Fish  
5 and Game and the Federally-designated officials already  
6 have delegated or regulatory authority to open and  
7 close fisheries as necessary. For example, open and  
8 close fishing areas such as requested in this proposal.  
9 As long as the State managers and designated Federal  
10 officials continue the current cooperative consultation  
11 process for management, adoption of this proposal is  
12 not necessary to manage salmon runs through Subdistrict  
13 5D.

14  
15 If State resource managers determine  
16 that subdistricts are needed on a re-occurring basis, a  
17 proposal to the Alaska Board of Fisheries to formalize  
18 further subdivision of Subdistrict 5D could be  
19 developed.

20  
21 The Department does oppose this  
22 proposal. Thank you, Mr. Chair.

23  
24 \*\*\*\*\*  
25 STATE OFFICIAL WRITTEN COMMENTS  
26 \*\*\*\*\*

27  
28 Alaska Department of Fish and Game  
29 Comments to the Regional Advisory Council

30  
31 Fisheries Proposal FP11-03:

32  
33 Further subdivide Upper Yukon River  
34 Area Subdistrict 5-D.

35  
36 Introduction:

37  
38 Andrew Firmin submitted this proposal  
39 to further subdivide Yukon River Area fisheries  
40 Subdistrict 5-D into three new subdistricts, 5-E, 5-F,  
41 and 5-G, for the purpose of improving management  
42 efficiency of the federal subsistence fishery. The  
43 proposal was also submitted as a proposal to the Alaska  
44 Board of Fisheries. The intent of the proposal is to  
45 give management a finer tool to more precisely regulate  
46 harvest while protecting portions of the salmon runs.  
47 The proponent indicates adoption of this proposal will  
48 enhance fisheries managers abilities to manage a large  
49 stretch of the Yukon River for the benefit of fish  
50 populations as well as user groups during times when it

1 is necessary to reduce subsistence fishing time for  
2 conservation purposes. The proponent indicates the  
3 size of Subdistrict 5-D (approximately 400 miles in  
4 length) is too large to effectively manage if pulses of  
5 fish require protection. In 2008 and 2009, Subdistrict  
6 5-D was divided into two sections when subsistence  
7 fishing time was restricted in order to meet escapement  
8 goals. This proposal would define three new  
9 subdistricts as follows:

10  
11                   5AAC05.200 (e)(4)(i) Subdistrict 5E  
12 consists of the Yukon River drainage from ADF&G  
13 regulatory markers located approximately two miles  
14 downstream from Waldron Creek upstream to the  
15 Hadweenzic River.

16  
17                   5AAC05.200 (e)(4)(ii) Subdistrict 5F  
18 consists of the Yukon River drainage from Hadweenzic  
19 River upstream to 22 Mile Slough.

20  
21                   5AAC05.200 (e)(4)(iii) Subdistrict 5G  
22 consists of the Yukon River drainage from 22 Mile  
23 Slough upstream to the United States Canada border.

24  
25                   Impact on Subsistence Users:

26  
27                   The proposal would establish three new  
28 subdistricts in which the federal subsistence fisheries  
29 could be sequentially opened or closed for conservation  
30 purposes as pulses of salmon migrate through this  
31 section of the Yukon River. Federal subsistence users  
32 could benefit from sequential closures due to increased  
33 opportunities to harvest fish when salmon pulses are  
34 present. Federal subsistence users within the proposed  
35 subdistricts could benefit from more precise and  
36 succinct area closures. Adoption of this proposal has  
37 the potential to more evenly distribute federal  
38 subsistence harvest within Subdistrict 5-D during  
39 salmon runs that require reduced exploitation for  
40 conservation purposes.

41  
42                   Opportunity Provided by State:

43  
44                   Salmon may be harvested under state  
45 regulations throughout the majority of the Yukon River  
46 watershed, including a liberal subsistence fishery.  
47 Gear types allowed are gillnet, beach seine, hook and  
48 line attached to a rod or pole, hand line, and fish  
49 wheel. Although all gear types are not used or allowed  
50 in all portions of the Yukon River drainage, drift and

1 set gillnets, and fish wheels harvest the majority of  
2 fish taken for subsistence uses. Under state  
3 regulations, subsistence is the priority consumptive  
4 use. Therefore, state subsistence fishing opportunity  
5 is directly linked to abundance and is not restricted  
6 unless run size is inadequate to meet escapement needs.  
7 When the Yukon River Chinook salmon run is below  
8 average, the state subsistence fishing periods may be  
9 conducted based on a schedule implemented  
10 chronologically throughout the Alaska portion of the  
11 drainage, which is consistent with migratory timing as  
12 the salmon run progresses upstream. The regulatory  
13 schedule for Subdistrict 5-D allows subsistence fishing  
14 seven days per week. If the run is not large enough to  
15 meet escapement goals, Alaska Department of Fish and  
16 Game will restrict fishing time or close subsistence  
17 fishing. Amounts reasonably necessary for subsistence  
18 for Chinook salmon (5AAC 01.236 (b)), as determined by  
19 the Alaska Board of Fisheries, have been met in the  
20 Yukon River drainage for six of the last nine years.

21

#### 22 Conservation Issues:

23

24 The Yukon River Chinook salmon stock is  
25 currently classified as a stock of yield concern.  
26 Since 2001, subsistence fishing time in the Yukon Area  
27 has been limited by a windows schedule which was  
28 further restricted in 2008 and 2009 because of  
29 conservation concerns for Chinook salmon. Subsistence  
30 harvest levels for Chinook salmon have been within the  
31 amounts reasonably necessary for subsistence (ANS)  
32 ranges since 2001, except for 2002, 2008, and 2009. A  
33 majority of the Yukon River drainage escapement goals  
34 have been met or exceeded since 2000, including the  
35 Chena and Salcha rivers, which are the largest  
36 producers of Chinook salmon in the United States  
37 portion of the drainage. The escapement objective for  
38 the Canadian mainstem was met every year from 2001  
39 through 2006, with 2001, 2003, and 2005 being the three  
40 highest spawning escapement estimates on record. The  
41 escapement objective for the Canadian mainstem was not  
42 met in 2007 and 2008. Exploitation rate on  
43 Canadian-origin stock by Alaskan fishermen decreased  
44 from an average of about 55% (1989 1998) to an average  
45 of about 44% from 2004 through 2008 (Howard et al.  
46 2009). Although the subsistence harvest continues to  
47 remain stable at nearly 50,000 Chinook salmon annually,  
48 commercial harvests have decreased over 60% from an  
49 average of 100,000 annually (1989 1998) to the recent  
50 5-year average (2005 2009) of nearly 23,000 fish.

1 Considering all salmon species together, the overall  
2 total subsistence salmon harvest in the Yukon Area has  
3 declined by approximately 30% since 1990 (Fall et al.  
4 2009:39).

5

6

Jurisdiction Issues:

7

8

9 The federal board does not have  
10 authority to establish regulatory boundaries for  
11 state-regulated commercial and subsistence fisheries.  
12 If the Federal Subsistence Board adopts fisheries  
13 subdistrict boundaries that are different from the  
14 existing boundaries authorized by the Alaska Board of  
15 Fisheries, subsistence users will be responsible for  
16 knowing where the claimed federal jurisdiction applies.  
17 Difficulty in enforcement may result.

17

18

19 A large percentage of the lands along  
20 the Yukon River are state or private lands on which  
21 subsistence users must use gear types consistent with  
22 state regulations. If this proposal is adopted,  
23 detailed maps are needed that depict land ownership and  
24 specific boundaries of areas where federal regulations  
25 are claimed to apply, so that fishermen know when they  
26 are on state or private lands (including state-owned  
27 submerged lands and shorelands) where they must comply  
28 with state laws and regulations.

28

29

Other Issues:

30

31

32 The Alaska Department of Fish and Game  
33 and the federally designated officials already have  
34 delegated or regulatory authority to close and open  
35 fisheries by area as necessary; i.e., open and close  
36 fishing areas such as requested in this proposal. As  
37 long as the state managers and designated federal  
38 officials continue the current cooperative consultation  
39 process for management, adoption of this proposal is  
40 not necessary to manage salmon runs through Subdistrict  
41 5-D. If state resource managers determine that  
42 subdistricts are needed on a re-occurring basis; a  
43 proposal to the Alaska Board of Fisheries to formalize  
44 further subdivision of Subdistrict 5-D could be  
45 developed.

45

46

Recommendation:

47

48

Oppose.

49

50

Cited References:

1                   Fall, J.A., C. Brown, M.F. Turek, N.  
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3 L. Hutchinson-Scarborough, T. Lemons, V. Ciccone, T.M.  
4 Krieg, and D. Koster. 2009. Alaska subsistence salmon  
5 fisheries 2007 annual report. Alaska Department of  
6 Fish and Game Division of Subsistence, Technical Paper  
7 No. 346, Anchorage.

8  
9                   Howard K.G., S.J. Hayes, and D.F.  
10 Evenson. 2009. Yukon River Chinook salmon stock status  
11 and action plan 2010; a report to the Alaska Board of  
12 Fisheries. Alaska Department of Fish and Game, Special  
13 Publication No. 09-26, Anchorage.

14  
15                   CHAIRMAN L. WILDE: Thank you. Any  
16 questions for the Department. Go ahead, Mr. Greg  
17 Roczicka.

18  
19                   MR. ROCZICKA: Thank you, Mr. Chairman.

20  
21                   Just an observation I guess, and I'll  
22 make a little bit more comments later, but I'm  
23 wondering when this proposal went int -- this person  
24 certainly put a lot of thought into it it appears.  
25 Just as maybe a housekeeping. I imagine you're going  
26 to be getting back to him and working with him on it,  
27 but there's no 5D remaining once he went to E, F and G.  
28 And so do you want to keep former District 5D in some  
29 form or another under any kind of change?

30  
31                   MR. CANNON: Through the Chair to Mr.  
32 Roczicka. That would have to be -- we try to present  
33 the proposal as it was submitted to us, and, yes,  
34 you're right, we would try to use the alphabet I think  
35 when we -- if this proposal were ever put into Federal  
36 regulations so that it would reflect, you know, some  
37 logical sequence. And so there may be some adjustment  
38 of, you know, what these different subdistricts would  
39 be called at that time. But the main thing was to get  
40 the intent of the proposal out.

41  
42                   MR. ROCZICKA: Thank you. And it was a  
43 clarification whether it was an oversight or whether  
44 there's something else I didn't know about.

45  
46                   CHAIRMAN L. WILDE: Any other comments.  
47 Questions.

48  
49                   (No comments)  
50

1 CHAIRMAN L. WILDE: If not, any Tribal  
2 agency comments.

3  
4 (No comments)

5  
6 CHAIRMAN L. WILDE: Thank you, Mr.  
7 Pappas. No Tribal Agencies.

8  
9 (No comments)

10  
11 CHAIRMAN L. WILDE: InterAgency Staff  
12 is combined with the other comments. Fish and game  
13 advisory committee comments.

14  
15 MR. CHARLES: No comment.

16  
17 CHAIRMAN L. WILDE: No comments from  
18 the advisory group. Summary of written comments. Mr.  
19 Nick.

20  
21 MR. NICK: Mr. Chair. There is one  
22 written public comment received from Council of  
23 Athabascan Tribal Governments in support of the  
24 proposal. Mr. Chair.

25  
26 CHAIRMAN L. WILDE: Thank you. Public  
27 testimony. Mr. Sandone.

28  
29 MR. SANDONE: Mr. Chair. My name is  
30 Gene Sandone. I'm representing Kwik'pak Fisheries.  
31 And the Kwik'pak Fisheries recommendation is to oppose  
32 Proposal FP11-03. And I've got some -- a few comments.

33  
34 This is a good idea, but it should be  
35 submitted to the Alaska Board of Fishery first because  
36 of jurisdictional issues, and that way it could get a  
37 very broad vetting also.

38  
39 The length of Subdistrict 5D, the  
40 inefficiency of the fishing gear, the relatively small  
41 catches per unit area need to be considered when  
42 submitting a proposal to split Subdistrict 5D into more  
43 management units. Note that Subdistrict 5D window  
44 schedule fishing calls for fishing to occur 24 hours a  
45 day, 7 days a week, basically because of the  
46 inefficiency of the gear and the decreased numbers of  
47 fish in that most upper portion of the Yukon River in  
48 Alaska.

49  
50 And a couple other facts that I think

1 you should know about is like Subdistrict 5D averages  
2 about 53 percent of the District 5 harvest and accounts  
3 for approximately 16 percent of the total Alaskan  
4 harvest within the Yukon River. For comparative  
5 purposes, Districts 1, 2 and 3 account for about 13, 20  
6 percent, and 11 percent respectively of the total  
7 Alaskan Yukon River harvested in the same period. And  
8 that's for Chinook. For chum salmon, District 5(D)  
9 takes about 45 percent of District 5 fall chum salmon  
10 harvest and nearly 27 percent of the total Alaska  
11 subsistence harvest of fall chum salmon. For  
12 comparative purposes, Districts 1, 2 and 3 have taken  
13 an average of approximately 8 percent, 5 percent and 1  
14 percent. So it is a substantial portion of the Alaska  
15 subsistence harvest.

16

17 And it is important to note, however,  
18 that the vast majority of the Chinook salmon and a  
19 substantial portion of the fall chum salmon harvested in  
20 District 5 and more so in Subdistrict 5D above the  
21 confluence of the Yukon and Chandalar and Yukon and  
22 Porcupine Rivers are Canadian-origin salmon. That fact  
23 alone may necessitate more management units within  
24 Subdistrict 5D so that subsistence harvest could be  
25 apportioned appropriately.

26

27 Thank you, Mr. Chair.

28

29 CHAIRMAN L. WILDE: Thank you, Mr.  
30 Sandone. Any questions to Mr. Sandone's presentation.

31

32 (No comments)

33

34 CHAIRMAN L. WILDE: Thank you. We're  
35 down to step 8, Regional Advisory Council deliberation,  
36 recommendation, justification. Mr. Roczicka.

37

38 MR. ROCZICKA: Mr. Chairman. Move to  
39 support Proposal 11-03.

40

41 CHAIRMAN L. WILDE: Motion's been made  
42 to support Proposal FP11-03. Do I hear a second to the  
43 motion.

44

45 MR. CHARLES: Second, Mr. Chairman.

46

47 CHAIRMAN L. WILDE: Seconded by Mr.  
48 Charles.

49

50 Any further comments. Mr. Roczicka.

1 MR. ROCZICKA: Mr. Chairman, it was  
2 tempting to make the motion to say take no action  
3 regarding this proposal, because again as has been  
4 stated by everyone providing information to us on it,  
5 it's a good idea. It deserves merit to pursue it, and  
6 I'm sure it will be, but it's submitted to the wrong  
7 board. It needs to go before the State Board of Fish.  
8 So I'll be voting no on this one.

9  
10 CHAIRMAN L. WILDE: Mr. Charles.

11  
12 MR. CHARLES: No, no comment.

13  
14 CHAIRMAN L. WILDE: Any further  
15 discussion. Any further discussion.

16  
17 (No comments)

18  
19 MR. BROWN: Question.

20  
21 CHAIRMAN L. WILDE: The question's been  
22 called for. Roll call vote, please.

23  
24 MR. NICK: Mr. Brown. (In Yup'ik)

25  
26 MR. BROWN: No.

27  
28 MR. NICK: Mr. Charles.

29  
30 MR. CHARLES: Is that for no action.

31  
32 MR. ROCZICKA: I thought it was  
33 tempting to make it, but, no, I made the motion in the  
34 affirmative to support. The motion is to support.

35  
36 MR. CHARLES: No.

37  
38 MR. NICK: Mr. Oney.

39  
40 MR. ONEY: No.

41  
42 MR. NICK: Mr. Manumik.

43  
44 MR. MANUMIK: No.

45  
46 MR. NICK: Mr. Harry Wilde.

47  
48 MR. H. WILDE: No.

49  
50 MR. NICK: Mary Gregory, excused. Mr.

1 Kelly.  
2  
3 MR. KELLY: No.  
4  
5 MR. NICK: Mr. Lester Wilde.  
6  
7 CHAIRMAN L. WILDE: No.  
8  
9 MR. NICK: Mr. Unok.  
10  
11 MR. UNOK: I'll pass.  
12  
13 MR. NICK: (In Yup'ik)  
14  
15 MR. UNOK: I sit on it.  
16  
17 MR. NICK: Abstain? Okay. I'm sorry.  
18 Mr. Roczicka.  
19  
20 MR. ROCZICKA: No.  
21  
22 MR. NICK: Mr. Aloysius excused. Mr.  
23 Andrew.  
24  
25 MR. ANDREW: No.  
26  
27 MR. NICK: Mr. Chair. 9 in opposition,  
28 1 abstention, 2 excused.  
29  
30 CHAIRMAN L. WILDE: Thank you.  
31 Proposal fail.  
32  
33 At this time before we go into Proposal  
34 04, make sure that everybody -- that if you want to  
35 testify, make sure you get one of these blue slips of  
36 paper from Alex. And that's if anybody wants to  
37 testify on any of the proposals that we have coming  
38 forth.  
39  
40 At this time we'll go down to FP11-04.  
41 Mr. Cannon.  
42  
43 MR. CANNON: Thank you, Mr. Chairman.  
44 The analysis for Proposal 11-04 is found on Pages 97  
45 through 109.  
46  
47 This proposal, submitted by Stanislaus  
48 Sheppard with the Mountain Village Working Group,  
49 requests the use of fishwheels be prohibited for the  
50 harvest of salmon in Districts 4 and 5 of the Yukon

1 area to allow more fish to escape to the spawning  
2 grounds. Current Federal and State regulations allow  
3 subsistence users to utilize fishwheels to harvest  
4 salmon in the mainstem Yukon River from the mouth to  
5 the Canadian border. It should be noted that if this  
6 proposal were adopted, Federally-qualified users would  
7 still be able to utilize fishwheels to harvest salmon  
8 under State regulations in State waters in Districts 4  
9 and 5 from just south of Anvik to the Canadian border.  
10

11 The proposed preliminary OSM  
12 recommendation is to oppose this proposal. Eliminating  
13 the use of fishwheels in Districts 4 and 5 in Federal  
14 regulations would not accomplish the proponents  
15 objective, that is, to allow more fish to escape to the  
16 spawning grounds as Federally-qualified users would  
17 still be able to utilize fishwheels to harvest salmon  
18 under State regulations.  
19

20 When run projections indicate that  
21 escapement shortfalls are likely, fisheries managers  
22 have the ability and authority to restrict harvest  
23 under the existing regulatory management framework,  
24 such as reducing fishing time or not opening fishing  
25 periods to increase escapement as was done for Chinook  
26 salmon escapement into Canada in 2009.  
27

28 Fishwheels comprise only seven percent  
29 of the reported combined subsistence and personal use  
30 gear types on the Yukon River with set gillnets  
31 comprising 48 percent and drift gillnets 37 percent of  
32 the gear used. The use of fishwheels is on the decline  
33 in the Yukon River based on recent information.  
34 Gillnets have become the predominant gear type for  
35 salmon subsistence fishing.  
36

37 Mr. Chairman, that concludes my  
38 comments on the analysis. Thank you.  
39

40 CHAIRMAN L. WILDE: Thank you, Mr.  
41 Cannon. Alaska Department of Fish and Game comments.  
42

43 MR. PAPPAS: Thank you, Mr. Chair.  
44 George Pappas, Fish and Game.  
45

46 Page 104 in your book, that's where our  
47 comments are located.  
48

49 This proposal submitted to prohibit the  
50 use of fishwheels in Districts 4 and 5 of the Yukon

1 where Federal jurisdiction is claimed in order to  
2 increase fish escapement to the spawning grounds.  
3 Subsistence fishers on the Yukon River employ a number  
4 of gear types including fishwheels to harvest salmon at  
5 different times of year. The method and timing of the  
6 harvest are based on traditional and customary uses of  
7 different areas of the Yukon River drainage. Studies  
8 conducted by the Department have found between 2003 and  
9 2007 the average proportion of the primary gear types  
10 used for subsistence salmon and fish in the Yukon River  
11 drainage, which is in this table on Page 104, 53  
12 percent set gillnets, 38 percent drift gillnets and  
13 fishwheels were about 8 percent.

14  
15 If adopted, Federal subsistence users  
16 would be prohibited from using fishwheels in Districts  
17 4 and 5 where Federal jurisdiction is claimed.

18  
19 Fishwheels are highly effective gear  
20 types for harvesting salmon in the Upper Yukon River  
21 even though fishwheels comprise only 8 percent of the  
22 gear types used to harvest salmon. For some  
23 subsistence fishermen, it is the only means of  
24 harvesting salmon. Prohibiting the use of fishwheels  
25 as a gear type for Federal subsistence users in these  
26 districts is expected to significantly reduce harvest  
27 for some subsistence fishermen and may eliminate all  
28 harvest for others.

29  
30 Salmon may be harvested un State  
31 subsistence regulations throughout the Yukon River  
32 District 4 and Subdistricts 5A, 5B and 5C during two  
33 48-periods per week from June 15th through September  
34 30th as established by emergency order. The  
35 subsistence fishery in Subdistrict 5D is open for 24  
36 hours a day, 7 days per week. The subsistence fishery  
37 is opened during commercial fishing periods but is  
38 closed 24 hours prior to a commercial fishing opening.  
39 The State subsistence fishing periods are normally  
40 linked to abundance or commercial fishing periods and  
41 are conducted based on a schedule implemented  
42 chronologically, which is consistent with the migratory  
43 timing as the salmon run progresses upstream.

44  
45 Now, I did find a mistake in our  
46 analysis. Under the jurisdiction issue, we have a  
47 comment there referencing a label on the Federal maps.  
48 It has been corrected so we will strike those comments  
49 as it goes to the Federal Subsistence Board referencing  
50 the Federal map there. It has been corrected.

1                   The Department opposes this proposal.  
2 We suggest that more information is needed on the size  
3 distribution of fish harvested at fishwheels and more  
4 investigation of the type of gear modifications that  
5 could be implemented and would be consistent with the  
6 gillnet mesh action taken by the Federal Board and the  
7 Alaska Board of Fisheries for the entire Yukon  
8 drainage. Such a research project would be appropriate  
9 to fund through the Fisheries Resource Monitoring  
10 Program.

11  
12                   Thank you, Mr. Chair.

13  
14                   \*\*\*\*\*  
15                   STATE OFFICIAL WRITTEN COMMENTS  
16                   \*\*\*\*\*

17  
18                   Alaska Department of Fish and Game  
19                   Comments to the Regional Advisory Council

20  
21                   Fisheries Proposal FP11-04: Prohibit  
22 use of fish wheels in districts 4 and 5 of the Yukon  
23 River.

24  
25                   Introduction:

26  
27                   Stanislaus Sheppard of the Mountain  
28 Village Working Group submitted this proposal to  
29 prohibit use of fish wheels on the Yukon River in  
30 districts 4 and 5 where federal jurisdiction is claimed  
31 in order to increase fish escapement to the spawning  
32 grounds.

33  
34                   Subsistence fisheries on the Yukon  
35 River employ a number of gear types, including fish  
36 wheels, to harvest salmon at different times of year.  
37 The method and timing of the harvest are based on  
38 traditional and customary uses in different areas of  
39 the Yukon River drainage. Studies conducted by the  
40 department found that between 2003 and 2007, the  
41 average proportion of primary gear types used for  
42 subsistence salmon fishing in the Yukon River drainage  
43 were set gillnets (53%), drift gillnets (38%), and fish  
44 wheels (8%) (Table 1).

45  
46                   Impact on Subsistence Users:

47  
48                   If adopted, federal subsistence users  
49 would be prohibited from using fish wheels in districts  
50 4 and 5 on the Yukon River where federal jurisdiction

1 is claimed. Fish wheels are a highly effective gear  
2 type for harvesting salmon in the upper Yukon River.  
3 Even though fish wheels comprise only 8% of the gear  
4 types used to harvest salmon, for some subsistence  
5 fishermen it is their only means of harvesting salmon.  
6 Prohibiting use of fish wheels as a gear type for  
7 federal subsistence users in these districts is  
8 expected to significantly reduce salmon harvest for  
9 some subsistence fishermen and may eliminate harvest  
10 for others.

11

12 Opportunity Provided by State:

13

14 Salmon may be harvested under state  
15 regulations throughout the majority of the Yukon River  
16 watershed, including a liberal subsistence fishery.  
17 Salmon may be harvested under state subsistence  
18 regulations throughout Yukon River District 4 and  
19 subdistricts 5-A, 5-B, and 5-C during two 48-hour  
20 periods per week from June 15 through September 30, as  
21 established by emergency order. The subsistence  
22 fishery in Subdistrict 5-D is open 24 hours per day,  
23 seven days per week. The state subsistence fishery is  
24 open during commercial fishing periods but is closed  
25 during the 24 hours prior to a commercial fishing  
26 opening. The state subsistence fishing periods are  
27 normally linked to abundance or commercial fishing  
28 periods and are conducted based on a schedule  
29 implemented chronologically, which is consistent with  
30 migratory timing as the salmon run progresses upstream.

31

32

33 Legal gear for the state subsistence  
34 salmon fishery in subdistricts 4-B and 4-C and District  
35 5 includes fish wheels, hand lines, set gillnets, and  
36 beach seines. Drift gillnets may be used for  
37 subsistence fishing in Subdistrict 4-A to target  
38 Chinook salmon from June 10 through July 14, and chum  
39 salmon may be taken with drift gill nets after August  
40 2. There are no household harvest limits for the state  
41 subsistence fisheries in districts 4 or 5. Amounts  
42 reasonably necessary for subsistence (ANS) (5AAC 01.236  
43 (b)), as determined by the Alaska Board of Fisheries,  
44 have been met for Chinook salmon in the Yukon River  
45 drainage for six of the last nine years (below ANS in  
46 2002, 2008, and 2009).

47

48

49

50

Conservation Issues:

The Yukon River Chinook salmon stock is



1 research project would be appropriate to fund through  
2 the Fisheries Resource Monitoring Program.

3

4

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5

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46

47

CHAIRMAN L. WILDE: Thank you. How --  
48 can you -- I know I've.....

49

50

MR. PAPPAS: Pappas.

1 CHAIRMAN L. WILDE: Pappas. Okay.  
2  
3 MR. PAPPAS: Thank you, sir.  
4  
5 CHAIRMAN L. WILDE: I don't know  
6 whether to say Papa or -- anyway, thank you.  
7  
8 Any questions for Mr. Pappas.  
9  
10 (No comments)  
11  
12 CHAIRMAN L. WILDE: Must have done a  
13 good job.  
14  
15 Tribal agency comments.  
16  
17 (No comments)  
18  
19 CHAIRMAN L. WILDE: Fish and game  
20 advisory committee comments.  
21  
22 (No comments)  
23  
24 CHAIRMAN L. WILDE: No comments.  
25 Summary of written proposals, Mr. Nick. Comments I  
26 meant.  
27  
28 MR. NICK: Mr. Chair. We received 12  
29 public comments in opposition to the proposal. Mr.  
30 Chair.  
31  
32 CHAIRMAN L. WILDE: Thank you, Mr.  
33 Nick. Public testimony. Mr. Sandone.  
34  
35 MR. SANDONE: Thank you, Mr. Chair. My  
36 name is Gene Sandone. I live in Wasilla Alaska, and I  
37 represent Kwik'pak Fisheries.  
38  
39 Kwik'pak Fisheries' recommendation is  
40 to oppose Proposal FP11-04. In our opinion, fishwheels  
41 harvest predominantly small Chinook salmon. Even in  
42 the rapids area information from fishwheel harvest and  
43 gillnet harvest dramatically differ on the size of the  
44 fish captured.  
45  
46 I'll bring your attention on Page 5,  
47 Figure 1. And I'll explain this figure a little but,  
48 but it portrays the fish the fishwheel captures, and  
49 also the gillnet captures in the very specific rapids  
50 area, and this is hot off the press. This is 2010

1 data. I got the data right off Stan Zuray's email that  
2 he sends out. And the Mountain Village information is  
3 from the project that I ran in Mountain Village this  
4 year using 7-1/2-inch mesh.

5  
6 There's seven length bins from less  
7 than 700 millimeters, which is less than 27.6 inches to  
8 greater than 1,000 millimeters, which is greater than  
9 39.4 inches. The blue line is the information coming  
10 from the rapid's area fishwheel harvest. The red line  
11 is from the rapid area gillnet harvest. And the green  
12 line is from the Mountain Village. And as you can see,  
13 the majority of the fish captured in the fishwheel were  
14 very, very small fish. 51 percent of the fish captured  
15 and sampled in the fishwheel were less than 700  
16 millimeters, whereas about only 2 percent of those fish  
17 were greater than 900 millimeters, or greater than 35.4  
18 inches. They kind of have almost mirror images. The  
19 weight of the fish in the fishwheel was 10.8 pounds.  
20 The average weight of the gillnet-caught fish was 18.4  
21 pounds.

22  
23 It's interesting to note that the 7-  
24 1/2-inch gillnet was kind of in between them. 77  
25 percent of the fish captured by the 7-1/2-inch mesh  
26 gillnets were between 700 millimeters and 850  
27 millimeters. So they kind of went in between these two  
28 gear types.

29  
30 I guess what I'm trying to say here is  
31 that I think fishwheels play an important roll in  
32 capturing small fish so that -- that the 7-1/2-inch  
33 gillnets doesn't appear to catch them, though larger  
34 gillnets, 8-inch and 8-1/4-inch doesn't capture them  
35 either. So to have some exploitation on these smaller  
36 fish is important so we don't have a lot of small males  
37 up on the spawning grounds, and I think they provide a  
38 valuable tool in management to allow these fishwheels  
39 to harvest salmon that the large mesh gillnets cannot.

40  
41 So we oppose this proposal. Thank you,  
42 Mr. Chair.

43  
44 CHAIRMAN L. WILDE: Thank you, Mr.  
45 Sandone. Any questions for Mr. Sandone. Mr. Oney,  
46 then Mr. Elias.

47  
48 MR. ONEY: Yeah. Thank you, Mr. Chair.

49  
50 Gene, you mentioned that the fishwheels

1 catch smaller fish. Are they female? How many percent  
2 are female, how many percent are male?

3  
4 MR. SANDONE: I have that information  
5 in the packet, and I think the fishwheels captured --  
6 the Stan Zuray's fishwheel, and that's the only one I  
7 can speak of, that's the only thing I have data. It  
8 was predominantly male. I think it was 14 percent  
9 female. So it was very, very small. And the gillnets  
10 in the rapids area I believe was 41 percent females.  
11 And interestingly enough, that the Mountain Village was  
12 also 40 percent, but you really can't compare -- I  
13 don't think you can compare, strictly compare the  
14 gillnets in Mountain Village with the gillnets in the  
15 rapids, because of stock-specific differences in sex  
16 composition, age class composition, and also you have a  
17 lot of removals between the two. So they're not  
18 fishing on the same bunch of fish.

19  
20 CHAIRMAN L. WILDE: Okay?

21  
22 MR. ONEY: Uh-huh.

23  
24 CHAIRMAN L. WILDE: Mr. Kelly.

25  
26 MR. KELLY: Thank you, Mr. Chairman.

27  
28 Gene, you just mentioned Stan Zuray's  
29 data hot off the press. You know, the fishwheel data,  
30 and earlier this year at the Board of Fisheries  
31 meeting, Stan Zuray mentioned or implied that the  
32 fishwheel data, salmon size was smaller because of the  
33 use of the 8-1/2-inch mesh size. You know, this data  
34 suggests otherwise, that the fishwheel data only  
35 catches small king size. And to me this -- you know,  
36 this is almost like a misinformation. You know, to me  
37 Stan Zuray presented data to the Board of Fisheries  
38 that was instrumental in changing the net size from 8-  
39 1/2-inch down to 7-1/2-inch mesh. And Stan Zuray's  
40 data suggested that the fishwheel harvest of the king  
41 salmon was getting smaller because of the 8-1/2-inch  
42 mesh. Can you comment on that?

43  
44 MR. SANDONE: I guess my comment I  
45 don't think fishwheels characterize the run. I think  
46 you need to look on the spawning grounds to determine  
47 what gets on the spawning grounds, and I think that was  
48 the concern that was brought to the Board of Fish, that  
49 the larger -- and the large females, the fecund females  
50 were not getting on the spawning grounds and I think

1 that was the major concern. But I do not think that  
2 fishwheels characterize the run in any year, and I  
3 think also, it's my opinion, that comparisons between  
4 years of fishwheel data is really not valid, because  
5 fishwheels are affected by environmental circumstances  
6 such as stage or discharge. And they are also affected  
7 the composition of the run as far as age categories or  
8 length categories. In other words, when you have a  
9 very large run of small fish, they're going to catch a  
10 lot of small fish. And if you have a large run of  
11 larger fish, they may not catch many. So I don't think  
12 that you can use fishwheels as an index of the run. I  
13 think the only thing that fishwheels could be used for  
14 is run timing.

15

16 Thank you.

17

18 CHAIRMAN L. WILDE: Okay? Mr.  
19 Roczicka.

20

21 MR. ROCZICKA: Yeah. That's the first  
22 time I've seen any kind of information along these  
23 lines as well.

24

25 One question I did have as far as your  
26 gillnet gear that was used up there, and again I'm not  
27 familiar with Upper Yukon as much, but I know on  
28 Kuskokwim you don't use a driftnet up the river. I  
29 mean, you know, you're going to be hung up in the bank  
30 and forget about it, you know, keeping a net. So are  
31 these setnets along the shore as far as gillnets in the  
32 upper portion of the Yukon that were used here? Your  
33 reference about comparability, and, of course, Mountain  
34 Village would be, and it says specifically it said  
35 drift net. What kind of gear is being used there?

36

37 MR. SANDONE: Yeah. Mr. Chairman. Mr.  
38 Roczicka, you're correct. They're set gillnets. And,  
39 you know, I wasn't trying to compare Mountain Village  
40 with the rapids. I just put that on there for your  
41 information.

42

43 CHAIRMAN L. WILDE: Any further  
44 questions of Mr. Sandone.

45

46 (No comments)

47

48 CHAIRMAN L. WILDE: If not, thank you  
49 very much.

50

1 Alissa Joseph.

2

3 MS. JOSEPH: Good afternoon, RAC  
4 members. I'm Alissa Joseph, and I'll be representing  
5 the Youth of the YK Generation.

6

7 And as far as this proposal goes, it's  
8 only going to make friction between the Upper and Lower  
9 Yukon. It's already started with fisheries. I've had  
10 people I talk to over Facebook, which is the way to  
11 communicate with younger generation people, and they  
12 already have issues in my generation with Upper and  
13 Lower. And so trying to clarify and clean this out  
14 with them and let them understand exactly how these  
15 fisheries works, since they're not personally coming to  
16 these meetings themselves and understanding these  
17 meetings that we all have, it is very hard for them to  
18 understand. And then growing up the way we are growing  
19 up, it is very important for them to know along with  
20 getting an understanding of exactly what's going on.

21

22 And I fished personally on those  
23 fishwheels back in 2005 when I was living in Anchorage.  
24 I'd fly up to the upper rivers of the Yukon and fish  
25 those fishwheels. And to me personally fishing  
26 fishwheels are a lot harder than the way we fish down  
27 here. They catch fish that are just like how we're  
28 given our fish. Whatever's caught in the net, we take  
29 when available. Whatever's put into their fishwheels,  
30 they take what's available. As theirs goes, they're  
31 not able to move their fishwheels wherever they like  
32 based on the currents and stuff like that. They have  
33 to have them set in a certain spot at a certain time so  
34 that they don't get washed out or they don't hit the  
35 bottom and ruin their fishwheel. In 2005 they had a  
36 lot of problems with ruining the fishwheels based on  
37 where they had them set, but overall the fishwheels I  
38 believe personally from my point of view along with  
39 others I have talked to about this proposal said that  
40 they didn't want this proposal to go through. And that  
41 was both the Upper and Lower Yukon people, younger  
42 generation.

43

44 Thanks.

45

46 CHAIRMAN L. WILDE: Thank you, Alissa.

47

48 Any further comments from the public.

49

50 (No comments)

1 CHAIRMAN L. WILDE: If not, it's up to  
2 the Advisory Council deliberation, recommendation,  
3 justification. Mr. Roczicka.

4  
5 MR. ROCZICKA: Mr. Chairman. Move to  
6 support Proposal 11-04.

7  
8 CHAIRMAN L. WILDE: The motion's been  
9 made to support Proposal FP11-04. Do I hear a second  
10 to that proposal.

11  
12 MR. ONEY: Second.

13  
14 CHAIRMAN L. WILDE: Seconded by Mr.  
15 Oney. Mr. Oney seconded.

16  
17 Any further discussion.

18  
19 MR. UNOK: Question.

20  
21 CHAIRMAN L. WILDE: The question's  
22 called for by Mr. Unok.

23  
24 Oh, I'm sorry, go ahead, Mr. Roczicka.

25  
26 MR. ROCZICKA: Thank you, Mr. Chairman.  
27 They advise me to make some kind of a justification on  
28 the record. For Staff, it's been requested in the past  
29 on how we vote, where we're at. And there's no reason  
30 whatsoever for passing this proposal. It's more of a  
31 -- it would be anti-productive in my mind for something  
32 like this. Also it's a customary and traditional way  
33 even prior to nets as far as I'm concerned with fishing  
34 the rivers far back before there was the technological  
35 availability of driftnets and boats to run them. So  
36 just along with what we've heard as far as the  
37 potential on being a conservation measure and a help  
38 instead of a hindrance in this whole controversy  
39 between upriver and lower river and who gets what and  
40 where, and the productivity of the run. So I'm  
41 certainly going to vote no on the one.

42  
43 CHAIRMAN L. WILDE: Thank you, Greg.  
44 Any further comments. Any further comments.

45  
46 (No comments)

47  
48 CHAIRMAN L. WILDE: I think the  
49 question was called for on this back -- yes. Okay.  
50 Mr. Nick, please call the roll.

1 MR. NICK: Mr. Brown.  
2  
3 MR. BROWN: No.  
4  
5 MR. NICK: Mr. Charles.  
6  
7 MR. CHARLES: No.  
8  
9 MR. NICK: Mr. Oney.  
10  
11 MR. ONEY: No.  
12  
13 MR. NICK: Mr. Manumik.  
14  
15 MR. MANUMIK: No.  
16  
17 MR. NICK: Mr. Harry Wilde.  
18  
19 MR. H. WILDE: No.  
20  
21 MR. NICK: Mary Gregory is excused.  
22 Mr. Kelly.  
23  
24 MR. KELLY: No.  
25  
26 MR. NICK: Mr. Lester Wilde.  
27  
28 CHAIRMAN L. WILDE: No.  
29  
30 MR. NICK: Mr. Unok.  
31  
32 MR. UNOK: No.  
33  
34 MR. NICK: Mr. Gregory -- I'm sorry,  
35 Mr. Roczicka. I'm sorry.  
36  
37 MR. ROCZICKA: No.  
38  
39 MR. NICK: Robert Aloysius is excused.  
40 Mr. Andrew.  
41  
42 MR. ANDREW: No.  
43  
44 MR. NICK: Mr. Chair. 9 opposed, 2  
45 excused.  
46  
47 CHAIRMAN L. WILDE: Thank you.  
48 Proposal FP11-04 has failed.  
49  
50 We are down to item FP11-07. Mr.

1 Cannon.

2

3

MR. CANNON: Thank you, Mr. Chairman.

4

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The analysis for Proposal 11-07 begins on Page 131. This proposal was submitted by Stanislaus Sheppard with Mountain Village Working Group. It requests that use of gillnets be prohibited for the harvest of salmon in Districts 4 and 5 of the Yukon area to allow more fish to escape to the spawning grounds.

Current Federal and State regulations allow subsistence users to utilize drift gillnets to harvest salmon in the lower 500 miles of the Yukon River from the mouth upstream through Subdistrict 4A near the Village of Koyukuk. In Subdistricts 4B and 4C only Federally-qualified users may utilize drift gillnets for the harvest of Chinook salmon from June 10th through July 14th. Both Federal and State regulations do not allow the use of drift gillnets for the harvest of salmon in District 5. Therefore this proposal only applies to the use of drift gillnets for the harvest of salmon by Federally-qualified users in Federal public waters of District 4.

It should be noted that if this proposal were adopted, Federally-qualified users would still be able to fish with drift gillnets for Chinook and chum salmon under State regulations in State waters in just Subdistrict 4A under existing regulations.

The Federal drift gillnet fishery in 4B and 4C has been in place since 2005. The majority of Federally-qualified subsistence users fishing with drift gillnets in Subdistricts 4B and 4C are residents of the villages of Galena and Ruby. In the first five years of this fishery, an average of only 35 permits have been issued per year with an average of 7 permits actually fished. A total of 188 Chinook salmon have been harvested, which averages as 38 fish per year. This information is provided in Table 2 on Page 139 of your Council books.

When run projections indicate that escapement shortfalls are likely, fisheries managers have the ability and authority to restrict harvest under the existing regulatory management framework, such as reducing fishing time or not opening fishing periods to increase escapement as was done with Chinook

1 salmon escapement in 2009.

2

3 Thus the OSM preliminary conclusion is  
4 therefore not to support this proposal. Mr. Chairman.  
5 Thank you.

6

7 CHAIRMAN L. WILDE: Thank you, Mr.  
8 Cannon.

9

10 Fish and Game comments. Thank you, Mr.  
11 Buklis.

12

13 Go ahead.

14

15 MR. PAPPAS: This is George Pappas.  
16 Our comments are on Page 142. I'll be summarizing, but  
17 this was a little more difficult, so I'll do my best to  
18 summarize.

19

20 This proposal was submitted to prohibit  
21 the use of drift gillnets in Yukon River Districts 4  
22 and 5 by Federal subsistence users in order to allow  
23 more fish to escape to the spawning grounds. The  
24 creation in 2005 of the Federal subsistence drift  
25 gillnet fishery in Subdistricts 4B and 4C of the Yukon  
26 River by the Federal Subsistence Board, expanded  
27 fishing opportunity on a fully utilized stock  
28 classified as a stock of yield concern. At the time  
29 Department Staff were concerned that interest in  
30 harvest efficiency in this new fishery would result in  
31 additional pressure on a stock classified as a yield  
32 concern. Based on returned permits and reports  
33 prepared by the Federal Subsistence Program, few  
34 fishermen use this gear type and few fish are  
35 harvested. State resource managers continue to monitor  
36 participation and harvest associated with this fishery.

37

38

39 The Alaska Board of Fisheries  
40 determined that drift gillnets are not customary and  
41 traditional gear types used in Subdistricts 4B and C,  
42 and experience with the fishery has shown that their  
43 use is problematic in this area due to river morphology  
44 and the amounts of large woody debris in the water  
45 column. Many sections of the river in Subdistricts 4B  
46 and C are too shallow to effectively or efficiently use  
47 drift gillnets and the large woody debris can entangle  
48 nets resulting in great cost to the fishermen. The  
49 Department considers the use of set gillnets and  
50 fishwheels as providing a meaningful Federal

1 subsistence priority.

2

3                   Concerns for potential impacts to other  
4 users, Canadian Chinook salmon stocks and fisheries  
5 management are reasons that the Yukon-Kuskokwim Delta  
6 and Eastern Interior Regional Advisory Councils, the  
7 Alaska Board of Fisheries, and the Yukon Delta River  
8 Fisheries Association and the Department originally  
9 opposed the drift gillnet fishery in this area.  
10 Despite recent data that indicates this fishery is  
11 having limited impact on reducing fishing effort or  
12 harvest, the Department remains concerned about the  
13 expanded drift gillnet fishery in Subdistricts 4B and C  
14 on stocks of yield concern.

15

16                   Because Subdistrict 4A has large  
17 tributary streams with different salmon stocks,  
18 prohibiting drift gillnets in Subdistrict 4A could have  
19 a negative impact on Federal subsistence users fishing  
20 for Chinook and fall chum salmon. Prohibiting the use  
21 of drift gillnets as a gear type available to  
22 subsistence users in Subdistricts 4B and 4C is not  
23 expected to reduce salmon harvest by many fish at all.

24

25                   Since establishment of the Federal  
26 subsistence drift gillnet fishery in 2005, there has  
27 been relatively low fishing effort, and the harvest of  
28 Chinook salmon based on their returned permits and  
29 reports prepared by the Federal program. Thus the  
30 impact on Federal subsistence users is expected to be  
31 minimal.

32

33                   From the Department's -- from, excuse  
34 me, the State's -- opportunity provided by the State,  
35 drift gillnets may be used from June 10th through July  
36 14th for subsistence fishing in Subdistrict 4A to  
37 target Chinook salmon and chum salmon may be targeted  
38 with drift gillnets after August 2nd.

39

40                   Regarding jurisdiction issues,  
41 individuals are responsible for knowing what gear type  
42 is allowed in a particular area. While standing on  
43 State or private lands, including State-owned submerged  
44 lands and shore lands, persons must comply with State  
45 laws and regulations.

46

47                   If this proposal is adopted, State and  
48 Federal regulations will be the same for Subdistricts  
49 4B and C, but will be different in Subdistrict 4A. So  
50 the Department's recommendation is to support with

1 modification. (1) Oppose prohibition of drift gillnets  
2 in Subdistrict 4A, which is currently legal under State  
3 regulation; and (2) support prohibition of drift  
4 gillnets in 4B and 4C.

5

6 Thank you, Mr. Chair.

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STATE OFFICIAL WRITTEN COMMENTS  
\*\*\*\*\*

Alaska Department of Fish and Game  
Comments to the Regional Advisory Council

Fisheries Proposal FP11-07:

Prohibit use of drift gillnets in  
districts 4 and 5 of the Yukon River Management Area.

Introduction:

Stanislaus Sheppard of the Mountain  
Village Working group submitted this proposal to  
prohibit use of drift gillnets in Yukon River districts  
4 and 5 by federal subsistence users in order to allow  
more fish to escape to the spawning grounds. Federal  
subsistence regulations allow subsistence fishing with  
drift gillnets in District 4 (including subdistricts  
4-A, 4-B, and 4-C) but not in District 5.

The creation in 2005 of the federal  
subsistence drift gillnet fishery in subdistricts 4-B  
and 4-C of the Yukon River by the Federal Subsistence  
Board expanded fishing opportunity on a fully utilized  
stock classified as a stock of yield concern. At the  
time, department staff were concerned that interest and  
harvest efficiency in this new fishery would result in  
additional pressure on a stock classified as a yield  
concern. Based on returned permits and reports  
prepared by the federal subsistence program, few  
fishermen use this gear type and few fish are  
harvested. State resource managers continue to monitor  
participation and harvest associated with this fishery.  
The Alaska Board of Fisheries reviewed this stock of  
concern designation in January 2010 and continued to  
support the classification.

The Alaska Board of Fisheries  
determined that drift gillnets are not a customary and  
traditional gear type used in subdistricts 4-B and 4-C,

1 and experience with the fishery has shown that their  
2 use is problematic in this area due to river morphology  
3 and amount of large woody debris in the water column.  
4 Many sections of the river in subdistricts 4-B and 4-C  
5 are too shallow for efficient use of drift gillnets,  
6 and large woody debris can entangle nets, resulting in  
7 great cost to the fisherman. The department considers  
8 use of set gillnets and fish wheels as providing a  
9 meaningful federal subsistence priority. Concerns for  
10 potential impacts to other users, Canadian Chinook  
11 salmon stocks, and fisheries management are reasons the  
12 Yukon-Kuskokwim Delta and Eastern Interior Regional  
13 Advisory Councils, Alaska Board of Fisheries, Yukon  
14 River Delta Fisheries Association, and the department  
15 originally opposed the drift gillnet fishery in this  
16 area. Despite recent data that indicate this fishery  
17 is having limited impact on reducing fishing effort or  
18 harvests, the department remains concerned about an  
19 expanded drift gillnet fishery in subdistrict 4-B and  
20 4-C on a stock of yield concern.

21

22 Impact on Subsistence Users:

23

24 Adoption of this proposal would  
25 restrict federal subsistence fishermen from harvesting  
26 salmon using drift gillnets in subdistricts 4-A, 4-B,  
27 and 4-C where it is currently authorized by federal  
28 regulations on waters where federal jurisdiction is  
29 claimed. Because Subdistrict 4-A has large tributary  
30 streams with different salmon stocks, prohibiting drift  
31 gillnets in Subdistrict 4-A could have a negative  
32 impact on federal subsistence users fishing for Chinook  
33 and fall chum salmon. Prohibiting use of drift  
34 gillnets as a gear type for federal subsistence users  
35 in subdistricts 4-B and 4-C is not expected to reduce  
36 salmon harvest by many fish, if at all. Since  
37 establishment of the federal subsistence drift gillnet  
38 fishery in 2005, there has been relatively low fishing  
39 effort and harvest of Chinook salmon, based on returned  
40 permits and reports prepared by the federal program.  
41 Thus, the impact upon federal subsistence users is  
42 expected to be minimal.

43

44 Opportunity Provided by State:

45

46 Current state regulations are based on  
47 customary and traditional fishing patterns and gear  
48 types. The legal gear for the state subsistence salmon  
49 fishery in subdistricts 4-B and 4-C and District 5  
50 includes fish wheels, hand lines, gillnet, and beach

1 seine. Drift gillnets are not allowed in subdistricts  
2 4-B and 4-C and District 5, but they are allowed in  
3 Subdistrict 4-A under state regulations.

4

5 Subsistence fishing time is based on  
6 the customary and traditional timing of fisheries and  
7 management strategies of the department. Subsistence  
8 openings correspond with timing of fish returns as they  
9 progress upstream through the system. Drift gillnets  
10 may be used from June 10 through July 14 for  
11 subsistence fishing in Subdistrict 4-A to target  
12 Chinook salmon, and chum salmon may be taken with drift  
13 gillnets after August 2.

14

15 Salmon may be harvested under state  
16 regulations throughout the majority of the Yukon River  
17 watershed, including a liberal subsistence fishery.  
18 Salmon may be harvested under state subsistence  
19 regulations throughout District 4 and subdistricts 5-A,  
20 5-B, and 5-C during two 48-hour periods per week from  
21 June 15 through September 30, as established by  
22 emergency order. The subsistence fishery in  
23 Subdistrict 5-D is open 24 hours per day, seven days  
24 per week. In addition to the 48-hour state subsistence  
25 fishing periods, the state subsistence fishery is open  
26 during commercial fishing periods but not during the 24  
27 hours prior to the opening of the commercial fishing  
28 season. State subsistence fishing periods are normally  
29 linked to abundance or commercial fishing periods and  
30 are conducted based on a schedule implemented  
31 chronologically, which is consistent with migratory  
32 timing as the salmon returns progress upstream. There  
33 are no household harvest limits for state subsistence  
34 fisheries in subdistricts 4 and 5. Amounts reasonably  
35 necessary for subsistence (5AAC 01.236 (b)), as  
36 determined by the Alaska Board of Fisheries in January  
37 2001, have been met for Chinook salmon in the Yukon  
38 River drainage for six of the last nine years (below  
39 ANS in 2002, 2008, and 2009).

40

41 Conservation Issues:

42

43 The Yukon River Chinook salmon stock is  
44 currently classified as a stock of yield concern. A  
45 majority of the Yukon River drainage escapement goals  
46 have been met or exceeded since 2000, including the  
47 Chena and Salcha rivers, which are the largest  
48 producers of Chinook salmon in the United States  
49 portion of the drainage. The agreed-to escapement  
50 objective for the Canadian mainstem was met every year



1 gillnets in subdistricts 4-B  
2 and 4-C.

3  
4 Cited References:

5  
6 Howard K.G., S.J. Hayes, and D.F.  
7 Evenson. 2009. Yukon River Chinook salmon stock status  
8 and action plan 2010; a report to the Alaska Board of  
9 Fisheries. Alaska Department of Fish and Game, Special  
10 Publication No. 09-26, Anchorage.

11  
12 CHAIRMAN L. WILDE: Thank you, Mr.  
13 Pappas.

14  
15 Do we have any Tribal agency comment --  
16 first of all, questions for Mr. Pappas here. Did you  
17 an additional comment?

18  
19 MR. PAPPAS: This is off the subject  
20 matter, but we were discussing in the crowd there  
21 earlier having youth come to this meeting, and actually  
22 discussing Federal subsistence regulations and issues  
23 on Facebook is the future. That's the first time I  
24 think that word has been mentioned in this arena, and I  
25 was proud to be here when it happened.

26  
27 Thank you, Mr. Chair.

28  
29 CHAIRMAN L. WILDE: Thank you. Any  
30 Tribal agencies.

31  
32 Any questions for Mr. Pappas before he  
33 leaves.

34  
35 (No comments)

36  
37 CHAIRMAN L. WILDE: Thank you, Mr.  
38 Pappas.

39  
40 Tribal agency comments.

41  
42 (No comments)

43  
44 CHAIRMAN L. WILDE: Fish and game  
45 advisory committee comments.

46  
47 MR. CHARLES: No comments.

48  
49 CHAIRMAN L. WILDE: No comments.  
50 Summary of written public comments. Mr. Sandone. I

1 recognized you, but you're pointing at him. So we'll  
2 let him have it.f

3

4 (Laughter)

5

6 CHAIRMAN L. WILDE: Mr. Nick.

7

8 MR. NICK: Thank you, Mr. Chair. We  
9 received 11 public comments in opposition to the  
10 proposal. Mr. Chair.

11

12 CHAIRMAN L. WILDE: Thank you. That  
13 was for which proposal? 07?

14

15 MR. NICK: That was 07. Mr. Chair.

16

17 CHAIRMAN L. WILDE: Thank you. Mr.  
18 Sandone, continue, please. Or start.

19

20 MR. SANDONE: Thank you, Mr. Chair.  
21 Okay. Proposal FP11-07. Kwik'pak Fisheries'  
22 recommendation, we oppose the prohibition of drift  
23 gillnets in Subdistrict 4A, and we support the  
24 prohibition of drift gillnets in Subdistricts 4B and  
25 4C. So we split it.

26

27 We support the prohibition of drift  
28 gillnets in Subdistricts 4B and 4C, because it is not  
29 traditional gear type used in the area, and we believe  
30 it expands and increases the harvest on Canadian  
31 Chinook salmon stock. When efforts are being  
32 considered to transfer subsistence harvest from the  
33 Canadian stock to Alaskan stocks when runs are poor,  
34 the continuation of this drift gillnet fishery is  
35 counterproductive. Although participation in Chinook  
36 salmon harvest have been low in this fishery, there is  
37 concern that this fishery could support more  
38 participation and higher harvests.

39

40 One important change in the methods  
41 that people used to fish salmon in the middle river as  
42 reported by Wolfe and Scott in 2009 is that there's  
43 fewer fishwheels being employed, and that fishermen are  
44 drifting with gillnets, are now utilized in some areas.  
45 As we have seen in FP11-04, fishwheels catch smaller  
46 fish and more male fish than gillnets. This change not  
47 only allows a higher proportion of smaller  
48 predominantly male fish to arrive on the spawning  
49 grounds, but also increases the harvest on the large  
50 and largest Chinook salmon as well.

1                   In District 4, the number of Chinook  
2 salmon harvested is increasing. You can look at Figure  
3 3 on Page 8, and District 4 is the blue line. I'd note  
4 that District 2 harvest is also increasing, but the  
5 population has increased in District 2.

6  
7                   Additionally, Wolfe and Scott point out  
8 increased drifting appears to be associated with an  
9 increased reliance of Chinook salmon in middle river  
10 villages as measured by the per capita harvests. And  
11 if you look at Figure 4, again the blue line is  
12 District 4, and in recent years we're seeing an  
13 increase in harvest, average Chinook salmon harvest per  
14 fishing household.

15  
16                   Previously, I'm going back to Wolfe and  
17 Scott now, and they quote, previously a greater mix of  
18 gear types, such as fishwheels, dipnets, setnets and  
19 drift dipnets caught substantial quantities of chum  
20 salmon. Shifts from shore-based gear because of  
21 reduced local needs for dog food and closure of roe  
22 fisheries towards the large mesh gillnets drifted in  
23 mid river appear to be associated with increased per  
24 capita Chinook catches for subsistence food.

25  
26                   Therefore, the increase in Chinook  
27 salmon harvest in the middle river not only translate  
28 into more Chinook salmon being harvested, but probably  
29 results in larger Chinook salmon being harvested. And  
30 this is also more reason to oppose the proposal that  
31 you just voted on, 04, to prohibit fishwheels.

32  
33                   Mr. Chair.

34  
35                   CHAIRMAN L. WILDE: Thank you, Mr.  
36 Sandone. Any other public comments.

37  
38                   (No comments)

39  
40                   CHAIRMAN L. WILDE: Mr. Roczicka, any  
41 questions for Mr. Sandone.

42  
43                   MR. ROCZICKA: Thank you, Mr. Chair.  
44 Gene, the Wolfe in this study, Wolfe and Scott that you  
45 mentioned there, is that the Wolfe that was a long-term  
46 Subsistence Division?

47  
48                   MR. SANDONE: Yes. Mr. Chair. Mr.  
49 Roczicka, yes.

50

1 MR. ROCZICKA: Okay. I had another  
2 question, but I got the answer from your testimony.  
3  
4 CHAIRMAN L. WILDE: Any further  
5 comments. Public comments.  
6  
7 (No comments)  
8  
9 CHAIRMAN L. WILDE: There being none,  
10 thank you, Mr. Sandone.  
11  
12 Regional Advisory Council deliberation,  
13 recommendation, and justification. Mr. Roczicka.  
14  
15 MR. ROCZICKA: Mr. Chairman. Move to  
16 support Proposal 05.  
17  
18 CHAIRMAN L. WILDE: The motion's been  
19 made to support Proposal.....  
20  
21 MR. ROCZICKA: I'm sorry. 07.  
22  
23 CHAIRMAN L. WILDE: .....FP11-07. Do I  
24 hear a second.  
25  
26 MR. CHARLES: Second.  
27  
28 CHAIRMAN L. WILDE: Seconded by Mr.  
29 Charles. Any further discussion. Any further  
30 discussion.  
31  
32 (No comments)  
33  
34 MR. CHARLES: Question.  
35  
36 CHAIRMAN L. WILDE: Question's called  
37 for. Mr. Nick, please call the roll.  
38  
39 MR. NICK: Mr. Brown.  
40  
41 MR. BROWN: No.  
42  
43 MR. NICK: Mr. Charles.  
44  
45 MR. CHARLES: No.  
46  
47 MR. NICK: Mr. Oney.  
48  
49 MR. ONEY: I will split my vote.  
50 Oppose prohibition of drift gillnets in Subdistrict 4A,

1 support prohibition of drift gillnets in Subdistricts  
2 4B and 4C according to the comment by ADF&G.

3

4 CHAIRMAN L. WILDE: If I may make one  
5 statement. The proposal reads as follows. 07. The  
6 proposed regulation reads: In District 4, 5 and 6 you  
7 may not take salmon for subsistence purposes by drift  
8 gillnets. That is the proposal we're voting on.  
9 There's no additions or anything else in that proposal  
10 as far as the proposed proposal was. Okay, Mr. Oney?

11

12 Continue, Mr. Nick.

13

14 MR. NICK: What is your vote, Mr. Oney.

15

16 MR. ONEY: So I will vote no.

17

18 MR. NICK: Okay. Mr. Manumik.

19

20 MR. MANUMIK: No.

21

22 MR. NICK: Mr. Harry Wilde.

23

24 MR. H. WILDE: Mr. Chairman.

25

26 CHAIRMAN L. WILDE: Mr. Wilde.

27

28 MR. H. WILDE: I do support this for  
29 the reason in the Lower Yukon from this village up  
30 there's no hardly any eddies. If we support this, we  
31 may have to move out to mouth of Yukon River so with  
32 their net to have look for eddy every time when we want  
33 to go out subsistence and commercial. We have to  
34 understand if the people are doing hard way or easy  
35 way.

36

37 I've been fishing for over 65 years in  
38 the Yukon River. In the Yukon River every year channel  
39 change in the mouth of Yukon. That's the reason I am  
40 not supporting this, because we're going to have no  
41 fishwheels to work with. We've got hardly any eddies  
42 from this village up. People, they have it down in  
43 mouth of Yukon, yeah. I used to fish down there long  
44 time ago. You better think about other people. Monies  
45 not everything. Subsistence is also that people needs.  
46 Like now, this summer, I had only seven king salmon,  
47 that's all. Last year I had five. We've got to have  
48 an eddy or we can't do it. We lost our fishwheel,  
49 yeah. We're going to have no fishwheel down there any  
50 more. That's why I'm not supporting this.

1 MR. NICK: My understanding is your  
2 vote is oppose?  
3  
4 MR. H. WILDE: Oppose.  
5  
6 MR. NICK: Okay. Mary Gregory's  
7 excused. Mr. Kelly.  
8  
9 MR. KELLY: No.  
10  
11 MR. NICK: Mr. Lester Wilde.  
12  
13 CHAIRMAN L. WILDE: No.  
14  
15 MR. NICK: Mr. Unok.  
16  
17 MR. UNOK: No.  
18  
19 MR. NICK: Mr. Roczicka.  
20  
21 MR. ROCZICKA: No.  
22  
23 MR. NICK: Robert Aloysius excused.  
24 John Andrew.  
25  
26 MR. ANDREW: No.  
27  
28 MR. NICK: Mr. Chair. 10 opposed, 2  
29 excused.  
30  
31 CHAIRMAN L. WILDE: Proposal 07 is  
32 defeated.  
33  
34 Yes, Mr. Roczicka.  
35  
36 MR. ROCZICKA: Mr. Chairman. I'd like  
37 to give notice at this point of a potential  
38 reconsideration. I voted on the prevailing side in  
39 order to do that, but I think that this proposal as was  
40 reflected by some of the comments coming through  
41 deserves a little bit more consideration on possible  
42 modification that we might come forward with.  
43  
44 CHAIRMAN L. WILDE: That's a  
45 possibility if anybody's interested in doing so.  
46  
47 At this time we're going to take a 10-  
48 minute break and after that we will get into customary  
49 and traditional.  
50

1 MR. NICK: Mr. Chair.

2

3 CHAIRMAN L. WILDE: Yes. Oh, I'm  
4 sorry. I forgot to -- there was a correction on 04  
5 vote. I think Alex had a comment or something.

6

7 MR. NICK: Yeah. I'd like to thank  
8 Larry for pointing it out. I miscalculated the vote on  
9 FP11-04. The actual vote tally is 10 in opposition and  
10 2 abstention -- or rather 2 excused rather.

11

12 CHAIRMAN L. WILDE: Thank you. If the  
13 Chair could count, I would have probably noticed that,  
14 too, but I didn't catch that either.

15

16 We'll have a break for 10 minutes.

17

18 (Off record)

19

20 (On record)

21

22 (Mary Gregory present)

23

24 CHAIRMAN L. WILDE: Order, please. We  
25 are down to item FP11-05. And Mr. Buklis, who is the  
26 presenter. David Jenkins. You have the floor.

27

28 MR. JENKINS: Mr. Chair. Council  
29 members. Good afternoon. My name is David Jenkins.  
30 I'm an anthropologist with the Office of Subsistence  
31 Management.

32

33 And today you have in front of you  
34 three proposals to limit or stop customary trade in  
35 Yukon River districts. And OSM opposes each proposals.  
36 I'll take these in turn, but I'll just briefly mention  
37 all three of them.

38

39 First we'll talk about FP11-05, which  
40 is a proposal to stop customary trade of salmon in  
41 Yukon River Districts 4 and 5 and a related proposal to  
42 stop the use of salmon for dog food in these districts.  
43 And then next is FP11-08 and we'll talk about the  
44 proposal to stop customary trade of Chinook salmon when  
45 runs are too small to satisfy subsistence needs and  
46 subsistence fisheries are restricted. And finally  
47 FP11-09, we'll talk about the proposal to limit the  
48 customary trade of Chinook salmon in the entire Yukon  
49 River management area and the recommendation for record  
50 keeping of all customary trades. And then finally what

1 I'll do is address an alternative for Proposals FP11-08  
2 and FP11-09 for your consideration. Okay.

3

4                   So let's start with FP11-05. It starts  
5 on Page 112 of your Council books. It was submitted by  
6 Stanislaus Sheppard on behalf of the Mountain Village  
7 Working Group, and it has two parts. It requests that  
8 the Federal Subsistence Board stop customary trade of  
9 salmon in Yukon River Districts 4 and 5, and it  
10 requests that the Board stop the use of salmon for dog  
11 food in Yukon River Districts 4 and 5 with one  
12 exception. And that exception is whole Chinook salmon  
13 caught incidently during the subsistence chum salmon  
14 fishery in the Koyukuk River drainage after July 10.

15

16                   So why should customary trade be  
17 stopped? Well, the proponent states that stopping the  
18 sale of salmon under customary trade and stopping the  
19 use of salmon for dog food will increase the amount of  
20 subsistence-caught salmon available for human  
21 consumption and will result in more salmon escaping to  
22 spawning grounds.

23

24                   Let me briefly run through the  
25 regulatory history of customary trade. There's a  
26 longer discussion in the analysis, but I'll just touch  
27 on a couple of the key points in this regulatory  
28 history.

29

30                   As you know, Title VIII of the 1980  
31 ANILCA recognized customary trade as a subsistence  
32 activity. Now, although customary trade was undefined  
33 in ANILCA, it was later defined in regulations as the  
34 exchange of cash -- for cash, pardon me. The exchange  
35 for cash of fish and wildlife resources. And that's  
36 what customary trade is, the exchange for cash. By  
37 2000, 20 years later, the Federal Subsistence Board  
38 recognized that regulations regarding customary trade  
39 needed further clarification.

40

41                   Now, it's worth emphasizing that  
42 customary trade as defined by Federal regulation refers  
43 only to subsistence-caught fish or wildlife exchanged  
44 for cash provided such exchanges do not constitute a  
45 significant commercial enterprise. Any exchanges of  
46 subsistence-caught fish for cash that rise to the level  
47 of a significant commercial enterprise are not  
48 customary trades and are prohibited under Federal  
49 regulations. The problem is that the term significant  
50 commercial enterprise was not defined in regulation,

1 and as I say, this posed a problem. No one knew when  
2 customary trade ended and a significant commercial  
3 enterprise began. Okay.

4  
5 In later years the Federal Board  
6 reviewed and adopted two proposals defining the upper  
7 limits of customary trade. For the Bristol Bay fishery  
8 management area the Board limited the cash value per  
9 household of salmon exchanged in customary trade  
10 between rural residents to no more than \$500 annually,  
11 and it limited the cash value per household of salmon  
12 exchanged in customary trade between rural residents  
13 and others to no more than \$400 annually.

14  
15 In the Upper Copper River district, the  
16 Board limited the total number of salmon per household  
17 exchanged in customary trade between rural residents to  
18 no more than 50 percent of the annual harvest. Okay.  
19 The Board also limited the cash value of such exchanges  
20 between rural residents and others to no more than \$500  
21 annually.

22  
23 So these are the two instances in which  
24 the Board made regulations governing customary trade  
25 for the Bristol Bay area and for the Upper Copper River  
26 district. Okay.

27  
28 Now, what about dog food. The  
29 regulatory history of dog food goes like this. In 2001  
30 the Federal Subsistence Board adopted regulations  
31 requiring that in the Yukon River district drainage  
32 Chinook salmon are to be primarily for human  
33 consumption and not for dog food. There was one  
34 exception, jack kings that were 16 inches or smaller.  
35 And then in the following year the Board revised that  
36 regulation, and that regulation in its entirety can be  
37 seen on Page 112 of your books.

38  
39 So these are the regulations,  
40 regulatory history for customary trade and for salmon  
41 used for dog food.

42  
43 Now, the question that the Board wanted  
44 answered was what levels of customary trade were  
45 occurring, because nobody seemed to know. How many  
46 fish were being sold, or their parts, or processed  
47 fish. How many were being sold under this label of  
48 customary trade. And the Board then funded three  
49 studies to try to understand what the levels of  
50 customary trade were. One was in the Bristol Bay area,

1 another was in the Seward Peninsula area, and the third  
2 was on three communities on the Yukon River: Alakanuk  
3 and Holy Cross and Tanana. Those are the three  
4 communities that Moncrieff studied. Let me very  
5 briefly summarize her results on customary trade.

6  
7 She interviewed 28 fishers in these  
8 three communities, and they reported that they engaged  
9 in customary trade only if they first harvested  
10 sufficient fish for their own family's use and  
11 satisfied their obligations to share fish with their  
12 network of family and friends. Only after that point  
13 did they engage in customary trade and exchanging fish  
14 or their parts for cash. Moncrieff didn't address  
15 commercial or market-level transactions in her report,  
16 so we don't know from these three communities what  
17 commercial levels of subsistence-caught fish were being  
18 -- what were being sold at commercial levels.

19  
20 Two other studies of customary trade  
21 also support this idea that people typically  
22 subsistence fish for their families and their extended  
23 families first and engage in customary trade second.  
24 One was in the Bristol Bay area as I mentioned; the  
25 other was in the Seward Peninsula area. And the key  
26 findings from those studies were that customary trade  
27 is common in these areas, but infrequent. It doesn't  
28 happen all the time, but a fairly large number of  
29 people engage in it. And that cash sales are for  
30 relatively small sums of money with a couple of  
31 exceptions. And the third point is that these  
32 customary trades are not part of the market economy, so  
33 prices for subsistence-caught fish under customary  
34 trade are determined largely by tradition and not by  
35 markets, not by market forces. All right.

36  
37 So that's briefly some of the studies  
38 that have been going on trying to figure out what  
39 customary trade is happening.

40  
41 What about salmon for dog food. The  
42 second part of the proposal seeks to stop the use of  
43 salmon for dog food.

44  
45 Now, we do have two very interesting  
46 studies nearly 20 years apart looking at salmon for dog  
47 food. In 1991 David Andersen researched the use of  
48 salmon for dog food in seven communities along or near  
49 the Yukon River, including Fort Yukon, Huslia, Kaltag,  
50 Manley Hot Springs, Russian Mission, St. Mary's and

1 Tanana as well. Seventeen years later they studied  
2 these same seven communities. And their intention was  
3 to figure out the changes in the use of salmon for dog  
4 food between 1991 and 2008. Let me briefly summarize a  
5 couple of their findings.

6  
7 The number of mushing households  
8 declined from 95 to 42 in these seven communities. The  
9 number of sled dogs declined from over 1,300 to just  
10 under 700. The total pounds of fish harvested declined  
11 from 1,200,000 to just under 500,000 pounds. And of  
12 the fish fed to sled dogs, the percentage of salmon  
13 declined from 86 to about 71 percent, while the  
14 percentage of non-salmon increased from 13 to 28  
15 percent. So the use of salmon for sled dogs is clearly  
16 declining over these nearly 20 years of these two  
17 studies.

18  
19 Okay. Now what would be the effects of  
20 this proposal. Effects seeks to limit customary trade  
21 of salmon under paragraph 27(c)(11) which you can see  
22 in your books, which refers to customary trade between  
23 rural residents, and under 27(c)(12) which refers to  
24 customary trade between rural residents and others.  
25 And in both cases the proposal would stop customary  
26 trade of salmon in Yukon River Districts 4 and 5. Now,  
27 note that the salmon species are not identified in this  
28 proposal, and the limitation refers to all species of  
29 salmon found in the Yukon River.

30  
31 So if adopted, the proposal would  
32 prohibit customary trade of salmon and diminish the  
33 small amounts of cash generated by the sale of  
34 subsistence-caught salmon in Districts 4 and 5.

35  
36 And the proposal, as I said, seeks to  
37 preclude the use of salmon of any species for dog food  
38 in Yukon River Districts 4 and 5. However, the use of  
39 sled dogs, as you know, in rural Yukon communities is  
40 directly linked with subsistence fishing, which provide  
41 the bulk of sled dog food. The number of mushing  
42 households is decreasing, and the number of dogs is  
43 decreasing, and without subsistence-caught salmon, that  
44 trend may accelerate. In other words, precluding  
45 subsistence-caught salmon for use as dog food may  
46 effectively end most use of sled dogs in the Yukon  
47 area.

48  
49 So OSM's preliminary conclusion is to  
50 oppose FP11-05.

1                                   CHAIRMAN L. WILDE: Thank you, Mr.  
2 Jenkins.  
3  
4                                   Alaska Department of Fish and Game  
5 comments.  
6  
7                                   Any questions for Mr. Jenkins.  
8  
9                                   MS. GREGORY: Mr. Chair. Let the  
10 record show I am back in the meeting.  
11  
12                                  And I had a comment that when the  
13 salmon get up as high as Koyukuk River, they're turning  
14 to be massegs by then, and how many people (In Yup'ik).  
15 All fish that go upstream to spawn lose their color and  
16 everything else and they turn red then. Their teeth  
17 get big and their nose get long, and they're not as  
18 fresh as you think they would be when they're first  
19 coming off the ocean. So with that, I'm saying I have  
20 no objection for them using it for dog food when it's  
21 -- when nearly dry, they get really, really hard,  
22 because there's no more fat in them, or oil. And I  
23 have dogs that live off my subsistence food.  
24  
25                                  And you guys should always make sure  
26 that you know what you're talking about before you make  
27 these proposals.  
28  
29                                  CHAIRMAN L. WILDE: Thank you, Mary.  
30 Any further comments. Questions.  
31  
32                                  MR. UNOK: Question.  
33  
34                                  CHAIRMAN L. WILDE: Mr. Roczicka.  
35  
36                                  MR. ROCZICKA: Mr. Chairman. David,  
37 you know, one of the hits there is that -- that you  
38 touched on was that significant commercial enterprise,  
39 and where that threshold is at. There must be some  
40 kind of discussions or guidelines within the  
41 InterAgency Committee to come forward, because I notice  
42 in some of these later proposals where you state --  
43 where we mention about the 200 pounds that were there,  
44 and saying, well, 200 pounds is not enough. Well, how  
45 do you determine that's not enough if you don't have  
46 some kind of a discussion and determination on what is  
47 that significant enterprise. And saying that 200 is  
48 not enough, how much is enough?  
49  
50                                  MR. JENKINS: That is one of the sig --

1 that is the significant issue. What is -- where does  
2 customary trade end and a significant commercial  
3 enterprise begin. And two Regional Councils dealt with  
4 that by imposing cash limits on customary trade. And  
5 it seems that it's up to Regional Councils to wrestle  
6 with that and try to determine within their regions  
7 what constitutes a significant commercial enterprise as  
8 distinct from customary trade practices. I don't have  
9 a ready answer to give you.

10  
11 CHAIRMAN L. WILDE: Okay, Mr. Roczicka?  
12 Mr. Unok?

13  
14 MR. UNOK: He answered it.

15  
16 CHAIRMAN L. WILDE: Okay. Any other  
17 questions of Mr. Jenkins.

18  
19 (No comments)

20  
21 CHAIRMAN L. WILDE: If not, thank you,  
22 Mr. Jenkins.

23  
24 Alaska Department of Fish and Game  
25 comments.

26  
27 MR. PAPPAS: Thank you, Mr. Chair.  
28 Department of Fish and Game. George Pappas.

29  
30 Our comments begin on Page 125, and our  
31 comments as Mr. Jenkins, Dr. Jenkins was saying, some  
32 of this is repeated through the other comments we have  
33 for the other proposals, so I'll just read those  
34 portions once and not repeat them. Try to be efficient  
35 here.

36  
37 This proposal seeks prohibiting sales  
38 for cash under customary trade to rural and non-rural  
39 residents of Federal subsistence Chinook salmon  
40 harvested from Yukon River Fishery Districts 4 and 5,  
41 to prohibit the use of all salmon for dog food in  
42 Districts 4 and 5 while allowing the use of whole fish  
43 unfit for human consumptions, scraps, or small fish  
44 under 16 inches or less in the remainder of the Yukon  
45 River drainage. In the Koyukuk drainage, restrict the  
46 use of Chinook incidentally harvested during a  
47 subsistence chum salmon fishery for use as dog food to  
48 the time period after July 10th

49  
50 State and Federal regulations

1 specifically allow customary trade of subsistence-  
2 harvested salmon and provide for use of salmon for dog  
3 food, but Federal and State regulations differ on the  
4 definition of customary trade, basically the sale of  
5 fish. State regulations generally prohibit the sale of  
6 subsistence-harvested fish while Federal regulations  
7 allow for cash sales. Furthermore, under current State  
8 regulations, all fish processed for commerce must be  
9 processed at a facility approved by Alaska Department  
10 of Environmental Conservation. Sale of subsistence-  
11 harvested fish, both processed and whole, is occurring  
12 in both urban and rural communities in Alaska contrary  
13 to existing State and Federal regulations.

14

15                   Discrepancy in State and Federal  
16 regulations, plus State requirements regarding  
17 processing of fish to protect public health and safety  
18 may leave some people vulnerable to citation under  
19 State and Federal regulations. This is a significant  
20 issue for State resource managers, law enforcement  
21 agencies, and Federal agencies that provide for a  
22 subsistence priority on Federal lands and those waters  
23 where a Federal subsistence management priority is  
24 claimed.

25

26                   In considering FP11-05, 11-08 and 11-  
27 09, the Federal Subsistence Board has the opportunity  
28 to adopt enforceable customary trade regulations that  
29 are based on history and patterns of use for this  
30 region of the State.

31

32                   As for impacts on subsistence users,  
33 it's not possible to accurately predict how this  
34 proposal will change harvest patterns or escapement of  
35 fish to the spawning grounds, because Federal agencies  
36 lack information and data regarding existing levels of  
37 harvest and actual sales of Chinook salmon.

38

39                   Subsistence users in Districts 4 and 5  
40 have to secure other sources of food -- would have to  
41 secure other sources of food for their dogs instead of  
42 Yukon River salmon harvested for subsistence under  
43 Federal regulations.

44

45                   Because State and Federal regulations  
46 differ, subsistence fishermen are vulnerable to  
47 prosecution when selling subsistence-harvested salmon  
48 on lands and waters outside of the boundaries where  
49 Federal subsistence jurisdiction is claimed. If  
50 adopted, this proposal would reduce the risk of

1 citation for subsistence fishermen in the Yukon River  
2 drainage through establishing limitations on cash sales  
3 of subsistence harvested salmon, a definition of  
4 significant commercial enterprise, a specified fish  
5 weight or numbers of fish -- or, excuse me, weight or  
6 number limits and reporting requirements for cash sales  
7 of subsistence-harvested salmon.

8

9                   The Department supports subsistence  
10 harvest and use of salmon consistent with existing  
11 State regulations, including customary trade. However,  
12 State regulations prohibit the sales of subsistence-  
13 harvested fish and their parts or eggs unless otherwise  
14 specified. And there are two exceptions in the State  
15 regulations. In the Norton Sound/Port Clarence area,  
16 some salmon are allowed to be sold for customary trade.  
17 In addition, Sitka Sound herring roe on kelp in  
18 Southeast Alaska can also be sold for cash.

19

20                   Jurisdiction issue. While standing on  
21 State or private lands, including State-owned submerged  
22 lands and shore lands, persons must comply with State  
23 regulations and laws and cannot sell subsistence  
24 harvested fish with two exceptions as specified, as I  
25 said earlier. Federal subsistence regulations,  
26 particularly customary trade regulations pertain only  
27 to fishing on and the use of fish harvested on Federal  
28 public lands and those waters where Federal subsistence  
29 jurisdiction is claimed. The sale of subsistence fish  
30 harvested from all lands and water, you know, be it  
31 Federal, State or private, is restricted by State  
32 regulation except to the extent superseded by Federal  
33 law on Federal lands.

34

35                   The State of Alaska maintains  
36 jurisdiction on food safety and food processing  
37 regulations regardless of where the fish are harvested.  
38 That's the reference to the DEC regulations earlier.

39

40                   While the Department prohibits --  
41 excuse me, while the Department support prohibition of  
42 use of Yukon River Chinook salmon for dog food to the  
43 extent already in regulation, the Department does not  
44 support prohibiting the use of other salmon species as  
45 dog food. Such a prohibition would represent a  
46 significant and additional restriction to subsistence  
47 in the absence of any conservation concern.

48

49                   The Department of Fish and Game  
50 supports adoption of enforceable Federal customary

1 trade regulations that specifically -- that specify  
2 limits on cash and establish reporting requirements.  
3 However, any restriction or regulations that specify  
4 limits and reporting requirements should be applied  
5 drainage-wide and not just to the area mentioned in  
6 this proposal.

7  
8 So the Department's recommendation for  
9 this proposal is to support limitations on sale of  
10 subsistence harvested salmon for cash that define  
11 significant commercial enterprise, that also specify  
12 fish weight or a numbers limit, and establish a  
13 reporting requirement of cash sales of subsistence  
14 harvested salmon. Regulations for customary trade may  
15 vary within a region, should be applied drainage-wide.

16  
17 Number 2, oppose prohibiting use of  
18 salmon other than Chinook salmon for dog food in  
19 Subdistricts 4 and 5.

20  
21 Number 3, the Department opposes  
22 restricting use of Yukon River Chinook salmon harvested  
23 incidently in other fisheries for dog food beyond that  
24 that's already provided in State regulation.

25  
26 And, number 4, finally, this issue  
27 should be addressed during a joint meeting between the  
28 three Regional Advisory Councils of the Yukon River  
29 drainage, because this issue potentially affects all  
30 subsistence users in the entire Yukon River drainage.

31  
32 Thank you, Mr. Chair.

33  
34 \*\*\*\*\*  
35 STATE OFFICIAL WRITTEN COMMENTS  
36 \*\*\*\*\*

37  
38 Alaska Department of Fish and Game  
39 Comments to the Regional Advisory Council

40  
41 Fisheries Proposal FP11-05:

42  
43 Prohibit sale for cash, under customary  
44 trade, to rural and non-rural residents of federal  
45 subsistence Chinook salmon harvested from Yukon River  
46 fishery districts 4 and 5. Prohibit use of all salmon  
47 for dog food in districts 4 and 5, while allowing use  
48 of whole fish unfit for human consumption, scraps, or  
49 small fish (16 inches or less) in the remainder of the  
50 Yukon River drainage. In the Koyukuk drainage,

1 restrict use of Chinook salmon incidentally caught  
2 during a subsistence chum salmon fishery for use as dog  
3 food to the time period after July 10.

4

5 Introduction:

6

7 This proposal, submitted by Stanislaus  
8 Sheppard of the Mountain Village Working Group, seeks  
9 to prohibit sale of subsistence Chinook salmon for cash  
10 under existing federal regulations for customary trade  
11 and to limit use of salmon for dog food. State and  
12 federal regulations specifically allow customary trade  
13 of subsistence-harvested salmon and provide for use of  
14 salmon for dog food, but federal and state regulations  
15 differ on the definition of customary trade (i.e., sale  
16 of fish). State regulations generally prohibit sale of  
17 subsistence-harvested fish# while federal regulations  
18 allow for cash sales. Furthermore, under current state  
19 regulations in 18 AAC 34.005, all fish processed for  
20 commerce must be processed at a facility approved by  
21 Alaska Department of Environmental Conservation.#

22

23 Sale of subsistence-harvested fish,  
24 both processed and whole, is occurring in both urban  
25 and rural communities in Alaska, contrary to existing  
26 state and federal regulations. Discrepancies in state  
27 and federal regulations, plus state requirements  
28 regarding processing of fish to protect public health  
29 and safety, may leave some people vulnerable to  
30 citation under state and federal regulations. This is  
31 a significant issue for state resource managers, law  
32 enforcement agencies, and federal agencies that provide  
33 for the subsistence priority on federal lands and those  
34 waters where a federal subsistence management priority  
35 is claimed. In considering FP11-05, FP11-08, and  
36 FP11-09, the Federal Subsistence Board has the  
37 opportunity to adopt enforceable customary trade  
38 regulations that are based on the history and patterns  
39 of this use for this region of the state.

40

41 Impact on Subsistence Users:

42

43 It is not possible to accurately  
44 predict how this proposal will change harvest patterns  
45 or escapement of fish to the spawning grounds, because  
46 federal agencies lack information and data regarding  
47 existing levels of harvest and actual sales of Chinook  
48 salmon. Subsistence users in Districts 4 and 5 would  
49 have to secure other sources of food for their dogs,  
50 instead of Yukon River salmon harvested for subsistence

1 under federal regulations. Because state and federal  
2 regulations differ, subsistence fishermen are  
3 vulnerable to prosecution when selling  
4 subsistence-harvested salmon on lands and waters  
5 outside the boundaries where federal subsistence  
6 jurisdiction is claimed. If adopted, this proposal  
7 would reduce the risk of citation for subsistence  
8 fishermen in the Yukon River drainage through  
9 established limitations on cash sales of  
10 subsistence-harvested salmon, a definition of  
11 significant commercial enterprise, specified fish  
12 weight or number limits, and reporting requirements for  
13 cash sales of subsistence-harvested salmon.

14

15 Opportunity Provided by State:

16

17 The department supports subsistence  
18 harvest and use of salmon consistent with existing  
19 state laws and regulations, including customary trade.  
20 However, 5 AAC 01.010 prohibits sale of  
21 subsistence-harvested fish, their parts, or their eggs  
22 unless otherwise specified in state regulation. There  
23 are only two exceptions listed in Chapter 5 of state  
24 regulations: Norton Sound-Port Clarence Area for  
25 salmon and Sitka Sound herring roe on kelp in Southeast  
26 Alaska.# Although state law allows harvest and use of  
27 finfishes such as salmon to feed dogs in support of  
28 transportation (i.e. AS 16.05.940(33)), the state  
29 prohibits targeting of Yukon River drainage Chinook  
30 salmon for dog food, with some exceptions.#

31

32 Conservation Issues:

33

34 The Yukon River Chinook salmon stock is  
35 currently classified as a stock of yield concern.  
36 Since 2001, subsistence fishing time in the Yukon Area  
37 has been limited by a windows schedule, which was  
38 further restricted in 2008 and 2009 because of  
39 conservation concerns for Chinook salmon. Subsistence  
40 harvest levels for Chinook salmon have been within the  
41 amounts reasonably necessary for subsistence (ANS)  
42 ranges since 2001, except for 2002, 2008, and 2009. A  
43 majority of the Yukon River drainage escapement goals  
44 have been met or exceeded since 2000, including the  
45 Chena and Salcha rivers, which are the largest  
46 producers of Chinook salmon in the United States  
47 portion of the drainage. The escapement objective for  
48 the Canadian mainstem was met every year from 2001  
49 through 2006, with 2001, 2003, and 2005 being the three  
50 highest spawning escapement estimates on record. The



1 not just to specific districts as proposed.

2

3

Recommendations:

4

5

1. Support limitations on sale of subsistence-harvested salmon for cash that define significant commercial enterprise, specify fish weight or number limits, and establish reporting requirements for cash sales of subsistence-harvested salmon. Regulations for customary trade may vary within regions but should be applied drainage-wide.

6

7

8

9

10

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17

18

2. Oppose prohibiting use of salmon other than Chinook salmon for dog food in subdistricts 4 and 5.

19

20

21

22

23

3. Oppose restricting use of Yukon River Chinook salmon harvested incidental to other fisheries for dog food beyond that which is already provided by state regulation.

24

25

26

27

28

29

30

4. This issue should be addressed during a joint meeting of the three Regional Councils within the Yukon River drainage because this issue potentially affects subsistence users in the entire Yukon River drainage.

31

32

33

34

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39

Cited References:

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41

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Howard K.G., S.J. Hayes, and D.F.

Evenson. 2009. Yukon River Chinook salmon stock status

1 and action plan 2010; a report to the Alaska Board of  
2 Fisheries. Alaska Department of Fish and Game, Special  
3 Publication No. 09-26, Anchorage.

4

5 CHAIRMAN L. WILDE: Thank you, Mr.  
6 Pappas. Do we have -- any Regional Council members  
7 have any questions. Mary.

8

9 MS. GREGORY: Mr. Pappas, on Page 1 of  
10 your paper, one, two, third paragraph. Can you give me  
11 a for instance, how you got to that place?

12

13 MR. PAPPAS: The first half of the  
14 paragraph discusses selling of processed food. Selling  
15 of processed food for human consumption in Alaska has  
16 regulations through the Department of Environmental  
17 Conservation.

18

19 MS. GREGORY: Processed meaning?

20

21 MR. PAPPAS: Strips. What's the  
22 definition. Smoked, cooked, gutted, so in the whole  
23 and frozen I think is okay. But that's what I mean.

24

25 MS. GREGORY: And how many of this did  
26 you come upon -- these reports are vague. I need more  
27 teeth to them before I can deliberate.

28

29 MR. PAPPAS: Through the Chair,  
30 Councilman Mary. I do not have enforcement examples of  
31 the numbers of fish being sold, the types of fish being  
32 sold under Federal subsistence, because that is not  
33 tracked through the Federal Subsistence Program.  
34 That's part of this proposal.

35

36 MS. GREGORY: So you're using Federal  
37 subsistence information to write this paper; is that  
38 what you're telling me?

39

40 MR. PAPPAS: Through the Chair. Part  
41 of this proposal and part of all three of these  
42 proposals is to establish some type of mechanism to  
43 track how many fish are being sold or customary trade  
44 for cash, and currently there is the Federal and State  
45 -- for the Federal Subsistence Program, there is not a  
46 reporting or tracking mechanism. So there is no data  
47 to state exactly how much is being harvested and  
48 customary traded in the Yukon area.

49

50 CHAIRMAN L. WILDE: Any further

1 questions. Anaan.

2

3 MS. GREGORY: Yeah. I hate to make all  
4 the stink about these things, but if I'm going to  
5 report on something, I get all the facts together, and  
6 I know I can go back to that person if there's more  
7 questions. You should do that. You shouldn't just  
8 make reports and recommendations on hearsay. You've  
9 got to check on them first. That's what we -- we don't  
10 get things done on the spur of the moment and just  
11 because a meeting is coming up you need to put a  
12 report. You need to work that year round.

13

14 CHAIRMAN L. WILDE: Mr. Pappas.

15

16 MR. PAPPAS: Through the Chair.  
17 Councilwoman Mary, I agree. And we ask the same thing  
18 of the Federal Subsistence Program. The Federal  
19 Subsistence Program is responsible for tracking such,  
20 because we don't have the information. It is the  
21 Federal subsistence fisheries that these proposals are  
22 addressing. The State does not track that. So that  
23 question is better addressed to the Federal program.

24

25 Thank you, Mr. Chair.

26

27 CHAIRMAN L. WILDE: Okay. Any further  
28 questions.

29

30 (No comments)

31

32 CHAIRMAN L. WILDE: If not, thank you,  
33 Mr. Pappas.

34

35 Any Tribal agency comments -- I'm  
36 sorry. Do you have any comments, Mr. Buklis?

37

38 MR. BUKLIS: Yes. Thank you, Mr.  
39 Chairman. Larry Buklis, Office of Subsistence  
40 Management.

41

42 In the course of our overview, before  
43 getting into this particular proposal, and in the  
44 course of the other comments you've received, there may  
45 be some confusion. Specifically, the proposal that's  
46 on the table before you, FP11-05 doesn't get into  
47 tracking sales, and it does not get into limiting  
48 through defining amounts. The proposal before you  
49 speaks to no longer allowing customary trade of salmon  
50 in Districts 4 and 5, and it does get into fish for dog

1 food. Salmon for dog food. But it does not get into  
2 the tracking or the limiting features. Those come up  
3 in later proposals, although you could take this and go  
4 in other directions through amendments.

5  
6 Thank you, Mr. Chairman.

7  
8 CHAIRMAN L. WILDE: Thank you, Mr.  
9 Buklis. And we'll go with your suggestion. There are  
10 other proposals that will take care of the other  
11 tracking portion of this customary trade.

12  
13 Any further questions.

14  
15 (No comments)

16  
17 CHAIRMAN L. WILDE: Any Tribal agency  
18 comments.

19  
20 (No comments)

21  
22 CHAIRMAN L. WILDE: Any fish and game  
23 advisory committee comments.

24  
25 MR. CHARLES: No.

26  
27 CHAIRMAN L. WILDE: None. Summary of  
28 written public comments. Mr. Nick.

29  
30 MR. NICK: Mr. Chair. This is for  
31 Proposal 05, right?

32  
33 CHAIRMAN L. WILDE: This is, yes.

34  
35 MR. NICK: Okay. In order to make it a  
36 little easier for the rest of the Council members, what  
37 I'm going to do is, with your permission, Mr. Chairman,  
38 do this, a portion of this in Yup'ik so that they'll  
39 understand what the public comments are.

40  
41 CHAIRMAN L. WILDE: Are you going to be  
42 reading all the comments?

43  
44 MR. NICK: No. In your executive  
45 summary, this page.

46  
47 CHAIRMAN L. WILDE: Yes.

48  
49 MR. NICK: Okay. On Page 111 we  
50 received written public comments, one supporting

1 .27(c)(11) and (12) portion of the proposal 11-05 with  
2 modification. What they're talking about is in this  
3 page you see these proposed regulations. He is  
4 supporting the first two and opposed the third one.

5  
6 With your permission so that the rest  
7 of the Council understand this, I would like to do a  
8 portion of this in Yup'ik.

9  
10 (In Yup'ik)

11  
12 MR. NICK: And in addition to that, Mr.  
13 Chair, we received 10 in opposition of the proposal.  
14 Mr. Chair.

15  
16 CHAIRMAN L. WILDE: Thank you, Mr.  
17 Nick.

18  
19 Public comments. Mr. Sandone.

20  
21 MR. SANDONE: My name is Gene Sandone.  
22 I'm from Wasilla, Alaska. I'm representing Kwik'pak  
23 Fisheries.

24  
25 On Proposal FP11-05, we oppose the  
26 prohibition of use of salmon other than Chinook salmon  
27 for dog food in Districts 4 and 5. We oppose  
28 restricting use of Yukon River Chinook salmon harvested  
29 incidental to other fisheries for dog food beyond that  
30 which is already provided by State regulations.

31  
32 Just to comment, we do support  
33 limitations on the sale of subsistence harvest salmon  
34 for cash that define significant commercial  
35 enterprises. There needs to be specifications on the  
36 fish weight or numbers of fish, and establish reporting  
37 requirements for cash sales of subsistence-harvested  
38 salmon. Regulations for customary trade may vary  
39 within region, but should be applied drainagewide.

40  
41 Mr. Chair.

42  
43 CHAIRMAN L. WILDE: Thank you, Mr.  
44 Sandone. Any questions for Mr. Sandone.

45  
46 (No comments)

47  
48 CHAIRMAN L. WILDE: Thank you.  
49 Regional Advisory Council deliberation, recommendation  
50 and justification. Mr. Roczicka.

1 MR. ROCZICKA: Mr. Chairman. Move to  
2 support Proposal 11-05.  
3  
4 CHAIRMAN L. WILDE: Motion's been made  
5 to support, pardon me, FP11-05. Do I hear a second.  
6  
7 MS. GREGORY: Second.  
8  
9 CHAIRMAN L. WILDE: Seconded by Mary  
10 Gregory. Any further discussion. Any Council  
11 discussion.  
12  
13 MS. GREGORY: Because of the 10  
14 oppositions from those users of this -- what page was  
15 that on, Alex?  
16  
17 MR. NICK: Page 126.  
18  
19 MS. GREGORY: On Page 126. Yeah. On  
20 written comments. I counted 10 oppositions of the  
21 people who are in those areas who are using the  
22 resources. I'm not going to support this. Doi.  
23  
24 CHAIRMAN L. WILDE: Thank you. Any  
25 other comments. Mr. Charles.  
26  
27 MR. CHARLES: Thank you, Mr. Chairman.  
28 I'm like Mary. I'm not going to support it, because  
29 the lower part of the Yukon River there, they don't  
30 have all the fish they want to catch. So the same way  
31 upriver. They're not going to -- if even we support  
32 it, it's going to hurt everybody downriver, too. So  
33 I'm like Mary, I'm not going to support it.  
34  
35 Thank you.  
36  
37 CHAIRMAN L. WILDE: Any further  
38 discussion. Any further discussion. Mr. Roczicka.  
39  
40 MR. ROCZICKA: Mr. Chairman. You know,  
41 it was pointed out that this proposal here precludes  
42 all customary trade of all salmon throughout those  
43 districts mentioned up there, and also for dog food in  
44 both of those. That was not the -- when we discuss  
45 this issue, which we'll get into later in Proposals 08  
46 and 09, they get more specific, would be the  
47 appropriate place to address the concerns before we put  
48 it in, but, yeah, for this one here, I'll be voting no  
49 on it as well.  
50

1 CHAIRMAN L. WILDE: Any further  
2 discussion. Mr. Unok.

3  
4 MR. UNOK: I was wondering why there's  
5 two on that FP11-05. I have a comment on the dog food.

6  
7 They have no limit of how much fish  
8 they can catch for their dog food. The dog food are  
9 used for commercial race dogs. Their leaders go up to  
10 -- they sell their dogs, lead dogs up to \$15,000 for  
11 Iditarod or any kind of dog races. My question is why  
12 they put those two together. I don't know how to vote  
13 on it.

14  
15 CHAIRMAN L. WILDE: Any further  
16 comments. Any further comments on FP11-05.

17  
18 (No comments)

19  
20 MR. ROCZICKA: Question.

21  
22 CHAIRMAN L. WILDE: The question's been  
23 called for. Mr. Nick, please call the roll.

24  
25 MR. NICK: Mr. Brown.

26  
27 MR. BROWN: I vote no.

28  
29 MR. NICK: Mr. Charles.

30  
31 MR. CHARLES: No.

32  
33 MR. NICK: Mr. Oney.

34  
35 MR. ONEY: No.

36  
37 MR. NICK: Mr. Manumik.

38  
39 MR. MANUMIK: No.

40  
41 MR. NICK: Mr. Harry Wilde.

42  
43 MR. H. WILDE: No.

44  
45 MR. NICK: Mary Gregory.

46  
47 MS. GREGORY: No.

48  
49 MR. NICK: Mr. Kelly.

50

1 MR. KELLY: No.  
2  
3 MR. NICK: Mr. Lester Wilde.  
4  
5 CHAIRMAN L. WILDE: No.  
6  
7 MR. NICK: Mr. Unok.  
8  
9 MR. UNOK: We have no to support or yes  
10 to support. I don't understand.  
11  
12 CHAIRMAN L. WILDE: Yes to support.  
13  
14 MR. UNOK: Yes to support. No.  
15  
16 MR. NICK: Mr. Roczicka.  
17  
18 MR. ROCZICKA: No.  
19  
20 MR. NICK: Robert Aloysius is excused.  
21 Mr. Andrew.  
22  
23 MR. ANDREW: No.  
24  
25 MR. NICK: Mr. Chair. I have 11 in  
26 opposition and 1 excused.  
27  
28 CHAIRMAN L. WILDE: Thank you. The  
29 proposal failed. We are to item FP11-08.  
30  
31 Before the executive summary, before  
32 the discussion on this, I'd like to make one comment.  
33 I'd like to turn the Chair over to Mr. Greg Roczicka  
34 for my comments on this proposal.  
35  
36 MR. ROCZICKA: Okay. I'm sitting in  
37 your chair. Mr. Wilde, do you have a comment to make?  
38  
39 CHAIRMAN L. WILDE: At the time that we  
40 were drafting proposals for this particular Proposal  
41 08, what we -- what I wanted down at the time that we  
42 were discussing this proposal was to have a way to make  
43 sure that everybody that was dealing in that customary  
44 trade had to have a record keeping of all their sales  
45 of the products that they sold. And I wanted that to  
46 be directed towards the proposal drafted as Proposal  
47 No. 9.  
48  
49 But myself, I feel that Proposal 8  
50 shouldn't be in this book, because it has something to

1 do with rural people that are in the rural areas having  
2 customary trade. I think customary trade is needed in  
3 the rural areas, because of the hardships that are  
4 going on in there, and I think this will only make it a  
5 little bit harder for our people to help themselves in  
6 the rural areas where the customary trade is really  
7 needed. And I feel that since this Proposal No. 08 was  
8 drafted by the Lower Yukon-Kuskokwim -- or by this RAC,  
9 that if you all feel the same way I do, that we should  
10 withdraw Proposal No. 8.

11

12 Mr. Chairman.

13

14 MR. ROCZICKA: Mr. Wilde. I guess I  
15 would, as far as making a Chair's ruling, I would say  
16 that all your comments would be perfectly appropriately  
17 repeated when it got to the deliberation stage. I  
18 didn't find anything in there that -- of course, I'm  
19 changing -- handing the gavel over.

20

21 CHAIRMAN L. WILDE: Well, Mr. Chairman,  
22 I wanted to make sure that I had my comments in place  
23 prior to the presentation of this proposal.

24

25 MR. ROCZICKA: Okay. With that, I hand  
26 the gavel back.

27

28 CHAIRMAN L. WILDE: Thank you. So what  
29 is the feeling of the people of our Council in my  
30 suggestion of withdrawing Proposal No. 08. Mr.  
31 Roczicka.

32

33 MR. ROCZICKA: Thank you, Mr. Chairman.  
34 I disagree with your interpretation. I think that it  
35 does away with the customary trade. What it does, the  
36 whole purpose and discussion that generated this was  
37 that we wanted to have something on record to start to  
38 address the abuses that we're seeing as far as people  
39 taking customary trade and turning it into a commercial  
40 enterprise and doing it under the guise of subsistence.  
41 In other words, giving subsistence a bad look and  
42 abusing the system that was there. And these two  
43 proposals that were laid out to us was the means to do  
44 that. Again, the Bristol Bay area, they put some caps  
45 in place. They're got specific numbers. Ours, we  
46 tried to qualify it to get after that commercial aspect  
47 of people making money when other areas have been shut  
48 down and subsistence had been restricted in the  
49 customary trade.

50

1                               So I don't see that -- you know, I hear  
2 where you're coming from, but I don't see it applying  
3 here.

4  
5                               CHAIRMAN L. WILDE: Any other Council  
6 members. Mr. Unok.

7  
8                               MR. UNOK: I agree with Mr., what's his  
9 name.

10  
11                              CHAIRMAN L. WILDE: With Mr. Roczicka?  
12

13                              MR. UNOK: Yeah. I brought up  
14 customary trade some years back to one of the Boards  
15 and I didn't like the idea of people misusing  
16 subsistence.

17  
18                              CHAIRMAN L. WILDE: If the Council  
19 feels that way, then we'll go ahead with FP11-08.

20  
21                              MR. JENKINS: Mr. Chair. David Jenkins  
22 with OSM again.

23  
24                              Proposal FP11-08 begins on Page 150 of  
25 your Council book, submitted as you noted by the YK  
26 Delta Subsistence Regional Advisory Council. And it  
27 requests that customary trade in the Yukon River  
28 fisheries management area be prohibited in any year  
29 when Chinook salmon runs are insufficient to fully  
30 satisfy subsistence harvest needs and subsistence  
31 fisheries are restricted.

32  
33                              Now, Mr. Chair, as you noted, the  
34 prohibition would only affect customary trade between  
35 rural residents. If you look on Page 151, the  
36 regulation, paragraph 27(c)(11) is between rural  
37 residents, and the proposed change is for that  
38 particular paragraph, and it's marked in bold and  
39 indicates when customary trade would be prohibited  
40 between rural residents.

41  
42                              Now the proponent states that  
43 prohibiting customary trade in years of poor Chinook  
44 salmon runs would have significant positive effects on  
45 fish populations as well as on the lawful subsistence  
46 fishers.

47  
48                              The proponent also states that under  
49 current regulations when Chinook runs are low,  
50 subsistence users are restricted, but not subsistence

1 uses. In the case of customary trade, the proponent  
2 argues the emphasis should be reversed and customary  
3 trade, a use, should be restricted before subsistence  
4 users are restricted.

5  
6 Now, the proponent was particularly  
7 concerned with, quote, numerous reports of Yukon River  
8 rural residents selling large numbers of Yukon Chinook  
9 salmon in the urban areas of our state.

10  
11 CHAIRMAN L. WILDE: Urban, right.  
12 Urban.

13  
14 MR. JENKINS: And again the proposal  
15 seeks to limit customary trade between rural residents,  
16 27(c)(11), and not between rural residents and others,  
17 27(c)(120). Okay.

18  
19 So as it stands, the current regulation  
20 doesn't target all of the -- or the current proposal  
21 rather doesn't target all of the relevant regulations.  
22 If adopted, if you choose to adopt this proposal, and  
23 if it were adopted, it would prohibit all customary  
24 trade of any subsistence caught fish between rural  
25 residents under the conditions stated in bold on Page  
26 151. And the amount of cash exchanged would thereby be  
27 diminished in customary trade.

28  
29 If the proposal is adopted moreover, a  
30 definition of when Chinook salmon runs are insufficient  
31 to fully satisfy subsistence harvest needs would need  
32 to be created. Although State subsistence regulations  
33 include amounts needed for subsistence, Federal  
34 subsistence regulations do not. So there would need to  
35 be a definition of that point.

36  
37 One of the problems is that the total  
38 number of fish exchanged in customary trade is unknown  
39 and so the effect of this proposal on fish populations  
40 is also not known.

41  
42 So OSM's preliminary conclusion is to  
43 oppose this proposal.

44  
45 I can discuss the alternative that we'd  
46 propose for this proposal, and it also applies to  
47 Proposal FP11-09.

48  
49 MS. GREGORY: Mr. Chair. Can I ask for  
50 just to talk about what's in front of us rather than

1 going to other places to confuse us.

2

3 CHAIRMAN L. WILDE: We just address the  
4 proposal as is without going into the other.

5

6 MR. JENKINS: That's your prerogative.

7

8 CHAIRMAN L. WILDE: Thank you. Any  
9 other questions for Mr. Jenkins. Mr. Roczicka.

10

11 MR. ROCZICKA: Mr. Chair. You brought  
12 up another point that is a major shortcoming within the  
13 Federal system, that you do not -- you've apparently  
14 accepted the amounts necessary for subsistence for  
15 management by the State, but yet you refuse to -- or  
16 not refuse, I don't know what you'd -- do not want to  
17 recognize those same numbers in the Federal management  
18 program. And that's what needs to be done. That's  
19 another point here that we need to raise, and  
20 especially when we get into wildlife issues, that those  
21 are threshold, those are pretty deeply thought out and  
22 hashed out and chewed out and chewed over and spit out  
23 and brought back, you know, over the course of many  
24 years. And that is what needs to happen here, the same  
25 as we need to address the issue of what's a significant  
26 commercial enterprise. And so recognizing those  
27 numbers of ANS, if it's -- and we have subsistence  
28 restrictions going on, and you're seeing 50 to 60  
29 percent -- villages reporting getting only 50 to 60  
30 percent of their harvest, that's what this proposal's  
31 intent was to do.

32

33 So can you recognize amounts necessary  
34 for subsistence from the State and apply them to  
35 regulatory process.

36

37 MR. BUKLIS: Mr. Chairman. Larry  
38 Buklis, OSM. As you know, early in the program in the  
39 fisheries side in the early 2000's, there was an  
40 amounts needed for subsistence, subsistence use amounts  
41 work group between the State and Federal programs, and  
42 some efforts were made to explore that area that you're  
43 raising. It is a policy matter, and that effort did  
44 not reach resolution and it was suspended.

45

46 So at this point in time, the Federal  
47 program does not have an amounts needed for subsistence  
48 approach to the management of the resources. So, no,  
49 we don't have that in place, and we don't work with  
50 those numbers in our system. There is a concern with

1 those kinds of numbers unnecessarily limiting  
2 subsistence opportunity, so it's an unresolved matter.

3

4 CHAIRMAN L. WILDE: Go ahead.

5

6 MR. ROCZICKA: That is one of the  
7 abstract concerns in many ways, but we need to  
8 resurrect that effort. Well, that's a matter for  
9 another venue.

10

11 CHAIRMAN L. WILDE: Thank you, Greg.  
12 Anaan.

13

14 MS. GREGORY: Yeah. What numbers are  
15 you using then, if they're not -- are you just.....

16

17 MR. ROCZICKA: The sky's the limit.

18

19 MR. BUKLIS: Mr. Chairman.

20

21 CHAIRMAN L. WILDE: Mr. Buklis.

22

23 MR. BUKLIS: In the case of the  
24 situation here, we talk about fisheries proposals, and  
25 the resources are managed for conservation as the  
26 priority, State and Federal systems, and so there are  
27 escapement goals for salmon, and that is the management  
28 system's built on achieving spawning goals. But we  
29 don't have subsistence harvest amounts defined in  
30 regulation.

31

32 CHAIRMAN L. WILDE: Any further  
33 questions.

34

35 (No comments)

36

37 CHAIRMAN L. WILDE: If not, thank you,  
38 Mr. Jenkins, Mr. Buklis.

39

40 Mr. Pappas, Fish and Game comments.

41

42 MR. PAPPAS: Thank you, Mr. Chair. Our  
43 comments for Proposal No. 08 start on Page 156.

44

45 This proposal was submitted to prohibit  
46 customary trade of Chinook salmon harvested in Federal  
47 subsistence fisheries on the Yukon River during years  
48 of low returns, or returns insufficient to satisfy  
49 subsistence user needs and subsistence fishing  
50 restrictions are implemented. The intent was to curb

1 the sale of subsistence harvest Chinook salmon made  
2 into strips while other subsistence fisheries were  
3 closed due to insufficient returns.

4

5 State regulations generally prohibit  
6 the sale of subsistence-harvested fish while Federal  
7 regulations allow for cash sales. State regulations  
8 require that fish -- all fish processed for commerce be  
9 processed at a facility approved by the Alaska  
10 Department of Environmental Conservation. Existing  
11 Federal customary trade is limited to whole fish unless  
12 processed fish are processed in compliance once again  
13 with DEC conservation food safety rules.

14

15 Adoption of limitations on cash sales  
16 of subsistence harvested salmon for cash would remove  
17 the risk of citation for subsistence fishers in the  
18 Yukon drainage, particularly regulations that define  
19 significant commercial enterprise, specify fish weights  
20 or number limits, clarify where subsistence-harvested  
21 fish may be sold under Federal regulation and establish  
22 reporting requirements for cash sales of subsistence-  
23 caught salmon.

24

25 Federal subsistence regulations,  
26 particularly customary trade regulations, pertain only  
27 to fishing on and use of fish harvested on Federal  
28 public lands and those waters where Federal subsistence  
29 jurisdiction is claimed.

30

31 The Department of Fish and Game  
32 supports adoption of enforceable Federal customary  
33 trade regulations that specify limits on cash sales and  
34 establish reporting requirements. However,  
35 restrictions on regulations that specify limits and  
36 reporting requirements should be applied drainagewide.

37

38 Violations of existing Federal  
39 customary trade and State fish processing regulations  
40 is an enforcement problem that has significant  
41 implications for subsistence users and the public.  
42 More education on State and Federal regulations and an  
43 enforceable definition on what constitutes a  
44 significant commercial enterprise are needed.

45

46 We propose implementing a monitoring  
47 program to produce needed resource data. We request  
48 clarification of the roles and responsibilities of  
49 Federal and State enforcement agencies. The Department  
50 proposes this issue be addressed during a joint meeting

1 again between the three RACs of the Yukon drainage  
2 because it potentially could affect all subsistence  
3 users.

4  
5 The Department supports a modified  
6 proposal that requires reporting and regulates sales of  
7 subsistence harvested fish during all years, not just  
8 those of low salmon returns, and adopt a definition of  
9 significant commercial enterprise, and address  
10 education and enforcement issues.

11  
12 And for clarification, Mr. Chair, to  
13 Council Member Gregory, we were asking the same  
14 question. The State has the same questions you do,  
15 where is the data available to make these decisions.  
16 We don't collect the data, we don't have the data on  
17 the State side, so we have the same question.

18  
19 Thank you, Mr. Chair.

20  
21 \*\*\*\*\*  
22 STATE OFFICIAL WRITTEN COMMENTS  
23 \*\*\*\*\*

24  
25 Alaska Department of Fish and Game  
26 Comments to the Regional Advisory Council

27  
28 Fisheries Proposal FP11-08:

29  
30 Prohibit customary trade of Chinook  
31 salmon harvested in the Yukon River Fisheries  
32 Management Area during years of insufficient Chinook  
33 salmon returns.

34  
35 Introduction:

36  
37 The Yukon-Delta Regional Advisory  
38 Council submitted this proposal to prohibit customary  
39 trade# of Chinook salmon harvested in federal  
40 subsistence fisheries on the Yukon River during years  
41 when returns are insufficient to satisfy subsistence  
42 user needs and subsistence fishing restrictions are  
43 implemented. The intent was to curb sales of  
44 subsistence harvested Chinook salmon made into strips  
45 while other subsistence fisheries were closed due to  
46 insufficient returns. State regulations generally  
47 prohibit sale of subsistence harvested fish# while  
48 federal regulations allow for cash sales. State  
49 regulations at 18 AAC 34.005 require that all fish  
50 processed for commerce be processed at a facility

1 approved by Alaska Department of Environmental  
2 Conservation.#

3

4                   Sale of subsistence harvested fish,  
5 both processed and whole, is occurring in both urban  
6 and rural communities in Alaska, contrary to existing  
7 state and federal regulations. Discrepancies in state  
8 and federal regulations and state requirements  
9 regarding processing of fish to protect health and  
10 safety of the public may leave some people vulnerable  
11 to citation under state and federal regulations. This  
12 is a significant issue for state resources managers,  
13 law enforcement agencies, and federal agencies that  
14 provide for the subsistence priority on federal lands  
15 and those waters where federal subsistence jurisdiction  
16 is claimed. In considering FP11-05, FP11-08, and  
17 FP11-09, the Federal Subsistence Board has the  
18 opportunity to adopt enforceable customary trade  
19 regulations for the Yukon region that are based on the  
20 history and patterns of this use for this region of the  
21 state.

22

23                   Impact on Subsistence Users:

24

25                   This proposal may reduce harvest of  
26 Chinook salmon for cash sale of Chinook salmon. It is  
27 not possible, however, to accurately predict how this  
28 proposal will affect changes in subsistence harvest  
29 patterns because federal agencies lack information and  
30 data regarding existing levels of harvest and actual  
31 sales of subsistence harvested Chinook salmon.  
32 Existing federal customary trade is limited to whole  
33 fish, unless processed fish are produced in compliance  
34 with Alaska Department of Environmental Conservation  
35 food safety rules. Because state and federal  
36 regulations differ, subsistence fishermen are  
37 vulnerable to prosecution when selling subsistence  
38 harvested salmon on lands and waters outside the  
39 boundaries where federal subsistence jurisdiction is  
40 claimed. Adoption of limitations on cash sales of  
41 subsistence harvested salmon for cash would remove the  
42 risk of citation for subsistence fishers in the Yukon  
43 River drainage, particularly regulations that define  
44 significant commercial enterprise, specify fish weight  
45 or number limits, clarify where subsistence harvested  
46 fish may be sold under federal regulation, and  
47 establish reporting requirements for cash sales of  
48 subsistence caught salmon.

49

50                   Opportunity Provided by State:

1                   The department supports subsistence  
2 harvest and use of salmon consistent with existing  
3 state laws and regulations including customary trade of  
4 this resource. However, 5 AAC 01.010 prohibits sale of  
5 subsistence caught fish, their parts, or their eggs  
6 unless otherwise specified in state regulation.  
7 Currently, there are only two exceptions listed in  
8 Chapter 5 of state regulations: Norton Sound-Port  
9 Clarence Area for salmon and Sitka Sound herring roe on  
10 kelp in Southeast Alaska.#

11

12                   Conservation Issues:

13

14                   The Yukon River Chinook salmon stock is  
15 currently classified as a stock of yield concern.  
16 Since 2001, subsistence fishing time in the Yukon Area  
17 has been limited by a windows schedule, which was  
18 further restricted in 2008 and 2009 because of  
19 conservation concerns for Chinook salmon. Subsistence  
20 harvest levels for Chinook salmon have been within the  
21 amounts reasonably necessary for subsistence (ANS)  
22 ranges since 2001, except for 2002, 2008, and 2009. A  
23 majority of the Yukon River drainage escapement goals  
24 have been met or exceeded since 2000, including the  
25 Chena and Salcha rivers, which are the largest  
26 producers of Chinook salmon in the United States  
27 portion of the drainage. The escapement objective for  
28 the Canadian mainstem was met every year from 2001  
29 through 2006, with 2001, 2003, and 2005 being the three  
30 highest spawning escapement estimates on record. The  
31 escapement objective for the Canadian mainstem was not  
32 met in 2007 and 2008. Exploitation rate on  
33 Canadian-origin stock by Alaskan fishermen decreased  
34 from an average of about 55% (1989 1998) to an average  
35 of about 44% from 2004 through 2008 (Howard et al.  
36 2009). Although the subsistence harvest continues to  
37 remain stable at nearly 50,000 Chinook salmon annually,  
38 commercial harvests have decreased over 60%, from an  
39 average of 100,000 annually (1989 1998) to the recent  
40 five-year average (2005 2009) of nearly 23,000 fish.  
41 Considering all salmon species together, the overall  
42 total subsistence salmon harvest in the Yukon Area has  
43 declined by approximately 30% since 1990 (Fall et al.  
44 2009:39). Specifically, fall chum salmon harvests have  
45 fallen within ANS ranges only three times since 2001  
46 (Fall et al. 2009:43).

47

48                   Jurisdiction Issues:

49

50                   While standing on state and private

1 lands (including state-owned submerged lands and  
2 shorelands), persons must comply with state laws and  
3 regulations and cannot sell subsistence harvested fish,  
4 with two exceptions as specified above. Federal  
5 subsistence regulations, particularly customary trade  
6 regulations, pertain only to fishing on and use of fish  
7 harvested on federal public lands and those waters  
8 where federal subsistence jurisdiction is claimed.  
9 Sale of subsistence fish harvested on all lands and  
10 waters (federal, state, or private) is limited by state  
11 regulations except to the extent superseded by federal  
12 law on federal lands. The State of Alaska maintains  
13 jurisdiction of food safety and food processing  
14 regulations, regardless of where fish are harvested.

15

16 Other issues:

17

18 The Alaska Department of Fish and Game  
19 supports adoption of enforceable federal customary  
20 trade regulations that specify limits on cash sales and  
21 establish reporting requirements. However,  
22 restrictions or regulations that specify limits and  
23 reporting requirements should be applied drainage-wide.

24

25 Violation of existing federal customary  
26 trade and state fish processing regulations is an  
27 enforcement problem that has significant implications  
28 for subsistence users and the public. More education  
29 on state and federal regulations and an enforceable  
30 definition on what constitutes a significant commercial  
31 enterprise are needed. We propose implementing a  
32 monitoring program to produce needed resource data. We  
33 request clarification of roles and responsibilities of  
34 federal and state enforcement agencies. The department  
35 proposes this issue be addressed during a joint meeting  
36 of the Regional Councils within the Yukon drainage  
37 because this issue potentially affects subsistence  
38 users in the entire Yukon River drainage.

39

40 Recommendation:

41

42 Support a modified proposal that  
43 requires reporting and regulates sales of subsistence  
44 harvested fish during all years, not just those of low  
45 salmon returns, adopts a definition of significant  
46 commercial enterprise, and addresses education and  
47 enforcement issues.

48

49 Cited References:

50

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4 Krieg, and D. Koster. 2009. Alaska subsistence salmon  
5 fisheries 2007 annual report. Alaska Department of  
6 Fish and Game Division of Subsistence, Technical Paper  
7 No. 346, Anchorage.

8  
9                   Howard K.G., S.J. Hayes, and D.F.  
10 Evenson. 2009. Yukon River Chinook salmon stock status  
11 and action plan 2010; a report to the Alaska Board of  
12 Fisheries. Alaska Department of Fish and Game, Special  
13 Publication No. 09-26, Anchorage.

14  
15                   CHAIRMAN L. WILDE: Thank you, Mr.  
16 Pappas. Any questions for Mr. Pappas.

17  
18                   MS. GREGORY: Mr. Chair. Mr. Pappas.  
19 What constitutes a commercial enterprise?

20  
21                   MR. PAPPAS: Through the Chair. We  
22 have the exact same question, what constitutes a  
23 commercial enterprise. I don't have a State  
24 definition. I can try to find that out if somebody  
25 would let me use a cell phone that works here.

26  
27                   Thank you, Mr. Chair.

28  
29                   CHAIRMAN L. WILDE: Thank you, Mr.  
30 Pappas.

31  
32                   Does that -- I know that didn't answer  
33 your question, but I know there's no numbers for that,  
34 where that's given, because we tried it once. We tried  
35 to set a number once and we didn't.

36  
37                   Any further questions.

38  
39                   MS. GREGORY: I know people who are --  
40 when they sell things, they buy licenses and have to  
41 abide by rules and regulations of that enterprise  
42 they're running. And the subsistence people don't have  
43 that privilege.

44  
45                   CHAIRMAN L. WILDE: No, they don't.  
46 They don't, Mary.

47  
48                   Any further questions for Mr. Pappas.

49  
50                   (No comments)

1 CHAIRMAN L. WILDE: There being -- go  
2 ahead, Mr. Pappas.

3  
4 MR. PAPPAS: Well, during this process,  
5 it's somewhat mentioned in our comments, this is an  
6 opportunity for the RAC to select a poundage, a number  
7 of fish, some type of limit for your region. This is  
8 an opportunity, like two other RACs have done in the  
9 State. They established a limit of how much  
10 transaction -- I guess it's cash for two areas. How  
11 they got there, that was before my time, Mr. Chair, but  
12 this is an opportunity if you do want to set a -- make  
13 a recommendation through a modified proposal.

14  
15 Thank you, Mr. Chair.

16  
17 CHAIRMAN L. WILDE: We tried that once,  
18 Mr. Pappas, and we came to a stalemate, so that will  
19 take a lot more time than we have for this meeting I'm  
20 afraid.

21  
22 MS. GREGORY: Mr. Chair. I would like  
23 to visit that again if we could use our coordinator to  
24 help us out.

25  
26 CHAIRMAN L. WILDE: Okay. Mr.  
27 Roczicka.

28  
29 MR. ROCZICKA: Thank you, Mr. Chairman.  
30 I was going to save it until we got into deliberations  
31 and until we started, but I was going to suggest maybe  
32 as a starting point we could just adopt what Bristol  
33 Bay had used as their threshold levels and include that  
34 other, have the same language included under the other  
35 paragraph that was missed as far as dealing with  
36 others, rather than just rural to rural, but where it  
37 would be -- the customary trade would not exceed \$500  
38 annually, which is a starting point and gives you your  
39 what was considered a significant commercial enterprise  
40 in other areas. And if you do the same, allow for the  
41 same level for the customary trade with nonrural folks,  
42 or what are called others under the regulation, and  
43 they have \$400, that comes out to about 900 to \$1,000 a  
44 year, which actually if you look over some of the  
45 information provided to us is not too far off of what  
46 was considered the average for that area in the study  
47 that was done for the Yukon area. It was roughly  
48 around \$1,000 per household per year. Actually I was  
49 thinking it was more in the range of 1300. That would  
50 be a starting point for discussion.

1 CHAIRMAN L. WILDE: Well, we have a  
2 proposal in front of us, and that has nothing to.....  
3  
4 MR. ROCZICKA: That's why I was waiting  
5 for discussion to go into that, but it got.....  
6  
7 CHAIRMAN L. WILDE: Any further  
8 question for Mr. Pappas.  
9  
10 MS. GREGORY: Mr. Chair. I have  
11 another comment regarding Roczicka's (In Yup'ik). I  
12 would not jump at this point, at this time. Like I  
13 said I'd like to research this, because our economics  
14 are different from each area. Bristol Bay is not that  
15 big. Bethel and YK Delta is big. And we have  
16 different lifestyles and different eating habits. For  
17 that purpose I'd like to research it more before we  
18 can come up with something.  
19  
20 CHAIRMAN L. WILDE: Thank you.  
21  
22 MR. ROCZICKA: If I may, Mr. Chairman.  
23 The information is in our book and in our packets that  
24 we have already here. That's what I was citing when I  
25 mentioned it.  
26  
27 CHAIRMAN L. WILDE: We're on two  
28 proposals. Let's keep our comments to that.  
29  
30 Any further questions for Mr. Pappas.  
31  
32 (No comments)  
33  
34 CHAIRMAN L. WILDE: If not, thank you.  
35  
36 Any Tribal agency comments. What tribe  
37 are you from, Mr. Berg?  
38  
39 (Laughter)  
40  
41 MR. BERG: Mr. Chair. I'm obviously  
42 not with a tribe, but there is a comment I'd like to  
43 make on behalf of the InterAgency Staff Committee. We  
44 had a discussion kind of framed around some of the  
45 discussions you're having right now. And I wanted to  
46 kind of point some of that out.  
47  
48 As you know, the last time customary  
49 trade was addressed on the Yukon, there was a bit of a  
50 stalemate. You know, the YK Council made a

1 recommendation, Western Interior made a recommendation,  
2 Eastern Interior made a recommendation, and they were  
3 all three different. And so the Federal Board, you  
4 know, was trying to struggle with how to make one  
5 customary trade regulation for the whole river.

6  
7 And so we had the same discussion in  
8 our meeting, and we came up with, you know, another  
9 option that you might want to consider is adopting a  
10 regulation for just Districts 1, 2 and 3. Let Western  
11 Interior make a recommendation for their area, and then  
12 Eastern Interior for their area. And so just something  
13 to consider that, you know, might help prevent the  
14 stalemate, because the Federal has said that they want  
15 to have customary trade regulations for each region if  
16 that's what the Council wants. And so for your region  
17 that would be Districts 1, 2, and 3.

18  
19 So I just wanted to bring that forward.  
20 Mr. Chair.

21  
22 CHAIRMAN L. WILDE: Thank you, Mr.  
23 Berg. Thank you, Jerry.

24  
25 Anaan, go ahead.

26  
27 MS. GREGORY: Thank you, Jerry, for  
28 your comments, because I wouldn't want to be lumped  
29 into something. Already I've been named all kinds of  
30 different things which I'm not. And we're all  
31 different. Like I said, in each area we're different.  
32 Our language is different, and our eating habits are  
33 different. Quyana for bringing that up.

34  
35 CHAIRMAN L. WILDE: Thank you, Jerry.

36  
37 Mr. Jenkins.

38  
39 MR. JENKINS: Yes, Mr. Chair. Let me  
40 just note that the alternative that Jerry Berg just  
41 mentioned is outlined on Pages 152 and 153 in your  
42 Council book, so if you want to look at that, to think  
43 about an alternative, that's the place to start.

44  
45 Thank you.

46  
47 CHAIRMAN L. WILDE: If it's all right  
48 with the Council, I just instruct Mr. Nick to have that  
49 placed on our next agenda for winter meeting.  
50 Customary trade.

1 MR. NICK: Mr. Chair. If that's your  
2 wish, we could do that.

3  
4 CHAIRMAN L. WILDE: Is that okay with  
5 the rest of the Council.

6  
7 MS. GREGORY: (In Yup'ik)

8  
9 CHAIRMAN L. WILDE: Okay. Mr. Nick.  
10 Mr. Roczicka.

11  
12 MR. ROCZICKA: Well, Mr. Chairman, if  
13 we're looking for action from the Federal Board any  
14 time soon on this issue, then we should go forward with  
15 something with these proposals at this time. Otherwise  
16 as I understand it, we've gone to a two-year cycle, and  
17 we don't get to address it again until 2012/2013, is  
18 that correct?

19  
20 CHAIRMAN L. WILDE: Is that correct?  
21 Well, we will see what we see when we get to our  
22 deliberations. Any Tribal agency comments.

23  
24 (No comments)

25  
26 CHAIRMAN L. WILDE: Fish and game  
27 advisory committee comments.

28  
29 MR. CHARLES: No comment.

30  
31 CHAIRMAN L. WILDE: No comment.  
32 Summary of written public comments.

33  
34 MR. NICK: Mr. Chair. Summary of  
35 written public comments are on Page 159. We received  
36 two in support of the proposal and four in opposition.  
37 Mr. Chair.

38  
39 CHAIRMAN L. WILDE: Thank you. Public  
40 testimony. Mr. Sandone.

41  
42 MR. SANDONE: Mr. Chair. My name is  
43 Gene Sandone. I live in Wasilla, Alaska and I  
44 represent Kwik'pak Fisheries.

45  
46 Concerning Proposal FP11-08, we think  
47 it's a great idea. However, ANILCA doesn't recognize  
48 priorities among subsistence uses. Everything is on  
49 the same level as I understand it. Human consumption,  
50 sharing, customary trade, fish for dog food, whether

1 that musher sells his dogs, whether he races, or  
2 whether he uses them for transportation to his  
3 trapline. So basically what ANILCA says is that all  
4 these, they don't have a priority.

5  
6 We believe that not prioritizing  
7 subsistence uses in ANILCA was a mistake. However, we  
8 know that it's going to take an act of Congress to  
9 change ANILCA, and that must be very, very difficult to  
10 do.

11  
12 I want to point out that the Federal  
13 Subsistence Board already prioritized uses for Chinook  
14 salmon when they prohibited feeding Chinook salmon to  
15 dogs. So it's already been done, but I don't think the  
16 Federal Government is ready to go any further.

17  
18 So I'm going to -- my recommendation,  
19 or Kwik'pak's recommendation is to support a modified  
20 proposal that requires reporting and regulates sales of  
21 subsistence-harvested fish during all years, not only  
22 those of low salmon runs, and adopt a definition of  
23 significant commercial enterprises and address  
24 education and enforcement issues.

25  
26 I was kind of surprised to hear the  
27 Federal report saying that each area should have their  
28 own, or submit their own definition or limits on  
29 customary trade, because, well, in the past that has  
30 never come up. I mean, we've had difficult issues  
31 before. We've had issues with maximum mesh size.  
32 We're having issues now with mesh depth. And they come  
33 from one RAC and apply to the entire river, because  
34 it's one stock of fish and everybody along the Yukon  
35 shares that stock of fish. So regulations that include  
36 the entire Yukon River for conservation are  
37 appropriate. And I think are appropriate also for  
38 customary trade.

39  
40 Now, I'm not talking about regular  
41 customary trade where there are small amounts of fish  
42 for sale that people have traditionally done. My  
43 problem is the abuse. What the Federal Government says  
44 is prohibited, because it rises to the level of a  
45 significant commercial enterprise. However, the State  
46 says it's a significant problem.

47  
48 The Federal Government believes that  
49 customary trade is infrequent and transacted for  
50 relatively small sums of money which is often used to

1 support other subsistence activities. Enacting  
2 regulations to further govern such trades appear  
3 unnecessary and intrusive. And I believe that's true  
4 of regular customary trade. I don't have any problems  
5 with customary trade as it is that way.

6  
7                   However, they go on to say in their  
8 analysis, sales of subsistence-caught fish that rise to  
9 the level of commercial or market transactions,  
10 however, are not considered to be customary trade and  
11 are prohibited. Enforcement of the prohibition is the  
12 central issue, not further restrictions on customary  
13 trade. However, the threshold for significant  
14 commercial enterprise has not been determined.  
15 Enforcement of the prohibition remains problematic  
16 without a threshold determination. I'm going to repeat  
17 that. Enforcement of the prohibition remains  
18 problematic without a threshold determination. I  
19 believe it's incumbent on the YK Delta RAC to insist on  
20 a definition of significant commercial enterprise so  
21 that enforcement is not problematic.

22  
23                   Currently I think there's a huge  
24 question of what is customary trade and what is  
25 prohibited sales of subsistence-caught fish under  
26 Federal regulations. As I understand it, since there's  
27 not a definition of significant commercial enterprise,  
28 then all sales of subsistence-caught fish may be  
29 allowed. Without a clear definition of significant  
30 commercial enterprise, there is no clear line between  
31 sales that are allowed under customary trade and sales  
32 that are not.

33  
34                   Mr. Chair.

35  
36                   CHAIRMAN L. WILDE: Thank you, Mr.  
37 Sandone.

38  
39                   MS. GREGORY: Mr. Sandone, according to  
40 what you're saying, you should know that right now  
41 we're looking at the regulation that prohibits certain  
42 things. And when somebody writes this, they should say  
43 except for that exception, what you just said, that it  
44 doesn't constitute a commercial enterprise. Those  
45 things should be spelled out when you make these  
46 things. Not just you, but for those people who have  
47 tried to come and persuade us to do something.

48  
49                   MR. SANDONE: Ms. Gregory. Mr. Chair.  
50 I'm just saying it needs to be done, okay? And I think

1 it's incumbent to the RACs to do it. And I think like  
2 all hard things, you've got to come together and if you  
3 can't agree, I think the Federal Subsistence Board  
4 should make the determination. I mean, we didn't agree  
5 when there's proposals that come in that limit the mesh  
6 size. I mean, one RAC wanted 6 inches, you know, not  
7 more than 6 inches if I remember correctly. Or maybe  
8 I'm getting Board of Fish mixed up. But there were  
9 proposals significantly affecting other areas. But the  
10 Board of Fish came in and said, no, we're going to go  
11 with 7-1/2, because there's evidence to say that 7-1/2  
12 is best. And the Federal Government, I don't know  
13 whether they took no action, because it became law or  
14 they took action on it. I can't remember for sure.  
15 But now it's 7-1/2-inch throughout the Yukon River.

16  
17 Now there's another proposal that's  
18 going -- that comes before that seeks to restrict the  
19 mesh depth. And the YK Delta RAC opposed that  
20 restriction. So there are hard things to do, but  
21 coming together as a tri-RAC, maybe they can come to at  
22 least some bounds on what is prohibited. That's all  
23 I'm asking.

24  
25 Again, I'm not trying to eliminate  
26 customary trade. I want to eliminate the sales that  
27 are prohibited under Federal law and give enforcement  
28 some teeth.

29  
30 CHAIRMAN L. WILDE: Any questions. Mr.  
31 Manumik.

32  
33 MR. MANUMIK: Mr. Chairman and Gene and  
34 members of the Staff. There was a time when our  
35 waterfowl was impacted by illegal killing down in the  
36 Lower 48, and we were blamed. The Native people of  
37 Alaska had to sacrifice, not hunting these geese for so  
38 many years until they rebuild themselves.

39  
40 Right now salmon are being impacted,  
41 Chinook salmon are impacted. Conservation issue is  
42 impacted. Escapement is impacted. Anything that we  
43 do, even customary trade, will impact all three of  
44 those things I just mentioned about conservation,  
45 escapement and subsistence. Until such time that the  
46 salmon has rebuilt themselves to support and sustain  
47 subsistence, not to mention commercial, it would come  
48 later, I think we should prohibit any salmon customary  
49 trade until such time that these salmon have rebuild  
50 themselves to sustain subsistence all up and down the

1 Yukon River. That is how I feel.

2

3 Mr. Chairman. That's my comment.

4

5 CHAIRMAN L. WILDE: Mr. Sandone.

6

7 MR. SANDONE: Mr. Chairman. I forgot  
8 one thing I'd like to mention. I think the -- I may be  
9 biased because I've been on the Yukon most of my  
10 career. But I think Yukon strips are the gourmet of  
11 strips. And I think a lot of other people agree with  
12 me. We've heard testimony from the Western Interior  
13 RAC last year, from a member, that people on the  
14 Kuskokwim buy Yukon strips because they don't have the  
15 time to fish. Hearsay, I know Mrs. Gregory's going to  
16 look at me, but hearsay that Yukon strips are being  
17 sold on the North Slope for quite a bit of money per  
18 pound. You could just go down to the AFN meetings  
19 every year and see a lot of people selling Yukon strips  
20 outside there.

21

22 I believe unlike Bristol Bay and Copper  
23 River that the Yukon River is becoming the strip basket  
24 of Alaska. And I think there are a lot of sales that  
25 would be prohibited if we had a definition of  
26 significant commercial enterprise.

27

28 Mr. Chair.

29

30 CHAIRMAN L. WILDE: Thank you.

31

32 MS. GREGORY: You haven't tried mine.

33

34 CHAIRMAN L. WILDE: Any further

35 discussion.

36

37 (No comments)

38

39 CHAIRMAN L. WILDE: Thank you, Mr.

40 Sandone.

41

42 Any other public testimony. Comments.

43

44 (No comments)

45

46 CHAIRMAN L. WILDE: If not, we'll go to  
47 the Regional Advisory Council deliberation,  
48 recommendation, justification. Mr. Roczicka.

49

50 MR. ROCZICKA: Mr. Chairman. Move to

1 support Proposal 11-08.

2

3 CHAIRMAN L. WILDE: Motion's been made  
4 to support Proposal 11-08 by Mr. Roczicka. Do I hear a  
5 second.

6

7 MS. GREGORY: Second.

8

9 CHAIRMAN L. WILDE: Seconded by Mary  
10 Gregory. Any further discussion. Mr. Roczicka.

11

12 MR. ROCZICKA: Yeah. Thank you, Mr.  
13 Chairman. I'm going to get a run at it here hopefully.  
14 But the points brought up within the Staff analysis and  
15 some of the testimony we've gotten so far, I mean,  
16 certainly we need to have this addressed. It's not  
17 meant to be just between rural, and actually the focus  
18 was between more of the non-rural where the expanding  
19 commercial enterprises were taking place.

20

21 And, you know, what Paul mentioned  
22 about the continuing impact to the fisheries, we've  
23 seen that the driftnet fishery -- well, the fishwheels  
24 have declined in the middle river, the drift fishery's  
25 increasing, but it's been done under subsistence. And  
26 for what reason? Their dog teams are going down. But  
27 why do they suddenly need more fish when they're got  
28 less dogs when that was the point of -- one of the main  
29 reasons for catching so many fish as I recall from 20  
30 years ago when we first dealt with this argument.

31

32 And to get to the point and get the --  
33 try to have it move forward to get this threshold,  
34 which is being characterized to us in the Staff  
35 analysis that no further restrictions on customary  
36 trade should be necessary, but yet you say you can't do  
37 anything, because you don't have any threshold  
38 determinations is kind of a self-conflicting argument.  
39 You know, you're arguing against yourselves.

40

41 So I'd like to see some kind of a  
42 number put into place. And what I'm using is in the  
43 analysis that we got in 11-05 for customary trade and  
44 some in the middle where the study participants sold an  
45 average of \$1,360 worth of salmon per year, and I would  
46 like to propose as an alternative language that our  
47 proposal would go in modified and 29(c), both (11) and  
48 (12), that we would use Bristol Bay area's, use their  
49 language and insert \$750 annually for both, which would  
50 give it \$1500, which would be slightly over what was

1 put in as an average for the Yukon area so that our new  
2 section 3 under 27(c)(11) and (12) would be for the  
3 Yukon River fisheries management area, and then  
4 instead of going to insufficient to fully satisfy  
5 subsistence, which we were trying to do to qualify when  
6 we came up with this initial language, just say that  
7 the total cash value per household of salmon taken  
8 within the Federal jurisdiction in the Yukon River  
9 fisheries management area, and exchanged in customary  
10 trade to rural residents may not exceed \$500 -- or, I'm  
11 sorry, there it's 500, we'll 750. And the same would  
12 apply for subparagraph (12), and between customary  
13 trade to rural residents and others. So that would be  
14 clarified there.

15

16                   Your point, the alternatives that was  
17 tossed out, I was going to make the exact same point  
18 that Mr. Sandone did here, that breaking it down into  
19 the subdistricts of jurisdiction for the RACs is also  
20 pretty unrealistic. You don't manage the salmon run  
21 one district -- I mean, you do manage it one district  
22 at a time, but you've got to think of the whole river.  
23 You've got to think of the entire run on what you're  
24 doing to achieve those escapements that you want, to  
25 the desires that you want. You don't manage the  
26 fishery one fish at a time. That's been the main  
27 argument that we've had on the interceptions that we've  
28 got out in the trawl fisheries and the bycatch that  
29 occurs in the Bering Sea. You might as well say that's  
30 of no significance. You should manage your fisheries  
31 across the length and breadth of your run from where  
32 they're born to where they rear and stage and grow and  
33 when they come back. You've got to do it through their  
34 entire cycle.

35

36                   So in dealing with this issue, it's a  
37 riverwide issue as far as the customary trade is  
38 concerned. So that's where I think we should go with  
39 it, is to put a number down to give these guys a  
40 threshold that they say they don't need because they  
41 don't think that we should do further restrictions on  
42 customary trade. That part doesn't hold water.

43

44                   So that's my request, suggestion for  
45 modification. I'll move that as an amendment at this  
46 time, that it would insert the language of the Bristol  
47 Bay fisheries management area that's in section (i) on  
48 Page 148 and put in the Yukon River fisheries and put  
49 \$750 annually there, and also include it for  
50 subparagraph (12) that includes other, non-rural, which

1 would make a total of \$1500 per household per year.  
2  
3 CHAIRMAN L. WILDE: There's an  
4 amendment to the resolution.  
5  
6 MR. ROCZICKA: If you took them both in  
7 total.  
8  
9 CHAIRMAN L. WILDE: Amendment to the  
10 proposal.  
11  
12 MR. ROCZICKA: Correct. Modification.  
13  
14 CHAIRMAN L. WILDE: Modification to the  
15 proposal as Mr. Greg stated. Is that understood. Mr.  
16 Unok.  
17  
18 MR. UNOK: If it's going to save our  
19 fish, that's what we are trying to do in the Yukon now.  
20 That's why they brought.....  
21  
22 MS. GREGORY: Point of order. It has  
23 to be seconded before you can discuss it.  
24  
25 CHAIRMAN L. WILDE: There's a motion on  
26 the floor to be included as stated by Mr. Roczicka. Do  
27 I hear a second to the motion?  
28  
29 MR. CHARLES: I second the motion. Mr.  
30 Chairman.  
31  
32 CHAIRMAN L. WILDE: Seconded by Mr.  
33 Charles. Now you can make discussion.  
34  
35 MR. UNOK: Okay. If it's going to save  
36 our fisheries in the Yukon, that's what we've been  
37 working now on, the Yukon, the people are willing.  
38 Lower Yukon, Upper Yukon River people, including the  
39 Canadian people, they call themselves First Nation. We  
40 are trying to save the fish. Every year kings or  
41 Chinook is going down no matter what the Fish and Game,  
42 Fish and Wildlife are doing. It's all up to the people  
43 how we're going to save our fish. We keep taking and  
44 taking. Our next generation is going to have nothing.  
45  
46 CHAIRMAN L. WILDE: Any other comments  
47 concerning the proposal and/or the modification,  
48 modified proposal. Mr. Andrew.  
49  
50 MR. ANDREW: Mr. Chairman. I'm in

1 agreement with Mr. Roczicka and Mr. Unok. Our first  
2 job is to conserve our fish, our salmon that return to  
3 us every year. We should put restrictions on the  
4 harvest limits and other means to restrict the take on  
5 the restricted low return years, because I feel pretty  
6 uncomfortable. I'm not from the Yukon but I know fish  
7 on our river.

8

9 Our forefathers used to say if you take  
10 care of the fish and respect them and let them  
11 reproduce, it will take care of you during your  
12 lifetime and your future generation, too.

13

14 Quayana. Mr. Chairman.

15

16 CHAIRMAN L. WILDE: Thank you, Mr.  
17 Andrew. Anybody else. Mr. Oney.

18

19 MR. ONEY: Yeah. Thank you, Mr.  
20 Chairman. I will support this resolution, because.....

21

22 MR. MANUMIK: It's a proposal.

23

24 MR. ONEY: This proposal, because  
25 almost every time we have meeting we hear, someone  
26 comes up and reports abuses of the resources to us. We  
27 hear it almost year after year about the abuses that  
28 are going on with the resources in our area. And we do  
29 need something in place to at least control the  
30 resources so that we could be able to, you know, have  
31 it for future uses. So for that purpose I will support  
32 this resolution, even if it means to add Greg's  
33 amendments.

34

35 Thank you. Mr. Chairman.

36

37 CHAIRMAN L. WILDE: Thank you, Mr.  
38 Oney. Anybody else.

39

40 MS. GREGORY: Mr. Chair. On Page 148,  
41 the last sentence, if submitted, the prohibition would  
42 only affect customary trade between rural residents.  
43 Does this mean I can trade with Anchorage people and  
44 Juneau people and other people that are not rural  
45 resident?

46

47 CHAIRMAN L. WILDE: Mr. Roczicka.

48

49 MR. ROCZICKA: Mr. Chairman. Yeah, and  
50 that was pointed out, Mary, as one of the -- in the

1 Staff analysis that we had missed including the  
2 paragraph that dealt with non-rural -- or, I'm sorry,  
3 not non-rural, but others from out of the region being  
4 able to allow that customary trade to occur, too, so  
5 part of my modification is to include this language  
6 within that paragraph as well. I only have it under  
7 the one that's rural-to-rural now.

8

9 MS. GREGORY: Yeah. Guyana. Because I  
10 don't want to be prohibited from doing something and  
11 let the rest of the world get off easy.

12

13 MR. ROCZICKA: Mr. Chairman. If I may.

14

15 CHAIRMAN L. WILDE: MR. Roczicka.

16

17 MR. ROCZICKA: I'd like to just ask  
18 real quickly, that should -- by putting those numbers  
19 into place and if I'm understanding you correctly,  
20 which I don't always do, that should satisfy your  
21 requirement of the significant commercial enterprise  
22 concern, of being undefined and unknown and  
23 unenforceable and whatever else.

24

25 CHAIRMAN L. WILDE: Mr. Jenkins.

26

27 MR. JENKINS: Mr. Chair. Mr. Roczicka,  
28 are you addressing that question to me then?

29

30 MR. ROCZICKA: Anybody that can answer  
31 it.

32

33 MR. JENKINS: Well, it's up to you to  
34 propose that limit. And the way you've laid it out  
35 with both those paragraphs, I think that modification  
36 does address the issue that you raise. Yes.

37

38 CHAIRMAN L. WILDE: Mr. Manumik.

39

40 MR. MANUMIK: My question is for Greg.  
41 You wanted to put numbers, some kind of numbering, a  
42 \$500 limit, and if that number is inserted into the  
43 language here, then how long do you propose to keep  
44 that number in there? Until such time that the salmon  
45 have rebuild themselves or what?

46

47 MR. ROCZICKA: Once it would be in  
48 place, it would be like any other regulation, subject  
49 to people to put in proposals to change it or not at  
50 any time in the future. I don't have any kind of a

1 sunset clause or any kind of condition in there. It's  
2 just right now changed to use the languages and not  
3 qualified whether there's subsistence shortage or not.

4

5 MR. MANUMIK: Yeah. Mr. Roczicka,  
6 we're trying to conserve our salmon from being extinct.  
7 That's why I asked you that question. How long do you  
8 propose to have that limit on the subsistence customary  
9 trade? Because if it's going to be in there, you're  
10 going to need to exercise it every year and make sure  
11 that the salmon are escaping and meeting the escapement  
12 goals that are set forth by the Federal Subsistence  
13 Board and statewide board. Thank you.

14

15 CHAIRMAN L. WILDE: Mr. Roczicka, do  
16 you have an answer?

17

18 MR. ROCZICKA: Well, again, if it did  
19 go forward like this, it would go into place like right  
20 now Bristol Bay has their \$500 annually, and that's for  
21 all salmon as far as I understand. So what I have here  
22 is it's going to be -- the way I have it explained is  
23 750 here, 750 to other non-rural residents, or others  
24 as they're called. So that would be \$1500 maximum and  
25 at 10 bucks a pound for strips, it's, you know, 150  
26 pounds would be allowed maximum. But the main concern,  
27 the conservation concern we're trying to get at, and  
28 the issue that was brought to us and where we generated  
29 the need for somebody to try to come up with some  
30 language and get a proposal in regarding this was the  
31 abuse that we're seeing occurring, and as I mentioned  
32 earlier, reflected now that there's less fishwheels,  
33 there's less dog teams, but we're seeing the  
34 subsistence catch go up through the increase of nets in  
35 the other areas of the river.

36

37 And that we all know what happens with  
38 money. People are going to want it and they're going  
39 to find any way to get it. And that's why we shut down  
40 our commercial roe sales back in the 70s here. Or was  
41 it early 80s I believe it was on the Kuskokwim. We saw  
42 that just going rampant abuse. People just -- and the  
43 same thing happened on the Yukon, on the middle river  
44 with their dog food and the roe sales that were  
45 occurring, and like I said, that's why they needed  
46 10,000 fish to feed their dog team. I said, your dogs  
47 are getting so fat they can't win no races no more. He  
48 got mad.

49

50 CHAIRMAN L. WILDE: Mr. Buklis.

1 Comments.

2

3 MR. BUKLIS: Thank you, Mr. Chairman.  
4 As Staff to the Council, we just want to make sure  
5 we've got a clear record of your intent. So if I could  
6 just speak to that so there's no confusion afterwards.

7

8

9 Mr. Roczicka, if we understand you  
10 correctly, you're saying that Page 148 is the template,  
11 and we would parallel the language that's there now for  
12 Bristol Bay, but it would be for the Yukon River area.

13

14 MR. ROCZICKA: That's correct. With  
15 \$750 added.

16

17 MR. BUKLIS: \$750 instead of \$500.  
18 That was clear. Two points that I want to raise just  
19 for clarification. One is the Bristol Bay model says  
20 salmon. The proposal that was before you for the Yukon  
21 said Chinook. So we just want to clarify. Do you mean  
22 the Bristol Bay parallel of salmon or Chinook salmon.

23

24 MR. ROCZICKA: I caught that as well,  
25 and I'd thought about it beforehand, but again the  
26 numbers that I was citing, that I looked back that were  
27 mentioned on their Proposal 11-05 where they mentioned  
28 about an annual average in the middle river area, that  
29 includes all salmon, so I would leave that as all  
30 salmon.

31

32 MR. BUKLIS: Thank you. The second  
33 point is you then said you would apply that to the  
34 rural to others category, which is under regulatory  
35 clause (12). We understand that in principle, but if  
36 you go to the Bristol Bay model, on Page 163 where you  
37 get into the rural to others for Bristol Bay, they go  
38 on in that section and talk about record keeping. I'm  
39 not advocating. I simply want clarity as to what you  
40 meant. Did you want to apply the model of Bristol Bay  
41 on Page 148, which is rural to rural for the Yukon  
42 River rural to rural and the Yukon River rural to  
43 others, or go to the Bristol Bay model there, too?

44

45 MR. ROCZICKA: I did, but I was waiting  
46 until we got to Proposal 11-09 to deal with that.  
47 We're on Proposal 11-08 currently.

48

49 MR. BUKLIS: Thank you. I just wanted  
50 clarity. Thank you.

1 MS. GREGORY: Mr. Chair.

2

3 CHAIRMAN L. WILDE: Yes, ma'am.

4

5 MS. GREGORY: Earlier I told the -- I  
6 asked you guys to let our coordinator visit that thing,  
7 and I'm still -- I still want to let him look into it  
8 in regards to Mr. Manumik's concern. And whenever a  
9 proposal is adopted, it's not concrete. It can be  
10 amended or visited again, and another could be --  
11 nothing is permanent. We always change things, and  
12 don't tell me it can't be done. When you go after  
13 something and you get all your information right,  
14 you'll get it.

15

16 CHAIRMAN L. WILDE: Any further  
17 discussion on Proposal Number 8 as modified. Mr.  
18 Kelly.

19

20 MR. KELLY: Yes. Thank you, Mr.  
21 Chairman. Greg, you know, customary trade has always  
22 been a really touchy issue, and especially in regards  
23 to FP11-08. You know, being from the Yukon, you know,  
24 this regulation applies to the Yukon. So right now  
25 we've got customary trade between subsistence users  
26 that, you know, follows guidelines that are almost  
27 traditional and cultural. Right now, creating  
28 regulations about customary trade, you know, the one  
29 you're proposing is kind of complex, and it's got a  
30 dollar limit on it. And it's like -- it is almost like  
31 legalizing customary trade for cash value.

32

33 So to me personally, I think I'm going  
34 to oppose this proposal. You know, if it is adopted  
35 and it becomes a regulation, you know, I'm going to go  
36 home and tell everyone, hey, next time you go to AFN,  
37 you can sell \$750 worth of king salmon strips to  
38 everyone. You know, that's spending money right there,  
39 you know. And then maybe next season I'm going to I'm  
40 going to put away extra kings just to be able to go and  
41 sell those kings during AFN.

42

43 So, you know, although we want to  
44 follow guidelines from other areas of Alaska, you know,  
45 the Yukon River, like Gene was saying, the Yukon River  
46 kings is one of the prized -- it's our main staple out  
47 there. And what Ray was saying about conserving or  
48 trying to conserve our king salmon, this would open up  
49 and try to encourage more catches to be able to go and  
50 sell.

1 Thank you. Mr. Chairman.

2

3 CHAIRMAN L. WILDE: Thank you. Any  
4 more discussion on the modification or the modified  
5 proposal. Any more. Mr. Brown, did you have a  
6 comment.

7

8 MR. BROWN: Yeah. Before I became a  
9 participant to travel to the conference, I always  
10 thought before I became a member of any organizations  
11 that I presented, I was advised, the number one advice  
12 to me, don't take your subsistence rights for money.  
13 The money won't last, be careful of your subsistence,  
14 number 1. That was my advice.

15

16 Thank you. Mr. Chairman.

17

18 CHAIRMAN L. WILDE: Thank you, Mr.  
19 Brown. Mr. Manumik.

20

21 MR. MANUMIK: Mr. Chairman. Members of  
22 the Board. Yes.

23

24 Thank you, Mr. Brown. That's the  
25 comment I was going to go into, but I didn't, because  
26 what I wanted from Greg was to have that language of  
27 the number be in such a manner that it helps meet our  
28 escapement goal for the whole Yukon River. That's my  
29 concern, one of my concerns. Biggest one of them,  
30 because without meeting that escapement goal, how are  
31 we going to conserve our fish from being extinct.  
32 Bristol Bay has their annually, and it doesn't say for  
33 how long. It doesn't say. It's annually. So we need  
34 a number, Greg, and we need to know for how long to  
35 meet our goals.

36

37 CHAIRMAN L. WILDE: Mr. Roczicka.

38

39 MR. ROCZICKA: Yeah, I'll try. What  
40 Bristol Bay has in there as annually is that their is  
41 their total cash sales per year, and that applies to  
42 every year, following year, following year. It's in  
43 there.

44

45 Elias brought up a good point there as  
46 far as by putting this dollar value in place may  
47 generate more people that are going to go sell things,  
48 but you'll have to elbow your way in between the guys  
49 that are already sitting there with their 12 cases of  
50 strips that they brought down. It is increasing more

1 at AFN every year on the sidewalks out in front of the  
2 centers where they're occurring.

3  
4 This is just a step to try to get it on  
5 the table and try to come to something. Again, we've  
6 watched, we hear over and over at the Board of Fish  
7 meeting last fall when they put those 7-1/2  
8 restrictions in place. This was a major, major issue  
9 that people brought out that people are abusing their  
10 subsistence privilege right now and turning it into a  
11 commercial enterprise. And those -- if you talk the  
12 conservation point comes in as far as far as getting  
13 your escapements, I mean, you're looking at a doubling  
14 in the middle section of the river, mainly around  
15 Fairbanks of the amount of fish that are being caught  
16 for subsistence, and they're not doing it with  
17 fishwheels any more. They're doing it with nets. So  
18 that's the conservation point there that we want to  
19 keep that limit, and this is one way to do it, to stop  
20 that abuse. And this was brought forward to us and  
21 raised as a major issue, and we tried to come up with  
22 some kind of language to deal with it.

23  
24 CHAIRMAN L. WILDE: Any further  
25 discussion on the modified proposal. Mr. Pappas.

26  
27 MR. PAPPAS: Thank you, Mr. Chair.

28  
29 I usually don't talk off the scrip, but  
30 the Department's comments do not have a cash value  
31 involved. For conservation purposes, the idea is the  
32 number of fish that get to the spawning grounds, so the  
33 recommendation from the Department was numbers of fish  
34 or poundage of fish as a limit instead of a cash value.  
35 And just to reiterate as a reminder, it is not legal to  
36 sell subsistence-caught strips in Alaska unless it's  
37 been produced in a commercial facility that's been  
38 inspected by the Department of Environmental  
39 Conservation, and that, as I understand, would be part  
40 of a commercial enterprise. So it is not legal to go  
41 to town and sell strips under State regulations.

42  
43 CHAIRMAN L. WILDE: Thank you, Mr.  
44 Pappas.

45  
46 Any further -- Mr. Unok.

47  
48 MR. UNOK: Right now subsistence in  
49 Yukon River, they have no limit of catching kings.  
50 They can catch all they want. It doesn't matter how

1 much they catch. They wouldn't care if they're going  
2 into a customary trade, they wouldn't care about  
3 escapement. They'll catch all they can.

4  
5 Thank you.

6  
7 CHAIRMAN L. WILDE: Any further  
8 discussion on support, modified proposal. Mr. Nick.

9  
10 MR. NICK: Mr. Chair. Alex Nick,  
11 Council coordinator for the record.

12  
13 I wanted to get clarification and then  
14 provide a couple of comments. The clarification I need  
15 from Mary is she mentioned a couple of times during the  
16 discussion of this proposal that I need to look into  
17 customary trade. I'm not sure what she wanted me to  
18 look into. After I get your response, then I will  
19 provide a couple of comments. Mr. Chair, with your  
20 permission.

21  
22 MS. GREGORY: Mr. Chair. Alex, I was  
23 thinking of what the model that the Bristol Bay have.  
24 I was wondering to check all the RACs to see if they  
25 have the same kind of thing, and I don't want to just  
26 jump in with somebody else and ride along. I want to  
27 make my own.

28  
29 Thank you.

30  
31 CHAIRMAN L. WILDE: Go ahead, Mr. Nick.

32  
33 MR. NICK: Thank you. The comment I  
34 want to make is probably one point of clarification on  
35 this proposal. It applies to the US side of the Yukon  
36 River, right?

37  
38 CHAIRMAN L. WILDE: It would.

39  
40 MR. NICK: What about the Canadian  
41 portion of the Yukon River?

42  
43 CHAIRMAN L. WILDE: We don't have  
44 anything to do with proposals going to Canada.

45  
46 MR. NICK: Okay. In that case, well,  
47 you know, what I meant to say is that -- the comment I  
48 wanted to make is you can look in the internet and kind  
49 of indicate -- or rather see indications that where  
50 some of the customary trade might be coming from. But

1 I don't want to go that far, you know, as a  
2 coordinator, because everyone could find out where the  
3 Yukon River salmon are being sold even while we're  
4 talking now at pretty high price, because they're  
5 Yukon, oil rich salmon.

6

7                   One thing that I could say as your  
8 Staff is that we do have records in our office in  
9 Anchorage what other regions are doing, because those  
10 were like in this document here, the analysis, there is  
11 indication what other region like Bristol Bay has done.  
12 And you have done that, too. And like you mentioned,  
13 Mr. Chair, that became a stalemate, but the Federal  
14 Subsistence Board did adopt customary trade regulations  
15 and also it was revised at one point, Larry?

16

17                   MR. BUKLIS: Mr. Chairman. Member  
18 Gregory. There are only two regions in the State where  
19 the Federal Board has made specific regional customary  
20 trade regulations. Those have been laid out for you.  
21 Bristol Bay and the Upper Copper River District. All  
22 the other fishing areas of the State have no specific  
23 customary trade regulations unique to them, just the  
24 general ones which are shared by the Yukon. So, Member  
25 Gregory, there's nothing we can go back to the office  
26 and gather further for you beyond the regulations you  
27 have in front of you. Bristol Bay, Upper Copper River  
28 District. None of the other fishing districts or areas  
29 have specific customary trade parameters beyond the  
30 general regulations.

31

32                   CHAIRMAN L. WILDE: Thank you, Mr.  
33 Buklis.

34

35                   Any further discussion on this. Mr.  
36 James Charles.

37

38                   MR. CHARLES: Thank you, Mr. Chairman.  
39 How about the -- people were talking about the  
40 customary trade all the way to Yukon -- I mean Canada.  
41 How about Western Interior people? Or the group there.  
42 Are they going to like what we make down lower part of  
43 the Yukon River.

44

45                   MR. JENKINS: We'll have to find out.

46

47                   CHAIRMAN L. WILDE: Mr. Buklis.

48

49                   MR. BUKLIS: Mr. Chairman. The Western  
50 Interior Regional Advisory Council meets next week in

1 McGrath, and the Eastern Interior Regional Advisory  
2 Council meets the following week in Fairbanks. So  
3 those meetings are yet to be held. We do not have  
4 their recommendations yet.

5  
6 CHAIRMAN L. WILDE: Any further  
7 discussion on the proposed modified proposal. Any  
8 further discussion.

9  
10 (No comments)

11  
12 MR. MANUMIK: Question.

13  
14 CHAIRMAN L. WILDE: The question's been  
15 called for. Mr. Sandone, one more comment.

16  
17 MR. SANDONE: Please excuse me, Mr.  
18 Chair, and thank you for recognizing me. But I just  
19 wanted to point out that you had the reporting  
20 requirements already outlined in the next proposal, and  
21 I just wanted to make sure that you knew that. That's  
22 all. Mr. Chair.

23  
24 CHAIRMAN L. WILDE: Any further  
25 comments on the proposed modified proposal.

26  
27 (No comments)

28  
29 CHAIRMAN L. WILDE: The question's been  
30 called for on the modified proposal, the one that Greg  
31 just stated.

32  
33 Mr. Nick, call the roll, please.

34  
35 MR. NICK: Mr. Brown.

36  
37 MR. BROWN: Yeah, I vote yes.

38  
39 MR. NICK: Mr. Charles.

40  
41 MR. CHARLES: Yes.

42  
43 MR. NICK: Mr. Oney.

44  
45 MR. ONEY: Yes.

46  
47 MR. MANUMIK: Yes.

48  
49 MR. NICK: Mr. Manumik.

50

1 MR. MANUMIK: Yes. I'm sorry.  
2  
3 MR. NICK: Mr. Harry Wilde.  
4  
5 MR. H. WILDE: Yes.  
6  
7 MR. NICK: Ms. Mary Gregory.  
8  
9 MS. GREGORY: No.  
10  
11 MR. NICK: Mr. Kelly.  
12  
13 MR. KELLY: No.  
14  
15 MR. NICK: Mr. Lester Wilde.  
16  
17 CHAIRMAN L. WILDE: No.  
18  
19 MR. NICK: Mr. Unok.  
20  
21 MR. UNOK: Yes.  
22  
23 MR. NICK: Mr. Roczicka.  
24  
25 MR. ROCZICKA: Yes.  
26  
27 MR. NICK: Robert is excused. Mr.  
28 Andrew.  
29  
30 MR. ANDREW: Yes.  
31  
32 MR. NICK: Mr. Chair. On the modified  
33 motion I have 8 yes, 3 opposed.  
34  
35 CHAIRMAN L. WILDE: Modified proposal  
36 passes. Now the motion for FP11-08, the proposed.....  
37  
38 MR. NICK: The main motion?  
39  
40 CHAIRMAN L. WILDE: Main motion. Main  
41 proposal.  
42  
43 MR. NICK: Mr. Brown.  
44  
45 MR. BROWN: No.  
46  
47 MR. NICK: Mr. Charles.  
48  
49 MR. CHARLES: Yes.  
50

1 MR. NICK: Mr. Oney.  
2  
3 MR. ONEY: Yes.  
4  
5 MR. NICK: Mr. Manumik.  
6  
7 MR. MANUMIK: Yes.  
8  
9 MR. NICK: Mr. Harry Wilde.  
10  
11 MR. H. WILDE: Yes.  
12  
13 MR. NICK: Ms. Gregory.  
14  
15 MS. GREGORY: Yes.  
16  
17 MR. NICK: Mr. Kelly.  
18  
19 MR. KELLY: Yes.  
20  
21 MR. NICK: Mr. Lester Wilde.  
22  
23 CHAIRMAN L. WILDE: No.  
24  
25 MR. NICK: Mr. Unok.  
26  
27 MR. UNOK: Yes.  
28  
29 MR. NICK: Mr. Roczicka.  
30  
31 MR. ROCZICKA: Yes.  
32  
33 MR. NICK: Mr. Aloysius is excused.  
34 Mr. Andrew.  
35  
36 MR. ANDREW: Yes.  
37  
38 MR. NICK: Mr. Chair. I have 9  
39 supporting, 2 opposing.  
40  
41 CHAIRMAN L. WILDE: Proposal FP11-08  
42 passed.  
43  
44 We have one more proposal. Does the  
45 Council feel that we should work through this proposal  
46 tomorrow, go with the rest of the other business. If  
47 we finish the proposals today, that means probably  
48 another hour, until 6:00 if that's all right with the  
49 Council, or would you want to break for the evening.  
50

1 MS. GREGORY: I want to break for the  
2 evening.

3  
4 MR. UNOK: Mr. Chairman. Can I be  
5 excused.

6  
7 CHAIRMAN L. WILDE: There's one break  
8 for the evening. Okay. We'll break for the evening,  
9 start in the morning at 9:00 with Proposal No. FP11-09.

10  
11 (Off record)

12  
13 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 2 through 177 contain a full, true and correct Transcript of the YUKON-KUSKOKWIM DELTA FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOL I, taken electronically by our firm on the 30th day of September 2010, in Bethel, 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 10th day of October 2010.

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