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1 FEDERAL SUBSISTENCE REGIONAL COUNCIL MEETING

2

3

VOLUME I

4

5

WESTERN INTERIOR

6

YUKON KUSKOKWIM DELTA

7

8

Lake Lucille Lodge

9

Wasilla, Alaska

10

October 14, 2003

11

8:30 o'clock a.m.

12

13

14 COUNCIL MEMBERS PRESENT:

15

16 EASTERN INTERIOR

17

18 Gerald Nicholia, Chair

19 Sue Entsminger

20 Allen J. Stevens

21 Virgil Umphenour

22 Larry Williams

23 Philip Titus

24

25

26 WESTERN INTERIOR

27 Ronald Sam, Chair

28 Angela Demientieff

29 Benedict Jones

30 Emmitt Peters

31 Jack Reakoff

32 Michael Stickman

33 Robert Walker

34

35 YUKON KUSKOKWIM DELTA

36 Harry Wilde, Chair

37 Nick Andrew, Sr.

38 James A. Charles

39 Mary Gregory

40 John Hanson, Sr.

41 Billy McCann

42 Philip Moses

43 John B. Thompson, Sr.

44 Lester Wilde

45

46 Regional Council Coordinators:

47 Donald Mike, Eastern Interior

48 Vince Mathews, Western Interior

49 Alex Nick, Yukon Kuskokwim Delta

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P R O C E E D I N G S

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(Wasilla, Alaska - 10/14/2003)

4

5

(On record)

6

7 CHAIRMAN NICHOLIA: Good morning, ladies and  
8 gentlemen. As we agreed, the three chairman, Ron Sam,  
9 Harry Wilde and me, will chair the morning session. So  
10 I'd like to call the Tri-Council meeting together between  
11 the Y-K, Western and Eastern Interior. We'll have a  
12 little change here. We'll let Vince Mathews do the roll  
13 call for all three Councils.

14  
15 Go ahead, Vince.

16  
17 MR. MATHEWS: I'll start off with the  
18 Yukon-Kuskokwim Delta Regional Advisory Council. Is John  
19 Thompson here?

20  
21 MR. THOMPSON: Here.

22  
23 MR. MATHEWS: Lester Wilde, Sr.

24  
25 MR. L. WILDE: Here.

26  
27 MR. MATHEWS: Philip Moses.

28  
29 MR. MOSES: Yeah.

30  
31 MR. MATHEWS: Mike Savage.

32  
33 MR. SAVAGE: Here.

34  
35 MR. MATHEWS: James Charles.

36  
37 MR. CHARLES: Here.

38  
39 MR. MATHEWS: Billy McCann.

40  
41 MR. MCCANN: Right here.

42  
43 MR. MATHEWS: The chair, Robert Nick, is  
44 absent due to other commitments. Ray Oney.

45  
46 MR. ONEY: Here.

47  
48 MR. MATHEWS: Nick Andrew, Sr.

49  
50 MR. ANDREW: Here.

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1 MR. MATHEWS: Mary Gregory.

2  
3 MS. GREGORY: Here.

4  
5 MR. MATHEWS: John Hanson.

6  
7 MR. HANSON: Here.

8  
9 MR. MATHEWS: Harry Wilde, Sr.

10  
11 CHAIRMAN WILDE: Yeah.

12

13 MR. MATHEWS: We have 11, so we have a  
14 full quorum on the Yukon-Kuskokwim. Western Interior.  
15 Emmitt Peters.

16  
17 MR. PETERS: Here.

18  
19 MR. MATHEWS: Michael Stickman.

20  
21 MR. STICKMAN: Here.

22  
23 MR. MATHEWS: Robert Walker.

24  
25 MR. WALKER: Yeah.

26  
27 MR. MATHEWS: Carl Morgan.

28  
29 UNIDENTIFIED SPEAKER: He'll be back  
30 shortly. He just took his wife to Anchorage, so let it  
31 be known that he'll be back shortly.

32  
33 MR. MATHEWS: Okay. Benedict Jones.

34  
35 MR. JONES: Here.

36  
37 MR. MATHEWS: Angela Demientieff.

38  
39 MS. DEMIENTIEFF: Here.

40  
41 MR. MATHEWS: Jack Reakoff.

42  
43 MR. REAKOFF: Here.

44  
45 MR. MATHEWS: Raymond Collins has been  
46 ill. I'll give you an update on that during the  
47 housekeeping. Ron Sam.

48  
49 CHAIRMAN SAM: Here.

50  
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1 MR. MATHEWS: Mr. Chairman, we have eight  
2 of the nine members with one that's going to be here in a  
3 few seconds. Okay, Eastern Interior. Virgil Umphenour.

4  
5 MR. UMPHENOUR: Here.

6  
7 MR. MATHEWS: Larry Williams. I believe  
8 he's weathered out and we're working on getting him in.  
9 Gerald Nicholia.

10  
11 CHAIRMAN NICHOLIA: Here.

12  
13 MR. MATHEWS: Tricia Waggoner was not  
14 able to attend this meeting. Jim Wilde is not present.  
15 Sue Entsminger.

16  
17 MS. ENTSMINGER: Here.

18

19 MR. MATHEWS: Jay Stevens.  
20  
21 MR. STEVENS: Here.  
22  
23 MR. MATHEWS: Andrew Bassich I believe is  
24 weathered out also. Philip Titus.  
25  
26 MR. TITUS: Here.  
27  
28 MR. MATHEWS: We have five of the nine  
29 members, so you have a quorum for Eastern Interior.  
30  
31 Thank you, Mr. Chair.  
32  
33 CHAIRMAN NICHOLIA: Thank you, Vince.  
34 One thing I want you guys to understand here is we have a  
35 language barrier and a culture barrier, so I want you  
36 guys to speak slow on your presentation and stuff so they  
37 can understand. I want you to speak slowly so those  
38 interpreters could interpret for the people that don't  
39 understand and vice versa. There's one person I want to  
40 recognize here from the Kodiak Aleutians is Della  
41 Trumble. She's here for the Yukon and Kuskokwim regions  
42 and sometimes Area M is impacted by us or we impact Area  
43 M, so that's one of the reasons she's here.  
44  
45 Della.  
46  
47 MS. TRUMBLE: Thank you, Gerald. Good  
48 morning and thanks for inviting me to this meeting.  
49  
50 CHAIRMAN NICHOLIA: For the invocation by  
00005  
1 an elder, I'd like to request Nick Andrew to do the  
2 invocation.  
3  
4 (Off record)  
5  
6 (On record)  
7  
8 CHAIRMAN NICHOLIA: I guess I'll have to  
9 leave it up to Vince on this work session here.  
10  
11 MR. MATHEWS: Yes, Mr. Chairman. Under  
12 the work session, basically I'm going to be going over  
13 safety and then scheduling, booklets, review of the  
14 agenda, how best maybe to handle the proposals. We'll be  
15 going through meeting ground rules and some other  
16 updates.  
17  
18 So, safety is always number one. If we  
19 have a disaster or problem in this building, we need to  
20 leave from these doors that are behind me along the  
21 windows area. Wash rooms are down the hall and you go  
22 down and take a left. For those that you know of people  
23 that need to have access down here and cannot utilize the  
24 chairs, it is a nice walk to go around the side and these

25 doors are unlocked.

26

27

                  The meeting schedule. We do have a  
28 buffet lunch provided for the Regional Council members.  
29 So far it's been running about noon, but that can be  
30 subject to our wishes. We can change that if we have  
31 enough time. Generally speaking, we usually break around  
32 5:00 or 5:30 for dinner, but that can be modified. We've  
33 noticed that the evening sessions are 7:00 to 10:00 if  
34 the Chairs decide we need to go into the evening.

35

                  The meeting booklets. You have three  
36 meeting booklets. Today you're going to be working  
37 mainly out of this tan one. There's very large tabs on  
38 the side. If you look there, you'll page through to a  
39 tab that says Tri-Council meeting. Hopefully you've  
40 found that by now. The green book you will not need  
41 today. That will be on Thursday. Today you will be  
42 dealing this afternoon with the salmon-colored one to  
43 deal with projects. I know this is repetitive for the  
44 Western and Y-K, but just to get everybody up to speed.  
45 If Council members do not have copies of these books, get  
46 a hold of Donald Mike, the coordinator for Eastern  
47 Interior or Alex Nick, the coordinator for Y-K or myself.  
48 For the public, there are public copies of materials in  
49 this book at the table back there.

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1

                  Let me go through some other housekeeping  
2 stuff. We have a professional photographer here. Our  
3 files of pictures are not very extensive, so we do have a  
4 professional photographer here that will be taking  
5 pictures. I'll cover Ray Collins real quick because he's  
6 on my mind. Ray Collins has served on the Western  
7 Interior Regional Council since its first meeting. He's  
8 had a series of illnesses and is in the hospital  
9 recuperating. It's been a long haul for him, so we have  
10 a large poster in the back room if you'd like to leave a  
11 note for him. The refuge manager will make sure that  
12 will get to him. He did want to participate by  
13 teleconference, but I talked to him extensively that due  
14 to his health conditions it would not be the best thing  
15 for him.

16

17

                  Okay, we got that out of the way. We  
18 will be passing out a new copy of the Regional Council's  
19 operations manual. In there is Title VIII of ANILCA  
20 Western Interior has a standing request that there always  
21 be a copy of Title VIII of ANILCA, so I did hand that  
22 out. We encourage you to use that manual and bring it to  
23 each meeting so you have it there. That's kind of our  
24 Bible.

25

26

                  Ground rules. We had a meeting with the  
27 three chairs and we went over some ground rules. This  
28 will take a little bit of time, but it will help everyone  
29 understand and it will make things go quicker. We've  
30 divvied up when each Council chair will chair and they'll

31 recognize when they are chairing. So, when a person  
32 wants to speak, they need to be recognized by the Chair  
33 that is running the meeting then. They just can't speak.  
34 The Council members know that very well, so that's fine.

35  
36

37           The sound system as well as note taking.  
38 Only one person speaks at a time. The microphone system,  
39 when the red light is on, your mike is on and it's being  
40 recorded. If the red light is off, we're not recording  
41 you, so you'll need to turn it on so we can record.

42  
43

44           A standard thing for all meetings, all  
45 questions and comments from a Council member needs to be  
46 directed through the Chair. You get the attention of the  
47 Chair and the Chair recognizes you.

48  
49

50           The Chair can give time limits to public  
51 testimony if time limits are needed to maintain a timely  
52 review of agenda topics and issues before the Regional  
00007

1 Council. We've already announced time limits for the  
2 organization reports of 10 minutes plus questions and  
3 answers. The Chairs need to remind the presenters at the  
4 beginning of that so that they are cognizant of that if  
5 at all possible. The Chair can request the presenter to  
6 summarize their key points if they do get a little long-  
7 winded. We're basically here to get information across  
8 to the Councils that is timely. It is obvious these  
9 meetings we're having here are on fish, so we hope the  
10 presenters, if at all possible, can direct their  
11 presentations to the fish issues.

12  
13

14           Public testifiers, do not ask questions  
15 of the Regional Councils unless the Chair has previously  
16 agreed to that. If you have copies of your testimony or  
17 handouts, you need to give those to one of the three  
18 coordinators here. We have to maintain an administrative  
19 record.

20  
21

22           Because this is a complex meeting, we're  
23 going to have a roll call after lunch and if you do go to  
24 dinner and go to evening session, at that time, so we  
25 maintain on the record that there are quorums. Those are  
26 the rules. The Chairs discuss conducts. Respect will be  
27 shown to all attending and participating in the meetings.  
28 Discussions, comments and dialogue should focus on the  
29 issue at hand, not the person presenting it. Proper  
30 attention by the Regional Council members shall be shown  
31 to all presenters and testifiers.

32  
33

34           The next part of the meeting rules is  
35 it's pretty much done by all Councils, but make sure the  
36 public understands it. We have a procedure to review the  
37 proposals. We've developed this procedure so we can have  
38 a strong record and to maintain good meeting management.  
39 So the Chair will introduce the proposal, that will be

37 followed by the biological/social/cultural analysis and  
38 that will be up at the table up here. It could be  
39 several people.

40

41 Then the Chair will announce are there  
42 any agency comments. That can also be organizations.  
43 Then it's open to public comments from the audience. We  
44 do have green cards in the back. If you do not fill one  
45 out, you need to raise your hand and be recognized by the  
46 Chair to be allowed to testify. Those are to be turned  
47 in to the table here so we can get them to the  
48 appropriate Chair.

49

50 Then there will be a summary of written

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1 comments. If you have written comments from villages,  
2 please get them up to us so we can properly address them.

3

4

5 After written comments, the Regional  
6 Councils can have a motion, they deliberate, develop a  
7 recommendation and then -- for the record, Staff needs a  
8 justification for your actions. Most of the Council  
9 members have been doing that. We appreciate that and  
10 would like you to continue. If there's an obvious  
11 consensus between the three Councils, you just go by all  
12 those in favor aye, those opposed nay, et cetera. The  
13 Chairs are very cognizant of when that exists. When  
14 there doesn't appear to be a consensus, then we will go  
15 to voting by individual Regional Councils. We'll walk  
16 you through that. So it's not a majority of all the  
17 Council members here. The recommendation will be based  
18 on the majority of each individual Council.

19

20 We may have Staff that are taking notes  
21 in the crowd approach the Chair to get clear the  
22 justification and that will be done during break. Many  
23 of you know me. If I don't know it, I will ask for  
24 clarification. You don't have to, but it would be good  
25 for the record to have a good, strong justification.

26

27 Finally, over the years I've noticed that  
28 it's easier to have a motion to adopt the Staff  
29 recommendation. That doesn't mean when you make that  
30 motion that you support the Staff recommendation. It  
31 just means you want to get that recommendation on the  
32 table. The reason it would be better to do a positive  
33 motion and use the Staff recommendation is that it  
34 eliminates sometimes the need for amendments. When you  
35 get to two amendments, I, as your Staffer, get lost. So  
36 it would be best to minimize the amendments as much as  
37 possible and, if at all possible, have positive motions  
38 and we can assist you with that either through  
39 suggestions or actually typing those up and getting them  
40 before you. I know this is long, but we're almost done.

41

42 Another housekeeping thing. Gerald has

43 already mentioned it. I'm doing my best to talk as slow  
44 as I can. We all need to talk slower to allow the  
45 translators to translate. Council members have first  
46 priority on these FM receivers. Right now, if I listened  
47 to this, I'd be hearing what I'm saying in Yup'ik. If  
48 these things start acting up, just let us know and we'll  
49 get you a battery.

50  
00009

1                   Earplugs. The way this sound system  
2 works and for the presenters it's the same thing. You  
3 press the button, it's on. When the button is off, the  
4 speaker in front of you gives you sound. The volume  
5 control on there does nothing to the speaker, but if you  
6 would like a headset that plugs into the side and goes  
7 over your ear, that volume control does that. So we do  
8 have some nice ear sets that plug into the side. We  
9 discovered yesterday by one of the Council members that  
10 these earplugs like this are good but they're not the  
11 best. So if you're having difficulty hearing with this  
12 type of earplug, we'll get you a better one. Again, we  
13 don't have enough to cover everybody, but Councils get  
14 first priority, then we go from there.

15  
16                   We've been using the vans in the evening  
17 for those that may want to go visit the sites of Wasilla.  
18 We'll announce that towards the end of the meeting, but  
19 we do want to make sure your needs are met as far as  
20 going to a store or whatever needs to be done with that.  
21 We only have the two vans, so we will work on that. And  
22 lunch is provided here. The rest of the stuff we'll  
23 cover later. So let me look at the agenda real quick.  
24 Oh, I didn't cover the agenda. I'm sorry.

25  
26                   The agendas are on page 19. I hope you  
27 found that. The Chairs will decide on Topic IV but I'm  
28 just going to bring it up. That's where the Regional  
29 Council members introduce themselves, what village and  
30 concerns. That is followed by review and approval of the  
31 meeting agenda. The public can bring up amendments to  
32 the agenda, but please realize the agenda is just an  
33 estimated time of when this is going to happen and topic  
34 order. They're subject to change. We have large agendas  
35 published in the hall. We have Staff at the front desk  
36 and Staff everywhere else, contact them to find out where  
37 they are on the agenda and set your time appropriately to  
38 that.

39  
40                   Then we go into subsistence fisheries.  
41 Obviously, the major topic of this meeting is the Yukon  
42 River. That will start off with a post-season fisheries  
43 review, which will be a joint presentation, and I'll just  
44 go by memory, by Russ Holder from U.S. Fish and Wildlife  
45 and then Dan Bergstrom and other Staff, Fred Bue, Tracy  
46 Lingnau and probably others I'm missing right now.

47  
48                   On the agenda, you see the Association of

49 Village Council presidents listed there. They're going  
50 to be under agency reports. That was an error in our  
00010

1 agenda. So there will be a post-season review and then  
2 we'll go into the Federal proposals, which are under Tab  
3 B. You see the numbers and the name next to it in  
4 parentheses. That's the lead presenter. I'll just pick  
5 one, Proposal 5, expand the drift gillnet fishery area in  
6 District 4. Pat McClenahan will be the presenter. So  
7 that's what those names are there for.

8  
9 Then we go into the Alaska Board of  
10 Fisheries Proposals and we'll talk more about that later.  
11 That covers Tuesday. Wednesday is the Fisheries  
12 Monitoring Program and their plan. That's your salmon-  
13 colored book. Cliff Schleusner will be doing that  
14 amongst other staff. Also, there will be discussion  
15 about the Partners Program and then we go into  
16 organization reports. Again, that will be limited to 10  
17 minutes. The Chair calls up each one of those that are  
18 listed there and if they have a representative, they're  
19 more than welcome to come to the mike. If by accident we  
20 missed a person or an organization there, that doesn't  
21 mean you're cut out, it just means you have to get a hold  
22 of the Chair and say we would like to be added to that.  
23 One correction, there will not be a presentation from the  
24 Division of Sport Fisheries.

25  
26 The last thing, if you know at this point  
27 if there is a village or organization that wants to  
28 teleconference in. We need at least 45 minutes to pull  
29 that off. I have no knowledge of any. Alex, do you have  
30 any knowledge of any requests for teleconferencing?

31  
32 MR. NICK: For the record, my name is  
33 Alex Nick, Regional Council coordinator for Yukon-  
34 Kuskokwim Delta Subsistence Regional Advisory Council.  
35 As of the time I left Bethel where I'm stationed at, I  
36 have not received any requests for teleconferencing.

37  
38 MR. MATHEWS: Thank you. Donald, do you  
39 know of any from Eastern Interior?

40  
41 (No comment)

42  
43 MR. MATHEWS: Donald says none from  
44 Eastern. Any questions on the agenda? I'm not asking for  
45 adoption now because that's not my authority here. I'm  
46 just asking is there something else I need to explain in  
47 this work session relating to the agenda schedule or  
48 whatever. Okay, there's no questions. I think I covered  
49 the whole bible, but it's important to get everybody on  
50 the same wavelength and I appreciate your patience.

00011

1 Thank you.

2

3 CHAIRMAN NICHOLIA: Thank you, Vince. At

4 this time we're down to Part IV, Regional Council Member  
5 Introduction and Concerns. I'll go first. I'm Gerald  
6 Nicholia from Tanana. I grew up around the Yukon River  
7 fishing with my father. There's one great concern that I  
8 have. These three Councils represent the whole Yukon  
9 River and we have to work together. There's going to be  
10 a lot of differences here today, a lot of proposals. I  
11 want you guys to speak your mind, keep it short. I  
12 respect the elders that are here. It feels like the  
13 young guns from the Eastern Interior is picking on the  
14 downriver elders, but we've got the in-between here. I  
15 want respect shown. No outbursts, so try to keep our  
16 tempers. Let's work together.

17

18 CHAIRMAN WILDE: Mr. Chairman. My name  
19 is Harold Wilde. I am originally from Mountain Village.  
20 Grew up in Hooper Bay. We do have some concern with my  
21 Council. In order to understand proposals, we may have  
22 to caucus once in a while because a lot of these  
23 proposals need to be translated so every one of my  
24 Council may understand. It may be a slow meeting for  
25 you, but in order to work better with the rest of the  
26 Council, that's what they want. Once in a while they  
27 caucus before they approve a proposal. We don't have  
28 hardly any proposals from our area, but we have to give  
29 my Council the opportunity to understand completely the  
30 proposal and have less conflict. That's all I have for  
31 now.

32

33 CHAIRMAN SAM: Thank you, Gerald.

34

35 When we called the two Councils meeting  
36 to order, we deferred most of our other concerns to be  
37 introduced at our respective Council meeting where we all  
38 have good opportunity to present our other concerns.  
39 However, if you do have anything, I will not stop you.  
40 This is not our first time meeting as a tri-council or  
41 even two council. As Gerald so ably stated, we do  
42 respect our neighbors and we like to deal with them  
43 fairly, we've got to listen to them and we've all got to  
44 understand the great need to work together, especially  
45 all the proposals that concern the Yukon River. Again, I  
46 would like to thank Gerald and Harry for putting all this  
47 stuff in the public and I am here to respect those views  
48 and I hope all of us do that.

49

50 Thank you.

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1 CHAIRMAN NICHOLIA: Thank you, Harry and  
2 Ron. We'll go around the table here introducing the  
3 other Councils and we'll start with our distinguished  
4 guest, Della Trumble.

5

6 MS. TRUMBLE: Good morning. I guess,  
7 first of all, I really thank you for the opportunity to  
8 be present. Being involved in these meetings in the past  
9 has been educational and an insight for me to understand

10 the various regions. I think it's wonderful to see all  
11 of you working together to try to resolve a lot of these  
12 issues. I feel that the more education that we all have  
13 of each other's regions and of each other's lifestyles  
14 only helps us to better work together to resolve some of  
15 the issues of concern.

16

17 I don't want to take too much time, but I  
18 do want to say thank you for allowing me to be here.

19

20 CHAIRMAN NICHOLIA: Thank you, Della.  
21 We'll just go around the table.

22

23 MR. WALKER: Thank you, Mr. Chairman. My  
24 name is Robert Walker. I'm from Anvik, the lower end of  
25 the Western Interior RAC.

26

27 We will have some more deliberations here  
28 with the summit of fish like we did with the moose. I  
29 like to be fair to everybody. One of my questions to the  
30 OSM yesterday or day before yesterday when we were  
31 deliberating on the C&T on lower portion of 21, we have  
32 to have numbers when they say it's not an issue. If we  
33 have numbers to say we have plenty to go around, there's  
34 more understanding and more working relationship to work  
35 with. Today we're going to work with fish, so it's going  
36 to be numbers again. Like Chairman Harry Wilde mentioned  
37 in Anchorage to everybody targeting lower Yukon for fish,  
38 we'd ask them to come up today again with the numbers how  
39 it's going to be for next coming year.

40

41 Thank you.

42

43 MR. JONES: My name is Benedict Jones  
44 from Koyukuk RAC member for Western Interior. My concern  
45 is Koyukuk River moose management. The population is  
46 declining rapidly because sport hunters and many of the  
47 people from Fairbanks and Anchorage go to the Koyukuk  
48 River under subsistence hunting. So the drawing permit  
49 helped cut down on the sport hunters, but I'd like to see  
50 that drawing permit reduced down a little more than

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1 previous years because the moose is declining too fast.  
2 As for the fishing, this past summer was really good and  
3 we had good quality of fish and a window that did help  
4 the scheduling for more fish to get to the spawning area.  
5 That's all I have.

6

7 Thank you.

8

9 MR. PETERS: Good morning, Mr. Chairman.  
10 My name is Emmitt Peters from Ruby, Alaska and Western  
11 Interior. I was very impressed how these three Councils  
12 work together and that's what we need to do. We've got  
13 to understand every region how they operate or what we  
14 need. We've got to tell the Federal and State government  
15 everything is not as easy as they think it is. Like

16 these elder people, they're used to fishing their way to  
17 make a living. They go according to the water level and  
18 the climate. We've got to understand the way they make  
19 their living in their own district. The same as up in  
20 the Interior where we are. When the water goes down, we  
21 get a lot of fish. When the water comes up, then there's  
22 hardly any sign of that. We've got to understand all  
23 these rules they come up with. It kind of puzzles a lot  
24 of us Native people in the Interior because things change  
25 all the time. Anyway, I'm very proud to be here. Like  
26 Benedict says, the population of moose is down. We need  
27 to put a limit on some of these areas for the outside  
28 hunters.

29

30 Thank you very much.

31

32 MS. DEMIENTIEFF: I'm Angela Demientieff  
33 from Holy Cross. I share all the same concerns as  
34 Robert. We're both from the same region. Our biggest  
35 one right now is so many hunters coming in to 21(E).  
36 Some of our people did not get their moose this year  
37 because they're being chased by people from out of our  
38 region and from people from downriver. Our fishing was  
39 good this year, but the best part of our fishing was  
40 being on teleconference weekly. This way I knew what was  
41 going on downriver and I knew when the people upriver got  
42 their fish, so I enjoyed the conferences this year.

43

44 Thank you.

45

46 MR. REAKOFF: Jack Reakoff from Wiseman.  
47 I live in the Brooks Range. I've been on the Western  
48 Interior Council from the first meeting. My main concern  
49 as a RAC member is the Ichthyophonous problem on the Yukon  
50 River and I would like to discuss at some point in this  
00014

1 meeting this recent Dr. Cossan (ph) report, possibly  
2 under one of our proposals, but I'd like this Tri-Council  
3 to look at this Ichthyophonous issue. This is not in our  
4 booklet, but I would like to see that addressed. We have  
5 ongoing problems with escalating numbers of air taxi  
6 operators and so forth on the upper Koyukuk, but those  
7 are ongoing issues that we've heard about and we're  
8 working on fish mostly in this meeting.

9

10 Thank you.

11

12 MR. STICKMAN: Good morning, everyone.  
13 My name is Mickey Stickman. I'm from Nulato. One of the  
14 biggest concerns that I have and I've always voiced it is  
15 the fact that when it comes to fishing, primarily  
16 commercial fishing, the State of Alaska and their  
17 management strategy pit us against each other because  
18 they -- for years I've been saying they've been  
19 practicing geographic discrimination because of no  
20 commercial fishing in Area 4(A), the area where I'm from,  
21 but this is a subsistence council, so I want to make that

22 clear, the fact that subsistence fishing is more  
23 important to me than commercial fishing. Also, the other  
24 things that I'd like to make clear is that we all come  
25 from different geographic areas, so we all have our own  
26 belief system. We all have different respect for all  
27 animals.

28

29 Another issue I have, there is a growing  
30 concern in Nulato and Kaltag because the people who live  
31 in our villages are taking who they say are friends and  
32 family out hunting, but they're out there and these  
33 people are not from the state of Alaska. They come from  
34 outside the state. It's all on Federal lands, so it's  
35 all in the refuge, it's all in the Federal hands, but  
36 it's going to be a big concern that's going to grow.  
37 This year hunting was a little different in our area  
38 because of the emergency order and no cows allowed, so  
39 everybody was in heavy competition for all the bulls out  
40 there. Even though it was a bull-only season, a lot of  
41 people were successful, so for that I'm happy.

42

43 The other concern that I have is -- you  
44 know, we all share the same feelings, but when the  
45 proposals come up, when the Staff analysis comes up,  
46 sometimes the issues are pretty complex because you don't  
47 know if you're dealing with allocation. So I'd like the  
48 proposers to be very clear on what they're talking about,  
49 allocation or distribution or anything like that. As far  
50 as the windows, my personal feelings on the windows is  
00015

1 that it seems to me the primary focus of the windows is  
2 working. Last summer was probably one of the best  
3 fishing years in the last 10 years for the people in my  
4 region. The one question I have for the subsistence  
5 users in my area are the windows working for you or  
6 against you. One of the things that I always bring up is  
7 the effort.

8

9 Thank you, Mr. Chair.

10

11 MS. ENTSMINGER: Thank you, Mr. Chair.  
12 My name is Sue Entsminger. I live near Mentasta Village  
13 and been there over half my life and have some strong  
14 ties to the people there. My concern is it seems as  
15 though moose is the most utilized animal by subsistence  
16 users. Like in our area, we see some possible abuse of  
17 the designated or proxy hunting and I feel like we should  
18 keep a close handle on that and not see it be abused,  
19 such as somebody that never hunted a moose that's over 60  
20 gets somebody to go hunt a moose for them and then that  
21 person hunts a moose for themselves. It seems as though  
22 that's a lot of meat that that person that was hunting  
23 could have taken one moose and shared that moose with the  
24 elder because I doubt they could eat a whole moose.

25

26 Another major concern is big game  
27 commercial services with the guiding industry and the air

28 taxi industry and hunter transporting into the rural  
29 regions. We, as Councils, should request the State to  
30 reinstate the Big Game Commercial Services Board because  
31 it would help in regulating some of the abuse.

32

33 Thank you.

34

35 MR. UMPHENOUR: Thank you, Mr. Chair. My  
36 name is Virgil Umphenour. I live in North Pole. My two  
37 major concerns are quality escapement on the spawning  
38 grounds of our salmon and equal, reasonable opportunity  
39 for all the subsistence users in the drainage. Tied in  
40 with the escapement and the reasonable opportunity are  
41 what Jack Reakoff spoke of, Ichthyophonus. We have  
42 proposals before us where the discussion on Ichthyophonus  
43 will be appropriate. Those are my two major concerns and  
44 I also agree with Sue, we should do what we can to try to  
45 get the State to reinstitute the Big Game Services Board  
46 so all this illegal guiding and air taxi operations that  
47 take place on Federal lands.

48

49 Thank you.

50

00016

1 MR. TITUS: Philip Titus from Minto. I  
2 have a lot of subsistence concerns, but we could deal  
3 with it later.

4

5 MR. STEVENS: Good morning. My name is  
6 Jay Stevens and I'm from Stevens Village. Most of the  
7 concerns dealing with fish issues have already been  
8 mentioned by Gerald and Virgil here about quality  
9 escapement. More so than that, this is my first tri-  
10 meeting and, as Gerald said earlier, I guess he called me  
11 a young buck. So this is my first tri-meeting so I'm  
12 really interested to see how the day turns out.  
13 Hopefully it will turn out with us coming to a common  
14 goal.

15

16 Thank you, Mr. Chair.

17

18 MS. GREGORY: Thank you. My name is Mary  
19 Gregory. I am a 99.8% Yup'ik food user all my life and I  
20 hope to do so when I get old and have people hunt for me  
21 like the lady was referring to. I sit here on this  
22 Regional Board to make sure my elders continue to live up  
23 their subsistence way of life because they don't know of  
24 any other way to live. They don't speak English and they  
25 don't have jobs, so I want them to live their Yup'ik way  
26 of life to their fullest.

27

28 Thank you.

29

30 MR. ANDREW: My name is Nick Andrew, Sr.  
31 I live in Marshall and I am on Subsistence Advisory Board  
32 and I'm really glad to see lots of people in here and I'm  
33 hoping to work together and solve our problems.

34

35

Thank you.

36

37

MR. MOSES: (In Yup'ik)

38

39

INTERPRETER: He is from Nelson, Toksook Bay. He won't be able to speak like you in English, only in Yup'ik. As I was listening yesterday and day before sometimes I am not too comfortable when people don't have the same feelings, when people don't think the same way. Recently, I don't like it and it's not good to have different feelings, but we should always comfort each other and speak kindly to each other. We, at Toksook Bay, when the people from Fish and Game come, it seems like they're not there all the time and since there's no moose in our area -- he doesn't have much to say about that.

00017

1

Thank you.

2

3

MR. CHARLES: My name is James Charles from Tuntutuliak. My concern is the salmon escapement on the Kuskokwim. I live at the mouth of the Kuskokwim River, so fish that go by me goes all the way up to where Ray Collins is, so I have to think of him and his people. Ray Collins is not there today, but there is Mike Savage from Kalskag. I have to think of the people upriver, too. Like John Hanson, he's at the mouth of the Yukon and he has to think of the people upriver. We are in a tough situation sometimes when we're at the meetings because we, as the Advisory Council, we are supposed to be helpers, helpers to the people who make the final decisions and helpers to the people we represent at home, so it's not always easy. Sometimes it's hard to make decisions, but we do a lot of work to make our decisions, which way to go about proposals that we work on.

19

20

Thank you.

21

22

MR. THOMPSON: My name is John Thompson. I'm from St. Mary's and I am an alternate to these Board members. My real concern is about the fish. That's something we've been fighting over 20 years or so. There's some people that are sitting at this table that I know that have been at fish Board meetings. The thing I really want to see is work together. There is some in front of us today which would really conflict to each other and I think we should solve those problems instead of trying to make it worse. We're trying to make it better in the future so we could work together. The reason why the Lower Yukon people didn't put up any proposals because we're human beings like anybody else from upriver, so I hope we work together.

36

37

Thank you.

38

39

MR. HANSON: Thank you, Mr. Chairman. My

40 name is John Hanson. I'm from Alakanuk, Alaska. Like I  
41 said in Anchorage when we had the CFC meeting, we worked  
42 together, help each other. Even if they're 900 miles up  
43 the Yukon and we're 900 miles below them, if we work  
44 together, we'll solve more things concerning the salmon.  
45 My number one is escapement. For the last five years  
46 we've had disaster on the Yukon, real disaster. The  
47 lower part of the Yukon never fished just so we can let  
48 all the salmon go up the Yukon and spawn, but those  
49 salmon are slow in producing. But if we work together up  
50 and down the Yukon, all the way to the border, we'll  
00018

1 accomplish what we're trying to get. So all the people  
2 from District 1 to District 6 later on will benefit from  
3 them. As we're sitting here, there's three Councils,  
4 this is where we solve most of the problem and that's all  
5 I wanted to say.

6  
7 Thank you.

8  
9 MR. WILDE: My name is Lester Wilde. I'm  
10 from Hooper Bay, Alaska. Within the area that I come  
11 from we have Hooper Bay, Scammon Bay and Chevak and down  
12 there in that neck of the woods subsistence is not a way  
13 of life, it is the way of life, so that is one of the  
14 reasons I'm sitting up here. Like my brother Harry Wilde  
15 stated a while ago, I was born in Hooper Bay, spent some  
16 time in Mountain Village and a number of other villages  
17 within the state of Alaska, plus the big village of  
18 Chicago and a few other big villages outside, but I  
19 migrated back to Hooper Bay on my own about 12 years ago  
20 and I've been there for that amount of years. I know  
21 most of the people on Western Interior and consider them  
22 as my working group and people I'm able to go to when we  
23 do have problems in the area for support. I'd like to  
24 thank all of you for being here with us today.

25  
26 MR. ONEY: Good morning, Mr. Chairman.  
27 My name is Raymond Oney from Alakanuk. I also have  
28 concerns about the fish on the Yukon River. It's also my  
29 pleasure to sit here with the two Councils, the Western  
30 Interior and also the Eastern Interior. Like Allen  
31 mentioned, this is the first time I'm sitting down with  
32 the other RAC members. I could just picture in my mind  
33 right now the theme for this meeting is working together  
34 to make a difference and I think that's the reason why  
35 we're here, is to work together to make a difference so  
36 that way our subsistence way of living will continue for  
37 our children and our children's children.

38  
39 Thank you.

40  
41 MR. SAVAGE: Thank you, Mr. Chairman. My  
42 name is Mike Savage. I'm from Lower Kalskag. I was born  
43 in Upper Kalskag. It's about two and a half miles apart  
44 in the river. My ancestors came from the Yukon. My  
45 grandpa moved all over. I traveled quite a bit all over.

46 My wife is from Hooper Bay. I know the way they -- as  
47 Lester said, the coast is just subsistence. It's good to  
48 see this group -- this is my first time I've seen a group  
49 like this. My great-grandfather, as one of my cousins  
50 are here too, is from Nicholai, up the Kuskokwim, up by  
00019

1 McGrath. He started that village. Our ancestors  
2 traveled from where the animals are.

3

4 Now my biggest concern is moose. My  
5 area, hardly anybody catches moose in that area because  
6 there's a lot of people. I went out one night and I saw  
7 five cow moose within half an hour. I was tempted to  
8 catch one, but it was too daylight. To feed my family,  
9 there were three of us left, one sister and two boys. We  
10 have a pretty good size family, but we share our food,  
11 whatever we catch. It's hard for us. We go through four  
12 moose a year. That's subsistence. I work in the store.  
13 I don't eat much meat. When I'm out here, I don't eat  
14 that much meat. My biggest concern is moose. I hope  
15 with this fish thing we come up with a good solution.

16

17 Thank you.

18

19 MR. MCCANN: My name is Billy McCann. I  
20 don't have to tell you guys where I was born, but I was  
21 born in Alaska. Let me give you a little laugh because  
22 it looks like you're lonesome or something. One time I  
23 was working in school a long time. My principal was just  
24 like my cousins, we tease each other all the time. One  
25 day he came up to me and said, Billy, astronauts are  
26 going up to the moon. I said, oh, yeah. Eskimos have  
27 astronauts too, but they don't have no (indiscernible),  
28 but they go up to the moon so fast, just like a jet, go  
29 up to the moon, round trip, five minutes. He says I see  
30 it all the time. Eskimo medicine, goes up so fast, it's  
31 almost like a jet up to the moon. Round trip, five  
32 minutes. That's so fast, I guess, okay. Let me talk  
33 Eskimo because my English is a little low. (In Yup'ik)

34

35 INTERPRETER: His concerns are very many.  
36 When we go to meetings, it's important I think about my  
37 family and help my family. I go to the meetings to  
38 listen for my generation to use. I always think about  
39 that and I want to work effectively because my next  
40 generation will be using that eating avenues. You  
41 probably all think like that for those who come to the  
42 meetings. We need to think like that when we meet  
43 together. We work together thinking about our village,  
44 our home. We're not just working for ourself but for the  
45 people that are living in our homes. We want to work for  
46 them.

47

48 There's very many concerns that I have  
49 and a subsistence way of life is one of them. I have  
50 strong concerns about the subsistence way of life. He

00020

1 wants to follow how he's lived the way they have been in  
2 the past and he wants to continue the subsistence way of  
3 life in the future. Since there are many concerns and  
4 issues, I am not comfortable. That is geared towards us.  
5 The white people are trying to boss us around and if we  
6 don't follow them, it's not going to follow through.  
7 Even a person doesn't want to, people will follow the  
8 rules. We should work very carefully.

9  
10 He's going to talk about Alaska. Alaska.  
11 You don't even know who Alaska is to people. The white  
12 people of the state of Alaska, they talk about Federal  
13 lands also, but those people are also white people. Only  
14 the Yup'ik people, starting from our ancestors, those are  
15 the real Alaskans in my opinion. They used all the land.  
16 They didn't have equipment. They only had dogs as  
17 transportation. They didn't have homes of wood, but had  
18 sod houses and they used Alaska for food and they shared  
19 everything. They didn't make any noises, they didn't  
20 complain about their land. They didn't say this is your  
21 land, you cannot do that, no. Everybody shared the land.  
22 Everybody shared everything. Everybody helped one  
23 another and everybody shared everything with each other.  
24 For those who weren't able to hunt, food was given to  
25 them, food was shared with them. We should be thinking  
26 like that. We should not let anybody boss us around.  
27 When there are rules and regulations, we should follow  
28 that and be very careful when we use them.

29  
30 Sometimes the proposal-makers make  
31 mistakes and I think I have spoken too much.

32  
33 CHAIRMAN NICHOLIA: Thank you guys for  
34 your open remarks. It seems like the biggest thing was  
35 for us to work together. We're going to have some pretty  
36 tough things to handle, but I think we could work through  
37 it. If everybody looked at the agenda, we could review  
38 the agenda. There's a mention about Ichthyophonus.

39  
40 I was just wondering, Vince, where we  
41 could stick that in, before or after the proposals.

42  
43 MR. MATHEWS: Mr. Chairman. If I  
44 remember correctly, I think Virgil had a suggestion on  
45 which proposal that might fit under. That might be a  
46 better way instead of doing it separately, but I didn't  
47 know which proposal he was referring to.

48  
49 CHAIRMAN NICHOLIA: Virgil.

50  
00021

1 MR. UMPHENOUR: It could be one of the  
2 proposals before the Board of Fisheries that address the  
3 windows would be the appropriate place to discuss it.

4  
5 CHAIRMAN NICHOLIA: That's for the State  
6 proposals?

7

8 MR. UMPHENOUR: That would be correct.

9

10 CHAIRMAN NICHOLIA: All right. Then  
11 we'll take it up in the State proposals when that comes  
12 up.

13

14 MR. MATHEWS: Mr. Chairman. I just have  
15 two housekeeping items. I remember now why I was getting  
16 nervous. I forgot to tell everyone that there's a sign-  
17 in sheet by the door. You do need to sign in. It really  
18 helps with the administrative record and shows the high  
19 attendance here that many of you pointed out. The other  
20 thing is, to keep the meeting moving along, it would be  
21 best if people would turn off their cell phones. We  
22 cannot turn off our two cell phones here because we have  
23 people in travel status that we need to know. So, when  
24 ours ring, it's not just to get a call, it's because we  
25 are trying to find the members that are in transit to  
26 this meeting. If the public and others could turn off  
27 their cell phone, that would be greatly appreciated.

28

29 CHAIRMAN NICHOLIA: I want you guys to  
30 look at this agenda here, review it. We've all seen it.  
31 I'd like to entertain a motion to adopt it, second it and  
32 approve it if it's okay with you guys.

33

34 CHAIRMAN SAM: Mr. Chairman. Move to  
35 adopt the agenda as presented and already amended to  
36 include the Ichthyophonus.

37

38 MR. STICKMAN: Second.

39

40 CHAIRMAN NICHOLIA: It's been moved by  
41 Chairman Sam, seconded by Mickey Stickman.

42

43 MR. UMPHENOUR: Question.

44

45 CHAIRMAN NICHOLIA: The question has been  
46 called. All those in favor of approving the agenda  
47 signify by saying aye.

48

49 IN UNISON: Aye.

50

00022

1 CHAIRMAN NICHOLIA: All those opposed  
2 same sign.

3

4 (No opposing votes)

5

6 CHAIRMAN NICHOLIA: The agenda is  
7 approved and we can take a break. Hold on. Alex Nick.

8

9 MR. NICK: Thank you, Mr. Chairman. My  
10 name is Alex Nick, regional council coordinator for Y-K.  
11 This housekeeping is for Y-K, but it might apply to other  
12 regions. No matter how hard we work on the travel stuff,

13 there's always some minor problems or problems. I have  
14 at least one problem that I need to deal with today.  
15 We've got three or four days before you go on home, but  
16 if any of you in the Y-K Regional Council seem to have  
17 problems or travel changes, please let me know as soon as  
18 possible so I could try to correct any problems that you  
19 might have. I can't speak for other regions, but that  
20 might also be applying to other regions as well. There's  
21 three coordinators, Vince, myself and Donald. We will be  
22 able to assist you if you have any problems. Vince is  
23 busier than Donald Mike and myself, so I think it would  
24 be appropriate to see myself or Donald first before you  
25 approach Vince.

26  
27 Thank you.

28  
29 CHAIRMAN NICHOLIA: Vince, do you want to  
30 take a break?

31  
32 MR. MATHEWS: Yes, Mr. Chairman, I need a  
33 break.

34  
35 CHAIRMAN NICHOLIA: Ten minutes, 15-  
36 minute break.

37  
38 (Off record)

39  
40 (On record)

41  
42 CHAIRMAN NICHOLIA: We'll call this  
43 meeting back to order. We'll have the post-season Yukon  
44 subsistence fisheries review.

45  
46 MR. PROBASCO: Thank you, Mr. Chair.  
47 We're going to have four brief presentations for you  
48 addressing the Yukon River drainage. They will be given  
49 by both State and Federal in-season managers. We'll  
50 start out with Tracy from the Alaska Department of Fish  
00023

1 and Game.

2  
3 MR. LINGNAU: Mr. Chair and RAC members,  
4 thank you. My name is Tracy Lingnau and I'm the Yukon  
5 River area manager for the summer season. I manage the  
6 chinook salmon and summer chum salmon.

7  
8 CHAIRMAN NICHOLIA: Excuse me, Tracy.  
9 You're kind of speaking too fast here. I've got to  
10 remind you guys, I want the Y-K people to really  
11 understand because we have a language barrier.

12  
13 MR. LINGNAU: Absolutely. My apologies.  
14 Just a brief history because my face is new to most of  
15 you. My career began on the Andraefsky River in 1985.  
16 From there on I worked several projects from 1991, where  
17 I accepted an assistant area management position in  
18 Kotzebue and spent seven years there before coming back

19 to the Yukon River here and in the position I'm in now.

20

21                   In my summary today, I want to just give  
22 a brief geographic description, an overview of some new  
23 projects that we have on the river, an overview of stock  
24 status and stocks of concerns, and then a stock status  
25 summary. So this isn't just kind of a review of this  
26 year, but it's a review of stocks in general.

27

28                   I'm certain most of you know how large  
29 the Yukon River is. I apologize for leaving out the  
30 Yukon Territory, but I couldn't find a good map that has  
31 those folks either. I wanted to include a map anyway  
32 just to reiterate how large this area is, how many user  
33 groups are on the river. As managers, we're responsible  
34 for salmon management for all the escapements and user  
35 groups, not only in Alaska but in Canada as well.

36

37                   The two new projects that we have that  
38 are fairly new, one is the radiotelemetry project. I  
39 think most folks are familiar with this or somewhat  
40 familiar with this. The other one, which isn't fully  
41 online yet, is an Ichthyophonus project. This project is  
42 funded through the Southeast Sustainable Salmon  
43 Initiative and we're just getting started.

44

45                   The Ichthyophonus project is a new  
46 project and is just getting underway. It is a half a  
47 million dollar project to study the effects of  
48 Ichthyophonus and the implications it might have on  
49 chinook salmon. Ichthyophonus is not a new or rare  
50 infection and it's been documented more than 100 years  
00024

1 ago. As some of you know, it was noticed in the Yukon  
2 River in the mid-1980s. Ichthyophonus is not isolated to  
3 Alaska. It's found throughout the world in other  
4 climates as well.

5

6                   As I mentioned before, the other new  
7 project we have is a radiotelemetry project. This  
8 project provides critical and real time information to  
9 both managers and researchers in the Yukon River chinook  
10 salmon. This project provides managers a wealth of  
11 information. It has become a critical tool in management  
12 of chinook salmon, especially in the upper Yukon area.

13

14                   This project has allowed the Department  
15 to challenge border passage estimates that the Canadian  
16 Department of Fisheries and Oceans provides. It has also  
17 allowed us to discovery new spawning areas and  
18 tributaries in the upper river, such as the Chandelar and  
19 other rivers. There was a report this year on Coleen  
20 River that a gentleman up there had seen a lot of fish up  
21 there this year and he hadn't seen that in a number of  
22 years.

23

24                   The next few slides I'm going to be

25 describing the Yukon River salmon stock status and an  
26 overview of the escapement and harvest. Stocks of  
27 concern determinations are based on the Sustainable  
28 Salmon Fisheries policy. This policy has been adopted  
29 under State regulation. A chronic inability has been  
30 viewed as four to five consecutive years. As you will  
31 see, yields or harvests have been well below historical  
32 averages for chinook salmon and fall chum salmon, hence  
33 those are yield concerns.

34

35 Here is the definition of a management  
36 concern because the east fork Andreafsky escapement goal  
37 has not been met since 1995 and the Anvik River has not  
38 met in 2000, 2001 and 2003. We have recommended that the  
39 Yukon River summer chum salmon stock continue to be a  
40 management concern.

41

42 For subsistence, virtually all chinook  
43 salmon are used for human consumption. Additionally,  
44 Yukon River chinook salmon are commercially the most  
45 valued in the state and provides for a cash economy,  
46 which enables subsistence users to sustain their  
47 subsistence lifestyle.

48

49 Although the subsistence harvest  
50 continues to remain relatively stable, commercial  
00025

1 harvests have been reduced considerably in recent years  
2 to meet escapement and subsistence needs. This is why  
3 the chinook salmon is classified as a yield concern,  
4 because the harvest is decreased.

5

6 The Chena and the Salcha Rivers, which  
7 are tributaries of the Tanana River, are most likely the  
8 largest producers of Chinook salmon in the Yukon River  
9 drainage and are a good indicator of run strength. As  
10 you can see in this figure, the escapement goal has  
11 consistently been met.

12

13 As you heard earlier today, quality of  
14 escapement is also an issue and, at least for these two  
15 Tanana tributaries, that in more than half of the years  
16 shown that the low end of the current escapement goal has  
17 been met in females.

18

19 This figure shows the estimated chinook  
20 salmon escapements into Canada. As you see, with the  
21 exception of 1998 to 2000, escapement objectives have  
22 been met on a consistent basis, including the last three  
23 years. Even though the treaty is in place in years with  
24 low runs, Canada continues to allow aboriginal harvest  
25 below the escapement level.

26

27 For summer chum salmon, subsistence  
28 harvests have declined approximately 35 percent over the  
29 last few years and commercial harvests are down 97  
30 percent to meet escapement and subsistence needs. In the

31 past, summer chum salmon harvest for commercial roe sales  
32 will fill two functions. Once the roe was sold, the  
33 carcass was utilized for subsistence. Therefore,  
34 reductions in commercial fishing in recent years may have  
35 contributed to the decrease in subsistence harvest.

36

37           Similar to chinook salmon, this figure  
38 shows that the parent years were not overharvested or  
39 that roe fisheries has not contributed to the poor summer  
40 chum salmon runs. The current optimal escapement goal  
41 was set by the Board of Fisheries in 2001 and essentially  
42 I've extended those lines back in time just to show you  
43 the level of the summer chum salmon run into the Yukon.  
44 The 2000 and 2001 poor runs are from years with parent  
45 year escapements that were some of the largest observed.

46

47           The Anvik River has historically been the  
48 largest producer of summer chum salmon on the Yukon  
49 River. The summer chum salmon run strength into the  
50 Anvik River has been below average through the 2003

00026

1 season with 2000 and 2001 runs as two of the worst runs  
2 on record. Again, because escapement goals have not been  
3 met in recent years, this is why the State is  
4 recommending that this stock remain a management concern.

5

6           Fall chum salmon run strength was well  
7 below average from 1998 through 2002, but similar to  
8 chinook salmon run a dramatic improvement in the drainage  
9 wide size in 2003. The drainage wide optimal escapement  
10 goal of 350,000 fall chum salmon has been met annually  
11 except for the poor runs of 1998 through 2000.

12

13           Combined commercial and subsistence  
14 harvest show a substantial decrease in yield, meaning  
15 people have not harvested -- whether it's for subsistence  
16 or commercial, have not harvested the average that they  
17 used to. Most of the difference in harvest is because of  
18 the poor run since 1998. Commercial harvest has been  
19 essentially non-existent since that year, hence  
20 subsistence harvests have been reduced in order to meet  
21 escapement needs.

22

23           As an example of fall chum salmon  
24 escapement into the Toklat River, the pattern is similar  
25 to the drainage-wide escapement, with the escapement goal  
26 consistently met with the exception of 1999 through 2001.  
27 This figure is an estimated coho salmon total harvest  
28 because the coho salmon run overlaps the fall chum salmon  
29 run and the two species are similar in size. Commercial  
30 fishing for coho salmon is limited during poor years with  
31 poor fall chum salmon runs.

32

33           One of the escapements we monitor is the  
34 Delta Clearwater coho salmon escapement. This figure  
35 shows that the escapement goal has consistently been met.  
36 Preliminary information indicates this year may be a

37 record-setting escapement.

38

39 To summarize my presentation, the poor  
40 runs of 1998 through 2001 were not localized, caused by  
41 overharvesting or roe fisheries. These poor runs were  
42 runs from escapements that were near record level.  
43 Declines that we have seen have not been species or age-  
44 specific. Poor wild salmon runs have occurred throughout  
45 Alaska. Although more pronounced in Western Alaska, wild  
46 salmon stock declines have also occurred in other Pacific  
47 Rim countries. We think most of this is due to the ocean  
48 environment. Because of conservative management,  
49 escapements have benefitted; however, foregone  
50 subsistence and commercial opportunities have impacted

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1 subsistence users and their ability to conduct  
2 subsistence activities.

3

4 MR. PROBASCO: Mr. Chairman. That  
5 concludes Tracy's presentation and it's your wishes, we  
6 could take questions now or keep moving on and take  
7 questions at the end of all presentations.

8

9 CHAIRMAN NICHOLIA: Thanks, Pete. Before  
10 anybody forgets, I'd like to ask the RACs if they have  
11 any questions. John.

12

13 MR. HANSON: Thank you, Mr. Chairman.  
14 Those graphs that you showed, are they up to 2003 or just  
15 2001?

16

17 MR. LINGNAU: The escapement graphs that  
18 I showed you are up to 2003. The harvests have the  
19 commercial harvest but don't have the subsistence  
20 harvest. In some instances, we estimated that harvest.

21

22 MR. HANSON: Yeah, thanks. Well, if  
23 they're up to 2003 on your escapement, did all your  
24 escapement streams make their escapement goals or are  
25 there a few that didn't?

26

27 MR. LINGNAU: For chinook salmon, all our  
28 escapement goals were met. There were a few rivers that  
29 we were not able to monitor. Because of poor weather we  
30 couldn't fly. The chum salmon escapement goals, the  
31 Anvik River was not met and the east fork Andreafsky was  
32 not met.

33

34 MR. HANSON: Thanks.

35

36 CHAIRMAN NICHOLIA: James Charles.

37

38 MR. CHARLES: Thank you, Mr. Chairman.  
39 On your coho picture, the graph shows red. What does  
40 that red bar represent? And I have another one.

41

42 MR. LINGNAU: That year there were some

43 roe sales and that graphing included those sales. What  
44 we did is keep that separate from whole fish sales. So,  
45 essentially, it's part of the commercial harvest, but a  
46 different form of the harvest.

47

48 MR. CHARLES: Thank you. And on your  
49 chinook picture, that graph that shows subsistence  
50 catches, it keeps rising. Is that because of more people  
00028

1 harvesting chinook? I see it's been low in the past and  
2 keeps rising and it's been pretty steady from there on.

3

4 MR. LINGNAU: Mr. Chair. I believe  
5 probably that increase that you see and then it levels  
6 out is most likely due to population increase, more  
7 users.

8

9 MR. CHARLES: Thank you.

10

11 CHAIRMAN NICHOLIA: Billy McCann.

12

13 MR. MCCANN: Thank you, Mr. Chairman.

14 You said something about on your report that

15

16 (In Yup'ik).

17

18 INTERPRETER: He mentioned the disease of  
19 the fish. I would like to know more about what exactly  
20 is this disease or if this disease is going to affect us  
21 humans. I have a question about that. I also have other  
22 questions, too.

23

24 MR. LINGNAU: The disease ichthyophonus  
25 is in the fish and seems to increase with the  
26 environmental changes. It sounds like there will be  
27 further discussion on the disease. As far as hurting  
28 people, no. The effects that we see is that people  
29 notice it in their fish and they would need to harvest  
30 more good fish to make up for the few bad fish that they  
31 get.

32

33 MR. MCCANN: What is it exactly? What

34 (in Yup'ik).

35

36 INTERPRETER: What is it exactly? Will  
37 it harm us? Will the disease in the fish harm our  
38 health?

39

40 MR. LINGNAU: Mr. Chair. If I may, Joe  
41 Sullivan with YRDFA spent 20 years studying diseases and,  
42 if I can, I'd like to defer that question to him.

43

44 CHAIRMAN NICHOLIA: Go ahead, Al.

45

46 MR. NICK: Mr. Chairman. I'd like to  
47 interpret what Billy McCann's question is. His question  
48 is very simple. He only wants to know if the disease is

49 harmful to human beings for human consumption. That's  
50 all.

00029

1 MR. SULLIVAN: No, it's not harmful to  
2 human beings. If you cook it, you can eat it and it  
3 won't hurt you.

4

5 CHAIRMAN NICHOLIA: Could you state your  
6 name, please?

7

8 MR. SULLIVAN: Sorry. I'm Joe Sullivan.  
9 I work for Yukon River Drainage Fisheries Association.

10

11 CHAIRMAN NICHOLIA: Okay, Billy.

12

13 MR. MCCANN: (In Yup'ik)

14

15 INTERPRETER: I also have another  
16 question. He said those roe fisheries -- he mentioned  
17 about roe and the meat is given to people that use it.  
18 Those people that are going after roe, are they selling  
19 the roe and are they selling the meat? If they catch too  
20 much fish just for the roe and they give the meat to the  
21 people -- my concern is whether the fish is being used or  
22 is it being thrown to the ground. That's the question I  
23 have in the roe, people that are going after the roe with  
24 the fishermen, that are just getting the roe and giving  
25 the meat to subsistence users. Is that how it works?

26

27 MR. LINGNAU: Mr. Chair. The question is  
28 concerning the carcass from females who harvest roe. The  
29 roe is taken and sold to a commercial buyer and then that  
30 carcass is taken home for subsistence use to either feed  
31 people or to dry for their dogs.

32

33 MR. MCCANN: I'm going to talk English.  
34 Do you make sure fish is not wasted on doing that?  
35 Because I know the people, the fishing people watch what  
36 they're catching and if they don't want too many fish  
37 because they might spoil it, but if that happens, then  
38 somebody might not want those fish if they've got enough  
39 fish. Oh, I'm trying to use my both languages sometimes.  
40 That's what I'm worried about. The fish might be wasted  
41 because the fish are going downhill, too. We've got to  
42 watch that really close, no matter who's getting money  
43 for it. We've got to watch those fish buyers also to  
44 make sure it's not wasted. There's one thing, the fish  
45 is going downhill too because down there is catching them  
46 and wasting them down there, too. That's what we've been  
47 hearing. That might be, too, but you guys have been  
48 checking it, too, I think. I hope. Do you understand my  
49 words then?

50

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1 MR. LINGNAU: Yes, sir, I do.

2

3 MR. MCCANN: It's time to give me an

4 answer then.

5

6 CHAIRMAN NICHOLIA: Della, would you like  
7 to speak to that?

8

9 MS. TRUMBLE: I will to some degree. To  
10 be honest with you, one of the things in listening to the  
11 discussion, it would have been appropriate and maybe  
12 something to think about in the future as we go into  
13 these discussions and do these presentations is to have a  
14 presentation from what statistics are available from our  
15 region and the information. Like I say, it's an  
16 educational process. I know that our area has been  
17 targeted numerous times because of this and yet I know I  
18 disagree just because I live in our region and I know  
19 what fish are caught and I know we did not have a great  
20 season this year and we haven't for the past four years.  
21 It's true that the past two years that the state of  
22 Alaska -- excuse me. I'm Della Trumble, the Chair from  
23 the Kodiak Aleutians and I live in King Cove, which is  
24 part of Area M.

25

26 It is true, in the past two years prior  
27 to this year that our region had been declared an  
28 economic disaster by the governor of the state of Alaska.  
29 There are parallels here, I believe, and there's also  
30 responsibility on both parts. I feel that to target or  
31 point fingers, I'm trying to be really respectful of all  
32 of you and appreciate trying to understand where I'm from  
33 and what we are doing too and maybe, as an ideal, like I  
34 say, in the future, that we do these presentations and  
35 include our area and include those statistics so we have  
36 a better education also. So you have a better education  
37 of me. I've gotten a really good education of your  
38 areas.

39

40 Thank you.

41

42 CHAIRMAN NICHOLIA: I've seen Benedict's  
43 hand, then Virgil's.

44

45 MR. JONES: My name is Benedict Jones  
46 from Koyukuk. Tracy, you mentioned ocean environment  
47 change. As we discussed last week, we were concerned  
48 about the pollens (ph) in the Bering Sea being  
49 overharvested and the juvenile fish mortality in the  
50 ocean currents.

00031

1 MR. LINGNAU: Mr. Chairman, Mr. Jones. I  
2 did have another slide I found yesterday but I didn't use  
3 it today. I would like to pull it up. It's a picture of  
4 the Bering Sea with the coccolithoflorous bloom in 1998.  
5 I'm sure most people remember, at least I certainly do,  
6 the shape of the kings were skinny, we had reports of  
7 diseased fish and this is one of those things in the  
8 ocean that can cause a poor run and also poor quality  
9 fish. If I may, I can pull it up fairly quickly.

10 (Pause) Essentially the green that you see is the  
11 coccolithoflorous and it's calcium carbonate. It's  
12 chalk. It's used to do math on chalk boards and this is  
13 what the fish are eating. There's no nutrient value at  
14 all. This was in 1998, not recently.

15

16 MR. JONES: Is that due to the  
17 environmental change in the ocean temperature or  
18 something like that?

19

20 MR. LINGNAU: Most likely.

21

22 CHAIRMAN NICHOLIA: Virgil.

23

24 MR. UMPHENOUR: I could maybe just point  
25 out something on the roe fishery to help people  
26 understand. The roe fishery is in District 4(A), which  
27 is the middle Yukon. It's from Anvik on up to Nulato or  
28 to Koyukuk, and that fishery has not had a commercial  
29 fishery for -- I believe the last year they had a  
30 commercial fishery was '97 and they only had one or two  
31 very short openings, so basically the last time they had  
32 a commercial fishery was in 1996, if you want to call it  
33 a real commercial fishery. From '98 on they have had no  
34 fishery of any kind where they would catch fish to get  
35 roe.

36

37 Thank you.

38

39 CHAIRMAN NICHOLIA: We'll go to Emmitt  
40 Peters, then Mary.

41

42 MR. PETERS: Mr. Chairman. Benedict just  
43 said what I was going to say, so I'll pass.

44

45 CHAIRMAN NICHOLIA: Mary.

46

47 MS. GREGORY: I have a question for the  
48 gentleman that said chalk. What causes it?

49

50 MR. LINGNAU: Unfortunately, I'm not an

00032

1 oceanographer and I might not be able to answer that, but  
2 it's a diflagellate. It's a small critter. It's a small  
3 animal.

4

5 CHAIRMAN NICHOLIA: Raymond.

6

7 MR. ONEY: Thank you, Mr. Chairman. I  
8 have a question for Tracy or someone that might answer  
9 it. Have you done any studies on the spawning grounds  
10 also? We've heard about the permafrost melting over the  
11 years and I thought that might have some effect on the  
12 spawning grounds.

13

14 MR. LINGNAU: To the best of my  
15 knowledge, there hasn't been actually specific studies.

16 I do know of one study near Fairbanks, but it's only two  
17 or three years in the process. It's not a long-term  
18 project. They're monitoring ground water temperatures,  
19 survival of eggs and egg fry.

20

21 CHAIRMAN NICHOLIA: I'll go to Mickey  
22 Stickman, then Della.

23

24 MR. STICKMAN: Thanks, Mr. Chair. The  
25 one thing that I would like to see because the  
26 information you give us has a reflection on our  
27 decisions, but one thing we don't see is the changes in  
28 your optimal escapement goals or biological escapement  
29 goals through the years and with explanations on why.  
30 Actually, we don't have all the information here because  
31 we don't have the information on those changes and the  
32 explanations on why.

33

34 MR. BERGSTROM: Mr. Chairman. This is  
35 Dan Bergstrom with ADF&G, regional management biologist.  
36 Currently, the Department, since probably late fall last  
37 year, has been working on reviewing escapement goals for  
38 the Yukon and the public has been involved with that.  
39 There's representatives from like AVCP and TCC, so  
40 they've been getting some information. Before the Board  
41 meeting, there will be a report reviewing it. As I  
42 recall, at the Board meeting last time for the Alaska  
43 Board, there was a big presentation on escapement goals  
44 and at this time there is very little change from what  
45 was presented then. I think the one item is the Anvik  
46 River might go down a little bit and that's just based on  
47 adding the recent years.

48

49 CHAIRMAN NICHOLIA: Della.

50

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1 MS. TRUMBLE: Thank you, Mr. Chair. I've  
2 got two things. Number one, if your presentation is  
3 available in print somewhere. The other piece of it is I  
4 have the opportunity to get the reports, the notice for  
5 openings for subsistence and commercial and it was  
6 encouraging to see that the levels were there to, number  
7 one, get the subsistence and then the commercial. But  
8 I'm looking at your graphs. How much of an impact when  
9 you look at the commercial portion is based on -- if you  
10 notice when you have a commercial opening that you have  
11 to have a buyer. How much impact can there be because  
12 there are maybe limited buyers and limited commercial  
13 sales because of price is possible based on the figures  
14 you gave?

15

16 MR. LINGNAU: Mr. Chair. Absolutely  
17 having a buyer or a number of buyers and their capacity  
18 can affect a commercial fishery quite a bit. We've lost  
19 buyers both in the lower end and the upper area. We're  
20 not for sure what's going to happen next year either, but  
21 certainly from when I started to now the number of buyers

22 and even catcher/sellers has decreased a lot and it does  
23 affect how many we take, how many hours we open up in a  
24 good year. In marginal years, we're more worried about  
25 escapement and subsistence and not commercial.

26

27 CHAIRMAN NICHOLIA: Thank you. I'd like  
28 to move on a little bit. We seem to be getting past our  
29 time here. So, Pete, can you?

30

31 MR. PROBASCO: Thank you, Mr. Chair.  
32 Next presentation will be given by Fred Bue and he'll  
33 give us a management overview for the Yukon Drainage.  
34 Fred.

35

36 MR. BUE: Thank you, Mr. Chairman. My  
37 name is Fred Bue. I'm the State of Alaska Yukon area  
38 fall season manager for Commercial Fisheries Division. I  
39 work out of the Fairbanks office. You've just heard  
40 Tracy's report on Yukon River salmon stock status and  
41 trends. What I'll be talking about now is management of  
42 the salmon resource.

43

44 We all know Yukon River salmon have been  
45 relied on for as long as people have lived on the river.  
46 We also know that exploitation rate has increased with  
47 the increase in population and development. In order to  
48 sustain Yukon River salmon fisheries we must ensure we  
49 provide for escapements. People depend on salmon  
50 resources. Sustaining the stocks will provide for future  
00034

1 needs. However, we do know there will be times when  
2 natural production will not always provide an adequate  
3 surplus as we have seen in recent years.

4

5 Some of the goals of Commercial Fisheries  
6 Division are to manage Alaska's fisheries resources based  
7 on a sound science, good management principals and a fair  
8 and open public process. We provide for a subsistence  
9 harvest of fisheries as a priority use consistent with  
10 the sustained yield principal and we provide for healthy,  
11 sustainable and economically viable commercial fisheries.

12

13 Here are some of the elements of State  
14 management. It's a public process. All members of the  
15 public have an opportunity to comment and make  
16 recommendations that affect State management. This can  
17 either be involvement as an individual or as a  
18 participant in State or Federal advisory groups or with  
19 other interest groups.

20

21 The Board of Fish was established for  
22 purposes of conservation and development of fisheries  
23 resources of the state. As fisheries managers, we carry  
24 out directives of the Board of Fisheries and the  
25 commissioner.

26

27 Tracy mentioned in his overview the

28 Department is mandated by the State to follow these  
29 priorities. First, escapement is the highest priority  
30 because if we don't get fish to the spawning grounds,  
31 they can't reproduce and provide fish in the future.  
32 Subsistence is the highest priority use. So when we  
33 develop management plans and strategies and implement in-  
34 season management actions, we give subsistence users  
35 highest consideration over other uses.

36

37                   We also recognize other uses are  
38 important to many people. Commercial fishing, for  
39 example, is an important means for some people to earn a  
40 living. We know that is tied closely to subsistence, to  
41 the point where many people have found it difficult to  
42 pursue their subsistence activities without the money  
43 derived from commercial fishing. So it is important that  
44 a sufficient resource is identified beyond escapement and  
45 subsistence needs, that we make it available for other  
46 uses.

47

48                   Tracy showed us the trend of weak salmon  
49 production in the Yukon River. You are also well aware  
50 that the Yukon River salmon markets are declining.

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1 Actually, we've seen the roe markets start to decline  
2 before this recent downturn in salmon production. It is  
3 believed that the poor runs have hurt markets further by  
4 not providing a constant supply of salmon, which is  
5 causing markets to look for fish elsewhere.

6

7                   The recent poor salmon returns to western  
8 Alaska certainly caught the attention of the Board of  
9 Fisheries. In the winter of 2000-2001, the Board  
10 identified stocks of concern, they formulated management  
11 action plans to protect and rebuild stocks and they  
12 established regulations to guide management towards an  
13 agreed-upon objective.

14

15                   One of the largest changes has occurred  
16 in recent years because of the adopted subsistence  
17 fishing schedule. This schedule was developed to spread  
18 harvest throughout the run to reduce the impact on any  
19 particular component of the run and spread subsistence  
20 harvest opportunity among users. It was determined that  
21 the schedule should provide reasonable opportunity for  
22 subsistence users to meet their needs during years of  
23 normal to below average runs.

24

25                   The greatest impact of this schedule was  
26 in Districts 1, 2 and 3 where their subsistence fishing  
27 time was reduced to two 36-hour periods each week. The  
28 remainder of the river essentially did not change, but it  
29 should be noted that different areas have different  
30 fishing times based on fishing efficiency, which the  
31 Board spent a lot of time considering, since this  
32 schedule allocated fishing opportunity to different parts  
33 of the river.

34

35

The way management works is that Yukon River salmon fisheries are managed primarily in-season based on actual return of the stocks and all State actions are based on guidelines established by the Board of Fisheries in regulation and management plans.

40

41

The pre-season outlook is public notice of expectations so people can plan for the coming season. Management strategies are developed prior to the season using various sources of information such as previous management practices and recent salmon run trends. It is important to fishers, both subsistence and commercial, to understand that the in-season decisions are based on regulatory management plans developed by the Board of Fisheries.

49

50  
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1

Beginning with 2001, we've been much more conservative by starting the season on the subsistence window schedule until we have a good sense of the run strength. Our strategy has been to wait until around the first quarter point in the run before further restricting subsistence. Also, our conservative approach has been to wait until near the midpoint to decide on allowing a commercial fishery. The intent is to lower the amount of risk and spread opportunity when faced with poor run outlooks early in the season.

11

12

Tracy talked a little bit about in-season assessment. Our in-season management is determined by information from projects that give us an indication of run strength. So essentially the management plans tell us what we should be doing for various run size situations by stipulating the escapement objectives, harvest rates and how the available surplus of fish is to be distributed.

19

20

21

For example, the schematic table of the wording found in the regulatory text for fall chum salmon management plan. The way we use it is to first find the estimated run size in the left-hand side of the table, then moving to the right, the table identifies what type of uses are allowed for that particular run size. The right-hand side shows you the target escapement goal that managers try to attain or stay above after the harvest is taken. Note that the escapement goal is lower when the total run size is lower. The intent here is that subsistence is considered important enough to fish down into what is needed for escapement to provide some fish for subsistence even on a weak run.

33

34

35

Things that make management difficult are that no information is perfect. The Yukon is a large and complex river system. There are many diverse and widely distributed users who rely on the common salmon resource. There are international agreements with Canada to deliver

39

40 set amounts of salmon to the border, yet we have little  
41 control over the Canadian harvest. When salmon  
42 production is low, we need to maintain escapement so that  
43 there will be salmon available when production improves.  
44 There's real difficulty in balancing all the uses and  
45 needs over a huge drainage, particularly during low runs.

46

47           The basis for initial management  
48 strategies have changed. Salmon production has been  
49 below expectations based on parent year escapements.  
50 Commercial markets for Yukon salmon have become weak and  
00037

1 lifestyles are changing. Managers have used the YRDFA  
2 conference call participants to provide user input and  
3 comments on management actions in season. The members  
4 are considered as representing a cross-section of the  
5 drainage-wide user groups who are knowledgeable and  
6 active in the fisheries.

7

8           Some of the decisions they weighed in on  
9 this season were when and to what extent subsistence  
10 restrictions should be implemented to conserve fall chum  
11 salmon. They recommended fishing dates and times during  
12 restrictive fishing that would lessen the burden on  
13 users, like fishing during daylight hours or on weekends.  
14 They also support extending the commercial fishing season  
15 and subsistence fishing schedules beyond times set in  
16 regulation when it became obvious that the fall chum and  
17 coho salmon runs were above the high-end of the  
18 management plans. This was an attempt to make up for  
19 lost opportunity.

20

21           As managers, we routinely use emergency  
22 orders to control the amount of time fished, areas that  
23 can be fished or limit the gear to target specific  
24 species of salmon as a means to attain management  
25 objectives.

26

27           CHAIRMAN NICHOLIA: Excuse me. You're  
28 taking up a lot of time and I thought this presentation  
29 was going to be a post-season Yukon fisheries subsistence  
30 deal.

31

32           MR. BUE: I apologize, Mr. Chairman. We  
33 must have gotten some misdirection. Now I'm going to  
34 talk about the recent three years management. The next  
35 few slides will be an overview of the recent years  
36 management. Recent chinook salmon runs have been  
37 increasing since the low in 2000. Most escapement needs  
38 have been attained. Reasonable subsistence opportunity  
39 had been provided with the full Board of Fish schedule  
40 and commercial harvests have been low with some  
41 harvestable surplus foregone to conservative management.

42

43           Examples of management actions taken in  
44 recent years for chinook salmon range from restricting  
45 subsistence and no commercial fishing in 2001 to relaxing

46 the subsistence fishing schedule on commercial fishing  
47 beyond the pre-season outlook in 2003. Also in 2003 when  
48 the summer chum salmon run was in question, commercial  
49 fishing was conducted by restricting gillnets to large  
50 mesh gear to avoid the smaller chum salmon.

00038

1                   Summer chum salmon runs have improved  
2 slightly over the low in 2000, but the production remains  
3 below historical levels. Escapement goals and  
4 subsistence harvest have been marginal and commercial  
5 harvests have been well below average due to the very low  
6 abundance.

7

8                   Examples of management actions taken in  
9 recent years for summer chum range from restricting  
10 subsistence fishing times and gillnet mesh size with no  
11 commercial fishing in 2001 to the regular subsistence  
12 fishing schedule in 2002. Also in 2002, because of the  
13 summer chum salmon run strength into the Tanana River,  
14 directed commercial summer chum salmon fishing was  
15 allowed. Again, when the summer chum salmon run was in  
16 question in 2003, commercial fishing was conducted by  
17 restricting gillnets to large mesh gear to target kinds  
18 and avoid the chum.

19

20                   The 2003 fall chum salmon run doubled the  
21 previous five year average run size. Escapement goals  
22 have been exceeded in most areas in 2003. Since 1997  
23 only a limited commercial fishery has occurred and that  
24 was in 1999 and again in 2003. This year we could have  
25 supported a larger harvest. Until this year, subsistence  
26 harvests have been held well below average since 1997 in  
27 an effort to provide for escapements. In 2001, the  
28 subsistence season began closed in the lower river, then  
29 it was relaxed near the midpoint, while the upper Yukon  
30 River had little or no restrictions. In 2002, the  
31 subsistence season began in the lower river until the  
32 midpoint; however, the upper river was essentially closed  
33 before salmon arrived in that area.

34

35                   In 2003, the subsistence season began on  
36 a reduced schedule in the lower river and then was  
37 relaxed after the midpoint. The upper river was  
38 restricted for less time than the lower river because  
39 project information indicated that we had more confidence  
40 in our assessment and the run was sufficient,  
41 significantly larger than previous years. Commercial  
42 fishing was allowed late in the season and subsistence  
43 fishing opportunity was increased beyond the schedule.

44

45                   For coho salmon, the run has been  
46 increasing in recent years with a 2003 run nearly  
47 doubling the previous record run size. Escapement goals  
48 have been exceeded consistently and subsistence and  
49 commercial harvest have been well below average due to  
50 management actions taken to conserve the weak fall chum

00039

1 salmon stocks.

2

3

4 In summary, we have become optimistic.  
5 The Yukon salmon runs will continue to experience  
6 increased production. When the runs are poor, it is  
7 necessary to reduce potential risk, erring on the side of  
8 conservation and acknowledging that not everybody will  
9 get all they want. There is a very involved public  
10 process intended to structure management based on the  
11 balance of user concerns and biological needs. All  
12 stakeholders have a responsibility to maintain the  
13 resource. That concludes my report, Mr. Chairman.

13

14

15 CHAIRMAN NICHOLIA: Before I let you guys  
16 ask questions, it seems like all the stuff we've been  
17 hearing on these reports about 2001, 2000, it's  
18 redundant. Let's stick to the post season. That's what  
19 it says here. If anybody asks questions, now is the  
20 time.

20

21

(No questions)

22

23

24 CHAIRMAN NICHOLIA: Okay. What would we  
25 like to do here? It's 10 after 12:00. Would you like to  
26 take lunch or keep on? Pete, how much more presentations  
27 do you have there?

27

28

29 MR. PROBASCO: I looked at the two  
30 presenters and they're recommending to take lunch, Mr.  
31 Chair.

31

32

33 CHAIRMAN NICHOLIA: For better Y-K  
34 understanding, we're going to take a lunch here and then  
35 we'll reconvene at 2:00. Vince, you had something to  
36 say?

36

37

38 MR. MATHEWS: Yes. Those Council members  
39 that need to go to the bank to cash their check, follow  
40 me.

40

41

42 CHAIRMAN NICHOLIA: We'll recess until  
43 2:00.

43

44

(Off record)

45

46

(On record)

47

48

49 CHAIRMAN NICHOLIA: Everybody please find  
50 their chairs.

50

00040

1

2 MR. PROBASCO: Thank you, Mr. Chair. In  
3 an effort to speed things along, both Russ and Dan spent  
4 lunch time taking the reports and breaking them down, so  
5 we're going to give you a quick summary. Russ is going  
6 to go through State and Federal management coordination  
7 for the Yukon and then Dan will follow up with a report

7 on subsistence. Mr. Chair, I'll turn it over to Russ  
8 Holder.

9

10 MR. HOLDER: Mr. Chairman and Council  
11 members. My name is Russ Holder. I'm with Fish and  
12 Wildlife Service in Fairbanks. I have two new assistants  
13 that are working for me. Gerald Maschmann back in the  
14 back and Jonathan Gerken also there in the middle. I'm  
15 going to go through this presentation, try to hit the  
16 high points to kind of speed up the time period that you  
17 have here.

18

19 Why is there Federal fisheries management  
20 in Alaska? Because the State law and ANILCA are  
21 inconsistent. The State of Alaska constitution provides  
22 a subsistence preference for all Alaskan residents, rural  
23 and urban, on all lands in Alaska, plus providing for  
24 recreational, personal use and commercial. Federal law  
25 in ANILCA requires a rural resident subsistence  
26 preference.

27

28 The rural resident preference provided by  
29 the Federal management program is associated with  
30 conservation system units. There are eight national  
31 wildlife refuges, two national parks and preserves, one  
32 national conservation area, one natural preserve, one  
33 national recreational area and four wild and scenic  
34 rivers outside of conservation system units.

35

36 People ask when will Federal management  
37 go away. Basically there are three provisions. It's a  
38 legal problem. In order to solve this, the State needs  
39 to amend the State constitution to provide a rural  
40 subsistence preference. Number two, Congress to change  
41 ANILCA consistent with the State constitution or, number  
42 three, for court decisions interpreting the State  
43 constitution being overturned, which would permit the  
44 State to authorize a rural subsistence priority.

45

46 There are many guiding documents which  
47 provide the guidance for the Federal Management Program.  
48 Most of them you are familiar with. I'm going to shift  
49 down to the lower one, the Yukon River drainage  
50 subsistence salmon fishery management protocol which was  
00041

1 signed in 2002.

2

3 The protocol objectives for the State and  
4 Federal management programs are to manage the fisheries  
5 for healthy fish populations, sustained yield and  
6 established escapement goals while providing a priority  
7 for subsistence uses in all waters, to provide for  
8 commercial, recreational and personal use harvests when  
9 the harvestable surplus is sufficient, and to facilitate  
10 cooperation between State and Federal management staffs.

11

12 The protocol provides provisions for pre-

13 season, in-season and post-season evaluation. In pre-  
14 season planning, the State managers generate an outlook,  
15 State and Federal managers strive to reach consensus on  
16 pre-season management strategies consistent with the  
17 outlook, and these strategies are presented to spring  
18 meetings, including U.S./Canada Joint Technical Committee  
19 and Panel, spring RAC meetings and spring fishermen's  
20 meetings, including those facilitated by non-government  
21 organizations. These management strategies are printed  
22 and distributed as an information sheet.

23

24 I've included here a copy of the 2002  
25 information sheet, which gives you an idea of what this  
26 information sheet actually looks like, including the run  
27 outlook, the harvest outlook and management strategies.

28

29 Moving into the in-season management,  
30 there's daily coordination between State and Federal  
31 managers sharing assessment information, the different  
32 project information, as Tracy and Fred Bue already  
33 covered many of these different types of assessment  
34 projects, and in the Federal program there's also  
35 additional participation by subsistence fishermen being  
36 -- information provided by refuge information technicians  
37 and coordinating fishery committee members, many of you  
38 sitting here at this Council meeting.

39

40 We are also increasing the importance and  
41 use of the weekly YRDFA teleconferences. There were 16  
42 teleconferences this past season in which information was  
43 both shared by both the managers and the fishermen. The  
44 in-season subsistence decisions are announced on joint  
45 ADF&G and Fish and Wildlife Service news releases.

46

47 I wanted to identify that the Federal  
48 participation is only on applicable waters. The map that  
49 I showed earlier with the conservation system units,  
50 that's where the Federal regulations apply. In order to  
00042

1 decrease the duplication between the State and Federal  
2 regulations, the Federal side now uses a streamlining  
3 approach and/or a non-objection when commercial  
4 activities are being announced. Special actions may be  
5 requested by the public or organization. The Federal  
6 Subsistence Board focuses primarily on policy. The  
7 Federal manager has been myself, authorized the authority  
8 for time and area, method and means and harvest limits.

9

10 Post-season meetings like this one, there  
11 are quite a few and I've listed some of those there on  
12 the screen. In summary, the Federal management  
13 jurisdiction only applies to Federal waters. Guiding  
14 documents include the regulatory management plans and  
15 escapement goals. There's an international agreement  
16 with Canada that also guides some of our decisions and  
17 the protocol outlines State and Federal responsibilities  
18 pre-season, in-season and post-season. We have three

19 different RACs and we have one river.

20

21 Thank you very much.

22

23 CHAIRMAN NICHOLIA: Before you move on,  
24 do we have any questions for Russ? Seeing none, I guess,  
25 Dan, it's up to you.

26

27 Thank you, Russ.

28

29 MR. BERGSTROM: Mr. Chairman, you'll be  
30 glad to know I decreased my report and now it's down to  
31 300 slides. My name is Dan Bergstrom. I will be  
32 presenting subsistence harvest trends. I need to  
33 recognize Bonnie Borba, the fall season research  
34 biologist, for putting this presentation together.

35

36 The Yukon River subsistence fishery is  
37 the largest in the state. To ensure subsistence uses are  
38 met, accurate estimates of harvest are required.  
39 Subsistence and personal use salmon permits are required  
40 in areas highlighted in this slide. Subsistence permit  
41 areas are highlighted in yellow and the current personal  
42 use permitted area is highlighted in green and that's  
43 around Fairbanks. It's the Fairbanks non-subsistence  
44 area. The permitted areas are those with road access.  
45 In all other areas household surveys are conducted.

46

47 Here are some trends to show what the  
48 harvests have been like before the recent poor runs.  
49 This graph shows the 1992 to 1996 five-year average  
50 subsistence harvest by species, as well as the breakdown  
00043

1 between lower and upper Yukon communities. The lower  
2 portion of those bars is the lower Yukon average harvest  
3 and the upper portion is the upper Yukon harvest. Those  
4 five-year average harvests are shown at the top of the  
5 bars, about 51,000 for chinook, 112,000 for summer chum,  
6 113,000 for fall chum, 34,000 coho.

7

8 As you can see for chinook, the harvests  
9 are usually about 50/50 between upper and lower areas.  
10 The summer chum salmon subsistence harvests are typically  
11 larger in the lower Yukon area; however, the upper Yukon  
12 area harvests more fall chum and coho.

13

14 In January 2001, the Board of Fisheries  
15 adopted amounts necessary for subsistence levels by  
16 individual salmon species rather than the previous all  
17 species combined. These levels give management agencies  
18 an idea of the normal range of expected harvest for a  
19 given species barring drastic changes in lifestyle and  
20 salmon production.

21

22 This slide shows the chinook salmon  
23 subsistence harvest. If you look at the bars, you can  
24 see that since the early '80s the chinook salmon

25 subsistence harvest has been fairly stable with a slight  
26 increase through time and averaging about 50,000. The  
27 chinook salmon harvest decreased noticeably in 2000 and  
28 that was due to an extremely poor return in which  
29 restrictive management actions were taken.

30

31 In 2001, the next year after that, we see  
32 quite an increase and in that year there were management  
33 actions to conserve summer chum salmon that included  
34 restricting gillnets to eight inch or larger mesh size.  
35 This may have resulted in an increase in chinook harvest.

36

37

38 During the 2002 season, fishermen  
39 reported being able to meet their needs in season and the  
40 run appeared better than the previous year; however,  
41 lower than average numbers were reported for all  
42 districts in 2002. This may have been due to  
43 underreporting of jacks or diseased chinook salmon which  
44 couldn't be used, but otherwise that's just a guess.  
45 We're uncertain why that occurred last year.  
46 Additionally, subsistence harvest patterns may be  
47 changing during these years of low salmon abundance.  
48 Most salmon species have gone through a period of poor  
49 production.

50

00044

1 The next one shows the summer chum salmon  
2 subsistence harvest. During the early '80s through 1997  
3 some of the subsistence harvest was driven by the  
4 commercial roe fisheries which provided carcasses for use  
5 for dogs. The salmon roe market began declining in 1997  
6 and a series of poor runs occurred from 1998 through 2001  
7 and you can see where the harvest goes down.

8

9

10 The fishermen in the middle Yukon area  
11 have not had a commercial fishery since 1997 and they  
12 have reported that it's not worth their time or gas money  
13 to deploy fishwheels for harvesting chum salmon for  
14 subsistence in the absence of a commercial fishery. This  
15 has likely resulted in lower subsistence harvest since  
16 1997. Also, the subsistence fishery was restricted in  
17 2000 and 2001 to conserve summer chums because of low  
18 abundance.

18

19

20 Now for fall chum salmon. The  
21 subsistence harvests have been greatly affected by  
22 extremely weak runs in recent years. The subsistence  
23 fishery has been restricted or closed along with complete  
24 closures to the commercial fishery in 1993, 1998, 2000  
25 through 2002, and that was all done in efforts to provide  
26 for escapement.

26

27

28 Coho, if you remember back to that  
29 previous slide, it shows a lot of the same trends because  
30 of overlapping run time. The management of fall chum  
salmon impacts the harvest of coho, too. The subsistence

31 harvest is directly related to the management actions to  
32 protect fall chum salmon. However, we have tried in most  
33 years to allow some harvest of coho salmon late in the  
34 season and in various areas and using different gear  
35 types to try to select coho and not fall chum.

36

37 This slide shows the impact of poor fall  
38 chum salmon runs on subsistence harvest. The first bar  
39 on each one, the light green, shows the '94 to '97  
40 average and then the dark color is the '98 to 2001  
41 average, the more recent years. The '94 through '97  
42 information shows years with minimal subsistence  
43 disruption and the '98 to 2001 includes the poor years  
44 when there was severe reduction in fishing time.

45

46 In this example, the lower Yukon areas  
47 average fall chum salmon harvest was reduced by 12  
48 percent while the upper Yukon harvest was reduced by 61  
49 percent between those two time periods; however, as you  
50 can see, it shows the number of salmon on the left side  
00045

1 of the axis there and the lower Yukon harvest only  
2 averages 9,000 to 12,000 fall chum annually. It's a  
3 relatively small amount that is likely to be obtained  
4 under even very severe restrictions. Similarly, you look  
5 at the upper Yukon for the period '98 to 2001. That's an  
6 average harvest there of 43,000. You can also see  
7 there's a lot larger impact in the upper Yukon.

8

9 Here's a summary of the subsistence  
10 salmon harvest showing by year all species. The declines  
11 in the salmon harvest in the Yukon area can be most  
12 directly attributed to the management actions and  
13 subsequent reductions in the fall chum salmon harvest.  
14 Chinook salmon uses are being met most consistently  
15 except for 2000 and that's the lower bar. Summer chum  
16 salmon uses are being met most years except for fishery  
17 restrictions in 2000 and 2001. Subsistence harvests have  
18 decreased in upper river areas also because of the  
19 commercial summer chum salmon closures and that's the  
20 yellow one, second stack bar up. Fall chum salmon  
21 harvests have been in decline due to management actions  
22 taken to protect escapement needs. That's basically 1998  
23 through 2002. As I said earlier, coho salmon harvests  
24 have been impacted by the fall chum fishery.

25

26 Low salmon runs in subsequent fishery  
27 restrictions obviously impact subsistence harvest;  
28 however, there are other factors that may affect  
29 subsistence harvest that are difficult to quantify. As  
30 noted for summer chum, low salmon runs precluding  
31 commercial fishing may impact subsistence harvest in the  
32 middle Yukon area. In some areas, lack of commercial  
33 fishing may increase the need for fish because of the  
34 lack of cash. Changes in lifestyle, whether due to poor  
35 runs or other factors, also impacts subsistence harvest,  
36 such as numbers of sled dogs, and if there's changes in

37 the source of salmon to feed dogs. Mother Nature also  
38 plays a role such as high water events during the peak of  
39 the salmon passage may impact the harvest.

40

41           There's no doubt that all the fishers  
42 along the Yukon River have experienced a major upheaval  
43 during recent years. Efforts to manage the fishery such  
44 that returns will be increased, particularly in years  
45 when run sizes are poor, will help to provide fish for  
46 the future. That covers my presentation on the  
47 subsistence harvest.

48

49           I had one other item to mention that we  
50 talked about at the CFC meeting. I just wanted to go

00046

1 over the 2002 Canadian border chinook escapement. Based  
2 on in-season run assessment in 2002, there was a limited  
3 commercial harvest of chinook salmon and I think a lot of  
4 people in the room had heard that the initial escapement  
5 estimate for the Canadian portion of the drainage was  
6 below the goal recommended by the panel. However,  
7 subsequently, this late spring and early summer, through  
8 use of the radio tagging project operated near Russian  
9 Mission, the number has been re-evaluated and we estimate  
10 now we were at least at the goal that year, that we did  
11 meet the escapement. After this development, the  
12 Department does have concerns for the DFO  
13 mark/recapture/tagging project and, to address this in  
14 the future, we're proposing through various funding  
15 sources a sonar project in Alaska downriver from the  
16 border.

17

18           Lastly, I went over a draft preliminary  
19 outlook for next season and the Staff really hasn't  
20 developed their 2004 outlooks yet, but this past summer  
21 we did see some improvement, particularly in chinook and  
22 fall chum salmon runs and we saw improved runs both the  
23 Yukon and the Kuskokwim. We have received information  
24 from offshore studies that they are catching chums, kings  
25 and sockeye in greater numbers than last year, so there  
26 are reasons to be optimistic about this next year. As we  
27 always say, we'll still manage based on in-season  
28 assessment, what we see when it comes back. I'm happy to  
29 answer any questions.

30

31           CHAIRMAN NICHOLIA: Any questions? Jack.

32

33           MR. REAKOFF: Do you have a funding  
34 source for the sonar project at the Alaskan side of the  
35 Canadian border or what's the status on that funding  
36 source?

37

38           MR. BERGSTROM: Mr. Chairman. I think  
39 there's several different areas of funding now, but I  
40 think the plan right now, as we're trying to contact DFO  
41 in Canada and we're trying a plan to try it as either an  
42 RNE or a treaty implementation project.

43

44 CHAIRMAN NICHOLIA: Virgil, you had a  
45 question?

46

47 MR. UMPHENOUR: Thank you, Mr. Chair.  
48 Mr. Bergstrom, you said that based on the radio telemetry  
49 it appeared that maybe the DFO fishwheel project wasn't  
50 counting fish as well, but I also know that the  
00047

1 fishwheels on the mainstem, particularly in the rapids  
2 area, weren't catching king salmon as well either.  
3 Because of the low water, is it possible that the DFO  
4 fishwheels weren't as effective at catching king salmon  
5 as well or was that considered?

6

7 MR. BERGSTROM: Mr. Chairman. I think  
8 one of the problems we think that the tagging estimate  
9 has in Canada is partly their recovery. In Alaska, with  
10 Fish and Wildlife Service and Department tagging  
11 projects, we have real intensive recovery efforts and,  
12 just because of various reasons, up there it isn't done  
13 as intensively and I think that's part of the problem.  
14 Then as far as like you said with low water, we noticed  
15 that the last two years in the rapids and also at the  
16 Canadian wheel projects there has been low water and the  
17 catch rates have been lower with low water. When we've  
18 looked at other years now with high water, we noticed  
19 that catch rates were up, so there's a real factor of  
20 water level impacting catches there as well as abundance.

21

22 MR. UMPHENOUR: Thank you.

23

24 MR. MOSES: (In Yup'ik)

25

26 INTERPRETER: Mr. Chairman, I'm going to  
27 ask a question. I heard subsistence users will use  
28 permits to fish. What will happen to a person when he  
29 fishes without a permit if they know that he's fishing  
30 without a permit if he's trying to acquire fish for food?  
31 When you become aware of that person doing that, what  
32 will you do to him?

33

34 MR. BERGSTROM: Mr. Chairman. Obviously,  
35 if a person doesn't have a permit, they could be cited.  
36 These permit areas on the Yukon have been there for a  
37 long time, so people in that area know about it. That's  
38 the important thing, to get out the information so people  
39 know if they fish in an area, they need a permit, then we  
40 work hard at being able to get them a permit. Either we  
41 go visit villages or we do it through the mail and we've  
42 even started doing a few via e-mail now. In these areas,  
43 it's not much of a problem. They know about it.

44

45 CHAIRMAN NICHOLIA: Dan, I believe he  
46 asked what happens when a person gets caught without a  
47 permit.

48

49 MR. BERGSTROM: Mr. Chairman. Russ let  
50 me know, which is what I would do, and I can't speak for  
00048

1 enforcement, but we would normally make sure that we have  
2 a permit with and we'd be able to do a permit right there  
3 and then you make sure they know in the future to have  
4 them.

5

6 MR. MOSES: (In Yup'ik)

7

8 INTERPRETER: I'm Yup'ik and these people  
9 here are Yup'iks also. When I think, especially now  
10 during meetings, when I think of these people here, I  
11 think of them as children and you are the authority and  
12 it's getting worse and worse. It's only through your  
13 authority we live. It's like being children and we tell  
14 our children what to do. Also, these elderly people over  
15 here, it seems like you're treating them like children.  
16 When I first joined the Council, the books weren't this  
17 thick. The regulations that you finished. When I first  
18 started, I only had a few papers. As I look at these,  
19 they follow your instructions. When you instruct a  
20 child, the child will follow your instructions. I'm  
21 elderly, I'm not that old, but I remember people back in  
22 those days. They respected that fish because it was  
23 their means of survival. There was no store-bought food.  
24 I feel sorry for the people in the Yukon River and the  
25 Kuskokwim River because everybody is always discussing  
26 and talking about those rivers and the problems in those  
27 rivers. I guess there's no conflict in my village. Fish  
28 and Game don't come to my village. It seems like it's  
29 peaceful in my village. I'm just mentioning that.

30

31 Thank you.

32

33 MR. BERGSTROM: I think everybody knows  
34 the rules and paper on all these rivers has increased.  
35 There's a lot more people. But just getting back to the  
36 permits, we don't look at it so much as like permission  
37 to go fishing. It's a method to gain the harvest  
38 information since in these road areas people can come  
39 from all over Alaska to go subsistence fishing, so the  
40 only way to find out who is there is to have the permits.  
41 Thanks.

42

43 CHAIRMAN NICHOLIA: Della.

44

45 MS. TRUMBLE: Thank you, Mr. Chair. The  
46 questions I have in reviewing your study you presented,  
47 the years that it went up to are 2002. I'm assuming  
48 that's because you're still gathering the information for  
49 2003 to incorporate into what you've presented. When  
50 would that information be available?

00049

1 MR. BERGSTROM: Mr. Chairman. It will be  
2 at least the end of February. It will be after the Board  
3 meeting. We've rarely been able to get it done quicker

4 than that. You always want the information quicker, but  
5 that's about when it will be ready.

6

7 CHAIRMAN NICHOLIA: Philip.

8

9 MR. TITUS: I've got a question for Dan,  
10 I guess. On these permits, are you putting out more  
11 permits or just a set number? Is there more people going  
12 to be fishing next year?

13

14 MR. BERGSTROM: Mr. Chairman. It would  
15 be good to get the numbers back from this year. It's  
16 been fairly stable through the years on each of these  
17 permit areas. It probably went down a little bit during  
18 these recent bad years because people started to hear  
19 about it and didn't get permits, didn't go fishing, but I  
20 did understand this year from the Fairbanks staff that  
21 the number did go up some. I think mostly around the  
22 haul road, but that actually increased a little this  
23 year.

24

25 CHAIRMAN NICHOLIA: Any more questions?

26

27 (No questions)

28

29 CHAIRMAN NICHOLIA: I see no more  
30 questions. Thank you, guys.

31

32 MR. PROBASCO: Thank you, Mr. Chairman.  
33 That will move us into the proposal section of your  
34 agenda, Mr. Chairman. I also think we omitted to make  
35 people aware that we do have those CFC summaries, before  
36 each Council member as well, so you could reference that  
37 as well during your discussion and deliberations.

38

39 Mr. Chair.

40

41 CHAIRMAN NICHOLIA: To get things rolling  
42 here on these proposals, we've got a little paper right  
43 here. I want to start on the easy proposal so we could  
44 get kind of streamlined here. That's Proposal No. 6 and  
45 7, reduce the three-inch gillnet restriction in Birch  
46 Creek.

47

48 MS. GREGORY: Mr. Chairman. Can you give  
49 me the page number?

50

00050

1 MR. MATHEWS: Mr. Chairman, Mary. When  
2 the presenter gets up there, he will direct you to the  
3 right page and tab number.

4

5 MR. BERG: Thank you, Mr. Chairman. For  
6 the record, my name is Jerry Berg. I work in the Office  
7 of Subsistence Management. Just to let those of you know  
8 who don't already know, we've had a little bit of a shift  
9 in personnel in our office and some reassignments and

10 that's why you're seeing me here presenting Yukon  
11 proposals and Y-K and Western Interior Councils saw Rich  
12 Uberuaga presenting Kuskokwim issues yesterday because  
13 Rich has been reassigned to the Kuskokwim for fishery  
14 issues on management. I will be the Yukon fisheries  
15 biologist assigned to your Councils now for the Yukon.  
16 Tom Kron, who was previously on the Yukon, has moved into  
17 a different position in our office. So just to let you  
18 know that's why you're seeing some different faces  
19 presenting information on these issues before you.

20

21                   Proposals 6 and 7 deals with Birch Creek  
22 in the upper Yukon. I did want to mention before we get  
23 into this proposal that this proposal really is an  
24 Eastern Interior proposal. It only affects people in the  
25 upper river, so it really doesn't need to be presented to  
26 all three Councils. It was kind of an oversight when we  
27 put this agenda together. So I can go ahead and present  
28 it and you can deal with it as all three Councils if  
29 you're like, but it's really an Eastern Interior  
30 proposal.

31

32                   Would you like me to continue with 6 and  
33 7? The other option would be to defer 6 and 7 into the  
34 Eastern Interior individual meeting on Thursday.

35

36                   CHAIRMAN NICHOLIA: What is the wish of  
37 my Council?

38

39                   MR. WILLIAMS: Mr. Chairman. For the  
40 record, I'd like to move that Proposals 6 and 7 be  
41 deferred to Eastern Interior.

42

43                   CHAIRMAN NICHOLIA: There's a motion. Is  
44 there a second?

45

46                   MR. UMPHENOUR: Second.

47

48                   CHAIRMAN NICHOLIA: It's been moved and  
49 seconded to defer 6 and 7 to the Eastern Interior. All  
50 those in favor signify by saying aye.

00051

1

2                   IN UNISON: Aye.

3

4                   CHAIRMAN NICHOLIA: All those opposed  
5 same sign.

6

7                   (No opposing votes)

8

9                   CHAIRMAN NICHOLIA: Motion carries. The  
10 next proposal I was going to go for is Proposal No. 12,  
11 to remove red color restriction for kegs and buoys on  
12 Yukon and Kuskokwim Rivers.

13

14                   MR. BERG: Thank you, Mr. Chairman.

15 Proposal 12 was submitted by AVCP and requests that red

16 buoys be allowed to identify subsistence nets in Federal  
17 public waters of the AVCP region. Currently, there's a  
18 statewide Federal subsistence regulation that allows the  
19 use of any color buoy except red. I know that's not a  
20 widely known regulation. Oh, I didn't give you the page  
21 number. This analysis starts on page 109 for the  
22 executive summary and the analysis starts on page 111  
23 under Tab B, Proposal No. 12.

24

25 This is a Federal statewide requirement  
26 to use any color buoy except red and it was initial meant  
27 to separate subsistence and commercial fishing gear.  
28 Red, as many of you know, is the primary color used to  
29 identify commercial fishing gear. The requirement was  
30 likely to allow subsistence fishing to continue with less  
31 disruption to subsistence during the commercial fishing  
32 periods. However, there's been many regulation changes  
33 over the years and in most areas subsistence fishing is  
34 now closed by regulation for various times surrounding  
35 commercial fishing periods. Most fishermen and law  
36 enforcement officers have largely ignored this buoy color  
37 requirement on subsistence gear for many years on the  
38 Kuskokwim and the Yukon, so it's really kind of an  
39 outdated regulations.

40

41 This regulation was first put into  
42 Federal subsistence regulations in 1993, so it's been in  
43 our statewide regulations ever since and it's kind of  
44 been overlooked. AVCP did catch that this year and  
45 that's why you're seeing this proposal before you today.  
46 The State regulations do not have any kind of  
47 restrictions for buoy colors for the Yukon, but the State  
48 regulations do have a similar restriction on the  
49 Kuskokwim. The State regulation for the Kuskokwim was  
50 established in 1979.

00052

1 As all of you know, it's very common to  
2 see red buoys used with subsistence drift and set  
3 gillnets in both the Yukon and the Kuskokwim Rivers  
4 today. It's basically an outdated regulation and it's  
5 not been enforced in recent years. If this proposed  
6 change is adopted, it's recommended that it be modified  
7 to include all Federal public waters on the Yukon and the  
8 Kuskokwim, not just the AVCP region. This would align  
9 with State subsistence regulations in the Yukon. For the  
10 Kuskokwim, there's a similar proposal that will be  
11 presented before the Board of Fisheries in January.

12

13 If subsistence fishermen were now  
14 required to comply with the current regulation, then they  
15 would have to either buy new buoys of a different color.  
16 Red buoys are highly visible. They help identify nets  
17 that can be potential hazards on the river. it would  
18 allow subsistence fishermen to continue using red buoys  
19 and would correct an outdated regulation.

20

21 So the preliminary conclusion for this

22 proposal is to support the proposal with the modification  
23 to allow any colored buoy on subsistence gear in all  
24 Federal public waters of the Yukon-Northern and Kuskokwim  
25 areas.

26

27 Thank you, Mr. Chairman. I'd be happy to  
28 try to answer any questions at this time.

29

30 CHAIRMAN NICHOLIA: Let's save the  
31 questions until Council deliberations and motions.

32

33 MS. GREGORY: Mr. Chairman. I move that  
34 we adopt Proposal.....

35

36 CHAIRMAN NICHOLIA: Hold on, Mary.  
37 There's a paper right here that we're going to go by,  
38 this paper. We'll save our motions for the last deal.

39

40 MR. L. WILDE: Mr. Chairman. There's a  
41 number of us here that don't know what paper you're  
42 talking about and we don't have it in front of us.

43

44 CHAIRMAN NICHOLIA: Vince, it seems like  
45 we don't have enough copies to go around for people to  
46 understand what we're trying to do here.

47

48 MR. MATHEWS: Mr. Chairman. I apologize  
49 for that. We will get you copies of it. It's already in  
50 your agenda. The copy he's talking about, we just put  
00053

1 together a little checklist for the chairs so we have a  
2 good record and some of us just need to follow these  
3 things in order. I'll get copies for it, but basically  
4 it starts off with the introduction, a proposal by the  
5 Chair, followed by analysis by Staff, then we go with  
6 Agency comments, then public comments, then written  
7 comments, a summary thereof, and then the Council can  
8 make a motion, deliberate, make a recommendation, et  
9 cetera. You can change that. It's just to help with  
10 three Councils so there's kind of uniformity.

11

12 CHAIRMAN NICHOLIA: Another thing. On  
13 page 20, it's just about the same format under part B  
14 there, proposal procedure, and that's what we'll go on.  
15 Everyone clear on that?

16

17 MR. BERGSTROM: The Department supports  
18 this proposal.

19

20 CHAIRMAN NICHOLIA: The Federal.

21

22 MR. BERG: I don't think there's any  
23 other Federal comments at this time, Mr. Chairman.

24

25 CHAIRMAN SAM: Since we're dealing with  
26 proposals, wouldn't Staff recommendation constitute the  
27 Federal stand on any proposal just for parliamentary

28 procedure?

29

30 MR. MATHEWS: No. Basically, the Office  
31 of Subsistence Management is an interagency office. It  
32 attempts at all times to try to have a uniform position  
33 between all the Federal agencies, but they can, because  
34 of their mandates, because of their data, et cetera,  
35 could have a different viewpoint. So this is an  
36 opportunity for them to come up and share that new data  
37 or different viewpoint. So, no, the recommendation in  
38 the book doesn't always reflect all five agencies that  
39 are on the Board.

40

41 CHAIRMAN NICHOLIA: In that case, is  
42 there any agency comments, AVCP, TCC?

43

44 (No comments)

45

46 CHAIRMAN NICHOLIA: Hearing none. Is  
47 there any public comments from the audience?

48

49 (No comments)

50

00054

1 CHAIRMAN NICHOLIA: Summary of written  
2 public comments.

3

4 MR. MATHEWS: Yes, Mr. Chairman, we did  
5 have some written comments and I apologize to the Council  
6 for bouncing around here. You moved in a different  
7 direction than I was prepared for. We did receive a  
8 letter on September 29th from Morris Coffey and he's from  
9 Stebbins Native Village Corporation and he did comment on  
10 this proposal. I assume we're on Proposal 12.

11

12 Stebbins fishermen support this proposal  
13 since subsistence users already use red buoys and this  
14 would align with the State regulations. I also apologize  
15 to the Kuskokwim Salmon Working Group. I don't have my  
16 notes with me on their actions on this, so if there's one  
17 present or Mr. James Charles remembers their position on  
18 this, I believe it was to support, but I don't have my  
19 notes here. Jerry might know if they support it. My  
20 assumption is they do and I can verify that if I can get  
21 to a computer to pull up the records.

22

23 CHAIRMAN NICHOLIA: So you're saying  
24 there's two written comments in support of this proposal?

25

26 MR. MATHEWS: Yes, but one I can't  
27 verify. Oh, here it is. Thank you, Don. This is what I  
28 was looking for. Kuskokwim Salmon Management Working  
29 Group positions. We have a list of them. On Proposal  
30 12, they unanimously support that. Mr. Chairman, I  
31 apologize for bouncing around like that, but it's very  
32 important when we work with these different groups that  
33 we accurately reflect what they did because they worked

34 very hard on this, so that's why I took the extra time.

35

36 Thank you.

37

38 CHAIRMAN NICHOLIA: Since that's all the  
39 written comments, we'll go into Council motion,  
40 deliberations, recommendations. I believe Billy McCann  
41 wanted to say something.

42

43 MR. MCCANN: I agree with that red buoy  
44 because it's really safe for all the people. You can see  
45 it for a long ways and you wouldn't even run into the  
46 net. I think that's a safe way to be. I agree with that.  
47 I follow that. We should push for that because it's not  
48 hurting anybody. We've been using it all the time, even  
49 when we subsistence fish, just because it's safe for the  
50 people. The boats go by, they can see that. Sometimes  
00055

1 if you're caught in the nets, if you've got a small boat,  
2 you might fall off a boat, too. I think that's safe. I  
3 go for that.

4

5 Thank you.

6

7 CHAIRMAN NICHOLIA: Ron.

8

9 CHAIRMAN SAM: Thank you, Mr. Chair. For  
10 the public's information and I think Vince, too, he might  
11 have missed it, but just because we're operating on a  
12 different format, it says that our sit down this morning  
13 with all three Chairs, Mr. Wilde of Y-K Delta asked that  
14 the motion be made at the last moment because he wanted  
15 complete understanding by his Council members and that is  
16 why we're not operating the old format. I think this is  
17 working fine. They're already making recommendations.

18

19 CHAIRMAN NICHOLIA: Would anybody  
20 entertain a motion to adopt this proposal?

21

22 MS. GREGORY: Mr. Chairman. I move that  
23 we adopt Proposal No. 12.

24

25 CHAIRMAN NICHOLIA: It's been moved.

26

27 MS. ENTSMINGER: Second.

28

29 CHAIRMAN NICHOLIA: It's been moved by  
30 Mary Gregory, second by Sue Entsminger. Discussion.  
31 John.

32

33 MR. HANSON: I second it.

34

35 CHAIRMAN NICHOLIA: Okay, John. Jerry.

36

37 MR. BERG: Mr. Chairman. If we could get  
38 Mary to clarify whether she supports the proposal itself,  
39 which only applies to the AVCP region or if she supports

40 it as modified by Staff, which would apply to the whole  
41 drainage.

42

43 MS. GREGORY: I support the whole thing  
44 because it's written -- oh, Staff recommendation? I need  
45 a little clarification on that one then. Yukon North  
46 area and the Kuskokwim area. It includes the Yukon, the  
47 whole proposal.

48

49 CHAIRMAN NICHOLIA: John, do you agree  
50 with that? You're the second. Do you agree with that?

00056

1 MR. HANSON: Yes.

2

3 CHAIRMAN NICHOLIA: Virg.

4

5 MR. UMPHENOUR: I don't know if everyone  
6 is aware that in the upper Yukon subsistence and  
7 commercial runs concurrently. The troopers might not  
8 like it, but it doesn't bother me.

9

10 CHAIRMAN NICHOLIA: Any more discussion.

11

12 Go ahead, John.

13

14 MR. THOMPSON: This was during the time  
15 when they had commercial and subsistence at the same time  
16 this buoy was recorded. Today, both subsistence and  
17 commercial doesn't work together in catching fish, so  
18 it's better to have a colored buoy because there has been  
19 some accidents running into a white buoy. Who knows,  
20 they might lose their life sometime if it's a white buoy.  
21 It doesn't reflect like red buoy does.

22

23 Thank you.

24

25 CHAIRMAN NICHOLIA: Any further  
26 discussion.

27

28 (No response)

29

30 CHAIRMAN NICHOLIA: It's been moved,  
31 second, discussion. The question has been called.  
32 Vince, I think we'll do the first roll call vote. I  
33 think you know what I mean by that.

34

35 MR. MATHEWS: Yes, Mr. Chairman, I  
36 understand. Let me go to your various rosters. I think,  
37 as you discussed this morning, I'm assuming that all  
38 three Councils are in agreement with this motion  
39 apparently, so then we'll go ahead with the roll call  
40 vote. Lester Wilde.

41

42 MR. L. WILDE: Yes.

43

44 MR. MATHEWS: John Thompson.

45

46 MR. HANSON: Yes.  
47  
48 MR. MATHEWS: That was John Hanson that  
49 responded. John Thompson.  
50  
00057  
1 MR. THOMPSON: Yes.  
2  
3 MR. MATHEWS: Philip Moses.  
4  
5 MR. MOSES: Yeah.  
6  
7 MR. MATHEWS: Mike Savage.  
8  
9 MR. SAVAGE: Yes.  
10  
11 MR. MATHEWS: James Charles.  
12  
13 MR. CHARLES: Yes.  
14  
15 MR. MATHEWS: Billy McCann.  
16  
17 MR. MCCANN: Yes.  
18  
19 MR. MATHEWS: Raymond Oney.  
20  
21 MR. ONEY: Yes.  
22  
23 MR. MATHEWS: Nick Andrew, Sr.  
24  
25 MR. ANDREW: Yes.  
26  
27 MR. MATHEWS: Mary Gregory.  
28  
29 MS. GREGORY: Yes.  
30  
31 MR. MATHEWS: Harry Wilde, Sr.  
32  
33 CHAIRMAN WILDE: Yes.  
34  
35 MR. MATHEWS: A majority on the Yukon-  
36 Kuskokwim voted in favor of the motion. Western  
37 Interior. Emmitt Peters.  
38  
39 MR. PETERS: Yes.  
40  
41 MR. MATHEWS: Mickey Stickman.  
42  
43 MR. STICKMAN: Yes.  
44  
45 MR. MATHEWS: Robert Walker.  
46  
47 MR. WALKER: Yes.  
48  
49 MR. MATHEWS: Carl Morgan.  
50  
00058

1 MR. MORGAN: Yes.  
2  
3 MR. MATHEWS: Benedict Jones.  
4  
5 MR. JONES: Yes.  
6  
7 MR. MATHEWS: Angela Demientieff.  
8  
9 MS. DEMIENTIEFF: Yes.  
10  
11 MR. MATHEWS: Jack Reakoff.  
12  
13 MR. REAKOFF: Yes.  
14  
15 MR. MATHEWS: Ron Sam.  
16  
17 CHAIRMAN SAM: Yes.  
18  
19 MR. MATHEWS: Unanimous for Western  
20 Interior in support of the motion. Eastern Interior.  
21 Philip Titus.  
22  
23 MR. TITUS: Yes.  
24  
25 MR. MATHEWS: Jay Stevens.  
26  
27 MR. STEVENS: Yes.  
28  
29 MR. MATHEWS: Sue Entsminger.  
30  
31 MS. ENTSMINGER: Yes.  
32  
33 MR. MATHEWS: Gerald Nicholia.  
34  
35 CHAIRMAN NICHOLIA: Yes.  
36  
37 MR. MATHEWS: Virgil Umphenour.  
38  
39 MR. UMPHENOUR: Yes.  
40  
41 MR. MATHEWS: Mr. Chairman, they're also  
42 unanimous. All three Councils were unanimously in  
43 support of the motion.  
44  
45 CHAIRMAN NICHOLIA: Motion carries.  
46 Okay. We want to take on Proposal No. 8, close Federal  
47 public waters to any commercial harvest. I think that's  
48 a six-year moratorium.  
49  
50 MR. BERG: Yes, Mr. Chairman. Since the  
00059  
1 next three proposals, Proposals 8, 9 and 10, all address  
2 Yukon River salmon issues, much of the biological  
3 information I present in this proposal will also apply to  
4 Proposals 9 and 10, so I'll only go over that information  
5 once under this proposal unless there's specific  
6 questions.

7

8                    Proposal 8 was submitted by the Native  
9 Village of Fort Yukon and requests that Federal public  
10 waters of the Yukon River be closed to commercial harvest  
11 of chinook and chum salmon for six years. For those who  
12 have not yet found Proposal 8, it's found starting on  
13 page 65. The proponents felt that this closure would  
14 help rebuild these salmon stocks and provide for more  
15 subsistence opportunity in the upper Yukon River for the  
16 subsistence users in that upper river. The proponent  
17 also stated that the secure period was chosen to allow a  
18 full chinook salmon life cycle to occur without being  
19 subjected to commercial harvest.

20

21                    As you've heard already through the  
22 reports this morning, both the chinook and chum salmon  
23 subsistence fisheries have experienced below average  
24 returns in recent years. However, there has been much  
25 less commercial fishing on chum salmon in the Yukon River  
26 since 1997. The recent shortages of chum salmon are not  
27 due to a directed commercial chum fishery and, therefore,  
28 this analysis will primarily focus on chinook salmon.

29

30                    As you know, ADF&G has the direct  
31 responsibility for management of commercial fishing on  
32 the Yukon River, including Federal public waters.  
33 However, the Federal Subsistence Board does have the  
34 authority and responsibility to close Federal public  
35 waters to the non-subsistence taking of fish to ensure  
36 that the taking of fish or wildlife for subsistence is  
37 given a priority over the taking for other purposes. The  
38 Federal Subsistence Board can restrict, close or reopen  
39 the taking of fish and wildlife for non-subsistence uses  
40 on public lands and waters only if necessary under the  
41 five provisions listed on your first page of the  
42 analysis. Those being for conservation of healthy  
43 populations of fish and wildlife, for reasons of public  
44 safety, administration, for the continued viability of a  
45 particular fish or wildlife population or to continue  
46 subsistence uses of such populations.

47

48                    As you also heard this morning in the  
49 presentations, the first priority in both State and  
50 Federal laws is to ensure that enough fish are allowed to  
00060

1 escape to the spawning grounds. The second priority  
2 being to ensure that there is sufficient opportunity for  
3 subsistence users to meet their needs.

4

5                    The current subsistence salmon management  
6 system between the State and Federal agencies is a  
7 cooperative effort to minimize the impacts of two sets of  
8 regulations on the subsistence users. The Federal and  
9 State agencies have signed an interim memorandum of  
10 agreement, often referred to as the MOA, that states that  
11 the Federal program will follow the existing State  
12 management plans unless they do not provide for the

13 subsistence priority in Federal law or a separate plan is  
14 developed and adopted by the Federal Board.

15

16           The Federal and State agencies have also  
17 adopted the detailed plan outlining how they will work  
18 cooperatively in season to manage the salmon runs under  
19 this dual management system. The in-season manager, Russ  
20 Holder, talked about this plan in his report referred to  
21 as the Yukon River Management Protocol. In that protocol  
22 it outlines how the Federal in-season manager, Russ  
23 Holder in this case, will work to consult with the  
24 representatives of the Yukon River Coordinating Fisheries  
25 Committee on pre-season management strategy, management  
26 plans and in-season actions when appropriate. I know  
27 that Russ has consulted with many of you in-season on  
28 critical management decisions that have been made in  
29 recent years.

30

31           The current salmon management system for  
32 the Yukon relies on these pre-season run strength  
33 projections and in-season assessments of run strength to  
34 manage the salmon as they migrate up the river. In 2002  
35 and 2003, a conservative pre-season strategy was agreed  
36 upon to not open the commercial chinook fishery until  
37 near the mid-point of the run. In-season management of  
38 the fisheries was then adjusted as appropriate by  
39 subdistrict as the salmon moved upriver.

40

41           As many of you know, the first half of  
42 the chinook run is primarily composed of Canadian-bound  
43 fish. Middle Yukon chinook stocks are also important  
44 contributors to the first half of the run. Lower and  
45 middle river chinook stocks are thought to contribute  
46 most heavily to the second half of the run. Early run  
47 Canadian-bound chinook salmon are the first salmon  
48 available each spring when drying conditions are often  
49 the best. As a result, these Canadian stocks support a  
50 large share of the chinook salmon subsistence fishery as  
00061

1 they migrate throughout the Yukon River.

2

3           The status of the spawning stocks varies  
4 across the drainage, as you heard throughout the reports  
5 this morning. If you look at Table 1 on page 70, you can  
6 see the commercial harvest and escapement data for the  
7 period 1995 to 2002. Substantial reductions in  
8 commercial harvest are evident when you look through that  
9 table and reflective of a more conservative management  
10 strategy during years of below average returns. Chinook  
11 salmon escapement appears to be consistently achieving  
12 the objective level in the Anvik River based on aerial  
13 survey indices. Survey data is incomplete and  
14 inconsistent in quality for the Andraefsky and Nulato;  
15 however, the escapements in those two systems appear to  
16 be lower than desired for the Andraefsky River and  
17 adequate for the Nulato, but weir and counting tower  
18 projects on these two systems, respectively, should

19 provide a better evaluation of stock status in future  
20 years.

21

22                   Based on the data from the Chena And  
23 Salcha River counting towers in the Tanana River  
24 drainage, spawning escapement goals are being met for  
25 those systems. Based on data from the mark and recapture  
26 project at the Canadian border, spawning escapement in  
27 the Canadian Yukon River drainage was below the target  
28 level for three of the five years during 1998 to 2002 and  
29 appears to represent the most evident spawning escapement  
30 concern in the Yukon River. However, the last two years  
31 have provided some encouragement.

32

33                   If you look at Figure 1 on page 71, this  
34 shows the Canadian border passage numbers and they were  
35 the lowest from '98 to 2000, as you've seen in numerous  
36 graphs today. However, the data also shows that the  
37 commercial fishing was also drastically reduced for all  
38 Yukon River chinook stocks in response to these lower  
39 returns. The numbers of chinook salmon migrating past  
40 the Canadian border indicate that the commercial fishing  
41 closures in 2001 and the conservative strategy used in  
42 2002 to delay commercial harvest until after the mid-  
43 point of the chinook salmon run were important and  
44 responsive management actions implemented by the in-  
45 season managers.

46

47                   These conservative management tools  
48 reveal the strengths in allowing the in-season managers  
49 the flexibility to adapt to the run strength indicators  
50 during the season. Continuing to use a conservative  
00062

1 approach during years of below average run strength  
2 should allow Yukon River salmon stocks to improve in  
3 future years.

4

5                   Figure 2 on the next page shows the  
6 Canadian-origin chinook salmon numbers by adding together  
7 the estimated harvest of Canadian-origin chinook salmon  
8 in the Alaska Yukon River fisheries, the harvests in  
9 Canada and the spawning escapements in Canada. Based on  
10 these data, the run size of Canadian-origin chinook  
11 salmon has been about half or less during each of the  
12 recent five years, '98 to 2002, as compared to prior  
13 years dating back to 1985.

14

15                   Although in-season managers are being  
16 responsive to the lower chinook salmon returns by  
17 reducing commercial fishing harvest, the primary cause of  
18 the salmon declines is still unknown. The overall  
19 declines are more likely a cause of less favorable  
20 environmental conditions for salmon production than of  
21 any over-harvest by commercial fisheries.

22

23                   I think one reason we are reviewing this  
24 proposal is because of lower subsistence harvest in some

25 upriver areas. If you look at Table 2 on page 73, you  
26 can see under the column for District 5 that District 5  
27 is typically the largest chinook salmon subsistence  
28 fishery in the Yukon River. District 5 has also seen the  
29 most substantial drop in subsistence harvest of chinook  
30 salmon in recent years. With the recent average annual  
31 harvest from 1998 to 2002 being approximately 27 percent  
32 below the average annual harvest from 1988 to 1992.

33

34 So these declines in subsistence harvest  
35 really highlight the need to better understand the full  
36 scope of effects to subsistence users of changing harvest  
37 patterns on the Yukon River and the effects of change on  
38 subsistence use opportunities. It's particularly  
39 important to know how this impacts the rural residents of  
40 the Yukon River in their ability to maintain their  
41 physical, economic, traditional and cultural existence.  
42 A proposal to study the cultural aspects of the Yukon  
43 River fishery issues will be submitted to the Office of  
44 Subsistence Management, Fisheries Information Services  
45 Division this year.

46

47 Adoption of the proposal to close the  
48 commercial chinook and chum salmon fisheries on the Yukon  
49 River would principally affect only the chinook salmon  
50 commercial fishery since there has been much less

00063

1 directed chum salmon commercial fishing in recent years.  
2 Without a commercial chinook salmon fishery in the lower  
3 Yukon River, more fish may be distributed throughout the  
4 river and into spawning areas. However, the State could  
5 also decide to allow a commercial fishery to occur  
6 outside of Federal public waters causing major  
7 disruptions to current commercial fishing practices.  
8 The current flexible management approach of pre-season  
9 planning, in-season management adjustments and post-  
10 season evaluation has been responsive by restricting  
11 commercial fisheries to help meet escapement and  
12 subsistence harvests. The larger issue is likely the  
13 unknown environmental effects that seem to be causing a  
14 decline in salmon production. However, the most recent  
15 increasing trends in Yukon River salmon returns do  
16 provide a more optimistic outlook.

17

18 This proposal, if adopted, would preempt  
19 the State's management authority for State fisheries on  
20 those portions of the Yukon River within Federal  
21 jurisdiction and undermine the current  
22 Federal/State/stakeholder cooperative management efforts.  
23 Closing the commercial fishery for six years by  
24 regulation would simplify in-season management as there  
25 would be no commercial fishery and fewer decisions  
26 necessary by State and Federal managers. However, a goal  
27 of modern fisheries management is to be responsive to  
28 information as it becomes available. A regulatory  
29 commercial fishery closure for six years runs counter to  
30 this approach and undermines the cooperative nature of

31 in-season management.

32

33

34                   The preliminary conclusion from our  
35 office is to oppose this proposal. However, it is  
36 recommended that the Federal Subsistence Board draft a  
37 letter to the Alaska Board of Fisheries requesting a  
38 collaborative process between the two Boards to address  
39 the broader resource and subsistence concerns that are  
40 raised by this and other related regulatory proposals for  
41 the Yukon River. It is also recommended that the chairs  
42 of the three Yukon Regional Advisory Councils participate  
43 in the January 2004 Alaska Board of Fisheries meeting and  
44 that they report back to their respective Councils at  
45 their winter meetings this coming February or March. At  
46 that time, their full Regional Councils can develop  
47 recommendations to the Federal Subsistence Board for the  
48 May 2004 meeting, if needed.

48

49

50                   Mr. Chairman, that's all the comments I  
51 have at this time. I'd be happy to try and answer

00064

1 questions later if there are any.

2

3

                  Thank you.

4

5

                  CHAIRMAN NICHOLIA: Thank you, Jerry.

6 Dan.

7

8

                  MR. BERGSTROM: Thanks, Mr. Chairman.

9 The ADF&G comments are on page 77. The Department does  
10 not support this proposal. This proposal would prohibit  
11 commercial fishing even when there is a harvestable  
12 surplus of fish above the amounts necessary for  
13 subsistence. We do not believe that the Federal  
14 Subsistence Board has the legal authority to close a  
15 state-managed fishery when harvestable surpluses of fish  
16 are available that exceed amounts needed for subsistence.  
17 Those are our prepared comments.

18

19

20

21

22

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35

36

                  CHAIRMAN NICHOLIA: Thank you, Dan.

Vince, written public comments.

37 MR. MATHEWS: Mr. Chairman, there was one  
38 written public comment.

39

40 CHAIRMAN NICHOLIA: Hold on, Vince.  
41 We're skipping something here. Is there any public  
42 comments from the audience on this one?

43

44 Tim.

45

46 MR. ANDREW: Thank you, Mr. Chairman.  
47 I've got to sandwich in between some agency people here.  
48 Hopefully they'll be nice to me. Mr. Chairman, members  
49 of the RAC, committees and Yukon-Kuskokwim Delta, Western  
50 Interior and Eastern Interior. AVCP's position on this  
00065

1 proposal is to oppose it primarily because it violates  
2 Section VIII(15) of ANILCA which outlines that the only  
3 time any of the species should be closed is only  
4 necessary for the conservation of healthy populations of  
5 fish and wildlife or necessary to provide for subsistence  
6 opportunity.

7

8 The possible impacts of this proposal to  
9 the lower Yukon economy is extremely devastating. Many  
10 of our people in the lower Yukon area depend primarily on  
11 commercial fishing. There is no other alternative for  
12 them with the exception of fire-fighting. There is no  
13 resource development out in the area to provide for job  
14 opportunities and there's also no type of private  
15 development that is occurring within the area. This  
16 would create a situation as explained earlier. People in  
17 this area need to be able to commercial fish if there's  
18 surplus after determining that there would be enough of a  
19 population to provide for escapement and subsistence in  
20 order for themselves to subsistence fish and hunt during  
21 the later seasons and also put fish away for their own  
22 personal consumption.

23

24 Mr. Chairman, that's it. Thank you.

25

26 CHAIRMAN NICHOLIA: Thank you, Tim. I  
27 believe that if Ragnar is here, he said he wanted to  
28 speak to this. He spoke to me personally.

29

30 COHEN: Mr. Chairman. My name is Norman  
31 Cohen. I'm speaking on behalf of the Yukon Delta  
32 Fisheries Development Association. Ragnar had to leave  
33 and asked me to speak on his behalf. YDFDA opposes the  
34 proposal. YDFDA understands and agrees that in times  
35 when escapement needs and subsistence needs cannot be  
36 met, there is not going to be a commercial fishery.  
37 However, when a surplus does exist, there should be a  
38 fishery and managers should have the flexibility to be  
39 able to deal with the conditions as they arise during the  
40 season and allow commercial fisheries in those cases.

41

42 Understanding the importance of

43 subsistence, YDFDA also supports the windows concept to  
44 make sure that fish get upriver during the early part of  
45 the year and for the other runs that come through in  
46 order to make sure that those subsistence needs are met  
47 at the same time as allowing for commercial fisheries  
48 when conditions warrant.

49

50                   Also, that there are many in-season  
00066

1 processes. The YRDFFA teleconferences and the other joint  
2 Federal/State groups to work on these issues during the  
3 season and that provides for dealing with the conditions  
4 as they arise. As Tim Andrew said, commercial fishery is  
5 very important to the economy of the lower river and  
6 should be able to continue when conditions warrant, as  
7 they did this year.

8

9                   Thank you.

10

11                   CHAIRMAN NICHOLIA: Is there any more  
12 agency comments out there?

13

14                   (No comment)

15

16                   CHAIRMAN NICHOLIA: TCC.

17

18                   (No comment)

19

20                   CHAIRMAN NICHOLIA: Anybody.

21

22                   MR. BROWN: Thank you, Mr. Chair. My  
23 name is Buddy Brown. I'm the president of Tanana Chiefs  
24 Conference.

25

26                   I'll conclude my remarks with our  
27 position, but then I'd like to lead into that with some  
28 remarks leading up to TCC's position. It kind of puts  
29 TCC into somewhat of a precarious situation because, if  
30 you think about it, the villages that stretch all the way  
31 from Holy Cross up to Eagle comprise about 1,000 miles of  
32 Yukon River and those are the villages that Tanana Chiefs  
33 Conference works on behalf of. Given that there are  
34 those 1,000 miles, you've got varying needs between the  
35 different districts, all the way from Holy Cross, up to  
36 Nulato, up to the rapids, up to Fort Yukon and then all  
37 the way up to Eagle.

38

39                   Because of that, there are some  
40 commercial fishing dependant communities in the lower  
41 areas and even in the middle areas of the Yukon River  
42 that we work on behalf of. Due to this, we would be  
43 placed in a situation of competition between communities  
44 really when subsistence needs could be met. It is  
45 conceivable that subsistence needs could be met in the  
46 upcoming years; however, we are concerned about some of  
47 the developments in the past few years and this  
48 unexplainable return of fish this past year now being

49 possibly projected to future years without really any  
50 factual basis for that. But, nevertheless, we would  
00067

1 reluctantly oppose this proposed regulation change  
2 because of that fact that we do represent villages along  
3 that entire stretch of the river.

4  
5           There have been some things said that I  
6 would like to make clear our position that are somewhat  
7 related to this position. One was whether or not the  
8 Federal Subsistence Board has jurisdiction that is only  
9 attached to Federal public lands and Federal waters along  
10 the Yukon River. It's our position that, if necessary,  
11 the Federal Subsistence Board could conceivably reach  
12 beyond Federal public lands and Federal public waters to  
13 non-Federal waters along the Yukon River if necessary to  
14 conserve the resource or to provide for subsistence uses  
15 all along the river. It's a concept known legally as  
16 extra-territorial jurisdiction. It's been used in other  
17 contexts. Never really tested on the Yukon River yet,  
18 but I know it's been brought up several times here and I  
19 don't want, from TCC's perspective, the Regional Advisory  
20 Council members automatically assuming that your  
21 jurisdiction over issues is limited really only to those  
22 Federal public waters. If necessary, I would request  
23 that if you do get into that question, at some point you  
24 request a legal opinion on that and we would be happy to  
25 participate in that process. So I did want to make that  
26 part clear.

27  
28           We also understand the concerns that are  
29 being raised by the Native Village of Fort Yukon in this  
30 proposal. You heard mention earlier about the windows  
31 concept, something that we did support before the Board  
32 of Fish and also before the Federal Subsistence Board for  
33 conservation purposes back in 1999 and 2000 before the  
34 State Board of Fisheries. Now we are seeing some  
35 attachment to subsistence restriction through the windows  
36 management being attached to commercial openings and  
37 that's really caused concern for us. It's really  
38 affected, for example, in the Holy Cross area where they  
39 will not have a buyer and because they don't have a buyer  
40 they do not get a commercial opening. Well, if you don't  
41 get a commercial opening, then you're still fishing for  
42 subsistence under the windows when those restrictions  
43 really should be legally lifted, so we do have concern  
44 with attaching windows to subsistence fishing when the  
45 commercial fishing openings are being made available to  
46 other parts of the river.

47  
48           So I did want to make that part clear  
49 because I do see that concern being raised in this  
50 proposal. When you're seeing subsistence opportunities  
00068

1 that are being limited in an unreasonable fashion. But,  
2 nevertheless, TCC would reluctantly oppose this proposal,  
3 understanding the concerns being raised in it and hoping

4 that we could work with Federal managers and with the  
5 State managers through a process to address the concerns,  
6 but we also work on behalf of villages in the lower parts  
7 of the river that would be impacted if this proposal was  
8 to be adopted. Thank you, Mr. Chair and members of the  
9 Committee.

10

11 CHAIRMAN NICHOLIA: Thank you, Buddy.  
12 Hearing no other agency comments. Vince, you can go on  
13 to written public comments.

14

15 MR. MATHEWS: Yes, Mr. Chairman. There  
16 was one written comment from Morris Coffey representing  
17 the fishermen in Stebbins. Proposal 8. Fishermen in  
18 Stebbins oppose this proposal because the existing  
19 managers are reacting to lower run sizes and can close  
20 commercial harvest when needed in-season. There are  
21 better run size assessment projects throughout the  
22 drainage and this helps to ensure commercial harvests are  
23 not hurting the resources. The Canadian escapement  
24 requirement has been met for the last three summers and  
25 we don't see a need to put such strong measures in place.  
26 Those are the only written comments that I'm aware of.

27

28 Thank you, Mr. Chair.

29

30 CHAIRMAN NICHOLIA: For the record, they  
31 both oppose.

32

33 MR. MATHEWS: Yes, Mr. Chairman. For the  
34 record, the fishermen in Stebbins oppose the proposal.

35

36 CHAIRMAN NICHOLIA: Before we go into  
37 Regional Council motion and deliberations, from my point  
38 of view, this Proposal No. 8 to reduce commercial fishing  
39 is more from my point of view a frustration proposal. I  
40 know those people. I've really been trying to support  
41 them, stick up for them, but when you have nobody here,  
42 none of their proponents here to better explain their  
43 position and not participate in YRDFA conference, only  
44 deliberations and throwing it out there without any  
45 explanation here at this meeting, it puts me in a bum  
46 position because I'm the Chairman for Eastern Interior  
47 Advisory Council and I'm supposed to be representing  
48 them.

49

50 There's another flip side of this coin,  
00069

1 too. It took a long time for these three RACs to be  
2 sitting down here like this deal and these kind of  
3 issues. For those reasons, those reasons of working  
4 together, being united as one subsistence user group  
5 along the Yukon, I am not going to support this. I will  
6 entertain a motion to adopt this.

7

8 MR. HANSON: Thank you, Mr. Chairman. I  
9 make a motion to adopt Proposal 8.

10

11 CHAIRMAN NICHOLIA: Is there a second.

12

13 MR. ONEY: Mr. Chairman. I second the  
14 motion.

15

16 CHAIRMAN NICHOLIA: John Hanson moved,  
17 Ray Oney second. Discussion. John.

18

19 MR. THOMPSON: Thank you, Mr. Chairman.  
20 I'm kind of confused on this graph, the catches of these  
21 units. In 1988, three combined catch less than District  
22 5. District 5 catch 17,000 and these three districts are  
23 less than 17,000. Now, on the way down -- is this the  
24 number of fishermen? Does it make any difference? Does  
25 District 5 have more fishermen? I know these three  
26 districts have over 700 fishermen.

27

28 CHAIRMAN NICHOLIA: John, I think I could  
29 answer that for you. Between the fall chum and the  
30 chinook, we do catch more fall chum than you guys, but I  
31 don't think we catch any more chinook than you guys, but  
32 I think you got mixed up between the fall chum and the  
33 chinook. Dan.

34

35 MR. BERGSTROM: Mr. Chair. This is Dan  
36 Bergstrom. I would say when you look at that table  
37 there, there is some variability between years. Some  
38 years the harvest does go up and down and there's various  
39 reasons along the river on a given year why it may  
40 change. One year some place may catch more than  
41 somewhere else, but it's more that long-term trends that  
42 we try to look at that we showed you earlier. So I  
43 wouldn't get too concerned about how it looks in one year  
44 like that back in '88.

45

46 Then, as far as harvest, the harvest is  
47 just as we've always said for subsistence. It's what  
48 people take. There's no restriction on how many you can  
49 take in the Yukon. You take as many as you need. Some  
50 places take more for whatever reasons they do. There's  
00070

1 probably a higher population at the mouth. We see that  
2 they're catching more now, too. There's different  
3 populations of people, but they can take different  
4 amounts of fish.

5

6 MR. THOMPSON: The reason why I asked  
7 this question is does it make a difference from openings?  
8 We have 36 hours and there's 48 hours in the other area.  
9 That's where I'm confused.

10

11 MR. BERGSTROM: Mr. Chairman. It's not  
12 really on the harvest so much that the timing is based,  
13 it's more on the efficiency. So, you know, at the mouth  
14 where all the fish are available and it's easier to catch  
15 fish, there's a little less time. As you move up river,

16 there's usually less overall abundance because fish are  
17 going out to escapements or have got caught by other  
18 people, so they might have more time in another place.  
19 But that's what it's based more on, efficiency, how quick  
20 they can catch fish.

21

22 MR. THOMPSON: Thank you.

23

24 CHAIRMAN NICHOLIA: Ron.

25

26 CHAIRMAN SAM: Thank you, Mr. Chairman.

27 This is hopefully more for speaking to some  
28 clarification. The motion was to adopt Proposal 8. A  
29 yes vote on this would mean that you support passage of  
30 Proposal 8. A no vote is no and you're supporting Staff  
31 recommendation of opposing this proposal. Am I right,  
32 Vince?

33

34 MR. MATHEWS: Basically you're right. An  
35 affirmative for it would be to pass the proposal. A  
36 negative would be to reject the proposal. I don't think  
37 the motion was to adopt the Staff recommendation unless  
38 the Staff recommendation matches. It's to adopt the  
39 proposal.

40

41 MS. GREGORY: Mr. Chairman.

42

43 CHAIRMAN NICHOLIA: Mary.

44

45 MS. GREGORY: I'm going to tell it to my  
46 colleagues in my language. (In Yup'ik)

47

48 INTERPRETER: If you vote yes, you will  
49 vote to close Federal public waters and if you vote no,  
50 you will not approve Proposal No. 8. In the year 2000 to  
00071

1 the year 2000-something, this will take into effect.

2 Yesterday he made a motion not wanting. So even though

3 we don't want to approve -- she's just reiterating her

4 double negative motion yesterday. So, in light of

5 yesterday's double negative, even if we do not want to

6 approve a motion or proposal, we will vote yes, in the

7 affirmative.

8

9 CHAIRMAN WILDE: Mr. Chairman. What you  
10 mean is, if you don't want to accept this proposal, you  
11 say no. If you want to accept it, you say yes. (In  
12 Yup'ik)

13

14 INTERPRETER: This proposal, if you want  
15 to vote it down, vote no, but if you want to approve  
16 Proposal 8, vote yes. Do you understand?

17

18 CHAIRMAN NICHOLIA: Further discussion.

19

20 MR. MCCANN: Mr. Chairman. Why are you  
21 trying to confuse us on the motion, yes or no? On the

22 proposal, yes means you like it. No means you don't like  
23 it. You guys are trying to confuse us on voting. It  
24 should be yes all the time. No means you don't want it.  
25 Don't try and confuse us. I'm confused what I'm going to  
26 do. No, yes.

27

28 CHAIRMAN NICHOLIA: Billy, let me  
29 straighten this out here. We adopted this proposal as  
30 the proponent wants to put it, a six-year moratorium on  
31 commercial fishing, mainly on chinook. If we vote yes,  
32 we'll be agreeing to this proposal, but if we vote no,  
33 we'll be putting it down. I could see where I could get  
34 this on a consensus vote. I'm going to do it this way.  
35 I'm going to say all those in favor and if you say yeah,  
36 I'll take you outside. (Laughing) If you say yeah,  
37 you're in support of this proposal. If you say no, we'll  
38 shoot the proposal down. So where's the question?

39

40 MR. REAKOFF: Question.

41

42 CHAIRMAN NICHOLIA: John Hanson moved to  
43 adopt, second by Ray Oney, discussion, Jack Reakoff  
44 question. All those in favor of this proposal signify by  
45 saying aye.

46

47 (No response)

48

49 CHAIRMAN NICHOLIA: All those in favor of  
50 opposition of this proposal signify by saying aye.

00072

1 IN UNISON: Aye.

2

3 CHAIRMAN NICHOLIA: Motion fails. Vince.

4

5 MR. MATHEWS: Mr. Chairman. Just to make  
6 it clear on the record there was no vote in the  
7 affirmative, correct? I did hear one, that's why I need  
8 to make that clear. There was a single vote in favor of  
9 the proposal. There is none then. Let the record  
10 reflect.

11

12 Thank you.

13

14 CHAIRMAN NICHOLIA: Okay. This means  
15 that Proposal No. 8 fails. I think we should take a  
16 break.

17

18 (Off record)

19

20 (On record)

21

22 CHAIRMAN NICHOLIA: The next proposal to  
23 be taken up is Proposal No. 10 and it's similar to the  
24 proposal we just got through. Where is Jerry Berg?

25

26 MR. BERG: Sorry, Mr. Chairman. Proposal  
27 10 can be found on page 89 of your booklet. I'll try to

28 go slow on this one. Again, much of the information I  
29 just presented on Proposal 8 also applies to this  
30 proposal, so I won't repeat that same information, but  
31 will answer any questions anybody may have.

32

33 Proposal 10 was submitted by the Gwich'in  
34 Village Council of Fort Yukon and requests that Federal  
35 public waters of the Yukon River be closed to commercial  
36 fishing when a total commercial harvest of 65,000 chinook  
37 salmon or 80,000 chum salmon has been reached. The  
38 proponent is requesting a cap on commercial fishing to  
39 help rebuild stocks and to provide more subsistence  
40 opportunity for upriver subsistence users.

41

42 As many of you know, there's quite a  
43 varied history to commercial salmon harvest limits and  
44 management quotas for the Yukon River. I've summarized  
45 some of the commercial fishing history in the analysis in  
46 your book. I won't go into all that detail, but this  
47 proposal does focus on commercial harvest levels that  
48 existed just before and after statehood. The proponent  
49 suggests that it would be beneficial to go to those pre-  
50 statehood annual commercial harvest quota limits that I  
00073

1 just mentioned.

2

3 Commercial harvest of chinook salmon in  
4 the Yukon River have been less than 65,000 fish, as  
5 requested in this proposal, for four of the past five  
6 years, with below average returns from 1998 to 2002. The  
7 in-season managers have responded to these lower returns  
8 with reduced commercial fishing time to conserve the  
9 resource and help provide for subsistence opportunity.  
10 Any change in a commercial harvest quota would need to be  
11 made through the Alaska Board of Fisheries process to  
12 make changes to the existing salmon management plans or a  
13 separate management plan would need to be developed.

14

15 Salmon returns are difficult to reliably  
16 predict even when comprehensive data are available. In a  
17 system such as the Yukon, with limited historical  
18 information, return forecasting is even more unreliable.  
19 It is possible that salmon runs in the Yukon River may  
20 improve enough to continue to allow for commercial  
21 fishing for chinook salmon and chum salmon above the  
22 levels identified in this proposal. If adopted, this  
23 proposal would remove the flexibility that the current  
24 management system has in place to allow managers to  
25 assess the runs in-season and adjust their management  
26 during the season based on the most current in-season run  
27 strength indicators.

28

29 The preliminary conclusion is to oppose  
30 this proposal. Thank you, Mr. Chairman. I'd be happy to  
31 try to answer any questions any of you may have.

32

33 CHAIRMAN NICHOLIA: Jerry, we'll question

34 you on it when we have our discussion. Dan.

35

36 MR. BERGSTROM: Mr. Chairman. ADF&G  
37 comments are on page 93. The Department does not support  
38 this proposal. This proposal would prohibit commercial  
39 fishing even when there is a harvestable surplus of fish  
40 above the amounts necessary for subsistence and that  
41 would be true if you had a surplus above those caps  
42 proposed. We do not believe the Federal Subsistence  
43 Board has the authority to close State managed fisheries  
44 when harvestable surpluses of fish are available that  
45 exceed the amounts needed for subsistence. We would feel  
46 it would be better for such proposals to be directed to  
47 the Alaska Board of Fisheries.

48

49 CHAIRMAN NICHOLIA: Thank you, Dan. Is  
50 there any agency comments? Tim.

00074

1 MR. ANDREW: Thank you, Mr. Chairman.  
2 For the record, my name is Timothy Andrew. I'm the  
3 director of natural resources for AVCP. Like Proposal  
4 No. 8, the AVCP opposes this proposal due to the possible  
5 economic devastation it would cause to our communities.  
6 Thank you, Mr. Chairman.

7

8 CHAIRMAN NICHOLIA: Thank you, Tim. Is  
9 there any other agencies? Buddy.

10

11 MR. BROWN: Thank you, Mr. Chair and  
12 members of the RACs. Again, my name is Buddy Brown from  
13 Tanana Chiefs Conference. We're kind of put in a tough  
14 situation again because this tribal council out of Fort  
15 Yukon is one of my bosses, so it puts me in a tough  
16 situation. I do know the frustration that they are going  
17 through.

18

19 For your information, we submitted two  
20 special action requests this summer to the Federal  
21 Subsistence Board, both of which were denied, but, to a  
22 certain extent, airing similar frustrations with the in-  
23 season management of the Yukon River kings, the chinook  
24 salmon, during the summers, so we do have similar  
25 frustrations as the Native Village of Fort Yukon.  
26 However, we have been, since that time, meeting with the  
27 Federal Office of Subsistence Management, also reaching  
28 out to the Department of Fish and Game, and are currently  
29 getting geared up to make some proposals to the State  
30 Board of Fisheries.

31

32 So, while we do share similar  
33 frustrations with the Native Village of Fort Yukon, we  
34 also must at this time reluctantly oppose the proposal  
35 that they have submitted in light of other avenues we are  
36 currently trying to follow to get some of these issues  
37 resolved. With that, we do reluctantly oppose this  
38 proposal.

39

40 Mr. Chair. Thank you.

41

42 CHAIRMAN NICHOLIA: Thank you, Buddy. Is  
43 there any more agency comments.

44

45 (No comments)

46

47 CHAIRMAN NICHOLIA: Public comments from  
48 the audience.

49

50 (No comments)

00075

1 CHAIRMAN NICHOLIA: Summary of written  
2 public comments, Vince.

3

4 MR. MATHEWS: Mr. Chairman. Again, from  
5 Morris Coffey of fishermen of Stebbins area. Fishermen  
6 in Stebbins oppose this proposal for the same reasons  
7 stated that they have for Proposal 8. This proposal has  
8 limits that exceed recent harvest, so it would only take  
9 effect during times when runs were more abundant. It  
10 seems to be opposite of the intent of the proposal.  
11 That's it, Mr. Chairman.

12

13 Thank you.

14

15 CHAIRMAN NICHOLIA: Thank you, Vince.  
16 Before we move, second, discussion and question, I want  
17 to clarify it right now. If we move to adopt Staff  
18 recommendation, like written here on page 87, we'd be  
19 supporting Staff recommendation to oppose this proposal.  
20 If we move to adopt the proposal as the proponent  
21 presents it, we'd have to do what we did the last time.  
22 Do you guys understand me?

23

24 CHAIRMAN WILDE: Alex, will you translate  
25 that to the rest of the Council over there.

26

27 MR. NICK: Thank you, Mr. Chairman. For  
28 the record, my name is Alex Nick. I'm the Regional  
29 Council coordinator. (In Yup'ik)

30

31 INTERPRETER: This proposal, Chairman  
32 Gerald Nicholia says if we follow the Staff  
33 recommendation, to oppose Proposal 10, but if you want  
34 Proposal 10, to approve it, you won't follow Staff  
35 recommendation. Is that correct?

36

37 MR. L. WILDE: Mr. Chairman. I move that  
38 we accept Staff's opposition to this proposal.

39

40 MR. STICKMAN: I second the motion.

41

42 CHAIRMAN NICHOLIA: It's been moved by  
43 Lester Wilde, second by Mickey Stickman. Discussion.

44

45 UNIDENTIFIED SPEAKER: Question.

46

47 CHAIRMAN NICHOLIA: The question has been  
48 called. We'll be voting on Staff recommendation to  
49 oppose this proposal. All those in favor of Staff  
50 recommendation signify by saying aye.

00076

1 IN UNISON: Aye.

2

3 CHAIRMAN NICHOLIA: All those opposed  
4 same sign.

5

6 (No response)

7

8 CHAIRMAN NICHOLIA: Motion carries. That  
9 means this proposal fails.

10

11 MR. MATHEWS: Mr. Chairman. For the  
12 record, since your mike was off, it was all in the  
13 positive, unanimous to support the Staff recommendation  
14 to oppose. Your mike was off on the second part.

15

16 CHAIRMAN NICHOLIA: We'll start dealing  
17 with Proposal 9 and I believe this proposal came from the  
18 Eastern Interior, our RAC, to reduce the openings in the  
19 mouth from two 36-hour periods to two 18-hour periods and  
20 I believe our intention at that time in Nunana was the  
21 same frustration as Fort Yukon. I have to say this.  
22 This window thing that we're operating under is this Y-K  
23 region is not allowed to fish the first half of the pulse  
24 and when they're not allowed to fish the first half of  
25 the pulse, they're not allowed to fish in sunshine, as I  
26 understand it. When they are allowed to fish in the  
27 subsistence and commercial, they are allowed to do it on  
28 rainy days and bad weather and not good days to put up  
29 fish. That's what I've come to understand in working  
30 with these people. For that reason, I believe that this  
31 proposal as it was put out by the Eastern Interior is our  
32 own proposal of frustration, just simply for the fact  
33 that we want to stick up for Fort Yukon. I know it will  
34 be going against our own Council, but I'm going to put it  
35 out there anyway. Jerry.

36

37 MR. BERG: Thank you, Mr. Chairman. Much  
38 of the information I presented in Proposal 8 also applies  
39 to this proposal, so I will not repeat that same  
40 information. As Mr. Chairman just said, Proposal 9 was  
41 submitted by the Eastern Interior Regional Council and it  
42 requests that subsistence fishing time in the lower Yukon  
43 River, Districts 1, 2 and 3, be allowed for no more than  
44 two 18-hour salmon fishing periods per week.

45

46 The Regional Council expressed concerns  
47 that fishing opportunity throughout the Yukon River is  
48 not equitable among all users and felt that this proposal  
49 may help to address that concern. The current  
50 subsistence salmon fishing schedule allows for two 36-

00077

1 hour subsistence fishing periods per week in Districts 1,  
2 2 and 3 prior to any commercial fishing.

3

4 This is on page 81 if you're not already  
5 there. When the Alaska Board of Fisheries classified the  
6 Yukon River chinook, summer chum and fall chum as stocks  
7 of concern in the fall of 2000, they also implemented the  
8 subsistence fishing schedule.

9

10 I already discussed the biological status  
11 of chinook salmon for Proposal 8. I'll briefly go over  
12 the biological status for summer and fall chum. Figures  
13 1 and 2 for this proposal were inadvertently left out of  
14 the book, so those were just passed around to you with  
15 those figures on there. I believe most of this  
16 information was also gone over this morning, but just to  
17 kind of highlight. Figure 1 does show that the summer  
18 chum salmon runs returns have experienced below average  
19 returns over the past five years when compared to the  
20 higher returns such as 1995. Summer chum salmon run  
21 strength has steadily declined until 2002, when there was  
22 a slight increase in the index counts at the Pilot  
23 Station in Anvik River sonar projects. Anvik River sonar  
24 has a BEG, biological escapement goal, of 400 to 800,000  
25 summer chum salmon and passage index counts in 2000 and  
26 2001 were below that lower objective.

27

28 The Pilot Station sonar does not have an  
29 established escapement objective, but instead has passage  
30 index counts. The drainage wide minimum management  
31 objective for summer chum is 600,000 fish and drainage-  
32 wide escapements have been below this in 1999, 2000 and  
33 2001, but they've also improved over the past two years.

34

35 Figure 2 shows that fall chum salmon had  
36 similar declines in returns for the past five years, not  
37 including this most recent year. The past two years have  
38 provided some encouragement with increases at the Pilot  
39 Station sonar index counts. Fall chum salmon index  
40 counts at the Pilot Station sonar have declined to a  
41 level of around 400,000 fish since 1998. However, this  
42 past year does provide encouragement for better returns.

43

44 The management plan for fall chum salmon  
45 outlined in the guideline harvest in regulation requires  
46 that some level of subsistence harvest restrictions be  
47 implemented when the Pilot Station sonar count is below  
48 350,000 fall chum salmon. The drainage-wide minimum  
49 management objective for fall chum salmon is 350,000  
50 fish. Subsistence harvest restrictions for fall chum  
00078

1 salmon have mostly been in the form of less fishing time  
2 allowed or even closed altogether, such as in 2000. That  
3 was reviewed this morning, a brief overview.

4

5 This proposal, if adopted, would reduce  
6 the amount of subsistence fishing time in the Yukon River

7 Districts 1, 2 and 3 by 50 percent of the current time  
8 allowed in the subsistence fishing schedule. As I said,  
9 the fishing schedule allows two 36-hour fishing periods  
10 per week, which is the least amount of fishing time  
11 allowed along the Yukon River.

12

13           If the conditions were good, it is  
14 possible that reducing the fishing time to two 18-hour  
15 periods would not impact the overall subsistence harvest  
16 for lower river residents since all salmon that enter the  
17 mouth of the Yukon must pass through that lower river.  
18 However, this would reduce the likelihood of subsistence  
19 users meeting their needs if the pulses of fish coming  
20 into the river did not coincide with that 18-hour  
21 opening.

22

23           The current subsistence fishing schedule  
24 is a reduction in the amount of time they are able to  
25 fish compared with previous years and an additional  
26 reduction in their fishing time may be a hardship for  
27 some of the elder subsistence users in the lower river.  
28 It may require subsistence users to fish longer into the  
29 season and thus increasing fuel costs to get their needed  
30 salmon supply. In-season managers have been responsive  
31 to declining salmon returns in recent years with cuts in  
32 the commercial chinook salmon fisheries and reductions in  
33 subsistence fishing time during the fall chum salmon  
34 season.

35

36           As an example, the subsistence fishing  
37 schedule was reduced by 50 percent just this past summer  
38 to two 18-hour periods to start the season, but once it  
39 was realized that the salmon run was stronger than it  
40 was, opened back up. So I think the in-season managers  
41 are being responsive and have the authority to do what  
42 this proposal is asking for currently.

43

44           Adopting this proposed change would also  
45 preempt the cooperative efforts between State and Federal  
46 agencies responsible for fisheries management. A similar  
47 proposal will be before the Alaska Board of Fisheries  
48 this coming January. It may be more appropriate for this  
49 issue to be addressed during the Alaska Board of  
50 Fisheries meeting since the subsistence fishing schedule  
00079

1 is defined in the State's Yukon River King Salmon  
2 Management Plan. If the Federal Subsistence Board  
3 adopted this proposal, it may undermine the considerable  
4 efforts between the Federal and State agencies to work  
5 together in a cooperative manner.

6

7           Mr. Chair, the preliminary conclusion is  
8 to oppose this proposal. I'd be happy to try to answer  
9 any questions any of you may have.

10

11           Thank you.

12

13 CHAIRMAN NICHOLIA: Dan.

14

15 MR. BERGSTROM: Thank you, Mr. Chairman.  
16 ADF&G comments are on page 86. The Department recommends  
17 deferring , pending action by the Alaska Board of  
18 Fisheries. The subsistence fishing schedules were  
19 created by the Board after carefully considering a  
20 substantial amount of public input. The effect of this  
21 proposal would be to substantially limit harvest  
22 opportunity for subsistence users in these districts. It  
23 would also create a significant discrepancy possibly  
24 between State and Federal subsistence salmon fishing  
25 regulations, which would be confusing and problematic for  
26 users as well as managers and enforcement. The BOF will  
27 consider a similar State proposal (#154) during the  
28 January 2004 meeting. That's our comments on that.

29

30 One aside I have is I was just thinking  
31 with Tracy and listening to the frustrations and we've  
32 talked about that, that we understand the poor runs and  
33 stuff. I think one of the things is a communication  
34 thing, to get on the river a little more, and we'll try  
35 and develop a plan for being able to visit more remote  
36 areas this next summer so we can talk to people and get  
37 more input and provide information. Thanks.

38

39 CHAIRMAN NICHOLIA: Tim, did you want to  
40 say something?

41

42 MR. ANDREW: Thank you, Mr. Chairman.  
43 Now I'm being placed on the end. Thank you, Mr.  
44 Chairman, members of the Regional Advisory Councils.  
45 AVCP stands in opposition of this proposal primarily  
46 because it would further restrict the subsistence user in  
47 our villages of Districts 1, 2 and 3 of the Yukon River.  
48 These villages are currently experiencing a hardship with  
49 the restrictions currently placed in the beginning of the  
50 salmon season when we started this past summer.

00080

1 Villages, starting, I believe, May 29th, were restricted  
2 down to two 36-hour openings. However, this past season  
3 was a little bit of a different season. The salmon came  
4 in quite a bit earlier. In fact, John Hanson had  
5 mentioned that the salmon started arriving May 18th or  
6 when he caught his first salmon on May 18th.

7

8 One thing I'd like to point out is that  
9 AVCP is going to be in opposition of the windows that's  
10 going to be taken up here soon. As an example this past  
11 summer the salmon did start coming in on May 18th and the  
12 projects did not start until -- or the enumeration  
13 projects did not start until perhaps latter May or  
14 perhaps mid June when the Pilot Station sonar started.  
15 We believe that rather than restricting the subsistence  
16 fishery, the pressure should be put in the place of those  
17 that are responsible for the salmon enumeration projects  
18 to start earlier. That way there would not be any

19 unnecessary subsistence restrictions.

20

21 Thank you, Mr. Chair.

22

23 CHAIRMAN NICHOLIA: Buddy, do you want to  
24 say anything? Just asking. Anybody else want to say  
25 anything?

26

27 (No response)

28

29 CHAIRMAN NICHOLIA: Just asking. Private  
30 sector.

31

32 MR. DEMIENTIEFF: Good afternoon, Mr.  
33 Chairman. My name is Phillip Demientieff. I'm from Holy  
34 Cross. I wanted to speak as a subsistence fisherman. I  
35 oppose this Proposal No. 9. This year fishing was pretty  
36 good in king salmon fishing. If we go down to this 18-  
37 hour window openings -- you know, in Holy Cross we just  
38 start fishing when the ice goes out, the water is high.  
39 Subsistence fishermen have a tough time just trying to  
40 catch kings before they shut the windows. Sometimes we  
41 have windy, rough waters, and we can't go out there and  
42 fish due to high waters and we have limited setnet areas,  
43 so I'm just letting you guys know that. I've been  
44 fishing all my life and sometimes we have tough times and  
45 I'm just trying to catch a fish for subsistence use.

46

47 Thank you.

48

49 CHAIRMAN NICHOLIA: Vince, any written  
50 public comments?

00081

1 MR. MATHEWS: Yes, Mr. Chairman. Mike  
2 Coffey of Stebbins had a written comment. Fishermen in  
3 Stebbins agree with some level of reduced fishing time,  
4 but 50 percent is too much. Two 24-hour periods might  
5 work. Fishing is dependant on the tides and suggest a  
6 24-hour opening as a more conservative schedule that  
7 would ensure the coverage of the tide cycle. That's all  
8 the written comments I'm aware of.

9

10 Thank you.

11

12 CHAIRMAN NICHOLIA: You know, all the way  
13 from the border to the mouth, we're all heard, I know  
14 that. We instituted this proposal last spring without  
15 knowing that it was going to be a good or bad return. As  
16 it turned out, it was a good return. It kind of made all  
17 the people meet their needs as far as Stevens Village.  
18 Even though Fort Yukon got seven days a week, they're in  
19 such a bad area part of the Yukon they're still not going  
20 to meet their needs. I believe that what these people  
21 are fishing on at Fort Yukon are Canadian-bound stocks.  
22 What these people may be fishing on in the mouth could be  
23 Tanana River stocks, Anvik River stocks, Koyukuk River  
24 stocks or whatever. These people are not allowed to

25 commercial fish the Y-K region until the first half of  
26 the pulse is past them and that's the good fish that they  
27 want and they're getting cut off from that commercially.  
28 That's what drives their market down.

29

30 I never had all this information in front  
31 of me this last spring, so that's why I'm going to vote  
32 against my own proposal. I don't like to take a no  
33 action because that sends a different message to the  
34 Board. One way or the other, I believe we should take  
35 action on every opportunity we have as three RACs. That  
36 way, even if you're going against me or anybody else or  
37 for somebody else, that way we send a clear message, not  
38 a mixed message. Jack.

39

40 MR. REAKOFF: Mr. Chairman. I'm opposed  
41 to this proposal. I feel that subsistence is the highest  
42 priority.....

43

44 CHAIRMAN NICHOLIA: Jack, Jack. Move and  
45 then we'll discuss.

46

47 MR. REAKOFF: All right. I move to adopt  
48 the Staff's recommendation to oppose this proposal and I  
49 would like to discuss that.

50

00082

1 MR. WALKER: I'll second that.

2

3 CHAIRMAN NICHOLIA: It's been moved by  
4 Jack Reakoff, second by Robert Walker to adopt the Staff  
5 recommendation to oppose Proposal No. 9. Discussion.  
6 Billy.

7

8 MR. MCCANN: (In Yup'ik)

9

10 INTERPRETER: Putting restrictions on  
11 subsistence fishing for us -- he's not in favor of  
12 further restricting subsistence harvest of fish because  
13 we, as Yup'ik people, when we fish we don't fish at any  
14 old time. We look at the weather. When the weather is  
15 bad, we cannot put up a lot of fish to dry because  
16 they're hard to dry in bad weather. So we do watch the  
17 weather very carefully. With the weather and subsistence  
18 restrictions, we will not be able to follow this  
19 subsistence fishing schedule due to weather. The  
20 subsistence fishermen fish when the weather is good. So  
21 he's opposed to a subsistence fishing schedule. We do  
22 not fish any old way and we do not always catch a lot of  
23 fish. Some people continue fishing on through the summer  
24 and some don't fish all summer. So he's not in favor of  
25 this subsistence fishing schedule because we fish  
26 according to what the weather is.

27

28 Thank you.

29

30 CHAIRMAN WILDE: Alex Nick, will you

31 translate that motion.

32

33 MR. NICK: Thank you, Mr. Chairman. For  
34 the record, my name is Alex Nick.

35

36 (In Yup'ik)

37

38 INTERPRETER: The motion that was made,  
39 Jack Reakoff's motion and Robert Walker seconded it, that  
40 they move to follow Staff recommendation on Proposal 9.

41

42 CHAIRMAN NICHOLIA: Virgil.

43

44 MR. UMPHENOUR: Thank you, Mr. Chairman.  
45 We have information before us that we didn't have when we  
46 made this proposal. I'm going to read a little bit of it  
47 out of our stuff. This document here is the one that was  
48 presented to the Board of Fisheries on the stocks of  
49 concern for the AYK region just a week or 10 days ago.  
50 The outlook for 2004 is for lower abundance than observed  
00083

1 in 2003. Although the six-year old component is expected  
2 to be average, the five-year old component may be weak  
3 because of the below-average number of four-year-old  
4 chinook salmon observed in 2003.

5

6 Chum salmon. The Anvik River B.E.G. was  
7 not met in 2000, 2001 and 2003. In 2001, the total run  
8 was assessed at approximately 400,000 fish, similar to  
9 2000. In 2003, the escapement projects, most notably  
10 Anvik River, which usually contributes approximately half  
11 of the Yukon River summer chum salmon run, produced about  
12 60 percent of the 2002 escapement and did not reach its  
13 goal. That's found on page five.

14

15 I realize most people don't have this,  
16 but on page 34 it says Table 3, Yukon River summer chum  
17 salmon historical escapements from selected ground base  
18 projects. Kaltag River this past year only had 3,056  
19 chum salmon pass the weir. In 1995 it had 77,000. '96,  
20 51,000. '97, 48,000. Nulato River weir, 23,000 fish.  
21 148,000 in '94. 236,000 in '95. 129,000 in '96.  
22 157,000 in '97. Clear Creek. '95, 116,000. '96,  
23 100,000. '97, 76,000. 2003, 5,000.

24

25 Our book that we're working with on the  
26 analysis for the proposal to close commercial fishery.  
27 District 5, that's on the Yukon, and this is addressing  
28 chinook salmon, has also seen the most substantial drop  
29 in subsistence harvest of chinook in recent years. With  
30 the recent average annual harvest from 1998 to 2002 being  
31 approximately 27 percent below the average annual harvest  
32 for 1988 to 1992.

33

34 This proposal addresses two things. It  
35 addresses escapement to perpetuate the species for  
36 sustained yield and addresses reasonable opportunity for

37 the people upriver. That's what the proposal addresses.  
38 Maybe cutting the fishing time in half is too much, such  
39 as the written comments say, but this issue has to be  
40 addressed some way so that the people upriver in District  
41 5, especially in the Fort Yukon area, get reasonable  
42 opportunity because I think that Fort Yukon's subsistence  
43 needs are down about 50 percent while District 5 overall  
44 is down 27 percent.

45

46 So just sending a message to the Board of  
47 Fisheries that we're in unity to oppose this proposal, I  
48 don't go for that. The Board of Fisheries needs to take  
49 an action that will put more fish upriver so that the  
50 people in Fort Yukon and in the rest of District 5 have  
00084

1 reasonable opportunity to meet their subsistence needs.

2

3

4 Everyone has this paper here. This paper  
5 is issues the Coordinating Fishery Committee that met on  
6 Friday and Saturday came up with, Yukon River issues. If  
7 you look at page two of it and you look at Issue 19, when  
8 the schedule is lifted, the subsistence users are usually  
9 already done fishing, that was a lower Yukon member of  
10 the CFC saying that by the time the commercial fishery  
11 started the last two years with the two 36-hour periods  
12 and this past season the first two periods were only 18  
13 hours. When the commercial fishery started, they were  
14 finished subsistence fishing. Their needs were already  
15 met for chinook salmon.

15

16

17 So, what that tells me is that the lower  
18 Yukon met their needs prior to the commercial season  
19 starting with the windows open, so that tells me that  
20 they have plenty of reasonable opportunity. However, the  
21 people up in District 5 did not get their subsistence  
22 needs met and even though they're targeting chinook  
23 salmon, they're still catching a number of chum salmon.  
24 I just went through the numbers on what happened on three  
25 of the main systems with weirs on them where they count  
26 every fish that goes through. They're getting maybe 10  
27 percent of their historical escapement of what they were  
28 getting 10 years ago. So we have a problem that needs to  
29 be addressed.

29

30

31 Maybe this proposal, as written, is not  
32 the appropriate vehicle to address it, but it does need  
33 to be addressed and I think the easiest way to solve this  
34 problem is just to do what the original Board of  
35 Fisheries' intent was, which was the windows are the  
36 windows and the subsistence and commercial in the lower  
37 Yukon fish concurrently like they already do and have  
38 been doing for years in the upper Yukon.

38

39

Thank you.

40

41

42 One final thing. I think this is an  
appropriate place to bring up ichthyophonous rather than

43 wait until midnight tonight.

44

45 CHAIRMAN NICHOLIA: Wait. Let's handle  
46 one issue at a time. Let's not try to confuse it. John.

47

48 MR. HANSON: Thank you, Mr. Chairman.  
49 I've got a question to the ADF&G. This one that was  
50 passed to us not too long ago, your graph only goes to  
00085

1 2002 and the graph before this that you showed on your  
2 screen there, I don't think any of them had 2003. So  
3 every time we work on commercial or subsistence we're  
4 always using old figures. Why aren't we having 2003  
5 figures? They're not done or they haven't started on  
6 them?

7

8 MR. BERG: Mr. Chairman, Mr. Hanson.  
9 When I put this data together it was actually this past  
10 summer. We have to put this information together quite a  
11 bit ahead of this meeting so that we can get it to the  
12 printer and get the books printed and then mailed out to  
13 you. So, obviously, that data was not available. In  
14 fact, it's still being compiled in some areas of the  
15 Yukon. So it's just the timing of this meeting. Some  
16 data is still being collected and it's a little bit early  
17 to get all those numbers. Unfortunately, I did not have  
18 the 2003 data when these figures were put together,  
19 that's correct. That's just kind of the nature of the  
20 timing of it all.

21

22 Thank you.

23

24 MR. HANSON: Thank you, Jerry. I think  
25 if we have to work with each other, we should have an  
26 accurate chart and figures on salmon, king, chum, cohos  
27 or fall chum, not using the outdated ones. I call 2002  
28 outdated ones because it was last year's and the fish  
29 this year weren't running like last year. There was a  
30 lot of kings and when the fall chums came, there was a  
31 lot of fall chums and cohos. When I left Alukanuk, there  
32 was still a lot more cohos going upstream. So if you  
33 give the figure lower, there's something wrong with all  
34 that fish that came into the Yukon.

35

36 CHAIRMAN NICHOLIA: Robert.

37

38 MR. WALKER: Thank you, Mr. Chairman.  
39 Robert Walker, Western Interior Board. I'm also in Unit  
40 Y4. We would have to oppose this because if we start  
41 tearing the down the windows here for 1, 2 and 3, what's  
42 going to happen to 4, 5 and 6? We like our windows two  
43 48's and we're really happy with this. So I recommend to  
44 our board to oppose it as Staff has written.

45

46 Thank you.

47

48 CHAIRMAN NICHOLIA: Benedict.

49

50

MR. JONES: Benedict Jones from Koyukuk.

00086

1 My feeling is that, as John said, the lower river stock  
2 has been declining on the weir count because of  
3 commercial opening on the mid half of the stock and those  
4 are the fish that's going from Andreafsky up to Koyukuk  
5 River stock. You can see that Koyukuk River and then  
6 Kaltag and Nulato River stock has been declining the last  
7 10 years. So I oppose this.

8

9

CHAIRMAN NICHOLIA: Jack.

10

11

MR. REAKOFF: Mr. Chairman. As I was  
12 going to say, I'm opposed to the proposal to restrict  
13 subsistence fishers in any portion of the Yukon River. I  
14 am in favor of the windows. It's my opinion as a RAC  
15 member that the windows provide harvest throughout the  
16 whole Yukon drainage and allow escapement. I think the  
17 windows are a very necessary component in rebuilding  
18 these salmon stocks on the Yukon. So I'm in favor of the  
19 windows, but I'm opposed to reducing the subsistence  
20 fisher's opportunities in the lower river or any portion  
21 of the river for subsistence users. Those are not the  
22 ones to take the burden of the main brunt of  
23 conservation. The commercial fishery is to take the main  
24 brunt of conservation.

25

26

Another aspect is that the Department is  
27 lamenting supposed over-escapements in certain portions  
28 of the Yukon drainage. There's certain portions of coho  
29 over-escapements also because of conservation concerns  
30 for chum salmon. The chinook salmon over-escapements are  
31 just a peripheral issue. We haven't discussed this  
32 ichthyophonous thing, so we need to continue with extreme  
33 caution.

34

35

MR. MCCANN: Mr. Chairman, may I say some  
36 more words?

37

38

CHAIRMAN NICHOLIA: Go ahead, Billy.

39

40

MR. MCCANN: I agree that the count is  
41 not accurate because last year fish is already dead and  
42 some of that fish is in my stomach. It shouldn't be  
43 report. Fallacy report. They are lying to us by  
44 reporting last year's reports that are dead already.  
45 They need to report to us with figures from the new  
46 season, the latest, not from last year's. Even if they  
47 give us a report from last year, the fish are not going  
48 to come back. Next time you give us a report, you're  
49 going to make a report right, not fooling us.

50

00087

1

CHAIRMAN NICHOLIA: John.

2

3

MR. HANSON: Thank you, Mr. Chairman.

4 This is my last speech here. This proposal here, with  
5 all that salmon that came into the Yukon in 2003, chums  
6 were a little shakier than last year. Fall chums and  
7 cohos, they were heavy. I can't see why this proposal  
8 came up reducing District 1, 2 and 3. District 3 last  
9 year and this year didn't have a buyer and this year,  
10 when the Department opened up commercial, since they  
11 didn't have a buyer, they included it into their  
12 subsistence. Then the Department went up the river and  
13 the only one that had a buyer was Nenana or Galena. All  
14 the rest didn't have buyers.

15  
16 If this is going to be voted on, I want  
17 to make an amendment to this proposal. If it's going to  
18 be voted down, then I won't make an amendment. I'll do  
19 it on another proposal. I'm not going to support it.  
20 It's hurting the three Districts 1, 2 and 3. Why not  
21 take the whole darn Yukon, all the way up to 6, if we  
22 want to cut down the windows. The windows were put there  
23 by Board of Fisheries and it worked real well. We have  
24 no problem in District 1 and 2. Putting it to two 18  
25 hours, that's pretty ridiculous to do that on  
26 subsistence. Subsistence is already set. It can't be  
27 reduced only if the stocks go way down. The windows we  
28 don't close them.

29  
30 Thank you.

31  
32 CHAIRMAN NICHOLIA: Della.

33  
34 MS. TRUMBLE: Thank you, Mr. Chair. I  
35 have a question and it may be me not understanding all  
36 the process. I know I've been involved in this for quite  
37 a while, but I still have questions. If you look at  
38 Proposal 9 in which the recommendation is to accept Staff  
39 recommendation to oppose and you look further down in  
40 ADF&G comments, it says Department recommends deferring  
41 pending action by Board of Fisheries and that is Proposal  
42 154 and I've read Proposal 154, which technically is the  
43 same as this No. 9. What happens if the Department of  
44 Fish approves 154? What effect does that have on the  
45 Federal side?

46  
47 MR. BERG: Mr. Chairman, Ms. Trumble.  
48 The recommendations from your Councils will be carried  
49 forward to the Federal Subsistence Board for them to  
50 consider. If the Federal Subsistence Board were to also  
00088

1 oppose this proposal and reject it, then it would not  
2 have any impact on the schedule for Federal waters. If  
3 the State Board of Fisheries were to adopt the proposal,  
4 then it would cut the schedule in half to 18 hours and  
5 that would apply to both State and Federal waters unless  
6 the Federal Board took a separate action to also align  
7 that regulation.

8  
9 CHAIRMAN NICHOLIA: Thank you, Jerry.

10 More discussion. Lester.

11

12 MR. L. WILDE: Mr. Chairman, if there are  
13 no discussion, I'll call for the question and roll call  
14 vote, please.

15

16 CHAIRMAN NICHOLIA: The motion by Jack  
17 Reakoff is to adopt the Staff recommendation to oppose  
18 Proposal No. 9, seconded by Robert Oney. Vince, you got  
19 our deal there? We're going to do a roll call vote and  
20 we're going to bounce it around.

21

22 Go ahead, Vince.

23

24 MR. MATHEWS: Yes, Mr. Chairman.

25

26 CHAIRMAN NICHOLIA: Wait. You've got to  
27 clarify. Yes is for opposing the proposal and no is  
28 supporting the proposal.

29

30 MR. MATHEWS: Correct, Mr. Chairman.

31 John Thompson.

32

33

34 MR. THOMPSON: Yes.

35

36 MR. MATHEWS: John Hanson.

37

38 MR. HANSON: Yes.

39

40 MR. MATHEWS: Philip Moses.

41

42 MR. MOSES: Yeah.

43

44 MR. MATHEWS: Mike Savage.

45

46 MR. SAVAGE: Yes.

47

48 MR. MATHEWS: James Charles.

49

50 MR. CHARLES: Yes.

00089

1 MR. MATHEWS: Billy McCann.

2

3 MR. MCCANN: Abstain.

4

5 MR. MATHEWS: Raymond Oney.

6

7 MR. ONEY: Yes.

8

9 MR. MATHEWS: Nick Andrew, Sr.

10

11 MR. ANDREW: Yes.

12

13 MR. MATHEWS: Mary Gregory.

14

15 MS. GREGORY: Yes.

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MR. MATHEWS: Harry Wilde, Sr.  
CHAIRMAN WILDE: Yes.  
MR. MATHEWS: Emmitt Peters.  
MR. PETERS: Yes.  
MR. MATHEWS: Lester Wilde.  
MR. WILDE: Yes.  
MR. MATHEWS: Mickey Stickman.  
MR. STICKMAN: Yes.  
MR. MATHEWS: Robert Walker.  
MR. WALKER: Yes.  
MR. MATHEWS: Carl Morgan.  
MR. MORGAN: Yes.  
MR. MATHEWS: Benedict Jones.  
MR. JONES: Yes.  
MR. MATHEWS: Angela Demientieff.  
MS. DEMIENTIEFF: Yes.  
MR. MATHEWS: Jack Reakoff.  
MR. REAKOFF: Yes.  
MR. MATHEWS: Ron Sam.  
CHAIRMAN SAM: Yes.  
MR. MATHEWS: Philip Titus.  
MR. TITUS: No.  
MR. MATHEWS: Jay Stevens.  
MR. STEVENS: Yes.  
MR. MATHEWS: Sue Entsminger.  
MS. ENTSMINGER: Yes.  
MR. MATHEWS: Gerald Nicholia.  
CHAIRMAN NICHOLIA: Yes.

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MR. MATHEWS: Virgil Umphenour.

MR. UMPHENOUR: No.

MR. MATHEWS: For Yukon-Kuskokwim Delta Regional Advisory Council, 10 in the affirmative, 1 abstaining. For Western Interior it was unanimous. For Eastern Interior it was three in support of the motion and two opposed.

CHAIRMAN NICHOLIA: So the motion carries to adopt Staff recommendation to oppose Proposal No. 9. Motion carries. I say we take a break.

(Off record)

(On record)

CHAIRMAN NICHOLIA: We'll be taking on Proposal No. 11. Ms. Pat McClenahan. First, I want to say something. We'll deal with these two proposals and then we'll take up customary trade proposals tomorrow morning.

MS. McCLENAHAN: Mr. Chairman. So it's your intention to do Proposal 11 and then followed by Proposal 5, is that correct?

CHAIRMAN NICHOLIA: Yes.

MS. McCLENAHAN: Thank you, Mr. Chairman. I'm Pat McClenahan. Proposal FP04-11 is at Tab B on page 97. Before I get started into the analysis, I'd like to bring to your attention there is a typographical error in the first paragraph on page 97 that was pointed out to me by the proponent. On the third line it should read public waters in Districts 1, 2, 3 and 4. Please strike 5.

Fisheries Proposal FP04-11 was submitted by Mike Moses of Mountain Village. It requests that subsistence fishing for salmon on the Yukon River remain open for rural residents year round in Districts 1 through 4. The current regulation for subsistence is to close before, during and after a State commercial fishery opening. In addition, the joint State/Federal program has established a windowed approach for salmon management on the Yukon River, so we have two types of closures we're considering.

The proposal area consists of Federal waters in the Yukon northern area that are subject to commercial fishery openings which are directly managed by the State, including Federally-administered waters of the Yukon River Districts 1 through 4. Federal waters within

28 this Fishery Management Area subject to commercial  
29 fishing are made up of the mainstem Yukon River, within  
30 and adjacent to the Yukon Delta, Innoko, Nowitna and  
31 Yukon Flats National Wildlife Refuges.

32

33 Federal management of subsistence  
34 fisheries was expanded in 1999 to include waters within  
35 and adjacent to Federal public lands. At that time,  
36 Federal subsistence regulations were adopted from the  
37 existing State subsistence fishing regulations.

38

39 The closures before, during and after  
40 State commercial fishery openings were kept for law  
41 enforcement purposes so that subsistence-caught fish  
42 would not enter into the commercial market. One special  
43 provision that currently is in regulations may help to  
44 ease that concern. In Districts 1, 2 and 3 you may not  
45 possess chinook salmon taken for subsistence purposes  
46 unless the dorsal fin has been removed immediately after  
47 landing.

48

49 In 2000, Yukon River chinook, summer chum  
50 and fall chum salmon were identified as stocks of concern  
00092

1 by the Alaska Board of Fisheries who implemented a new  
2 subsistence schedule on the Yukon River referred to as a  
3 windowed subsistence fishing schedule. The purpose of  
4 the schedule is to reduce harvest early in the salmon run  
5 when there is a much higher level of uncertainty in  
6 telling what the run will be and to distribute the  
7 harvest throughout the run. In this way, subsistence  
8 harvest opportunity is distributed amongst subsistence  
9 users in years when there is no commercial fishing. This  
10 provides more equitability for the needs of upriver and  
11 downriver subsistence users, even though the overall run  
12 numbers have been lower in recent years. Another goal of  
13 the schedule is to provide periods of time during which  
14 salmon may escape to migrate upriver to spawn without the  
15 pressure of fishing.

16

17 The Federal program, as you know, does  
18 not regulate commercial fishing, except that the Federal  
19 Subsistence Board may close Federally-administered lands  
20 to the non-subsistence taking of fish and wildlife under  
21 subpart B regulations. Such uses may only be restricted  
22 in order to maintain a viable population of fish or  
23 wildlife to enable continued subsistence use of a  
24 particular fish or wildlife population or if there is an  
25 issue of public safety or administration. The Federal  
26 Subsistence Board is responsible for ensuring a  
27 subsistence priority for Fish and Wildlife on Federal  
28 public lands.

29

30 Because of the complexity of the region's  
31 fisheries, the State and Federal agencies are working  
32 cooperatively and have developed a joint subsistence  
33 salmon management system intended to avoid having two

34 separate regulatory systems for subsistence users to  
35 follow.

36

37

38 The history of the success rate for  
39 subsistence fishers harvesting salmon species on the  
40 Yukon River is complex as you've heard earlier today.  
41 ADF&G records show that while the average annual harvest  
42 of subsistence-caught chinook salmon from Yukon fisheries  
43 management areas has historically increased, between 1992  
44 and 2002, from 20 percent to 64 percent of subsistence  
45 households surveyed indicated that they had not met their  
46 subsistence needs during the survey year for a variety of  
47 reasons.

47

48

49 Since the institution of a windowed  
50 schedule, subsistence users who have wage employment  
Monday through Friday have been finding it difficult to  
00093

1 satisfy their subsistence needs in a very compressed time  
2 period during the short opening on one weekend day. This  
3 proposal has also been submitted to the Board of  
4 Fisheries and will be taken up at their January 2004  
5 meeting in Fairbanks.

6

7

8 If adopted, this proposal would eliminate  
9 subsistence fishers from the jointly managed  
10 State/Federal management program currently in place. In  
11 Federally-managed waters, they would be exempted from the  
12 windows approach to openings currently being used. That  
13 provides a method to spread the access to the available  
14 salmon as equitably as possible among subsistence users  
15 throughout the extent of the Yukon River. At the same  
16 time, it provides a method to sustain and build the  
17 salmon fishery by giving upriver-bound salmon an  
18 opportunity to escape to their spawning grounds.

18

19

20 Subsistence fishers would be faced with  
21 two different sets of regulations to deal with. Finally,  
22 adoption of the proposal would work against the  
23 cooperative efforts of the State and Federal agencies  
24 carrying out a joint management system.

24

25

26 For all these reasons, Staff preliminary  
27 conclusion is to oppose the proposal. Yukon River  
28 chinook, summer chum and fall chum salmon were identified  
29 as stocks of concern by the Board of Fisheries in 2001.  
30 There are two major areas of consideration, concerns  
31 about conservation of the salmon fisheries as well as a  
32 concern for a management strategy that equitably  
33 distributes the resource among subsistence users located  
34 in all areas of the Yukon River.

34

35

36 Due to these concerns, supporting the  
37 existing joint Federal/State fisheries management program  
38 would seem to be the best management strategy at this  
39 time. This issue will be taken up in the upcoming Board  
of Fisheries meeting. The State proposal is Proposal

40 158, fishing seasons and periods. Mr. Chairman, that  
41 concludes my remarks.

42

43 CHAIRMAN NICHOLIA: We'll save the  
44 questions for discussion. Dan.

45

46 MR. BERGSTROM: Thank you, Mr. Chairman.  
47 ADF&G comments are on page 107. The department  
48 recommends deferring, pending action by the Alaska Board  
49 of Fisheries. The subsistence fishing schedules for the  
50 Yukon River were implemented for salmon stocks of concern  
00094

1 to provide for escapement and spread out subsistence  
2 opportunity to all subsistence users. Although the  
3 closures around commercial fishing periods do reduce  
4 total subsistence fishing time, they provide a practical  
5 way to enforce commercial fishing regulations while also  
6 providing opportunity for subsistence fishers. As Pat  
7 said, State Proposal 158 is the same as this one.  
8 There's seven other State proposals regarding the  
9 subsistence fishing schedule, which would be considered  
10 during the January 2004 Alaska Board of Fisheries  
11 meeting. That's all I have.

12

13 CHAIRMAN NICHOLIA: Other agencies.  
14 Buddy.

15

16 MR. BROWN: Thank you, Mr. Chair. Buddy  
17 Brown from Tanana Chiefs Conference.

18

19 We were part of a process before the  
20 State Board of Fisheries a few years back during which  
21 this windows was instituted. At that time, because the  
22 Yukon River fish were identified as stocks of concern, we  
23 had agreed to go into a conservation mode. We had a lot  
24 of fishermen participating in this Board of Fish  
25 deliberations in Anchorage at that time. We had agreed  
26 to the scheduling of windows for fishing throughout our  
27 area definitely for conservation concerns.

28

29 In order to spread the subsistence  
30 opportunity for those fish equitably throughout the whole  
31 region, throughout the whole river system, we supported  
32 it. However, when it's being applied when there's a  
33 commercial opening, when there's enough fish to provide  
34 for all subsistence uses throughout the river and then a  
35 commercial opening is had, we have some concerns about  
36 windows still remaining in place for subsistence fishing.  
37 In our opinion, that has become borderline as an illegal  
38 restriction on subsistence taking both under Federal and  
39 State law.

40

41 So we have some concerns. Right now  
42 we're opposed to the proposal. However, we do have some  
43 concerns about the application of the windows management  
44 system when there's enough fish for everybody throughout  
45 the whole river. Then you're really restricting

46 subsistence use.

47

48                   We've also seen some activities on the  
49 manager's part that have caused us some concern where we  
50 perceive that they are using the windows system as  
00095

1 creating enough of a buffer zone to provide for  
2 commercial opportunity. To us, that would be something  
3 we would definitely object to. We see that as a  
4 manipulation of the window system to provide for  
5 commercial opportunities throughout the river system and  
6 that's really not what we had agreed to when this whole  
7 management system using windows was put into place a  
8 couple years ago.

9

10                   We specifically agreed at TCC and the  
11 fishermen that we had present to a windows system for  
12 conserving and rebuilding the stocks. We hadn't at that  
13 time discussed using it as an allocation tool. Now, if  
14 you do have a shortage of fish in one particular year,  
15 yes, you do want to spread the fish out throughout the  
16 whole river. However, in times of abundance, using the  
17 windows management tool to allocate fish throughout the  
18 whole river system is something we have not discussed in  
19 the TCC region. Then you're talking about permanently  
20 imposing restrictions on subsistence opportunity and we  
21 had not discussed that, so we don't have a position on  
22 the permanency of the windows system at this time.

23

24                   We do have a position of using windows to  
25 rebuild the stock of concern though. We are definitely  
26 in support of using windows to rebuild those stocks.  
27 Again, we do have concern about some cross-over and some  
28 manipulation of that process. In particular, Holy Cross  
29 had been hit by it because the windows remained in place  
30 for Holy Cross because they didn't have any commercial  
31 buyers, so they did not get a commercial opening. If  
32 they did not get a commercial opening, then the  
33 subsistence windows remain in place, which is the reason  
34 we filed the second special action request this summer to  
35 the Federal Subsistence Board. So we do object to that  
36 type of a use of the window system, but, overall, we do  
37 support using the use of windows to rebuild salmon stocks  
38 on the Yukon River.

39

40                   Thank you, Mr. Chair.

41

42                   CHAIRMAN NICHOLIA: Tim.

43

44                   MR. ANDREW: Thank you, Mr. Chairman. My  
45 name is Timothy Andrew. I'm the director of natural  
46 resources for AVCP. We support Proposal No. 11, but as  
47 Buddy from TCC puts it, we support windows as a way of  
48 getting fish through in years of low abundance of salmon;  
49 however, in years of high abundance of salmon, we feel  
50 the institution of windows is completely unnecessary and

00096

1 it places unnecessary restrictions on the subsistence  
2 user.

3

4 This past season, as I had indicated  
5 earlier, the salmon entered the Yukon River May 18th and  
6 the Department's projects did not start until June 2,  
7 when they started the lower Yukon test fishery. This is  
8 15 days after the salmon had entered the river. Later,  
9 the Department did not start the Pilot Station sonar  
10 project until June 12th. This is almost a month after  
11 the salmon had entered the river. We feel that when the  
12 window started on May 29th they did this because they did  
13 not know how many fish went up the river system from that  
14 11-day period.

15

16 If we continue windows, we will continue  
17 to restrict our subsistence fishermen unnecessarily and  
18 give the Department freedom to start their projects any  
19 time they want to. We've told the Department in the past  
20 the fish are not going to wait until the Department of  
21 Fish and Game starts the projects and then start coming  
22 up the river. No, they'll start whenever they have the  
23 natural instinct to enter the river and migrate up the  
24 Yukon River.

25

26 I'd just like to reiterate that we feel  
27 these windows are unnecessarily applied in years of  
28 abundance and when we were faced with conservation years,  
29 AVCP hesitantly went with the Department of Fish and Game  
30 and US Fish and Wildlife Service to impose windows upon  
31 our own people. Especially in 1998, when we had a crash,  
32 we worked with Department of Fish and Game, with U.S.  
33 Fish and Wildlife Service, and told them in numerous  
34 correspondence and also in numerous dialogue between each  
35 other that we did not want to have these windows in place  
36 for eternity because it places restrictions on our  
37 subsistence fishermen. We'd like to try and make the  
38 fish managers a little bit more responsible in starting  
39 these projects earlier.

40

41 Thank you, Mr. Chair.

42

43 CHAIRMAN NICHOLIA: Thank you, Tim. Any  
44 other agencies.

45

46 (No response)

47

48 CHAIRMAN NICHOLIA: Private.

49

50 (No response)

00097

1 CHAIRMAN NICHOLIA: Written public  
2 comments. Vince. Hold on.

3

4 MR. COHEN: Sorry, Mr. Chairman. Again,  
5 my name is Norman Cohen. I'm speaking on behalf of the  
6 Yukon Delta Fisheries Development Association. We look

7 at this issue of windows as being a mechanism to address  
8 the two top priorities for the salmon resource. First is  
9 conservation and the second is providing for the  
10 subsistence priority throughout the drainage. As  
11 managers have spoken, this system providing for quality  
12 escapement by allowing different segments of the run to  
13 make sure that they can reach the spawning grounds. The  
14 second is that it provides opportunity for all fishermen  
15 to have good opportunity to obtain their subsistence  
16 needs by making sure fish throughout the run are not  
17 harvested during certain portions of their migration.

18

19                   So, for those two reasons YDFDA supports  
20 the concept and the use of windows. TCC and AVCP have  
21 raised questions that certainly need to be further  
22 addressed and we would suggest that that be done at the  
23 Board of Fisheries meeting.

24

25                   Thank you.

26

27                   MR. MOSES: My name is Mike Moses,  
28 Asa'carsarmiut Tribe of Alaska, Mountain Village on the  
29 Yukon delta. One of the reasons this came about is  
30 mainly because of our elders. I have no problem with  
31 doing all the activities that are required for  
32 subsistence. However, the elders specifically are being  
33 really heavily burdened with the restrictions placed on  
34 subsistence. Mainly I'm thinking about camping, teaching  
35 them all the things they've been doing in the past and  
36 that is being lost. Now they hesitate to go fish camping  
37 with their families because of schedules, put the nets  
38 in, put the nets out, listening on the radio for a  
39 schedule. It's always changing.

40

41                   All these things have impacted in a way  
42 that makes us feel not in the way when everyone was  
43 sharing and living in harmony with each other and want to  
44 teach their children about subsistence. This is one of  
45 the reasons I wrote this proposal. It's not for myself.  
46 Many elders live up and down the Yukon. They're the ones  
47 that are making the sacrifices. It brings about a  
48 feeling that is not very good. This is a big loss for  
49 us, being with our families. Now all the children are  
50 grown up and they don't know how to use stuff. They're  
00098

1 not being taught.

2

3                   In closing, I oppose any restrictions on  
4 subsistence. I thank you for the opportunity to make a  
5 comment.

6

7                   Thank you.

8

9                   CHAIRMAN NICHOLIA: Thank you, Mike.

10 Other agencies or private want to comment.

11

12                   (No comments)

13

14 CHAIRMAN NICHOLIA: Written public  
15 comments. Vince.

16

17 MR. MATHEWS: Yes, Mr. Chairman. Again,  
18 Morris Coffey of Stebbins Village had a comment on  
19 Proposal 11. Fishermen in Stebbins oppose this proposal  
20 and believe that management should maintain the status  
21 quo. The current management system works well and the  
22 salmon need time to travel through the river without  
23 being fished on. That's all the written comments we had.

24

25 Thank you.

26

27 CHAIRMAN NICHOLIA: Okay. Just like Mike  
28 Moses says, he says it all. Fort Yukon says we're all  
29 hurting along the river. It's not what we're doing, it's  
30 not what the fish is doing. It's what management have  
31 done for the last 40 years. They mismanage our fishery,  
32 they let too many people fish 30 years ago. That totally  
33 destroyed the fishery. It's not our fault or the fish's  
34 fault. Look at the manager's people. I feel for what  
35 those guys are feeling down there. They're like caught  
36 between one world, the world we live in and your world  
37 that's imposed on our world for the resources that our  
38 people have been living with for the last 30-40,000  
39 years. Being a supporter of the windows, I'd just like  
40 somebody to entertain a motion and get this over with.

41

42 MR. UMPHENOUR: Move to adopt the Staff  
43 recommendation for Proposal 11.

44

45 MR. STICKMAN: I second.

46

47 CHAIRMAN NICHOLIA: Discussion.

48

49 MR. WALKER: Question.

50

00099

1 CHAIRMAN NICHOLIA: Did you want to say  
2 something, Della?

3

4 MS. TRUMBLE: Yes, thank you. My heart  
5 goes to what I'm hearing here, but I also feel, being  
6 from an area that's been restricted and looking at the  
7 high seas and the water temperature and all of these  
8 variables that may contribute to what's happening and I'm  
9 looking at the windows that have been put in place since  
10 2000 and looking at 2003 and possible benefits of these  
11 windows. I fully support the Staff recommendation to  
12 continue that, at least until we have a better concept,  
13 an idea of what is happening, better paperwork and  
14 statistics that tell us what's contributing to all these  
15 things. I feel if we open this door and remove windows,  
16 it's going to hurt us in the long run. As hard as it is  
17 to go with change and how painful it is sometimes, we may  
18 have to do that just so our children and their children

19 have something in the future.

20

21 CHAIRMAN NICHOLIA: It's been moved, it's  
22 been seconded, the question has been called to adopt the  
23 Staff recommendation to oppose Proposal No. 11. All  
24 those in favor signify by saying aye.

25

26 IN UNISON: Aye.

27

28 CHAIRMAN NICHOLIA: All those opposed  
29 same sign.

30

31 IN UNISON: Aye.

32

33 MS. GREGORY: Two nays.

34

35 CHAIRMAN NICHOLIA: There's more ayes  
36 than nays there, Vince, so I think the proposal fails.

37

38 MR. MATHEWS: The proposal fails. Let  
39 the record reflect that there were two nays, as on the  
40 record. The motion passes.

41

42 CHAIRMAN NICHOLIA: That brings us to  
43 Proposal 5. Please just hit the points.

44

45 MS. McCLENAHAN: Thank you, Mr. Chairman.  
46 We're at Tab B on pages 35 and following. In particular,  
47 I'd like to have you look at page 37 at the map.  
48 Fisheries Proposal FP04-05 was submitted by the Western  
49 Interior Subsistence Regional Advisory Council. It is  
50 requesting a change in the existing Federal regulations  
00100

1 for a part of Federally-managed waters in Subdistricts 4-  
2 B and 4-C downstream from the mouth of the Yuki River.  
3 The Yuki River is kind of vaguely indicated here and I  
4 just wanted to point out to you that it's the only part  
5 of the river that this proposal addresses is the part in  
6 the Innoko NWR. There is a parallel State proposal that  
7 would address the rest of it between Ruby and Galena  
8 there.

9

10 The request is that residents may be able  
11 to subsistence fish for king salmon by drift gillnet less  
12 than 150 feet in length from June 10 through July 14, and  
13 chum salmon by drift gillnets after August 2nd. Three  
14 communities are primarily affected by this proposal.  
15 They are Koyukuk, Galena and Ruby.

16

17 I think that you'd like me to cut to the  
18 chase here, so I'll just say that the request was so that  
19 people who live in Ruby and Galena can be more efficient  
20 in their subsistence fishing. Currently, there are some  
21 fishwheels and setnets in Subdistricts 4-B and 4-C. For  
22 those people who want to use drift gillnets, they go to  
23 4-A, which is quite a ways away. This proposal would  
24 allow them to fish using drift gillnets closer to home.

25 Subsistence is economical and it would be more economical  
26 for them to do it that way.

27

28 I feel that I need to mention some  
29 concerns that were expressed to me by management, both  
30 State and Federal managers. First of all, there may be a  
31 possible increase in the use of drift gillnets in the  
32 area. However, we're just talking about very small, less  
33 than 20 mile stretch of river and probably only a few  
34 drift gillnet fishing sites in the area. There are  
35 people here from the local area who I'm sure would like  
36 to speak to this.

37

38 There was another concern that drift  
39 gillnets are very efficient and that the larger hens  
40 heading upriver might be targeted. The third concern is  
41 Federal/State regulatory alignment. There is a State  
42 Proposal 162 that's going to go before the State Board of  
43 Fisheries in January. Another comment that I'd like to  
44 make is that the gear type is restricted to 150-foot nets  
45 compared to the much larger, longer nets that are used in  
46 the lower river. Finally, I see no reason to handicap  
47 subsistence users.

48

49 So the Staff preliminary conclusion is to  
50 adopt the proposal. We would be specifying that it would  
00101

1 be within the Federal waters within Subdistricts 4B and C  
2 downstream of the Yuki River. Because a strong concern  
3 exists among State and Federal fishery managers that  
4 allowing drift gillnetting in this area adjacent to  
5 villages with fairly large populations at a time of  
6 increased fishing efficiency and technological  
7 sophistication in fishing equipment would result in an  
8 increased harvest of large chinook salmon females bound  
9 for Canada, it should carry the caveat that this drift  
10 gillnet fishery would be carefully monitored to record  
11 any large increases in harvest and any impacts to the  
12 fishery. Thank you, Mr. Chairman. That concludes my  
13 remarks.

14

15 CHAIRMAN NICHOLIA: Dan.

16

17 MR. BERGSTROM: Yes, Mr. Chairman.  
18 Written Staff comments are just that the Department  
19 recommends deferring, pending action by the Alaska Board  
20 of Fisheries of two proposals, 162 and 163, that they  
21 will be considering in January 2004. There is some  
22 consideration on our part that there's Federal applicable  
23 waters and State waters in the area and hopefully have  
24 the same regulations for both systems. I guess that all  
25 depends on who goes first.

26

27 We wanted to get across some of the  
28 concerns. As you read the proposal, it seems like a part  
29 of it was a feeling of overcrowding and less of a need to  
30 have this gear type to meet subsistence needs. We agree

31 that driftnets are a lot more efficient. The setnets and  
32 fishwheels are bank-oriented, so they tend to take more  
33 local stocks and less far-range stocks such as Canadian  
34 fish.

35

36 From some of the people I've talked to, I  
37 know that in the past it was illegal gear type for drift  
38 gillnets, but I know that Sydney Huntington has talked at  
39 other meetings in the past and said it's not a  
40 traditional gear type in that area, so there's a question  
41 about that or a concern.

42

43 As 4-A went into drift gillnets over the  
44 past years, we've seen that the harvest has increased  
45 there. I think this is partly due to the people that may  
46 not have used the fish so much in the past decided that  
47 they could more readily with an easier, more efficient  
48 gear type. We've heard from some people in Galena that  
49 they thought a reason it might increase there is because  
50 there's an influx of people that come out during the

00102

1 summer.

2

3

4 I think some of these concerns were  
5 addressed in that page that you were handed out that came  
6 from the Coordinating Fisheries Committee meeting on  
7 Saturday. I guess kind of an overall statement at the  
8 end is that a lot of the regulations in place the way  
9 they are is to -- it's recognized what the traditional  
10 fisheries are, so you have to think about when you change  
11 things how it might affect the existing fishery, which I  
12 think it's a possibility that the traditional setnet  
13 fishwheel fishers might see a change in how they fish.

13

14 These are some things to think about. We  
15 haven't come up with whether we support or oppose or what  
16 yet. We haven't talked with other divisions in the  
17 department, so we'll be working on that. We're  
18 interested in hearing public comments and Council's  
19 comments on this. Thanks.

20

21 CHAIRMAN NICHOLIA: Agencies.

22

23 MR. BYERS: Mr. Chair, members of the  
24 Council. My name is Jeff Byers (ph). I'm with the  
25 Koyukuk Nowitna Northern Innoko National Wildlife Refuge.  
26 I just want to pass along some of our Staff concerns with  
27 expanding the drift gillnetting in Subdistricts 4-B and  
28 4-C. As Dan has already pointed out, one of the things  
29 to be aware of is that by adopting this proposal it's  
30 going to allow more efficient gear type, which has the  
31 potential to result in an increased harvest of Canadian-  
32 bound stock and it may reallocated commercial,  
33 subsistence, sport and personal use harvest levels.

34

35 Another thing to be aware is that the  
36 intent of the Board of Fish schedule is to reduce the

37 harvest impact on any particular component of the run and  
38 to spread subsistence fishing among the users. Drift  
39 gillnetting will compress the harvest time and it's a  
40 method which can more effectively target Canadian-bound  
41 and female breeding stock. This change would reduce the  
42 effectiveness of the windowed subsistence fishing  
43 schedule that's now in place.

44

45 I think one of the important things to  
46 point out is that most of the public comments that are in  
47 support of this proposal request that it be extended to  
48 the mouth of the Yuki River, an area that is not going to  
49 be covered by this proposal. This proposal only applies  
50 to Federal waters in Subdistrict 4-B and 4-C.

00103

1 Council has shown support to the Fish and  
2 Wildlife Service in conducting its in-season salmon  
3 harvest assessment project of village residents to see if  
4 their subsistence fishing needs are being met. Working  
5 with this project the past two years, I want to pass  
6 along an observation that I have on the concern that  
7 there may be an increase in harvest. With this year's  
8 chinook run being better than the previous two years,  
9 people were increasing the number of non-rural family  
10 members that they were providing for. With easier and  
11 more efficient access to salmon, there is a potential for  
12 increased subsistence harvest to provide for non-rural  
13 family members when locals feel that the run strength  
14 will be able to support this.

15

16 Our refuge acknowledges that this is a  
17 minor expansion of the driftnetting opportunity. We also  
18 understand that one of the reasons for this proposal is  
19 to reduce crowding and competition in the driftnet  
20 fishery, which has been experienced near Koyukuk. The  
21 refuge asks if the Council would consider the following  
22 suggestions to reduce potential conflicts with  
23 driftnetting in the Koyukuk area or to help mitigate the  
24 potential impacts to salmon stocks if this proposal is  
25 allowed. One of the suggestions we have to reduce user  
26 conflict is increase the portion of time that's available  
27 to fishers on the weekends.

28

29 In order to mitigate any potential  
30 impacts this may have to salmon stocks, we have two other  
31 suggestions. One is reduce the amount of fishing time  
32 from the current two 48-hour periods or to adjust the  
33 gear mesh depth so that the larger, traditionally deeper  
34 running stock have a greater chance to reach their  
35 spawning grounds.

36

37 As I previously noted, this proposal does  
38 not affect the Yuki River area. Most of the public  
39 comments request that driftnetting be expanded to the  
40 Yuki River mouth and these will not be addressed by this  
41 proposal. There are three proposals to allow  
42 driftnetting and one proposal to change the fishing

43 period in 4-B and 4-C before the Board of Fish January  
44 meeting. Our refuge would recommend tabling this  
45 proposal until the Board of Fish has made a determination  
46 on those four proposals. Thank you for the opportunity  
47 to comment.

48

49 MR. SARTEN: My name is Ed Sarten. I'm  
50 with the Ruby Fish and Game Advisory Committee. We are  
00104

1 in favor of this proposal. We feel it's not going to  
2 really expand the fishery in any way. All it does is  
3 basically provide an easier access for those in Ruby who  
4 are already going downriver and driftnetting down there,  
5 which are just a few people. They just want the same  
6 equal opportunity as the people downriver to be able to  
7 fish near their village, especially with the increase in  
8 gas costs and all these other expenses that have been  
9 coming up. I just basically want to stop the congestion  
10 of fishing. It would greatly help the people in Ruby  
11 that are driftnetting already and make easier access for  
12 them. We feel the pressure would not be greatly  
13 increased by this. That's basically the reason they want  
14 to do that; spread it out a little bit and provide easier  
15 access. Thank you Mr. Chairman and Board for my  
16 comments.

17

18 CHAIRMAN NICHOLIA: Thank you, Ed.  
19 Buddy, did you want to say something?

20

21 MR. BROWN: Thank you, Mr. Chair, members  
22 of the Tri-Council. My name is Buddy Brown with Tanana  
23 Chiefs Council. TCC at this time is in support of the  
24 proposal. I'll leave it up to the other folks to discuss  
25 the overcrowding situation, but if you allowed this  
26 proposal to go through and spread the effect of that  
27 driftnet fishery a little further along the river system,  
28 it may actually decrease the effectiveness and the impact  
29 on the run overall. I wasn't there this summer, but I  
30 did get some direct reports on the overcrowding situation  
31 right there at the village of Koyukuk. Boats were  
32 practically bumping into each other as they were drift  
33 fishing, knowing the return of the kings this year was  
34 pretty good. When you have that type of a situation, you  
35 have a pretty effective fishery. Whereas, if you let the  
36 Galena and Ruby residents fish closer to their own  
37 villages, it would actually spread the impact of that  
38 fishery out a little further along the river system  
39 instead of just targeting right there in front of the  
40 village of Koyukuk.

41

42 We also agree with the OSM that it's an  
43 unnecessary restriction on the Galena and Ruby  
44 subsistence fishermen, them not being allowed to use  
45 drift gillnets at this point, especially when you do have  
46 commercial openings. So it would be an unreasonable  
47 restriction on those rural residents' ability to  
48 subsistence fish through their traditional gear type,

49 even though there's conflicting reports on this.

50

00105

1 I would also ask the three Regional  
2 Advisory Councils to exercise some independent authority  
3 here. You are being asked to wait for the State Board of  
4 Fisheries to meet and decide on this issue, but you've  
5 got the authority yourselves to decide on it instead of  
6 waiting for the Board of Fish to meet and decide on the  
7 issue and then give it to you guys next year. You do  
8 have the authority with respect to Federal waters in this  
9 area to make a decision. You do have that independent  
10 authority to act now and then request that the State  
11 Board of Fisheries issue a similar decision when it meets  
12 in January.

13

14 I'm also a little puzzled. You just  
15 heard some anecdotal information given to you from the  
16 refuge office. The reason I'm puzzled is because  
17 oftentimes when we use anecdotal data as Native people,  
18 our arguments are discredited, yet we just heard that  
19 there might be urban residents that are being given fish  
20 from their rural families. We don't really know how  
21 much, we don't know how much the fishery is going to be  
22 increased, we don't know how effective this new fishery  
23 will be, but there's no data. I would submit that if we,  
24 as Native organizations, were making the similar  
25 argument, it would be discredited. So please realize  
26 that there is no data on this other than what the local  
27 people are telling you.

28

29 The impact of the fishery is really going  
30 to be minimal and it's really going to spread the fishing  
31 pressure a little more throughout that river system  
32 instead of just banging those fish right there in front  
33 of the village of Koyukuk and putting a big burden on the  
34 Koyukuk fishermen as well. With that, TCC is in support  
35 of this proposal. Thank you, Mr. Chair and members of  
36 the Council.

37

38 CHAIRMAN NICHOLIA: Thank you, Buddy.  
39 Tim, did you want to say anything?

40

41 MR. ANDREW: Thank you, Mr. Chairman, for  
42 this opportunity to testify on this proposal. My name is  
43 Timothy Andrew. I'm the director of natural resources  
44 for AVCP. AVCP stands in opposition to this proposal  
45 primarily because it may impact the migrating salmon in  
46 the area, especially when this gear type was not  
47 traditionally used within the area for quite some time.  
48 This area primarily uses fishwheels.

49

50 Thank you, Mr. Chair.

00106

1 CHAIRMAN NICHOLIA: Anybody else in the  
2 audience that wants to say something.

3

4 MR. MATHEWS: Mr. Chairman. I would like  
5 to direct your attention to written public comments that  
6 are summarized in the book and they're on page 49 and 50.  
7 We did receive 14 comments in support of the proposal.  
8 They all address various points, so I'll just cover some  
9 of those points and then I'll list the names. The  
10 comments in support of this proposal say it's costly to  
11 travel a long distance, time consuming to travel  
12 downriver when there are sites closer to Galena. They  
13 also pointed out a lot of Galena residents travel too far  
14 to fish with driftnets. Passage of this proposal will  
15 help people that depend on fishing with the high expense  
16 of gasoline at \$3.55 per gallon. Another comment that  
17 came from the ones we summarized, many times there are  
18 boats waiting to fish the same spot. Passage of this  
19 proposal would spread out the driftnet fishing. These  
20 comments were received from Stephen Gregory, Coleen  
21 Huntington, one was unsigned, Alfred and Lilly Evans, Max  
22 and Bev Huhndorf, Cynthia Davis, Marlene Marshall, Virgil  
23 Sam, Terry Pitka, Claude and Flora Keogh, Alfred Nollner,  
24 Helen Hodgkin, Charlotte Gowan and Curtiss Carol.

25  
26 The letter I received today is dated  
27 October 8, 2003. It's from Sydney Huntington of Galena  
28 and I will do my best to do this slowly so everyone would  
29 understand. To whom this may concern, I am not against  
30 drifting for kings for subsistence household use as a  
31 food. Drifting for salmon was not a historical method of  
32 fishing on the Yukon River. Fish traps and dipnets were  
33 the only means to catch king salmon until white man  
34 introduced the fish nets years ago.

35  
36 We have modernized the fish nets used in  
37 drifting for fish so we can put our nets to use to catch  
38 larger kings. The smaller fish go through from the  
39 standard depth of fish formerly used. Now the depth gets  
40 in extreme cases to 35 feet. Now we are having trouble  
41 catching larger breeding because of excess fishing with  
42 deep nets with larger mesh size.

43  
44 The fish have trails along the Yukon  
45 River, just like you have streets in your cities. We  
46 have closed harvest at the mouth of the Yukon River  
47 preventing the people who historically made a major part  
48 of their livelihood commercial fishing. That's possibly  
49 okay. Only you have opened up stream, a new avenue of  
50 selling king salmon with no controls on the harvest  
00107

1 called subsistence harvest. The abuse of that sale of  
2 fish could some day in the future be the doom of king  
3 salmon on the Yukon River. No different than what has  
4 happened to the Atlantic salmon.  
5 Your king salmon then will then come from a Korean fish  
6 farm.

7  
8 If we want to continue having king salmon  
9 along the Yukon, we all have to contribute in some cases

10 restricting ourselves from overharvesting and bootlegging  
11 subsistence-caught processed salmon. A lot of people who  
12 sell kings hardly eat fish but make up and above \$20 per  
13 pound. I guess it is like drugs. It tastes better  
14 because it's illegal.

15

16           The main effort is to bring up the lead  
17 line to the standard depth of the original nets, 20 to 21  
18 meshes deep. Length does not make a difference. 150  
19 maximum is probably okay. That gives some of the larger  
20 females a chance to get to the spawning grounds. Let's  
21 stop taking the motherlode of spawning fish out of the  
22 river. Again, why make laws where there is no  
23 enforcement. There is nothing in Federal subsistence law  
24 that is very enforceable, only discriminatory. Drifting  
25 with controlled shallower nets with eight inches or less  
26 mesh size will help, but why make any laws unless they  
27 are enforced. With no good controls set now, 20 years  
28 from now you won't have many king salmon except in the  
29 memory. If you don't prepare for the future, there will  
30 be no future. You just change with the time. That is  
31 the full letter from Sydney Huntington that was provided  
32 to me today.

33

34           Thank you.

35

36           CHAIRMAN NICHOLIA: Thank you, Vince.  
37 Thank you, everybody. You know, we've been hurting for  
38 the last 10 years and we're in a rebuilding mode  
39 supposedly. We've been trying to rebuild these fish for  
40 the last 30, 50 years, supposedly. We're all sharing the  
41 burden here. If we allow this driftnet, which I know is  
42 highly efficient, targets big females, that will change  
43 stock composition on the spawning grounds and if we allow  
44 this, District 4 would not be sharing the burden of  
45 conservation as the rest of the districts. I know it's  
46 crowded there, but if you're going to driftnet, why not  
47 do it in Tanana. I could see this thing balloon. All I  
48 was going to say is just like what my grandpa said, we  
49 already are changing the stock composition of these  
50 salmon. It's a fact.

00108

1           As a kid, I used to take fish that was  
2 about as big as me out of the box. I don't see that  
3 anymore. The way we're allowed to fish by these  
4 departments are changing the stock composition of the  
5 salmon that we thrive on as subsistence people. All I  
6 see is another highly efficient tool that is going to  
7 adversely effect us in the long run. I say just keep on  
8 sharing the burden.

9

10           CHAIRMAN SAM: Thank you, Mr. Chair.  
11 There is always concern about Canada, but I don't think  
12 that we can really answer that question. The bottom line  
13 is whether you stop one salmon or 10 tons of salmon out  
14 in the ocean, you're stopping fish that is going upriver.  
15 I don't think that adopting this Proposal 5 will create

16 any more or bigger fishing industry that already exists  
17 anyway. With that argument, I am in support of adopting  
18 Staff recommendation to adopt Proposal 5 because it has  
19 always been my mandate to create subsistence  
20 opportunities to people in the Western Interior Regional  
21 Advisory Council district.

22

23 MR. UMPHENOUR: Move to adopt the Staff  
24 recommendation for Proposal 5.

25

26 MR. STICKMAN: Second.

27

28 CHAIRMAN NICHOLIA: Discussion.

29 Benedict.

30

31 MR. JONES: Koyukuk is the one that  
32 drafted this proposal. The reason we did that is we  
33 talked to Galena for the past 10 years. As the Yukon  
34 River current channel has changed, wider and less flow of  
35 current, and Galena has no setnet sites in their area.  
36 They only have three sites, one four miles below Galena  
37 and two above Galena and only one fishwheel operates.  
38 There would be no increase in harvest because the same  
39 number of people would be harvesting. They probably get  
40 about 20 fish a year for a family of four. Historically,  
41 people on the Yukon River have never harvested kings as  
42 much as they do nowadays because we only fish for the  
43 summer chum and the fall chum. Everybody in Koyukuk and  
44 Galena area and Nulato area historically has fished on  
45 the north bank, which is the Koyukuk River bound fish.

46

47 For commercial permits, there's only five  
48 permit holders in Galena, so it would not affect. During  
49 the window opening, the people only fish approximately 12  
50 hours per day in the evening. With this driftnetting, I  
00109

1 propose no commercial fishing for driftnetting and  
2 restrict the mesh depth to 35 mesh in that area. If  
3 there's 15 boats there, they'll be lucky to get 10 fish  
4 out of the 15 because there's too much traffic.  
5 Immediately all the fish go out to deeper water when all  
6 the sounds on the shallow water area. With that I want  
7 to thank you.

8

9 CHAIRMAN NICHOLIA: Mickey.

10

11 MR. STICKMAN: Me and Ben live in that  
12 area, so we fish that area and there's a lot of  
13 information out there that's not correct. The one thing  
14 that I know and Ben knows is that the fishermen from  
15 Galena will go down there with a 45-foot net. When you  
16 fish with a net like that, your target is in all  
17 compositions because you're going so deep. But I've seen  
18 them get 85 kings in one drift with a net that size. If  
19 you leave it as it is, some composition is going to get  
20 slaughtered. But I'm saying I'm going to speak in favor  
21 of this. I don't want to show any disrespect to anyone

22 and I always look to elders for advice, but Sydney is  
23 only been fishing in the area for 40 years. My people  
24 have been fishing there all their lives. You learn to  
25 fish from the Yukon River people, so be careful.

26

27 CHAIRMAN NICHOLIA: Mary.

28

29 MS. GREGORY: Thank you, Mr. Chairman.  
30 I'm speaking in support of the proposal because, like I  
31 said, I'm 99.8% Yup'ik food eater. I have some relatives  
32 in Anchorage that I share my food with whether I catch 50  
33 or 20 kings and chum salmon. Like I told you before, I'm  
34 for making sure my elders eat their food until they don't  
35 live here no more, so I support the proposal.

36

37 CHAIRMAN NICHOLIA: Virgil.

38

39 MR. UMPHENOUR: Thank you, Mr. Chair. I  
40 know we do have a problem with stock composition.  
41 There's a weir on the Tazitna River that's run by BLM.  
42 Last year in 2002 only 13 percent of the king salmon that  
43 went through that weir were females and they sampled  
44 approximately 27-28 percent of the king salmon. 82  
45 percent of those king salmon were 28 inches or less in  
46 length. That means 82 percent of the king salmon were  
47 smaller than 10-pound king salmon. This year they don't  
48 have the full report completed, but I do know that 19  
49 percent of the fish were females. I've known Sydney a  
50 long time and I've worked with him in years past and I  
00110

1 respect him and I'm going to go along with him. I'm  
2 going to be opposed to the recommendation. It's  
3 primarily because those large female king salmon need  
4 protection and they're the ones swimming closest to the  
5 bottom.

6

7 Thank you.

8

9 CHAIRMAN NICHOLIA: John. No, wait. I  
10 think Philip had his hand up before you.

11

12 MR. TITUS: Thank you, Mr. Chairman. My  
13 concern is Fort Yukon is asking for more fish and we  
14 voted down every proposal they put up and these guys are  
15 all for giving them more efficient way to get fish. Fort  
16 Yukon is going to get a bigger zero.

17

18 CHAIRMAN NICHOLIA: John.

19

20 MR. HANSON: Thank you, Mr. Chairman.  
21 Pat, on this little map I'm looking at, if this 4-B and  
22 4-C was passed, that would relieve 4-A. Is that where  
23 the drifting goes on? And it will be less impact once 4-  
24 B and 4-C is open.

25

26 MS. McCLENAHAN: That's what the  
27 proponents of this proposal suggest. The fishing is

28 going on right here by Koyukuk and people from Ruby and  
29 Galena are going down to fish there according to the  
30 people that I've talked to. If this proposal were passed,  
31 that area from the line at 4-A to the upriver side, all  
32 that hatched area, up to Galena, that's Federal waters,  
33 then that would be open to drift gillnetting. If the  
34 State proposal was passed also, then the waters above  
35 Galena up to where the Yuki River is would be opened.

36

37 Thank you.

38

39 MR. HANSON: Thank you. Mr. Chairman.  
40 To relieve 4-A from people going down and drifting, which  
41 probably impact 4-A quite a bit with places going down,  
42 and this proposal is asking just the drift part from  
43 above Koyukuk, I think that would really help the people  
44 that go on a long run just to go down and drift. I would  
45 support this proposal.

46

47 Thank you.

48

49 MR. REAKOFF: Mr. Chairman. I support  
50 this proposal. It alleviates overcrowding. The other  
00111

1 aspect of this proposal that the opposition is not  
2 recognizing is that the subsistence users are going to  
3 fish until they get the fish that they need. They're  
4 subsistence fishers also. They're not trying to make  
5 some big quota or something. They're paying a lot of  
6 money to go down there to compete with other users and  
7 right in front of somebody else's village. These  
8 subsistence users are going to get their fish that they  
9 need for use, then they're going to stop fishing like  
10 everybody else. So I'm in favor of this proposal.

11

12 CHAIRMAN WILDE: Mr. Chairman. When I  
13 was young, I used to work in Nenana. We'd go to  
14 campsites villages those days there was dry fish hanging  
15 and now me, myself, I do think sometimes very hard and,  
16 me, myself, I grew up very poor. When I was small, I  
17 begged in a house for something to eat or to help my  
18 sister and brother. Because of that, when this  
19 subsistence comes up, I do my best because how I grew up,  
20 it makes me very humble when I heard about people needed  
21 food. If I am able to help someone, not to benefit  
22 myself, but to help that person that do need, I will  
23 support this proposal.

24

25 CHAIRMAN NICHOLIA: Go ahead, Emmitt.

26

27 MR. PETERS: Thank you, Mr. Chairman. My  
28 name is Emmitt Peters and I'm really for this proposal.  
29 I think it will do a lot of good for our people in our  
30 district. The rich people is the ones that's going down  
31 there and getting the fish. The poor ones don't have the  
32 opportunity. When they come back with 80, 90 fish from  
33 downriver, that makes us mad. We don't have a chance to

34 go out there and drift just to get a little fish to put  
35 away for the winter. I think it will do good for us and  
36 I'm for this proposal.

37

38 Thank you.

39

40 MS. ENTSMINGER: Thank you, Mr. Chairman.  
41 I'm probably the least knowledgeable on this issue, so I  
42 have a few questions. Who would be the next village  
43 upriver? Is it Tanana? How far is that to go  
44 gillnetting?

45

46 CHAIRMAN NICHOLIA: From Tanana to where  
47 it's currently at is about 200 miles. If they allowed  
48 the Yuki River, it would only be like 130, 40 miles  
49 maybe.

50

00112

1 MS. ENTSMINGER: How far is Ruby to the  
2 Koyukuk where they're going down there to fish?

3

4 MR. JONES: Eighty miles.

5

6 MS. ENTSMINGER: I guess the concern I  
7 have here is, would you try to go down to that fishery if  
8 it was moved up?

9

10 CHAIRMAN NICHOLIA: No.

11

12 MS. ENTSMINGER: Do you think there are  
13 other residents on the Yukon that would do that?

14

15 CHAIRMAN NICHOLIA: From Tanana. I  
16 believe we tried that and was turned down just because it  
17 was highly efficient. It will create a non-traditional  
18 fishery in a traditional area of fishwheels and setnets.  
19 We restricted the lower river with what we did earlier  
20 and we shot down Fort Yukon twice. Then we're going to  
21 allow them a bigger dip in the bucket just because this  
22 year has been good. How about the next five years?  
23 That's something else my grandpa said, it's on a six-year  
24 cycle. We're going to be expecting bad years again and  
25 we're going to allow this that's going to change the  
26 stock composition? It's a highly efficient fishery. We  
27 are humans and the nature of humans will abuse if there's  
28 no enforcement.

29

30 I could see supporting this when there's  
31 no stocks of concern. But when we're trying to rebuild  
32 something for the last 30 years and you give another  
33 stakeholder group something over somebody else that you  
34 just turned down, I don't think we're doing the right  
35 thing if we turn down somebody else and give somebody  
36 else a bigger piece of the pie. I say if we pass this,  
37 we're not doing the right thing because we shot down Fort  
38 Yukon twice and we just turned this one guy down here. I  
39 know for a fact this driftnet fishery is highly effective

40 and it does target large females because they go up the  
41 middle of the river, so that's why I'm not going to  
42 support this proposal.

43

44 CHAIRMAN SAM: To prevent redundancy or  
45 repetition, I will request a roll call vote and ask that  
46 Western Interior be roll called as a region. If we do  
47 that and go against the other two Councils, then I would  
48 have no choice but to revisit this on the Western  
49 Interior separate meeting.

50

00113

1 Thank you.

2

3 MS. ENTSMINGER: Thank you, Mr. Chairman.  
4 I just want to, for the record, mention that we have a  
5 member from Eagle who is not here that could really help  
6 for our region to know more about it. He's here?

7

8 CHAIRMAN NICHOLIA: Andy, you're an  
9 Eastern Interior Council member. Get up here. We'd like  
10 to hear your opinion on this.

11

12 MR. BASSICH: Hello. My name is Andy  
13 Bassich. I live in Eagle. I've been in Eagle now for  
14 about 21 years. I'm an advisory member and an alternate  
15 member on the Yukon River Panel and I've been involved in  
16 the fisheries now for about four years. I've been a  
17 subsistence fisherman since I came to Eagle. About the  
18 last seven years we've noticed a tremendous decline in  
19 the size of the salmon in our area. To give you a little  
20 bit of an idea of what's taking place or what we see and  
21 for those of you who aren't familiar with where Eagle is,  
22 we're approximately 12 miles from the Canadian border, so  
23 we're the farthest Alaskan fishery up the Yukon River.

24

25 We have a mixed fishery up there,  
26 fishwheel and setnet fisheries. This year water levels  
27 were extremely low during our king salmon run, but during  
28 a four-day period running a fish wheel I only caught two  
29 female king salmon in four days. Those two salmon were  
30 less than 32 inches in length. Granted, some of the  
31 setnet fisheries persons in our area were catching larger  
32 fish, but this is a trend that we've been noticing in our  
33 area for a number of years. It's a tremendous concern to  
34 those of us that larger fish are not making it to the  
35 spawning ground, which is adversely affecting the genetic  
36 composition of the spawn taking place up in Canada. I  
37 personally feel this is a very important issue that needs  
38 to be addressed. My personal feelings are that we need  
39 to really start to protect the larger female salmon bound  
40 for the Canadian spawning grounds if we want to protect  
41 this run in the future. I would have to say I'm opposed  
42 to any additional fishing opportunities that would  
43 potentially impact that larger female out of the run.

44

45 CHAIRMAN NICHOLIA: Mickey.

46

47 MR. STICKMAN: Thanks, Mr. Chairman. I  
48 just wanted to correct you. We don't drift in the middle  
49 of the river, we drift on the side. The only people that  
50 drift in the middle are the people that use the 300-foot  
00114

1 illegal nets that can actually drift out there. The  
2 people from Nulato and Koyukuk, they all drift on the  
3 bank.

4

5 CHAIRMAN NICHOLIA: Sue.

6

7 MS. ENTSMINGER: Thank you, Mr. Chairman.  
8 That draws another question to me. Does that mean that's  
9 the only place you can fish or could you fish in the  
10 middle also?

11

12 CHAIRMAN NICHOLIA: When it's open, they  
13 can drift anywhere they want to.

14

15 MR. JONES: The people that drift in the  
16 middle have a deeper mesh, that's why we use the shallow  
17 water area.

18

19 MR. TITUS: Call for the question.

20

21 CHAIRMAN NICHOLIA: It's been moved and  
22 seconded to adopt the Staff recommendation to adopt the  
23 Proposal No. 5. Vince, do a roll call.

24

25 MR. MATHEWS: Mr. Chairman, if I  
26 understand correctly, we're going to do it by Council on  
27 this roll call vote. Since Western Interior is the home  
28 region, I'll start with Western Interior. Emmitt Peters.

29

30 MR. PETERS: Yes.

31

32 MR. MATHEWS: Mickey Stickman.

33

34 MR. STICKMAN: Yes.

35

36 MR. MATHEWS: Robert Walker.

37

38 MR. WALKER: Yes.

39

40 MR. MATHEWS: Carl Morgan.

41

42 MR. MORGAN: Yes.

43

44 MR. MATHEWS: Benedict Jones.

45

46 MR. JONES: Yes.

47

48 MR. MATHEWS: Angela Demientieff.

49

50 MS. DEMIENTIEFF: No.

00115

1 MR. MATHEWS: Jack Reakoff.  
2  
3 MR. REAKOFF: Yes.  
4  
5 MR. MATHEWS: Ron Sam.  
6  
7 CHAIRMAN SAM: Yes.  
8  
9 MR. MATHEWS: Okay, Mr. Chairman. Yukon-  
10 Kuskokwim Delta. Lester Wilde.  
11  
12 MR. L. WILDE: No.  
13  
14 MR. MATHEWS: Philip Moses.  
15  
16 MR. MOSES: Yeah.  
17  
18 MR. MATHEWS: Mike Savage.  
19  
20 MR. SAVAGE: No.  
21  
22 MR. MATHEWS: James Charles.  
23  
24 MR. CHARLES: No.  
25  
26 MR. MATHEWS: Billy McCann.  
27  
28 MR. MCCANN: No.  
29  
30 MR. MATHEWS: Raymond Oney.  
31  
32 MR. ONEY: No.  
33  
34 MR. MATHEWS: Nick Andrew, Sr.  
35  
36 MR. ANDREW: No.  
37  
38 MR. MATHEWS: Mary Gregory.  
39  
40 MS. GREGORY: Yes.  
41  
42 MR. MATHEWS: John Hanson.  
43  
44 MR. HANSON: Yes.  
45  
46 MR. MATHEWS: Harry Wilde.  
47  
48 CHAIRMAN WILDE: Yes.  
49  
50 MR. MATHEWS: John Thompson.  
00116  
1 MR. THOMPSON: Yes.  
2  
3 MR. MATHEWS: Okay. Eastern Interior.  
4 Virgil Umphenour.  
5  
6 MR. UMPHENOUR: No.

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MR. MATHEWS: Sue Entsminger.

MS. ENTSMINGER: No.

MR. MATHEWS: Jay Stevens.

MR. STEVENS: No.

MR. MATHEWS: Andrew Bassich.

MR. BASSICH: No.

MR. MATHEWS: Philip Titus.

MR. TITUS: No.

MR. MATHEWS: Gerald Nicholia.

CHAIRMAN NICHOLIA: No.

MR. MATHEWS: Mr. Chairman, I'll ask my fellows because I'm trying to do both at the same time what the totals are. Mr. Chairman, for Western Interior it was 7-1, seven for and one in opposition. For the Y-K Delta, there was five in affirmative and six opposing, so it failed there. It did pass on Western Interior 7-1. Eastern Interior was unanimously against the proposal.

CHAIRMAN NICHOLIA: So where does that leave us?

MR. MATHEWS: Mr. Chairman, that leaves you with one Regional Council in support and two that oppose it. I would go forward to the Federal Subsistence Board to weight that out.

CHAIRMAN NICHOLIA: I'm going to have the last say on this. We just introduced a highly efficient new fishery on the Yukon River. We might as well say goodbye to our king salmon. The reason I turned it down is because we turned Fort Yukon down and we're letting these guys get a bigger opportunity and we're still in the rebuilding mode. We're going to really affect

composition of the stock that we live on. Try to be very careful. So what. I'm hurting. The people I represent are really hurting way harder. You guys are allowed to meet your needs when they are not to. We've got to share the burden of conservation and I don't see it here.

Go ahead, Ron.

CHAIRMAN SAM: Thank you, Mr. Chairman. I see it in a total different light. All we are doing is expanding not the fishery itself, that is already in existence, all we're doing is expanding that area a

13 little further. That is all we did is recognize a  
14 fishery that is already there and just expanded that area  
15 to operate on. We are not creating a new fishery.

16

17 Thank you.

18

19 CHAIRMAN NICHOLIA: I think we're done  
20 with this proposal. Go ahead.

21

22 MR. RIVARD: Mr. Chair, thank you. Don  
23 Rivard with the Office of Subsistence Management. I just  
24 wanted to clarify something. You voted as three  
25 different recommendations that will go forward to the  
26 Board, two opposed, one for the proposal, and the Federal  
27 Board will weigh those three recommendations. It's not  
28 one recommendation. It's three different ones. I just  
29 wanted to clarify that.

30

31 CHAIRMAN NICHOLIA: Thank you. I think  
32 we're done with the proposals. I think we'll reconvene  
33 tomorrow morning and take on customary trade.

34

35 MR. MATHEWS: Mr. Chairman. I hate to  
36 interrupt you. I'm just the messenger, so please realize  
37 that. I've been instructed that the hotel will charge us  
38 \$500 a day if outside food shows up tomorrow. So I've  
39 been instructed that there will be no more food brought  
40 in to this meeting hall. If you have questions about  
41 that, I'm sure there's management staff that will address  
42 that. So no more food can be brought to this meeting  
43 place.

44

45 Thank you.

46

47 CHAIRMAN NICHOLIA: With that, we will  
48 reconvene tomorrow morning.

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50 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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3 UNITED STATES OF AMERICA )  
4 )ss.  
5 STATE OF ALASKA )

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

10

11 THAT the foregoing pages numbered 02 through 117  
12 contain a full, true and correct Transcript of the VOLUME  
13 I, WESTERN INTERIOR, EASTERN INTERIOR and YUKON DELTA  
14 FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCILS MEETING  
15 taken electronically by Computer Matrix Court Reporters,  
16 LLC, on the 14th day of October 2003, beginning at the  
17 hour of 8:30 o'clock a.m. at Wasilla, Alaska;

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

23

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

26

27            DATED at Anchorage, Alaska, this 30th day of  
28 October 2003.

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Joseph P. Kolasinski  
Notary Public in and for Alaska  
My Commission Expires: 04/17/04    □