

1 YUKON-KUSKOKWIM DELTA  
2 SUBSISTENCE REGIONAL ADVISORY COUNCIL  
3 PUBLIC MEETING  
4

5 VOLUME I  
6

7 October 14, 2004  
8 9:00 o'clock a.m.  
9 Long House, Bethel, Alaska  
10

11  
12 COUNCIL MEMBERS PRESENT:  
13

14 Harry Wilde, Sr. Chair  
15 Bob Aloysius  
16 Nick Andrews, Sr.  
17 Mary Gregory  
18 John Hanson  
19 Beverly Hoffman  
20 Joseph Mike, Sr.  
21 Phillip Moses  
22 Robert Nick  
23 Raymond Oney  
24 Greg Roczicka  
25 Lester Wilde, Sr.  
26  
27  
28 Regional Coordinator, Alex Nick  
29  
30 Sophie Evan, Interpreter  
31 Joseph "Trim" Nick, Interpreter  
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P R O C E E D I N G S

(Bethel, Alaska - 10/14/2004)

(On record)

CHAIRMAN WILDE: Good morning. This morning I think I ll ask Robert until we get our secretary back here. Meeting come to order. Start with the roll call.

MR. R. NICK: Karl Powers.

(No response)

MR. R. NICK: Nick Andrew, Sr.

MR. ANDREW: Here.

MR. R. NICK: Raymond Oney.

MR. ONEY: Here.

MR. R. NICK: Robert Nick. I m here.  
Harry Wilde, Sr.

CHAIRMAN WILDE: Here.

MR. R. NICK: John Hanson, Sr.

MR. HANSON: Here.

MR. R. NICK: Mary Gregory.

(No response)

MR. R. NICK: Phillip Moses.

MR. MOSES: Here.

MR. R. NICK: Lester Wilde, Sr.

CHAIRMAN WILDE: Lester Wilde is at the clinic at this time. We ll excuse him because he s in the hospital.

MR. R. NICK: Joseph Mike.

MR. MIKE: Here.

1 MR. R. NICK: Greg Roczicka.  
2  
3 MR. ROCZICKA: Here.  
4  
5 MR. R. NICK: Bob Aloysius.  
6  
7 MR. ALOYSIUS: Here.  
8  
9 MR. R. NICK: Beverly Hoffman.  
10  
11 MS. HOFFMAN: Here.  
12  
13 MR. R. NICK: We have 10 members present,  
14 three absent. I do believe we have a quorum.  
15  
16 CHAIRMAN WILDE: Yes, we do have a  
17 quorum. I m going to ask Phillip to say the prayer.  
18  
19 MR. MOSES: (Prayer)  
20  
21 CHAIRMAN WILDE: I think during this  
22 meeting some of our Council they could speak English, but  
23 it would be better if you don t understand Yup ik, you  
24 could use a receiver. We want to thank each one of the  
25 Council members. It s been a busy couple weeks. I know  
26 when they have AVCP convention, they had a hard time  
27 quorum and I come from Mountain Village, I go all the way  
28 to Aniak, so that kind of weather we have and I m glad  
29 that we re able to quorum this morning. Also for those  
30 new, the people that first time attend our meeting here  
31 in the Bethel, we welcome you to our meeting and we thank  
32 you that you re able to come. Also, I see quite a few  
33 Staff here, some from Fish and Game, Fish and Wildlife,  
34 we re glad to have you this morning. If it s your first  
35 time here, we want to honor you as a guest.  
36  
37 We thank you that you re able to make it.  
38  
39 This morning we have some housekeeping.  
40 Alex Nick. I m having a little bit hard time doing this  
41 agenda. I d like to ask each one of the Council from  
42 Ray, introduce yourself.  
43  
44 MR. ONEY: Thank you, Mr. Chairman. My  
45 name is Raymond Oney, born and raised in Marshall. Now  
46 living in Alakanuk for a good 20-something years now. I  
47 just want to say welcome to this annual meeting that is  
48 being held with the Regional Advisory Council and I d  
49 like to welcome the new RAC members to this committee.  
50

1 Thank you.

2

3 MR. ANDREW: My name is Nick Andrew, Sr.  
4 I've been with this Board for three years. This is the  
5 last time, so I'm glad to see you. Most of you made it  
6 in. I m very glad this new Council is coming in. I hope  
7 they keep up the good work. Quyana.

8

9 MR. ALOYSIUS: Good morning. My name is  
10 Bob Aloysius, better known as Bubblelicious to many of  
11 the Charles family. I m currently living in Kalskag. The  
12 real name is Chiglik (ph). It s like everything else  
13 that the non-Native speakers come to our land and they  
14 have to change everything to the way they can pronounce  
15 it. It s unfortunate that we have lost our true  
16 connection to the land and the water. That s the thing I  
17 really work on is trying to get names and places of  
18 people and the environment to make sure that the young  
19 people understand who they are and where they come from.  
20 It scares the hell out of me when you ask these young  
21 people in the winter time, where you going. Out on the  
22 tundra. Where in the tundra are you going? Because  
23 there s, you know, almost 200,000 miles of tundra in this  
24 area. When we were growing up, we were always told to  
25 specify exactly where we re going. That s the thing we  
26 need to start doing with our lives. What are we going to  
27 do and where are we going. Especially what are we going  
28 to do now it s going to affect the outcome of anything  
29 especially for our young people. We need to establish a  
30 good foundation for them to make sure they understand  
31 their connection to the land and the water and everything  
32 that lives on the land and the water.

33

34 Thank you.

35

36 MR. HANSON: Thank you. Good morning.  
37 My name is John Hanson. I m from Alakanuk. I ve been on  
38 this Board for pretty close to 10 years now. Ever since  
39 I got on the RAC committee I always applied for and hope  
40 I win and I always get back in. I want to thank the  
41 people that are here. I am a subsistence hunter and  
42 fisher and also a commercial fisherman on the Lower Yukon  
43 District 1 whenever the Department of Fish and Game open  
44 our commercial fishing. When they don t, then we just  
45 subsist. We try to mix our commercial and subsistence  
46 because both of them are one. We can t subsist if we  
47 don t earn a little money, then we re stuck with what  
48 we re going to be doing.

49

50 A long time ago it wasn t like this. The

1 subsistence hunter or fisherman a long time ago didn't  
2 have laws except the Yup'ik laws, which we always had.  
3 The Yup'ik laws are different from Department of Fish and  
4 Game laws. They take care of the land, they take care of  
5 the game, they take care of the fish and nobody  
6 overfishes. That's how I was raised and I'm trying to do  
7 the same thing now for the Yup'ik people, but I get  
8 bumped into Department of Fish and Game laws and then  
9 that's it.

10

11 So I want to thank all of the people that  
12 are here. Hopefully we'll get more in the afternoon.

13

14 Thank you.

15

16 CHAIRMAN WILDE: Yeah, my name is Harry  
17 Wilde. I've been sitting with this Council ever since  
18 the Yukon-Kuskokwim Delta Council started. Sometimes  
19 it's hard work, especially trying to work with Native  
20 people that don't understand English like me. A lot of  
21 times it's a lot of fun, sometimes it's not. Right now I  
22 get blamed for a lot of things from my people in the  
23 lower Yukon area, especially for this subsistence fishing  
24 schedule. I get blamed that I'm the one that put it on.  
25 Well, I didn't put it on. I always say there's nothing I  
26 really can do to remove that schedule unless Federal  
27 Subsistence Board removes it.

28

29 The reason I think I sit here in this  
30 Regional Council, when they start, it was good. People  
31 talk about this is something the best we've ever seen,  
32 working with needy people and all that. Continuously, it  
33 seems to me, they're changing, things that we never have  
34 seen before and one thing most of all I think is  
35 transportation. We're still having a problem with  
36 transportation.

37

38 So we thank you this morning that you're  
39 able to be here and hopefully we learn something we never  
40 really learn yet. That's all I have.

41

42 MR. MOSES: (In Yup'ik)

43

44 INTERPRETER: My name is Phillip Moses  
45 from Toksook Bay. I was not able to attend the meeting  
46 in St. Mary's due to hardship. I make every attempt to  
47 make all of the meetings, to listen and participate as we  
48 discuss and make decisions on Fish and Game.

49

50 My predecessors that spoke for me spoke

1 of things that are true. In the early days, we hunted  
2 and fished without any worries for regulations.  
3 Subsistence-caught food were our means of survival. All  
4 the areas of our region was open to people of different  
5 areas to subsist because that was our means of survival  
6 and our food without food from outside. Resources were  
7 plentiful and available in those days. I started living  
8 this lifestyle as a young boy from an early age. Both of  
9 my parents then were alive up until they died of old age.  
10 I provided for both of them to keep them fed. My father  
11 taught me things which I recall now.

12  
13 Since the arrival of Fish and Game and  
14 Fish and Wildlife and the regulation agencies, a lot of  
15 what I catch is now regulated and there s limits. Our  
16 hunting and fishing is based on what we can process and  
17 the women can process. Our food resources were carefully  
18 cared for and to process fish that is within means and  
19 not to overtake or to process too much but to take what  
20 will be consumed. Fish and Game and other agencies now  
21 are in charge of our resources and set limits on what we  
22 can take. That is different than how we did things in  
23 the past as a young man.

24  
25 A lot of resources, even those other than  
26 fish, if they are a source of contention, they tend to  
27 dwindle in numbers. Fur mammals were hunted and traded  
28 and they were available. Their numbers now have  
29 diminished. The hunt for these fur-bearing animals  
30 remained the same for many years.

31  
32 The Yup ik, Aleut value systems,  
33 according to resources, have been true and have not  
34 changed for years and years and our laws are unwritten  
35 laws towards resources have never changed and that has  
36 affected our resource availability. I will speak this  
37 much at this point to speak what I wanted to say.

38  
39 MR. R. NICK: Good morning. My name is  
40 Robert Nick from Nunapitchuk and, like Nick Andrew, this  
41 is my last meeting. I want to thank everybody who came  
42 to the meeting and Staff and the guests. I ve promoted  
43 for the conservation of our fishery resources in the  
44 Kuskokwim and the Yukon in my tenure as a member of the  
45 RAC and I m sure that the RAC members, with Staff, and  
46 the public interest will continue with the conservation  
47 of our resources. I m happy to be here this morning.  
48 I ll probably participate in the proposals that will be  
49 before us.

50

1 Thank you.

2

3 MS. HOFFMAN: My name is Beverly Hoffman.  
4 I am the daughter of the late Jimmy and Dorothy Hoffman.  
5 I was born and raised here in Bethel. This is my second  
6 meeting with RAC and I appreciate the opportunity to sit  
7 on this Council. I also appreciate the interpreters that  
8 we have over there for those of us that our (in Yup ik)  
9 is not so good. I would encourage you out there that  
10 don t understand the Yup ik language to use these devices  
11 so that when our Council members are talking you will  
12 understand what they are saying. I encourage that.

13

14 We are many user groups on this river.  
15 Subsistence is a priority for me, but I also run  
16 Kuskokwim Wilderness Adventures, which has some sports  
17 interests, fishing interests, in addition to birding and  
18 culture tours. I know it is important we protect and  
19 conserve the wonderful gift that we have. The fish in  
20 the river, the beauty of the land that has been here  
21 forever and I hope I can work with this Council and other  
22 groups to protect the resource that so many of us enjoy.

23

24 MR. MIKE: My name is Joe Mike. I'm from  
25 Kotlik. I was born and raised in St. Michael until I was  
26 14 years old. As I was growing up in St. Michael, my  
27 grandfather and grandmother used to teach us how to do  
28 subsistence hunting. At that time when I was growing up  
29 in St. Michael, we used to have camp in the canal.  
30 That s where me and Harry learned how to do subsistence  
31 hunting. When I was appointed last year to serve on the  
32 RAC, I accepted it. I ll try my best to help AVCP region  
33 on subsistence issues.

34

35 I welcome all of you. Have a nice day.  
36 Thank you.

37

38 MR. ROCZICKA: My name is Greg Roczicka.  
39 I guess I m the junior member here. I m almost 50 years  
40 old and being the young fellow on the board. I m from  
41 the Kuskokwim region. I was not born here. I grew up on  
42 the Pine Ridge Reservation in South Dakota and came up  
43 with my mother who was a school teacher in the late 1960s  
44 and I have lived here ever since.

45

46 I've spent the last 18 years working with  
47 many of the members here in various capacities on natural  
48 resource management through Nunam Kitlutsisti Board and  
49 Orutsararmiut Board and the AVCP Board and hopefully I  
50 can adequately bring along some of the wisdom that s been

1 passed on to me over the years in dealing with some of  
2 the issues that we do have for the future of the  
3 integrity for subsistence in our region.

4  
5 I really respect where things are at. I  
6 believe the Yup ik people have shown they are masters of  
7 adaptation and survival through the millennia.

8  
9 Also in my years of experience, however,  
10 in dealing with these issues, one thing that s been  
11 brought forward many times is that the influx of Western  
12 society is such a great threat to maintaining the  
13 subsistence way of life. With that, however, I believe  
14 we also need to look at one of those threats that comes  
15 with that Western influence is a technology that's  
16 available these days and if people are not careful and  
17 use those tools appropriately, they could, in essence,  
18 end up committing cultural suicide. I say that more in  
19 reference that there s no place in the country in the  
20 winter time for animals to hide anymore and we know that  
21 subsistence needs continue to elevate, so trying to find  
22 that balance is a very difficult issue that we have to  
23 take seriously.

24  
25 Along those lines, another one of the  
26 greatest threats that I see to subsistence is the many  
27 times in the State and Federal management entities or  
28 policies in various boards are at the governmental  
29 levels, whether State administrations or Washington,  
30 D.C., we get a lot of lip service, but when it comes time  
31 to actual doing something on the ground in active  
32 management our needs are swept aside in deference to  
33 foreign values from the Lower 48 and more or less urban  
34 society. That, to me, is the greatest threat we have,  
35 greater than any competition for the local need or other  
36 consumer groups or consumptive user groups throughout the  
37 state. The imposition of these values and the  
38 assimilation that s directly associated with that is the  
39 greatest threat we have to face.

40  
41 Anyway, I m rather intimidated sitting  
42 here. I do have one meeting under my belt and I ll try  
43 to do what I can to help the process out rather than  
44 being a roadblock. I m happy to be here.

45  
46  
47 CHAIRMAN WILDE: Thank you, Councils.  
48 Now I would like to ask the translators where you re from  
49 and what you do. I think we ll go around and if you re a  
50 Staff member or you are a guest, you can say your name

1 and where you re from and what you do.

2

3 MS. HILE: My name is Tina. I m the  
4 court reporter for this Council. I m from Anchorage. I  
5 was born and raised there.

6

7 MS. EVAN: Sophie Evan. I m an  
8 interpreter from Napakiak.

9

10 MR. UBERUAGA: Richard Uberuaga. I m  
11 with the Fish and Wildlife Service, Office of Subsistence  
12 in Anchorage. I m a fisheries biologist. I work in the  
13 Yukon and Kuskokwim areas now. I took over for Jerry  
14 Berg, who many of you know. I m happy to be here and  
15 looking forward to a great meeting.

16

17 MR. MASCHMANN: I m Gerald Maschmann with  
18 the U.S. Fish and Wildlife Service, Fairbanks and I  
19 assist Russ Older, the Federal in-season manager on the  
20 Yukon River.

21

22 Thank you.

23

24 MR. SEPPi: Hi, I m Bruce Seppi. I m  
25 with the Bureau of Land Management, the Anchorage Field  
26 Office in Anchorage. I m a wildlife biologist and this  
27 is the first time I ve attended this meeting.

28

29 MR. MARONEY: Hi, I m Ryan Maroney. This  
30 is also my first time coming to one of these meetings. I  
31 work for the Department of Agriculture, Natural Resource  
32 Conservation Service and I m the coordinator for the  
33 Lower Kuskokwim Resource Conservation and Development. I  
34 live in Bethel.

35

36 MS. WHEELER: I'm Polly Wheeler. I m  
37 with the Office of Subsistence Management in Anchorage  
38 and I m an anthropologist and I ll be working on the  
39 regulatory issues for this Council and I also work for  
40 the Fisheries Information Services, the research projects  
41 on fish. Thanks for having a meeting.

42

43 MR. CANNON: I'm Richard Cannon. I work  
44 with Polly in the Fisheries Information Services on the  
45 fisheries monitoring program. I m a fisheries biologist  
46 assigned to the Kuskokwim.

47

48 MS. KRAUTHOEFER: I'm Tracie Krauthoefer.  
49 I m a subsistence resource specialist for the Division of  
50 Subsistence, Alaska Department of Fish and Game.

1 MR. JACK: I'm Carl Jack. I'll be your  
2 receptionist today.

3  
4 (Laughter)

5  
6 MR. JACK: I work for the chairman of the  
7 Federal Board with a title of Native liaison to the  
8 Federal Subsistence Board. I provide staff support to  
9 the Board and give advice from the Council to the Federal  
10 Board when they ask for it on how their actions will  
11 impact the Native community in general.

12  
13 Thank you.

14  
15 MS. SUMPTER: Good morning. I m Jerri  
16 Sumpter, Congressional Delegation Staff from Bethel.  
17 Good morning.

18  
19 MR. CHEN: Good morning. My name is  
20 Glenn Chen. I work for Bureau of Indian Affairs. I m  
21 the subsistence branch manager.

22  
23 MR. CAMPBELL: Rod Campbell. U.S. Fish  
24 and Wildlife Service, Office of Subsistence Management in  
25 Anchorage. I m the state fisheries liaison.

26  
27 MR. MARTZ: My name is Mike Martz. I m a  
28 biologist for Department of Fish and Game and I m from  
29 Bethel.

30  
31 MR. LINDERMAN: My name is John  
32 Linderman. I m with the Commercial Fisheries Division in  
33 the Department of Fish and Game. I m the assistant to  
34 Frederick Moore, the manager, here in the Kuskokwim area.  
35 This is my first time attending one of these meetings.

36  
37 MR. BERGSTROM: My name is Dan Bergstrom.  
38 I m with the Department of Fish and Game, Commercial  
39 Fisheries, AYK Regional Management. I ve worked with  
40 people in the Yukon/Kuskokwim since 1980 doing herring  
41 fisheries from Security Cove to Norton Sound and the  
42 Yukon since 1984. I went to my first Lower Yukon  
43 Advisory Committee meeting about this time of year 20  
44 years ago and met Joe, Mike and Harry Wilde, John Hanson,  
45 and so I ve got a lot of experience out here. One of the  
46 things I wanted to add after hearing people talk is that  
47 out here in the Yukon/Kuskokwim we probably have the best  
48 corporate working relationship and management anywhere in  
49 the state with the Kuskokwim Working Group, people meet  
50 and talk about fisheries management, and then with the

1 weekly conference calls in the Yukon with the Yukon River  
2 Drainage Fisheries Association.

3

4 MR. CHARLES: Good morning. My name is  
5 Frank Charles. I m originally from Bethel here, born and  
6 raised all my life, and trained here by my family. I now  
7 work with the Calista Corporation as their director of  
8 shareholder relations and I appreciate the opportunity on  
9 behalf of Calista, its board of directors, our management  
10 and our owners, including yourselves, to be able to  
11 present to you tomorrow, if your agenda stays on track, a  
12 synopsis on the issue of the coal-fired plant placement  
13 here in Bethel and how it may potentially affect, if at  
14 all, the Kuskokwim River stocks that you are about to  
15 engage in discussion today with.

16

17 I d like to say I m very humbled by the  
18 experience and knowledge that you folks bring here. Many  
19 of you know me from my previous life, if you will. The  
20 scales haven t washed off. I want you to know that.  
21 Most of my adult life has been geared toward subsistence  
22 protection, providing commercial opportunity for fishing  
23 here on the Kuskokwim and dealing with many policy  
24 issues. In fact, I ve had the opportunity to present  
25 myself to you on a number of times in another life, if  
26 you will.

27

28 Again, I appreciate the opportunity to  
29 present to you additional information in my other hat.

30

31 Thank you again. Good morning.

32

33 MS. HOFFMAN: Mr. Chair. I just wanted  
34 to know who is here from our Fish and Wildlife office  
35 here in Bethel. Is anybody here?

36

37 MR. UBERUAGA: Alex.

38

39 MS. HOFFMAN: Alex, right, other than  
40 Alex. Can you tell me where the Staff is.

41

42 MR. A. NICK: For the record, my name is  
43 Alex Nick. I m Regional Council Coordinator. I work for  
44 Office of Subsistence Division in Anchorage based here in  
45 Bethel. I don t see anyone from Refuge yet. I think  
46 they re planning to come this morning sometime.

47

48 CHAIRMAN WILDE: Before I ask Alex Nick,  
49 we do have one more Council member. I would like to  
50 introduce herself. She's our secretary, Mary.

1 MS. GREGORY: My name is Mary Gregory.  
2 I m from Bethel. I'm sorry I'm late. I went fishing  
3 last night and I overslept. Forgive me.  
4

5 CHAIRMAN WILDE: Thank you. I m going to  
6 ask our coordinator that has some things to talk about,  
7 housekeeping.  
8

9 MR. A. NICK: Thank you, Mr. Chairman.  
10 My name is Alex Nick. I m originally from Russian  
11 Mission. I was born and raised in the village of  
12 Ohogamiut in Yukon River where Fish and Game research  
13 project was located for several years. I worked for Fish  
14 and Game in late 60s, early 70s and then started  
15 working for village corporations as general manager and  
16 then I worked for Yukon Delta National Wildlife Refuge  
17 here in Bethel from 1984 through almost through 1996 and  
18 then I moved here in Bethel and continued working with  
19 Yukon Delta National Wildlife Refuge as refuge  
20 information technician almost through the year 2000 and  
21 then I was hired as a coordinator for the Regional  
22 Advisory Council from about December 2000 till now.  
23

24 I would like to thank OSM staff for  
25 coming to assist us during this meeting and also all of  
26 you who come to Bethel. We welcome you. To be honest  
27 with everyone, I was very nervous last night and this  
28 morning as I was preparing for the meeting because I  
29 didn t see any of my co-workers and our court reporter.  
30 I was nervous, but now I m relieved.  
31

32 Thank you for being here.  
33

34 Mr. Chairman, with your permission I ll  
35 go ahead and cover the housekeeping stuff.  
36

37 CHAIRMAN WILDE: Go ahead.  
38

39 MR. A. NICK: As you notice on the table  
40 over here you see three dark green name plates. I had to  
41 make those very quickly last night because I was asking  
42 for additional name plates from our office in Anchorage  
43 because I did not have the right kind of paper to make  
44 name plates here in our office. I apologize that Lester  
45 Wilde, Bobby Aloysius and Robert Nick s name plates are  
46 very green and noticeable, but I think they ll work for  
47 this meeting.  
48

49 To cover some housekeeping stuff, I ll  
50 try to summarize it. There is a minor mistake on the

1 agenda, as many of you noticed, I think, under the first  
2 box under public comments. Where it begins please fill  
3 out the comment form or be recognized by the Chair. The  
4 word by is missing, so I added it to the draft agenda  
5 that I made copies of. I apologize for that. It could  
6 be my mistake or technical staff s mistake. We don t  
7 know. We're not blaming anybody, but I take the  
8 responsibility for that.

9  
10 Also on agenda, some people asked whether  
11 or not if they're presenters. When you look at the  
12 agenda, there will be three names listed as presenters.  
13 Actually, how I did that was the first person would  
14 introduce the issue and the next two people, like under  
15 Fishery Topics, Rearden, if he s here, would be  
16 introducing the issue and then the other two people would  
17 speak to that if they have other things to add.

18  
19 For topics like under Wildlife Topics on  
20 Page iii, under Item C, Greg would introduce the issue  
21 and then the other people listed would respond to the  
22 issue. Will that work for you, Greg? Will that work for  
23 everyone? Okay.

24  
25 Also, Craig Whitmore called and told me  
26 he s unable to make it because of personal reasons and  
27 Mr. Linderman is going to be covering for Greg Whitmore.  
28 He already introduced himself.

29  
30 Thank you.

31  
32 Jill Klein of YRDFA cancelled and also  
33 Darcy King of YRDFA cancelled. Valarie Thomas cancelled  
34 also and she is going to be replaced by Jill Maynard.  
35 Roger Seavoy of Fish and Game and William Leacock may not  
36 be able to attend the meeting as well, but I think Fred  
37 Browerman from Fish and Wildlife here in Bethel will  
38 cover the issues they re supposed to present.

39  
40 There was a request from the OT to be  
41 added on the agenda at the last minute and, after  
42 speaking to Chair and vice-chairman, they ve decided that  
43 this topic would be best covered under wildlife cycle in  
44 winter meeting. When I spoke to the person that called,  
45 he said he did not have any problem with that because  
46 they would be presenting EIS for the road project between  
47 the Yukon/Kuskokwim and they have two years to do that,  
48 so winter I think would be okay.

49  
50 There were new Council members appointed

1 to the Regional Advisory Council. Because they were  
2 appointed late this year, they weren t able to be seated  
3 at this meeting because of the travel preparations and  
4 stuff. I would like to take the opportunity at this  
5 time, Mr. Ray Oney, who is one of the current members,  
6 was re-appointed to the Regional Council for a three-year  
7 term. Congratulations to Ray.

8

9 (Applause)

10

11 MR. NICK: Also, there are two others who  
12 will be here in winter meeting. James Charles was  
13 appointed to the Regional Advisory Council and also  
14 Willard Church was also appointed to the Regional  
15 Advisory Council. They ll be here during the winter  
16 meeting.

17

18 Under draft agenda, when you get to the  
19 review, I ll mention several topics or issues that need  
20 to be added on the agenda. For the new people, we have  
21 eating places and restaurants in town within walking  
22 distance. I ll cover the rest during review of the  
23 agenda. Quyana.

24

25 CHAIRMAN WILDE: Thank you, Alex.  
26 Looking at our agenda, number 6, review and adoption of  
27 draft agenda.

28

29 MR. ROCZICKA: Move to adopt.

30

31 MS. HOFFMAN: Second.

32

33 CHAIRMAN WILDE: Greg.

34

35 MR. ROCZICKA: Thank you, Mr. Chairman.  
36 We re in discussion now. There is a proposal in front of  
37 the State Board of Game in their meeting that s scheduled  
38 for the first week of November that deals with a wildlife  
39 management issue for this region and I didn't see any  
40 place on the agenda where that was addressed. I would  
41 suggest that it be included as Item E under the wildlife  
42 topics in Section 10 of our agenda for the Board of Game  
43 Proposal No. 68.

44

45 Mr. Chairman, just to let people know,  
46 that proposal was put in by Emmonak Tribal Council and  
47 Orutsararmiut Native Council as a petition to the Board  
48 last March requesting that the Board reconsider their  
49 action that limited use of snowmachines for taking wolves  
50 only to the Kuskokwim Drainage and reinstate it as

1 originally proposed to include all of GMU 18.

2

3 MR. A. NICK: Mr. Chair. With your  
4 permission, I'd like to respond to Greg's question, why  
5 that is not on the agenda. Rich Uberuaga is here to  
6 support or to correct what I have to say about the agenda  
7 preparations. We prepare agenda topics early in June and  
8 we have some time frame to submit all of our agenda  
9 topics and the ones you don't see here were probably  
10 after if they were submitted to me or to OSM in  
11 Anchorage. But this is just a draft agenda. You may add  
12 any topic you want to discuss.

13

14 MR. ROCZICKA: Thank you, Alex. That's  
15 what I'm doing here.

16

17 MR. ALOYSIUS: Mr. Chairman.

18

19 CHAIRMAN WILDE: Yeah.

20

21 MR. ALOYSIUS: I have two, I don't know  
22 if you want to call them discussion items or whatever,  
23 for the Council to address. One is to clearly define the  
24 upper Unit 18 boundary line because there's a lot of  
25 confusion because the Lower Kalskag is mentioned as the  
26 Kuskokwim terminal of the boundary line from Piamute to  
27 Lower Kalskag. The question is, where is these boundary  
28 lines, at the southern end, the northern end or the  
29 middle? And if you draw a straight line, is that going  
30 to include the lower end of the old river? So we need to  
31 really clarify that boundary line for the upper end of  
32 Unit 18.

33

34 Also, another item that's been brought to  
35 my attention by people from upriver is that there needs  
36 to be a discussion on Unit 19(A) winter hunt.

37

38 Thank you.

39

40 CHAIRMAN WILDE: Thank you, Bob. Before  
41 we go farther, I'd like to ask these people that just  
42 came in to introduce themselves and what you do and where  
43 you're from.

44

45 MR. TINKER: My name is Blaine Tinker.  
46 I'm from Hooper Bay. I'm a refuge information technician.  
47 I just got hired March 22.

48

49 MR. KELLY: Andrew Kelly from Emmonak.  
50 Refuge information technician.

1 MR. ENOCH: David Enoch from Tuntutuliak.  
2 Refuge information technician with U.S. Fish and Wildlife  
3 Refuge.

4  
5 MR. SIPARY: I m James Sipary, Sr. I m a  
6 roving refuge information technician from Toksook Bay but  
7 now I m working for U.S. Fish and Wildlife Service and  
8 the other four BLM.

9  
10 MR. ANDREW: My name is Louie Andrew.  
11 I m the RIT supervisor as well as the Native contact  
12 representative stationed here in Bethel at the main  
13 office. (Away from microphone) Don t be surprised if you  
14 see them in your home village.

15  
16 MS. HOFFMAN: Mr. Chair.

17  
18 CHAIRMAN WILDE: Yeah.

19  
20 MS. HOFFMAN: Thank you. I asked the  
21 question earlier, Louie, where the Staff was from the  
22 refuge here in Bethel and I m glad to see that the refuge  
23 information technicians are here, but I am also curious  
24 as to -- I see this as a very important meeting of this  
25 region s Advisory Council and I wondered where everyone  
26 else was.

27  
28 MR. ANDREW: We do know that the Advisory  
29 Council here has a very important role in the life of our  
30 people and we certainly appreciate that. The RIT s, you  
31 know, take the same principles that you guys have and  
32 utilize that information out there. The RIT s have been  
33 here for almost this whole week. We had our own meeting  
34 up there and we look at all our accomplishments, we look  
35 at our problems that we encounter in the villages,  
36 especially when they do provide information and education  
37 services to those folks. They re in contact with a lot  
38 of people out there, with the school systems, in contact  
39 with tribal councils and any other interested groups.  
40 They ve got a lot of work on their hands during the  
41 winter months.

42  
43 MS. HOFFMAN: And I want to thank you  
44 folks for being here. I know you re an important liaison  
45 to the communities, Mr. Chair. I was just wondering  
46 where the refuge managers and deputy managers and some of  
47 those folks were.

48  
49 MR. ANDREW: Thank you. We ll be out of  
50 here a little before noon because these folks are going

1 to be heading back to their villages, so we took the time  
2 to come down here and have those new RIT s to see how the  
3 Regional Advisory Council works and what they handle.

4

5 Thank you.

6

7 CHAIRMAN WILDE: Yeah, thank you for  
8 dropping by. Yesterday, when I see these boys wearing  
9 the uniform they were, as my hometown they would say  
10 pretty sharp.

11

12 MS. GREGORY: Mr. Chairman, I d like to  
13 remind us that there s a motion on the floor and we re  
14 discussing the draft agenda and I d like people to speak  
15 to that, please.

16

17 CHAIRMAN WILDE: Maybe, Greg, you first.

18

19 MR. ROCZICKA: Mr. Chairman, my addition  
20 that I requested was already there. I think Nick was  
21 next and then Bev.

22

23 MR. R. NICK: Thank you, Mr. Chairman.  
24 In the Y-K area, subsistence is the main thing that we  
25 do. I was glancing through the agenda to see if there s  
26 going to be feedback on how the spring hunt went of birds  
27 and also some comments on the moose moratorium in Unit  
28 18. I think education to our hunters is a key to make  
29 those efforts succeed. I think, to me, it s noticeable.

30

31 Thank you.

32

33 MR. ANDREW: Mr. Chairman.

34

35 CHAIRMAN WILDE: Yeah, go ahead.

36

37 MR. ANDREW: Before we go deeper in our  
38 discussions, I want everybody to have the transistors so  
39 you could understand everything that s spoken because it  
40 will be bilingual.

41

42 CHAIRMAN WILDE: Okay.

43

44 MS. GREGORY: Mr. Nick Andrew wants to  
45 make sure everybody who doesn't understand Yup ik have an  
46 interpreter in their ears so they can understand what  
47 we re saying.

48

49 CHAIRMAN WILDE: Thank you, Mary. Alex.

50

1 MR. A. NICK: Thank you, Mr. Chairman.  
2 Robert, responding to your questions. First, I'd like to  
3 respond to the question on migratory bird hunting, spring  
4 hunting. Office of Subsistence Management does not deal  
5 with migratory bird issues. There may be some special  
6 reports on that by the refuge if it s requested by the  
7 Council, but we don t deal with the migratory bird  
8 issues.

9  
10 On the question of the moose moratorium,  
11 it might be more appropriate to bring up that question  
12 during the discussion of agenda topic, I believe it s on  
13 Page iii, under wildlife C. Yeah, comprehensive moose  
14 population dynamics. During that time maybe you could  
15 bring up that question.

16  
17 MR. UBERUAGA: Mr. Chair. Greg. I  
18 wanted to respond to your question about the boundary on  
19 Unit 18. I meant Bob's question, excuse me. I checked  
20 with Tracie and she got a hold of Roger and he said he  
21 didn't feel comfortable in setting a boundary or  
22 describing it. What he suggested was that you, the  
23 Council, figure out where you would like the boundary and  
24 come up with where you think the boundary needs to be and  
25 submit that to the Board of Game as a proposal. So I  
26 just wanted to alert you that you may be looking at that  
27 boundary and your Council can come up with something and  
28 then submit it to the Board of Game.

29  
30 Thank you.

31  
32 MR. ALOYSIUS: Thank you.

33  
34 MS. HOFFMAN: Mr. Chairman.

35  
36 CHAIRMAN WILDE: Beverly.

37  
38 MS. HOFFMAN: Thank you. Under Item 14 ,  
39 under Regional Council business resolutions, are those  
40 resolutions to come forward? Okay. Well, I guess under  
41 Item 13, Agency reports, recently in Bethel the Kuskokwim  
42 River Management Working Group with Fish and Game had a  
43 fish summit and there was some resolutions to come  
44 forward to this body and I wondered if you had copies of  
45 those resolutions.

46  
47 MR. A. NICK: Mr. Chair. To respond to  
48 your question about receiving resolutions from working  
49 group, I don t know if Rich or anybody from OSM in  
50 Anchorage received those. I have not received any

1 resolutions from Kuskokwim Working Group.

2

3 MR. UBERUAGA: I believe we got a summary  
4 from Mike Martz yesterday that had those resolutions in  
5 it, but it discussed the results of the working group.  
6 But as far as formal resolutions, no, I haven't seen  
7 them, but they were noted in the working group notes.  
8 No, I haven't seen a formal resolution.

9

10 MS. GREGORY: Your name, please.

11

12 MR. UBERUAGA: Richard Uberuaga.

13

14 MR. ROCZICKA: Mr. Chairman.

15

16 CHAIRMAN WILDE: Greg.

17

18 MR. ROCZICKA: Bev brings up a good point  
19 here. I guess procedurally, as we go through the  
20 meeting, there may be some of the topics that aren't on  
21 our agenda that we may feel appropriate that we'd want to  
22 draft up a resolution. I don't know how you dealt with  
23 this in the past. Maybe Alex can answer this. Has this  
24 come up before and what is the procedure for resolutions.  
25 Would we wait until the resolutions come up on the agenda  
26 to introduce various ones that we may have received from  
27 some of our respective agencies, interest groups and  
28 organizations? How does that work or is there a  
29 procedure?

30

31 CHAIRMAN WILDE: Alex, I think we're  
32 getting too far off from this agenda. You could see that  
33 Regional Advisory Council has concerns and comments on  
34 this agenda. I think we're getting too far off and I  
35 couldn't even keep up with you anymore. John.

36

37 MR. HANSON: Thank you, Mr. Chairman.  
38 I'd like to move to adopt the draft agenda. As we see,  
39 we're just going back and forth before we approve it.  
40 Once we approve it, then the agenda will tell us what  
41 it's broken down, so you have fish and you have wildlife.  
42 If you want to talk about the moratorium line, we take it  
43 up in wildlife topics. So I move to approve the agenda  
44 as written.

45

46 MS. GREGORY: John, we're discussing the  
47 motion to adopt the agenda. Motion was made by Greg  
48 Roczicka and seconded by Beverly Hoffman.

49

50 MR. HANSON: Excuse me.

1 CHAIRMAN WILDE: Yeah, number seven,  
2 review and adoption of minutes.  
3  
4 MS. GREGORY: Mr. Chairman, there's still  
5 a motion on the floor to adopt the draft agenda. We re  
6 under discussion.  
7  
8 CHAIRMAN WILDE: Discussion.  
9  
10 MR. ROCZICKA: Question.  
11  
12 CHAIRMAN WILDE: The question has been  
13 called for. All in favor say aye.  
14  
15 IN UNISON: Aye.  
16  
17 CHAIRMAN WILDE: Opposed say no.  
18  
19 (No opposing votes)  
20  
21 CHAIRMAN WILDE: Motion carries.  
22  
23 Number 7, review and  
24 adoption of the minutes. You find it on Page 2. Alex.  
25  
26 MR. A. NICK: Mr. Chairman. One thing  
27 that I forgot to explain to you earlier is that, as you  
28 notice in the agenda, we don t have tab numbers anymore.  
29 Those were replaced by pages. So we ll be referring to  
30 pages a lot during the course of the meeting. Just bear  
31 with us with that. Quyana.  
32  
33 CHAIRMAN WILDE: Our draft minutes, I  
34 think we ll take this one by one. You ll see our draft  
35 minutes October 3-4, 2003 Bi-Council meeting, it has been  
36 worked on, so it s up to you how you deal with it.  
37 Approve it one by one or in one lump sum.  
38  
39 MS. HOFFMAN: Mr. Chairman, unless  
40 there's some discrepancies that other Council members  
41 have with the minutes, I make a motion to approve all  
42 sets as one.  
43  
44 MR. R. NICK: Second.  
45  
46 CHAIRMAN WILDE: All three minutes?  
47  
48 MS. HOFFMAN: All at once unless there's  
49 some discrepancies noted by other Council members.  
50

1 CHAIRMAN WILDE: There's a motion on the  
2 floor to adopt the minutes and seconded by Robert.  
3 Discussion.  
4  
5 MS. GREGORY: I haven't been able to read  
6 the rest of the minutes, but on Page 24, the first  
7 minutes, I had some concerns.  
8  
9 CHAIRMAN WILDE: What number?  
10  
11 MS. GREGORY: Page 24. There was a  
12 motion made by Robert Walker, seconded by Mickey Stickman  
13 to take no action on State Proposal 140 and I d like to  
14 know what was that for.  
15  
16 And also on the second one made by Carl  
17 Morgan on State Proposal 145, I d like to know what  
18 proposals are concerned with these two proposals.  
19  
20 CHAIRMAN WILDE: Alex Nick.  
21  
22 MR. A. NICK: Mr. Chair. Mary. These  
23 proposals were referred to because they were being  
24 discussed at the coordinating fisheries meeting in  
25 Anchorage and also during your bi-Council meeting. To  
26 make things short, we just referred to the proposal  
27 numbers. They were State proposals not Federal  
28 proposals.  
29  
30 MS. GREGORY: I want to be reminded what  
31 those proposals addressed.  
32  
33 MR. A. NICK: If you read your minutes  
34 and your notes from those meetings, you ll know what they  
35 were for. If you want to, I could look that up later for  
36 you.  
37  
38 MS. GREGORY: Yeah, thank you. I have  
39 another one.  
40  
41 CHAIRMAN WILDE: Mary.  
42  
43 MS. GREGORY: Proposal 35, will it be  
44 addressed again on this agenda or did we resolve that?  
45  
46 CHAIRMAN WILDE: Mary, your question,  
47 yes. Any more discussion on the minutes. If there's not  
48 any more discussion, there s a motion and been seconded.  
49 All who favor say aye.  
50

1 IN UNISON: Aye.  
2  
3 CHAIRMAN WILDE: Opposed say no.  
4  
5 (No opposing votes)  
6  
7 CHAIRMAN WILDE: Motion carries.  
8  
9 Now we re on item eight, Regional  
10 Advisory Council concerns and comments.  
11  
12 MS. HOFFMAN: Mr. Chair, I just wanted to  
13 share with you some of the comments I heard this fall  
14 from moose hunters. We have a moratorium down in this  
15 area on moose. People had to travel quite a ways to get  
16 their licenses to hunt moose and their tags. I received  
17 a lot of comments in regards to that because of the cost  
18 of gas prices people were having to go an awful long way  
19 to get their tags if they were going to hunt in other  
20 units. I don t know if it will be covered anywhere else  
21 on the agenda, but that is the comments I received.  
22  
23 CHAIRMAN WILDE: Greg.  
24  
25 MR. ROCZICKA: Mr. Chair, I can fill you  
26 in on that. It s beyond our jurisdiction. That is a  
27 State hunt under the State Board of Game. Just to let  
28 you know, Bev, that was the subject of a resolution that  
29 was brought forward by Kasigluk Tribal Council and passed  
30 at the AVCP convention to pursue that and things are in  
31 the works to try to get that administratively changed by  
32 the next hunting season through the State process.  
33  
34 MS. HOFFMAN: That's good.  
35  
36 MR. ROCZICKA: I had one additional one.  
37 I don t believe the Staff are here right now, but I said  
38 most of what I had for Council comments and concerns  
39 under the introductions. One I would like to follow up  
40 on is this issue with the correspondence policy where we  
41 did forward a letter to the Federal Subsistence Board and  
42 the Chairman of the Board at the main meeting said that  
43 this issue will be taken up in their work session in  
44 June. I contacted the Staff from OSM in June right prior  
45 to the meeting. Mr. Larry Buklis was the one that was  
46 taking care of that. He said it had not been brought  
47 forward by their Staff and I would like to know what the  
48 status of that letter is and if, indeed, under that  
49 correspondence policy that was adopted by the Federal  
50 Subsistence Board it said that any requests that came

1 forward would have a timely response and it specifically  
2 states five days. I m sorry, but the 10th of June or the  
3 18th of June, whenever it was, is a lot more than five  
4 days ago. I recognize that the issue raised within that  
5 letter maybe causes them some discomfort to Staff at the  
6 higher administrative levels. If they demand that we  
7 comply with those policies, I would expect that they  
8 would comply with those policies as well.

9

10 CHAIRMAN WILDE: Alex.

11

12 MR. A. NICK: Thank you, Mr. Chairman.  
13 Greg, if you refer to item 12 under B, maybe that would  
14 be the best time to bring up your question. There will  
15 be someone to respond to that hopefully.

16

17 MR. ROCZICKA: The policy has already  
18 been adopted. I m asking for action under that policy  
19 that has not occurred.

20

21 MR. ONEY: Mr. Chairman.

22

23 CHAIRMAN WILDE: Ray.

24

25 MR. ONEY: Thank you. I also have a  
26 concern about the recent decision that was made by the  
27 Fish and Game Advisory Board about the area MSU. I don t  
28 know if that s going to be brought up during this  
29 meeting. I d like to hear what the results might be  
30 because of the subsistence fisheries to affect the Yukon  
31 River and also the Kuskokwim River. I was wondering if  
32 there might be a report on that, if there might be any  
33 effects concerning the subsistence fishing on the Y-K  
34 River.

35

36 CHAIRMAN WILDE: Any more comments and  
37 concern from Advisory Council.

38

39 MR. ALOYSIUS: Mr. Chairman.

40

41 CHAIRMAN WILDE: Bob.

42

43 MR. ALOYSIUS: I just noticed something  
44 on the review and adoption of the minutes. There are no  
45 minutes of the March 3 and 4, 2004 meeting at St. Mary s.  
46 What happened to them?

47

48 MR. ROCZICKA: They re put in the second  
49 position. They re switched on the page numbers.

50

1 CHAIRMAN WILDE: Alex.  
2  
3 MR. A. NICK: We apologize. We put these  
4 together, but sometimes it s not the Staff s fault that  
5 anything might not be in the book. It s usually what  
6 happens at the printer level, so we apologize if it s not  
7 there. It s my oversight as well, too, that I didn t  
8 notice that.  
9  
10 Thank you for noticing that. We ll bring  
11 that up.  
12  
13 CHAIRMAN WILDE: Any more concern and  
14 comments from Advisory Council.  
15  
16 MR. R. NICK: Mr. Chairman.  
17  
18 CHAIRMAN WILDE: Yeah, go ahead.  
19  
20 MR. R. NICK: You are probably wondering  
21 why I'm so quiet this morning because I m usually talking  
22 a lot. I just wanted to say a few comments. Through the  
23 last three years I ve written a lot of commentaries on  
24 the use of subsistence. I ve had a lot of feedback with  
25 the fisheries issue, especially with the rebuilding plan.  
26 In a way I ve sacrificed my character and allowed myself  
27 to make many comments.  
28  
29 Like Harry indicated in his opening  
30 remarks in the introduction, we get a lot of criticism  
31 from some of these subsistence users for some of the  
32 rebuilding measures we did, especially fisheries, but I  
33 think the last two years, especially this summer, has  
34 shown the sacrifices that our subsistence fishermen did  
35 since the rebuilding plan began. Had some good results,  
36 had good returns and I think the efforts the Council has  
37 made jointly with the Lower Kuskokwim and Upper Kuskokwim  
38 Fish and Game Advisory Committees is a big benefactor to  
39 the rebuilding for the return of our fisheries.  
40  
41 I think a lot of the information about  
42 our efforts, the frontline workers that I know are  
43 sitting right over there, the RIT s, that met with  
44 villages, tribal councils, went to the schools and talked  
45 about a rebuilding plan and I think they deserve the  
46 gratitude of the fishermen of this region because without  
47 information we can pass all the laws that we can, but  
48 without information to the people of the region then the  
49 laws are in the books but not implemented, so I think a  
50 lot of thanks go to the RIT s.

1                   Also on the moose moratorium the same has  
2 got to happen. We have to have the information out that  
3 we need to rebuild the moose populations in the Lower  
4 Kuskokwim. I ll probably make some more comments when  
5 it s an agenda item.

6  
7                   I also would like to express my gratitude  
8 in seeing Mr. Martz working with the Department of Fish  
9 and Game as a biologist. I think being from the region  
10 and probably being a fisherman of the river he ll have a  
11 good grasp of the measures and things the Department of  
12 Fish and Game will implement in the future. Thanks for  
13 joining and coming back and working in Bethel for Fish  
14 and Game. Quyana.

15  
16                   MR. MARTZ: Thank you.

17  
18                   MS. GREGORY: Mr. Chairman.

19  
20                   CHAIRMAN WILDE: Mary.

21  
22                   MS. GREGORY: I'd like to welcome  
23 everybody that came here to this meeting and I d like to  
24 let them know that we are here to take suggestions and  
25 comments regarding our fisheries and subsistence way of  
26 life. This is the time to do it and don t be shy.

27  
28                   MR. ALOYSIUS: Mr. Chairman.

29  
30                   CHAIRMAN WILDE: Bob.

31  
32                   MR. ALOYSIUS: I'm caught in a really bad  
33 situation here because the RAC boundary includes Kalskag  
34 with the Y-K Delta RAC and 19A is in Kalskag, so you ll  
35 have to excuse me if I get a little upset with some  
36 things that are going on that are determined by upriver  
37 and down river and I m caught in the middle because I  
38 live in Kalskag. Kalskag is in 1980 on the Fish and Game  
39 map and I live in Kalskag and the Y-K Delta RAC, so  
40 sometimes I don t know which hat to wear, so please bear  
41 with me.

42  
43                   CHAIRMAN WILDE: Bob, I think we  
44 understand you. We were talking about last year. I  
45 think any boundaries it should be understandable, even  
46 the people that don t speak English should understand it.  
47 I don t blame you if you get upset once in a while. It s  
48 kind of hard. At this time I m going to ask Greg. Go  
49 ahead.

50

1 MR. ROCZICKA: Thank you, Mr. Chairman.  
2 I just wanted to follow up on Ray Oney s comment and for  
3 your information as well. You re interested in Area M  
4 special action request that we put forward or the  
5 disposition of that. That was one of the things that I  
6 wanted to have brought forward as well when the  
7 coordinator called us back in August for issues and I  
8 asked for a summary of all the special action requests,  
9 so that should come up under Item 10-D. They do have all  
10 those in the back of the book for us to look at and I  
11 understand that there will be Staff here to speak to them  
12 as well when we get to that point.

13

14 MS. HOFFMAN: Mr. Chair.

15

16 CHAIRMAN WILDE: Beverly.

17

18 MS. HOFFMAN: I wanted to acknowledge  
19 because I was wondering so much where some of the folks  
20 from Fish and Wildlife were, that we do have the deputy  
21 director of the refuge, manager Doug Staller here. I  
22 also wanted to say on Page 27 were the minutes of our St.  
23 Mary s meeting.

24

25 I also wanted to express to Nick Andrew,  
26 Sr and to Robert Nick that although this is their last  
27 RAC meeting I hope for their wisdom and the continuity  
28 that it would bring that they would reconsider and  
29 possibly consider a letter of reappointment because being  
30 a new RAC member I think it s important that history and  
31 that continuity continue.

32

33 CHAIRMAN WILDE: Any more concern or  
34 comments from Council.

35

36 (No comments)

37

38 CHAIRMAN WILDE: If not, I m going to  
39 turn the meeting to our ethics disclosures. Alex Nick.

40

41 MR. MOSES: (In Yup'ik)

42

43 INTERPRETER: There has been a lot spoken  
44 about fish. When we first began, I mentioned that there  
45 were no regulations on the resources in the early days.  
46 As we discuss commercialization of fish, there are also  
47 limits, boundaries, closures. With the lesser numbers  
48 there are closures that affect people that don't have  
49 access to the resource. There's limits for commercial or  
50 subsistence use in both the Kuskokwim River and the Yukon

1 Rivers.

2

3 We've had closures the last few years and  
4 we have not had access to our fishery resources because  
5 escapement or the influx of fish is different from year  
6 to year. As I said, our traditional subsistence users  
7 set their own limits. They took as much as could be  
8 cared for and it is no different from the regulations  
9 that limit or close access to the resource.

10

11 I feel sorry for those people that don't  
12 get what they need because it affects their health and  
13 their lifestyle and the agencies set limits and closures  
14 and that will happen again next summer as far as our  
15 fisheries. I think it's important that we consider  
16 subsistence first before commercial use.

17

18 Our fisheries are now regulated. Our  
19 subsistence lifestyle, like I said, was not regulated.  
20 We took as much as we needed and that was our limit. We  
21 took only what could be processed or consumed and I want  
22 to repeat that again since everything is now regulated  
23 and Yup'ik people follow these rules. It was not like  
24 that in the early days, in my time, and the time before.  
25 That is something that needs to be fixed and corrected.  
26 I think it is detrimental that the agencies follow the  
27 advice of our local Advisory Councils and elders because  
28 the food we buy  
29 at the store have a cost attached and we don't have that  
30 money in some cases and many times it s not what you want  
31 to eat.

32

33 I have concerns about closures,  
34 particularly with fisheries, and I have strong feelings  
35 for the regulation. It is a concern for me, so I wanted  
36 to mention it again.

37

38 CHAIRMAN WILDE: Quyana, Phillip. (In  
39 Yup'ik) Any more comments and concerns.

40

41 (No comments)

42

43 CHAIRMAN WILDE: If there s not, Alex  
44 Nick.

45

46 MR. A. NICK: Thank you, Mr. Chairman.  
47 Next one we're going to be taking care of after the break  
48 is ethics disclosures by the Councils. In the green  
49 packet, there is a sample of ethics disclosures for those  
50 of you who could read. Use that just as a suggested

1 language. You may use your summarized suggested language  
2 on your ethics disclosures. I will explain this in  
3 Yup'ik after I'm done.

4  
5 The Councils are now required to give  
6 their ethics disclosures before they deal with issue and  
7 topics that may affect what they're doing. So please  
8 review that suggested language and see which one applies  
9 to you as a Council member. You may use a portion of  
10 that or all of that suggested language or you could say  
11 whatever you want in summary. I will try to listen to  
12 your disclosure carefully and respond to you.

13  
14 Thank you.

15  
16 (In Yup'ik)

17  
18 INTERPRETER: For those that don't read  
19 and write, we will help you to put together your ethics  
20 disclosure statement. If there's a conflict of interest  
21 and some of the issues from your other dealings or  
22 affiliations I will help you in putting together the  
23 ethics disclosure during the break.

24  
25 CHAIRMAN WILDE: We will have a 10-minute  
26 break.

27  
28 MR. ANDREW: (In Yup'ik)

29  
30 INTERPRETER: I have a concern of our  
31 travels in the last year. Perhaps it will be to our  
32 coordinator concerning travel. Sometimes they're not  
33 prearranged or pre-paid and there needs to be calls made  
34 in order for our fare to be paid.

35  
36 CHAIRMAN WILDE: Alex Nick.

37  
38 MR. A. NICK: I would like Rich and those  
39 of you who are from OSM Staff or OSM office, what Nick  
40 Andrew wanted to comment on is that there's continuing  
41 problem with travel. Even though we say the tickets are  
42 in the airlines and it's electronically issued to  
43 airlines, Mr. Andrew stated that there's continuing  
44 problems with airlines. We had just one with Robert  
45 Nick. He traveled without a ticket and we're trying to  
46 get that corrected today. What Mr. Andrew wanted was  
47 that we should make certain that there is no potential  
48 problems before a Council member travels. I would like  
49 to respond to that and, Rich, if you have any additions  
50 to my response, you may respond to that.

1 I d like to say to Mr. Andrew in Yup ik  
2 and also in English. I ll do it in English first so that  
3 our recorder will record it. We work on the travel plans  
4 far in advance. I contact you like in June and ask you  
5 what s your travel preference. After you tell me, we  
6 work on it for approximately two months. Before the  
7 meeting starts, our travel coordinator tells me there  
8 will be no problems and then we issue itineraries and  
9 receipts of the tickets.

10  
11 The problem sometimes occurs because  
12 Alaska Airline might be the one that received the ticket  
13 and they received it electronically and then it s not  
14 forwarded to an airline like Grant Aviation or Hagelund  
15 Aviation on a timely basis. That might be where the  
16 problem is. We will bring this back to our travel  
17 coordinators. We do the best we can to make certain that  
18 each one of you who are traveling don t have any  
19 problems.

20  
21 When we are told by our government travel  
22 agency that there will be no problem, we take that as  
23 granted and we tell you that there will be no problems  
24 with your travel and we apologize. On behalf of our  
25 Staff, I apologize that these do occur no matter how we  
26 try not to let it occur during your travel status.

27  
28 After I say this in Yup ik, then Rich may  
29 add to that. Our Staff works really hard on travel and  
30 it takes up a lot of my time. Sometimes it takes me on  
31 one problem maybe three days to correct that sometimes  
32 and it s a lot of time on my part because we have other  
33 things to do in preparing for your meetings. We  
34 apologize that these do occur and we ll make sure we ll  
35 try to correct that.

36  
37 (In Yup'ik)

38  
39 INTERPRETER: We talk about travel and  
40 other logistics that come with the meetings. Tickets are  
41 paid through Alaska Airlines  
42 and they re delivered to Grant and smaller commuter  
43 airlines. These problems arise occasionally. We try to  
44 avoid those moments.

45  
46 MR. A. NICK: Rich might be able to add  
47 something to that.

48  
49 MR. UBERUAGA: Mr. Chair. No, I can't  
50 really add anything to that. I believe what Alex is

1 telling you is the truth. He and we and everyone is  
2 doing the best we can. We try to do better. We know  
3 things happen and we just try to do the best we can.  
4 It's difficult to make everything work perfectly all the  
5 time, but we try. We will continue to do the best we  
6 can.

7

8

Thank you.

9

10 MR. ANDREW: Mr. Chairman, can I add the  
11 travel is taken care of by Omega Travel and they did  
12 issue on August 16th, two months ago, an email to the  
13 airline that brought me down yesterday, but two attempts  
14 the payment for my ticket was declined. I told the gal  
15 there it s the Federal government. It must be there, but  
16 she tried again. It was again declined. So I think in  
17 some situations what Alex indicated is correct.

18

19

When a major airlines is issued a TR or  
20 travel request and then the smaller Bush carrier is  
21 supposed to get part of that ticket, the coupon. In this  
22 case, it s just the one charter. So my suggestion is  
23 that there must be another travel agency in Anchorage.  
24 Maybe this could be reviewed. In the past, the same  
25 travel agency has taken care of our travel. I had a  
26 problem with travel when I came on and yesterday was my  
27 last trip and I hope I ll be able to go home Saturday. I  
28 think we re trying our best, but the problem is still  
29 there.

30

31

Thank you.

32

33

CHAIRMAN WILDE: I had a little bit  
34 problem like you coming over yesterday from Mt. Village.  
35 There s another agent up in St. Mary s that s 19 miles  
36 from Mt. Village. When I came here, they say, Harry,  
37 sorry, you don t have any ticket. I told them that,  
38 yeah, it s not something new. I m ready to go home  
39 anyway right now. I don t have to attend the meeting.  
40 Sorry, your ticket is at St. Mary s, 19 miles from Mt.  
41 Village. I m not going to St. Mary s, I m going to  
42 Bethel. I m here in Bethel, but no ticket.

43

44

Is that idea that s what they say trying  
45 to do the best they can? No, it s not. Try best. I ve  
46 been sitting here a long time. I always have the same  
47 kind of problem. I d sure like to see Alex Nick move  
48 over to Anchorage and take care of tickets so everybody  
49 will have no more problem. I just can t understand.  
50 Until the ticket agents move to Bethel, I think this

1 problem will not be better.

2

3 MR. A. NICK: For Councils information,  
4 copies of the itineraries and receipts of the tickets  
5 were dropped off at Hagelund Aviation here in Bethel and  
6 also at Grant Aviation here in Bethel, as well as a copy  
7 was faxed to Emmonak, St. Mary s and Aniak. So there  
8 should not have been a problem with that because they all  
9 had the receipt of the tickets. We apologize for the  
10 inconvenience during your travel.

11

12 MS. HOFFMAN: Mr. Chair.

13

14 CHAIRMAN WILDE: Beverly.

15

16 MS. HOFFMAN: I move for a 10-minute  
17 break.

18

19 CHAIRMAN WILDE: A 10-minute break.

20

21 (Off record)

22

23 (On record)

24

25 CHAIRMAN WILDE: Let s go back to our  
26 meeting. Alex, ethics disclosure.

27

28 MR. A. NICK: Thank you, Mr. Chairman.  
29 For the Councils information, the Regional Advisory  
30 Council members started to give their ethics disclosures  
31 last winter. So now we are going to begin ethics  
32 disclosures by each and every Council member and we ll  
33 begin with Mr. Chair, Harry Wilde.

34

35 CHAIRMAN WILDE: My name is Harry Wilde.  
36 There s no financial what now?

37

38 MR. A. NICK: Pardon us for a moment  
39 here.

40

41 CHAIRMAN WILDE: My name is Harry Wilde  
42 and I live in Mt. Village, subsistence and hunting  
43 fishing in the area under consideration of this meeting.  
44 I do not hold any commercial permit or conduct any  
45 businesses that are directly affected by my agenda items  
46 before the Council.

47

48 MR. A. NICK: Mr. Wilde member does not  
49 have any significant financial interest and he may fully  
50 participate during this meeting.

1 Next, Mr. Hanson.

2

3 MR. HANSON: Thank you, Mr. Chairman. My  
4 name is John Hanson. I m from Alakanuk. I m a  
5 subsistence hunter, commercial fisher, if they ever open  
6 my commercial fishing. We only commercial fish for king  
7 salmon. I went through the agenda and on my ethics I  
8 don t see no financial interest in all the proposals  
9 that s coming up before the Council here. No special  
10 interest on any of the proposals and so forth. If I do  
11 happen to see one while we re on it, then I ll let the  
12 Chairman know.

13

14 Thank you.

15

16 MR. A. NICK: Member John Hanson appears  
17 not to have significant financial interest in proposals  
18 and he may fully participate. Next person, Mary Gregory.

19

20 MS. GREGORY: (In Yup'ik)

21

22 INTERPRETER: My name is Mary Gregory.  
23 I m from Bethel. I subsist for my food. That affect the  
24 proposals, I don t sell or have commercial interest in  
25 any of the agenda items that we will be discussing.

26

27 MR. A. NICK: Member Mary Gregory appears  
28 not to have any significant financial interest in  
29 proposals or issues under consideration during this  
30 meeting and she may fully participate. Mr. Aloysius.

31

32 MR. ALOYSIUS: My name is Bob Aloysius  
33 and I live in Kalskag. I subsistence hunt and fish in  
34 the areas under consideration at this meeting. I do not  
35 hold any commercial permits or conduct any business  
36 activities directly affected by any agenda items before  
37 the Council.

38

39 MR. A. NICK: Member Aloysius does not  
40 have significant financial interests directly related to  
41 proposals and issues. He may fully participate. Mr.  
42 Andrew.

43

44 MR. ANDREW: (In Yup'ik)

45

46 INTERPRETER: My name is Nick Andrew, Sr  
47 from Marshall. I subsist for my food, fish, animals and  
48 resources. I watch the limits and regulations that  
49 pertain to the resources except for blackfish. I adhere  
50 to openings and closures and for fisheries timelines

1 during the summer. That s it.

2

3 MR. A. NICK: Member Mr. Andrew does not  
4 have significant financial interest on proposals or  
5 issues and he may fully participate. Mr. Oney.

6

7 MR. ONEY: My name is Raymond Oney and I  
8 live in Alakanuk. As I mentioned, I was born and raised  
9 in Marshall. I grew up a subsistence lifestyle all my  
10 life and I do not hold any commercial permits or  
11 connection to any businesses relating to this agenda  
12 before this Council and I do not have any significant  
13 financial interest directly related to the matters before  
14 the Council. I request that I fully participate.

15

16 MR. A. NICK: Member Oney does not have  
17 significant financial interest directly related to  
18 proposals or issues Council is taking up this meeting and  
19 he may fully participate. Mr. Roczicka.

20

21 MR. ROCZICKA: Mr. Chair, my name is Greg  
22 Roczicka. I live in Bethel. My immediate and extended  
23 family participates in the full seasonal round of  
24 subsistence activities, including hunting, fishing, berry  
25 picking and the like and I don t hold any commercial  
26 permits or conduct any business activities that are at  
27 all to be affected by any agenda items before the  
28 Council.

29

30 MR. A. NICK: Member Roczicka does not  
31 have significant financial interest in proposals or  
32 issues this Council is taking up at this meeting and he  
33 may fully participate. Mr. Mike.

34

35 MR. MIKE: My name is Joseph Mike and I  
36 live in Kotlik. I subsistence hunt and fish in the areas  
37 under consideration at this meeting. I do not hold any  
38 commercial permit or conduct any business activities  
39 directly affected by any agenda items before the Council.

40

41 MR. A. NICK: Mr. Mike don't have  
42 significant financial interest on proposals and issues  
43 this Council is taking up at this meeting and he may  
44 fully participate. Ms. Hoffman.

45

46 MS. HOFFMAN: My name is Beverly Hoffman  
47 and I live in Bethel. I am a subsistence user. My  
48 family and I fish, hunt and berries and whatnot, but I  
49 also hold a guiding permit in the areas under  
50 consideration at this moment. I don t think I have any

1 significant financial interest directly related to the  
2 matters before the Council and I hope that I may fully  
3 participate.

4  
5 MR. A. NICK: Member Hoffman appears not  
6 to have significant financial interest on the proposals  
7 and issues this Council is taking up at this meeting and  
8 she may fully participate. Mr. Nick.

9  
10 MR. R. NICK: My name is Robert Nick and  
11 I live in Nunapitchuk, Alaska. I am a subsistence hunter  
12 and fisherman in the areas under consideration at this  
13 meeting. I do hold a commercial fishing permit in area  
14 W-1 in the Lower Kuskokwim. Other than that, I do not  
15 hold a commercial permit for operating a guiding  
16 operation nor transportation, outfitting, taxi or lodge  
17 operation.

18  
19 MR. A. NICK: Mr. Nick does not have  
20 significant financial interest on proposals and issues  
21 this Council is taking up at this meeting and he may  
22 fully participate. Mr. Moses.

23  
24 MR. MOSES: (In Yup'ik)

25  
26 INTERPRETER: I m from Toksook Bay. My  
27 name is Phillip Moses. I hold no commercial interest in  
28 the issues at hand. We will be discussing these issues  
29 even though we have no commercial interest. It has been  
30 a long time since I, myself, have actively participated  
31 in subsistence activities. I m no longer boating by  
32 myself and other means of transportation. That s it.

33  
34 MR. A. NICK: On behalf of Elder Moses,  
35 I'm going to do this in Yup'ik.

36  
37 (In Yup'ik)

38  
39 INTERPRETER: Hearing what Mr. Moses  
40 said, this man does not hold any commercial interest in  
41 the issues at hand.

42  
43 MR. A. NICK: Quyana, Mr. Chairman.

44  
45 CHAIRMAN WILDE: Thank you, Alex Nick.

46  
47 This afternoon we will get into  
48 proposals, so before we go into proposals, for anyone who  
49 wants to have a public comment on our welcome for each  
50 agenda item, please fill out these green testifier forms.

1 There are some in the desk there. You may turn it in  
2 here. Come and inform us and you will be recognized by  
3 the Chair. The time limit will be based on how many  
4 testifiers we re going to have or our schedule or time.  
5 Right now I cannot tell you we will allow how many  
6 minutes for testify. However, we re going to start  
7 proposals this afternoon. This time, even though a  
8 little bit earlier, I think now we re going to recess  
9 until 1:00 o clock this afternoon.

10

11 (Off record)

12

13 (On record)

14

15 CHAIRMAN WILDE: We are now getting to  
16 Federal Fisheries Regulatory Proposals for Council  
17 Review. Before we do that, the procedures of how we  
18 handle the proposals.

19

20 Introduction of a proposal and analysis.  
21 Alaska Department of Fish and Game comments. Federal,  
22 state and Tribal agency comments. Interagency Staff  
23 Committee comments. Fish and Game Advisory Committee  
24 comments. Summary of written public comments. Public  
25 testimony. We were going to put it at five minutes, but  
26 I think we ll leave it off because there s not very many  
27 people it looks like in here. Regional Council  
28 deliberation, recommendation and justification.

29

30 I would like to know this A, Yukon  
31 northern area fisheries proposals. Richard, do you have  
32 something on this? Someone told me it s already taken  
33 care of or what.

34

35 MR. UBERUAGA: Yes, Mr. Chairman.  
36 Members of the Council. Proposal No. 1 was agreed to be  
37 withdrawn. Gerald Nikolai submitted that proposal and  
38 then later on asked that we withdraw the proposal. After  
39 consultation with the Interagency Staff and the Federal  
40 Board, the Board agreed to withdraw that proposal, so  
41 it s no longer before you. The first proposal you'll  
42 start with is Proposal No. 2.

43

44 CHAIRMAN WILDE: Okay, thank you. Next  
45 Proposal No. 2, relax or lift fishing schedules when runs  
46 permit, irrespective of commercial openings. You'll find  
47 this on Page 61 of your booklets.

48

49 MR. UBERUAGA: Thank you, Mr. Chair. My  
50 name is Richard Uberuaga. I m with the Office of

1 Subsistence in Anchorage. I m a fisheries biologist and  
2 I ll be giving you a brief proposal presentation on this  
3 proposal. As your Chair mentioned this proposal is on  
4 Page 61 of your Council book.  
5

6 The proposal was submitted by the  
7 Association of Village Council Presidents and seven  
8 regional tribal councils. It requests that the decision  
9 to lift the windowed subsistence fishing schedule not be  
10 linked to any consideration of a commercial fishery.  
11

12 The windowed subsistence fishing schedule  
13 was put in place by the Alaska Board of Fisheries in 2001  
14 with the stipulations that the schedule would be relaxed  
15 when there was sufficient numbers of fish to allow for a  
16 commercial fishery. The windowed subsistence fishing  
17 schedule has helped provide for escapement and river-wide  
18 subsistence fishing opportunities. However, the linkage  
19 of the windowed subsistence fishing schedule to the  
20 commercial fisheries in regulation in the regulatory  
21 language has been a stumbling block since 2001.  
22 Management of the commercial fisheries and subsistence  
23 fisheries are an incremental process. There is no need  
24 to directly link relaxing the windowed subsistence  
25 fishing schedule to consideration of a commercial  
26 fishery.  
27

28 The Staff s preliminary conclusion is to  
29 support this proposal with modification. The  
30 modification is to provide simple and straightforward  
31 regulatory language and wording to accomplish the intent  
32 of the proposal. The windowed fishing schedule would be  
33 removed when there is an assessment that the salmon run  
34 strength is sufficient to meet escapement objectives,  
35 subsistence uses and U.S./Canada border passage of great  
36 commitments.  
37

38 That's all, Mr. Chair. We look forward  
39 to hearing your discussion and comments and I ll try to  
40 answer any questions you might have.  
41

42 Thank you.  
43

44 CHAIRMAN WILDE: Councils, do you have  
45 comments or a question. Greg.  
46

47 MR. ROCZICKA: Mr. Chairman. Yeah,  
48 clarify to me why the Kuskokwim is not included in here.  
49 Has that action already taken place to bring it into  
50 compliance the same as the State regulation for the

1 Kuskokwim. That s already occurred and it just hasn t  
2 happened on the Yukon yet. Am I correct?

3

4 MR. UBERUAGA: Greg, the Kuskokwim is  
5 addressed in Proposal No. 6, so it s the same proposal  
6 for the Yukon. Yukon is Proposal No. 2. The same  
7 proposals for the Kuskokwim is Proposal No. 6 and we ll  
8 take that up later today.

9

10 MR. ROCZICKA: Thanks.

11

12 MR. UBERUAGA: Again, this proposal puts  
13 into writing what is already practiced. Thank you.

14

15 CHAIRMAN WILDE: Any more Alaska  
16 Department of Fish and Game comments. John.

17

18 MR. HANSON: Thank you, Mr. Chairman. On  
19 this proposal here, that s the whole Yukon River, up and  
20 down, and I guess it includes the northern part of the  
21 Yukon up around Bering Straits and all that.

22

23 MR. UBERUAGA: Yes, that s correct. It  
24 would be for Federal waters on the Yukon River. It s the  
25 same also on the Kuskokwim River under Proposal 6. So  
26 the answer is yes. It just changes the regulatory  
27 language and puts it in writing.

28

29 MR. HANSON: Thank you. Looking at the  
30 Staff recommendation here, if this proposal is adopted,  
31 it will be worse than it is when the Board of Fish put  
32 subsistence windows in because it takes about 30 to 40  
33 days from the time it passes the mouth of the Yukon all  
34 the way up into Canada and here the Staff says  
35 objectives, subsistence uses, and U.S./Canada border  
36 passage. It takes that long for Canada to get salmon up  
37 there. With the subsistence users down, I ll just give  
38 you an example, say from Holy Cross on down, it s not  
39 going to change anything on the subsistence windows even  
40 if we want to lift it up because the wording here, the  
41 way I understand it, is they won t lift the subsistence  
42 windows until Canada has a passage of salmon, which is 40  
43 days from the time the fish enter the Yukon. Is that  
44 correct?

45

46 MR. UBERUAGA: Mr. Chair. Mr. Hanson.  
47 This proposal would not change how the fishery is managed  
48 by the in-season managers. It will not change any aspect  
49 of how the fishery is currently managed and how the in-  
50 season manager arrives at his decision. The decisions

1 are arrived jointly in consultation with the State  
2 management. So very little will change. The only thing  
3 that will change is the written regulatory language.

4  
5                   What this does is it provides clear,  
6 concise, written language for the in-season manager to go  
7 by. There will be no mistaking any kind of authority  
8 that might be granted to the manager. It does virtually  
9 nothing to change how the fishery is managed and how the  
10 subsistence fishing windows are applied. It s simply a  
11 regulatory language change.

12  
13                   Thank you.

14  
15                   CHAIRMAN WILDE: Alaska Department of  
16 Fish and Game, do you have a comment for us.

17  
18                   MR. BERGSTROM: Thanks, Mr. Chairman.  
19 Again, for the record, my name is Dan Bergstrom. We  
20 handed out a four page document that says Alaska  
21 Department of Fish and Comments on 2005 Federal  
22 Subsistence Fisheries Proposals. Just kind of a  
23 background for these, these are really preliminary  
24 because comments may change after hearing from RAC  
25 committees and other public comments prior to the Federal  
26 Subsistence Board meeting.

27  
28                   Basically what we have here provides some  
29 of our comments on the analysis before you from the  
30 Federal system and some of the concerns that we see so  
31 far with these proposals.

32  
33                   I think part of the reason this proposal  
34 came in was because once the subsistence fishing schedule  
35 was put in place there was some question as to how do you  
36 get out of this schedule, and it is tied right now to an  
37 abundance. When there is enough for commercial, it  
38 states, which I think everybody has an understanding now  
39 that that means that there s an abundance of fish  
40 available, surplus, above subsistence and escapement  
41 needs, and then the schedule will be relaxed to the pre-  
42 2001 regulations.

43  
44                   So, initially, it was a little confusing.  
45 We thought we had to have a commercial season open, have  
46 commercial periods, but as we reviewed the regs we  
47 understood we could do it without having a commercial  
48 opening and that s what we ve done in 2002, 2003 -- well,  
49 2003 and 2004, for instance, in District 3 there s been  
50 no commercial season but the subsistence schedule has

1 been relaxed.

2

3

4 So, under the existing regulation, as  
5 Richard stated, nothing will change with this new  
6 regulation. Basically, I think fishers and the  
7 Department understand how we get off the schedule, when  
8 it goes off and we can relax the schedule based on in-  
9 season abundance and that the existing management plan  
10 and regulations provide a reasonable opportunity for  
11 subsistence fishing.

12

13

14 This proposed wording will not change the  
15 management actions. We don't really see the need for  
16 putting new Federal regs in because there's always a  
17 potential then if State and Federal regulations are  
18 different that there could be confusion later on. One of  
19 the important parts with the current wording and the  
20 modification is that how we have been going off the  
21 schedule, we go off the schedule kind of how we put in.  
22 We start at the mouth of the river and then implement the  
23 schedule over time as we move up river and that's how  
24 we've gotten out of the schedule, is to protect the first  
25 fish that have gone through. We relax the schedule  
26 chronologically upriver also. The wording there would  
27 look like as soon as you think there's enough abundance  
28 you would relax everywhere at once, but we've kind of  
29 gone with if we've reduced fishing time at the mouth of  
30 the river, that we'd continue that up, protect the first  
31 part of the run. Thanks.

32

33

MS. HOFFMAN: Mr. Chair.

34

35

CHAIRMAN WILDE: Beverly.

36

37

38 MS. HOFFMAN: Dan, last year, for  
39 example, during the king run, when was the schedule  
40 relaxed?

41

42

43 MR. BERGSTROM: Bev, I don't have it  
44 right in front of me, but this last season last summer,  
45 right? It was about June 15th, 16th and it did pretty much  
46 occur right as commercial started opening in District 1  
47 and then well, in District 2, so actually District 1  
48 and 2 went off schedule about the same time as commercial  
49 started and then after a delay of maybe five days then Y3  
50 went off the schedule and about a week later 4A went off  
the schedule and up the river.

41

42

43 MS. HOFFMAN: So your problem with this  
44 is the confusion, that you're recommending not to support

45

1 this proposal; is that what the Department is saying?

2

3 MR. BERGSTROM: Basically we re saying  
4 that it's unnecessary and it could end up being  
5 confusing, particularly with the current wording in that  
6 it says it will go off as soon as there s an abundance of  
7 fish. You could think that that means it goes off  
8 everywhere at once, but that s not how it s been done on  
9 the Yukon. It s been staggered.

10

11 CHAIRMAN WILDE: Beverly.

12

13 MS. HOFFMAN: I guess I would like, Rich,  
14 your response to that.

15

16 MR. UBERUAGA: Well, Dan is absolutely  
17 right, there could be confusion, but you ve got to  
18 remember this is mostly a symbolic gesture or effort at  
19 the request of AVCP who in 2003 submitted a request to  
20 remove this linkage. They find it objectionable that a  
21 subsistence fishery is being linked to the wording that a  
22 commercial fishery must be made available. They want  
23 specific language basing listing the schedule on  
24 abundance of fish and the opportunity of subsistence  
25 users being provided. They don t want any mention of the  
26 commercial fishery. They find that objectionable.  
27 Again, this is mostly symbolic, but it does provide a  
28 written regulatory direction that is clearer than the  
29 direction where it stands in some people s thinking.

30

31 So we tried to respond to that. It s  
32 been a thorn in their side and we feel we can make that  
33 language a little clearer. As a practical matter, it  
34 does little to nothing to change anything. Decisions will  
35 still be made jointly based on many, many indices,  
36 especially for the Yukon River.

37

38 Thank you.

39

40 MR. R. NICK: Mr. Chairman.

41

42 CHAIRMAN WILDE: Robert.

43

44 MR. R. NICK: My question would be  
45 addressed to both. You indicated that similar proposals  
46 brought to the BOF in January did not have a consensus  
47 due to differing support by the users. I m wondering  
48 about the users. Are they commercial users or  
49 subsistence users?

50

1 MR. BERGSTROM: This is Dan Bergstrom  
2 again. I'm glad you mentioned that. I was going to  
3 mention that we did have a similar proposal to the Board  
4 of Fisheries at last board cycle January 2004. As Bev  
5 said, are we supporting or are we opposed. We were  
6 neutral. In a way we don't support because we find it  
7 confusing usually to have different Federal and State  
8 regs unless you really absolutely need them. But we were  
9 neutral on the wording that they provided in 2004. If  
10 fishermen wanted to go with that, we were neutral, but at  
11 the Board meeting they couldn't come to a conclusion.

12  
13 I think a number of the fishermen and  
14 lots of fishermen in the Lower Yukon are subsistence and  
15 commercial, so they were like it might say commercial,  
16 but it doesn't really matter to them that much. I think  
17 that's where they came from because they didn't agree to  
18 it. They just felt the existing language worked well  
19 enough, I guess.

20  
21 MR. R. NICK: Follow up, Mr. Chairman.

22  
23 CHAIRMAN WILDE: Yeah.

24  
25 MR. R. NICK: I guess probably just to  
26 State and Federal. Under Federal law there's a rural  
27 subsistence priority and the State law it's not there  
28 yet. There's a guarantee and there's a State  
29 constitution and by ANCSA law the subsistence user will  
30 have priority. This approach kind of draws the line for  
31 me on rural subsistence priority under Federal law and  
32 the State's not really having that priority. So my  
33 thoughts are to consensus. There should be some working  
34 arrangement or some language clarification to come to  
35 some agreement between the Federal and State managers.  
36 This I say because of the confusion it would cost to the  
37 fishermen.

38  
39 I didn't catch the first part of your  
40 report. I read the information quickly and my  
41 understanding is you want to put in writing what is being  
42 practiced now, today, last summer, and understanding that  
43 under Federal law and ANILCA Title VIII rural subsistence  
44 users have priority. I can understand AVCP's concern  
45 that subsistence availability or reasonable opportunity  
46 for subsistence users should not be tied to commercial  
47 openings or availability or a decision on commercial  
48 fishing.

49  
50 So I guess my question would be to Dan,

1 chinook fishing in the Lower Yukon, is that a directed  
2 fishery, commercial fishery?

3

4 MR. BERGSTROM: Yes, it is.

5

6 MR. R. NICK: That answers my train of  
7 thought, so I'll stop there.

8

9 MR. BERGSTROM: I just have one other  
10 comment though. The State does have laws for subsistence  
11 priority. The difference is that the Federal is the  
12 rural.

13

14 CHAIRMAN WILDE: John Hanson.

15

16 MR. HANSON: Thank you, Mr. Chairman.  
17 Before we get any further, when we come to a proposal  
18 like this the Council has to adopt the proposal, then it  
19 will go into what we re doing right now. We haven t done  
20 that to this one, so I move to adopt Proposal 2 to be on  
21 the table.

22

23 CHAIRMAN WILDE: Is there any second to  
24 the motion.

25

26 MR. ROCZICKA: Second.

27

28 CHAIRMAN WILDE: Greg. Discussion.

29

30 MS. HOFFMAN: Mr. Chair. I guess I would  
31 like to hear more from the Yukon Council members to hear  
32 what their thoughts are on this proposal.

33

34 CHAIRMAN WILDE: Any more discussion.

35 Greg.

36

37 MR. ROCZICKA: Mr. Chairman, I'm not from  
38 the Yukon, but I'll offer my thoughts on it. Given that  
39 this link has already been made in the past and those of  
40 us who have been involved with the bureaucracies and the  
41 changes that can occur amongst people and interpretations  
42 that s there, I don't see this as just a housekeeping  
43 matter or that it s taken care of. I think the more  
44 clarification we can give it, the better off we are.

45

46 I was going to ask this of Mr. Bergstrom  
47 earlier if he had to deal with that and we ve had to deal  
48 with several issues of similar nature through the years  
49 and watch administrative changes take place and  
50 interpretation and implementation of regulations be

1 adjusted. So given it was the stumbling block that it  
2 was and that link was directly made, I'm having a hard  
3 time understanding the State's position that this is  
4 something that s unnecessary and more of a clarification.  
5 Understanding that the Board of Fish chose not to deal  
6 with it and the Board of Fish has chosen not to deal with  
7 a lot of things we find important out here for  
8 subsistence uses, but in light of the fact that this  
9 association was directly made and the confusion arose for  
10 the first couple years, I would see it as a positive  
11 step, not a continuing obstruction.

12

CHAIRMAN WILDE: Alex, go ahead.

13

14  
15 MR. A. NICK: Thank you, Mr. Chairman.  
16 John, I need clarification on your motion. Is it to  
17 adopt the motion as written?

18

19 MR. HANSON: Yeah.

20

21 MR. A. NICK: Adopt the motion as  
22 written. Thank you.

23

24 MR. R. NICK: Mr. Chairman.

25

26 CHAIRMAN WILDE: Yeah.

27

28 MR. R. NICK: I just would like to  
29 reiterate my feelings about a subsistence priority for a  
30 harvest. Considering last summer and last summer before  
31 as compared to '97, '98, 2000, the Federal RAC s that  
32 participated in a Fish and Game meeting in 2001,  
33 sacrificed and agreed for closures in the effort of  
34 rebuilding the stocks and I think the trend is there that  
35 the stocks are coming back and this proposal here is not  
36 to lift those closures but to relax, so I think with that  
37 word, relaxing the regulations to allow earlier lifting,  
38 since it was done on the Kuskokwim last summer, and for  
39 that reason I am speaking in support of the adoption for  
40 approval of this proposal.

41

42 CHAIRMAN WILDE: Greg.

43

44 MR. ROCZICKA: Thank you, Mr. Chairman.  
45 I would like to ask for one editing change that s  
46 included in the proposed language on Page 68. The bold  
47 type on the top under the proposed language, third line  
48 from the end, which states, it may be reinstated by the  
49 Federal in-season manager when the assessment of salmon  
50 run strength indicates it is necessary, I think that word

1 when should be changed to if. It gives the impression  
2 that it s going to happen whether -- it's a given that  
3 we're going to be facing these shortages again.

4  
5 In looking at how things developed over  
6 the years with the reduced runs that we had in 98  
7 through 2000, the failed runs and the failed returns were  
8 not a product of the subsistence fisheries but the main  
9 premises I ve heard is coccolithophor bloom and El Nino  
10 effects and ocean survival. The only reason that  
11 subsistence restrictions were put in place is because  
12 that s the only place where management - that was the  
13 only thing any managers had control over. We can t  
14 control the weather and we can t control nature, we can  
15 only control the human harvest in this case for this  
16 species and this issue.

17  
18 But I would prefer to see something in  
19 there that doesn t give the presumption that we re going  
20 to be seeing failed runs again. We may be looking at  
21 another 20, 30 years where we do have good runs rather  
22 than what we ve perceived happened over just the last  
23 decade.

24  
25 CHAIRMAN WILDE: Any more discussion on  
26 this Proposal 2.

27  
28 MR. HANSON: Question.

29  
30 CHAIRMAN WILDE: The question has been  
31 called for. All those in favor say aye.

32  
33 IN UNISON: Aye.

34  
35 CHAIRMAN WILDE: Opposed say no.

36  
37 (No opposing votes)

38  
39 CHAIRMAN WILDE: Motion carried. Now we  
40 continue. Go ahead, Carl.

41  
42 MR. JACK: Mr. Chairman. My name is Carl  
43 Jack. Excuse me for interrupting. There was a departure  
44 from the presentation procedure for proposals before the  
45 Council adopts the proposal. The presentation procedure  
46 is on Page ii.

47  
48 Thank you.

49  
50 MS. GREGORY: (In Yup'ik)

1 INTERPRETER: Mary is translating what  
2 Carl Jack said.  
3  
4 CHAIRMAN WILDE: Mary, that's the reason  
5 I'm having a problem. We never have any proposal to put  
6 it on the table, any proposal. We need to follow these  
7 procedures that s written in our proposal book here.  
8  
9 Carl, may I ask you if we could go back  
10 to and continue these procedures right now?  
11  
12 MR. JACK: Mr. Chairman, you have made a  
13 motion to adopt and you adopted the proposal. That's on  
14 the record already. However, I do have concerns that by  
15 doing so you have negated anyone who may want to testify  
16 on this particular proposal, especially from the public.  
17 Since this is a public meeting, I would make a  
18 recommendation to do something about that.  
19  
20 Thank you.  
21  
22 MR. ROCZICKA: Mr. Chairman, in light of  
23 the point of order that s been brought forward here I  
24 would move at this time that Council rescind its action  
25 on this proposal and ask unanimous consent until we have  
26 all public comments and procedure has been followed.  
27  
28 MS. HOFFMAN: I second.  
29  
30 MR. ALOYSIUS: I didn't hear.  
31  
32 MR. ROCZICKA: It was brought up as a  
33 point of order that we did not follow the procedure as  
34 published and hearing all comments and giving Staff and  
35 organizations and interested public who may want to speak  
36 to this proposal, that we voted on it prior to getting  
37 that information if it s there, so just as a procedural  
38 matter to make sure it s kosher on the books that we just  
39 rescind the action at this time, allow the public comment  
40 that is there to be presented and then retake the vote  
41 and ask for unanimous consent to do that.  
42  
43 CHAIRMAN WILDE: Greg, right now that  
44 motion is dead without second.  
45  
46 MS. HOFFMAN: I seconded.  
47  
48 MR. ALOYSIUS: Mr. Chairman.  
49  
50 CHAIRMAN WILDE: Bob.

1 MR. ALOYSIUS: I'm glad Mr. Jack reminded  
2 us of the procedures that we need to follow. We followed  
3 them in St. Mary's exactly the way they're written down  
4 here. There is no excuse for not following that again.  
5 I'm glad Mr. Jack reminded us because we've only been  
6 hearing comments from the agencies, otherwise a lot of  
7 people are going to be left out on testifying before this  
8 group on any proposal presented.

9  
10 Thank you.

11  
12 CHAIRMAN WILDE: Yeah, Bob, I have been  
13 all these years doing this procedure, followed the  
14 procedure, but the first time I'm just off in order to  
15 put the proposal on the table. Carl, what do we do now  
16 that we didn't give other people that opportunity to  
17 comment on this proposal.

18  
19 MR. JACK: Mr. Chairman, I think Mr.  
20 Roczicka's motion takes care of the Federal people or  
21 State people or the public to be able to testify on this  
22 before you conclude your action on it. Mr. Roczicka's  
23 action would do that, I believe.

24  
25 Thank you.

26  
27 MR. ROCZICKA: Mr. Chairman, I requested  
28 unanimous consent, so if nobody has any objection you can  
29 just state that.

30  
31 MS. GREGORY: Mr. Chairman.

32  
33 CHAIRMAN WILDE: Mary.

34  
35 MS. GREGORY: (In Yup'ik)

36  
37 INTERPRETER: Mr. Roczicka opposed this  
38 motion and for unanimous consent could move on this  
39 motion by unanimous consent.

40  
41 MS. GREGORY: I just agreed with Mr.  
42 Roczicka and we can allow people to testify.

43  
44 MR. A. NICK: Mr. Chair. For the record,  
45 I just told our Chair that if no one disagrees, we'll go  
46 back to the procedure and then they'll vote on Proposal 2  
47 again. That's simple as that.

48  
49 CHAIRMAN WILDE: This motion, Greg,  
50 restate your motion.

1 MR. ROCZICKA: My motion was to rescind  
2 our action on Proposal 2 that we just voted on and if  
3 everybody agrees or has no objection to that, then we re  
4 back into the public comment period and later on we just  
5 make another motion.  
6  
7 CHAIRMAN WILDE: And, Mary, you seconded?  
8 You pull it out?  
9  
10 MS. GREGORY: I said I agreed with him.  
11 (In Yup'ik)  
12  
13 INTERPRETER: Does anybody disagree to  
14 return to this proposal for public comment?  
15  
16 MS. HOFFMAN: Mr. Chair, I seconded the  
17 motion. I think all you have to do is ask for unanimous  
18 consent. Anybody in favor say aye, anybody opposed say  
19 no.  
20  
21 CHAIRMAN WILDE: So you understand what  
22 this proposal worked out, if anyone agree with these two  
23 presenters or proposal makers.....  
24  
25 MR. JACK: Mr. Chairman. The way I look  
26 at it, you were on number two. All you have to do is go  
27 back to number three and go down the list.  
28  
29 CHAIRMAN WILDE: Proposal No. 3.  
30  
31 MR. ALOYSIUS: Mr. Chair, that is not  
32 what he s saying. You go back to number three on the  
33 procedures, not the proposal.  
34  
35 CHAIRMAN WILDE: Go down to number three  
36 procedure. Go ahead. I turn over to you.  
37  
38 MR. A. NICK: Thank you. In order to  
39 avoid confusion, I ve asked with the Council s permission  
40 just on Greg s motion to rescind Council s actions. That  
41 was your motion, right?  
42  
43 MR. ROCZICKA: Yes.  
44  
45 MR. A. NICK: The question now is if all  
46 of the Council members agree with that. If anyone  
47 disagrees, now is the time to say so. Otherwise all  
48 those in favor of the motion signify by saying aye.  
49  
50 IN UNISON: Aye.

1 MR. A. NICK: All opposing same sign.  
2  
3 (No opposing votes)  
4  
5 MR. A. NICK: Motion carried. Thank you,  
6 Mr. Chair. It s all yours.  
7  
8 CHAIRMAN WILDE: Now we ll continue on  
9 with procedures, number three, Federal, State and Tribal  
10 agency comments.  
11  
12 (No comments)  
13  
14 CHAIRMAN WILDE: If not, number four,  
15 Interagency Staff Committee comments.  
16  
17 MR. JACK: Thank you, Mr. Chairman. For  
18 the record, my name is Carl Jack, a member of the  
19 Interagency Staff Committee. I've been assigned to  
20 comment on No. 2 and 4 and the rest will be given by Mr.  
21 Glenn Chen.  
22  
23 For those of you who are not familiar  
24 with the Federal infrastructure, the Interagency Staff  
25 Committee is comprised of the senior Staff from the five  
26 agencies that are on the Board, including the Native  
27 liaison to the Board Chair. The Interagency Staff  
28 Committee was established by Federal regulations when  
29 this program was created and the group advises the Board  
30 on all manner of analytical and administrative matters,  
31 including the proposals for regulatory changes. That s  
32 the functions of the Interagency Staff Committee.  
33  
34 Back to No. 2, the Interagency Staff  
35 Committee do not have any comments that departs from the  
36 Staff recommendations or conclusions on the proposal.  
37  
38 Thank you, Mr. Chairman.  
39  
40 CHAIRMAN WILDE: Thank you, Carl. Number  
41 five, Fish and Game Advisory Committee comments.  
42  
43 (No comments)  
44  
45 CHAIRMAN WILDE: We go down to number  
46 six, summary of written public comments.  
47  
48 MR. A. NICK: Mr. Chair, we received one  
49 written comment from Mr. Mike Moses. Mr. Moses supported  
50 the proposal, stating that it needs special attention to

1 insure that subsistence users on the Yukon are no longer  
2 listening for further instructions from the Alaska  
3 Department of Fish and Game. We try to cry out in a  
4 sovereign tone of voice to the State managers not  
5 listening to Alaska Natives. Mr. Moses proposed that  
6 this proposal be passed before finding ourselves with a  
7 large rebellious crowd.

8

9 CHAIRMAN WILDE: On number seven, public  
10 testimony. Do we have any public testimony concerning  
11 this Proposal No. 2? Say your name and where you re  
12 from.

13

14 MR. SANDERS: I m Jeff Sanders. I reside  
15 in Bethel, but I camp in Kwikpuk (ph). In fact, you re  
16 my nearest neighbor, Harry. I'm the only gussuk in camp,  
17 so I think my observations are relevant to the large  
18 extended family that I camp with. They're all Yup'ik  
19 Eskimos from St. Mary s, Pilot and Emmonak. I think we  
20 feed about 30 people with the fish that we process  
21 through our subsistence efforts and we found these  
22 windows to be I could probably say positive things and  
23 negative things about them and I guess I will. I don't  
24 wish to make any recommendation to you as to what to do  
25 with this. I just want to share with you our experience  
26 what we re doing there.

27

28 We feel that we want to continue to  
29 produce the same amount of food for the same people that  
30 have always eaten it out of our smokehouse. It seems  
31 like our attitude has changed a lot and I see this with  
32 other campers. I ve heard this from Fran Thompson, I ve  
33 heard this from his older sister Pia, I ve heard this  
34 from Johnny. People are a lot more aware that we're  
35 sharing this resource with a lot of people for a long  
36 ways up the river. We ve taken it upon ourselves to try  
37 and limit the number of fish we kill. Whether the fish  
38 are really abundant or whether the fish are scarce, we  
39 try to limit the amount of fish that we take and we use.

40

41

42 These windows have been somewhat  
43 frustrating and counterproductive for that effort in that  
44 we see a way of doing that would be to more fully utilize  
45 the eggs, the heads, a large portion of the guts, for  
46 instance the stomachs. By having the fish during hot  
47 weather during certain windows of opportunity, we tend to  
48 have to take all of our fish at once and then, of course,  
49 we re fighting decomposition, we re fighting spoilage.  
50 So what happens is we make strips from kings, we dry fish

1 from chums, we utilize some of the heads, but there s a  
2 lot of the fish that s going back into the river that  
3 we d process if we had the ability to go out and catch  
4 small amounts of fish every day. I think in the long run  
5 our camp would actually kill fewer fish if we could do  
6 this.

7  
8 Another complaint I hear constantly from  
9 different in-laws is that towards the end of the season  
10 when people are not trying to catch fish for their mumtuk  
11 anymore, they just want fresh fish, that these windows  
12 often complicate people going out and getting one fish or  
13 people going out and getting five fish and passing them  
14 around to the village. I ve had a number of my in-laws  
15 suggest that we should more liberalize the schedule with  
16 kings and summer chums. Make the schedule more liberal  
17 towards the end of the season when people are just trying  
18 to eat fresh fish.

19  
20 Did I raise any questions? I m done with  
21 what I have to say about this.

22  
23 MS. HOFFMAN: Mr. Chair.

24  
25 CHAIRMAN WILDE: Beverly.

26  
27 MS. HOFFMAN: Because we struggle with  
28 this on the Kuskokwim too and we all recognize that we  
29 carry the burden of conservation when it became a stock  
30 of concern, the salmon. Are people feeling on the Yukon,  
31 the folks that you fish with, are they buying into the  
32 fact that they re a part of the solution in bringing back  
33 the numbers or what is your sense of that?

34  
35 MR. SANDERS: My sense is there s a high  
36 degree of individual integrity and a real belief that we  
37 should not waste fish, that we should try and use less  
38 fish. In my family s instance, we re basically using my  
39 mother-in-law s recipe. That s what I like to call it  
40 anyway. The kind of wood she uses, how long she smokes  
41 her fish. I call that a family recipe. We re basically  
42 using that recipe, which is probably 50 years old.  
43 They ve actually made changes in that in the last year.  
44 The fish that used to go into the stomachs of my  
45 brother s dog team, which he doesn t have anymore, that  
46 would be liberal amounts of flesh that was left on the  
47 bones used to go into the dogs. Now that he doesn t have  
48 the dogs, we catch far fewer fish.

49  
50 We also cut that strip on a king, I think

1 you call it gagnuk. With my poor Yup ik, the kind I m  
2 trying to describe is the part of the fish that has no  
3 skin on it that's next to the bone. Usually we were  
4 feeding that to my brother-in-law s dog team. When he  
5 stopped having dogs, those bones were going into the  
6 river. Now the women have started cutting that right off  
7 the bones, so the only thing that goes into the river is  
8 bones. They create a real piece of dry meat fish. In  
9 fact, it s so dry that it s caused us -- and I m not a  
10 seal hunter, but it s caused me to become friends with  
11 people that are because we need seal oil to eat that  
12 flesh. It s something we re utilizing now that we didn t  
13 utilize before. In our camp we ve basically had two  
14 reductions in what we take. We had a big reduction when  
15 my brother-in-law stopped running dogs. We went down  
16 from about 1,300 chums a year to 300. When we started  
17 taking this meat off the bones of our chums and drying  
18 it, we ve gone down to about 220. We feed the same  
19 amount of people.

20

21 MS. HOFFMAN: Can I ask one further  
22 question, Mr. Chairman.

23

24 CHAIRMAN WILDE: Go ahead, Beverly.

25

26 MS. HOFFMAN: The whole purpose of this  
27 schedule in my mind was to allow a good number of the  
28 fish to get up to the spawning grounds to meet escapement  
29 goals. That s where our Kuskokwim River Management  
30 Working Group struggle with these same issues, come up  
31 later, the same schedule question for the Kuskokwim and  
32 you re saying your family does not support the schedule.  
33 Is that what I understand?

34

35 MR. SANDERS: I m not saying that. I m  
36 trying to explain to you that for everything you do that  
37 has a good result, there s probably some people that are  
38 caught in the downside of it and I think we are. I think  
39 our family and camp is. I don t know if my ideas are  
40 representative of all the camps on the Yukon. If they  
41 find themselves in this same predicament. That s why I m  
42 saying I don t make any recommendation as to what you can  
43 do. I m just trying to give you information from  
44 somebody that actually processes fish. We find it to be  
45 somewhat of an encumbrance.

46

47 We would get the amount of fish that we  
48 think we need no matter how you regulate us. We feel  
49 that we could utilize them a little bit better if we  
50 could, instead of getting 200 chums at one time, if we

1 could go out and get 30 per day. That kind of effort in  
2 our camp makes the women in our camp look like some kind  
3 of hospital ward the next day. They re all wearing  
4 elastic bandages on their wrists and their elbows. They  
5 have to work too hard, too long. For us, it s a life  
6 consideration. That s what I m trying to explain.

7

8 MR. ROCZICKA: Mr. Chairman.

9

10 CHAIRMAN WILDE: Greg.

11

12 MR. ROCZICKA: Jeff, to get directly at  
13 the proposal, but I appreciate your testimony. It s  
14 always good to hear that and get it on the record, but  
15 the proposal is specifically trying to get rid of a  
16 confusion that was in regulation before and the  
17 Department tripped over in that they could not relax the  
18 subsistence schedule unless they actually held a  
19 commercial opening. That s the way the regulatory  
20 language is being interpreted and this proposal is to try  
21 to get rid of that link of relaxing the subsistence  
22 schedule with what was read before and interpreted to say  
23 you had to either have enough fish for a commercial  
24 opening and have that commercial link or it actually got  
25 to the point where they had enough fish for a commercial  
26 opening but since there was no buyer they didn t have a  
27 commercial opening and since there wasn t a commercial  
28 opening they couldn t relax the subsistence schedule. I  
29 mean it got that convoluted.

30

31 We re hearing now that that s been worked  
32 out internally and administratively and that it s not an  
33 issue anymore, but the point being raised with this  
34 proposal is that we should really make it clear in  
35 regulation and get rid of that link so that it doesn t  
36 become a matter of confusion in the future or if we get a  
37 different manager that decides to interpret it  
38 differently. So that s what this proposal is getting  
39 at.

40

41 If you have any further comments on what  
42 we should do with that, like do you think that s a good  
43 idea getting rid of that subsistence being dependent on a  
44 commercial - or having it in regulation that could be  
45 interpreted that subsistence is dependent on commercial  
46 activity as far as relaxing the schedule goes.

47

48 MR. SANDERS: I concur and understood  
49 that. I just knew that since you were having a meeting  
50 on the Kuskokwim and I didn t see any other Yukon

1 stakeholders here, I just wanted to give you guys some  
2 background. I think it does affect your decision-making  
3 on this somewhat and I was hoping to give you some  
4 background so you thought about other subsistence-related  
5 things in terms of fishing time, you d have my insight.

6  
7 As far as my own interests being  
8 protected, seeing Harry and John on your Board I know you  
9 aren't going to do anything that's going to adversely  
10 affect what we do. Is that it? I don t want to waste  
11 your time if you re done with me.

12  
13 CHAIRMAN WILDE: Thank you.

14  
15 MR. SANDERS: Thank you.

16  
17 CHAIRMAN WILDE: Any more public comments  
18 to Proposal 2.

19  
20 (No comments)

21  
22 CHAIRMAN WILDE: Now we're going into  
23 Regional Council deliberation, recommendation and  
24 justification.

25  
26 MR. R. NICK: Can I speak?

27  
28 CHAIRMAN WILDE: (Nods affirmatively)

29  
30 MR. R. NICK: Thank you. I won t repeat  
31 myself, but I do like to recall the start of subsistence  
32 fishery last summer. We came close to civil disobedience  
33 out there in both rivers. I spoke to many people trying  
34 to convince them not to go out and fish. They were about  
35 to go out, many of them. The first window was targeted  
36 on the Kuskokwim and through encouragement of other  
37 fishermen like myself and others and with the assurance  
38 from the managers of possibly relaxing and probably  
39 allowing fishermen to fish with more time, the effort for  
40 civil disobedience did not happen.

41  
42 I understand the same thing happened with  
43 the Lower Yukon. They were ready to go out and fish,  
44 targeting the first announced closure for subsistence  
45 fishing. I d like to expand and close with this comment.  
46 With the Tribal, Regional, State, Federal issue today  
47 there is growing concern about tribes, villages doing  
48 what they need to do to survive. What is happening  
49 today, I m afraid if we come to a fishing season with  
50 closures with no assurance of relaxation of those

1 closures or maybe an earlier allowance of fishing with no  
2 closures, we may see fishermen out there fishing during  
3 the closed windows.

4  
5 CHAIRMAN WILDE: Thank you. Any other  
6 from Council. Recommendation. (In Yup'ik)

7  
8 MR. MOSES: (In Yup'ik)

9  
10 INTERPRETER: To have one mind, it is a  
11 good thing. To have people on the same page without any  
12 disagreement, we will live peacefully and quietly. Even  
13 if they are brothers and sisters and they disagree on  
14 something, it's uncomfortable and that s my example. To  
15 work together on one goal and then to have disagreements  
16 it makes us all uncomfortable. Even between families,  
17 between brothers. And that's just my example.

18  
19 Then the subsistence issue, when we meet  
20 and deliberate, we need a single goal for subsistence.  
21 So that s my comment. And using family disagreements as  
22 an example. But right now it's been awhile that he's  
23 been sitting on this Council. He's not literate in  
24 English. However, his mind thinks. Even though he is  
25 not literate in English, he's been trying to be involved,  
26 but in listening to the deliberations and being able to  
27 understand he's happy. And then now he sees that the  
28 Fish and Game and the Federal government are closing the  
29 gap and working towards one goal and he likes how that  
30 process is going, coming closer to an agreement. So he's  
31 grateful for your cooperative work. That Yup'ik people  
32 do subsist all the time, even throughout the winter. All  
33 the seasons we subsist.

34  
35 When we didn't have freezers as a boy, we  
36 would continue to eat fish that looks to you spoiled in  
37 those days when we did not have any freezers. Even today  
38 we like aged fish, but our grandchildren don't share  
39 that. A lot of them don't eat anything that is aged.

40  
41 So back to being in agreement and having  
42 the same goal, I encourage you to work towards that.

43  
44 CHAIRMAN WILDE: Quyana.

45  
46 MS. HOFFMAN: Mr. Chairman.

47  
48 CHAIRMAN WILDE: Beverly.

49  
50 MS. HOFFMAN: I'd like to make a motion

1 to support this proposal.

2

3

MR. R. NICK: Second.

4

5

6

CHAIRMAN WILDE: Beverly, before we make a motion I would like to say something on this.

7

8

I had a fish camp about 35 or 36 miles from Mountain Village. My fish camp is a family fish camp. We no longer catch as many fish as we used to. I could blame subsistence fishing schedule. Some of the elders back home catch as much as they could catch, but the weather comes around, it spoils and they throw them in the river. That s the kind of subsistence fishermen Fish and Game want because of schedule. They didn t have no time. They have to hurry, hurry all the time. Try to dry up fish. But sometimes the weather comes around and there s no way that they most of them they don t have no dog team. They just had to throw it away.

20

21

If you blame the people, it s not the people. If you think it s the people that do that because of no time, don t blame them. You blame Fish and Game and Fish and Wildlife. We don t train like that from our elders or from parents.

26

27

In Yukon the king salmon is really fat the first run. That s the best king salmon there is. Those fish they tried to do it when the good weather is there before the rains come around. They work hard. They work night and day.

32

33

One old man, when I visit him, he asked me you are with Fish and Wildlife or subsistence Regional Council. I tell him yeah. After the Regional Council start, we don t get that much fish anymore. I tried to explain him in my own dialect, but still he don t understand. I told him that there was one time when we were short of fish, but it s improving right now.

40

41

It really hurts when you try to represent your own people when you don t get something that you can get. Something that we don t get is true, on the record, and day-by-day count fish. They know how they control the fish. I know in Yukon, I have been there and try to work with the people I try to represent, it's really hard to try to work with the elders when they don t have no one to help them.

49

50

I think as we call ourselves subsistence

1 people, sometimes some of our people come to be thieves  
2 and liars in order to provide themselves what they need,  
3 fish and animal. Something had to be done one time and I  
4 had to write a special action, but what I did didn't  
5 work, didn't help. There's a better way to do things, I  
6 think.

7  
8 One time it was very good that we had few  
9 fish here and there because subsistence is supposed to be  
10 highest priority. But it seems to me that subsistence is  
11 no longer the highest priority. Especially when the  
12 people find out that you represent them, when they start  
13 following you by VHF and radio and blaming you that  
14 you're the one that put us in a bind, put us in a  
15 problem. I sure would like to see something done,  
16 especially this fishing schedule.

17  
18 I think most of us we understand there's  
19 some people that don't even hardly come around to the  
20 meetings anymore because they never get the right answer  
21 they're looking for. So that's the way I feel and that's  
22 the way I've been.

23  
24 I would like to ask any other here  
25 Council wants to make a recommendation or something,  
26 comment, Yukon River. There's two, Kuskokwim and Yukon.  
27 Right now we're having Regional Council deliberation,  
28 recommendation and justification. Council, you are  
29 welcome to say anything you want to say.

30  
31 MR. ANDREW: Mr. Chairman.

32  
33 CHAIRMAN WILDE: Yeah.

34  
35 MR. ANDREW: I will speak in Yup'ik.  
36 When we practice subsistence fishing freely, that was  
37 perfect. From June, from the beautiful drying weather in  
38 June, that's when we hang our salmon to dry, during that  
39 nice early summer weather. But now, with the closures,  
40 he's seen people throw away spoiled fish, he's seen fish  
41 that's already been cut and hung that spoiled and once  
42 they've spoiled it only dogs can consume it or it has to  
43 be thrown away.

44  
45 We need the regulators to understand the  
46 very first part of June is the perfect time to hang  
47 salmon to dry, but as the elders said, these subsistence  
48 closures does not fit with the cycle or the seasons. And  
49 then when the weather turns and it starts to rain, that's  
50 when our fish that are trying to dry spoil.

1 MS. HOFFMAN: Mr. Chair.

2

3 CHAIRMAN WILDE: Beverly.

4

5 MS. HOFFMAN: I don't think any of us  
6 like the schedules and I think that we all wish it would  
7 be the way it always was for us, but when our salmon  
8 stocks crash, then we have to assist in restoring the  
9 fish population, the numbers, and I guess that s why I  
10 support the schedule, but at the same time putting the  
11 wording in there for relaxing the schedule if escapement  
12 goals are met so that we can bring back the numbers and  
13 hopefully someday there won t be a schedule, but in order  
14 for us to increase the numbers I think a lot of people,  
15 including all of you and many more people worked with  
16 agencies and worked in the villages to try and figure out  
17 the best solution to increase the resource numbers again  
18 after watching them dwindle to nothing.

19

20 So while we might not like the schedule  
21 and we don t want to see it in place, it has improved the  
22 numbers here again and we just need that wording in there  
23 for the relaxing of the schedule when escapement goals  
24 are met. I think that s the intent of this proposal, to  
25 make sure that we can relax the schedule if escapement  
26 goals are met, so that s why I made the motion to support  
27 the proposal.

28

29 CHAIRMAN WILDE: Thank you, Beverly.  
30 John Hanson.

31

32 MR. HANSON: Thank you, Mr. Chairman.  
33 Proposal 2, I support it the way it is written.

34

35 MR. ONEY: Mr. Chairman.

36

37 CHAIRMAN WILDE: Yeah.

38

39 MR. ONEY: Thank you. Raymond Oney.  
40 I ve always commented on the Fish and Game subsistence  
41 calendar gathering when that person comes around and  
42 gathers those calendars. I ve always commented on there  
43 to allow us to at least have one or two weeks in the  
44 beginning of the fishing so that way we don t have to  
45 fall under those windowed fishing opportunities.

46

47 In my area, the Lower Yukon, a lot of  
48 times we have to fish with the tide and sometimes it s  
49 early in the morning and that s the only time we have the  
50 opportunity to subsistence fish. If they would allow us

1 to catch our subsistence needs during that one or two  
2 weeks without using that fishing schedule, then we d like  
3 to catch as much right at the beginning rather than have  
4 to stretch it over time.

5  
6 As you heard, we have to throw away a lot  
7 of fish, you know, if you re stretching it over time  
8 because you re limiting a little bit of fish at a time.  
9 We have to try to catch as much fish as we can at the  
10 beginning so we could meet our needs rather than stretch  
11 it over time where it gets spoiled. A lot of times fish  
12 that you catch in the first subsistence opening, if  
13 you re using that windowed fishing schedule, then you d  
14 have to stretch it over time. By the time what you feel  
15 might be your needs, it might be one or two months down  
16 the line. So I would support this proposal.

17  
18 Thank you.

19  
20 CHAIRMAN WILDE: Thank you. Joe, you got  
21 something to say.

22  
23 MR. CHIEF: I'm Joseph Chief, Jr and I m  
24 from Bethel. (In Yup'ik)

25  
26 INTERPRETER: My name is Joe Chief, Jr  
27 from Bethel. I subsist on all species of fish, from  
28 blackfish to silvers, all types of salmon, whitefish. I  
29 hear of regulations as far as subsistence and closures, I  
30 do not agree with these timelines and regulations because  
31 I do harvest all these fish. I do not agree with  
32 closures, especially since weather is a big factor. Some  
33 windows have open periods that sometimes fall during the  
34 rain and that is not a good time to dry the catch. When  
35 I set a net last month, the previous month, I only caught  
36 lots of humpies, but I was grateful for those fish.

37  
38 I don't like the concept of closures.  
39 Sometimes the fish goes bad when we're waiting, but we  
40 have to wait over a period of time, especially during bad  
41 weather. We have to discard some of the fish that goes  
42 bad, but that s not the proper way. They should be put  
43 underground, buried underground. My late grandfather  
44 taught me any entrails or blood or heads that are not  
45 used should be buried. A lot of these parts that are not  
46 consumed are collected and the stomachs can now be put  
47 together in five-gallon containers or other containers  
48 and they are discarded to be eaten by seagulls.

49  
50 Switching to another topic, this other

1 issue of moose and caribou that are a victim to  
2 predators, such as wolves, I heard in a news report that  
3 outside people are opposed to wolf control although  
4 they re not from here and they're trying to stop the  
5 regulated wolf hunts. These predators are diminishing  
6 our moose numbers.

7  
8 I don't want to speak too long, but I  
9 have one more statement regarding fish. The people from  
10 our area, from upriver, from down river, as one of the  
11 speakers said, I don't like closures and no wolf control.

12  
13 That's it. Thank you.

14  
15 CHAIRMAN WILDE: Quyana. Alex.

16  
17 MR. A. NICK: Mr. Chair. Bev, I need  
18 just one clarification. Your motion is to support  
19 Proposal 2 with modification, is that my understanding?

20  
21 MS. HOFFMAN: That's correct. And I just  
22 wanted also to add to the comments that Joe and Ray made.  
23 I feel bad when I hear about all this waste of fish  
24 because of the closures and I wanted to comment that a  
25 lot of the women that I had talked to here on the  
26 Kuskokwim also felt that while we don t like the  
27 closures, the schedule, it allowed some women more time  
28 to take better care of the fish. So I get confused when  
29 I hear about so much fish being spoiled because I don t  
30 hear that so much down here from the women that I talked  
31 to.

32  
33 The other thing I wanted to say is we  
34 have a lot on our schedule for today and tomorrow and  
35 we ve spent almost two hours on this single proposal, so  
36 I feel like maybe we do need to have a timeline here.

37  
38 MS. GREGORY: Mr. Chair.

39  
40 CHAIRMAN WILDE: Mary.

41  
42 MS. GREGORY: Beverly s motion died for  
43 lack of a second because you told her you wanted to speak  
44 before she made a motion.

45  
46 CHAIRMAN WILDE: Bob.

47  
48 MR. ALOYSIUS: It s my understanding we  
49 have a motion on the floor. He only rescinded the vote  
50 that was taken before the completion of the process,

1 right? Do we still have a motion on the floor?

2

3 MR. ROCZICKA: Mr. Chairman, if I may  
4 respond to Bob. The motion to rescind did pass. However,  
5 after we got back we got to the final point where we re  
6 at, Council deliberation, Beverly made a motion to  
7 support the proposal, Robert Nick seconded, but I don't  
8 know if the Chair recognized it or not. There was a  
9 motion made and seconded to support.

10

11 CHAIRMAN WILDE: There's a motion on the  
12 floor to support this proposal.

13

14 MS. GREGORY: (In Yup'ik)

15

16 INTERPRETER: This proposal that we just  
17 discussed there was no action on this proposal, otherwise  
18 I would have put it on our action sheet that it was  
19 modified or justified. I think when we do that we'll put  
20 it in and add it on and no such thing happened.

21

22 MS. HOFFMAN: Mr. Chairman, my motion was  
23 to support it with a modification of the Staff  
24 recommendation. They clarified it in their Staff  
25 recommendation and that's what my motion was for, to  
26 support it with their modification.

27

28 MR. ALOYSIUS: Mr. Chairman, was there a  
29 second to Beverly's motion?

30

31 CHAIRMAN WILDE: Bob, it was seconded.  
32 John.

33

34 MR. HANSON: Thank you, Mr. Chairman. I  
35 think we've talked enough on this proposal. Earlier I  
36 said I support the proposal. I think I'll call for a  
37 question.

38

39 CHAIRMAN WILDE: There was a motion and a  
40 second and now we deliberated this and the question has  
41 been called for. I'm going to request for roll call.

42

43 MS. GREGORY: Harry Wilde.

44

45 CHAIRMAN WILDE: Yeah.

46

47 MS. GREGORY: John Hanson.

48

49 MR. HANSON: Yeah.

50

1 MS. GREGORY: Myself. Yes. Karl Powers.  
2  
3 (No response)  
4  
5 MS. GREGORY: Nick Andrew.  
6  
7 MR. ANDREW: Yes.  
8  
9 MS. GREGORY: Greg Oney.  
10  
11 MR. ONEY: Yes.  
12  
13 MS. GREGORY: Robert Nick.  
14  
15 MR. R. NICK: Yes.  
16  
17 MS. GREGORY: Phillip Moses.  
18  
19 MR. MOSES: Yes.  
20  
21 MS. GREGORY: Joseph Mike.  
22  
23 MR. MIKE: Yes.  
24  
25 MS. GREGORY: Greg Roczicka.  
26  
27 MR. ROCZICKA: Yes.  
28  
29 MS GREGORY: Bob Aloysius.  
30  
31 MR. ALOYSIUS: Yes.  
32  
33 MS. GREGORY: Beverly Hoffman.  
34  
35 MS. HOFFMAN: Yes.  
36  
37 MS. GREGORY: Mr. Chairman, the vote is  
38 unanimous. Eleven ayes, two absent.  
39  
40 CHAIRMAN WILDE: The motion carried.  
41 Next on our agenda is Proposal 3, limit gillnets with 6-  
42 inch or larger mesh to 35-mesh maximum depth. You ll  
43 find this on Page 71 on your booklet. John.  
44  
45 MR. HANSON: Move to adopt Proposal 3.  
46  
47 MR. ALOYSIUS: Second.  
48  
49 CHAIRMAN WILDE: I think we have to go  
50 through a procedure before we adopt.

1 MS. HOFFMAN: Mr. Chair, I agree with  
2 you. We went into discussion before we heard everybody's  
3 presentation on the matters. I agree.

4  
5 CHAIRMAN WILDE: We're going to have five  
6 minutes break.

7  
8 (Off record)

9  
10 (On record)

11  
12 CHAIRMAN WILDE: We're going to start the  
13 meeting. We're down in Proposal 3, limit gillnet with 6-  
14 inch or larger mesh to 35-mesh maximum depth. You see  
15 this on your booklet, Page 71. I'm going to ask for  
16 presentation. Who will be the presenters.

17  
18 MR. UBERUAGA: Thank you, Mr. Chair.  
19 Members of the Council. This proposal was submitted by  
20 the Eastern Interior Regional Subsistence Advisory  
21 Council and it requests that in the Yukon River drainage  
22 all gillnets with greater than 6-inch mesh may not be  
23 more than 35 meshes in depth. This would apply to  
24 gillnets used in either the subsistence or commercial  
25 fisheries.

26  
27 There is currently no restriction in  
28 either Federal or State law concerning gillnet mesh depth  
29 for subsistence fishermen. Mesh depth may be restricted,  
30 however, during in-season for conservation purposes.  
31 State commercial fishing regulations specify that  
32 gillnets with greater than 6-inch mesh may not be more  
33 than 60 meshes in depth in Yukon subdistricts 4 through 6  
34 and no more than 45 meshes in depth in Yukon districts 1  
35 through 3.

36  
37 Local knowledge supports the contention  
38 that the larger, older female Chinook salmon have a  
39 tendency to run deeper in the river channels. Deeper  
40 gillnets usually catch more Chinook salmon, usually in  
41 the bottom half of the net, but there is no conclusive  
42 scientific evidence that female Chinook salmon are  
43 harvested at a greater rate than the male salmon.

44  
45 The low numbers of the larger females  
46 that are being seen is a concern to many users along the  
47 Yukon River. The belief is that these larger, older  
48 Chinook salmon, usually the females, are decreasing in  
49 number and are disappearing and some escapement projects  
50 in the drainages have found imbalanced sex ratios with

1 low percentages of females appearing.

2

3 About five years ago in February of 1998  
4 the U.S./Canada Joint Technical Committee reviewed the  
5 availability of age-sex-length information for the Yukon  
6 River salmon to see if they could show whether a decrease  
7 in size had occurred and their conclusion was the  
8 available data did not indicate a sustained change in  
9 fish size.

10

11 In response to the concern of these low  
12 number of large female Chinook on the spawning grounds  
13 and possible unbalanced sex ratios, the Office of  
14 Subsistence Management, Fisheries Information Services  
15 branch, began in investigation to look at the age-sex-  
16 length, analyzing the available data for Yukon River  
17 Chinook salmon.

18

19 This analysis is occurring right now and  
20 should be available to the Councils this winter with an  
21 examination of spawning escapement data from tributaries  
22 looking at whether or not this change in length has  
23 occurred. This information will likely be presented to  
24 you at the winter meeting by the FIS branch.

25

26 Adopting this proposal would create a  
27 divergence between current State and Federal regulations,  
28 making the Federal regulations more restrictive than the  
29 current State subsistence and commercial regulations.  
30 Management and enforcement of such a fishery would be  
31 problematical and require a great deal of outreach and  
32 education.

33

34 This proposal would require some  
35 subsistence fishermen to shorten their nets and also  
36 require that they fish longer to get the fish they need.  
37 Having uniform gillnet mesh depth throughout the river  
38 could result in different harvest efficiency rates among  
39 the different fishing districts since there are many  
40 differences between districts, such as fishing depth in  
41 the river channels between the districts.

42

43 To make the Federal subsistence  
44 regulations more restrictive than the State s subsistence  
45 and commercial regulations would seem inconsistent with  
46 the Federal Subsistence priority provided by ANILCA.

47

48 The preliminary Staff conclusion is to  
49 oppose this proposal and we look forward to hearing your  
50 comments in deliberation.

1 Mr. Chair.

2

3 CHAIRMAN WILDE: Thank you. Alaska  
4 Department of Fish and Game comments.

5

6 MR. BERGSTROM: Thank you, Mr. Chairman.  
7 This is Dan Bergstrom, Alaska Department of Fish and  
8 Game. This issue, as you know, has come up for the last  
9 couple of years about smaller - the observations in some  
10 areas that they think the number of larger kings is less  
11 than it used to be and it came up before the Alaska Board  
12 of Fisheries in January 2004. The Alaska Board of  
13 Fisheries did not adopt proposals to change the depth of  
14 nets and also they had a proposal to decrease mesh size  
15 to six-inch. They did not change that.

16

17 At the Board meeting, the Department and  
18 Yukon River Drainage Association decided they'd try and  
19 work together and collection information on existing gear  
20 types used and we support the analysis that FIS is doing  
21 to look into size of fish and we will also have more work  
22 done with that if necessary to try to determine exactly  
23 what the age-size structure has been in the spawning  
24 areas and whether there is a problem.

25

26 The Department would say that if in the  
27 future it was necessary to make a change in gear, that we  
28 would really want to work with the Yukon panel to have  
29 consistent gear in Canada too, otherwise making a major  
30 change might not even result in a change in the spawning  
31 areas if the Canadians did not change their gear type.

32

33 So basically that's where we're at. We  
34 don't have a stated position yet, but we feel it's too  
35 early. Oh, I guess one of the things here too, as  
36 Richard said, this would be only in applicable waters, so  
37 it would be potentially confusing along the river as you  
38 have State water and then other waters applicable to  
39 Federal regs there would be a lot of inconsistencies  
40 along the river. So, in the future, if there was any  
41 need to do this, it would be better to have a consistent  
42 regulation across the whole river.

43

44 CHAIRMAN WILDE: Thank you. Federal,  
45 State and Tribal agency comments.

46

47 MR. ROCZICKA: Mr. Chairman, can we ask a  
48 question.

49

50 CHAIRMAN WILDE: Yeah, go ahead.

1 MR. ROCZICKA: To either Dan or Rich.  
2 You mentioned that you re going to be trying to determine  
3 more on the size ratio of fish that you got through this  
4 ASL project you ve got going, but don t you have a pretty  
5 good idea from your escapement projects, weirs and so  
6 forth, on your male/female ratios? It sounds to me like  
7 you re saying you don t really have it.

8  
9 And then getting information on the  
10 larger fish you were trying to identify whether females  
11 were being affected, but you should have that information  
12 and those observations from the weirs, don t you?

13  
14 Do you have anything you can offer us  
15 along those lines as far as the female escapement or the  
16 male/female ratio through your weirs? I ve been there,  
17 so I can look at a king, chum, red or silver and know  
18 whether it s a male or female just by glancing at it  
19 after you ve sat in a weir for a few days.

20  
21 MR. BERGSTROM: That's a good question.  
22 It's pretty complicated in the Yukon with the king salmon  
23 run and escapement. We have some spawning areas, like  
24 Chena and Salcha, where we have a pretty high ratio of  
25 female to males there. It probably averages at least  
26 around 40 percent being female. We figure that s about  
27 normal for king salmon being that there are years where  
28 there s fair numbers of four-year-olds that return and  
29 they re all males, so you re generally not going to see a  
30 50/50 ratio. If there was no fishery even, there d be  
31 more males than females generally.

32  
33 We have seen fewer percentages of females  
34 in lower river systems, but we ve seen that for probably  
35 20 years and we don t know if that s just kind of a  
36 normal biological thing there that they don t produce as  
37 many females, that they come back at a younger age. And  
38 then in Canada we have really no information from  
39 spawning areas there as to what the age-sex-size is, so  
40 that s been a real complication in trying to look over  
41 time and see if there s been a change because there s  
42 very little information up there.

43  
44 One of the main things we have seen  
45 though is the number of seven-year-olds in the harvest  
46 has gone down, but we re not exactly sure yet why. It  
47 could be that it is the harvest, but that s still a  
48 determination of what would you do about that.

49  
50 MR. ROCZICKA: Thank you.

1 CHAIRMAN WILDE: John Hanson.

2

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

4 Yeah, Dan, this proposal has come up I don't know how  
5 many times now. You know you were in Emmonak and the big  
6 boss of ADF&G there when they switched to 6-inch, your  
7 dropout rate on females on king salmon is extremely high.  
8 We've told Fish and Game when we meet with them, we told  
9 them you switch from 8-inch to 6-inch, your dropout rate  
10 on a 6-inch net is more than what you catch in an 8-inch  
11 mesh because every summer we used to see king salmon  
12 float on the Yukon.

13

14 If this proposal passes, it may not pass  
15 this group here. Maybe it will pass the Federal Board.  
16 If it passes, we're damaging salmon, king salmon, putting  
17 a 6-inch mesh during the king salmon run. It's not going  
18 to improve. No king salmon going up whatsoever. I've  
19 said this for 25, 30 years to the Department.

20

21 Finally, a couple years ago, the ADF&G in  
22 Emmonak decided, well, I guess they're right when they  
23 say the dropout rate is extremely high on a 6-inch for  
24 king salmon. And the people that fish for king salmon, I  
25 used 8-inch all the time, even for subsistence, because I  
26 know when I check chum gear and there's kings running, a  
27 lot of them just drop out before I even get to them.  
28 They don't tangle up. They just get caught on their  
29 teeth and if you're drifting with chum gear, a lot of  
30 kings just fall off and then later on they start  
31 floating.

32

33 So I don't think this proposal is any  
34 good to the lower part of the Yukon. Maybe it's good for  
35 the upper part. Then they can blame themselves that the  
36 dropout rate will be high.

37

38 MR. BERGSTROM: Mr. Chairman. I just  
39 wanted to make it clear that at that board meeting they  
40 talked about 6-inch and they talked about shortening the  
41 depth of gillnets and this proposal here is just the  
42 depth, so it's not changing the mesh size to 6-inch, not  
43 having large mesh, it's changing the large mesh nets.

44

45 CHAIRMAN WILDE: Bob.

46

47 MR. ALOYSIUS: I was just going to  
48 reiterate what he said because we're talking about depth  
49 of the net, not the size of the mesh.

50

1 CHAIRMAN WILDE: John Hanson.

2

3 MR. HANSON: Thank you, Mr. Chairman.  
4 The size of mesh, if they want us to cut the depth of our  
5 8-inch or the 6-inch is about 35 mesh on chum, that's  
6 what we have on the Yukon, even on king salmon net we  
7 have 45 mesh. I've never seen more than 35 mesh in chum  
8 there. Maybe a few have, but I don't go up past Emmonak  
9 to drift, so I wouldn't know. But if they want us to cut  
10 out gear, they better get us the right size mesh, the  
11 right depth and send it to us because we ain't going to  
12 pay the money to cut our gear. We'll just leave it at  
13 that.

14

15 MS. HOFFMAN: Mr. Chair.

16

17 MR. UBERUAGA: Mr. Chair. I'd like to  
18 make one comment. I may have overlooked a little bit of  
19 YRDFA's efforts. They're very concerned with this issue.  
20 This year they started a study of information and  
21 education and working with the various fishermen along  
22 the river and they want to look at the whole river with a  
23 river-wide approach and try to look if there's any  
24 indication of the fish size going down or the number of  
25 large fish disappearing. So they've started a gear  
26 study, interviewing many people, trying to get the big  
27 picture look of what is being fished in the various  
28 districts in the river and they're working closely with  
29 the Department on this. Their intention is that once  
30 they get enough of this information, they're going to  
31 again look at why is the fish size changing and how can  
32 they go about improving the situation to make more larger  
33 fish make it to the spawning grounds. I believe that's  
34 going to be a couple years of study before they get  
35 something conclusive on all the different districts and  
36 what people are really using.

37

38 That's all. Thank you.

39

40 CHAIRMAN WILDE: John Hanson.

41

42 MR. HANSON: Thank you, Mr. Chairman.  
43 Well, I think before we start getting into this one,  
44 we've got to look at last summer. Last summer the  
45 Department of Fish and Game said lots of chums. Well,  
46 there wasn't lots of chums and we're not the cause of it  
47 on the lower part. We have nothing to do with the chum  
48 runs. Once they enter, we just take what we need for  
49 subsistence and then the rest, more than half, just pass,  
50 but it didn't happen last summer. So I think this

1 proposal here is a ridiculous proposal to do now with the  
2 shortage of chums that came into the Yukon, both summer  
3 and fall chums and cohos, which we use for 6-inch.

4

5 MR. UBERUAGA: I would just respond that  
6 this proposal only addresses mesh greater than six  
7 inches. In other words, 8-inch, 8-1/4, 8-1/2 inch mesh.  
8 It does not address 6-inch mesh depth.

9

10 Thank you.

11

12 CHAIRMAN WILDE: Beverly.

13

14 MS. HOFFMAN: But you oppose the  
15 proposal, both the State and the Federal, is that  
16 correct?

17

18 MR. UBERUAGA: Yes, that s correct. We  
19 oppose this proposal primarily because it is more  
20 restrictive regulation than currently allowed under State  
21 regulations.

22

23 MR. BERGSTROM: We have it down as it s  
24 impractical due to it s patchwork of - you d have  
25 different gear along the river. It doesn t seem  
26 appropriate.

27

28 MS. HOFFMAN: So you're in agreement with  
29 John.

30

31 (Mr. Uberuaga and Mr. Bergstrom nod  
32 affirmatively)

33

34 CHAIRMAN WILDE: Ray.

35

36 MR. ONEY: Mr. Chairman, I just wanted to  
37 clarify. I think there's a section on there where we  
38 have comments from the Council. I think that s the  
39 reason why we re taking up so much time. We re  
40 commenting. I think we should address our questions to  
41 the presenters. That way we could speed up the process.  
42 I think there s a section where the Board can comment  
43 after we hear whoever is here to comment on the proposal.

44

45 Thank you, Mr. Chairman.

46

47 CHAIRMAN WILDE: We re on number three,  
48 Federal, State and Tribal agency comments. Do we have a  
49 tribal here?

50

1 (No comments)

2

3 CHAIRMAN WILDE: If none, we go to the  
4 next one, Interagency Staff Committee comments.

5

6 MR. CHEN: Thank you, Mr. Chairman.  
7 Glenn Chen for the Interagency Staff Committee. At this  
8 time we have no additional information or comments on  
9 this particular proposal.

10

11 Thank you.

12

13 CHAIRMAN WILDE: Any questions.

14

15 (No comments)

16

17 CHAIRMAN WILDE: If none, we'll go to  
18 Fish and Game Advisory Committee comments for this  
19 proposal. Ray.

20

21 MR. ONEY: Mr. Chairman. I sit on the  
22 Lower Yukon Advisory Council. We had a teleconference on  
23 this, I believe, about two weeks ago or so. The majority  
24 of the people on the teleconference did oppose this  
25 proposal.

26

27 Thank you.

28

29 CHAIRMAN WILDE: Richard.

30

31 MR. UBERUAGA: Mr. Chair. At this time  
32 I would like to point out that the Eastern Interior  
33 Regional Advisory Council supported this proposal and the  
34 Western Interior Regional Advisory Council did not  
35 support this proposal.

36

37 Thank you.

38

39 CHAIRMAN WILDE: Summary of written  
40 public comment.

41

42 MR. A. NICK: Mr. Chairman, there is one  
43 summary of written public comment in opposition to the  
44 proposal. A large majority of the large Yukon king  
45 salmon swim well below the current 45 mesh deep nets.  
46 The lower Yukon River has a very deep channel and with  
47 the changing environment the kings are staying in the  
48 cool waters of the deep channels. Mr. Moses recommended  
49 paying attention to what is happening in the shallow  
50 waters further up the Yukon River. This comment is from

1 Mike Moses of Mountain Village. That s the extent of the  
2 written public comments.

3

4 CHAIRMAN WILDE: Public testimony. Do we  
5 have public testimony on this proposal. Next time if  
6 you're going to give testimony you have to fill out this  
7 green testimony paper.

8

9 MR. SANDERS: I apologize for that. This  
10 is my first meeting of this sort and I came in late.  
11 I ll try and do better next time.

12

13 I d like to speak to my own commercial  
14 fishing experiences on the Lower Yukon regarding nets  
15 like this. I do this because this proposal seems to be  
16 lacking in all science, so it seems like getting opinions  
17 of people that are using fishing nets and fishing and  
18 their experience is probably relevant to your decision-  
19 making.

20

21 I fish over there mostly in Upper Y1 and  
22 Lower Y2 and I ll tell you about my commercial fishing  
23 experiences even though I know you re talking about  
24 subsistence just because it s been more fishing time,  
25 more effort, I ve seen more fish. I ve caught three  
26 large salmon in 23 years and I think the issue here is  
27 age class. I suspect they were eight-year-old fish  
28 because all of them were 65 pounds.

29

30 When you get a fish like that, if you  
31 have or haven't, you can think about it by pulling coins  
32 out of your pocket. The scales on a fish like that are  
33 about the size of a quarter. The pupils in the eyeball  
34 are about the size of a dime. The nostrils about the  
35 size of a nickel and there's a thing on the edge of their  
36 mouth that looks kind of like a mustache but it s a piece  
37 of bone. That s where you catch those fish in a 6-inch  
38 net.

39

40 By the way, that s how I caught all of  
41 those. They were all caught in 6-inch gear and they were  
42 all caught in shallow water. They were caught in shallow  
43 water with deep 6-inch gear with 60 mesh and they were  
44 all caught by that bone that hangs off the end of their  
45 mouth and they were well caught. There was no danger  
46 those fish were going to drop out of my 6-inch net.

47

48 I know you re not talking about 6-inch  
49 gear. I know you re talking about unregulating gear or  
50 gear over 6-inch, but I m just trying to talk to you

1 about what I see as how gillnets catch fish. It s ironic  
2 that the net that caught the fish is probably the next  
3 step that people would want to regulate this fishery for  
4 conservation that they d be taking. They d say well why  
5 not limit it to 6-inch gear.

6  
7                   If you re trying to save rare seven and  
8 eight-year-old fish, 6-inch gear actually targets them in  
9 my opinion because a 65-pound fish, the operculum or the  
10 gill cover plate that your gillnet is designed to catch  
11 fish on, they can t fit in that because you're using a  
12 net that's 8-1/2, 8-5/8ths stretch for that fish to get  
13 his head in there. Where you catch that fish with small  
14 gear is you catch him right on that bone on the side of  
15 his mouth.

16  
17                   When we get to the kind of gear you re  
18 talking about, the gear that s unrestricted, the gear  
19 that s 8-1/2, 8-5/8ths, my observation is I've been able  
20 to catch large king salmon up to 40 pounds in  
21 unrestricted gear. I ve been able to catch them in  
22 shallow water, I ve been able to catch them in deep  
23 water. The shallow water spots I think to subsistence  
24 fishermen are well known because there s not many of them  
25 where you can actually access large quantities of king  
26 salmon in shallow water. Usually they re in a place  
27 where fish are confused because two channels are coming  
28 together and maybe the fish don t know which one to swim  
29 up. And they re limited, but subsistence fishermen know  
30 where these places are.

31  
32                   When you re commercial fishing, you have  
33 a difficult time and you have to be kind of sneaky about  
34 it if you re catching fish in a shallow area like this  
35 because people will see you doing it, of course, and  
36 they ll come over and help you and share the fish with  
37 you.

38  
39                   The point I m trying to make is that I ve  
40 seen equal numbers of small fish, small king salmon and  
41 big king salmon in shallow water just as well as I ve  
42 seen them in deep water. I think that passing a proposal  
43 like this, if it s intent is to bring back the vanishing  
44 older age classes, the seven and eight-year-old fish, it  
45 does not accomplish that. It inconveniences fishermen  
46 for no reason. It regulates fishermen, which needs to be  
47 done from time to time, but it regulates fishermen with  
48 no benefit to the fishery. No benefit to the upriver  
49 fishermen, no benefit to the resource, no proven benefit.  
50 It would be a guess. Maybe there would be a benefit, but

1 my experience has been that I catch equal numbers of  
2 small and large king salmon in shallow king salmon gear  
3 and in deep king salmon gear. Any question.

4

5 CHAIRMAN WILDE: Thank you. Before we go  
6 into Regional Council deliberation, recommendation and  
7 justification, I'd like to recognize and introduce one of  
8 our special guests from Anchorage, Tom Boyd. Will you  
9 tell the Council and the audience what you do in the  
10 Federal.

11

12 MR. BOYD: Thank you, Chairman Wilde and  
13 members of the Council. I'm honored to be here. As  
14 usual during the Council meeting cycle I try to get out  
15 to several of the Council meetings. This will be my  
16 third during this meeting cycle. It's always good to do  
17 that for me because I can then stay informed about what's  
18 going on, what you're thinking about and what your  
19 reasons are for your recommendations.

20

21 In my role, you asked me to explain that,  
22 the title is Assistant Regional Director for Subsistence  
23 Management. I basically oversee the Office of  
24 Subsistence Management, which coordinates the Federal  
25 Subsistence program with the other agencies. Of course,  
26 my office is staffed by a number of people that you have  
27 here today that help the Councils with the technical  
28 information, such as what Richard has been providing, as  
29 well as the support for the Council operation. So  
30 everything we do is geared towards supporting the  
31 Regional Advisory Councils. Again, it's a pleasure for  
32 me to be here.

33

34 Thank you for recognizing me, Mr. Chair.

35

36 CHAIRMAN WILDE: Thank you, Tom, and glad  
37 to have you. Now I'd like to make room for my brother as  
38 one of the Council.

39

40 MR. L. WILDE: Sorry for being late, Mr.  
41 Chairman.

42

43 CHAIRMAN WILDE: Glad to have you Lester.  
44 We're on Proposal 3 and we're on Regional Council  
45 deliberation and recommendation.

46 Greg.

47

48 MR. ROCZICKA: Thank you, Mr. Chairman.  
49 Everything I've seen and heard regarding this proposal  
50 leads me at this time that it would be premature for us

1 to take any action as far as supporting it. I see that  
2 YRDFA has it as a front issue that they re dealing with  
3 and I d certainly defer to people who fish there and come  
4 from that area, that they re the best ones to deal with  
5 that and come forward with a recommendation or a proposal  
6 to the Council or OSM. That being said, I would move at  
7 this time to concur with Staff recommendation and the  
8 overwhelming public comments that we ve been given to  
9 oppose this proposal. So move.

10

11 CHAIRMAN WILDE: Beverly.

12

13 MS. HOFFMAN: Okay, I'll second that.

14

15 MR. A. NICK: Mr. Chair, I just want  
16 clarification from Greg. Your motion is to oppose  
17 Proposal 3. Is that my understanding? I couldn t hear  
18 you too well from over here.

19

20 MR. ROCZICKA: That is correct.

21

22 MR. ALOYSIUS: Mr. Chairman.

23

24 CHAIRMAN WILDE: Bob.

25

26 MR. ALOYSIUS: It s not appropriate to  
27 make a negative motion. You have to make a positive  
28 motion. We ran into that problem many times before. I  
29 would recommend that you make a positive motion and then  
30 vote against it.

31

32 MR. ROCZICKA: Point well taken, Mr.  
33 Aloysius. I will therefore amend my motion to say that I  
34 would move for adoption of this proposal and I am going  
35 to recommend voting against support.

36

37 CHAIRMAN WILDE: So you made a motion?

38

39 MR. ROCZICKA: My motion, I consider it a  
40 friendly amendment at this time that it s a motion to  
41 support the proposal, but referring back to my earlier  
42 comments, even though I m moving to support it, I m going  
43 to vote against it.

44

45 MR. A. NICK: Mr. Chair. Greg, I think  
46 proper procedure would be to either pull your motion or  
47 rescind your original motion and then make a new one.

48

49 MR. ROCZICKA: For procedure, I will  
50 withdraw my motion with concurrence of the second.

1 MS. HOFFMAN: I concur.  
2  
3 MR. ROCZICKA: Mr. Chairman. Move to  
4 support Proposal No. 3.  
5  
6 CHAIRMAN WILDE: There s a motion on the  
7 floor by Greg to accept No. 3. Is there a second.  
8  
9 MS. HOFFMAN: I ll second it.  
10  
11 CHAIRMAN WILDE: Beverly seconded it.  
12 Any discussion.  
13  
14 MR. R. NICK: Thank you. We understand  
15 now I think that Staff is in opposition to Proposal No.  
16 3. I think the overriding reason given by.....  
17  
18 MR. UBERUAGA: Richard Uberuaga.  
19  
20 MR. R. NICK: Yeah. This proposal, if  
21 adopted, would make Federal subsistence regulation more  
22 restrictive than State regulation. So I think this is  
23 one time I agree wholeheartedly with Staff recommendation  
24 of the Office of Subsistence Management. I do this as a  
25 supporter and a promoter of the rural subsistence  
26 priority. If the issue comes up again, approval of this  
27 proposal will have a negative effect as it would be more  
28 the State s proposal. So I would vote against the motion  
29 to approve the proposal.  
30  
31 CHAIRMAN WILDE: Beverly.  
32  
33 MS. HOFFMAN: I wanted to call the  
34 question.  
35  
36 MS. GREGORY: (In Yup'ik)  
37  
38 INTERPRETER: Mr. Chairman. Before we  
39 vote, Greg voted to support.  
40  
41 MS. GREGORY: I just explained how we re  
42 going to vote. A yes vote means to adopt it and a no not  
43 to accept it.  
44  
45 CHAIRMAN WILDE: I would request a roll  
46 call.  
47  
48 MS. GREGORY: Beverly Hoffman.  
49  
50 MS. HOFFMAN: No.

1 MS. GREGORY: Bob Aloysius.  
2  
3 MR. ALOYSIUS: No.  
4  
5 MS. GREGORY: Greg Roczicka.  
6  
7 MR. ROCZICKA: No.  
8  
9 MS. GREGORY: Joseph Mike.  
10  
11 MR. MIKE: No.  
12  
13 MS. GREGORY: Lester Wilde.  
14  
15 MR. L. WILDE: No.  
16  
17 MS. GREGORY: Phillip Moses.  
18  
19 MR. MOSES: No.  
20  
21 MS. GREGORY: Robert Nick.  
22  
23 MR. R. NICK: No.  
24  
25 MS. GREGORY: Ray Oney.  
26  
27 MR. ONEY: No.  
28  
29 MS. GREGORY: Nick Andrew.  
30  
31 MR. ANDREW: No.  
32  
33 MS. GREGORY: Myself. No. John Hanson.  
34  
35 MR. HANSON: No.  
36  
37 MS. GREGORY: Harry Wilde.  
38  
39 CHAIRMAN WILDE: No.  
40  
41 MS. GREGORY: Twelve nays. One absent.  
42  
43 CHAIRMAN WILDE: This proposal is not  
44 supported by Yukon-Kuskokwim Regional Advisory Council.  
45  
46 Next on our agenda Proposal 04, expand  
47 the use of drift gillnets in the Yukon River Subdistricts  
48 to include 4-B and 4-C, and District 5. Council, you ll  
49 find this in your booklets Page 81.  
50

1                                   Go ahead, Richard.

2

3

4                                   MR. UBERUAGA: Thank you, Mr. Chair.  
5 Members of the Council. As Harry mentioned, Page 81 in  
6 the Council book you ll find the analysis. This proposal  
7 was submitted by the Western Interior Regional  
8 Subsistence Advisory Council and would expand the use of  
9 drift gillnets in Yukon Subdistricts 4-B, 4-C and 5.

9

10

11                                   The proposal specifies that drift  
12 gillnetting time would be no more than is allowed in the  
13 Lower Yukon River. Drift gillnetting would be allowed  
14 during two 36-hour period within the current subsistence  
15 fishing schedule in those subdistricts. Drift gillnets  
16 in these areas would be no more than 35 meshes deep and  
17 no more than 150 feet in length.

17

18                                   There is some documentation of historical  
19 subsistence drift gillnetting in some areas of the Upper  
20 Yukon River. Legislative background on the congressional  
21 intent of ANILCA does describe how changes in technology  
22 and techniques for subsistence use could be allowed.

22

23

24                                   Subsistence users were allowed to  
25 continue to use drift gillnets throughout the Yukon River  
26 until 1977. In December of 1976, the Alaska Board of  
27 Fisheries prohibited use of drift gillnets in subsistence  
28 fishing subdistricts 4 through 6 based on actions taken  
29 by the Alaska Board of Fisheries in 1981 and 1995,  
30 subsistence drift gillnets were allowed back in to Yukon  
31 subdistrict 4-A.

31

32

33                                   Over the years there have been numerous  
34 proposals to re-open subsistence drift gillnetting in the  
35 Upper Yukon. The current proposal before you is  
36 different than all prior proposals. Fairness in the  
37 subsistence drift gillnet fishing time in the Yukon  
38 drainage is a feature of this proposal in that it would  
39 allow the middle Yukon River to use gear types that has  
40 been used for decades elsewhere.

40

41

42                                   This proposal would provide the same  
43 amount of drift gillnet fishing time to those middle and  
44 Upper Yukon users as is already provided in the Lower  
45 Yukon River. This proposal would restrict both the  
46 length and depth of drift gillnets. Allowing the drift  
47 gillnets in these areas of the middle and Upper Yukon  
48 would not likely increase the overall harvest  
49 substantially. It s expected that the limited number of  
50 good, snag-free sites will further limit their use.

1                   Upper Yukon subsistence users have voiced  
2 their concerns for many years that they are either having  
3 a harder time meeting their needs or that they have not  
4 been meeting their needs. The prescribed use of drift  
5 gillnets may help to alleviate some of these concerns.  
6

7                   Very briefly, I would like to mention  
8 some of the concerns that have been identified by our  
9 staff and others. This proposal would require land  
10 managers to maintain seven pairs of regulatory markers by  
11 four different land managers. Adopting this proposal  
12 would require separate in-season Federal news releases.  
13 Administratively implementing Federal permit requirements  
14 would also be required with an additional effort and  
15 possibly resulting in confusion and duplicative efforts.  
16 This additional confusion could cause additional law  
17 enforcement concerns and issues.  
18

19                   This proposal would produce blocks of  
20 mixed Federal/non-Federal waters with different gear  
21 regulations. Residents of some communities, such as  
22 Tanana, Ramparts and Circle and Eagle, would all have to  
23 commute to participate in the drift fisheries. Finally,  
24 potential increases in harvest could create a  
25 reallocation within some Yukon fisheries.  
26

27                   The Staff s preliminary conclusion is to  
28 support this proposal with modification. Dates for drift  
29 gillnetting are suggested. It is suggested that drift  
30 gillnetting be provided in 4-B, 4-C and 5-D. We look  
31 forward to hearing your input into this issue and  
32 proposal.  
33

34                   Thank you, Mr. Chair.

35                   CHAIRMAN WILDE: Lester.

36                   MR. L. WILDE: When you stated that you  
37  
38                   MR. L. WILDE: When you stated that you  
39 would recommend it with modifications, what were the  
40 modifications that you would recommend?  
41

42                   MR. UBERUAGA: Those modifications are in  
43 your proposal on the back of that on Page 94. It  
44 provides specific dates of modification to allow the  
45 drift gillnetting to continue. June 10th, July 14th and  
46 only in Subdistrict 5 it would be either June 20th through  
47 July 31st. Also in Subdistrict 5-D there would be one 72-  
48 hour period at the end of the week. I ll have more a  
49 little bit later on proposed modifications by the other  
50 Councils. Western Interior made some proposed

1 modifications and I can discuss those later or now.

2

3 CHAIRMAN WILDE: You could now.

4

5 MR. UBERUAGA: Instead of two 36-hour  
6 periods at the end of the subsistence windowed fishing  
7 period, they recommended 18-hour periods and they also  
8 recommended specific dates to allow for Chinook salmon up  
9 to July 14th, after which there'd be a closure, no drift  
10 gillnetting would be allowed, and then on August 2nd they  
11 would be allowed to drift again for chum salmon within  
12 those 18-hour periods at the end of the window.

13

14 Thank you.

15

16 MR. L. WILDE: Thank you.

17

18 CHAIRMAN WILDE: John Hanson.

19

20 MR. HANSON: Thank you. Okay, 4-A,  
21 upstream from the mouth of Stink River, you mean they  
22 want to drift 150-fathom nets? That s what it says here.

23

24 MR. UBERUAGA: 150 feet is the correct  
25 length of net.

26

27 MR. HANSON: 150 feet in length. Yeah,  
28 it s not fathoms. On the Lower Yukon, they drift 50-  
29 fathom nets and that s three 50-fathoms. One 50-fathom  
30 is how long?

31

32 MR. UBERUAGA: This is 150 feet long net.

33

34 MR. R. NICK: Which is 25 fathoms.

35

36 MR. UBERUAGA: Yeah, 25 fathoms long.

37

38 MR. HANSON: Okay.

39

40 CHAIRMAN WILDE: Greg.

41

42 MR. ROCZICKA: Mr. Chairman. Richard, in  
43 their proposal the closure period that they have proposed  
44 from July 14th to August 2nd, is that to protect the  
45 Canadian-bound stocks that have been determined to be in  
46 that area during that time period for Chinook?

47

48 MR. UBERUAGA: I m not exactly sure,  
49 Greg, but I would suspect that s the case.

50

1 MR. ROCZICKA: Perhaps Mr. Bergstrom has  
2 some insight into that.

3  
4 MR. BERGSTROM: Dan Bergstrom wasn't  
5 paying attention, sorry.

6  
7 MR. ROCZICKA: In this proposal, they  
8 have July 14th through August 2nd where it would be a  
9 complete closure and I m wondering if they did that  
10 specifically to protect the Canadian-bound stocks of  
11 Chinook that may be in that area or predominantly thought  
12 to be in the area on their way to the Canadian spawning  
13 areas during that time.

14  
15 MR. BERGSTROM: Yeah, that wouldn't  
16 protect Canadian at all. They'd be the ones targeted  
17 earlier in the run. In that time frame, they'd be kind  
18 of missing maybe a little bit of the end of the kings and  
19 it's kind of a slow time between kings and fall chum that  
20 the fishing would be closed, so it's mostly the slow  
21 time.

22  
23 CHAIRMAN WILDE: Alaska Department of  
24 Fish and Game comment.

25  
26 MR. BERGSTROM: Our comments are  
27 basically towards the original proposal. It's kind of a  
28 moving target in a sense because the Western Interior RAC  
29 is kind of suggesting modifications, I guess.

30  
31 First off, the Federal Subsistence Board  
32 and the Alaska Board of Fisheries carefully considered  
33 similar proposals this last year. The Federal Board in  
34 December, I think, 2003 and the State Board in 2004  
35 January and did not adopt this type of proposal. They  
36 opposed it. There's nothing new that we see in this  
37 analysis that provides a clear rationale it was any  
38 different than the previous proposal to adopt this  
39 proposal and particularly in the original proposal for a  
40 much larger geographic area.

41  
42 As far as fishing time goes, the current  
43 regulations are based on traditional fishing patterns and  
44 the gear types used, so the subsistence fishing time is  
45 based on a historical fishing time and the gear types  
46 utilized and that's all the fishing time they  
47 traditionally have and the Upper Yukon is based on those  
48 traditional gear types. So once you change gear types  
49 and probably to a more efficient one, fisheries managers,  
50 we think in this analysis, should be considering whether

1 you need to decrease overall subsistence fishing time to  
2 account for the increased deficiency if this proposal was  
3 passed.

4  
5                   There are some comments in the analysis  
6 about meeting needs of subsistence fishermen. The  
7 Department is not aware of data indicating that  
8 reasonable opportunity and meaningful preference is not  
9 being provided under the current regulations. The  
10 primary reason subsistence harvests were lower in 1998 to  
11 2002 for some species was because of the low abundance of  
12 salmon, particularly fall chum salmon. When abundance  
13 was low like that, we had to close fisheries and  
14 obviously harvests were lower. It wasn't a gear type of  
15 issue.

16  
17                   We would like to say that a lot of this  
18 proposal seems to be geared towards king salmon. In the  
19 last four years we've had a good abundance of kings and  
20 three of the last four years we had the largest runs  
21 returning to Canada, so there's obviously a high  
22 abundance of fish available for harvest along the Yukon  
23 River all the way to Canada.

24  
25                   Though we've seen historically about 50  
26 percent of the Chinook salmon and 90 percent of the fall  
27 chum salmon subsistence harvest is already harvested  
28 under the existing regulations in this area in Districts  
29 4 and 5.

30  
31                   Next, it's equally likely that allowing  
32 new, very effective gear type in a patchwork of Upper  
33 Yukon River waters will increase user conflicts, not  
34 reduce them as the analysis suggests. Although use of  
35 drift gillnets may not increase the overall harvest of  
36 subsistence salmon, this gear type will change the  
37 composition of stocks harvested. Stationary set gillnet  
38 and fishwheel gear likely harvest more local Chinook  
39 stocks while the mobile drift gillnet gear will likely  
40 harvest more Canadian origin Chinook salmon. This  
41 observation is common traditional ecological knowledge  
42 along the Yukon River.

43  
44                   Drift gillnet gear also may shift the  
45 timing of the harvest to earlier in the run than the  
46 traditional gear types and that would also change the  
47 composition of the stocks harvested.

48  
49                   In summary, the State is very concerned  
50 about potential changes in stock composition of the

1 harvest taken with the new gear type and there could be  
2 potential user conflicts with the regulation is only  
3 applicable in a patchwork of Yukon River waters. There  
4 could be increased harvest and a potential negative  
5 impact to existing fisheries also noted in ANILCA, and  
6 there could be difficulties in meeting U.S./Canada Treaty  
7 obligations.

8  
9 The State has considerable experience in  
10 gear changes and changing allowable gear types can result  
11 in many unforeseen impacts, which this analysis fails to  
12 adequately address.

13  
14 Thanks.

15  
16 CHAIRMAN WILDE: Thank you. Tribal  
17 agency comments.

18  
19 MR. CHEN: Thank you, Mr. Chair. Members  
20 of the Council. My name is Glenn Chen. I m the  
21 subsistence branch manager for the Bureau of Indian  
22 Affairs.

23  
24 I d like to take this opportunity to  
25 assist the Yukon-Kuskokwim Delta Regional Advisory  
26 Council in the development of your recommendation to the  
27 Federal Subsistence Board on this proposal. I d like to  
28 opportunity to present more detailed information to this  
29 Council about this particular proposal. This information  
30 was provided at the Western Interior Regional Advisory  
31 Council meeting held in Anvik earlier this week, which I  
32 had the opportunity to attend.

33  
34 For the record, I d like to note that  
35 these comments represent those from the subsistence  
36 branch of the Bureau of Indian Affairs. As Council is  
37 well aware of and has been pointed out earlier, there are  
38 a number of issues regarding the proposal to allow the  
39 use of drift gillnets in the Yukon River upstream of  
40 Galena.

41  
42 I d like to offer some information about  
43 how the Western Interior Council addressed each of these.  
44 What is the need for this gear type as subsistence users?  
45 At present, two gear types are currently allowed in this  
46 part of the Yukon River and these would include set nets  
47 and fish wheels. The sites where these fishing methods  
48 can be used are limited and this is resulting in a lot of  
49 competition amongst subsistence users.

50

1                   This affects the fishing success of those  
2 users who don't have access to these good sites for set  
3 nets and fish wheels. Because drift gillnets aren't  
4 currently allowed in this part of the Yukon, some people  
5 have to make long boat trips downstream to areas where it  
6 is allowed and end up having to spend a lot of time and  
7 quite a bit of money in gas in order to harvest their  
8 subsistence salmon. There have been reports that people  
9 were having to spend over \$100 per trip on gasoline to  
10 catch enough salmon to feed their families.

11  
12                   With regard to conservation concerns, the  
13 Western Interior Council was very sensitive to the  
14 potential conservation concerns that their proposal may  
15 have on the salmon resources in the Yukon. This is why  
16 the Council placed limits on the lengths of the net and  
17 their maximum mesh depth, 150 feet in length, 35 mesh  
18 depth. Furthermore, the Council amended their proposal  
19 to significantly reduce the allowable fishing time for  
20 drift gillnets. It restricts their use only to the last  
21 18 hours that are open during the window periods.

22  
23                   Their amendment also placed seasonal  
24 restrictions that these nets can be used for both kings  
25 and chum. Some parts of the river in this area may be  
26 shallow enough so that these nets could fish all the way  
27 to the bottom. However, by limiting the time during  
28 which gillnets can be used, there will be substantial  
29 closed periods to allow for escapement of the larger,  
30 deeper-swimming females that spawn in Canada and other  
31 upstream areas.

32  
33                   So, again, the Council felt that closing  
34 and not allowing this gear type during the first part of  
35 the windows would allow an adequate escapement to occur.

36  
37                   There is the issue of potential increases  
38 in harvest. The Council felt that the most important  
39 factor that would reduce this potential is the  
40 availability of Federal waters in which this gear type  
41 could be used. The Council amended this proposal to  
42 include only Subdistricts 4-B and 4-C. They dropped  
43 Subdistrict 5 from their recommendation.

44  
45                   There are only 18 miles of Federal public  
46 waters in 4-B and 4-C and this would add only a small  
47 area to the hundreds of miles that are already open to  
48 the use of drift gillnets. Furthermore, as Mr. Uberuaga  
49 pointed out, not all of these 18 miles are suitable for  
50 drift gillnets, so the actual area fished will likely be

1 less.

2

3

4 The Council's recommendation to restrict  
5 the use of these drift gillnets to only the last 18 hours  
6 of the open window period should help to reduce the  
7 possibility for significant increases in salmon harvest.  
8 If we found, however, through monitoring that catch did  
9 increase substantially to the point where there are  
10 conservation concerns, then further modifications of the  
11 regulations could be enacted.

11

12

13 The Council expects that if there are any  
14 increases that these would be modest. If there is an  
15 increase in catch, it might indicate that existing  
16 regulations and limitations on suitable gear and suitable  
17 sites for fishing in this area may actually constitute  
18 restrictions on legitimate subsistence needs. In other  
19 words, if catch does increase, this might demonstrate  
20 that there are unmet needs under current regulations  
21 restricting fishing to only set nets and fish wheels.

21

22

23 How about the issue of user conflicts  
24 between those using other gear types. Under the  
25 Council's amended proposal, fishing would be open to  
26 people using set nets and fish wheels first. Gillnetters  
27 would have to wait before they could fish. Set netters  
28 and fish wheel users would also have quite a bit more  
29 time overall to fish compared to drift gillnetters. The  
30 Council then felt that these measures should address  
31 concerns about conflicts between users of different gear  
32 types.

32

33

34 On the issue of drift gillnets being a  
35 traditional gear type, there was oral information  
36 provided by subsistence users, as well as written reports  
37 from the U.S. Fish and Wildlife Service, which provide  
38 some evidence that drift gillnets have been used in the  
39 past for harvesting salmon in these parts of the Yukon  
40 River. In view of the Western Interior RAC, they felt  
41 this was a legitimate subsistence gear type.

41

42

43 Whether or not this proposal would result  
44 in unnecessary restrictions on other users, as discussed  
45 previously, the Council's amended proposal reduces the  
46 potential for increases in catch that could affect other  
47 users. Thus, any adjustments in catch allocation due to  
48 low returns or other factors should take into account the  
49 priority for subsistence users.

49

50

In summary, members of the Council, there

1 is quite a bit of evidence to support the Western  
2 Interior Subsistence Regional Advisory Council s  
3 proposal; that this gear type is needed to meet the  
4 subsistence needs of local residents, that the potential  
5 conservation concerns are addressed by the Council s  
6 amendments on gear restrictions and time limitations, and  
7 that their proposal would not unnecessarily restrict  
8 other users, nor interfere with the subsistence priority  
9 shared by all rural residents along the Yukon River.

10

11 I hope that the information that I ve  
12 presented to your Council will help in your upcoming  
13 deliberations on a recommendation to the Federal  
14 Subsistence Board. Quyana.

15

16 CHAIRMAN WILDE: Greg.

17

18 MR. ROCZICKA: Mr. Chairman. Glenn, I  
19 have a couple questions here and maybe a clarification.  
20 First off, the third bullet on potential increases in  
21 harvest, you have that the Western Interior dropped  
22 Subdistrict 5-B because of actions by the Eastern  
23 Interior RAC. I m wondering what those actions were that  
24 caused that.

25

26 MR. CHEN: Mr. Chair. Mr. Roczicka, I did  
27 not attend the Eastern Interior meeting in Eagle, but  
28 it s my understanding from talking to OSM staff that the  
29 Council did reject this proposal and the Western Interior  
30 Council thus decided to remove Subdistrict 5 from the  
31 proposal and restrict this regulation only to their  
32 region.

33

34 MR. ROCZICKA: If I could continue, I  
35 just want clarification on a couple points. Also,  
36 whether or not it's a traditional gear type, your second  
37 to the last bullet there, it references like there s very  
38 sketchy information, but yet I go through the background  
39 of this State regulatory history and the Federal  
40 regulatory history and the gear used in the Yukon River  
41 going back as far as '66 and '77, it appears to be a  
42 commonly used gear type and it was actually removed by  
43 regulation.

44

45 Again, I m not sure how the Federal  
46 Subsistence Board does their customary and traditional  
47 use determinations, but I had to deal with it on several  
48 occasions for game species over the years and one of the  
49 main caveats in there was that if that use was disrupted  
50 through regulatory action or something that was beyond

1 control of the users, then it was not to be counted  
2 against making that positive determination as far as an  
3 ongoing use and I wondered if the Feds do the same or  
4 take that into consideration when they make these  
5 determinations as far as what s a traditional gear and  
6 what s not.

7

8 CHAIRMAN WILDE: Say your name, please.

9

10 MS. WHEELER: Mr. Chair. I m Polly  
11 Wheeler with the Office of Subsistence Management and Mr.  
12 Roczicka is correct that when the Federal program does  
13 customary and traditional use determinations they have  
14 that consideration in there that if the use is disrupted  
15 by something else out of their control. Mr. Chair.

16

17 MR. ROCZICKA: One final one, I guess.  
18 Maybe since you re up here, this is more of a legal  
19 question. When the Federal Board makes their decisions  
20 as far as enacting regulations or not, do they still  
21 incorporate the least adverse impact principal as far as  
22 allowing for a regulation to go forward and to have the  
23 least detrimental impact on subsistence users as a result  
24 of the regulations. It was struck down on the State  
25 level by the Morrie decision, I believe, but I understood  
26 that the Federal system still retained that consideration  
27 that any regulations would, to the utmost possible, have  
28 the least adverse impact on subsistence uses.

29

30 MS. WHEELER: Whew, the director of our  
31 program is here, so saved by the bell. Mr. Chair, I ll  
32 defer to Mr. Boyd.

33

34 CHAIRMAN WILDE: Tom Boyd.

35

36 MR. BOYD: Well, since we can t avoid the  
37 statute, the statute includes the standard of least  
38 adverse impact. How it s applied, I think, is another  
39 question and certainly there are a number of factors that  
40 have to be taken into consideration on any regulatory  
41 decision the Board makes, including conservation,  
42 including C&T use, et cetera. But certainly the statute  
43 contains that provision, so we can t break the law.

44

45 MR. ROCZICKA: Again, I wasn t sure if it  
46 was something that was still retained or perhaps it had  
47 gotten lost in the shuffle in the last 12 to 15 years  
48 since I dealt with it.

49

50 MR. BOYD: Mr. Chair, that is a broad

1 principle in the statute and obviously it sort of is part  
2 of the backdrop that we operate within.

3

4 CHAIRMAN WILDE: Thank you, Tom. John  
5 Hanson.

6

7 MR. HANSON: Thank you, Mr. Chairman.  
8 This is the second time it came up. The first time this  
9 RAC committee supported a proposal, but when we went to  
10 the Board of Fish, they threw it out and they mentioned  
11 it was new gear type. They called it a new gear type.  
12 So, I don't know, probably do the same thing again this  
13 year. Well, the Federal like to oppose it too at their  
14 April meeting, March meeting, one of those months.

15

16 Harry, it says 18 miles long where  
17 they're going to use this drift, but, Harry, in the  
18 proposal, it says 4-B, 4-C and District 5. I think  
19 that's more than 18 miles. Or is it just 4-B and 4-C?  
20 Does that include Anvik?

21

22 MR. CHEN: Mr. Chair. Mr. Hanson, just  
23 to answer your question about the actual mileage, the 18  
24 miles that I refer to would be the 18 miles of Federal  
25 water - Federal waters are in Subdistricts 4-B and 4-C  
26 and doesn't include any sort of Federal waters in  
27 District 5. The Western Interior Council removed  
28 District 5 from the proposal, so the 18 miles just refers  
29 to the actual mileage of Federal waters in 4-B and 4-C.

30

31 Thank you.

32

33 MR. HANSON: Thank you.

34

35 CHAIRMAN WILDE: Go ahead.

36

37 MR. BERGSTROM: I just have a question  
38 for Glenn if you were there. There is more applicable  
39 waters in the upper portion of 4-B and 4-C but they said  
40 just that lower part of 4-B and 4-C below Galena?

41

42 MR. CHEN: Mr. Chair. Mr. Bergstrom,  
43 it's my understanding that the Western Interior Council  
44 wanted to include all Federal waters within 4-B and 4-C.

45

46 MS. HOFFMAN: Mr. Chair.

47

48 CHAIRMAN WILDE: Beverly.

49

50 MS. HOFFMAN: At these meetings that you

1 were at, the two of you I imagine, you were not at this  
2 meeting? I guess I just have a problem with the conflict  
3 or the difference of opinion between the State and the  
4 Feds, why you aren't working together at the same time  
5 with the Council that introduced this proposal before it  
6 comes to other Councils? Why does that not happen so  
7 that there s some kind of consensus in that maybe the  
8 State and the Feds could work it out so that it is a  
9 proposal that there s some consensus on before it comes  
10 to us?

11

12 MR. CHEN: Mr. Chair. Ms. Hoffman, your  
13 point is well taken about the need to try to coordinate  
14 development of regulations on subsistence between State  
15 and Federal agencies and the Federal program as well. In  
16 some cases though, however, Ms. Hoffman, there are  
17 instances where the Federal agencies, Office of  
18 Subsistence Management or perhaps even the Bureau differs  
19 from where the State comes from with regards to  
20 subsistence regulations. This is one example of that  
21 divergence. But the plan about the need to work together  
22 as much as possible is well taken.

23

24 CHAIRMAN WILDE: Dan.

25

26 MR. BERGSTROM: Mr. Chairman. I think  
27 there is a need to work closer together, but this is kind  
28 of the difficultly of having two systems, the State and  
29 Federal system. They meet at different times, you have  
30 two different boards. It s something that there s work  
31 to continue on in the future to get regulatory cycles  
32 together or something where both boards would be able to  
33 look at proposals at the same time. You see, the  
34 difficulty of pieces of water here or there would have  
35 different regulations an that is a problem for managers  
36 and probably for fishermen that know there could be  
37 varying regulations along the river. That s the problem  
38 of having two systems.

39

40 MR. ALOYSIUS: Mr. Chairman.

41

42 CHAIRMAN WILDE: Bob.

43

44 MR. ALOYSIUS: I have a question for the  
45 guy in the middle. On Page 2 of your document there, user  
46 conflicts between those using other gear types, just on a  
47 lighter note, what kind of set nets do these people use?  
48 Because continuing on in that sentence it says, under the  
49 Council s amended proposal, fishing would be open to  
50 people using set nets and fish wheels first. Gillnetters

1 would have to wait before they could fish. It would be  
2 confusing to people. What kind of set nets are they  
3 using?  
4 When you say gillnetters, are you talking about the  
5 people who set or the people who drift? You have to make  
6 it very clear because that sentence is very confusing if  
7 you look at it. That s the only comment I have on that.

8  
9 Thank you.

10  
11 CHAIRMAN WILDE: Lester.

12  
13 MR. L. WILDE: Mr. Chairman. Maybe one  
14 of you could answer this or it might have been in the  
15 proposal itself. In this particular area when they re  
16 fishing, are they allowed to use another type of gear  
17 besides the driftnet for that period of time that the  
18 driftnet is in the water?

19  
20 MR. UBERUAGA: Yes, they re allowed to  
21 continue with their setnets, fish wheels and drift  
22 gillnet. Use the drift gillnet during the last 18-hour  
23 period of that window.

24  
25 MR. L. WILDE: And at the same time  
26 they re allowed at the last 18 hours to also continue  
27 with their fish wheels and their setnets?

28  
29 MR. UBERUAGA: Only one gear at a time,  
30 but they can either/or. They have 18 hours in which to  
31 drift gillnet fish. If they choose not to drift gillnet  
32 fish during those 18 hours, they can use the other gear  
33 types.

34  
35 MR. L. WILDE: And you have the ability  
36 to make sure that it s adhered to as far as gear limits?  
37 In other words, your boys in the brown suits are up there  
38 making sure that their fish wheel and their set nets are  
39 pulled out if they re going to be drifting? And how  
40 would you control that?

41  
42 MR. UBERUAGA: I ll defer any questions  
43 about law enforcement to the State authorities if you re  
44 talking about brown shirts. Again, any enforcement  
45 efforts would be somewhat problematical, as in any  
46 fishery with any changes. I would anticipate, since this  
47 would be a new fishery, that would be closely watched  
48 because of any potential increases in harvest. So my  
49 expectation would be, yes, it would be closely watched.  
50 All harvest, because of the new fishery, would be closely

1 monitored.

2

3

Thank you.

4

5

MR. L. WILDE: And I understand that  
6 you re saying that the fact that they re going to be  
7 drifting that they are not allowed to set net or use  
8 their fish wheels.

9

10 MR. UBERUAGA: That's correct.

11

12 MR. L. WILDE: Thank you.

13

14 MR. ONEY: Mr. Chairman.

15

16 CHAIRMAN WILDE: John and Joseph.

17

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

19 Well, you mentioned that it's going to be closely  
20 watched. Just like Anvik. When the Department wanted to  
21 open Anvik for shee fishery, that s what they told the  
22 Board of Fish when I asked them if they re really going  
23 to close it. They said yeah, but they never. The first  
24 shee fishery that full-blown fishery. So, if this  
25 happens, how are you going to closely watch it? Is there  
26 going to be Fish and Wildlife person there or ADF&G  
27 person and are you sure that it s really going to be  
28 closely watched? If it goes in, it s going to hurt the  
29 subsistence people if it s a full-blown subsistence  
30 fishery.

31

32 MR. UBERUAGA: On the enforcement issue,  
33 I don t tend to second-guess what kind of actions would  
34 occur. There are refuge personnel in the area. Fish and  
35 Wildlife Service does have a law enforcement branch.  
36 This fishery was proposed by these people in this area to  
37 relieve overcrowding that is occurring in 4-A. People  
38 right now are traveling a long distance downstream to  
39 fish in 4-A. The proposal was submitted in part to  
40 relieve that overcrowding.

41

42 Thank you, Mr. Chair.

43

44 CHAIRMAN WILDE: Joe Mike.

45

46 MR. MIKE: I ve got a question on here.  
47 Fishing would be open to people using set nets and fish  
48 wheels. Does that mean they have to use set nets and  
49 fish wheels at the same time?

50

1 MR. CHEN: Mr. Chair. Mr. Mike, it s my  
2 understanding that the subsistence user would only be  
3 allowed to use one gear type at a time. However,  
4 different users can be using set nets and fish wheels  
5 during the first part of the window, but they could only  
6 use one gear type at a time.

7  
8 CHAIRMAN WILDE: Ray Oney.

9  
10 MR. ONEY: Thank you, Mr. Chairman. I  
11 guess this question is for anyone that can answer it.  
12 Would that take time off of other users on the Yukon, for  
13 instance reducing the amount of time, let s say in  
14 District 1, if we were to adopt this expansion of the  
15 fishery in that area?

16  
17 MR. CHEN: Mr. Chair. Mr. Oney, if there  
18 needs to be a reallocation of fishing effort because  
19 there is an increase due to this type of fishing gear  
20 used in this part of the river, the subsistence priority  
21 would take priority and be considered first. So this  
22 should not affect fishing time for other subsistence  
23 users on the river.

24  
25 MS. HOFFMAN: Mr. Chair.

26  
27 CHAIRMAN WILDE: Beverly.

28  
29 MS. HOFFMAN: Dan, you said that you felt  
30 people up there were getting their fish the last couple  
31 years. If they weren t getting the amount that they were  
32 used to it s because the salmon became a stock of  
33 concern. There were low numbers. But you re saying that  
34 there are hardships, that people are not meeting their  
35 needs, there s not enough sites for them to set fish  
36 wheels and set nets. I guess I m confused as to the  
37 hardship. Are people in this district not meeting their  
38 needs?

39  
40 MR. UBERUAGA: I believe the analysis we  
41 presented does present some information on whether ANS  
42 was met in certain years. Beyond that, I would like to  
43 mention what was brought out to me that brought this  
44 issue home the most was this is a question of economy, of  
45 time, effort and expense. In other words, it s more  
46 economical to spend less time fishing, to spend less  
47 effort fishing and less money fishing to get your needs  
48 met.

49  
50 But those three things, that economy of

1 time, effort and expense, really tells me that this is  
2 something worth looking at.

3

4 Thank you, Mr. Chair.

5

6 CHAIRMAN WILDE: Thank you. Interagency  
7 Staff Committee comments.

8

9 MR. JACK: Thank you, Mr. Chairman. For  
10 the record, my name is Carl Jack, member of the  
11 Interagency Staff Committee. The Interagency Staff  
12 Committee was split on this issue or rather did not reach  
13 any consensus on the recommendation for this proposal.  
14 So, I guess to be fair to both sides, people that are for  
15 or against, I'm going to read to the record the full text  
16 of what I read to the Western Interior as I understand  
17 it.

18

19 Some members of the Staff Committee  
20 expressed the positive viewpoint that adopting this  
21 regulation would provide a more equitable gear allowance  
22 by allowing drift netting in Federal public waters  
23 throughout the portions of the Yukon River in Alaska.

24

25 The Staff Committee members supporting  
26 the proposal believed that there will be a modest  
27 increase in total harvest since most families currently  
28 fish as long as it takes to meet their subsistence  
29 harvest target. As everyone knows, in that particular  
30 part of the river, the configurations are such that there  
31 are very few suitable sites for fish wheels and probably  
32 even less for drift fishing.

33

34 The Staff Committee expressed additional  
35 support to the proposal in this gear type, and that s  
36 drift fishing, could provide a more efficient means to  
37 subsistence fish that would result in saving gas, money,  
38 that will require traveling long distance to and from the  
39 fish camps.

40

41 The Staff Committee also notes the  
42 purpose of the subsistence priority is to ensure that  
43 subsistence fishing families meet their needs after  
44 providing for escapement and that s a statutory  
45 requirement under ANILCA to provide for continuation of  
46 providing subsistence opportunity within the framework of  
47 the subsistence priority.

48

49 On the other hand, there are members of  
50 the Staff Committee that have management concerns in this

1 proposal that would provide support for rejecting the  
2 proposal. These management concerns include if this  
3 proposal is adopted it would result in significant  
4 department in State and Federal regulations.  
5

6                   Secondly, the current windowed  
7 subsistence fishing schedule that was established by the  
8 Alaska Board of Fish, I believe, in 2001 was developed  
9 with consideration for harvesting efficiency in various  
10 portions of the river.  
11

12                   This is a supposition. If driftnetting  
13 becomes a popular fishing practice, it probably will  
14 result in higher catches and will likely require taking  
15 another look see of the management of the fisheries.  
16

17                   The other concern is having windows  
18 within windows. It s noted by the Staff Committee  
19 members that the Yukon River Subsistence Fisheries  
20 Management has largely been successful because the  
21 managers, that s Federal and State, have been working  
22 under the same basic management framework. Adding drift  
23 fishing would add another window to the windowed  
24 subsistence fishing schedules and it could be confusing  
25 for the public. For example, it s foreseen that if this  
26 happened, it would require separate news releases,  
27 management actions, especially by the in-season managers.  
28

29                   Last, if driftnetting becomes popular, it  
30 could lead to conflicts and disputes among those that use  
31 set net sites, fish wheels. This was expressed during  
32 the December Federal Board meeting that resulted in  
33 rejection of the proposal.  
34

35                   Mr. Chairman, that concludes the Staff  
36 Committee comments.  
37

38                   CHAIRMAN WILDE: Thank you, Carl. Fish  
39 and Game Advisory Committee comments.  
40

41                   MR. ONEY: Mr. Chairman.  
42

43                   CHAIRMAN WILDE: Ray.  
44

45                   MR. ONEY: Like I mentioned, I sit on the  
46 Lower Yukon Advisory Committee Council. We had a  
47 teleconference and we had concern about this proposal  
48 also. We felt that if this fishery were to open in this  
49 area, we felt that fishing time would be taken out of  
50 somewhere up or down the Yukon. For those people that

1 are traveling long distances to go to this area, you  
2 know, fish swim only one way, which is upstream, and  
3 that s what we don t understand, why they have to travel  
4 long distances to subsist in that particular area.

5  
6 Thank you, Mr. Chairman.

7  
8 CHAIRMAN WILDE: Thank you, Ray. Any  
9 more Fish and Game Advisory Committee.

10  
11 (No comments)

12  
13 CHAIRMAN WILDE: If none, summary of  
14 written public comment.

15  
16 MR. A. NICK: Mr. Chairman, we received  
17 one written public comment from Mike Moses of Mountain  
18 Village. He feels that drifting the shallow channels of  
19 the upper Yukon River do not give the king salmon a fair  
20 chance to make it to the spawning grounds. He also  
21 thought about the dry fish and smoked strip market that  
22 enables someone to make more money than the commercial  
23 king salmon market on the lower Yukon Delta. Mr. Chair.

24  
25 CHAIRMAN WILDE: Public testimony. Is  
26 there anyone here for public testimony.

27  
28 (No comments)

29  
30 CHAIRMAN WILDE: If not, we'll go to  
31 Regional Council deliberation, recommendation and  
32 justification.

33  
34 MR. HANSON: First, I move to adopt  
35 Proposal 4 and then my comments on it.

36  
37 MS. GREGORY: Second the motion so we can  
38 discuss it.

39  
40 MR. ROCZICKA: Second the motion.

41  
42 MR. HANSON: Okay, thank you, Mary. My  
43 comments on this will be the same as I explained earlier.  
44 This Council supported a proposal like this but it didn t  
45 have the dates cut out, but the Board of Fish threw it  
46 away when they took Yukon AYK in January in Fairbanks. I  
47 think the Federal Board did the same thing when they took  
48 it in March or April. So I m kind of leery. I would  
49 support it, but my mind is saying you can support it, but  
50 it will be thrown out again. Maybe the Federal Board

1 will do the same thing after we support it. So I m like  
2 this now on this proposal and I ll just leave it at that.

3

4 MR. L. WILDE: Mr. Chairman.

5

6 CHAIRMAN WILDE: Lester.

7

8 MR. L. WILDE: The last time this  
9 proposal came up to our board, on the YRDFA board, they  
10 opposed this and without me meeting them and being the  
11 co-chair of the YRDFA committee, I'm going to have to  
12 oppose it, I suppose.

13

14 CHAIRMAN WILDE: Mr. Chair.

15

16 CHAIRMAN WILDE: Beverly.

17

18 MS. HOFFMAN: I feel like John, you know,  
19 feeling pulled both ways. I would like to see the State  
20 and the Federal agencies work with the Western Interior  
21 Council to come up with something that doesn t pull at us  
22 so much. With all the concerns of fish stock and then  
23 you throw something else in there, I have just great  
24 concerns when the two agencies I count on the most for  
25 data and input along with Western Council who proposed  
26 this haven t reached any agreement on it.

27

28 CHAIRMAN WILDE: Another other comments  
29 from Council. Greg.

30

31 MR. ROCZICKA: Mr. Chairman. I'm  
32 actually more closer to supporting this proposal. The  
33 points raised by the Western Interior - actually, I  
34 guess it would be appropriate at this time, I m speaking  
35 to the amendment that they put forward, their recommended  
36 changes. If I could offer that right now as a friendly  
37 amendment, that we can speak to the Western Interior s  
38 proposed changes that they ve given rather than what s in  
39 the book that reduces the area further and reduces the  
40 times further by half of what s in the book. Can I offer  
41 that to the maker of the motion right now? John, would  
42 you accept that. Can we speak to the Western Interior s  
43 proposed changes from their meeting last week?

44

45 MR. HANSON: Yeah, that's fine.

46

47 MR. ROCZICKA: I'd really like to speak  
48 and encourage that we do support this. I think that  
49 trying to look at how it would apply in our area, I  
50 wonder how lower Kalskag and guys up there would feel

1 about having to travel down below Bethel.....

2

3 MS. GREGORY: Mr. Chairman.

4

5 MR. ROCZICKA: .....to go do their  
6 subsistence fishing. I m sorry. Go ahead.

7

8 MS. GREGORY: Did you make a friendly  
9 amendment?

10

11 MR. ROCZICKA: Yes, I did.

12

13 MS. GREGORY: Was there a second?

14

15 MR. ROCZICKA: I asked for concurrence of  
16 the maker of the motion and he accepted.

17

18 The point was raised as well that the  
19 whole economy of effort is just a huge one in my mind.  
20 We ve heard the State and the Federal both say that they  
21 feel the amounts necessary or subsistence needs are being  
22 met. Well, why should there be a regulation on the books  
23 that requires people to travel 100 miles down river to  
24 catch those fish. Ray mentioned the fish only swim one  
25 way. But when they get up to that point, the opportunity  
26 to catch them is limited by regulation and there s only a  
27 few sites that are available for fish wheel or set nets.  
28 This has been allowed, it s been a traditional use long  
29 in the past it appears from all the Staff reports that  
30 are there.

31

32 The State references a concern and also  
33 the Interagency Committee about possibly having confusion  
34 between the differing regulations. Well, I think it  
35 really behooves us to try to support increased  
36 subsistence opportunity where we have the ability to do  
37 so and where it shouldn t impact the resource to any  
38 greater level. Perhaps it may be uncomfortable for some  
39 of the managers to deal with it, but that s really kind  
40 of their job. I would hope that the Federal Subsistence  
41 Board would follow along their policies of the least  
42 adverse impact when it doesn t appear that there s going  
43 to be a major affect on the resource. I just don t see  
44 it. I haven t heard it anywhere in any convincing  
45 fashion. It s limited.

46

47 As far as confusion to the public, I  
48 guess that s one that really kind of gets me personally.  
49 We had to deal with it in the working group. We were  
50 talking about whether it s going to be a 6-hour opening

1 or an 8-hour opening or where it s going to be, below  
2 Bethel or above Bethel.

3

4 It actually kind of bothers me that  
5 people are perceived as being not that intelligent that  
6 they can t figure it out. VHF s and the Bush radio  
7 telegraph works very well and I saw it work very well in  
8 many occasions in the working group, getting it out with  
9 adjusting times, dates, places, hours. I almost find it  
10 insulting when I hear people say it s going to be too  
11 confusing for the public to understand. Allowing people  
12 to go out and catch their fish for subsistence and use  
13 that as an excuse not to, I just don t like it.

14

15 I had a couple more scribbles but I can t  
16 read my own handwriting, so I ll leave it at that for  
17 now.

18

19 MS. GREGORY: Mr. Chairman. Can you give  
20 me your amendment because I don t have it.

21

22 MR. ROCZICKA: My amendment was to  
23 replace the language with the recommendations of the  
24 Western Interior Council to support the recommendation  
25 for changes to this proposal that were made by the  
26 Western Interior Council and those are on record.

27

28 MS. HOFFMAN: Mr. Chairman.

29

30 CHAIRMAN WILDE: Beverly.

31

32 MS. HOFFMAN: Mr. Chair. I guess I m  
33 confused. It was the Western Interior Regional Council  
34 that put this proposal forward and then it s the Western  
35 Interior Council that provided the modifications to their  
36 own proposal, is that correct?

37

38 MR. UBERUAGA: Yes, that s correct.

39

40 MS. HOFFMAN: Did Fish and Game have  
41 these modifications before they put forth their  
42 recommendation?

43

44 MR. BERGSTROM: No, we didn t.

45

46 MS. HOFFMAN: If you don t mind, Mr.  
47 Chair, if I ask them with those modifications in place  
48 what is their stand now.

49

50 MR. BERGSTROM: Yes, Mr. Chairman. What

1 I wanted to mention was if you look on Page 85, that s  
2 kind of the waters there that shows for 4-B and 4-C and  
3 kind of heard there s only 18 miles, but there s also a  
4 large section in the upper portion of 4-B and 4-C that I  
5 didn t hear that part of it modified. So it s more of a  
6 patchwork than what we heard previously as far as areas  
7 that would have varying regulations potentially.

8  
9 I think we still have concerns for this  
10 proposal even if it was back down maybe even to that  
11 smaller section we heard about below Galena. What we ve  
12 heard in the past as far as increased potential harvest  
13 is that Galena is a big hub. A lot of people coming  
14 there for Forest Fire fighting and such. There s a  
15 potential for kind of like new entry with easier gear  
16 type to do them, like finding a set net location or  
17 certainly building a fish wheel. That s what one of the  
18 locals from Galena had mentioned before in a YRDFA  
19 meeting is that there s that potential increased harvest.

20  
21 So I just wanted to clarify that part of  
22 the area of 4-B and 4-C that s on that map shows that  
23 it s a bigger area. It s not 100 miles from Galena to  
24 the boundary. I think it s a 30-minute boat ride, so  
25 it s about 20 or so.

26  
27 We have the same concerns as I said  
28 earlier.

29  
30 CHAIRMAN WILDE: Greg, did you make a  
31 motion to amend that?

32  
33 MR. ROCZICKA: Mr. Chairman, I already  
34 did. I asked Mr. Hanson if he would accept the friendly  
35 amendment to adopt the proposal as modified by the  
36 Western Interior Council at their last week s meeting.

37  
38 CHAIRMAN WILDE: Do we have a second to  
39 the amendment.

40  
41 MR. ROCZICKA: Mr. Chairman, I just asked  
42 the maker of the motion. I guess I would ask concurrence  
43 of the second then.

44  
45 MR. ALOYSIUS: Mr. Chairman, there is no  
46 need for a second to his amendment because he asked the  
47 maker and the maker agreed.

48  
49 CHAIRMAN WILDE: Yeah, go ahead.

50

1 MR. CHEN: Thank you, Mr. Chair. Members  
2 of the Council. We ve had some discussion among Federal  
3 Staff here in the last few minutes about the accuracy of  
4 that 18 miles which would be added to this fishery. We  
5 have tried to contact Staff back in Anchorage to verify  
6 some of those numbers. Those numbers were given to me by  
7 some of the OSM Staff recently. We haven t been able to  
8 verify that mileage, so I just wanted to put that on the  
9 record.

10

11 MS. HOFFMAN: Mr. Chair.

12

13 CHAIRMAN WILDE: Beverly.

14

15 MS. HOFFMAN: Call for question.

16

17 CHAIRMAN WILDE: The question has been  
18 called for. We will vote on the amendment first.

19

20 MS. GREGORY: John Hanson.

21

22 MR. HANSON: Yes.

23

24 MS. GREGORY: Nick Andrew.

25

26 MR. ANDREW: Yes.

27

28 MS. GREGORY: Robert Nick.

29

30 (No response)

31

32 MS. HOFFMAN: He had to leave.

33

34 MS. GREGORY: Phillip Moses.

35

36 MR. MOSES: Yes.

37

38 MS. GREGORY: Joseph Mike.

39

40 MR. MIKE: Yes.

41

42 MS. GREGORY: Greg Roczicka.

43

44 MR. ROCZICKA: Yes.

45

46 MS. GREGORY: Bob Aloysius.

47

48 MR. ALOYSIUS: Yes.

49

50 MS. GREGORY: Beverly Hoffman.

1 MS. HOFFMAN: No.  
2  
3 MS. GREGORY: Ray Oney.  
4  
5 MR. ONEY: Yes.  
6  
7 MS. GREGORY: Myself. No. Harry Wilde.  
8  
9 CHAIRMAN WILDE: No.  
10  
11 MS. GREGORY: I m concerned about  
12 Lester s vote because he was going to vote. He wanted to  
13 stay until we voted. What shall I do? Just count him?  
14  
15 MS. HOFFMAN: Mr. Chair. It doesn t seem  
16 like you can count him if he s not here. Oh, there he  
17 is.  
18  
19 MS. GREGORY: We re voting on the  
20 proposal, Mr. Wilde.  
21  
22 MR. L. WILDE: I m sorry. No.  
23  
24 MS. GREGORY: I have seven yeas and four  
25 nays.  
26  
27 CHAIRMAN WILDE: So the amendment passes.  
28 Make sure that we understand what is the amendment that  
29 you put on the record.  
30  
31 MR. ROCZICKA: Mr. Chairman, it s not an  
32 amendment. It was actually the proposal I understood  
33 because I asked as a friendly amendment to change that.  
34 The maker did accept it, so I thought that was a vote on  
35 the proposal. The way I read the Western Interior s  
36 proposed modification was that it excluded the portion  
37 that was in the original proposal of district five and  
38 only addressed 4-B and 4-C and it also cut the amount of  
39 time they re requesting to be allowed for drift gillnet  
40 from 36 hours down to 18 hours at the end of the window  
41 period.  
42  
43 CHAIRMAN WILDE: John.  
44  
45 MR. HANSON: Thank you, Mr. Chairman. I  
46 guess now we vote for the proposal as amended. We just  
47 voted for the amendment.  
48  
49 CHAIRMAN WILDE: Beverly.  
50

1 MS. HOFFMAN: I believe that when he made  
2 that friendly amendment and it was accepted, that s what  
3 I understood we were voting on and that was the final  
4 vote.

5  
6 CHAIRMAN WILDE: Now we ll vote on the  
7 main motion.

8  
9 MR. ALOYSIUS: Mr. Chairman. We did vote  
10 on the main proposal with the amendment.

11  
12 MS. HOFFMAN: Mr. Chair. So I think that  
13 it s concluded and then we move on to the next proposal  
14 because we had that vote of six or seven ayes and four  
15 nays and that was the final point.

16  
17 CHAIRMAN WILDE: Okay.

18  
19 MS. GREGORY: (In Yup'ik)

20  
21 INTERPRETER: Excuse me, Mr. Chair. The  
22 friendly amendment that Greg made addresses Proposal 4  
23 vote and that s it.

24  
25 CHAIRMAN WILDE: Go ahead.

26  
27 MR. JACK: Mr. Chairman. Carl Jack. (In  
28 Yup'ik)

29  
30 INTERPRETER: Let me explain. Greg s  
31 motion was to change the Staff recommendation to support  
32 the Western Interior amendment. That was the final vote.

33  
34 CHAIRMAN WILDE: Quyana. John.

35  
36 MR. HANSON: Thank you, Mr. Chairman. I  
37 was thinking when I voted of the friendly amendment and  
38 that made me say yes, so now I think I ll rescind my vote  
39 from the whole proposal.

40  
41 MS. GREGORY: Now we have six years, five  
42 nays.

43  
44 CHAIRMAN WILDE: Still the motion  
45 carried.

46  
47 MS. HOFFMAN: Mr. Chair, could we take a  
48 five-minute break.

49  
50 CHAIRMAN WILDE: We re not going to have

1 a five-minute break. We re going to come back at 7:00  
2 p.m. and we re going to continue our meeting until 10:00  
3 p.m. tonight. Right now we re going to break for dinner.

4

5

6

(Off record)

7

8

(On record)

9

10

CHAIRMAN WILDE: The meeting will come

11 back to order.

12

13

MS. GREGORY: Harry Wilde.

14

15

CHAIRMAN WILDE: Yeah.

16

17

MS. GREGORY: John Hanson.

18

19

MR. HANSON: Yeah.

20

21

MS. GREGORY: Mary Gregory. Yes. Karl

22 Powers.

23

24

(No response)

25

26

MS. GREGORY: Nick Andrew.

27

28

MR. ANDREW: Here.

29

30

MS. GREGORY: Ray Oney.

31

32

MR. ONEY: Here.

33

34

MS. GREGORY: Robert Nick.

35

36

MR. R. NICK: Here.

37

38

MS. GREGORY: Phillip Moses.

39

40

MR. MOSES: Yeah.

41

42

MS. GREGORY: Lester Wilde.

43

44

MR. L. WILDE: Here.

45

46

MS. GREGORY: Joseph Mike.

47

48

MR. MIKE: Here.

49

50

MS. GREGORY: Greg Roczicka.

1 MR. ROCZICKA: Here.  
2  
3 MS. GREGORY: Bob Aloysius.  
4  
5 MR. ALOYSIUS: Here.  
6  
7 MS. GREGORY: Beverly Hoffman.  
8  
9 MS. HOFFMAN: Here.  
10  
11 MS. GREGORY: We re all here except one  
12 absentee. Twelve present.  
13  
14 CHAIRMAN WILDE: Will you please explain  
15 what happened to Proposal 4.  
16  
17 MS. GREGORY: Mr. Chairman. I d like to  
18 move to put Proposal No. 4 on the table again.  
19  
20 CHAIRMAN WILDE: There s a motion on the  
21 floor to put Proposal 4 on the table. Is there a second.  
22  
23 MR. R. NICK: Second.  
24  
25 CHAIRMAN WILDE: Robert Nick second the  
26 motion.  
27  
28 Discussion.  
29  
30 MS. GREGORY: Because we were informed by  
31 the Staff that some of the information was not right and  
32 that s why we were asking Glenn to explain again.  
33  
34 CHAIRMAN WILDE: My understanding is we  
35 had just put Proposal 4 back on the table.  
36  
37 MR. CHEN: Mr. Chairman, members of the  
38 Council. I wanted the opportunity to present some  
39 additional information that we obtained during your  
40 recess. If you recall, prior to recessing I indicated  
41 that the actual mileage of the stream that would be open  
42 to drift gillnetting if this proposal was passed we were  
43 uncertain at the time. During the break we had the  
44 opportunity to talk with OSM Staff.  
45  
46 I want to direct Council s attention if I  
47 could, please, to Page 85, and you'll see a map on Page  
48 85. This map actually shows the boundaries of  
49 subdistricts 4-B and 4-C. As you see on the map, the  
50 actual mileage would be greater than 18 miles. So the

1 18-mile figure I provided to you in the written copy of  
2 my briefing as well as orally is incorrect. There s  
3 actually more than 18 miles that would be open to this  
4 type of gear if you did adopt the Western Interior s  
5 modified proposal.

6

7 MS. HOFFMAN: Mr. Chair.

8

9 CHAIRMAN WILDE: Beverly.

10

11 MS. HOFFMAN: What is the mileage now?

12

13 MR. CHEN: Mr. Chair. Ms. Hoffman, I  
14 don t have the exact mileage, but if you look at the  
15 scale on the map, it looks like approximately 80 miles is  
16 about an inch. If you look at that grayish area upstream  
17 of Ruby, it would be more than 80 miles, would be my  
18 estimate.

19

20 MS. HOFFMAN: Your rough estimate.

21

22 MR. CHEN: Yes, that s correct.

23

24 MS. HOFFMAN: What was that??

25

26 MR. CHEN: Ms. Hoffman, you re correct,  
27 it would be more than 80 miles.

28

29 CHAIRMAN WILDE: Greg.

30

31 MR. ROCZICKA: Mr. Chair. Glenn, given  
32 that, in the handout you gave us it does reference the 18  
33 miles, but the fact that it s significantly greater, does  
34 that change any of the other statements and information  
35 you have in there regarding the need by the subsistence  
36 users, the conservation concerns, the potential increase  
37 in harvest or anything of that nature? And I would ask  
38 that question not only in the context of Western  
39 Interior s modification, but in the original proposal  
40 that has the Staff recommendation that also includes 5-D.

41

42 MR. CHEN: Mr. Chair. Mr. Roczicka,  
43 given that the actual mileage that this type of gear  
44 would be allowed to use in Subdistrict 4-B and 4-C, it  
45 was the belief of the Western Interior Regional Advisory  
46 Council that there would not be a substantial increase in  
47 catch from the use of this gear type and they felt that  
48 this would not create conservation concerns for salmon  
49 stocks on the Yukon.

50

1 MR. ROCZICKA: Thank you. In the  
2 original proposal where the Staff does have the  
3 modification where 5-D is included, does that mean as  
4 well that the Interagency Staff and Technical Committee  
5 that reviewed this do not have those conservation  
6 concerns either? If you include 5-D, it looks like  
7 you re looking about triple the amount of Federal lands  
8 over and above what the Western Region is requesting in  
9 their modification.

10  
11 MR. CHEN: Mr. Chair. Mr. Roczicka,  
12 that s correct. When OSM Staff developed their Staff  
13 analysis and their preliminary recommendation, they did  
14 not feel that any increase in catch would create a  
15 conservation concern.

16  
17 MR. ROCZICKA: Okay. Thank you.

18  
19 CHAIRMAN WILDE: So what is the desire of  
20 the Council.

21  
22 MR. ROCZICKA: Mr. Chairman.

23  
24 CHAIRMAN WILDE: Greg.

25  
26 MR. ROCZICKA: I'll speak to it again. I  
27 don t see this changing. Again, overall, it appears to  
28 me that the Western Regional Council has made a huge  
29 effort to try to accommodate all the concerns that were  
30 raised. They ve significantly reduced from their  
31 original proposal the amount of time and the area they  
32 would be able to drift fish in. They have cut it more  
33 than half or two-thirds than even what the Staff s  
34 proposed modification was or the Office of Subsistence  
35 Management. In addition to everything that I mentioned  
36 earlier, this is a chance that we have -- there s plenty  
37 of issues that we have between the Y-K RAC and the  
38 Western Interior RAC where we re going to be at odds in  
39 many cases, but I see this as an opportunity where we can  
40 back them up and support them on something and I think we  
41 should take every opportunity to do that.

42  
43 I also remembered what I wanted to say  
44 that I couldn t the last time. The whole point about  
45 confusion among users and people not being able to figure  
46 it out and I guess I would say if perhaps even half the  
47 effort would go into informing the public that there s an  
48 opportunity for increasing the ability of people to go  
49 out and catch their subsistence fish, if the same amount  
50 of effort went into that as is put into going out and

1 telling people about restrictions, I certainly don't  
2 think there would be any it would lessen the concern of  
3 people not knowing what was happening and what the  
4 opportunities were and what the limitations were. The  
5 amount of dollars, time, effort and staff that goes into  
6 talking about the subsistence closures and the windows on  
7 the Kuskokwim and I'm sure on the Yukon as well is  
8 tremendous. If that same effort could go into this area  
9 that they're requesting to have open, it even waters down  
10 further any concern about people being confused.

11  
12 Again, I'd encourage us to support the  
13 proposal. It would be my understanding that what was  
14 brought back to the table was our previous action on the  
15 motion that I made or that I requested Mr. Hanson to  
16 accept as the main motion with the recommendation and  
17 modification as made by the Western Interior, which is  
18 even more restricted than is currently in the proposal  
19 book in any shape or form by a large degree.

20  
21 CHAIRMAN WILDE: Let me see. This No. 4,  
22 we have a problem from the beginning. When the presenter  
23 presented, they presented a different way. I had a  
24 feeling after I listened to the Council after they vote  
25 on this, if they're saying that if we know, we wouldn't  
26 vote yes. I don't know right now they want to stay on  
27 the decision that the Council supported or not.

28  
29 Beverly go ahead.

30  
31 MS. HOFFMAN: I still don't feel  
32 comfortable because I feel that all of the people that -  
33 like the State, the Department of Fish and Game, I feel  
34 they had concerns, I still have concerns, so because  
35 there is confusion with it and because I feel like the  
36 State still has some questions, the Department still has  
37 some questions, I would like those things to be worked  
38 out before I would vote yes, so my vote would still stay  
39 nay.

40  
41 CHAIRMAN WILDE: Other Council, how you  
42 feel about it. Ray.

43  
44 MR. ONEY: Mr. Chairman. After hearing  
45 the interpretation of the vote, I went along with John  
46 because I thought it was a vote to put on the floor to  
47 concur and I thought that vote was to amend and that's  
48 the reason why I voted yes. Now if we're going to vote  
49 again, I would have to vote no because that was brought  
50 up during the Advisory Council meeting and that's how the

1 majority of them voted, to not support this proposal. If  
2 we re going to vote again, then I would have to vote no.

3

4 CHAIRMAN WILDE: Other Councils.

5

6 MR. L. WILDE: Mr. Chairman.

7

8 CHAIRMAN WILDE: Lester.

9

10 MR. L. WILDE: I voted no on the last go  
11 around and my vote will stand.

12

13 CHAIRMAN WILDE: John.

14

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

16 Yeah, my vote will be the same. I voted yes first and  
17 then I rescind my vote to no. I ll keep the same vote  
18 due to the fact that we don t know what s going to  
19 happen. When this is approved, you might have 18 miles  
20 or less of driftnet, but the driftnet really catches  
21 fish. If you know where the fish are going and you start  
22 drifting, that probably impacts the spawning streams. I  
23 haven t come to a conclusion on it yet, so I m still  
24 holding my vote as no.

25

26 CHAIRMAN WILDE: I think it's very  
27 important if one of our Council here, if he understand  
28 it. Right now I suppose he didn't understand what the  
29 problem is. I would like to see someone translate it to  
30 him and make sure he understands.

31

32 MS. GREGORY: Mr. Chairman, we have  
33 translators over there and he's listening to them.

34

35 CHAIRMAN WILDE: He's one of the elders.  
36 He had a right to understand what this concern is. Our  
37 elder here, he don't know what the problems is and he was  
38 chosen to be a Council. He should be able to understand  
39 what is going on.

40

41 Beverly.

42

43 MS. HOFFMAN: Mr. Chair. Earlier, as is  
44 now, I think we could ask him if he understood because he  
45 is listening to the translators but I would also like to  
46 say maybe -- I don't know what the proper procedure is to  
47 put another motion on the floor.

48 I m not sure what to do now because there was that  
49 confusion. I would like OSM to give us some direction.

50

1 CHAIRMAN WILDE: Tom Boyd, we ll give the  
2 floor to you.

3  
4 MR. BOYD: Thank you, Mr. Chairman. In  
5 response to Ms. Hoffman's question regarding procedure,  
6 the proper procedure would be to solicit from those who  
7 voted in the majority a motion to reconsider the last  
8 vote on Proposal 4. If you receive that motion and a  
9 second and then that motion is passed, then you would ask  
10 if there was a motion then to address Proposal 4.

11  
12 First, just ask if there is a motion to  
13 reconsider from those voting in the majority. Mr. Chair.

14  
15 MR. ROCZICKA: Mr. Chairman, I believe  
16 that step has already been taken when Ms. Gregory moved -  
17 she didn t use the word reconsider, but she said take  
18 up Proposal 4 again and there was no objection. In my  
19 mind, the proposal is back on the table before us now.  
20 If anyone wanted to change it, they could move to amend  
21 in any way they wanted to.

22  
23 MS. GREGORY: Mr. Roczicka, I voted  
24 against the original one and he wants a person who voted  
25 for it to make the motion.

26  
27 CHAIRMAN WILDE: Mary, may I ask you  
28 again how many Councils said no.

29  
30 MS. GREGORY: Five nos and six yeses. No  
31 vote for yourself, Hanson, myself, Mr. Wilde and Beverly  
32 Hoffman. Those people that voted yes have to make the  
33 motion, not the ones that voted no.

34  
35 CHAIRMAN WILDE: Robert Nick.

36  
37 MR. R. NICK: Thank you, Mr. Chairman.  
38 To address a motion that has been dispensed with, the  
39 only way it can be done is just described by Mr. Boyd.  
40 One of the prevailing people that voted for the proposal  
41 would have to move to reconsider and it has to be voted  
42 on. Once it s voted on, we can make another motion to  
43 consider the proposal because I believe there are people  
44 that may change their votes.

45  
46 MR. ONEY: Mr. Chair.

47  
48 CHAIRMAN WILDE: Ray.

49  
50 MR. ONEY: I so move, since I voted in

1 the majority, to reconsider.  
2  
3 CHAIRMAN WILDE: There's a motion on the  
4 floor now to reconsider Proposal No. 4.  
5  
6 MR. ANDREW: Nick Andrew second.  
7  
8 CHAIRMAN WILDE: Nick Andrew second the  
9 motion. Discussion.  
10  
11 MR. R. NICK: Mr. Chairman.  
12  
13 CHAIRMAN WILDE: Robert.  
14  
15 MR. R. NICK: I believe there was a  
16 request to have translations to our elder to make sure  
17 the intent of the motion was understood.  
18  
19 CHAIRMAN WILDE: Translators, will you  
20 please translate to our elder here.  
21  
22 MS. GREGORY: They are translating to him  
23 already. He s listening. He s just not commenting.  
24  
25 MR. MOSES: (In Yup ik)  
26  
27 INTERPRETER: So now he understands that  
28 we are reconsidering Proposal 4. The original motion has  
29 failed. Or you want to reconsider the original motion  
30 since there was no agreement or misunderstandings on the  
31 original motion on Proposal 4. So he does understand  
32 there is a motion on the floor to reconsider Proposal 4.  
33  
34 MR. R. NICK: Mr. Chairman.  
35  
36 CHAIRMAN WILDE: Robert.  
37  
38 MR. R. NICK: The motion to reconsider is  
39 understood by Mr. Moses. The next proper step is to vote  
40 on the motion.  
41  
42 MS. HOFFMAN: Question.  
43  
44 CHAIRMAN WILDE: The question has been  
45 called for. I ll request roll call.  
46  
47 MS. GREGORY: Nick Andrew.  
48  
49 MR. ANDREW: No.  
50

1 MS. GREGORY: Harry Wilde.  
2  
3 CHAIRMAN WILDE: No.  
4  
5 MS. GREGORY: John Hanson.  
6  
7 MR. HANSON: No.  
8  
9 MS. GREGORY: Mr. Chairman. (In Yup ik)  
10  
11 INTERPRETER: The motion here is to  
12 reconsider Proposal No. 4. So yes to reconsider and no  
13 to leave it as is.  
14  
15 MS. GREGORY: I m going to start over  
16 again. I ll start with Ray Oney.  
17  
18 MR. ONEY: Yes.  
19  
20 MS. GREGORY: Phillip Moses.  
21  
22 MR. MOSES: Yeah.  
23  
24 MS. GREGORY: Greg Roczicka.  
25  
26 MR. ROCZICKA: No.  
27  
28 MS. GREGORY: Bob Aloysius.  
29  
30 MR. ALOYSIUS: No.  
31  
32 MS. GREGORY: John Hanson.  
33  
34 MR. HANSON: No.  
35  
36 MS. GREGORY: Harry Wilde.  
37  
38 CHAIRMAN WILDE: Yes.  
39  
40 MS. GREGORY: Nick Andrew.  
41  
42 MR. ANDREW: Yes.  
43  
44 MS. GREGORY: Robert Nick.  
45  
46 MR. R. NICK: Yes.  
47  
48 MS. GREGORY: Lester Wilde.  
49  
50 MR. L. WILDE: Yes.

1 MS. GREGORY: Joseph Mike.  
2  
3 MR. MIKE: Abstain.  
4  
5 MS. GREGORY: Beverly Hoffman.  
6  
7 MS. HOFFMAN: Yes.  
8  
9 MS. GREGORY: Myself. Yes. Nine yeses  
10 and three nays. Mr. Chair, the motion to reconsider  
11 Proposal No. 4 passed.  
12  
13 MS. HOFFMAN: Mr. Chair.  
14  
15 CHAIRMAN WILDE: Yeah.  
16  
17 MS. HOFFMAN: I'd like to put a motion on  
18 the floor to approve the Proposal 04 with the  
19 modifications as presented by Staff.  
20  
21 MR. L. WILDE: Mr. Chairman, I'll second  
22 it.  
23  
24 CHAIRMAN WILDE: Tom.  
25  
26 MR. BOYD: Mr. Chair, if I may. Are the  
27 modifications that Ms. Hoffman refers to those made by  
28 the Western Interior Regional Council for clarification?  
29  
30 MS. HOFFMAN: That's correct.  
31  
32 CHAIRMAN WILDE: Any discussion.  
33  
34 MS. HOFFMAN: There was some question as  
35 to which modification and it was the modification as  
36 presented by Glenn with the recommendations by the  
37 Western Interior Regional Council as they put forth.  
38  
39 MR. L. WILDE: Question.  
40  
41 CHAIRMAN WILDE: Question's been called  
42 for. Request for roll call.  
43  
44 MS. GREGORY: Lester Wilde.  
45  
46 MR. L. WILDE: No.  
47  
48 MS. GREGORY: Bob Aloysius.  
49  
50 MR. ALOYSIUS: Yes.

1 MS. GREGORY: Joseph Mike.  
2 MR. MIKE: Yes.  
3  
4 MS. GREGORY: Ray Oney.  
5  
6 MR. ONEY: No.  
7  
8 MS. GREGORY: John Hanson.  
9  
10 MR. HANSON: No.  
11  
12 MS. GREGORY: Phillip Moses.  
13  
14 MR. MOSES: Yes.  
15  
16 MS. GREGORY: Robert Nick.  
17  
18 MR. R. NICK: Yes.  
19  
20 MS. GREGORY: Nick Andrew.  
21  
22 MR. ANDREW: No.  
23  
24 MS. GREGORY: Myself. No. Greg  
25 Roczicka.  
26  
27 MR. ROCZICKA: Yes.  
28  
29 MS. GREGORY: Beverly Hoffman.  
30  
31 MS. HOFFMAN: No.  
32  
33 MS. GREGORY: Harry Wilde.  
34  
35 CHAIRMAN WILDE: No.  
36  
37 MS. GREGORY: Five yeas and seven nays.  
38 Motion to approve Proposal No. 4 with modification by the  
39 Western Interior failed.  
40  
41 MR. ONEY: Mr. Chairman.  
42  
43 CHAIRMAN WILDE: Ray.  
44  
45 MR. ONEY: Carl Jack is waving his hand.  
46  
47 CHAIRMAN WILDE: Carl.  
48  
49 MR. JACK: Thank you, Mr. Chairman. Carl  
50 Jack. I m a Native liaison. I think it would be

1 appropriate for this Council to state the reasons,  
2 establish the rational basis for the vote that you just  
3 took so the Board will have a good idea as to the  
4 rational basis for the vote. Right now you re simply  
5 saying no and the record will probably reflect not having  
6 the reason for saying no. What my concern is is that  
7 members of the Western Interior might have a wrong  
8 interpretation of your intent. If that s the case, it  
9 might lead to further hard feelings between the two  
10 Regional Councils. So, in the interest of keeping peace  
11 or having good relations with Western Interior, it might  
12 be a good idea for having a rational basis for your vote.

13

14 Thank you, Mr. Chairman.

15

16 MS. HOFFMAN: Mr. Chair.

17

18 CHAIRMAN WILDE: Beverly.

19

20 MS. HOFFMAN: I feel like this proposal  
21 has taken up a lot of time and I think it shows that we  
22 had almost a split even vote that the Western Council  
23 will know that there probably was much discussion. It s  
24 already on record, a lot of our reasonings. We ve taken  
25 up a lot of time. We have a huge agenda in front of us.  
26 I would say we move on.

27

28 CHAIRMAN WILDE: John Hanson.

29

30 MR. HANSON: Thank you, Mr. Chairman.  
31 The reason I vote no on the amendment and the whole  
32 proposal is, number one, I don't feel really comfortable  
33 with the proposal because even if they have just 18 hours  
34 of fishing and they re way up near the spawning streams,  
35 I m thinking that the impact is going to be great for  
36 spawners to get into the spawning streams. I hate to say  
37 no to the subsistence users, but my concern is  
38 conservation first. I have subsistence priority. So  
39 does everybody else sitting in here, but we have to think  
40 of conservation first of the resources, otherwise we'll  
41 be back to zero again. For that reason I kept my vote  
42 no.

43

44 Thank you.

45

46 CHAIRMAN WILDE: So that's the reason  
47 that you vote how you vote, but my understanding awhile  
48 ago is it was presented in the wrong way or something.  
49 Someone who presented to us the right way, that s why  
50 it s presented or not. This reason after they re-

1 presented you could reconsider your vote. Go ahead.

2

3 MR. UBERUAGA: Mr. Chairman. I believe  
4 you followed the correct process in your last vote. You  
5 voted whether to accept the modifications from the  
6 Western Interior for two 18-hour periods and some  
7 specific dates. I m not sure I understand your question.  
8 I believe you re on the right track. You made the right  
9 vote.

10

11 Carl s point is that he would like to  
12 understand the reasoning behind each of your votes to  
13 further explain why you voted the way you did, just as  
14 John has provided. I have notes for four of you stating  
15 the reasons for your voting previously. John restated why  
16 he is voting the way he is. If others would like to  
17 provide their reasoning, further elaborate on their  
18 reasoning, I would be glad to take that message back.

19

20 Thank you.

21

22 MS. HOFFMAN: Mr. Chair.

23

24 CHAIRMAN WILDE: Beverly.

25

26 MS. HOFFMAN: Who do you have?

27

28 MR. UBERUAGA: I have John, who just  
29 reiterated why he s voting the way he did. I have Lester  
30 expressing his vote the way he did because of his  
31 position as co-chair with YRDFA and the concerns he has.  
32 I have your concerns about the inability of two agencies  
33 to have a common agreement. I have Greg supporting the  
34 proposal and why he is supporting the proposal, because  
35 it is a reduction in fishing time and that it's not  
36 confusing, he understands the proposal. Those are the  
37 people I have weighing in on this.

38

39 Thank you.

40

41 MR. ONEY: Mr. Chairman.

42

43 CHAIRMAN WILDE: Ray.

44

45 MR. ONEY: I'll state my reasons for  
46 changing my vote. As I stated earlier before we went to  
47 dinner break, I sit on the Lower Yukon Advisory Committee  
48 and the majority of the people that were on the  
49 teleconference voted against this proposal. The reason  
50 for my first vote was because I misunderstood that we

1 were voting to bring back the proposal.

2

3 Thank you, Mr. Chairman.

4

5 CHAIRMAN WILDE: Mary.

6

7 MS. GREGORY: Although I sympathize with  
8 the people who like to have driftnet fishing in the Upper  
9 Yukon, I need to have more explanation and more reason to  
10 trying to get it passed and I feel I can't make decisions  
11 for the Upper Yukon people just as much as I will not  
12 appreciate if they make decisions for me on my  
13 subsistence life here.

14

15 MR. ALOYSIUS: Mr. Chairman.

16

17 CHAIRMAN WILDE: Bob.

18

19 MR. ALOYSIUS: Thank you. The reason I  
20 voted for the proposal is twofold. One is because I know  
21 how frustrating it is to try to go somewhere else when  
22 there s fish right there in front of my yard, right out  
23 on the beach, and it s closed. I can t do it. I have to  
24 go down 30, 40 miles below or 30, 40 miles upriver to  
25 catch fish. It doesn t make sense to me.

26

27 The other thing, like he said, it takes a  
28 lot of time, a lot of money and it s frustrating to not  
29 be able to go out there and fish in your front yard.  
30 Regardless whether the Feds and the State don t agree, it  
31 is us, the subsistence users, who must agree and force  
32 them to make a decision in a positive way so we can help  
33 those people upriver on the Yukon. I m sure they would  
34 feel the same way about us if we had to be restricted  
35 upriver. I m from upriver. Born and raised upriver.  
36 Lived there all my life except for 27 years down here in  
37 Bethel and I know how frustrating it is to be restricted  
38 from using something that s been there for 10,000 years  
39 or more. I feel the same way as those people up there.  
40 Hopefully, if we stand united with those people in the  
41 Western Interior, we can force the Feds and the State to  
42 come together on terms.

43

44 Thank you.

45

46 MR. UBERUAGA: Mr. Chair.

47

48 CHAIRMAN WILDE: Yeah, go ahead.

49

50 MR. UBERUAGA: I would just add that it's

1 not imperative that everybody has to weigh in. It s just  
2 that this opportunity does allow us to explain better the  
3 reasoning and the rationale behind your decision. If you  
4 feel you don t want to explain the reasoning behind your  
5 vote, you do not have to explain the reasoning. That s  
6 perfectly fine.

7

8 Thank you.

9

10 CHAIRMAN WILDE: Yeah, Richard, other  
11 Councils, especially upriver, they don't respond their  
12 reason why. They never done that. These proposals come  
13 from all over, they come from upriver, down river. I  
14 hope you don't feel bad for what I'm going to say. In  
15 this proposal you say that even the Chairman of the  
16 Council be against the Lower Yukon decisions. Not their  
17 Council. They make their proposals for Lower Yukon.  
18 Even their chairman. Me, I can't. I have been trying to  
19 do best as I can since I been sitting here because I  
20 don t speak very much English. But right now the vote is  
21 already approved. I think we have enough reason already.

22

23 MR. UBERUAGA: That's what I was trying  
24 to convey. Thank you, Mr. Chairman.

25

26 CHAIRMAN WILDE: So we going to move to  
27 the next proposal. Proposal 05, establish a six-day fall  
28 chum salmon opening for Federally-qualified subsistence  
29 users only in Subdistrict 5-D. Council, you ll find this  
30 on Page 99.

31

32 MR. UBERUAGA: Thank you, Mr. Chair.  
33 Members of the Council. This proposal was submitted by  
34 the Eastern Interior Regional Advisory Council and seeks  
35 to establish a six day fall chum salmon subsistence  
36 opening for Federally-qualified subsistence users only in  
37 Subdistrict 5-D. The Eastern Interior Council submitted  
38 this proposal because of the history of fall chum salmon  
39 closures in that subdistrict while other districts have  
40 had harvest opportunities on these same fish.

41

42 The Council stated that the proposal  
43 would ensure that remote families dependant upon  
44 subsistence resources and unable to participate in the  
45 assistance programs provided, such as the hatchery  
46 programs providing excess hatchery fish, would be given a  
47 reasonable opportunity to harvest fall chum salmon for  
48 their personal consumption and use. Again, this proposal  
49 was submitted for a few families who live in very remote  
50 areas downstream from the village of Eagle who don t have

1 the opportunity or the means to get into town to partake  
2 in these assistance programs.

3  
4 The Eastern Interior Council noted that  
5 by adopting this proposal they would preclude the in-  
6 season manager s authority to manage this subsistence  
7 fishery during this six-day period from September 15th  
8 through September 20th.

9  
10 As many of you know, the fall chum run  
11 strengths were very poor in several years, such as 1993  
12 and 1998 through 2002, and subsistence fishing  
13 restrictions were the result. Subsistence harvest of  
14 Yukon fall chum salmon has been below the State s amounts  
15 necessary for subsistence in those years. Again, as you  
16 know, subsistence fishing is managed according to the  
17 windows scheduled that was implemented in 2001 by the  
18 Alaska Board of Fisheries. And in Subdistrict 5-D that  
19 window schedule allows fishing seven days a week, 24  
20 hours a day.

21  
22 As I mentioned, this proposal seeks a  
23 guaranteed opportunity to fish during September 15th to  
24 the 20th without regard to the in-season run strengths.

25  
26 Adopting this proposal would take away  
27 the in-season manager s authority to manage the  
28 subsistence fishing during this period. During years of  
29 low fall chum salmon returns, subsistence harvest could  
30 remove fish from a return that might be below the  
31 escapement requirements, thereby hampering efforts at  
32 stock recovery.

33  
34 There is also a concern about this  
35 proposal as being inconsistency with the existing  
36 U.S./Canada agreements for border passage of fall chum  
37 salmon.

38  
39 The preliminary conclusion of the Staff  
40 is to oppose this proposal. We look forward to your  
41 comments.

42  
43 Thank you.

44  
45 CHAIRMAN WILDE: Thank you. Councils, do  
46 you have any questions for Richard.

47  
48 Greg.

49  
50 MR. ROCZICKA: Thank you, Mr. Chairman.

1 I appreciate you bearing with me here. I m just trying  
2 to get back up to speed after 12 to 15 years of being out  
3 of the loop on fisheries or being up to speed on the  
4 Yukon issues, as I used to know fairly well when I was on  
5 the International Panel on Treaty Negotiations.

6  
7 Have you provided opportunity and  
8 provided openings for people through these times of the  
9 low runs, has there been some opportunity provided for  
10 people in this area to go ahead and fish?

11  
12 MR. UBERUAGA: Mr. Roczicka. I believe  
13 that the record is that some years the opportunity has  
14 been provided, but runs have allowed that. Escapements  
15 were at a level that did allow subsistence openings to  
16 remain open, such as this year where it did remain open  
17 pretty much the entire season. I did not hear any  
18 discussion at the Council meeting in Eagle about people  
19 not getting fish this year. Again, in some years, the  
20 seasons were restricted, but that was based on escapement  
21 levels projected to not be met.

22  
23 Beyond that, if Mr. Bergstrom would like  
24 to offer something else, I m not sure how I can further  
25 answer your question.

26  
27 MR. ROCZICKA: No, you answered well  
28 enough. The other one I wanted to bring forward is, if  
29 I m correct, your returning chums, are they three and  
30 four-year-olds primarily?

31  
32 MR. UBERUAGA: Four.

33  
34 MR. ROCZICKA: So we are looking at the  
35 same anomaly here, the situation we have on the Kuskokwim  
36 where we have totally failed escapements, the worst on  
37 record, but yet we are getting record returns on those  
38 fish.

39  
40 MR. UBERUAGA: That's correct.

41  
42 MR. ROCZICKA: So maybe there s something  
43 wrong with the biometicians and so forth and they need to  
44 revise what they re getting for returns for spawners.  
45 Again, I know that ocean survival was extremely poor  
46 during these years and that, I believe, is the cause of  
47 the failed runs and not subsistence and we re getting a  
48 better survival and return and conditions are all  
49 favorable at present.

50

1 Thank you.

2

3

CHAIRMAN WILDE: Lester.

4

5 MR. L. WILDE: Mr. Uberuaga, why aren't  
6 we getting the proposal as written into our proposal  
7 books? We're just getting a general description of what  
8 the proposal is. I thought we used to have where the  
9 whole proposal was written so we could determine to  
10 ourselves what the language is. Are you guys editing  
11 these proposals or are you putting in your own words to  
12 make these proposals more understood or exactly what's  
13 going on? I don't seem to see the original proposal in  
14 here.

15

16 MR. UBERUAGA: To my knowledge, this  
17 proposal is what was submitted and asked for. The exact  
18 proposal is paraphrased in the first paragraph under  
19 issues on Page 100 where it starts out with the analysis  
20 asking for six days. This proposal was submitted by Mr.  
21 Andy Bassich in Yukon. I personally reviewed the Federal  
22 transcripts from the meeting when this proposal was  
23 submitted and noted that specifically this proposal would  
24 preclude the in-season manager's authority to manage the  
25 fishery. That was explicitly stated when the Eastern  
26 Interior Council prepared this proposal. So I believe  
27 this reflects accurately the proposal for Mr. Bassich.

28

29 MR. L. WILDE: Would it be asking too  
30 much to get a copy of the original proposal as it is  
31 written in the booklet from now on?

32

33 MR. UBERUAGA: Not at all. I believe  
34 Harry has that booklet right there with the proposal in  
35 it.

36

37 CHAIRMAN WILDE: I think, if I'm not  
38 mistaken, all the Councils received these proposals. Is  
39 that right?

40

41 MR. A. NICK: Mr. Chairman, if I  
42 understood your question, is this proposal booklet  
43 received by all the Councils. I'm not sure if it's  
44 received by all the Councils because it's mailed out of  
45 the Anchorage office or the printers. But I do know that  
46 the proposals with analyses the Regional Advisory  
47 Councils do receive those, the ones you have in your  
48 book.

49

50 MR. L. WILDE: My question is, do we get

1 the original proposals as they were written.

2

3 MR. A. NICK: My response to that,  
4 Lester, would be that because of the procedures I think  
5 Rich and Polly could respond to that better than I can  
6 because of some things they have to do. Sometimes the  
7 wording may change a little.

8

9 MR. L. WILDE: That was one of the  
10 biggest gripes I had prior to this meeting, in other  
11 meetings where the Staff went over the proposals and put  
12 in the words as they saw fit and at that time I wanted  
13 to see the original proposals as they were presented so  
14 we could -- I think we're intelligent enough to be able  
15 to decipher those proposals since we go through them all  
16 the time.

17

18 MS. GREGORY: Mr. Chairman.

19

20 CHAIRMAN WILDE: Mary.

21

22 MS. GREGORY: Yeah, that is true. What  
23 Lester is saying is true. I know that Mr. Phillip Moses  
24 a few years back noticed the same thing after we were  
25 working on proposals that would be workable in our area,  
26 but when they came out like six months later they were  
27 totally opposite of what we were trying to do. So I'm  
28 with him. If we don't have it, supply us with the  
29 original proposal and your modification or analysis along  
30 with it. We would be a lot more happier.

31

32 MR. UBERUAGA: Point well taken and I  
33 will make sure you receive the original proposals as  
34 submitted by the proponent.

35

36 Thank you.

37

38 MS. GREGORY: Yeah.

39

40 CHAIRMAN WILDE: I'm going to ask the  
41 Alaska Department of Fish and Game their comments.

42

43 MR. BERGSTROM: Thanks, Harry. This is  
44 Dan Bergstrom. We basically concur with the comments  
45 from OSM. I guess one thing the Department would add is  
46 that we know there's been a lot of concerns from the  
47 Upper Yukon with the fall chum fishery. They've been  
48 heavily impacted on the poor run years and they've had  
49 proposals to the Board of Fisheries to try and figure out  
50 if there can be community quotas. I guess we can't

1 support this proposal, but we would support them  
2 continuing to work with like the Yukon River Drainage  
3 Association on the fall chum management plan to address  
4 - you know, when you have really weak runs, is there a  
5 way to allow some minimal fishing time or some kind of  
6 way to help people in those bad runs. I think that s  
7 what we d recommend.

8

9 CHAIRMAN WILDE: Questions to the State.

10 Greg.

11

12 MR. ROCZICKA: Mr. Chair. Dan, if you  
13 can just maybe clarify a discrepancy I m seeing between  
14 the proposal under the Staff analysis and the issue  
15 statements it references that there s a perceived history  
16 of the fall chum harvest season being closed in  
17 Subdistrict 5-D and then in the State s comments here for  
18 this proposal, right about in the middle of your  
19 paragraph, it says fishing time is already longer in  
20 upper river districts, such as Koyukuk and Subdistrict 5-  
21 D, which has seven days per week subsistence fishing.

22

23 Can you explain to me why the difference  
24 in perception there?

25

26 MR. BERGSTROM: Under the subsistence  
27 fishing schedule, Subdistrict 5-D does have seven days a  
28 week. It s in the year 2001, 2002 where subsistence was  
29 closed to fall chum where they were heavily impacted and  
30 it was closed up there. I think what this is saying is  
31 that even if there was a good run, there would be a time  
32 when this would go to five days, this time period here.  
33 It would be rural only, even if it was a huge run.  
34 That s addressing that it's already seven days a week.  
35 If you had a good run, why would you have a five-day or  
36 seven-day period where it would only be rural users.  
37 That s what it says. So it s kind of addressing the  
38 really bad years they get to go, but even on a great year  
39 there would be that rule too, which doesn t work.

40

41 MR. ROCZICKA: Uh-huh.

42

43 MR. BERGSTROM: I think what they really  
44 want to address is the bad years.

45

46 CHAIRMAN WILDE: If there are no other  
47 questions -- yeah, Richard.

48

49 MR. UBERUAGA: Mr. Chair. I would just  
50 add that most users in 5-D are rural users only. There

1 are very little used by non-rural users in Subdistrict 5-  
2 D.

3

4 Thank you.

5

6 MS. HOFFMAN: Mr. Chair.

7

8 CHAIRMAN WILDE: Beverly.

9

10 MS. HOFFMAN: I notice in some of the  
11 other proposals that the Councils from other areas have  
12 come forward with modifications. Glenn worked with them  
13 on the last proposal on modifications. Dan, you said you  
14 would accept different wording if it was worded  
15 differently. I m just wondering why when this comes  
16 forward, like Glenn worked with them on Proposal 04, why  
17 somebody doesn t call them up and say, well, you know, it  
18 would be more acceptable - I know we re getting into  
19 what Les just said, your own analysis and your  
20 modifications of the original proposal. I m wondering,  
21 and maybe this isn t the appropriate place to wonder  
22 about those things, but I do wonder.

23

24 CHAIRMAN WILDE: Dan.

25

26 MR. BERGSTROM: Yes, Bev, I wasn t really  
27 saying so much as part of this proposal different  
28 wording. What I was suggesting is that they continue to  
29 work with users all along the river. There s a major  
30 fall chum plan and how the fishery is managed and that s  
31 where I think they should work on. So not really a  
32 separate proposal just for their area. It s kind of this  
33 overall, how does the river operate when you have these  
34 really low runs. Is there a way to allow some minimal  
35 fishing and it would probably end up - you know, maybe  
36 it would end up in only one section of the river  
37 depending on other issues, but I think it s something to  
38 look forward to work together on and continue  
39 because it s been a major point of contention, but I  
40 think it s within the management planning to work on it.

41

42 CHAIRMAN WILDE: Richard.

43

44 MR. UBERUAGA: Thank you, Mr. Chair. I  
45 would just like to remind you and point out that the  
46 Council submitted this proposal because of their empathy  
47 or real concern for two families. Two families who  
48 didn t live the way most people live. They live a true  
49 remote subsistence lifestyle with dog teams that are, of  
50 course, on the decline and who can t afford to get into

1 town, into Eagle, which is not a big town. And they felt  
2 so concerned about those two families that they felt they  
3 had to provide fish for them. They almost submitted this  
4 proposal out of frustration in that they felt so much  
5 concern for these families. So that's the real  
6 background behind submitting this proposal, those  
7 families that can't live like the rest of the people  
8 around Eagle.

9  
10 Thank you.

11  
12 MR. ALOYSIUS: Mr. Chair.

13  
14 CHAIRMAN WILDE: Bob.

15  
16 MR. ALOYSIUS: Thank you, Mr. Chairman.  
17 I'm getting a little confused here on this Proposal 05-  
18 05. It says establish a six-day full fall chum salmon  
19 opening for Federally-qualified subsistence users only in  
20 District 5-D. On the information we read fishing time is  
21 already longer in upper river districts such as the  
22 Koyukuk River and Subdistrict 5-D, which has seven days a  
23 week subsistence fishing. I mean they already have seven  
24 days a week subsistence fishing for everyone and now you  
25 want a special thing. I can't understand that.

26  
27 MR. L. WILDE: Mr. Chairman.

28  
29 CHAIRMAN WILDE: Lester.

30  
31 MR. L. WILDE: That is the reason why I  
32 requested the original language to this because it states  
33 for one thing that they request a mandatory six-day a  
34 week fall chum salmon subsistence season, in parentheses  
35 September 15th to 20th. It's sentences like that I have a  
36 hard time swallowing because I don't know whether those  
37 parentheses are from Staff on the season or whether that  
38 was written in the proposal itself. That is one of the  
39 heartburns I get because reading through some of these  
40 proposals it's exactly like Bob noted, that there could  
41 be differences requested when they already have in their  
42 area in 5-D as mentioned by Bob seven days a week and  
43 these guys requesting six days a week. That doesn't make  
44 any sense to me.

45  
46 CHAIRMAN WILDE: Any more questions to  
47 Richard or Dan. John.

48  
49 MR. HANSON: Thank you, Mr. Chairman.  
50 This proposal I can't get nothing out of it, even on this

1 regulatory history for 5-D. They just want five days  
2 fishing.

3

4 MR. L. WILDE: No, six.

5

6 MR. HANSON: In one of the effects of the  
7 proposal it says from September 15th to the 20th and then  
8 this proposal is for six days. Why, if they re fishing  
9 six days a week, are they reducing it to five days or are  
10 they increasing it from five to six days?

11

12 CHAIRMAN WILDE: Richard.

13

14 MR. UBERUAGA: Mr. Chair. Mr. Hanson,  
15 let me try to explain a little simpler. In some years  
16 fall chum start into the river around the 15th of July.  
17 The best indicators may say, okay, we think we have a lot  
18 of fish this year, so we re going to open up some  
19 subsistence harvest down here in Y1, Y2. As the season  
20 progresses - you re fishing for a few days on Y1, Y2  
21 fall chum. As the season progresses, we start getting  
22 more information coming in from all different sources and  
23 different test stats, different indices, different  
24 wheels. We learn more and more. These fish are moving  
25 upriver. We learn, wait a second, we may have  
26 overestimated how many fish are coming. We may be wrong.  
27 We may be way off. If we re way off, all of a sudden we  
28 have to start reducing the amount of subsistence fishing  
29 that we can allow on this block of fish that s moving up  
30 the river. So maybe these fish take 20, 30 days to get  
31 up to 5-D. By that time we go, well, there s not enough  
32 fish to allow them to fish, so we re going to have to  
33 close 5-D. We can t allow any subsistence fishing. The  
34 run is too bad and we re not going to make escapement.  
35 So 5-D are not allowed to fish. They get shut down,  
36 they can t fish, there s no opening for subsistence fall  
37 chum. There was a small opening at the beginning of the  
38 run down in Y1 and Y2 maybe, but by the time we learned  
39 more information, it s a bad year, we can t fish up  
40 there, so that s when those people are restricted from  
41 fishing.

42

43 That doesn't happen very often, but it  
44 has happened in the past in years of poor returns. Those  
45 people don't have any chance. They have no opportunity  
46 to fish that year.

47

48 What this proposal says, be that as it  
49 may, we still want six days to get fish for these  
50 families for their dogs because they have to have the

1 dogs to live. Even if we re not going to make  
2 escapement, we still want to fish six days and take maybe  
3 2000 fish. That was the number they used in Eagle.  
4 That s what they estimated they would need to live,  
5 around 2000 fall chum salmon. Mr. Chair.

6  
7 CHAIRMAN WILDE: Yeah, I think it's  
8 understandable now the way you present it. We still have  
9 other agencies to comment now. We re going to ask  
10 Federal, State and Tribal agency comments.

11  
12 (No comments)

13  
14 CHAIRMAN WILDE: If there s none, we re  
15 going to ask Interagency Staff Committee comments.

16  
17 MR. CHEN: Thank you, Mr. Chair. Glenn  
18 Chen with the Bureau of Indian Affairs representing the  
19 Interagency Staff Committee. At this time we do not have  
20 any additional information or comments to provide on this  
21 particular proposal. And in the interest of perhaps  
22 helping the Council expedite things, I d like to let the  
23 Council know that on the remaining proposals the Staff  
24 Committee does not have additional comments or  
25 information to provide as well.

26  
27 CHAIRMAN WILDE: Thank you. Next, Fish  
28 and Game Advisory Committee comments. Ray.

29  
30 MR. ONEY: Thank you. Again, we had a  
31 teleconference on this proposal. We felt that that cap  
32 would have to come from somewhere and we felt it would  
33 come from the Lower Yukon and that s the reason why we  
34 opposed it.

35  
36 Thank you, Mr. Chairman.

37  
38 CHAIRMAN WILDE: Richard.

39  
40 MR. UBERUAGA: Mr. Chair. Members of the  
41 Council. I would like to go on the record on how the  
42 other two Councils voted on this issue.

43  
44 CHAIRMAN WILDE: Go ahead.

45  
46 MR. UBERUAGA: The Eastern Interior  
47 Council supported this proposal and the Western Interior  
48 Council did not support this proposal.

49  
50 Thank you, Mr. Chair.

1 CHAIRMAN WILDE: Summary of written  
2 public comments.

3  
4 MR. A. NICK: Mr. Chair, we received one  
5 written public comment from Mr. Mike Moses. The work put  
6 out by the Yukon River Panel and the U.S. Fish and  
7 Wildlife Service to protect these Canadian bound stocks  
8 should remain in effect until such time that they feel  
9 protection is no longer needed. Protection of these fall  
10 chum salmon should also not end up as dog food. Dogs are  
11 able to eat other foods besides salmon; be grateful you  
12 can receive fish without due expense. Mr. Chairman.

13  
14 CHAIRMAN WILDE: Do we have any public  
15 testimony concerning this proposal, Proposal 05.

16  
17 (No comments)

18  
19 CHAIRMAN WILDE: If none, now we go into  
20 Regional Council deliberation and recommendation and  
21 justification. Greg.

22  
23 MR. ROCZICKA: Thank you, Mr. Chair.  
24 Before I get into a motion, I d like to ask about the  
25 other regional councils. Can I ask for the rationale of  
26 the Eastern Interior Council in supporting this proposal?  
27 I must presume that you laid out the same information to  
28 them.

29  
30 MR. UBERUAGA: Again, this proposal would  
31 not reduce them from seven days to six day. In a normal  
32 year, they re allowed to fish seven days a week, 24 hours  
33 a day. In an abnormal year, they re not allowed to fish  
34 at all. What this would do in a year of low runs would  
35 provide those six days during September.

36  
37 Their rationale was several. One was  
38 that these dog teams cannot work and perform on dry dog  
39 food. They were very clear that a working dog team to  
40 work hard would need good proteain to live off and  
41 required fish. Secondly, they felt these families did  
42 not have the regular opportunities that the rest of the  
43 community had being remote and not able to get to town.  
44 Thirdly, they felt that they were only asking for a small  
45 number of fish for a few families, a number that would  
46 not make a large difference in escapements, in subsequent  
47 returns four to five years down the road. They felt that  
48 2000 fish out of whatever return might come back that  
49 year, even if it was below escapement, would not make a  
50 real quantifiable for-certain difference.

1                   They also did mention that in light of  
2 the existing Area M fisheries and the amount of chum  
3 salmon harvested in that fishery, that 200 fish was  
4 insignificant. Therefore, they agreed to support this  
5 proposal and these subsistence families.

6  
7                   Thank you, Mr. Chair.

8  
9                   MR. ROCZICKA: I did have a  
10 misunderstanding then on the affect of this proposal  
11 because I had understood it to be a replacement rather  
12 than in addition to. I d move at this time to adopt  
13 Proposal 05.

14  
15                   CHAIRMAN WILDE: John Hanson.

16  
17                   MS. HOFFMAN: Mr. Chairman, I ll second  
18 it for discussion purposes.

19  
20                   CHAIRMAN WILDE: Wait. I m having a hard  
21 time hearing you.

22  
23                   MR. ROCZICKA: To move forward with  
24 action, I made a motion to adopt this proposal so we can  
25 go ahead and deal with it up or down.

26  
27                   MS. HOFFMAN: And I seconded it for  
28 discussion purposes.

29  
30                   CHAIRMAN WILDE: John Hanson.

31  
32                   MR. HANSON: Thank you, Mr. Chairman.  
33 This proposal, Harry, is one that Richard mentioned there  
34 was two families that live in a remote village, a two-  
35 family village, out in the boondocks. Is it a road-  
36 connected place or do you have to walk?

37  
38                   MR. UBERUAGA: You have to boat or dog  
39 team in the winter. I m not even sure how they get back  
40 to Eagle in the winter time. I believe it s by boat in  
41 the summer.

42  
43                   MR. HANSON: Okay. In 5-D there is eight  
44 communities. The highest one is Ft. Yukon, they caught  
45 3,523. The lowest one is Steven's Village, zero, and the  
46 one that caught one in 2002 was Beaver. In those  
47 communities, there was two with zero, Central was zero in  
48 2002 and it goes on.

49  
50                   This year I don t think 5-D is going to

1 have very many fall chums, cohos, if they go up there.  
2 According to what we saw on the fall chums, they re below  
3 what Fish and Game always say. In Y1, Y2, well they got  
4 a few fall chums, but they were really low.

5  
6 So on this justification I was going  
7 through it, it is in contradiction to ANILCA, the  
8 proposal that's written here, and that, I think, if we  
9 take a vote, I'm voting in opposition of it for that  
10 reason because this year they re probably not going to  
11 even see a fish go up there.

12  
13 Thank you.

14  
15 CHAIRMAN WILDE: We have a motion on the  
16 Proposal 05 and has been seconded to support this  
17 proposal. Any more discussion on this proposal. Bob.

18  
19 MR. ALOYSIUS: Mr. Chairman. I just want  
20 to remind you guys, when you make a motion, specify the  
21 proposal number. He just said he s making a proposal,  
22 but he didn t say - I mean he made a motion, but he  
23 didn t specify what proposal he s talking about. So,  
24 please, let s get things right.

25  
26 MS. GREGORY: Mr. Chairman. Greg  
27 Roczicka and Beverly Hoffman made a motion to adopt  
28 Proposal No. 5.

29  
30 MR. ALOYSIUS: They did not specify that.

31  
32 MR. ROCZICKA: I mumbled it, I guess, but  
33 I did say that.

34  
35 MR. L. WILDE: Mr. Chairman.

36  
37 CHAIRMAN WILDE: Lester.

38  
39 MR. L. WILDE: Call for the question.

40  
41 CHAIRMAN WILDE: The question has been  
42 called. Vote roll call.

43  
44 MS. GREGORY: Nick Andrew.

45  
46 MR. ANDREW: (In Yup'ik)

47  
48 INTERPRETER: What will a yes vote mean  
49 and what will a no vote mean. Please clarify what a yes  
50 and no vote will mean on Proposal No. 5.

1 MS. GREGORY: (In Yup'ik)  
2  
3 INTERPRETER: If you vote yes, you will  
4 accept Proposal No. 5.  
5  
6 MR. ANDREW: Yes.  
7  
8 MS. GREGORY: Robert Nick.  
9  
10 MR. NICK: No.  
11  
12 MS. GREGORY: Phillip Moses.  
13  
14 MR. MOSES: No.  
15  
16 MS. GREGORY: Lester Wilde.  
17  
18 MR. L. WILDE: No.  
19  
20 MS. GREGORY: Greg Roczicka.  
21  
22 MR. ROCZICKA: No.  
23  
24 MS. GREGORY: John Hanson.  
25  
26 MR. HANSON: No.  
27  
28 MS. GREGORY: Myself. Yes. Joseph Mike.  
29  
30 MR. MIKE: No.  
31  
32 MS. GREGORY: Bob Aloysius.  
33  
34 MR. ALOYSIUS: No.  
35  
36 MS. GREGORY: Beverly Hoffman.  
37  
38 MS. HOFFMAN: No.  
39  
40 MS. GREGORY: Harry Wilde.  
41  
42 CHAIRMAN WILDE: No.  
43  
44 MR. ONEY: I was not called to vote.  
45  
46 MS. GREGORY: I m sorry, Mr. Oney.  
47  
48 MR. ONEY: I vote no.  
49  
50 MS. GREGORY: So ten nays and two yeses.

1 Motion failed.

2

3

MS. HOFFMAN: Mr. Chair.

4

5

CHAIRMAN WILDE: Beverly.

6

7

MS. HOFFMAN: I would like to ask our  
8 secretary when she s doing roll call to use the same  
9 order every time so that there's no confusion.

10

11

MR. L. WILDE: Mr. Chairman, I kind of  
12 like it where she can change around so the same person  
13 doesn t get to vote the same time. It gives everybody an  
14 opportunity to voice their opinion without having an  
15 influence from the same person all the time. Do you  
16 understand?

17

18

MS. HOFFMAN: Mr. Chair. It was  
19 confusing. Ray Oney got left out, so I m just trying to  
20 at this late point of the evening to avoid this type of  
21 confusion. It s better if we stay in order and I think  
22 we re a strong opinionated group and we re not  
23 influenced.

24

25

MR. ALOYSIUS: Mr. Chairman. May we have  
26 a break, please.

27

28

CHAIRMAN WILDE: How long, till tomorrow  
29 morning? We ll have a ten-minute break.

30

31

(Off record)

32

33

(On record)

34

35

CHAIRMAN WILDE: 10 minutes up.

36

37

(Pause)

38

39

CHAIRMAN WILDE: Somebody told me that  
40 Kuskokwim fishery proposal is going to be faster.  
41 Kuskokwim fisheries now, Proposal 06, relax or lift  
42 subsistence fishing schedules when runs permit,  
43 irrespective of commercial opportunities. The page is  
44 109.

45

46

MR. UBERUAGA: Mr. Chair. Members of the  
47 Council. I'll start out by reminding you that it s  
48 almost identical to Proposal 02 which you entertained  
49 this morning for quite some time. It does request a  
50 change in the regulatory language under the Federal side.

1 It addresses the same issues, the wording issues that the  
2 State uses when they decide they want to lift a schedule.  
3 There s some small difference. So let me quickly go  
4 through this, but keep in mind these are the same issues,  
5 a wording issue. It s mostly symbolic.

6  
7 This proposal was submitted again by AVCP  
8 and the Eek traditional Council and the Organized Village  
9 of Kwethluk. It requests a permanent change to Federal  
10 subsistence regulations that relax or lift the fishing  
11 schedule in the Kuskokwim River drainage.

12  
13 What it asks for is to change the  
14 language so that when the in-season manager lifts the  
15 schedule, he has specific written regulatory direction  
16 that says you re lifting this schedule because the in-  
17 season run strength indicators are going to allow for it,  
18 there s enough fish and there s no mention of the  
19 commercial fishery.

20  
21 The way it s different than on the Yukon,  
22 on the Kuskokwim the Board of Fisheries in the January  
23 meeting this year 2004 took up this issue and they made  
24 changes. They dropped the reference to the commercial  
25 fisheries and the Kuskokwim. What the Board did was they  
26 amended the existing state regulatory language and what  
27 they said was they removed the reference to the  
28 commercial fishery and they now support relaxing the  
29 fishing schedule if the in-season assessment indicates  
30 that the run strength is large enough to provide for a  
31 harvestable surplus for subsistence and non-subsistence  
32 uses. So they got rid of that word commercial and  
33 changed the language around and that s what you have what  
34 the Board did in 2004.

35 So what this proposal does if you decide  
36 to adopt it, it provides specific written, clear  
37 regulatory direction to the in-season Federal manager.  
38 It doesn t change the current process on how they arrive  
39 at when there s enough fish on the indicators that they  
40 use to decide that escapements are going to be met or run  
41 strengths are large enough to provide for subsistence and  
42 other uses. It just provides that clear language.

43  
44 They have the authority now under the  
45 existing delegations of authority that they use. This  
46 regulation will simply provide a written, clear  
47 regulatory direction.

48  
49 The preliminary conclusion from the Staff  
50 was to support the proposal with modification so that the

1 language is really clear. AVCP asks for a lot of  
2 different words and sentences and stuff that was really  
3 hard and long to understand, a little confusing because  
4 it was so long, and what our proposal was it was just to  
5 simplify the regulatory language. Support the proposal  
6 but provide simplified regulatory language and I d like  
7 to read that language to you.

8

9 It would read the windowed subsistence  
10 fishing schedule specified in 5 AAC 73.65 may be lifted  
11 when in-season run strength is assessed to be sufficient  
12 to meet escapement goals and subsistence uses. With  
13 that, we look forward to entertaining your comments and  
14 questions.

15

16 Thank you, Mr. Chair.

17

18 CHAIRMAN WILDE: Councils you have a  
19 question.

20

21 MS. GREGORY: Mr. Chairman. I don t  
22 understand the last part of your Staff recommendation  
23 where it says strength is assessed to be sufficient to  
24 meet escapement goals and subsistence uses. The reason  
25 to life the schedule is to make sure people are  
26 subsistence fishing and it's confusing to me.

27

28 MR. UBERUAGA: Right now the State of  
29 Alaska uses regulatory language that s different from  
30 that. They use regulatory language that talks about run  
31 strength that s large enough to provide a harvestable  
32 surplus for subsistence and non-subsistence uses. It s  
33 the language that s important here. It just clarifies  
34 the language which the Federal in-season manager would  
35 follow. It won t change how the fishery is managed  
36 currently other than providing a written clear direction.

37

38 Thank you.

39

40 CHAIRMAN WILDE: Thank you.

41

42 MR. ALOYSIUS: Mr. Chairman.

43

44 CHAIRMAN WILDE: Bob.

45

46 MR. ALOYSIUS: I don't know if this is  
47 splitting hairs, but doesn't the Fish and Wildlife and  
48 Fish and Game have that authority already? You know,  
49 first of the year they sent out this calendar, closures,  
50 closures, then sometimes within a week or two weeks they

1 just say, okay, just forget about that, we re going to go  
2 for a full seven days a week. So what's the difference  
3 between that and this one besides clarifying the language  
4 for the Feds?

5  
6 MR. UBERUAGA: Nothing, sir. The only  
7 difference, as I ve stated, is that it provides a written  
8 direction to the Federal in-season manager in regulation.  
9 Right now that direction is provided in a letter of  
10 delegation of authority to the in-season manager. As far  
11 as how that fishery is managed, it will not change. It s  
12 mostly symbolic, in response to AVCP s continued  
13 disenchantment, if you will, with the language the  
14 managers use.

15  
16 So that s all. Thank you.

17  
18 CHAIRMAN WILDE: Thank you.

19  
20 MS. HOFFMAN: Mr. Chair.

21  
22 CHAIRMAN WILDE: Beverly.

23  
24 MS. HOFFMAN: I think this is a good  
25 thing. I m sure John will talk about it, but the  
26 Kuskokwim River Management Working Group and AVCP and  
27 ONC, we talked about this at length and felt that it was  
28 a good thing to have this proposal. So I guess I'm less  
29 confused because we were working on it all summer long,  
30 this issue. So I just feel like it's a good thing what  
31 AVCP did, putting this proposal forth. I guess I  
32 shouldn t have made my comments until later. I m sorry.  
33 But because we addressed it, I felt like I should.

34  
35 MR. ALOYSIUS: Mr. Chair.

36  
37 CHAIRMAN WILDE: Bob.

38  
39 MR. ALOYSIUS: I hate to split hairs  
40 again, but the proper name is Kuskokwim River Salmon  
41 Management Working Group. Thank you.

42  
43 MS. HOFFMAN: Mr. Chair. I apologize.  
44 I m just like real rummy right now. I ve had about three  
45 hours of sleep. My apologies.

46  
47 CHAIRMAN WILDE: Maybe we ask Alaska  
48 Department of Fish and Game their comments.

49  
50 MR. LINDERMAN: Thank you, Mr. Chair and

1 other Council members. Just to briefly introduce myself  
2 again, my name is John Linderman. I m the assistant  
3 Kuskokwim area assistant management biologist. I work  
4 directly under the supervision of the area management  
5 biologist, Craig Whitmore, and I m here to give Staff  
6 comments in his place.

7  
8                   With respect to this proposal, currently  
9 the management tools are already in place to relax the  
10 salmon fishing schedule on the Kuskokwim River if run  
11 strength is strong enough to do so. During the 2001  
12 season, the schedule remained in effect for the entire  
13 season, the primary reason being to ensure adequate  
14 escapements on the spawning grounds in that year.  
15 However, during the 2002, 2003 and 2004 seasons the  
16 schedule was relaxed to allow seven days per week  
17 subsistence fishing beginning on June 29th in 2002, July  
18 6th in 2003 and June 20th in 2004.

19  
20                   Chinook and chum salmon escapement and  
21 harvest levels from 2002 through 2004 indicate that the  
22 total run size of these species has rebounded from the  
23 low levels encountered from 1997 through 2000.

24  
25                   The Kuskokwim River Salmon Rebuilding  
26 Management Plan was interpreted during the 2002 season to  
27 require the implementation of a commercial fishery to  
28 allow seven days per week subsistence fishing. A  
29 commercial fishery did not take place, however, due  
30 primarily to there being no market or no processor  
31 availability in the Bethel or District W-1 area.

32  
33                   During the 2003 season, the Rebuilding  
34 Management Plan was interpreted to not require  
35 implementation of a commercial fishery to allow for seven  
36 days a week subsistence fishing. Therefore, no  
37 commercial fishery was implemented until August 2003. So  
38 there wasn t that length because of the interpretation  
39 between a commercial fishery and lifting of the  
40 subsistence schedule in 2003.

41  
42                   During the 2004 January Board of  
43 Fisheries meeting, in response to a proposal from AVCP,  
44 the Kuskokwim River Salmon Rebuilding Management Plan was  
45 amended to clearly break the link between relaxing the  
46 subsistence fishing schedule to seven days per week and  
47 implementing a commercial fishery. This was primarily  
48 accomplished by giving emergency order authority to the  
49 area manager to lift the subsistence schedule based on  
50 adequate run strength and to achieve escapement goals.

1                   This wording provides the Department  
2 guidance to manage the subsistence fishery to achieve  
3 escapement goals and gives the flexibility to relax  
4 subsistence fishing schedule based on run abundance.  
5 During the 2004 season, the subsistence fishing schedule  
6 was relaxed without implementation of a commercial  
7 fishery. However, salmon run strength warranted a  
8 commercial fishery from June 30th until July 7th and, as I  
9 mentioned earlier, the schedule was relaxed on June 20th,  
10 so there s about a 10-day period there between the  
11 relaxation of the subsistence schedule and implementation  
12 of a commercial fishery in 2004.

13  
14                   Fishery managers and users understand  
15 that the schedule will relax when the in-season run  
16 strength is strong enough to do so. Existing State  
17 management plans and fishing regulations provide a  
18 reasonable opportunity for subsistence fishing. This  
19 proposed wording would not change the way management  
20 actions occur. However, having multiple State and  
21 Federal regulations may lead to confusion in the future.  
22 As Bev stated at the recent fish summit meeting  
23 approximately two weeks ago, I believe it was, that the  
24 working group did support this proposal.

25  
26                   Thank you, Mr. Chair.

27  
28                   CHAIRMAN WILDE: Thank you. Councils, do  
29 you have a question for John. If not, we go to other  
30 agencies.

31  
32                   (No comments)

33  
34                   CHAIRMAN WILDE: If none, Fish and Game  
35 Advisory Committee comments.

36  
37                   (No comments)

38  
39                   CHAIRMAN WILDE: If none, Interagency  
40 Staff Committee comments.

41  
42                   (No comments)

43  
44                   CHAIRMAN WILDE: If none, summary of  
45 written public comments.

46  
47                   MR. A. NICK: Mr. Chairman, there were no  
48 written public comments.

49  
50                   CHAIRMAN WILDE: Richard.

1 MR. UBERUAGA: Mr. Chair. Members of the  
2 Council. I d like to go on the record with the actions  
3 from the Eastern and Western Interior Councils. The  
4 Eastern Interior Council took no action on this proposal  
5 because it was out of their region. That was all they  
6 stated. The Western Interior, it failed to pass in  
7 Western Interior.

8  
9 Thank you, Mr. Chair.

10  
11 CHAIRMAN WILDE: Thank you. Do we have  
12 public testimonies concerning this. Will you come up  
13 here.

14  
15 MR. JOSEPH: I'm Allan Joseph from  
16 Bethel. I'm a subsistence fisherman. I speak in support  
17 of this proposal wholeheartedly.

18  
19 There should be no reason to inhibit  
20 subsistence fishing when fish runs are strong or  
21 abundant. Subsistence fishing, as we all know, is  
22 traditional in our region and practiced at opportune  
23 times. There really should be no schedule at all for  
24 subsistence fishing, but I agree, like many of my fellow  
25 subsistence fishers, fishing schedules are only for  
26 conservation purposes when needed. I request this  
27 Council to vote in favor of this proposal.

28  
29 Thank you.

30  
31 CHAIRMAN WILDE: Thank you. Now for  
32 Regional Council deliberation, recommendation and  
33 justification.

34  
35 MR. L. WILDE: Mr. Chairman.

36  
37 CHAIRMAN WILDE: Lester.

38  
39 MR. L. WILDE: I move to adopt Proposal  
40 06.

41  
42 MS. GREGORY: Second.

43  
44 CHAIRMAN WILDE: There's a motion on the  
45 floor to adopt Proposal 6 and second. Discussion. Greg.

46  
47 MR. ROCZICKA: Thank you, Mr. Chairman.  
48 I also speak in favor of this proposal. Although the  
49 Staff reports put forward here say that this is only  
50 symbolic in large degree in the current management, I do

1 believe it is necessary and a good thing to have it  
2 stated specifically in the regulation. I reference my  
3 comments earlier in the companion proposal from the  
4 Yukon, that we have no assurances whatsoever in the  
5 future. Personnel may change, administrations change,  
6 and if there s something that s not clearly stated, it  
7 can come back to bite us in the future. Someone could  
8 come across with an interpretation or you get some fellow  
9 in there that wants to do things absolutely by the book.

10

11 I appreciate the Staff coming out with  
12 the modification that they did put in place to have that  
13 clear in there. That does reflect AVCP s position and if  
14 they wouldn t have had that brought forward in the non-  
15 subsistence use rather than commercial, I don t think we  
16 should have any kind of a link whatsoever for subsistence  
17 openings or relaxation restrictions should not be linked  
18 to any other non-subsistence uses as well as the  
19 commercial.

20

21 Although for people who are currently  
22 there in the management structure, both State and  
23 Federal, they may perceive it as symbolic, I do not. I  
24 would support the language. I m scared to say friendly  
25 amendment again. I believe the language that s put  
26 forward in the modification by the Staff accurately  
27 reflects what AVCP is asking for and would suggest that  
28 that language be included as far as the regulatory  
29 language goes.

30

31 CHAIRMAN WILDE: Any more discussion from  
32 the Councils.

33

34 MS. GREGORY: Call for the question.

35

36 CHAIRMAN WILDE: Greg.

37

38 MR. ROCZICKA: Yes, I ll say friendly  
39 amendment or, in other boards, you can say just as a  
40 statement of intent that the language would be put  
41 forward, but I'll do it as a friendly amendment and ask  
42 concurrence of the maker of the motion.

43

44 MR. ALOYSIUS: What is the amendment?

45

46 MR. ROCZICKA: The friendly amendment is  
47 to replace the language put out by AVCP on Page 109 in  
48 the original proposal with the three lines that are in  
49 the Staff modification on Page 116 under A.

50

1 MR. A. NICK: Point of order, the maker  
2 of the motion has not accepted the friendly amendment.  
3  
4 CHAIRMAN WILDE: Any more questions.  
5 Lester.  
6  
7 MR. L. WILDE: Greg, are you on the  
8 proposed regulations on 109 where it says 27(i)(4)(ii) or  
9 are you saying the rest of this A and B?  
10  
11 MR. ROCZICKA: I m suggesting that we  
12 approve the proposed modification by the Staff that s on  
13 Page 116 that replaces the two long phrases of A and B on  
14 Page 109 from the original proposal.  
15  
16 MR. L. WILDE: I don't have any problem  
17 with that.  
18  
19 CHAIRMAN WILDE: John Hanson.  
20  
21 MR. HANSON: Thank you, Mr. Chairman.  
22 Richard or maybe Fish and Game here. On Page 116 there s  
23 27(i)(4)(ii) and then down under in bold writing, A, the  
24 windowed subsistence fishing schedule specified in 5 AAC  
25 07.365 may be lifted... That s the modification to the  
26 top one?  
27  
28 MR. UBERUAGA: It's a subset of the top  
29 one. The top one refers to the rebuilding plan, I  
30 believe, and then that is a subset or that s part of the  
31 rebuilding plan. That specific language under would be  
32 included in the rebuilding plan or part of it. It refers  
33 to the rebuilding plan.  
34  
35 MR. HANSON: The way the proposed  
36 regulation with modification should read, is it the bold  
37 letters?  
38  
39 MR. UBERUAGA: It would be all of it if  
40 you adopted the proposal. The regulation would be both  
41 parts, 27(i)(4)(ii) and subpart A.  
42  
43 MR. HANSON: Oh, okay. Thank you.  
44  
45 CHAIRMAN WILDE: Any more discussion.  
46  
47 MR. L. WILDE: Is that what you (away  
48 from microphone).  
49  
50 MR. ROCZICKA: That is correct. That is

1 exactly my amendment.  
2  
3 MR. L. WILDE: I ll agree with you then.  
4 That s what my motion will read.  
5  
6 MR. ROCZICKA: Then with the second s  
7 concurrence, that now becomes the main motion before us.  
8  
9 MS. GREGORY: Mr. Roczicka, I didn't get  
10 your friendly amendment.  
11  
12 MR. ROCZICKA: To substitute the language  
13 on Page 116.  
14  
15 MS. GREGORY: 116.  
16  
17 MR. ROCZICKA: In bold, stated as A under  
18 27(i)(4)(ii), that language be substituted for the two  
19 paragraphs.....  
20  
21 MS. GREGORY: Okay, I understand now.  
22 Thank you.  
23  
24 MR. L. WILDE: Mr. Chairman.  
25  
26 CHAIRMAN WILDE: Lester.  
27  
28 MR. L. WILDE: Call for the question.  
29  
30 CHAIRMAN WILDE: Alex Nick.  
31  
32 MR. A. NICK: Mr. Chairman, I just need  
33 clarification on your motion, Lester. Is your motion to  
34 adopt Proposal 06 with modification?  
35  
36 MR. L. WILDE: Yes.  
37  
38 MR. A. NICK: Okay. Thank you.  
39  
40 MR. ALOYSIUS: Who seconded the motion?  
41  
42 MS. GREGORY: I did.  
43  
44 MR. ALOYSIUS: What happened to the first  
45 motion?  
46  
47 MR. L. WILDE: It s still the first  
48 motion. We just asked for a friendly amendment.  
49  
50 MR. ALOYSIUS: Before you can vote on

1 this motion, you have to rescind that first motion.

2

3 CHAIRMAN WILDE: Not the way I  
4 understand. If it s true the way I understand, a  
5 friendly amendment is with the motion.

6

7 MR. ROCZICKA: A friendly amendment, if  
8 accepted by the maker of the motion, then becomes the  
9 main motion. It does not require a vote as an amendment.  
10 If I would have made it as a separate amendment on my  
11 own, then it would require a vote.

12

13 MR. ALOYSIUS: Question.

14

15 CHAIRMAN WILDE: The question has been  
16 called. I request for roll call.

17

18 MS. GREGORY: This is to adopt Proposal  
19 106?

20

21 MR. ALOYSIUS: 05-06.

22

23 MS. GREGORY: I'm sorry, FP05-06 with the  
24 friendly amendment to use the bold wording as on Page  
25 116.

26

27 (In Yup'ik)

28

29 MS. GREGORY: Robert Nick.

30

31 MR. R. NICK: Yes.

32

33 MS. GREGORY: Joseph Mike.

34

35 M. MIKE: Yes.

36

37 MS. GREGORY: Beverly Hoffman.

38

39 MS. HOFFMAN: Yes.

40

41 MS. GREGORY: Bob Aloysius.

42

43 MR. ALOYSIUS: Yes.

44

45 MS. GREGORY: Greg Roczicka.

46

47 MR. ROCZICKA: Yes.

48

49 MS. GREGORY: Lester Wilde.

50

1 MR. L. WILDE: Yes.  
2  
3 MS. GREGORY: Nick Andrew.  
4  
5 MR. ANDREW: Yes.  
6  
7 MS. GREGORY: Phillip Moses.  
8  
9 MR. MOSES: Yeah.  
10  
11 MS. GREGORY: Ray Oney.  
12  
13 MR. ONEY: Yes.  
14  
15 MS. GREGORY: John Hanson.  
16  
17 MR. HANSON: Yes.  
18  
19 MS. GREGORY: Harry Wilde.  
20  
21 CHAIRMAN WILDE: Yes.  
22  
23 MS. GREGORY: Mary Gregory. Yes. Twelve  
24 yeas. One absent.  
25  
26 CHAIRMAN WILDE: So the motion passed  
27 unanimously.  
28  
29 MR. ROCZICKA: Mr. Chairman.  
30  
31 CHAIRMAN WILDE: Go ahead, Greg.  
32  
33 MR. ROCZICKA: Mr. Chairman. If Staff  
34 would like to look for more rationale as to our support  
35 and reasoning for unanimous consent, I would just  
36 incorporate by reference the several hours of discussion  
37 we had in a similar proposal on the Yukon.  
38  
39 CHAIRMAN WILDE: Next on our proposals is  
40 Proposal 07, revise C&T use determination for the  
41 Kuskokwim River drainage. You'll find this on your  
42 booklet Page 118. Please say your name and who you are.  
43  
44 MS. WHEELER: Thank you, Mr. Chair. For  
45 the record, my name is Polly Wheeler and I m an  
46 anthropologist with OSM. I will be presenting the  
47 analyses for Proposal 07, which is before you, and  
48 related Proposal No. 8. As you just pointed out, the  
49 analysis for Proposal 07 can be found on Pages 118 to 132  
50 in your yellow Board book.

1                   As you know, Proposal 07 was submitted by  
2 this Council and it requests that the existing positive  
3 customary and traditional use determination for rainbow  
4 trout in the Kuskokwim Area be expanded to include the  
5 communities of Tuntutuliak, Napakiak, Napaskiak,  
6 Oscarville, Bethel, Atmautluak, Nunapitchuk, Kasigluk,  
7 Tuluksak and Kalskag.

8  
9                   A related Proposal 08, which I ll talk  
10 about later, either tonight or tomorrow morning, that was  
11 submitted by the Western Interior Regional Advisory  
12 Council, and it asks that the existing positive customary  
13 and traditional use determination for rainbow trout in  
14 the Kuskokwim area be expanded to include the three  
15 communities of Aniak, Chuathbaluk and Crooked Creek.

16  
17                   So we ll talk about Proposal 07 first and  
18 then we ll talk about Proposal 08 after that.

19  
20                   The existing Federal regulation for the  
21 existing customary and traditional use determination for  
22 rainbow trout is on Page 119 in your book. It s for the  
23 residents of the communities of Quinhagak, Goodnews Bay,  
24 Kwethluk, Eek, Akiachak, Akiak and Platinum.

25  
26                   In requesting the expanded customary and  
27 traditional use determination, the Council stated that  
28 the residents of the 11 Lower Kuskokwim and Johnson River  
29 communities have the same pattern of use as those  
30 villages that currently have a positive customary and  
31 traditional use determination for rainbow trout and  
32 expanding the current determination would fill the hole  
33 that currently exists in regulation.

34  
35                   Chairman Wilde, for your information, I  
36 took that directly out of the transcript. Mr. Roczicka  
37 said that at your meeting in St. Mary s last spring, so  
38 this proposal was requested at that meeting.

39  
40                   CHAIRMAN WILDE: Uh-huh.

41  
42                   MS. WHEELER: The map of the proposed  
43 area can be found on Page 121 of your book, but you re  
44 all probably far more familiar with the area than I am.  
45 Just a little bit of regulatory history and I won t  
46 belabor the point, but the full regulatory history is in  
47 your book on pages 120 to 122, but I bring it up because  
48 it s a little confusing because some people think that  
49 the Federal program didn t deal with fish until 1999 and  
50 this is one of the issues that was actually dealt with by

1 the Federal program fairly early on.

2

3 The regulatory history for this issue  
4 began in September 1990 when AVCP submitted a request for  
5 reconsideration to the Federal program to permit the  
6 harvest of rainbow trout by residents of all communities  
7 within the AVCP region. That clearly would have  
8 accounted for the communities that are under discussion  
9 with this proposal.

10

11 A few months later the Federal Board  
12 decided to continue to regulate the taking of rainbow  
13 trout on Federal public waters until such time as a final  
14 regulatory program was completed. About a year after  
15 that AVCP, in interest of getting this issue resolved,  
16 submitted a second request for reconsideration to the  
17 Board to permit the harvest of rainbow trout under  
18 Federal subsistence management regulations by residents  
19 of Goodnews Bay, Quinhagak, Platinum, Eek, Kwethluk,  
20 Akiachak and Akiak.

21

22 In response to this request for  
23 reconsideration, the Board recognized rainbow trout as a  
24 subsistence use species in the Kuskokwim Bay area, but  
25 opted to delay implementing a harvest program until use  
26 areas could be mapped and the navigability status of  
27 waters in those areas determined and that was related to  
28 jurisdiction criteria at that time.

29

30 To make a long story short, in April of  
31 1993, the Federal Board adopted a positive customary and  
32 traditional use determination that exists today covering  
33 those seven villages.

34

35 On pages 122 and 123, there s some  
36 information on characteristics of the different  
37 communities under consideration in this proposal. Again,  
38 you ve got that information in your book, but I ll just  
39 hit on a few key points.

40

41 In 2000, the communities in question  
42 ranged in size from 61, which was Oscarville, to 5,471,  
43 which was the population of Bethel according to the 2000  
44 census. All of these communities are predominantly  
45 Yup ik with the possible exception of Bethel, most  
46 residents of all communities rely on subsistence harvest  
47 of fish and wildlife for their way of life.

48

49 You re all familiar with the eight  
50 factors for determining customary and traditional uses.

1 Again, on Page 124 to 127, each of those eight factors is  
2 discussed in detail. For those of you newer members that  
3 may not remember how this is done, according to Federal  
4 regulation a community or area must generally exhibit  
5 most of these eight factors to be considered for a  
6 positive customary and traditional use determination.

7  
8 The Board makes a C&T use determination  
9 based on these eight factors and the Board takes into  
10 consideration the reports and recommendations of the  
11 appropriate Council or Councils regarding the C&T use of  
12 subsistence resources.

13  
14 I ll provide you a brief summary of the  
15 discussion contained in those three pages in your book.  
16 As you re aware, these Lower Kuskokwim River communities  
17 are all highly dependant on the annual cycle of  
18 subsistence harvest of resources. The harvest of wild  
19 resources is a critical component of the economies in all  
20 villages and all villages rely on the harvest of a wide  
21 diversity of resources, including salmon, non-salmon fish  
22 species, land mammals, such as black and brown bear,  
23 moose and caribou, migratory waterfowl, other birds,  
24 furbearers, berries, greens and wood.

25  
26 According to some Fish and Game studies,  
27 harvest in these communities per person can exceed 750  
28 pounds, so it s a lot of resource use. Based on their  
29 presence in the area, it s likely that rainbow trout are  
30 one of the many non-salmon fish utilized by residents of  
31 this area. While not a targeted resource, these fish are  
32 caught typically in conjunction with the harvest of other  
33 fish and are a valuable part of the annual round.

34  
35 Rainbow trout are generally taken during  
36 freshwater fishing activities occurring throughout the  
37 year or concurrent with other subsistence activities,  
38 such as moose hunting. Generally speaking, while  
39 contributing a small amount in terms of the total pounds  
40 harvested, rainbow trout are part of the seasonal harvest  
41 of fish and game resources that is the foundation of the  
42 areas economy and culture.

43  
44 Adopting this proposal would result in  
45 expansion of the positive determination for rainbow trout  
46 in the Kuskokwim area to include residents of the  
47 communities of Tuntutuliak, Napakiak, Napaskiak,  
48 Oscarville, Bethel, Atmautluak, Nunapitchuk, Kasigluk,  
49 Tuluksak and Kalskag, which in 2000 contained about 2,500  
50 households.

1                   Expanding the existing customary and  
2 traditional use determination for rainbow trout to  
3 include residents of these communities would not likely  
4 change the existing pattern of harvest and use of rainbow  
5 trout, but rather would acknowledge the existing harvest  
6 and use of rainbow trout.

7  
8                   I would note that if the Proposal 08 is  
9 also passed, 13 communities would be added to the  
10 existing customary and traditional use determination for  
11 rainbow trout in the Kuskokwim area.

12  
13                   The preliminary Staff conclusion, Mr.  
14 Chair, is to support the proposal and the justification  
15 should be fairly clear at this point and that is that  
16 residents of the Lower Kuskokwim area have utilized  
17 rainbow trout for many generations and expanding the  
18 existing C&T use determination would acknowledge that  
19 use.  
20 Mr. Chair.

21  
22                   CHAIRMAN WILDE: Councils, do you have  
23 questions.

24  
25                   (No comments)

26  
27                   CHAIRMAN WILDE: If not, Alaska  
28 Department of Fish and Game comments.

29  
30                   MR. LINDERMAN: Thank you, Mr. Chair.  
31 Council members. Again, the recommendations were put  
32 together by the Sportfish Division out of Fairbanks. A  
33 representative from Sportfish is not here today, so I ll  
34 be sitting in their place.

35  
36                   With regards to this proposal, the  
37 Federal analysis adequately addresses the documented  
38 information regarding customary and traditional use of  
39 trout by the communities of Tuntutuliak, Napakiak,  
40 Napaskiak, Oscarville, Bethel, Atmoutluak, Nunapitchuk,  
41 Kasigluk, Tuluksak and Upper and Lower Kalskag. We  
42 concur that under the current Federal and State  
43 subsistence regulations we would not expect to see a  
44 change in harvest as an effect of this proposed  
45 regulation.

46  
47                   There is a finding in State regulations  
48 for the Kuskokwim area for C&T use of all fin fish, which  
49 includes trout. We have relatively no information about  
50 trout stocks in the Kuskokwim area and have only very

1 limited data about harvest and patterns, however.

2

3                   Recent efforts have been made to try and  
4 secure funding to gather baseline data about trout  
5 populations, but these efforts have been unsuccessful.  
6 In order to provide for sustainable populations and  
7 harvests of fish, it is increasingly important to getting  
8 support for such projects.

9

10                   We recommend consideration of coordinated  
11 stock and harvest assessments for non-salmon fish, such  
12 as trout. Baseline information is needed as well as  
13 monitoring to assess potential changes and to ensure that  
14 the resource and harvest will be fully sustainable.

15

16                   Thank you, Mr. Chair.

17

18                   CHAIRMAN WILDE: Thank you. Councils do  
19 you have any questions to John.

20

21                   MS. HOFFMAN: Yes, I do.

22

23                   CHAIRMAN WILDE: Beverly.

24

25                   MS. HOFFMAN: I have a lot of concerns  
26 about this proposal. You say you have very little data on  
27 the stock and there s been little documentation of how  
28 healthy the species is on our rivers, is that correct?

29

30                   MR. LINDERMAN: Yes. To my knowledge,  
31 there isn't a lot of baseline information with regards to  
32 rainbow trout populations in the Kuskokwim area.

33

34                   MS. HOFFMAN: Don't you feel that it  
35 might be necessary to access the stock and the species of  
36 rainbow trout and how healthy it is? Because some places  
37 in America have depleted their rainbow trout stock out of  
38 their rivers because of overfishing. Is that correct?

39

40                   MR. LINDERMAN: With respect to  
41 overfishing, I can t comment too much on that, with  
42 regards to other populations, but with respect to the  
43 Kuskokwim area, there is a limited amount of data with  
44 respect to the stocks in the area. But with respect to  
45 the potential for increased usage of these stocks, if  
46 any, especially into the future with concerns about  
47 increasing populations and so on and so forth, and there  
48 is a concern with respect to the amount of knowledge that  
49 we currently have. That s primarily why we would  
50 recommend some sort of project in order to gather more

1 baseline information on these stocks.

2

3 CHAIRMAN WILDE: Polly.

4

5 MS. WHEELER: Mr. Chair. Member Hoffman,  
6 just to follow up on that. And just to clarify because  
7 this is one of those confusing issues when you re doing  
8 customary and traditional use determinations, and the  
9 shorthand for that is C&T but I try to avoid using the  
10 shorthand because it can get confusing, but when the  
11 Board makes a customary and traditional use  
12 determination, they re looking at the uses. They re not  
13 looking at the status of the population. The methods and  
14 means and the regulations come in later.

15

16 So, with this proposal, you re strictly  
17 looking at the pattern of use of that particular resource  
18 in a particular area and then the methods and means would  
19 come in later, but the C&T determination doesn t address  
20 the status of the population, it s just addressing the  
21 uses. If that clarifies anything.

22

23 I guess one other point too with regard  
24 to the State s comments on research. Clearly, in doing  
25 this analysis, there s not a lot of data. I mean you can  
26 see in the references in the write-up that a lot of the  
27 data on human use of the resources is fairly dated and  
28 somewhat limited. Tomorrow, Rich Cannon will give the  
29 presentation on the Fisheries Resource Monitoring Program  
30 where we talk about research projects. The State s  
31 comments say that they ve put in proposals to address  
32 some of these issues. To be honest, I m not aware of any  
33 projects that have actually been submitted to FIS that  
34 address these issues. We certainly agree that these are  
35 some issues that need to be addressed, but the State  
36 hasn t submitted these projects to my knowledge. So that  
37 just is a clarification there.

38

39 MS. HOFFMAN: Mr. Chair.

40

41 CHAIRMAN WILDE: Beverly.

42

43 MS. HOFFMAN: Thank you for your  
44 comments. I guess I ll reserve the rest of my concerns  
45 and comments to that section where I may do so. Thanks.

46

47 CHAIRMAN WILDE: Council, do you have  
48 questions to State or Polly.

49

50 MS. GREGORY: Mr. Chairman, I haven t a

1 question because she did a very good explanation of  
2 letting us go along with her by announcing the page  
3 numbers and such. I wish everybody would do that.

4

5 CHAIRMAN WILDE: Federal, State and  
6 Tribal agency comments.  
7 Robert.

8

9 MR. SUNDOWN: Thank you, Mr. Chairman.  
10 For the record, my name is Robert Sundown. I m the  
11 subsistence resource specialist for The Yukon Delta  
12 National Wildlife Refuge. My comments will be short, but  
13 will reflect the views currently of the Yukon Delta  
14 National Wildlife Refuge. The Yukon Delta National  
15 Wildlife Refuge supports the positive determination for  
16 these communities but would also like to stress the  
17 concerns that Ms. Hoffman raised about the consequences  
18 of the positive findings for C&T determination.

19

20 With positive findings for the C&T  
21 determination, we have very little information on rainbow  
22 trout. Currently we ve had two studies on the Kisaralik  
23 and an ongoing study for population and movement on the  
24 Kwethluk River. They re very limited in scope and  
25 nature. So, with that said first, we just want to  
26 reiterate the State's position that we have very limited  
27 information.

28

29 The second concern I have and the concern  
30 that the refuge has is with knowledge positive  
31 determination could possibly mean that all these  
32 communities are recognized, but with this recognition, in  
33 the future, could come bag limits because the population,  
34 as Ms. Hoffman stated, could not support the entire -  
35 rainbow trout, unlike salmon, are a native species, so  
36 their reproductive capabilities aren t the same as  
37 salmon. The concern we have for the villages at stake  
38 are, for example, if we find positive C&T, all the  
39 communities are allowed. At some point in the future,  
40 should the population become distressed, the villages,  
41 along with Bethel, could be put on bag limits. For  
42 example, three rainbow trout. It wouldn t just be  
43 Bethel. It would be the villages.

44

45 So right now the village of Kwethluk or  
46 Akiachak or any of these communities listed enjoys the  
47 freedom of unlimited catch-ability for rainbow trout.  
48 They can go out and get as much rainbow trout as they  
49 wanted today, but should at some point in the future the  
50 trout populations become distressed, there could become

1 implementation of bag limits on these species, which  
2 would mean that the village of Kwethluk or Akiachak or  
3 any of these other villages that now enjoys a positive  
4 C&T determination could be put on a bag limit.

5  
6 Thank you.

7  
8 CHAIRMAN WILDE: Thank you. Councils, do  
9 you have a question for Robert. Greg and Beverly.

10  
11 MR. ROCZICKA: Mr. Chair. Robert, I  
12 recognize those concerns as well and, believe me, I've  
13 thought long and hard about them. However, you state  
14 that those bag limits - if trout populations did plummet  
15 in the future and restrictions became necessary, absent  
16 these determinations, all these other villages that  
17 currently have this use would be eliminated from any  
18 harvest altogether, whereas the villages currently listed  
19 would then be able to continue to fish while all the rest  
20 of the villages would not be allowed. Is that correct?

21  
22 MR. SUNDOWN: Mr. Chairman. Mr.  
23 Roczicka, please state that again. I didn't understand  
24 that.

25  
26 MR. ROCZICKA: You mentioned a concern in  
27 the future if the trout populations are perceived to be  
28 in trouble or in a depleted state and that bag limits  
29 could result from that from these additional villages  
30 being given customary and traditional recognition.  
31 However, under the current program just recognizing the  
32 five or the seven I believe that are there and still in  
33 the future the trout population depleted or is perceived  
34 to be some kind of restrictions need to go in place, all  
35 of these villages that are currently being proposed for  
36 this use would be eliminated from any kind of harvest,  
37 whereas the seven villages that are there would continue  
38 to be allowed to harvest.

39  
40 MR. SUNDOWN: Mr. Chairman. Mr.  
41 Roczicka, I don't know if that would be true. I really  
42 don't. What I do know is if all the villages proposed to  
43 be included in the C&T would be put under some sort of  
44 restriction, whether it be bag limits or a closure  
45 altogether. I don't know. We're not there yet. All I'm  
46 saying is here are some possible consequences.

47  
48 MS. HOFFMAN: Mr. Chair.

49  
50 MR. ROCZICKA: Could I ask one more to

1 either one of you. As I understand it, similar concerns  
2 were raised in the Bristol Bay region when C&T was asked  
3 for. It was thought that the villages in that area would  
4 go out and harvest massive amounts of trout and there  
5 were concerns about that. From what I understand, that  
6 essentially has not occurred. There s a huge sport  
7 fishery that goes on down there at the same time and the  
8 subsistence fishery and there s essentially no impact and  
9 that s much larger than what we have here. I d just ask  
10 for a response to that, if that s true in what s occurred  
11 in Bristol Bay region with their trout.

12

13 MR. SUNDOWN: Just to reiterate my first  
14 statement, the refuge does support a positive C&T  
15 determination for this proposal.

16

17 CHAIRMAN WILDE: Beverly.

18

19 MS. HOFFMAN: Maybe I d like to hear  
20 Polly s comments first if you don t mind, Mr. Chair.

21

22 CHAIRMAN WILDE: Polly.

23

24 MS. WHEELER: Mr. Chair. Members. If I  
25 could just clarify to go back to the question you asked  
26 the last question ago of Mr. Sundown. You had asked  
27 about the communities wouldn t be included if there was a  
28 resource shortage. First, what would happen, there would  
29 be non-subsistence uses that would have to first be  
30 eliminated and then under the Federal program we would  
31 look at the people that are most dependant on the  
32 resource. It s what s called an 804 situation. So  
33 there s a few steps you would go through, so it's not  
34 clear that the communities would be kicked out right out  
35 of the shoot, but there is a process one would go  
36 through. But it s logical to think too that if there s a  
37 finding, that finding would factor in. If there s a C&T  
38 finding, it would factor in when they re looking at who  
39 is most reliant on the resource. Mr. Chair.

40

41 MS. HOFFMAN: Mr. Chair.

42

43 CHAIRMAN WILDE: Beverly.

44

45 MS. HOFFMAN: Right now the C&T, those  
46 communities that have that determination, there s a line,  
47 for example, on the Kisaralik that C&T status is drawn  
48 below Akiak camp, for example, is that correct? Or is it  
49 enjoyed along the whole river?

50

1 MR. SUNDOWN: That is correct. And that  
2 positive C&T is more or less due to an action the Board  
3 of Fish took in 1997 in Fairbanks when they determined  
4 pretty much the rainbow trout fisheries on the Kisaralik  
5 are going to be catch and release above the Akiak cabin  
6 and there s a limit of one below the Akiak cabin in the  
7 Kisaralik. Also on the Kwethluk and the Kasigluk Rivers,  
8 and these are all sportfish regulations, not regulations  
9 that affect the rest of the populations in those  
10 villages. So the regulations put in place in 1997 were  
11 above Three Step on the Kwethluk, there s a limit of one,  
12 and on the Kasigluk there s a limit of one.

13  
14 MS. HOFFMAN: For the sports, not C&T.  
15 That was my question. For C&T, those villages that have  
16 that right now is for the entire tributary.

17  
18 MR. SUNDOWN: Mr. Chairman. The villages  
19 that are listed in the C&T are exempt from those  
20 requirements.

21  
22 MS. HOFFMAN: That was my question.

23  
24 CHAIRMAN WILDE: Polly.

25  
26 MS. WHEELER: Thank you, Mr. Chair.  
27 Battling microphones here. We need more than one. If I  
28 could just clarify and I think you just stated it. As it  
29 stands right now, the villages of Goodnews Bay,  
30 Quinagak, Platinum, Eek, Kwethluk, Akiachak and Akiak  
31 have a positive C&T use determination for rainbow trout  
32 in the Kuskokwim area. So people may fish in a  
33 particular area, but under the program it s the whole  
34 Kuskokwim area.

35  
36 CHAIRMAN WILDE: Other Councils.

37  
38 MR. L. WILDE: Mr. Chairman.

39  
40 CHAIRMAN WILDE: Lester.

41  
42 MR. L. WILDE: The reason why this came  
43 about to try and get C&T for the rest of the Kuskokwim  
44 area, if you might remember, some years ago somebody got  
45 stopped, a resident of Bethel got stopped on the lower  
46 river and was caught with one rainbow trout in the boat  
47 and he was cited for that and that s the reason why we  
48 requested that the whole Kuskokwim be put on C&T for the  
49 rainbow trout so our people don t become criminals  
50 because they have one fish in the boat because of

1 incidental catch.

2

3 All my knowledge that I ve known of  
4 people within the Kuskokwim area, I know that they  
5 utilize that rainbow trout in different areas of the  
6 Kuskokwim.

7

8 CHAIRMAN WILDE: Other Councils.

9

10 MS. HOFFMAN: Mr. Chair.

11

12 CHAIRMAN WILDE: Beverly.

13

14 MS. HOFFMAN: Mr. Chair. I guess I would  
15 like to move it to where we can deliberate and discuss  
16 this a little bit further. I have some thoughts, but I  
17 would like to hear from the - go through the  
18 presentation procedure.

19

20 CHAIRMAN WILDE: Okay, Beverly. We will  
21 go through procedures. Interagency Staff Committee  
22 comments.

23

24 (No comments)

25

26 CHAIRMAN WILDE: There s none. Fish and  
27 Game Advisory Committee comments.

28

29 (No comments)

30

31 CHAIRMAN WILDE: Summary of written  
32 public comments.

33

34 MR. A. NICK: Mr. Chair, there were no  
35 written comments.

36

37 CHAIRMAN WILDE: Public testimony. You  
38 need to give him something.

39

40 MR. L. WILDE: Give him some room.

41

42 MR. JOSEPH: I'm Allen Joseph from  
43 Bethel, a subsistence fisherman. I think the important  
44 thing here is to recognize the fact that rainbow trout  
45 are subsistence fish too for communities where the  
46 rainbow trout are found. My family and I, we go berry  
47 picking up the mountain streams that are close by the  
48 Kisaralik and we camp for a couple days, maybe three  
49 days, and stay there until we fill two five-gallon  
50 buckets or so. Fish become an important source of food

1 for us and we catch rainbow trout to eat. I think this  
2 proposal moves in the right direction in recognizing that  
3 rainbow trout is a subsistence fish and I request the  
4 Council to vote in favor of it.

5  
6 Thank you.

7  
8 CHAIRMAN WILDE: Polly.

9  
10 MS. WHEELER: Thank you, Mr. Chair. Just  
11 if I could let you know what the Western Interior Council  
12 did with this proposal. They supported this proposal at  
13 their meeting last week in Anvik.

14  
15 CHAIRMAN WILDE: Thank you. Now, we're  
16 going to Council deliberations and recommendations and  
17 justifications.

18  
19 MR. ANDREW: (In Yup'ik)

20  
21 INTERPRETER: Mr. Chair. What has been  
22 said regarding the rainbow trout, if we open subsistence  
23 use to access rainbow trout, it would be to their benefit  
24 because they eat salmon eggs in the tributaries where  
25 they spawn. I think it would help.

26  
27 MS. GREGORY: Mr. Chairman, I move we  
28 adopt Proposal FP05-07.

29  
30 MR. ALOYSIUS: I second the motion.

31  
32 CHAIRMAN WILDE: There's a motion on the  
33 floor to support Proposal 07. Is there a second.

34  
35 MS. GREGORY: Bob Aloysius seconded.

36  
37 CHAIRMAN WILDE: Discussion.

38  
39 MS. HOFFMAN: Mr. Chair.

40  
41 CHAIRMAN WILDE: Beverly.

42  
43 MS. HOFFMAN: I was on the river when the  
44 young man from Napaskiak was cited for one rainbow in his  
45 boat and he stopped at my camp. I was very upset about  
46 that. I felt there could have been some discretion  
47 given. There were a lot of things that happened that day  
48 to this young man and his brothers and the whole  
49 situation I think got out of hand.

50

1 My concern for the rainbow trout is that  
2 I don't think it's the reason our salmon stocks are  
3 declining because they eat salmon eggs. All my life I've  
4 been going on the Kisaralik River and the Kwethluk River.  
5 Early on, in the 70s, I saw many people, local people,  
6 take coolers of these trout out of that river. It's an  
7 important part of the whole environment and the  
8 resources. It s part of the circle. And if you deplete  
9 a species like trout, they re not migratory. They live  
10 there all year round. Those big trout that are in that  
11 river are 15 years and older. They don t move too far.  
12 So when I used to see these coolers, my mom and dad too,  
13 people, you know, traditional use, I didn t think much  
14 about it until I started getting a little bit more  
15 knowledge about the rainbow and its life cycle.

16  
17 Bethel is a huge place. We re a growing  
18 region and I guess that s why I worry about this and I  
19 expressed my concern about this proposal because I don t  
20 want to see such a species wiped out. I think I would  
21 feel better if there was more documentation. Personally,  
22 my experience on the river is I feel right now it s  
23 healthy, the species are healthy. I think today, in the  
24 90s into the 2000's, people are getting more educated  
25 and they re not taking the coolers out like they used to.  
26 People are more respectful and only take what they feel  
27 like they need.

28  
29 I guess my concern though is for the  
30 species itself. If all of these villages, including  
31 Bethel, are given C&T status, I worry that not everybody  
32 will take only what they need. They might take coolers.  
33 They might think it s their right and then I worry about  
34 the species and the fact that we might have to instill  
35 bag limits and then there s that process.

36  
37 Those are my concerns. I called Fish and  
38 Wildlife and the refuge manager and expressed my  
39 disappointment in the way that whole situation was  
40 handled that brought this whole thing forward, but I  
41 still have those concerns of C&T status for a growing  
42 region and what it might do to the rainbow population.

43  
44 CHAIRMAN WILDE: Any more discussion from  
45 Councils.

46  
47 MR. ALOYSIUS: Mr. Chairman.

48  
49 MR. MOSES: (In Yup'ik)

50

1 INTERPRETER: Regarding the small  
2 freshwater fish that are not ocean-bound, not salmon,  
3 since we're talking about freshwater fish, I want to make  
4 some comments. We have king salmon and reds in the early  
5 summer in our area, but my fellow members from my village  
6 don't harvest them too much because they're too fat, have  
7 too much fat content. We have all kinds of fish that we  
8 harvest in our diet. I have lived on Nelson Island for  
9 over 80 years and I have not left the island since birth.

10  
11 The small fish and the river fish are  
12 some of our diet, including whitefish, burbot. Our  
13 rivers that come out from the lakes is abundant with  
14 these fish year after year and these freshwater fish do  
15 not venture out into the ocean. And the fish and the  
16 food that are consumed by our people we eat all species  
17 that are needlefish. We also eat needlefish and other  
18 smaller species of fish that come from the lakes and from  
19 the inland fish. The freshwater fish numbers have not  
20 dwindled. They are not overharvested because we take  
21 what we need and what we could consume.

22  
23 That's the way things have been and I  
24 mentioned this at the Wasilla meeting. It is my concern  
25 that if they are regulated, because they are what we eat  
26 and their numbers have not dwindled or changed through  
27 the years, I think it would be better to leave them alone  
28 than rather attempting to count them or to analyze them  
29 because they do not change year after year. Perhaps  
30 there will become a time when they will become scarce,  
31 but at this point I really do not want the freshwater  
32 fish to be regulated because we eat them continuously,  
33 including some of the coastal villages from Kipnuk,  
34 Chefornek, Nightmute, Toksook, Tununak, Newtok.

35  
36 We share this food source and I've come  
37 to this age when the freshwater fish status have not  
38 changed, whitefish, burbot, like I said that originate in  
39 the lakes. But these other fish that come from the  
40 ocean, halibut, smelt, herring, tom cod originate from  
41 the ocean and migrate through the coastal regions in the  
42 spring, they're now in the rivers and they will -- or  
43 they're in the oceans and they will come back in the  
44 spring. Whitefish, burbot, they don't have a long life  
45 span. They stay away from the saltwater.

46  
47 Since we are talking about the smaller  
48 species of fish, aside from the salmon, they have not  
49 been a source of contention or discussion in the past.  
50 There have been some sport fishermen who have come to our

1 area but we do not allow that to happen in our area.  
2 That s what I wanted to share with you tonight.

3

4 MR. ALOYSIUS: Mr. Chairman.

5

6 CHAIRMAN WILDE: Bob Aloysius.

7

8 MR. ALOYSIUS: I haven t got a rainbow  
9 trout in the last 52 years, tell you the truth, ever  
10 since I left Aniak River. That was one of the target  
11 fish we had for subsistence in the wintertime. I don't  
12 understand why Kalskag and Lower Kalskag are included in  
13 this proposal because rainbow trout are not targeted  
14 species for those two villages. They re caught in the  
15 nets because there are no streams around there that favor  
16 the rearing of rainbow trout.

17

18 The reason why I haven t caught a rainbow  
19 trout in the last 52 years is because of the influx of  
20 the sport fishermen. The people I grew up with, the old  
21 people, say those people who play with their food. The  
22 reason they say that is because the first sport fisherman  
23 came into my village when I was about five years old with  
24 a fly rod, a little hook, long line, long rod, and the  
25 first fish he caught he played with for 45 minutes. He  
26 was just playing, hooping and hollering and everything.  
27 We went up there and we told the old people about that  
28 and the first thing they said was the fish are going to  
29 decline. We asked them why. People do not play with  
30 their food.

31

32 Thank you.

33

34 CHAIRMAN WILDE: Any more discussion.

35

36 MR. HANSON: Question.

37

38 CHAIRMAN WILDE: Question has been called  
39 for. Proposal 07, there was a motion to support Proposal  
40 07. I will request for roll call.

41

42 MS. GREGORY: Nick Andrew.

43

44 MR. ANDREW: Yes.

45

46 MS. GREGORY: Ray Oney.

47

48 MR. ONEY: No.

49

50 MS. GREGORY: Robert Nick.

1 MR. R. NICK: Yes.  
2  
3 MS. GREGORY: Phillip Moses.  
4  
5 MR. MOSES: Yes.  
6  
7 MS. GREGORY: Lester Wilde.  
8  
9 MR. L. WILDE: Yes.  
10  
11 MS. GREGORY: Joseph Mike.  
12  
13 MR. MIKE: Yes.  
14  
15 MS. GREGORY: Greg Roczicka.  
16  
17 MR. ROCZICKA: Yes.  
18  
19 MS. GREGORY: Bob Aloysius.  
20  
21 MR. ALOYSIUS: No.  
22  
23 MS. GREGORY: Beverly Hoffman.  
24  
25 MS. HOFFMAN: No.  
26  
27 MS. GREGORY: Harry Wilde.  
28  
29 CHAIRMAN WILDE: Yes.  
30  
31 MS. GREGORY: John Hanson.  
32  
33 MR. HANSON: Yes.  
34  
35 MS. GREGORY: Myself. Yes. Karl Powers  
36 is absent. Nine yeas, three yeses.  
37  
38 MR. ALOYSIUS: Three nays.  
39  
40 MS. GREGORY: I'm sorry. Nine yeses and  
41 three nays.  
42  
43 The proposal is adopted.  
44  
45 MR. ALOYSIUS: Mr. Chairman.  
46  
47 CHAIRMAN WILDE: Bob.  
48  
49 MR. ALOYSIUS: Can we recess until  
50 tomorrow morning.

1                           CHAIRMAN WILDE: Yeah, Bob, I won't give  
2 you another minute. We're going to recess until 9:00  
3 o'clock tomorrow morning and we will take this last  
4 proposal.

5  
6                           So we're recessed. Thank you.

7  
8                           (PROCEEDINGS TO BE CONTINUED)

