

1 WESTERN INTERIOR ALASKA FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING

3  
4 PUBLIC MEETING

5  
6  
7 VOLUME I

8  
9 Holy Cross, Alaska  
10 October 10, 2012  
11 8:42a.m.

12  
13  
14 COUNCIL MEMBERS PRESENT:

- 15  
16 Jack Reakoff, Chairman  
17 Ray Collins  
18 Timothy Gervais  
19 Donald Honea  
20 Jenny Pelkola  
21 Pollock Simon  
22 Robert Walker  
23 Eleanor Yatlin

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26  
27 Regional Council Coordinator, Carl Johnson

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P R O C E E D I N G S

(Holy Cross, Alaska - 10/10/2012)

(On record)

CHAIRMAN REAKOFF: We're going to start the meeting. We're not sure when Robert Walker is going to get here. He's going to come down by boat. So we'll bring the meeting to order and the clock says 8:42. Do we have an elder present for invocation. I don't see one. Would you care to do that, Ray.

MR. COLLINS: Yeah, I can do that.

(Invocation)

CHAIRMAN REAKOFF: I don't see any people from the public here. I would hope that at some point the public would come to speak to the Council on various issues that they may have.

The review of the agenda.

MR. COLLINS: You have roll call.

CHAIRMAN REAKOFF: Oh, roll call. Excuse me. I jumped one. Who's the secretary? Jenny.

MS. PELKOLA: Robert Walker.

(No response)

MS. PELKOLA: Donald Honea.

MR. HONEA:

MS. PELKOLA: Pollock Simon.

MR. SIMON: Here.

MS. PELKOLA: Raymond Collins.

MR. COLLINS: Here.

MS. PELKOLA: Jack Reakoff.

CHAIRMAN REAKOFF: Here.

MS. PELKOLA: Eleanor Yatlin.

1 MS. YATLIN: Here.  
2  
3 MS. PELKOLA: Timothy Gervais.  
4  
5 MR. GERVAIS: Here.  
6  
7 MS. PELKOLA: James Walker.  
8  
9 (No response)  
10  
11 MS. PELKOLA: Jenny Pelkola. Here.  
12 Carl Morgan.  
13  
14 (No response)  
15  
16 CHAIRMAN REAKOFF: Carl.  
17  
18 MR. JOHNSON: Mr. Chair. Just to note  
19 for the record, both Carl Morgan and James Walker are  
20 excused from this meeting. They notified us in advance  
21 that they had other obligations.  
22  
23 Thank you, Mr. Chair.  
24  
25 CHAIRMAN REAKOFF: We have a quorum.  
26 The agenda items I would like to move under reports,  
27 number 7, from the Council members, I'd like to move  
28 this Gates of the Arctic and Denali stuff back into the  
29 agency reports. It would be C and D under National  
30 Park Service and that would give continuity to it.  
31  
32 And then we have Jack -- what's your  
33 last name again?  
34  
35 MR. LORRIGAN: Lorrigan.  
36  
37 CHAIRMAN REAKOFF: Lorrigan. This is  
38 going to be your only day to attend the meeting and I'd  
39 like to put you under 8, public and tribal comments,  
40 this morning if we can.  
41  
42 Then I hear that YRDFA can only be on a  
43 call with us at 11:00 a.m., so we'll work them into the  
44 agenda at some point. And then TCC wants to give a  
45 report and that would be under 12, Native  
46 organizations.  
47  
48 And then the Koyukuk/Nowitna is going  
49 to make a report under U.S. Fish and Wildlife agency  
50 report. So that would be my agenda changes. Any other

1 Council member agenda changes.

2

3 MR. GERVAIS: Mr. Chair. I'd like to  
4 have some time to discuss the upcoming North Pacific  
5 Management Council meeting in December regarding Gulf  
6 of Alaska bycatch and also another issue with North  
7 Pacific Fisheries Management Council regarding their  
8 council member selection process. Then the third item  
9 I'd like to spend about five minutes talking about the  
10 salmon symposium that this Department of Fish and Game  
11 is putting on in Anchorage on October 22nd and 23rd.  
12 All fisheries issues. Probably no more than 15 minutes  
13 total.

14

15 CHAIRMAN REAKOFF: We can put those on  
16 the agenda at the end of 9, which would be the  
17 fisheries regulatory proposals after the Board of Fish  
18 proposals, right before 10, old business. Would that  
19 be a good -- that would keep fisheries continuity. Is  
20 that good with the Council?

21

22 (Council nods affirmatively)

23

24 CHAIRMAN REAKOFF: Any other agenda  
25 items.

26

27 (No comments)

28

29 MR. HONEA: Move to adopt.

30

31 CHAIRMAN REAKOFF: I've got a motion to  
32 adopt the agenda as modified.

33

34 MS. PELKOLA: Second.

35

36 CHAIRMAN REAKOFF: Seconded by Jenny.  
37 Those in favor of the agenda as modified signify by  
38 saying aye.

39

40 IN UNISON: Aye.

41

42 CHAIRMAN REAKOFF: Those opposed same  
43 sign.

44

45 (No opposing votes)

46

47 CHAIRMAN REAKOFF: So the next agenda  
48 item is review and approval of the previous minutes  
49 from our meeting of.....

50

1 MS. YATLIN: Did you do Number 4.  
2  
3 CHAIRMAN REAKOFF: Oh, welcome. Thank  
4 you. We'll introduce the Staff here and we have a  
5 person from the public also I see now. Do you want to  
6 introduce yourself.  
7  
8 MR. PETERS: Leroy Peters. I'm on the  
9 Yukon River Drainage Fisheries Association. I  
10 represent Holy Cross, Shageluk and Russian Mission.  
11 I'm sitting here as a board member at today's meeting.  
12 The tribal chief will be coming up later on.  
13  
14 CHAIRMAN REAKOFF: Okay. Appreciate  
15 that. Are you going to be available for comments on  
16 proposals?  
17  
18 MR. PETERS: Pardon me?  
19  
20 CHAIRMAN REAKOFF: Are you going to be  
21 available for comments on proposals?  
22  
23 MR. PETERS: Yeah, yeah, yeah. Later  
24 on whenever they come up we'll talk about it.  
25  
26 CHAIRMAN REAKOFF: Okay. All right.  
27 Appreciate that. We'll go around the room here  
28 introducing Staff. Glenn.  
29  
30 DR. CHEN: Good morning. My name is  
31 Glenn Chen. I'm the subsistence branch chief for the  
32 Bureau of Indian Affairs and also Interagency Staff.  
33  
34 MS. HYER: Hi, I'm Karen Hyer and I  
35 work with OSM Fisheries Division.  
36  
37 MR. LORRIGAN: Good morning. I'm Jack  
38 Lorrigan. I'm the Native liaison for OSM. I'll give a  
39 more full introduction when I sit before you later.  
40  
41 MR. SLOAN: Good morning. My name is  
42 Bo Sloan. I'm a Refuge Manager for Innoko National  
43 Wildlife Refuge.  
44  
45 MR. RAMOS: Good morning. My name is  
46 Keith Ramos. I'm the Deputy Refuge Manager for the  
47 Koyukuk and Nowitna National Wildlife Refuge.  
48  
49 MR. CEBRIAN: Good morning. I'm Merben  
50 Cebrian for BLM Central Yukon Field Office. I'm the

1 wildlife biologist.

2

3 MR. HILL: Good morning. My name is  
4 Jerry Hill. I'm a wildlife biologist with the Innoko  
5 National Wildlife Refuge.

6

7 MR. HAVENER: I'm Jeremy Havener. I'm  
8 the subsistence coordinator for Koyukuk/Nowitna  
9 National Wildlife Refuge.

10

11 MR. BUE: My name is Fred Bue, Fish and  
12 Wildlife Service, Yukon River salmon management.

13

14 MR. KRON: Good morning. Tom Kron,  
15 OSM.

16

17 CHAIRMAN REAKOFF: Okay, welcome.  
18 Carl, did you want to introduce yourself for the  
19 record.

20

21 MR. JOHNSON: Sure, Mr. Chair. For the  
22 record, Carl Johnson. I'm sitting in as your Council  
23 coordinator for this meeting, but otherwise I'm the  
24 Council coordination division chief for OSM.

25

26 CHAIRMAN REAKOFF: Okay. We're down to  
27 6, review and approval of the previous minutes from our  
28 meeting in McGrath.

29

30 MR. HONEA: Mr. Chair.

31

32 CHAIRMAN REAKOFF: February 29th. Go  
33 ahead, Don.

34

35 MR. HONEA: Yeah, I was just wondering.  
36 I mean isn't it protocol to get the comments from the  
37 Council to introduce ourselves and such.

38

39 CHAIRMAN REAKOFF: Yeah, we're going to  
40 do that. That's going to be.....

41

42 MR. HONEA: Oh, okay. Council members  
43 reports.

44

45 CHAIRMAN REAKOFF: Yes.

46

47 MS. PELKOLA: Move to adopt the minutes  
48 from McGrath.

49

50 MS. YATLIN: Second.

1 CHAIRMAN REAKOFF: Moved and seconded  
2 to adopt the minutes. Any clarifications or comments  
3 on the minutes from the Council.

4  
5 MR. HONEA: Mr. Chair. I'd just like  
6 to mention absence excused on the meeting in McGrath  
7 and the one previously in Aniak that we were weathered  
8 in, so let the record show. Thank you.

9  
10 CHAIRMAN REAKOFF: Yeah, those were  
11 excused.

12  
13 MS. PELKOLA: Call for the question.

14  
15 CHAIRMAN REAKOFF: Those in favor of  
16 our minutes from our February 29 meeting in McGrath  
17 signify by saying aye.

18  
19 IN UNISON: Aye.

20  
21 CHAIRMAN REAKOFF: Those opposed same  
22 sign.

23  
24 (No opposing votes)

25  
26 CHAIRMAN REAKOFF: We've adopted the  
27 minutes. Now we're going to go through the Council  
28 member reports and we can start here with Jenny.

29  
30 MS. PELKOLA: Good morning. My name is  
31 Jenny Pelkola and I'm from Galena. I just want to  
32 report a little bit on the fishing. I had a pretty  
33 good fishing year although I didn't do as well as in  
34 the previous years. I had some trips to Fairbanks  
35 unexpectedly with my health. Other than that I'm doing  
36 fine. I think everyone had a good moose season from  
37 what I understand. Other than that, that's all I have.

38  
39 CHAIRMAN REAKOFF: Thank you. Don.

40  
41 MR. HONEA: Good morning. My name is  
42 Don Honea. I'm from the village of Ruby. It's really  
43 good to be here. I'm thankful that the tribal  
44 organization has housing for us. Sometimes it's not  
45 easy to do that. I know we certainly don't have  
46 housing in our community for this kind of thing.

47  
48 On the fishing, I think pretty much the  
49 sentiment -- I didn't even do any fishing this summer.  
50 The numbers were pretty low up and down the Yukon. You

1 know, I just think in time that we, you know, review  
2 the moratorium that we were going to do at one time to  
3 put in place a six-year moratorium on fishing and maybe  
4 we have to revisit that idea.

5  
6 As for moose numbers, you know, the  
7 Nowitna Wildlife Refuge could say we've had a pretty  
8 good consistent numbers out of there, but in the  
9 village of Ruby itself there was -- it wasn't as  
10 plentiful as years before, so I have to be pretty  
11 cautious about saying that the moose population is  
12 staying moderate and is thriving. I just don't have  
13 those kind of numbers. In fact, talking to elders  
14 before I came here, that a lot of cow moose, a lot of  
15 moose weren't spotted this fall. Even some of the  
16 people that live in -- far from the village that live  
17 in Fairbanks, they come down with their planes and  
18 maybe they get two or three moose. The people in the  
19 village of Ruby themselves didn't do as well as before  
20 on the road system or on the local rivers and stuff.

21  
22 That's why I said when the Refuge says  
23 the numbers are consistent and stuff, I would have to  
24 be very cautious about agreeing with that. If there's  
25 something I could do for our region as a whole in the  
26 moose population, doggone it, I'm going to try and do  
27 that and keep that number consistent. If we can't do  
28 anything about our fishing, then I certainly want to  
29 try as much as I can to keep our moose population  
30 stable. It's good to be here. Thank you.

31  
32 CHAIRMAN REAKOFF: Thanks, Don.  
33 Pollock.

34  
35 MR. SIMON: Good morning. My name is  
36 Pollock Simon, Sr. I live in Allakaket, way up the  
37 Koyukuk River. I've been down here a few times for  
38 meetings. I always enjoyed myself down here, good  
39 hospitality and a lot of food. I'm glad to be here. I  
40 was on this Board first formation. I was an original  
41 member. I just returned this fall.

42  
43 We had a lot of chum salmon on the  
44 Koyukuk River and enough dried fish for dogs, but the  
45 king salmon was pretty low, pretty poor. I think  
46 people got not much king salmon. It was kind of a poor  
47 fishing season because it was raining and the river  
48 keeps coming up and down. Our nets keeps getting full  
49 of debris and have to remove, bringing it out. I was  
50 kind of tough. There's a lot of rules and regulations

1 we've got to go by. The fishermen raised on the  
2 Koyukuk River, Yukon River, Interior rivers are cut  
3 back on subsistence fishing because there's not enough  
4 king salmon to go around, but we can go -- take that  
5 away and go by the rules. What I'd like to say is we  
6 can get it cut back and need to cut it across the  
7 board. The high seas fishermen, he's got to take his  
8 cut also.

9  
10 Like around Ruby we didn't have much  
11 moose either. The moose population is pretty low. The  
12 last 10 years we've been asking the Fish and Game Board  
13 for predator control. Last year they finally approved  
14 it. It's been a year now, so this fall we'll start  
15 killing the wolves. It's a five-step program so after  
16 we get that maybe the moose will come back. Predator  
17 control works in some other places. I'm excited. I  
18 hope it works in Allakaket.

19  
20 Anyway, I'm glad to be here. A long  
21 flight, land here and there, but I enjoyed the view and  
22 I'm hoping for a good meeting.

23  
24 Thank you, Mr. Chair.

25  
26 CHAIRMAN REAKOFF: Thanks, Pollock.

27 Ray.

28  
29 MR. COLLINS: Ray Collins, member from  
30 McGrath. I represent the Western Interior RAC on the  
31 Kuskokwim River Salmon Management Working Group, which  
32 is composed of representatives up and down the river  
33 and we meet with both State and Federal biologists and  
34 so on to make management decisions. This year, with  
35 the expected low returns and what seemed to be a late  
36 run too, based on the test fishery at Bethel there, we  
37 implemented an eight-day closure.

38  
39 There's zones on the river. They  
40 figure it takes at least seven days for the fish to get  
41 through, so they instituted an eight-day closure that  
42 tracked those fish all the way up the river so that  
43 that first pulse, when it came in there, was protected  
44 all the way up, but in spite of those measures -- in  
45 fact, they extended it in another five days on some of  
46 the lower river sections there. In spite of that still  
47 didn't make escapement numbers in some of the  
48 drainages.

49  
50 They've been working hard on doing

1 reconstructions of past runs and some interesting  
2 things are coming out. One thing is that sometimes on  
3 low return years you actually get -- or on low  
4 escapement years you actually get high returns four and  
5 five years later. Sometimes on the high years you end  
6 up with low ones, so there are other factors going on.  
7 So a low return doesn't necessarily mean that it's  
8 going to be real bad down the road. They don't  
9 understand that completely.

10

11                   What they're moving towards with the  
12 reconstruction of numbers is possibly lowering  
13 escapement goals on some of those streams. It really  
14 prevents a controversy because if we keep some of the  
15 current fairly high escapement numbers, which we think  
16 to do to protect them, it means we're going to have to  
17 have more closures in order to meet those goals. So how  
18 do we manage in that situation if we don't know for  
19 sure that a current lower escapement is going to really  
20 result in low returns later.

21

22                   So there's some management decisions  
23 that need to be made. Meanwhile, it really worked a  
24 hardship on people, especially in the lower river where  
25 they like to catch their fish earlier because of the  
26 drying weather and so on. By the time they opened it,  
27 you know, they were experiencing more rain and so on.  
28 So we've got to do some work on management decisions  
29 that will allow at least some catch along the river.  
30 Maybe not total closures.

31

32                   Well, that's where we're at in terms of  
33 the data and so on. I know there is a symposium.  
34 There was low returns statewide this year, so I'm very  
35 interested in seeing what comes up in those future  
36 meetings and what we might do in management strategies  
37 to how we adequately manage these stocks.

38

39                   For what it seems, something was going  
40 on in the high seas because there seemed to be  
41 relatively good escapement numbers in previous years.  
42 For what happened in river doesn't account for the low  
43 returns we're getting now. There's other factors  
44 involved.

45

46                   Recently I got a call from the Middle  
47 Kuskokwim Advisory Committee member there on one of the  
48 State board. The State has implemented some measures  
49 to try to build a moose population up there. One of  
50 them was the aerial wolf hunting and then to be more

1 liberal in bear baiting and so on to increase harvest,  
2 but it's being blocked by the local corporation there.  
3 The CO of the corporation doesn't want it to happen on  
4 their lands, which is around the villages.

5  
6                   What I gained from that is it's really  
7 important that when we make decisions at this meeting,  
8 we get the information back to the village so that they  
9 understand why some of these programs are trying to put  
10 in place. What he wanted me to do would be available  
11 to talk about our experience in McGrath where by taking  
12 care of increasing bear harvest and the aerial hunting  
13 and so on, we actually rebuilt our population again.

14  
15                   Again, the lesson I learned from that  
16 is that it isn't a matter of just getting the right  
17 regulations in place if they can't take place on some  
18 of the village lands and other lands around the  
19 village. People have to understand what we're trying  
20 to do, so we've got a responsibility and education,  
21 both the agencies and the Board, to get the information  
22 back to the villages. So that's my comments.

23  
24                   CHAIRMAN REAKOFF: Was there Kuskokwim  
25 proposals that you would like the Council to review?

26  
27                   MR. COLLINS: I don't have any specific  
28 ones in mind, no. We'll have to look at what are in  
29 there, but one doesn't come to mind right now.

30  
31                   CHAIRMAN REAKOFF: Okay. Thanks, Ray.  
32 Eleanor.

33  
34                   MS. YATLIN: My name is Eleanor Yatlin.  
35 I live in Huslia. I represent the Koyukuk River.  
36 First of all, I did talk to Orville Huntington. I was  
37 trying to get a written report from him. He works for  
38 TCC and I was trying to get some of his concerns, but I  
39 didn't get back with him and we just didn't -- he  
40 didn't get back with me either.

41  
42                   One of the questions that I did have --  
43 I've been trying to get some of these written, you  
44 know, like written from people that are concerned.  
45 There's an outfitter down at Galena. I think they're  
46 Schusters, and they've been taking moose hunters out,  
47 guiding, taking hunters out based in Galena. I heard  
48 -- that's why I was trying to get this written because  
49 I want to know where they hear this from. He was  
50 trying to get the flying boundary farther up the

1 Koyukuk on the Koyukuk Refuge. I had a question on  
2 that and if I could get something written back from the  
3 agency on, if he did ask for it and if they did give  
4 him permission and how does that work, if they could do  
5 that.

6  
7 Like everywhere else, you know, there's  
8 -- people go out moose hunting every fall and what I've  
9 been hearing -- I guess I see this too. I saw it up in  
10 the Upper Koyukuk, you know, around Bettles and  
11 Allakaket, how the depletion of moose by all those  
12 different outfitters that do come in. In the '90s, it  
13 seemed like it was a lot of trophy hunters.

14  
15 The other thing is, Al, my husband, and  
16 Ross Sam went up to Hughes maybe the first week of  
17 moose hunting. They helped -- Al helped his brother  
18 haul his moose up from around Huslia all the way to  
19 Hughes and then he took it to Allakaket from there. He  
20 lives in Allakaket. Coming back down he noticed right  
21 across Hog River -- and Hog River is Native allotment  
22 partly. There was Umphenour's, he had a really big  
23 camp there. That's one of the concerns that they had  
24 because of taking hunters out.

25  
26 The other one is we still have big  
27 boats up the Koyukuk and the Huslia River and this year  
28 the Dulbi River. They went all the way up past --  
29 above Huslia by going through the river there because  
30 the river was so high. Some people said they went up  
31 to -- you know, the cabin up there 15 miles above  
32 Huslia. They went all the way up there by boat this  
33 year because the river was so high. They see these big  
34 boats, probably come out of Nenana or Anchorage or  
35 wherever, but they're not from around -- they're not  
36 from Huslia. But they saw these big boats way up the  
37 Dulbi River, way up there. George Attla and Eddie Vent  
38 went up there. So they're going way up there just to  
39 moose hunt, I guess. So that was one of the concerns.

40  
41 Another one I brought up last year, I  
42 believe, I was just looking at the minutes, that is  
43 trying to get information from the Refuge, you know,  
44 the Koyukuk Refuge. What's happening with our Koyukuk  
45 Refuge and why there's no -- and this is from the  
46 council. This is from council members and village and  
47 people from Huslia. They want to know what's going on  
48 on the Refuge that concerns us. Anything, you know.  
49 Just anything that's happening down there because  
50 there's no kind of information, no newsletter being

1 sent out, no saying, you know, like -- I just heard  
2 from someone that Schuster was trying to get flying  
3 boundaries more so they could go farther into the  
4 Refuge to go hunting.

5  
6 Those are my concerns and thank you.

7  
8 CHAIRMAN REAKOFF: Thanks, Eleanor.  
9 There were proposals -- Board of Game proposals to  
10 allow more aircraft use in the Koyukuk Controlled Use  
11 area and the Council opposed that. At one point I was  
12 listening to the Board of Game and they tabled that for  
13 a while and I'm not exactly sure what they actually  
14 finalized on that. When Koyukuk makes their report,  
15 they can fill us in on what the Board of Game's  
16 proposal -- what the status is, whether it actually  
17 failed or whether it actually is still tabled. It  
18 would appear that Huslia is unclear and I'm unclear  
19 what the Board was actually doing. I haven't had a  
20 chance to go back and research, find out what they --  
21 they were shuffling the agenda around and I was having  
22 a hard time tracking what the Board was actually doing  
23 in March on that particular proposal. So thank you.

24  
25 MS. YATLIN: One other thing is I do --  
26 what we discuss here I do report back to the tribal  
27 council. I bring all this stuff back to them. Like  
28 Ray was saying, you know. I really want them to know  
29 what's going on. I try to get their input and I try to  
30 get something written from them, but so far I haven't.

31  
32 CHAIRMAN REAKOFF: Well, I appreciate  
33 that, Eleanor. Tim.

34  
35 MR. GERVAIS: Good morning, everyone.  
36 My name is Tim Gervais from Ruby. I'd like to thank  
37 the community and the tribe of Holy Cross for welcoming  
38 us down here to hold this meeting. I hope we can get  
39 some comments from the community about their  
40 subsistence concerns before we adjourn.

41  
42 Items I have for opening comments from  
43 the community of Ruby is poor king salmon fishing and  
44 those issues are going to be covered in some of the  
45 proposals we look at and some of the other discussion  
46 we have. Fishing for silvers and chums was good and  
47 there's still a healthy population of whitefish, so  
48 people are able to get fish resources, but not the  
49 highly valued and highly respected king salmon. We'd  
50 really like -- the community would still like to get

1 that stock back up to historic levels.

2

3 In regards to that, I think we see this  
4 past year where the Yukon River still did not meet its  
5 TransBoundary escapement, we need to take a more  
6 aggressive approach to the way we're dealing with these  
7 king salmon issues and kind of change the discussion  
8 from just salmon conservation to look at it as a salmon  
9 rebuilding issue because we just keep stumbling along  
10 for several years. We're losing genetics on our --  
11 we're just not getting enough fish across the boundary  
12 to maintain our genetic diversity and our situation  
13 where nobody's salmon needs are really being met, our  
14 king salmon needs are being met, so we need to look at  
15 more aggressive actions in the way we're dealing on  
16 these fishery issues.

17

18 As far as the moose hunting goes, I've  
19 been really pleased with our moose counts and  
20 composition over the last several years and the comment  
21 I have from the hunters this year is didn't see a lot  
22 of moose, didn't get a lot of opportunity to harvest  
23 moose and I just want to put in the record that our  
24 numbers look good. The hunters this year had less  
25 harvest and had a more difficult time getting that  
26 harvest. Perhaps it's just bad luck or just bad  
27 weather, but we need to keep an eye on what's going on,  
28 that it's not -- hunting wasn't up to the usual  
29 standards that we've been used to over the last five  
30 years or so.

31

32 The third issue that I feel is really  
33 important to what we're trying to do is this summer  
34 there was a replacement of one of the council members  
35 for the North Pacific Fisheries Management Council. It  
36 was out of the state of Washington. The governor  
37 recommended a certain person to be on there and that  
38 person was not in the pollock industry and then the  
39 pollock industry took action in Washington and was able  
40 to supercede the governor's recommendation of who to  
41 put on there. The Commerce Department of Washington  
42 actually makes the final appointment of that and the  
43 Commerce Department's appointment superceded the  
44 recommendation of the governor. Later, as we cover it  
45 in our agenda item, I'd like to talk about the  
46 implications of that and also things that rural  
47 subsistence users can do to try to get more fair  
48 representation on that Federal council.

49

50 That's all I have for right now. Thank

1 you.

2

3

CHAIRMAN REAKOFF: Thanks, Tim. When Robert gets here, we'd like to get his report also. I'll give a report from my area. I appreciate Holy Cross hosting the Regional Council meeting here. We came to Holy Cross because we felt there were issues with king salmon and then there's the customary and traditional use determination on the Paimiut Slough to the south in 21E for use from people from Aniak, Upper and Lower Kalskag and Chuathbaluk to be able to hunt in that area, so we would like to dialogue with this community on the winter hunt aspect of that. The Federal Subsistence Board has adopted that customary and traditional use for those communities in the lower portion of 21E, so we wanted to have people participate at this meeting on fisheries issues and discuss moose here.

19

20

In my area, I have been collecting genetic samples for the Alaska Department of Fish and Game for three years. We can't harvest salmon in the upper drainage. That was closed during the construction of the pipeline and it's illegal to catch or retain salmon for personal subsistence use. But I have been catching salmon for the Alaska Department of Fish and Game and I clip little fin clips off them and then I let them go. I only caught seven king salmon at Wiseman and they were pretty small. Last year I caught -- I think it was like 14 and I caught some that were up to 28 pounds or so approximately, so they were much larger last year. This year they were much smaller and much fewer.

34

35

Then I went to the Jim River where it's -- Jim River is one I consider one of the better salmon spawning areas in the Dalton Highway Corridor area and I couldn't find a king salmon there. I was there on the 10th of August at the peak of their spawning. There was no carcasses and no chinook. There were lots of chums, but I couldn't find a single king salmon on the Jim River and that -- there was probably a few, but I couldn't find any myself and that was pretty bleak.

44

45

So I'm, like everybody, concerned about this king salmon run. The Henshaw drainage had chinook return, so I was happy that some drainages in the Koyukuk had chinook, but we didn't have hardly any in the upper drainage. So that was not too good.

50

1                   We had lots of rain. There was five  
2 inches of rain in September, August was really rainy  
3 and rivers were high all the time.

4  
5                   For hunting, the people in the  
6 mountainous areas like Anaktuvuk Pass, Wiseman, Arctic  
7 Village, those communities that lives in the mountains  
8 rely more heavily on big game. So we had a lot of bad  
9 weather in August. We've had a lot of hunting pressure  
10 with hunting guides and sheep hunters coming on the  
11 road and I was real happy the BLM implemented guide use  
12 areas for the guides. They weren't overlapping. The  
13 guides were allocated a certain amount of hunters in  
14 specific areas and that helped divide the guides apart  
15 and they weren't competing with one another. The bad  
16 weather restricted the sheep hunters significantly and  
17 it appeared a lot of the resident hunter numbers fell  
18 off because the creeks were all high, the mountains  
19 were socked in. When they showed up, it was bad  
20 hunting, so they didn't seem to hunt at the same levels  
21 that they had been.

22  
23                   Resident people, local subsistence  
24 hunters hunted when the weather was better and hunted  
25 hard. As far as I know, there was four sheep harvested  
26 by community members and I think there was actually a  
27 fifth sheep, but I haven't talked to that family. They  
28 were hunting at the end of the season last week or the  
29 end of September.

30  
31                   But people got moose. We got .2 moose  
32 per square mile. There's five times more moose right  
33 here than there is where I live, so you have to hunt  
34 real hard. You've got to walk around, you pack moose  
35 further and so people were out doing quite a bit of  
36 hunting and got moose.

37  
38                   There was not very many caribou this  
39 year. There was some caribou, but not the -- we used  
40 to have these real big caribou herds that used to come  
41 up in August and September up against the mountains and  
42 there's just small bunches of caribou. Some people  
43 went over and got caribou on the north side, North  
44 Slope.

45  
46                   The local people -- we had a  
47 subsistence study done in Wiseman and Coldfoot in March  
48 by the State Division of Subsistence. They got money  
49 from the APP, Alaska Pipeline Project, so there's a lot  
50 of communities getting community harvest, house to

1 household surveys. A lot of the Coldfoot and Wiseman  
2 hunters are concerned about the caribou herds. The  
3 season changes to five caribou and opening for cow  
4 caribou in July, harvesting cows in July and then now  
5 these roads.

6  
7 This Umiat Road, the governor wants to  
8 build a road from Galbraith Lake on the North Slope  
9 going across the North Slope and also the Ambler Road.  
10 Those roads would transect the migrations of the  
11 Western Arctic, Teshekpuk and Central Arctic Caribou  
12 Herds.

13  
14 People are real concerned about those  
15 caribou herds if those roads were built without any  
16 restrictions. Right now there's bow and arrow  
17 restriction and all-terrain vehicle restrictions. With  
18 those roads I've yet to see one document that says  
19 there's going to be any kind of restriction of all-  
20 terrain vehicles or firearms from those roads. So  
21 people are very concerned. Bettles is real concerned  
22 about those roads.

23  
24 So I want this Council to be aware that  
25 the Western Arctic Caribou Working Group sent a letter  
26 to the governor with concerns about those roads also.  
27 So I would like this Council to endorse that letter  
28 from the Western Arctic Caribou Working Group, which  
29 Pollock is on that group. He represents the Koyukuk  
30 River Advisory Committee.

31  
32 So I want the Council to be aware that  
33 I have concerns about the caribou herds. Not so much  
34 right this minute, but they're spending millions of  
35 dollars, over \$10 million appropriated to the Umiat  
36 Road. If they build that road, we will have caribou  
37 problems. The Taylor Highway, the Steese Highway,  
38 those caribou hunts are over within days. People rely  
39 on caribou in Anaktuvuk Pass. There are 40 communities  
40 that the Western Arctic Herd passes by and those  
41 communities -- families would have to have 5 to 20  
42 caribou per family. It takes about seven or eight  
43 caribou to make one moose, so figure it out. So we  
44 can't have our communities drop down to one caribou  
45 limit with the highly competitive hunts. That's a big,  
46 big concern of myself.

47  
48 We had a subsistence resource  
49 commission meeting up in Anaktuvuk Pass in April and  
50 the people up there are real, real concerned about this

1 road, so I want the Council to be aware of that.

2

3 MR. GERVAIS: Jack.

4

5 CHAIRMAN REAKOFF: Go ahead.

6

7 MR. GERVAIS: Let me interrupt for a  
8 minute. Is there a timeline on these roads or what's  
9 their status?

10

11 CHAIRMAN REAKOFF: They're in the  
12 planning phase and the governor keeps appropriating  
13 money, especially what they call the Foothills Road or  
14 the Umiat Road. That road keeps getting a whole bunch  
15 of money from the legislature, so they're designing the  
16 road and the governor -- it's coming to the point where  
17 that road is going to have a price tag, so the  
18 legislature would have to fund the road, but the  
19 legislature seems amicable to funding this road. The  
20 governor wanted 10 million bucks this last fiscal year  
21 and for this fiscal year and the legislature approved  
22 it.

23

24 So I'm concerned that there's lots of  
25 progress being made on those roads, especially the  
26 Umiat Road. Which, if you look at where the Umiat Road  
27 goes, it goes from the Dalton Highway, all the way  
28 across the North Slope to the Colville River, then  
29 hunters can dump boats in the Colville River and they  
30 can go over 100 miles to the west. The Colville runs  
31 east and west from Umiat and they would be way over in  
32 the migration route of the Western Arctic Caribou Herd.  
33 It won't take industrial hunting too long to wipe that  
34 herd out or we'll be down to real low quotas and the  
35 subsistence hunters will be down on one caribou limit  
36 pretty soon. That's my concern.

37

38 You had a comment, Ray.

39

40 MR. COLLINS: No.

41

42 CHAIRMAN REAKOFF: So that would be my  
43 comment. When Robert shows up we'd like to get his  
44 assessment as a Council member. So we're at the public  
45 and tribal comment non-agenda items. Did you want to  
46 make a comment to us, Eugene. Come up to the mic and  
47 turn the mic on there.

48

49 MR. PETERS: Good morning, everyone.  
50 You know, I've been fishing all my life, ever since I

1 was a kid. Years ago there used to be a large  
2 abundance of king salmon. We used to have 10, 15 nets,  
3 chum nets set, about 10 king salmon nets set, about 10,  
4 12 feet. There was hardly no regulations in the early,  
5 early years. Then Alaska Department of Fish and Game  
6 came in, they putting all these regulations on us and  
7 everything like that and the people abide by them and  
8 they follow the regulations.

9  
10 When I was a teenager, we used to have  
11 fishwheels years ago. When I was a kid, we did not  
12 have nothing. We used to have a hard time. No  
13 snowmachines, no chain saws, no running water, no  
14 lights, nothing. We used to have to work hard.  
15 Sometimes we'd put up over 5,000 dog fish. Five  
16 thousand dog fish just for three dog teams what we  
17 owned. We used to have to haul wood. Haul wood, pack  
18 water, everything. But there were lots of fish. We  
19 used to set our fishwheels, have it all set up when the  
20 water was really high. Our fishwheel would be  
21 overflowing within 24 hours. When the fish hit here in  
22 Y3 district, they hit really hard. They run exactly  
23 three and a half days before they passed by. You know,  
24 that's the worst I ever seen it in years. The fishing  
25 is getting worse and worse off every year.

26  
27 I sure hate to do some finger-pointing  
28 at other organizations and whatever, these pollock  
29 fisheries. These pollock fisheries run about 20, 30  
30 miles a day out in the ocean. They're collecting all  
31 the feed from the fish and everything like that.

32  
33 This summer I started fishing. All we  
34 had was two openings for the 7.5 and I went out fishing  
35 and I caught about two king salmon. Then I gave one to  
36 my brother and I gave one to myself for me and my  
37 family and then we ate that up. Then the second  
38 opening it was so rough out there in the Yukon nobody  
39 can go out there fishing. You know, hopefully that --  
40 you know, you've got to take a really good close look  
41 at this situation here.

42  
43 I'm pretty sure the high water have a  
44 great impact and effect on the fish. Most of the  
45 summer the water was so high and people are having a  
46 hard time. In the Y3 we are blessed with all these  
47 eddies. About 25 miles below Holy Cross they've got  
48 really good eddies, 18 miles below Holy Cross we've got  
49 good eddies and we've got good eddies about five miles  
50 -- six, seven miles above our area in District 3. We

1 are blessed to have that.

2

3 Right after breakup the fish started  
4 running and we noticed the fish are starting to come.  
5 The fish swim about 20 to 35 miles a day. We estimated  
6 from Russian Mission to Holy Cross it usually takes  
7 about 76 miles, something like that, between the next  
8 village. It takes about three and a half days to get  
9 up here. They swim about 30 to 40 miles a day -- I  
10 mean 25 to 30 miles a day and then we kind of estimate  
11 when they'll be here.

12

13 You know, people have been having a  
14 hard time, you know. Maybe they caught about 5-10  
15 percent of their king salmon needs. The abundance of  
16 chum salmon were so thick this year. You know, I went  
17 out there fishing for the six-inch gear and I went out  
18 there 15-minute drift and, like I say, when the fish  
19 hit, they hit hard, and I caught over 301 look, about  
20 maybe 245 the first look and the second look I caught  
21 the same amount to that. I totaled up that fish and I  
22 caught about 303 summer chums.

23

24 You know, it just brings back old  
25 memories catching all these fish, you know, that used  
26 to go to the dogs. When you dry these summer chums,  
27 they dry hard as a rock and they're really hard to  
28 chew. You know, that's the worst off I've ever seen in  
29 fishing. I'm pretty sure the high water got a great  
30 impact on that, the high water. I'm a commercial  
31 fisherman. I commercial fished for years.

32

33 In the middle '80s there used to be so  
34 much fish. It used to be good fishing, commercial  
35 fishing, down at the mouth of the Yukon. We got about  
36 three or five fishermen who heads down to the Y1 area  
37 to fish down there, it was really good fishing and, you  
38 know, we used to use that 8.5 and all the fishermen who  
39 go down the mouth of the Yukon they use the 60 meshes.  
40 The Alaska Department of Fish and Game, you know, they  
41 put a regulation to put it down to 7.5. When there's  
42 no fish at the mouth of the Yukon, that's why we use 60  
43 meshes. Those nets are really deep. Then people who  
44 catch about one or two 45 meshes, 35 meshes and then we  
45 catch about 20 or 30 with those 60 meshes and then we  
46 catch most of the fish way at the bottom, way at the  
47 bottom of the lead line.

48

49 The water is so high I think it has a  
50 great impact on the run of the fish. The fish swim in

1 the main channel. Like I say, when the water is high,  
2 when the fish come, we can set a net and we can make a  
3 tight -- get that net on the shore and then we can  
4 throw out the net maybe two or three feet away from the  
5 shore. You know, like I say, people will set their  
6 nets. They do really good. In 36 hours they catch  
7 about 60, 70 fish.

8  
9                   These eddies they work really good. I  
10 know upriver people that are having a hard time with  
11 this high water, lots of rain, lots of debris coming  
12 down and the water so high I was kind of wondering if  
13 these fish are making it up to the spawning grounds,  
14 you know, any fish leaking out or anything like that.  
15 You know, the way I see it, we're just running out of  
16 fish and I think we need to take some action in the  
17 future, you know.

18  
19                   We've got to push to shut down the  
20 pollock fisheries at least a year or at least two years  
21 and we can check what's the difference. We don't know  
22 what the impact out there in the ocean. We don't know  
23 what the ocean is doing. Maybe all the debris coming  
24 from Japan, the tsunami, the tsunami maybe have some  
25 kind of effect on the fish. We really don't know.  
26 Plus we've got climate change. The weather is getting  
27 worse and worse every year. Getting harder and harder  
28 to freeze up every year.

29  
30                   You know, the way I see it, there's  
31 more and more summer chums than ever than all these  
32 years. The way I see it, you know, hopefully that we  
33 can push for a hatchery at the headwaters of the Yukon  
34 River. Try to put a hatchery up there or something  
35 like that to let the fish come back. You know, these  
36 regulations are getting harder and harder every year.  
37 This puts a lot of pressure on the people around here  
38 and then, you know, people get upset and everything  
39 like that. They're not catching fish how they used to  
40 be like a long time ago.

41  
42                   I went out fishing, subsistence fishing  
43 for silvers and I made one fish and I caught about 85  
44 in two drifts, 85 silver fish. The weather has been so  
45 bad, so much rain we had this summer, it was hard  
46 keeping fire on the fish. The fish got to have heat  
47 under the fish at all times. The weather that damp and  
48 everything like that, you put up fish, they get damp,  
49 they can catch a cold. When they catch a cold, they  
50 can get coated up and the fish spoil. I know that for

1 a fact because of my 85 kings that I caught I saved  
2 about maybe 72 or something like that, so much rain. I  
3 took down the good ones and some of them got coated up.  
4 I just saved them for the dog feed.

5  
6 You know, I really don't know what to  
7 say about this situation. I mean if they're planning  
8 to close down the fisheries on the Yukon and everything  
9 like that, you know, we've been here, the first people  
10 all these years and Alaska Department of Fish and Game  
11 and all these organizations are stepping in. Ever  
12 since I was a kid, I was born in 1957, all my days I  
13 did not see nothing. We did not have nothing, but  
14 right today I see lots of change in this world. We've  
15 got big motors, good boats, we've got everything what  
16 we need and hopefully the fish can come back.

17  
18 About the moose season too, the water  
19 has been really high this year on the subsistence moose  
20 hunting this year in Unit 21E. All these years the  
21 water has been dropping. It dries out in front of our  
22 village. You know, that's the first time I ever seen  
23 it in years. It's been staying so warm. Like I say,  
24 the climate change is getting warmer and warmer. I  
25 think it has an effect on the fish.

26  
27 But the moose was really good hunting  
28 this year. Everybody was successful to catch their  
29 subsistence needs of moose meat. The water was so high  
30 all these side sloughs -- we go right up to the Innoko  
31 River on these side sloughs. We've got lots of good  
32 hunting country around here. All these years we used  
33 to never be able to make it to these side sloughs, but  
34 this year was really good. We can take these side  
35 sloughs and we can go all the way to the end and every  
36 time we went to the end everybody was killing the  
37 subsistence meat what they needed to survive through  
38 the winter and it was really good.

39  
40 I'm really happy that everybody had a  
41 successful moose hunt. You know, I know everybody is  
42 going to have a hard time this winter on the fishing,  
43 on the subsistence needs. I know from the headwaters  
44 all the way down to the mouth of the Yukon they did not  
45 meet their subsistence needs. Like I say, we are  
46 blessed with these eddies and the people who have  
47 eddies around their areas and everything like that, I  
48 think they do really good. Thank you.

49  
50 CHAIRMAN REAKOFF: Thank you. Any

1 Council members got questions. Don.

2

3 MR. HONEA: Yeah. Leroy. I just had a  
4 question. I was just wondering what the fishermen here  
5 or what's the general attitude about a complete  
6 closure. I know in years past the Koyukuk just kind of  
7 willingly gave up the idea of king salmon, the first  
8 chum or maybe the whole season if they had to, but we  
9 discussed it at previous meetings and stuff to give up  
10 maybe -- I was just wondering -- you know, I mean I  
11 know it's a hardship for everybody to have to give up,  
12 but would they be willing to maybe let it go for a few  
13 years?

14

15 MR. PETERS: Well, I really don't know  
16 what other people's opinions are around our district,  
17 you know. Like, you know, I serve on the YRDFA board  
18 and I represent Holy Cross, Shageluk and Russian  
19 Mission. You know, Y3 is a small little district, you  
20 know. We take a look at Y1 and Y2 district. That's a  
21 really big operation down there. They've got fish  
22 processors down there, you know. They've got fish  
23 buyers up there, you know. Y3 is just a small little  
24 district.

25

26 You know, all these years they say  
27 fishing is supposed to be number one priority along the  
28 headwaters, all the way down to the mouth of the Yukon.  
29 Number one priority and the way I see it, the Alaska  
30 Department of Fish and Game is abusing it, you know.  
31 They're not taking a look and looking at the  
32 subsistence users.

33

34 I know we did a lot of sacrificing all  
35 these years. You know, like I say, if we have to shut  
36 down the subsistence users on the king salmon, you  
37 know, I think we should play a fair game, you know. I  
38 think if they shut us down, I think we need to shut  
39 down the Kola (ph) fisheries too also. Maybe the fish  
40 might come back. I really don't know. Just really  
41 don't know, but I blame it on the Japan tsunami and  
42 I've talked with a few people in the past. They say  
43 the Russian is throwing all kinds of debris out in the  
44 ocean.

45

46 We've got that EPA organization. I  
47 know they work with these international organizations  
48 and everything like that and I think that needs to be  
49 looked into, you know. But I really can't say, you  
50 know, if they're going to shut down the fishing. In my

1 own opinion, I think it would be okay, but at least  
2 give us a chance to catch about 10 to 12 kings. You  
3 know, I'll be happy with that, you know, 10 to 12  
4 kings.

5  
6                   Instead of shutting down the whole  
7 Yukon and everything like that, we fish 36 hours. You  
8 know, we ask Alaska Department of Fish and Game to cut  
9 down the hours on their -- 18 hours, which they didn't,  
10 to cut down the upriver people down 48 hours to 24  
11 hours and I think we need to cut more hours down on the  
12 fishing and maybe that might save our fish too. I  
13 really don't know. Like I say, the high water had a  
14 really large impact on the fishery. You know, they  
15 fish in the main channel.

16  
17                   MR. HONEA: Thank you, Leroy. I guess  
18 I don't want you to have to speak for your community or  
19 anything because, you know, I might ask somebody else  
20 and they might have a different opinion, but since you  
21 served on the YRDFA board that may be like what the  
22 lower villages and such too. I guess they would just  
23 be against total -- totally against shutting down of  
24 any king salmon fisheries. Is that the feelings of the  
25 Lower Yukon?

26  
27                   MR. PETERS: Yeah, I'm pretty sure. I  
28 think that's the direction we're going to have to go.  
29 You know, in all these proposals and everything like  
30 that, you know, just direct me to go over them.

31  
32                   MR. HONEA: Thank you, Mr. Chair. I  
33 have no more questions, but I'd like to thank him for  
34 coming here. The reason I posed that question is it  
35 seems the further you go up the river the less fishing  
36 pressure there is, the more the feeling is to have a  
37 complete closure on it if we have to. I mean that's the  
38 feeling.

39  
40                   Thank you.

41  
42                   MR. PETERS: Another thing too, Jack.  
43 You brought up about this customary trade about the  
44 Aniak, Chuathbaluk and Kalskag. The way Ken talked on  
45 that customary trade, you know, years ago people used  
46 to live down Paimiut about 25 miles down there. It  
47 used to be a really good-sized town years ago and I  
48 really don't know whatever happened to it. People,  
49 some of those people they moved up here to Holy Cross.  
50 Some of them moved on to Kuskokwim side. The people

1 from our area and everything like that, they move on  
2 the Kuskokwim side and I think they got a right to come  
3 over and fish -- I mean to hunt, you know, on the 21E.

4  
5                   Like I say, you know, we're getting  
6 lots of pressure off the guide hunters and these  
7 transporters with the subsistence hunt is worse. There  
8 are some people talking about, you know, there's some  
9 of these transporters dropping off these rubber boats  
10 and people, you know, they put their boats in the woods  
11 and hide away from us, you know. I think that's -- I  
12 don't think that's right, you know, having lots of  
13 pressure from these transporters and guide hunters  
14 coming and hunting in our country.

15  
16                   Otherwise, like I say, everything is  
17 going okay. Lots of moose around the country. Thank  
18 you.

19  
20                   CHAIRMAN REAKOFF: Thank you.  
21 Appreciate it. Tim.

22  
23                   MR. GERVAIS: Thank you for your  
24 comments, Leroy. Are you going to be around later in  
25 the meeting when we talk about customary trade  
26 regarding king salmon?

27  
28                   MR. PETERS: Yeah, I'm going to be  
29 sitting here in this meeting all day from the start to  
30 the end. I'll be around here every day.

31  
32                   MR. GERVAIS: All right. We're  
33 interested in getting some of your comments on those  
34 fisheries, customary trade issues. Thank you. At that  
35 time.

36  
37                   CHAIRMAN REAKOFF: Okay. Any other  
38 comments from the public.

39  
40                   (No comments)

41  
42  
43                   CHAIRMAN REAKOFF: Do you want to talk  
44 to us, Jack? Come on up. How is your knee doing?

45  
46                   MR. LORRIGAN: Not good, Mr. Chairman.  
47 Good morning, Mr. Chairman. Council members. I want  
48 to introduce myself. My name is Jack Lorrigan. I'm  
49 the Native liaison for the Office of Subsistence  
50 Management out of Anchorage. I'm from Southeast

1 Alaska. My grandmother was Nisga'a. It's a subclan of  
2 the Tsimshians from the Nass River. My grandfather was  
3 Tlingit from Sitka and the grandmother that raised me  
4 was Haida, so I've got Southeast pretty well covered.  
5 I'm from the Coho Clan. My Coho name is (in Tlingit)  
6 and I've got a Dog Salmon name from Angoon area (in  
7 Tlingit), which is an old name and nobody really  
8 remembers what it means, but esh means father of.

9

10 My job is to bring culture to the table  
11 at OSM and the Interagency Staff Committee and  
12 leadership teams. As I said, everything north of  
13 Yakutat I still have to learn and I'm anxious to learn  
14 it from you because I consider you guys the teachers.

15

16 With that, the other part of my job  
17 right now is tribal consultation. On September 18th  
18 and 19th we had a consultation conference call with the  
19 tribes and the corporations. The afternoon of the 18th  
20 we had probably nine tribes call in on the proposals  
21 you have before you and then on the 19th, the morning  
22 of, we had 10 corporations call in or seven  
23 corporations call in plus three tribes called to listen  
24 in.

25

26 In particular, the only comments we  
27 really received on proposals from your area were the  
28 FP13-08 and 10. The caller said that those proposals  
29 complimented each other. They also said FP13-09, the  
30 only thing he really said is that subsistence is a  
31 priority on these resources. So that was some of the  
32 feedback we got. We haven't had a chance to draft up a  
33 report from those meetings yet because everybody who  
34 was at the meeting has been on travel ever since, so  
35 we're trying to get that stuff together.

36

37 One of the people from the corporations  
38 said their shareholders have been hard hit with these  
39 closures and that they felt their culture was going  
40 away because the overhead of putting a camp together to  
41 go fishing was more expensive than the actual return of  
42 catching fish, so they felt that that was a danger of  
43 the cultural practice being extinguished by lack of  
44 fish. Now it's too expensive to go out and do the  
45 practice the way they used to.

46

47 MR. GERVAIS: Where was that comment  
48 coming from?

49

50 MR. LORRIGAN: That was a comment

1 coming from somebody from the Doyon Corporation.  
2 That's pretty much it. It was a pretty light call for  
3 the amount of notice we gave, but there wasn't that  
4 many proposals. Like I said, two members from Pilot  
5 Station called in just to listen in. They didn't have  
6 any comments.

7

8 Thank you to the Council and to the  
9 people of Holy Cross for hosting. Gunalcheesh.

10

11 CHAIRMAN REAKOFF: Thank you. Any  
12 questions for Jack. Don.

13

14 MR. HONEA: Thank you, Mr. Chair.  
15 Yeah, Jack, I was just wondering fishing proposals your  
16 area -- you mentioned you had some concern, but is that  
17 Klukwan or where is that you said? Which numbers are  
18 you talking about? Is it up for discussion in our book  
19 because I don't know if we're going by region or going  
20 by -- I mean specifically what proposals were you  
21 talking about that your people or whatever had concern  
22 with in your area.

23

24 MR. LORRIGAN: Through the Chair. Mr.  
25 Honea. I was speaking to the proposals specifically  
26 that you have 13-08 and 13-10, but if you're asking  
27 about a larger wide regional concerns, we had a caller  
28 from Ninilchik. They were wanting to have their  
29 fishwheel that they're allowed -- they had a special  
30 action to allow a fishwheel on the Kasilof River. Is  
31 it the Kasilof? Anyway, they wanted to make that a  
32 permanent thing so people had constant access to  
33 subsistence fish.

34

35 We also had a caller call in from  
36 Southeast Alaska. The Sitka Tribe is concerned about  
37 the herring fishery in Sitka Sound and they were asking  
38 for a portion of Federal waters to be permanently  
39 closed to non-subsistence use.

40

41 That's pretty much it for region-wide  
42 area.

43

44 CHAIRMAN REAKOFF: I'll have you  
45 explain your position a little further. I think the  
46 Council is not quite clear what the Native liaison  
47 really actually is. A lot of the Council members don't  
48 attend the Federal Subsistence Board and don't really  
49 -- I don't feel they quite understand what your job is.

50

1 MR. LORRIGAN: Thank you, Mr. Chair.  
2 The way I understand my job is to be an advisor to the  
3 Office of Subsistence Management and also to the  
4 Chairman of the Board in terms of the proposals and how  
5 they affect communities. To more or less understand  
6 the cultural impacts of the proposals and how they'd  
7 relate to the communities if they were enacted or not  
8 enacted. Like I said, just to bring our cultural  
9 viewpoint to the table when these proposals are being  
10 discussed. If they're not actually how the  
11 communities, the cultural impacts, the customary and  
12 traditional uses would be enhanced or not enhanced by  
13 either restriction or more liberalization of a  
14 resource.

15  
16 I don't know if that helps.

17  
18 MR. HONEA: Thank you, Mr. Chair.  
19 Yeah, Jack, I think that kind of clears it up. So, you  
20 know, being a liaison and taking -- so you're actually  
21 working statewide for Native issues and taking those  
22 comments and working with them.

23  
24 MR. LORRIGAN: Through the Chair. Yes,  
25 sir, that is what I'm supposed to do.

26  
27 CHAIRMAN REAKOFF: Thank you. Tim.

28  
29 MR. GERVAIS: Yeah, Mr. Chair. I have  
30 a comment regarding one of Jack's comments about the  
31 Sitka herring, trying to get an area closure. The  
32 reason I think it's relevant is because it's going to  
33 -- that type of strategy is going to come up more in  
34 the future. It's kind of interesting just in the last  
35 week I heard two people as I was traveling around for  
36 this meeting talk about the Sitka Tribe was trying to  
37 get this protected area or closure of commercial  
38 fishing in certain regions so their subsistence needs  
39 could be met.

40  
41 I was down fishing in California  
42 recently and they had set up a system where the state  
43 closed off about 10 percent of their coastal waters to  
44 commercial fishing, called MPAs or marine protected  
45 areas. I don't know exactly. I think the system has  
46 been in place for about four years and they've had  
47 really good results with fish abundance of several  
48 species, crab and groundfish and pelagic fish because  
49 they're not -- any kind of fishing, especially  
50 commercial fishing, is going to have impact on habitat

1 and species abundance. By closing off these areas that  
2 actually have generated greater returns for the fish  
3 harvesters because the fish have kind of an unmolested  
4 habitat to live in.

5  
6 As we try to work through some of our  
7 salmon issues, one of the possible remedies may be  
8 closing off certain areas in the Bering Sea or Gulf of  
9 Alaska to trawling and maybe all commercial fishing to  
10 try to protect the habitat for fish and other species.  
11 Anyway, I just wanted Council to realize that there's  
12 places and countries that are using these marine  
13 protected areas and, in my opinion, the success is  
14 fairly stunning as far as providing abundance. All  
15 right, thank you.

16  
17 CHAIRMAN REAKOFF: Thank you.

18  
19 MR. LORRIGAN: Mr. Chair. Mr. Gervais.  
20 Thank you. I got my degree from Sheldon Jackson in  
21 aquatic sciences and I was the biologist for the Sitka  
22 Tribe for approximately 10 years. That particular  
23 herring issue was a big part of my personal and private  
24 life. I know the issue well. If you want to talk  
25 about it on the side, I'm more than willing to. Thank  
26 you.

27  
28 CHAIRMAN REAKOFF: Thank you, Jack.  
29 Nice to meet you. It looks like you've hit the ground  
30 running so to speak.

31  
32 (Laughter)

33  
34 CHAIRMAN REAKOFF: We've moved through  
35 a few things. We're going to start into the regulatory  
36 proposals. We should go to a break before we start  
37 that. Probably take a 10, 15 minute break.

38  
39 (Off record)

40  
41 (On record)

42  
43 CHAIRMAN REAKOFF: We're going to come  
44 back to order again. This is the Chair, Jack Reakoff.  
45 Those on the conference call would you state your name  
46 for the record.

47  
48 MR. SHARP: This is Dan Sharp with BLM.

49  
50 CHAIRMAN REAKOFF: Thanks, Dan.

1 MR. LIEBICH: Trent Liebich with OSM.  
2  
3 MR. NEWLAND: Eric Newland with the  
4 Alaska Department of Fish and Game in Anchorage with  
5 Amy Bower.  
6  
7 MS. FROTHINGHAM: This is Alyssa  
8 Frothingham with the Tanana Chiefs Conference.  
9  
10 MS. LARSON-BLAIR: Kay Larson-Blair  
11 with OSM.  
12  
13 MR. CRAWFORD: Drew Crawford, Alaska  
14 Department of Fish and Game, Federal Subsistence  
15 Liaison Team, Anchorage.  
16  
17 CHAIRMAN REAKOFF: Okay. And we have  
18 Ed Sarton on there. Are you still there, Ed?  
19  
20 MR. SARTON: Yes, I am.  
21  
22 CHAIRMAN REAKOFF: Okay. Is that all  
23 on the call?  
24  
25 (No comments)  
26  
27 CHAIRMAN REAKOFF: Okay. We're going  
28 to start into the Federal fisheries proposals,  
29 regulatory proposals. The A is the 2012 fishing season  
30 review for the Yukon and Kuskokwim Rivers, ADF&G and  
31 U.S. Fish and Wildlife. Fred Bue is up to the mic to  
32 give the report. Go ahead, Fred.  
33  
34 MR. BUE: Good morning, Mr. Chairman.  
35 Council members. Again, my name is Fred Bue. I'm with  
36 U.S. Fish and Wildlife Service, fisheries management  
37 for the Yukon River. I guess I'm going to speak  
38 jointly for the State and Fish and Wildlife Service in  
39 the season review. It does get pretty long and  
40 complicated as we go through, so I'd just warn you  
41 there. It's both summer and fall season, fish and  
42 Federal sides, both at the same time partly because I'm  
43 the person here and teleconference is fairly limited  
44 participation or ability to converse with them, so  
45 that's why I'm speaking for them. They can speak up if  
46 I'm off track or I omit something.  
47  
48 Also, I guess in your packets or in  
49 your folders I'd draw your attention. There was -- I  
50 put out a season summary. It's a real brief one. For

1 the Fish and Wildlife Service I apologize. It made it  
2 into the Y-K book and the Eastern Interior book, but  
3 somehow it got omitted out of the Western Interior, so  
4 you probably didn't have it beforehand, but I think you  
5 do have it now.

6

7 I also handed out the Fish and Game  
8 season summary. This was just, I think, finalized last  
9 week or so, so I brought that to you. There's a few  
10 copies in the back of the room for your reference.  
11 Also this being the Western Interior I also brought a  
12 real brief flyer of one of the projects we have going  
13 in your area, the Gisasa River weir. So this is just a  
14 brief summary of the project. I think I brought three  
15 or four larger reports for those people interested in  
16 digging into the project more and getting a better  
17 feeling for it. That's available on the back table.  
18 If you run out, I can get more copies for you. That's  
19 just the introduction there.

20

21 Again, I apologize. This report is  
22 going to get kind of long. Since I'm speaking for  
23 multiple agencies, I kind of need to keep to the script  
24 here, so I end up reading a lot of it, so I apologize.

25

26 To begin with, overview of the season.  
27 The Yukon River stocks have experienced variable and  
28 difficult production levels since 1998. Low parent  
29 year escapements have produced high returns and some  
30 high escapements of years have produced unexpectedly  
31 poor returns. The 2012 run of chinook experienced a  
32 fifth consecutive season of below average to poor  
33 salmon production with low returns despite typically  
34 adequate escapement levels. Conversely, both the  
35 summer and fall chum runs have performed as expected  
36 with above average returns. The coho run again was  
37 below average.

38

39 Pre-season, the 2012 chinook run was  
40 projected to range from poor to below average. We  
41 we're giving people the heads up that we expected a  
42 poor run. The outlook would be barely sufficient to  
43 meet escapement objectives at the low end of the  
44 outlook range. Furthermore, we did not think it would  
45 support normal subsistence harvest levels and we  
46 expected to preclude any chinook commercial fishery.

47

48 On the other hand, both summer and fall  
49 chum outlooks projected above average runs with  
50 adequate strengths to meet escapement objectives,

1 subsistence harvests, as well as some potential  
2 commercial harvest.

3

4 U.S. Fish and Wildlife Service and  
5 Alaska Department of Fish and Game Staff participated  
6 in numerous meetings this past winter to share  
7 information and receive input on conservation  
8 management approaches in preparation for this poor  
9 season. We were trying to work with people knowing  
10 that poor returns was expected.

11

12 Some of the key conservation approaches  
13 settled on included an earlier start date for the  
14 regulatory subsistence windows fishing. Right from the  
15 get-go we were putting people on the windows. We also  
16 agreed to go with pulse protection for the first pulse  
17 as it moved into the river. Then, with that, buy us  
18 time and then we'd consider additional measures if  
19 necessary.

20 Then we also anticipated no directed commercial fishing  
21 on chinook.

22

23 At the beginning of the season, the  
24 regulatory window salmon fishing schedule was initiated  
25 on May 31st in District 1 and it was implemented  
26 chronologically in upriver districts as the run  
27 progressed. The chinook run was late and the summer  
28 chum run was developing.

29

30 Due to the slow run development,  
31 subsistence salmon fishing was restricted prior to the  
32 first pulse, which is a little bit different than we  
33 anticipated, to gillnets with six inches or smaller  
34 mesh size in District 1, 3 and Subdistrict 4A in order  
35 to conserve chinook, while part of that was to provide  
36 opportunity to harvest some of the abundant summer  
37 chum.

38

39 When the first pulse of chinook  
40 arrived, pulse protection was initiated in District 1  
41 and the northern portion of the coastal district were  
42 actually going outside the mouth of the river. So we  
43 were protecting those fish. We didn't want fishermen  
44 from Y1 just to go outside the mouth and fish too, so  
45 we were lumping that with the coastal district rather  
46 than just allowing people to go right off the boundary  
47 there. So we coordinated that with the pulse  
48 protection.

49

50 Southern portion of the coastal

1 district, which is well outside the mouth of the river,  
2 that's Hooper Bay and Scammon Bay, you know, 90 miles  
3 away. We did not reduce their fishing time, but we did  
4 limit their gear to six-inch nets in coastal waters.  
5 We're not even certain if they're fishing Yukon or  
6 Kuskokwim fish out there, but we did figure they needed  
7 to stay off kings as much as they can.

8  
9                   As became apparent, the chinook run  
10 was, in fact, poor and not just late. Further  
11 conservation actions were considered necessary to  
12 achieve escapement objectives. So the southern portion  
13 of the coastal district had subsistence gillnet gear  
14 restricted as six inches or smaller for the remainder  
15 of the summer season.

16  
17                   The northern portion of the coastal  
18 district as well as Districts 1 through 5 all had their  
19 first pulse closure extended to protect the first and  
20 second pulses all as one group, so it became a pretty  
21 extensive closure there. This long closure was  
22 followed by a reduced subsistence fishing period in all  
23 areas. Nets in Districts 1 through 4A were restricted  
24 to six inches to provide opportunity to harvest summer  
25 chum while continuing to conserve chinook through the  
26 remainder of the run.

27  
28                   Additionally gillnets were restricted  
29 to six inches or smaller mesh in both the Innoko and  
30 Koyukuk Rivers once we got to the second pulse closure  
31 to conserve chinook and that's really unusual. We  
32 don't typically go into those areas, but we just felt  
33 it was necessary to do that. We did leave it as six  
34 inches so that they'd have opportunity. We think that  
35 a lot of their harvest is on chum in those areas and  
36 less on chinook, so we didn't -- we heard a lot of  
37 frustration about that, but I can understand that.

38  
39                   So after allowing a short open period  
40 in District 5 after the first pulse was going we closed  
41 for the remainder of the summer season subsistence and  
42 so because of the run strength the upriver area was  
43 assessed to be below the Canadian stock escapement goal  
44 levels, so they were closed up to 31 days I believe in  
45 that stretch of river.

46  
47                   Even with all these management actions,  
48 the estimated U.S./Canada border passage of 34,200  
49 chinook was below the intermanagement escapement goal  
50 of 42,500 with no surplus available for the Canadian

1 harvest share as stipulated in the agreement.

2

3                   Due to significant overlap of chinook  
4 and summer chum runs, State managers delayed actions of  
5 commercially-targeted summer chum until after the  
6 three-quarter point in the average chinook run timing,  
7 so it was just quite late.

8

9                   At the time, an above-average summer  
10 chum run of 2 million fish was passing and significant  
11 actions had already been taken to conserve chinook.  
12 Therefore, strategic commercial fishing periods were  
13 open in the Lower River districts beginning June 29th  
14 to target the abundant summer chum.

15

16                   These periods were similar to what we  
17 did last year or what the State did last year to target  
18 summer chum while providing or avoiding concentrations  
19 of chinook. It's kind of a new management thing.  
20 Frustrating to a lot of people if your community gets  
21 to be bypassed and you have to travel across the delta  
22 to where it may be open, but the idea was to use some  
23 of those chum. You know, it's sort of a mitigation  
24 measure and you're staying off the kings, but that's  
25 kind of how it went.

26

27                   Commercial fishing was open in  
28 Subdistrict 4A and District 6 with fishing gear  
29 restricted to allow only fishwheels during openings to  
30 target those summer chum. Commercial fishwheels were  
31 required to be manned during operations and all chinook  
32 had to be released unharmed. In Subdistrict 4A, 59  
33 chinook were reported caught and released. In District  
34 6, 172 chinook were caught and released in those  
35 fisheries.

36

37                   So in all the preliminary total  
38 commercial harvest was 319,000 summer chum and with the  
39 incidental chinook harvest of 2,548 taken in the chum  
40 directed fisheries.

41

42                   CHAIRMAN REAKOFF: Can I ask one  
43 question there. Was the majority of those bycatch of  
44 chinook primarily males? Are they fishing six inch or  
45 like six and three-quarter -- correction, five and  
46 three-eighths or five and three-quarter-inch gear for  
47 chum?

48

49                   MR. BUE: It's difficult to tell. A  
50 lot of people have different nets. Some people with

1 limited resources they like the bigger net closer to  
2 six inch because the fall chum are a little bit bigger  
3 fish and that's been more of a consistent fishery.  
4 Other people with more gear like that five and a half  
5 inch, five and three-quarters for summer chum. It  
6 seems like summer chum is a little bit smaller, so they  
7 prefer that.

8

9 As far as -- I believe there were some  
10 samples in District 1 and 2 of those kings that were  
11 taken home out of there. People were allowed in those  
12 areas to take home those fish or give them away. In  
13 the 4A and District 6, they were required to release  
14 them, so we didn't get any information. Those were  
15 fishwheel operations, so it would have been a little  
16 bit different fish altogether.

17

18 CHAIRMAN REAKOFF: But there was no  
19 assessment as to what the sex ratios were of those  
20 2,458 fish or whatever? There was no like sample? It  
21 was not as impacting as using large mesh gear on  
22 females.

23

24 MR. NEWLAND: Mr. Chairman.

25

26 CHAIRMAN REAKOFF: Yes, go ahead.

27

28 MR. NEWLAND: This is Eric Newland from  
29 Alaska Department of Fish and Game. I thought I'd help  
30 Fred here a little bit.

31

32 CHAIRMAN REAKOFF: Sure.

33

34 MR. NEWLAND: The sample from the  
35 commercial fishery in that less than six inch summer  
36 chum directed commercial fishery, the females comprised  
37 30 percent of the sample. Age six was 30 percent and  
38 50 percent were age five. That's the chinook caught as  
39 incidental and that was summer chum fisheries.

40

41 MR. GERVAIS: Can you repeat that.

42

43 CHAIRMAN REAKOFF: Repeat those numbers  
44 again. That would be 50 percent for age six?

45

46 MR. NEWLAND: Age five. Thirty percent  
47 age six and females comprised 30 percent of the sample.  
48 So mostly male.

49

50 CHAIRMAN REAKOFF: Okay. Thank you.

1 MR. GERVAIS: How many age seven?  
2  
3 CHAIRMAN REAKOFF: Were there any age  
4 seven fish in there?  
5  
6 MR. NEWLAND. One percent age seven.  
7 That sample size was 636.  
8  
9 CHAIRMAN REAKOFF: Okay. All right.  
10 Thank you. Continue, Fred. Sorry to disrupt you  
11 there.  
12  
13 MR. BUE: That's fine. I'm always  
14 happy for a distraction here.  
15  
16 (Laughter)  
17  
18 MR. BUE: I know it's coming anyway.  
19 It's funny. So as far as chinook escapement objectives  
20 were attained in the East Fork Andreafsky, the Nulato  
21 and Salcha Rivers, but they were not achieved in the  
22 Anvik, Chena River, as well as they were below the  
23 Canadian border objective. For most summer chum  
24 producing tributaries they experienced above average  
25 escapements. East Fork Andreafsky and Anvik River  
26 escapement goals were achieved. Gisasa, Henshaw and  
27 Salcha Rivers were above average while the Chena was  
28 difficult to assess due to high water.  
29  
30 For the fall season, at the beginning  
31 of the fall season managers were confident the fall  
32 chum run size would be greater than 800,000, so they  
33 began reverting subsistence salmon fishing back to the  
34 standard schedules at the beginning and eventually  
35 followed with further relaxations throughout the  
36 drainage.  
37  
38 Fall season commercial fishing was  
39 initiated immediately in the lower river to take  
40 advantage of the overlap in the summer chum still in  
41 the area and the anticipated strong fall chum run just  
42 beginning its in-river migration.  
43  
44 From the start, fall chum pulses were  
45 consistent and on track for a total run size of over  
46 900,000, which is considered adequate for escapement  
47 needs and subsistence with a surplus available for  
48 commercial harvest.  
49  
50 Commercial fishing continued in the

1 lower river throughout the fall with attempts being  
2 made to align commercial openings with pulses as fish  
3 entered the river. Meanwhile, the overlapping coho run  
4 appeared to be developing below average with the  
5 commercial harvest of coho remaining within acceptable  
6 levels to provide necessary escapement needs and normal  
7 subsistence harvest.

8

9                   Subsistence fishing in District 4 was  
10 relaxed to seven days per week after the fourth fall  
11 chum pulse had passed. Again, that was to provide  
12 additional fishing opportunity. Subdistricts 5A, 5B  
13 and 5C had subsistence fishing time increased to five  
14 days per week as specified in regulation after  
15 commercial fishing was curtailed in those areas and was  
16 further relaxed to seven days per week after passage of  
17 the fourth pulse.

18

19                   The combined fall season commercial  
20 harvest through October 1st was 286,000 fall chum and  
21 74,000 coho salmon. The fall chum harvest is the  
22 highest since 1995 and the coho salmon harvest is the  
23 second highest since 1991.

24

25                   Escapement assessment will continue  
26 through November, but indications at this time is that  
27 fall chum and coho escapements are expected to end  
28 within or above most escapement objectives.

29

30                   So management for the 2012 salmon  
31 season was particularly challenging due to the wide  
32 disparity in run strength between the overlapping  
33 chinook and summer chum salmon mixed stock fisheries.  
34 Efforts to conserve chinook were initiated at the  
35 beginning of the run and intensified as the season  
36 progressed in order to protect the run all the way to  
37 the spawning areas. It's not just Canada but within  
38 Alaska we're concerned with many of the stocks.

39

40                   Subsistence fishing was closed for  
41 extended periods with fishing gear restrictions during  
42 much of the summer season. Sport fishing and personal  
43 use fishing were closed and commercial fishing  
44 opportunity for summer chum was foregone to further  
45 conserve chinook salmon. Unfortunately, these  
46 management actions also significantly blocked  
47 subsistence fishermen's access to the abundant summer  
48 chum, which otherwise could have provided some relief  
49 as a food alternative to many people.

50

1                   Also many fishermen voluntarily lowered  
2 their chinook salmon subsistence harvest to protect the  
3 weak stock. Some fished harder than usual during the  
4 few brief opportunities and then others shifted their  
5 harvest to alternative fish species to provide for  
6 their household subsistence needs this year. In the  
7 end, chinook escapements were met or below established  
8 goals while the summer chum escapement objectives were  
9 achieved or exceeded. Then fall chum coho stocks  
10 provided good harvest and attained escapement  
11 objectives.

12  
13                   This meeting is all about this January  
14 the Federal Subsistence Board and the Alaska Board of  
15 Fisheries will be considering regulatory proposals as  
16 the Councils will be discussing here right after. I  
17 don't know if Mr. Newland has anything additional to  
18 add from the State.

19  
20                   CHAIRMAN REAKOFF: Anything additional  
21 from the State perspective on Fred's presentation. Go  
22 ahead.

23  
24                   MR. NEWLAND: Nothing too specific. I  
25 guess, generally speaking, looking at a run like 2012,  
26 we're going to talk about the chinook run, how poor it  
27 was. I think it's just good that we've been talking  
28 about this situation for a while. We had some plans in  
29 place and it wasn't a knee-jerk reaction when it came  
30 time to do things. I think it would be interesting to  
31 hear what people have to say about kind of the way it  
32 rolled out this summer.

33  
34                   I know Fred, Steve, myself, we all sat  
35 down and chatted every day about these things, making  
36 decisions pretty much every day and coming out with  
37 news releases almost every day. A lot of it was really  
38 short notice. Not giving a whole lot of people a lot  
39 of opportunity ahead of time and specifically in that  
40 area that you guys are from in the Y4 area and the  
41 Koyukuk there. They did see some new actions that we  
42 hadn't seen before or hadn't done before, so  
43 interesting to hear what people had to say, how it went  
44 and how they received the information, if it was clear  
45 or how we could get those actions more clarified. It's  
46 likely we'll have to be doing something similar in the  
47 future.

48  
49                   I guess that's about all I have to say.  
50 I want to thank Fred for leading the charge there.

1 CHAIRMAN REAKOFF: Okay, thanks, Eric.  
2 Eleanor, you had a comment.

3  
4 MS. YATLIN: Along the Koyukuk when  
5 they had the closure they got a one-day notice as far  
6 as I was concerned because, you know, we have fishnets  
7 in. One person, George Attla, he bought -- he finally  
8 got rid of his eight-inch mesh net and then he bought a  
9 brand-new one, just finally come in, and he set it and  
10 then they told him he had to pull the net out at 6:00  
11 o'clock that evening, so he had to make another trip,  
12 go 20 miles downriver again to pull his net, so that  
13 was the one-day notice on that six inch, as far as I  
14 heard anyway because we have the VHF radios in town.

15  
16 I would like to -- other than what's  
17 written, I could see why they did it, but I would like  
18 a little bit further explanation on this because I  
19 would like to explain it to George, you know, why and  
20 what the results were. And the river was high. The  
21 river was high most of the summer. There was a lot of  
22 debris on the river and it's still high right now. I  
23 know a lot of people had a hard time fishing this  
24 summer. Some people were successful.

25  
26 The other thing I was going to bring  
27 up, I think I bring this up time and again and it's our  
28 traditional values. I think I just wanted to really  
29 stress this to Fred and the management that as Native  
30 people we don't talk about what we catch and how  
31 successful we are. You don't hear all that because  
32 we're not supposed to. Not supposed to brag. That's  
33 the way we're raised and that's the way we're -- and I  
34 know a lot of the older people are like that. Because  
35 it's 50 or 60 years later and Steven Attla is finally  
36 talking about what he caught a long time ago. That's  
37 for storytelling. That's because you're not supposed  
38 to brag. We have to be successful in the future. I  
39 was just wondering. A lot of this data that's coming  
40 out is for real or you know what I'm saying because  
41 we're not supposed to talk about it. I just wanted to  
42 bring up that fact again realistically.

43  
44 CHAIRMAN REAKOFF: Ray.

45  
46 MR. COLLINS: Yeah. Was any  
47 consideration given on the chinook bycatch that it --  
48 on the Kuskokwim it could only be used for subsistence,  
49 so they had to use it for their own use or donate it.  
50 Was any consideration given that on the Yukon to see

1 that the bycatch of chinook went to subsistence? Would  
2 that have helped the situation?

3

4 MR. BUE: Thank you, Mr. Chair. Yeah,  
5 Ray, the action taken was to not allow sale of  
6 commercial chinook and fishermen had the opportunity or  
7 the option. They could take those fish home and use  
8 them for subsistence out of their legal commercial  
9 fishing activity, they could donate them to whoever  
10 they wanted to or else they could release fish.  
11 Sometimes that was just the simplest, so they had the  
12 opportunity to do all those things.

13

14 MS. PELKOLA: Fred, I have a.....

15

16 CHAIRMAN REAKOFF: Go ahead, Jenny.

17

18 MS. PELKOLA: Is that for fishwheels  
19 too?

20

21 MR. BUE: The fishwheel in Subdistrict  
22 4A, they actually fished right close to Kaltag and then  
23 up in District 6 near Nenana. The requirement there  
24 was to only allow fishwheels. There's also a gillnet  
25 gear opportunity, but this year it was only allowed for  
26 fishwheels. Those fishwheels had to have a person  
27 standing on them. If a fish came through, they had to  
28 put a live shoot or some mechanism to immediately  
29 release that fish. They couldn't take that king home  
30 for subsistence.

31

32 CHAIRMAN REAKOFF: Pollock.

33

34 MR. SIMON: One year I caught 30 king  
35 salmon. That was a lot for me. Most of the time I  
36 only need 10 to put in my freezer. I live on the  
37 Koyukuk River so we don't so strips or anything. For  
38 me, that was a lot of fish. That's what I caught, king  
39 salmon. For me, it's hard to believe the high seas  
40 fishers are throwing away while we Interior river  
41 village have a shortage sometimes.

42

43 Thank you, Mr. Chair.

44

45 CHAIRMAN REAKOFF: Thanks, Pollock.  
46 Fred, do you have another.....

47

48 MR. BUE: Yeah, I was just trying to  
49 follow up there. Like Mr. Newland said, we had a lot  
50 of short notice, but I think we also did a lot of

1 really micromanagement this year. It was difficult for  
2 people to understand the rationale, why we did things.  
3 Everybody on the river, you know, all fish in a  
4 different situation. Some people are at the mouth,  
5 like Hooper Bay. If the wind blows, they'll get kings.  
6 Otherwise they just get chum, you know. Things that  
7 are difficult for people way upriver to comprehend,  
8 tides and storms. Then other places, you know, the  
9 Lower River doesn't have fishwheels. They can't  
10 comprehend how the fishwheel works. So there's a lot  
11 of stuff.

12

13                   We go to a lot of meetings and  
14 everybody wants things to be fair and equal and it's  
15 really difficult to do that in a management practical  
16 sense because, you know, where the river is narrow in  
17 one spot and great big wide in another spot, some  
18 places are deep and some are shallow. So it is hard to  
19 tailor a lot of that stuff and I think that's what  
20 happens when we start micromanaging because we're  
21 trying to protect kings, but we want to provide as much  
22 opportunity to harvest something else.

23

24                   We didn't want you to forego the  
25 opportunity to harvest chum or whitefish because we're  
26 just protecting kings because we know that's more  
27 important to people. So that's kind of what was going  
28 on on the Koyukuk. We don't usually close that area,  
29 but we did this year because it was pretty poor.

30

31                   One thing I did hear that was kind of  
32 -- like Ms. Yatlin said, is that people don't talk very  
33 much about what they fish, so it kind of caught me off  
34 guard this year when people complained on the Koyukuk  
35 and the Innoko that they didn't have chum nets, they  
36 only had king nets and maybe those were some unusual  
37 remarks, but I did hear those and it kind of caught me  
38 off guard. I think of those areas as being chum  
39 fisheries and chum dominant. You know, we make  
40 decisions and then we hear how we should have done it  
41 after the fact. So that's good information that I  
42 probably wouldn't have known otherwise. I just made  
43 the assumption it was a chum fishery.

44

45                   Thank you, Mr. Chairman.

46

47                   CHAIRMAN REAKOFF: That's because  
48 they're catching quite a few sheefish with that larger  
49 mesh net. What size net do you use for sheefish,  
50 Pollock?

1 MR. SIMON: Between four or five -- no,  
2 five or six inch.

3

4 MR. BUE: I think it also was  
5 interesting in that -- you know, the Innoko has had a  
6 long history of -- you know, their stocks had gone away  
7 and they're rebuilding and I didn't really even realize  
8 they had that much kings moving into there. So the  
9 thought that people are actually targeting kings in the  
10 Innoko was surprising and that leads me to think, as a  
11 manager, maybe I need to look more there to see where  
12 they're going and if, in fact, those kings are starting  
13 to return and develop a stronger stock in there. Maybe  
14 that's something I need to put some attention to also.  
15 Thanks.

16

17 CHAIRMAN REAKOFF: One of my comments  
18 was -- I get these notices of emergency closures and  
19 there's lots of micromanaging on the Yukon River  
20 system, but the Chena River allowed sportfishing to  
21 continue way into the run. The Chena was below  
22 escapement last year and didn't meet escapement needs  
23 again this year. For political reasons I can see why  
24 the Department would be doing that, but when everybody  
25 else is belt-tightening to this extent, I feel that the  
26 Department needs to really assess catch and release and  
27 retention of chinook on the Chena River system.

28

29 The Chena, as far as I know, is the  
30 second highest contributor on the Alaskan side of the  
31 boarder in the Yukon River system. I'm getting real  
32 concerned that sportfishing -- I mean they're basically  
33 trawling right through the middle of Fairbanks trying  
34 to catch kings. I'm concerned that that stock is not  
35 having the kind of restrictions that other rivers and  
36 users are having to meet.

37

38 Does the Department have a comment on  
39 sportfishing in the Chena River, Eric?

40

41 MR. NEWLAND: Yeah, I know they did  
42 have a catch and release at one point. I don't know  
43 what date that was. I can get that real quick though.  
44 I've got to find that, okay?

45

46 CHAIRMAN REAKOFF: Right. But I mean  
47 what I'm saying is when other fisheries are going into  
48 significant restrictions, that catch and release -- not  
49 everybody releases fish properly and there can be  
50 fairly high mortalities with catch and release. I'm

1 concerned that the Chena stocks are not performing now  
2 for two years below escapement needs and I'm concerned  
3 that the Department will continue to restrict  
4 subsistence uses throughout the rest of the drainage,  
5 but the Chena River is the sacred cow of sportfishing  
6 for recreational use and I feel that there should be  
7 thought in the Department on basically not allowing any  
8 catch and release or retention of chinook in the Chena  
9 River system until it's approaching or is assured of  
10 meeting the escapement needs.

11

12 MR. NEWLAND: Okay.

13

14 CHAIRMAN REAKOFF: So that's one of my  
15 comments on this year's performance. Tim.

16

17 MR. GERVAIS: Thank you, Mr. Chair.  
18 First off, I'd like to thank Fred and Eric and their  
19 Staff for working hard on trying to get this chinook  
20 run on the spawning grounds. I know it's got to be a  
21 lot of stress and a lot of work to try to manage a  
22 fishery that has such low abundance and so many  
23 different user groups and so many different parts of  
24 the state and, of course, in Canada.

25

26 Thanks for your effort with that.

27

28 Some comments on the discussion and  
29 especially on the 2,400 and 21 incidental kings caught  
30 in the summer chum fishery. That's a lot better number  
31 than last year. At this point in time, I'm okay with  
32 that amount of kings being caught if it's providing  
33 good economic opportunity for the fishers in Y1 and Y2.  
34 I guess that's kind of a slow, like you said,  
35 mitigation effect. I mean if we're not meeting  
36 escapement goals, you'd think we need to get every fish  
37 on the spawning grounds.

38

39 Anyway, I appreciate the fact that that  
40 number, if it's correct, is lower than it was last  
41 year. Also interested to know how your comments on the  
42 ASL data for the fish up by Eagle, if you're getting  
43 some bigger fecund females and enough males to spawn  
44 with them on the spawning grounds.

45

46 I'd also like to know if you or the  
47 Canadians study the amount of like spawned-out biomass  
48 that ends up on the spawning grounds and if that's a  
49 sufficient amount of spawned-out fish carcasses up  
50 there to sustain the baby kings as they're growing up

1 into their smolt life cycle.

2

3                   The main question I have for either of  
4 you or both of you is we are seeing this continued low  
5 productivity of these systems and it's not just the  
6 Yukon. It's almost all the rivers in Western Alaska  
7 and your management actions for the last couple years  
8 have been really significant. Basically the only thing  
9 you can do that's more severe is to close the drainage  
10 to fishing altogether.

11

12                   What I'd like to know your opinion as  
13 in-river managers if you're prepared to start taking  
14 more aggressive action on the amount of king salmon  
15 that are harvested in the exclusive economic zone  
16 because we're getting really intense sacrifice from the  
17 in-river user groups to keep the stock alive and in a  
18 healthy state. Even with those measures it's not  
19 enough to meet our escapement goals.

20

21                   I'm looking at this YRDFA handout. It  
22 says so far in 2012 8,714 king salmon have been caught  
23 in bycatch in the pollock fishery. I think that's only  
24 Bering Sea/Aleutian Islands. It's not counting the  
25 Gulf of Alaska bycatch. So here we have this reported  
26 bycatch which, in a lot of fishing circles, is known to  
27 be quite a bit less than the actual bycatch. I'm not  
28 going to get into that issue right now. What I'm  
29 saying is here we have this bycatch harvest that if it  
30 was in the rivers could potentially get these systems  
31 meeting their escapement goals and I feel it's the  
32 responsibility of the State and Federal managers to try  
33 to provide better protection for these fish in the  
34 marine environment so that they're available on the  
35 river systems.

36

37                   MR. BUE: Thank you, Mr. Chairman.  
38 Tim. Yeah, the last question there is kind of a  
39 difficult one for me to answer directly. You know, my  
40 jurisdiction is within the river and going beyond that  
41 is essentially the North Pacific Management Council,  
42 this area for Federal management. The State of Alaska  
43 -- I guess back up. Fish and Wildlife Service has gone  
44 on record commenting that the bycatch cap and a few of  
45 those things were high. Going beyond that I don't know  
46 where we're going to end up with, so I have to defer to  
47 someone more knowledgeable in that bigger scale arena.

48

49

50                   I don't really want to speak for the

1 State, but as far as in-river managers we can do what  
2 we can do there. This is definitely an issue for the  
3 Board of Fish to consider and discuss and I think they  
4 will make some recommendations to the Council, I  
5 assume.

6

7 MR. GERVAIS: So you feel from our  
8 Council's perspective the best avenue is to pursue  
9 action through the Board of Fish to get more -- have  
10 more impact at the North Pacific Management Council  
11 level?

12

13 MR. BUE: I think that, but I think in  
14 your report to the Federal Subsistence Board it's also  
15 important to document that you have those concerns at a  
16 higher level and then they can carry that additionally  
17 forward into those other bigger arena. But I think to  
18 your Federal Subsistence Board that should be part of  
19 your report and these are our concerns in your report  
20 to them. I think that's just like any issue that  
21 you're concerned with, you need to put that in writing  
22 and give it to them and then they have something in  
23 their hand they can bring to the bigger stage.

24

25 MR. GERVAIS: All right. Thank you,  
26 Fred.

27

28 CHAIRMAN REAKOFF: Thanks, Tim. Ray.

29

30 MR. COLLINS: On this report from the  
31 State here I noticed that something happened about  
32 1997, '98 and that whole average dropped way down. Is  
33 there any explanation been given for that big shift in  
34 the number? I'm looking at the first page of the  
35 State's report. It's a significant drop in there and  
36 it's continued down there. Something must have  
37 happened in that area to bring that about. Is there  
38 any explanation?

39

40 MR. BUE: Well, conclusive, I don't  
41 know. There are a lot of reports out there and it's  
42 been -- it's not just chinook, you know. As you  
43 recall, we had the collapse of all those fisheries '98,  
44 2002, summer chum, fall chum, chinook, were all dropped  
45 off. They all dropped off and that 2000 year was  
46 particularly horrible for everybody in Western Alaska.  
47 We had big failures of all stocks and that was really  
48 tough.

49

50 I guess there's a scientist Mauer from

1 University of Washington and NMFS have done quite a bit  
2 of work through NOAA in the West Coast. California,  
3 Oregon, Washington. They watched the ocean  
4 productivity, the marine environment and how much  
5 forage is out there and they forecast their runs based  
6 on productivity there, how much food is out there, and  
7 then they come up with their expectations on the  
8 chinook run.

9

10 What we've seen and what they've showed  
11 to some extent is that there's what they've called  
12 Pacific Decadal Oscillation and, again, this is myself  
13 drawing from things that are farther out, so this is  
14 just a theory of mine. They do see some change with  
15 the currents and ocean productivity pattern down there.  
16 So when you get this northern California flow coming in  
17 and it hits the beach and some years it goes south and  
18 some years it goes north and you get a warm phase and a  
19 cold phase.

20

21 Often what we're starting to see is in  
22 one phase where the West Coast of the U.S. has good  
23 chinook runs, Alaska has poor runs and more recently  
24 it's the other way around. So this year the West Coast  
25 had pretty good chinook runs and we're pretty poor.  
26 But this is, in fact, something dramatic happened, like  
27 you point out, and I think that's the reason for this  
28 symposium that's coming up.

29

30 CHAIRMAN REAKOFF: Tom.

31

32 MR. KRON: Just to respond real  
33 quickly. '98 was a really poor chinook run also for  
34 the Kuskokwim and the Yukon Rivers, but it also was  
35 poor for Bristol Bay, the Alaska Peninsula and down  
36 into Cook Inlet. At that time, the Yukon River  
37 Drainage Fisheries Association, the Board of Fish and  
38 the Alaska Department of Fish and Game all essentially  
39 asked the North Pacific Council to implement some  
40 changes to protect chinook, which they, in turn, did.  
41 So there were some management changes that were made  
42 back in that time frame.

43

44 Again, from the chart and the  
45 discussion here, it looks like we had some  
46 environmental changes occurring at the same time. Now  
47 the thinking is that additional changes are needed.

48

49 Thank you, Mr. Chair.

50

1 CHAIRMAN REAKOFF: Thanks, Tom.  
2 Another comment, Tim.

3  
4 MR. GERVAIS: Thank you, Mr. Chair.  
5 Yes, I wanted to hear Eric or some representative of  
6 Department of Fish and Game comment on they want to  
7 pursue more aggressive action to get better chinook  
8 protections in the marine environment.

9  
10 CHAIRMAN REAKOFF: Do you have a  
11 comment, Eric?

12  
13 MR. NEWLAND: Yeah, I think I'll pretty  
14 much stick with kind of the lines Fred was saying  
15 there, is that, you know, obviously we're kind of --  
16 our jurisdiction is within river. We would like to see  
17 better returns on our chinook and we're hopeful things  
18 will change so that bycatch is not such a problem. I  
19 think we also understand that there's a lot of stuff  
20 going on. It's not just one thing as much as we hear  
21 people want to put it to one factor why the chinook  
22 aren't doing well. I think it's safe to say as we look  
23 kind of across Western Alaska that it's probably a  
24 whole host of things. There's probably lots of stuff  
25 we need to work on. I guess that's all I can offer on  
26 that.

27  
28 CHAIRMAN REAKOFF: Okay. Tim.

29  
30 MR. GERVAIS: My response to that,  
31 Eric, would be for the most part we can't control  
32 environmental concerns. We control and are controlling  
33 in-river harvest amounts and I'm not seeing the -- I'm  
34 seeing better awareness of the chinook issue with  
35 Commissioner Campbell than I did with Commissioner  
36 Lloyd, but I'm not seeing the actions taken to -- we  
37 know we have this waste just occurring out in this  
38 BSA/AI pollock and Gulf of Alaska pollock fishery.

39  
40 I'm not seeing enough emphasis by the  
41 State to try to get either some kind of gear change  
42 with excluders or some kind of significant amount of  
43 reduction in trawl time. I mean here everybody in-  
44 river is going without and the pollock fleet is still  
45 out there fishing 10 months out of the year. That's  
46 not equitable.

47  
48 I think that this salmon symposium  
49 that's coming up in a week or two would be an excellent  
50 place for the Department of Fish and Game to say that,

1 hey, there is more that can be done. There's more that  
2 we can do as a state because we do hold probably the  
3 most prominent position on the North Pacific Fisheries  
4 Management Council and we're going to take these  
5 actions to try to help these stocks out and help these  
6 in-river users out.

7

8 I think if the State declines to take  
9 that type of action, it's going to set up a very poor  
10 reaction amongst rural Alaska that Fish and Game is not  
11 taking the correct actions to get this salmon situation  
12 under control.

13

14 CHAIRMAN REAKOFF: Thanks, Tim. Any  
15 further discussion on the season performance for the  
16 Yukon River. Did you have one, Pollock.

17

18 MR. SIMON: Just a comment. Last year  
19 we had a meeting in Galena and (indiscernible) spoke at  
20 length on salmon. One of his comments was that is it  
21 something -- is it going to be something in the past  
22 that, you know, there was a lot of king salmon. It's  
23 something that we enjoyed and it's going to be in the  
24 past. Personally, I think if everybody up and down the  
25 river we all work together, we can bring the chinook  
26 salmon back. In the past, the old-timers in Allakaket  
27 said there were hardly any fish in the '40s and the  
28 fish came back.

29

30 I went to a fish meeting in Kotlik one  
31 time. There was a lot of discussion upriver and  
32 downriver and old man Harry Weiss got up and he said  
33 that's not a thing to argue between upriver and  
34 downriver. He said if you want to argue, argue with  
35 the high seas fishermen. He said that's where the  
36 problem is. They're catching all our fish out there.

37

38 Thank you, Mr. Chair.

39

40 My comments.

41

42 CHAIRMAN REAKOFF: Thanks, Pollock.  
43 The Chair recognizes that Robert Walker has arrived  
44 from Anvik. We've gone over the in-season report Fred  
45 Bue gave us on Yukon River salmon production this year.  
46 Did you want to make any comments on the season from  
47 your perspective, Robert.

48

49 MR. R. WALKER: Right now?

50

1 CHAIRMAN REAKOFF: If you would like  
2 to.

3  
4 MR. R. WALKER: You mean the moose  
5 season or fishing season?

6  
7 CHAIRMAN REAKOFF: On the fishing  
8 season. We're discussing Yukon River salmon production  
9 and catch.

10  
11 MR. R. WALKER: Anvik kind of like took  
12 a back step on this. We kind of like just took enough  
13 what we needed. Usually we get like 100 and something.  
14 We got like 20 this year just for jarring. Some of the  
15 families didn't fish hardly, but they fished fall  
16 chums. Kind of like a voluntary deal here to help the  
17 fish get back.

18  
19 That's pretty much it.

20  
21 CHAIRMAN REAKOFF: Thanks, Robert.  
22 Eleanor.

23  
24 MS. YATLIN: Just one comment, Mr.  
25 Chairman. If they're going to be putting restrictions  
26 on Koyukuk River, Innoko River, that's the two  
27 tributaries I know out of the Yukon, then they should  
28 do that to all other tributaries, like you mentioned  
29 Chena.

30  
31 Thank you.

32  
33 CHAIRMAN REAKOFF: Thanks, Eleanor.  
34 Any further discussion on the Yukon. Don.

35  
36 MR. HONEA: Thank you, Mr. Chair. I  
37 just wanted to thank Fred for his presentation. I have  
38 to agree with what Pollock and Tim mentioned. I think  
39 the State has to take a stronger stance against the  
40 pollock industry. I mean this Ruby Advisory has a  
41 proposal out and I think it has to do with incidental  
42 catch, but these are just small measures within the  
43 drainage. We don't want to do this in-house fighting  
44 within the state between Y-K and all up and down the  
45 river here.

46  
47 I want to look at the bigger picture  
48 and say, hey, I mean either cut back on those pollock  
49 numbers. You know, come up with something we could  
50 live by that we could see salmon or else have a

1 closure. That's my opinion. We discussed this in the  
2 past. Western Interior was willing to go with that.  
3 It was quite a few years, but I think it's gotten to  
4 pretty bad here this year where I think the State has  
5 got to help us. The State has got to come in and take  
6 a stronger stance than they actually are doing.

7

8

Thank you.

9

10 CHAIRMAN REAKOFF: Thanks, Don. I do  
11 appreciate the complexity of the Yukon River system and  
12 what the managers have to deal with trying to catch  
13 chums and whitefish and other fish for subsistence use,  
14 yet trying to protect the chinook salmon. An all-out  
15 moratorium of fishing would put extreme hardship on  
16 subsistence users. If you couldn't catch chum or  
17 sheefish or anything else, if you just closed the  
18 fishing, it would be an extreme hardship.

19

20 WIRAC, we had a joint resolution with  
21 Eastern Interior for first pulse protection. That fell  
22 by the wayside when the proposal came around, but the  
23 Department has implemented first pulse protection.  
24 That is happening. It's because WIRAC and Eastern  
25 we're talking about first pulse protection. So I think  
26 the managers are trying to -- I appreciate their trying  
27 to the utmost ability to try to protect the chinook  
28 salmon except for that one highlighted area of the  
29 Chena River. I do feel that that is a glaring need,  
30 but I see the political pressure there also.

31

32 I do feel that the managers are trying  
33 to provide for subsistence needs to the largest degree  
34 and I'm real pleased with the efforts and the lengths  
35 that they went to to try and accommodate what people's  
36 needs are. Utilization of fall chum and silvers,  
37 that's a resource that's an alternate. A full-on  
38 closure for chinook salmon would be pretty hard on the  
39 subsistence users I think if there was no fishing.  
40 Don.

41

42 MR. HONEA: Mr. Chair. I guess maybe  
43 to clarify that I meant just for the chinook season.  
44 We discussed this before, that the fall chum was more  
45 than sufficient in numbers and if we had to use an  
46 alternate source of food, then that would -- but, you  
47 know, I mean if it's -- I'm just kind of confused. I  
48 mean if it was such a burden on all subsistence users  
49 to completely do away with the chinook, then why did we  
50 even introduce it in the first place. Was that just an

1 alternative?

2

3 CHAIRMAN REAKOFF: The Eastern and  
4 Western Councils' resolution in subsequent proposal was  
5 for first pulse protection, not full closure. There's  
6 some, like Koyukuk, that are catching sheefish in the  
7 summer season, you know, those coincide with chinook  
8 passage, so there's some places it doesn't -- one size  
9 doesn't fit all for management. I do feel that the  
10 managers are very serious about protecting these.  
11 We're not meeting the Canadian goals. The managers are  
12 getting real, real serious about those protections and  
13 I do feel that the performance this year of the  
14 Department and the U.S. Fish and Wildlife was to  
15 provide the most available subsistence yet try to  
16 protect the chinook salmon stocks.

17

18 The bycatch in the directed chum  
19 fishery that's retained primarily as subsist -- that  
20 would go into the subsistence user base, so I don't see  
21 that that's a loss at that level. Ten thousand chinook  
22 last year, they were complaining about where they were  
23 going to get rid of those fish, but at 2,400, 2,500  
24 chinook I think the subsistence users in the Lower  
25 Yukon can absorb that.

26

27 Any further discussion. Fred.

28

29 MR. BUE: Yeah, I think to this Council  
30 I think it's important to note that the Federal  
31 managers had worked pretty closely with the State  
32 managers and I think we certainly have their ear and we  
33 can help each other and coordinate this. As you know,  
34 it's a continuous jurisdiction up and down the river  
35 and it doesn't work if one side is doing one thing and  
36 one side is doing the other. I think we've been  
37 working pretty good at that level. Of course,  
38 commercial is taken off the table pretty much, so we  
39 are faced with subsistence and it seems like we have a  
40 pretty common interest and our actions and our work  
41 together seems to be pretty good. I'd just pass that  
42 along, Mr. Chairman.

43

44 CHAIRMAN REAKOFF: Thanks, Fred. Any  
45 other comments. Jenny.

46

47 MS. PELKOLA: I don't know if this is  
48 the time to ask this, but when the lower fishermen were  
49 fishing they had abundance of fish to give away and  
50 they gave it away to -- well, I met Andy Firmen, I

1 think, from wherever he is and he said he got a bunch  
2 of fish from downriver. Did they have certain villages  
3 or places that they gave those fish away to or how do  
4 you get them?

5  
6 MR. BUE: Again, it was somebody giving  
7 fish from their catch to somebody else, so it wasn't a  
8 State or an Agency program. Those fishermen --  
9 Kwik'Pak helped them distribute the fish. The fish  
10 processor down there helped pay for some of the  
11 processing and transportation, but it was from  
12 fisherman to fisherman. So they kind of canvassed  
13 people, the areas, I think.

14  
15 Orville Huntington was part of the --  
16 he was trying to funnel some fish to places where  
17 people had expressed interest in getting some fish.  
18 The lower river said they did have some fish and they  
19 had some chum they were giving away. Some of it was  
20 from test fish catches of summer chum. There was quite  
21 a bit of test fishing going on and there's a lot of  
22 summer chum and it's before the commercial fishery  
23 started, so there were some fish there that Kwik'Pak  
24 processed on their dime and distributed some of those  
25 fish and then the subsistence fishermen donated some.

26  
27 So I think it's -- I don't know who in  
28 the Lower River -- I think it was through AVCP who was  
29 helping with the Lower River and TCC was helping with  
30 the upriver. It wasn't an Agency thing. It was  
31 something people tried to do on their own and maybe, as  
32 it becomes more common, then they may work out some of  
33 those bugs and people will know how to contact each  
34 other.

35  
36 CHAIRMAN REAKOFF: Okay. I think we've  
37 covered the Yukon pretty closely. Did you have  
38 Kuskokwim fishery performance? We have on the agenda  
39 here a Yukon/Kuskokwim season review. Were you going  
40 to give something on the Kuskokwim?

41  
42 MR. BUE: I had not planned on it. I  
43 just assumed there may be somebody here, but I guess  
44 it's my own ignorance. Maybe I should have touched  
45 bases with those folks before. In fact, it just dawned  
46 on me that Ray is the only Kuskokwim fellow here. I  
47 apologize, Mr. Chairman.

48  
49 CHAIRMAN REAKOFF: Can any Staff  
50 members give the Council a Kuskokwim review or we're

1 just going to hold off on that one? Karen.

2

3 MS. HYER: I don't have anything on  
4 Kuskokwim.

5

6 CHAIRMAN REAKOFF: Okay. Did you want  
7 to give something, Ray?

8

9 MR. COLLINS: Well, I commented a  
10 little bit earlier there that in spite of the dramatic  
11 closures they had all the way through to protect the  
12 pulse of fish up to escapement they still didn't meet  
13 escapement goals in most of the drainages there and  
14 we're not sure yet -- there's going to be meeting later  
15 this winter and in the spring to decide what we  
16 recommend for next year. We're not sure what kind of a  
17 management strategy to get in. We hope that we don't  
18 get into total closures all the way upriver again.

19

20 Personally, I feel that -- I've heard  
21 some mention here of going to the number of fish that  
22 you'll allow so that people can take them when it's  
23 appropriate. My feeling is they need to return to some  
24 of the more traditional methods. When they use setnets  
25 all along the side, they left the middle of the river  
26 open so fish could make it on upstream, so historically  
27 there wasn't the problems we have now, especially at  
28 Bethel where the river narrows down. If they're  
29 drifting right there, they can take a lot of fish and  
30 that's where the biggest fish are. Lower River where  
31 it's wider, even though they're drifting, they don't  
32 cover the whole river. That would allow people that  
33 are going out to fish camp if they choose to use the  
34 old method of setnet on there, they're still leaving  
35 the main river open. If they could do some methods  
36 like that that wouldn't lead to total closures.

37

38 CHAIRMAN REAKOFF: Mike Thalhauser.  
39 How do you pronounce your name?

40

41 MR. THALHAUSER: Thalhauser. Thank  
42 you, Mr. Chair. Mike Thalhauser with the Kuskokwim  
43 Native Association. I definitely don't have anything  
44 to represent the total in-river run on the Kuskokwim,  
45 but I do have some of the George and Tatlawiksuk River  
46 weirs on the Kuskokwim. I've got a presentation that  
47 I'll be giving tomorrow. I do think that -- I'm not  
48 sure if this Council will be taking up any of the  
49 Kuskokwim proposals, but there's some really important  
50 things that are going to be going on at the Board,

1 including some State changes to lower some current  
2 escapement goals and to establish a total in-river  
3 escapement goal, and specifically a proposal that I  
4 kind of feel will put commercial fishing back on the  
5 table in some aspect and with another, but the first  
6 year of real significant subsistence closures on the  
7 Kuskokwim in a long time, you know, I think it would be  
8 a good idea maybe if someone could get on the phone  
9 later or tomorrow and talk about -- from the State and  
10 talk about something as far as those proposals, but  
11 that's up to the Chair. That's all I had.

12

13 CHAIRMAN REAKOFF: Thanks, Mike. I do  
14 feel that with the production shortfall on the  
15 Kuskokwim River that we do need to have discussion  
16 tomorrow or at some point on some of the proposals so  
17 the Council's aware what direction that some of the  
18 proponents of the proposals are thinking. I do have  
19 concerns that we're moving towards the same scenario we  
20 have on the Yukon River. You made some very valid  
21 points about setnets versus drift gillnet. I can  
22 foresee in the future if these rivers continue to  
23 perform poorly that bank-oriented fishing, wheel and  
24 setnet, may be very appropriate in the future for  
25 protection.

26

27 MR. COLLINS: Jack, I just had one  
28 additional comment. I think to put things in  
29 perspective too the biggest subsistence fisher on king  
30 in the State is on the Kuskokwim. They run 70 to  
31 80,000 kings a year and much more even in the Yukon, so  
32 people are heavily dependent on those kings in the  
33 Kuskokwim. So when they have total closures it really  
34 impacted them in terms of what has been done  
35 historically.

36

37 CHAIRMAN REAKOFF: Okay. Is lunch  
38 going to be about noon-ish or something like that? So  
39 I think we've got time to start into the proposals.

40

41 MS. MONCRIEFF: Catherine Moncrieff on  
42 the phone here with YRDFA.

43

44 CHAIRMAN REAKOFF: Okay.

45

46 MS. MONCRIEFF: I'm good?

47

48 CHAIRMAN REAKOFF: Oh, yeah, that's  
49 right. You did need to be on here. Do you want to  
50 give us a quick presentation. We have your handout

1 here.  
2  
3 MS. MONCRIEFF: (Cutting in and out)  
4 Can you guys here me okay?  
5  
6 CHAIRMAN REAKOFF: You're kind of  
7 breaking up.  
8  
9 MS. MONCRIEFF: I hear an echo.  
10  
11 CHAIRMAN REAKOFF: We don't hear an  
12 echo, but we hear you break once in a while. Are you  
13 on a cell phone? Hello? Now we don't hear you at all.  
14  
15 MS. MONCRIEFF: (Cutting in and out)  
16  
17 CHAIRMAN REAKOFF: No, you're just not  
18 coming through. If you can hear me, we're not hearing  
19 you but every 10 words or so.  
20  
21 MS. MONCRIEFF: (Hanging up and calling  
22 back)  
23  
24 CHAIRMAN REAKOFF: Okay. If you can do  
25 that within a minute or so, that will be great.  
26  
27 MR. GERVAIS: Jack, I have a quick  
28 question for Fred if you want to use this time while  
29 we're getting that phone line back up.  
30  
31 CHAIRMAN REAKOFF: Yes, go right ahead.  
32  
33 MR. GERVAIS: Fred, is it possible, as  
34 we're looking at salmon escapement, transboundary into  
35 Canada and we're coming up with fish numbers,  
36 frequently I'll hear from people that that they're  
37 getting smaller fish, is that -- I imagine you already  
38 have the data, but when you do these fish and wildlife  
39 reports would it be possible to put up an index that  
40 shows the pounds of salmon crossing the border?  
41 Because I think that would give us a better  
42 representation of the fecundity of the stock that's  
43 going to cross the boundary because these bigger fish  
44 are probably putting out four times as many eggs as the  
45 little fish.  
46  
47 MR. BUE: Yeah, I think -- well, of  
48 course, the State is running the sampling program up  
49 there. I know they have done some effort to look at  
50 some of those aspects. The part of the deal -- I guess

1 weight isn't quite so bad, but there's some handling  
2 involved when we're closing subsistence fishing. When  
3 we had subsistence open up there, we were getting some  
4 samples, more thorough samples. In fact, they were  
5 measuring girth also and things. To me, I guess I  
6 would take it as the index is -- the sex ratio is  
7 probably one of the main things, sex ratio and ages.  
8 So that might be the index you would use, females being  
9 primarily five and six year old fish. In some years,  
10 fives are stronger than sixes. Fecundity, it is a  
11 difficult thing. You know, where you are in the run,  
12 how developed are the eggs from early in the run to  
13 late in the run and body weights change. So it kind of  
14 depends on when you get those samples.

15  
16 MR. GERVAIS: So are you saying that  
17 any kind of -- is that ASL data staying constant or is  
18 it changing over the last five years or so?

19  
20 MR. BUE: I guess we don't really --  
21 we're really screwing with management of how those fish  
22 are harvested throughout the run, so it's difficult for  
23 me to tell if what we're doing -- like it's been noted  
24 by Jack and a few different people have said the fish  
25 seemed smaller this year, which was just the opposite  
26 effect we saw in 2009. We had back-to-back closures  
27 and people commented that there were all these big  
28 females that they hadn't seen in a long time. This  
29 year we had this big closure and people didn't make  
30 that remark. Part of it is because they didn't  
31 subsistence fish afterwards, so they never really even  
32 got to see what might have gone by. Like I say, some  
33 production is better for -- favors the five-year-old  
34 age class and some six-year-old age class. It's a kind  
35 of complicated sampling deal.

36  
37 Then the longer historical perspective  
38 -- Karen's been heading part of one of the research  
39 into databases and what's available and stuff. I guess  
40 the database is pretty inconsistent, you know, how we  
41 measure fish and how they measure fish in different  
42 area. Sample collections have been so variable that  
43 it's not a very good consistent picture to draw much  
44 trends from. So it's anecdotal. People will tell you  
45 a lot of things, but when we come down to actual  
46 numbers and hard data it's difficult to assess.

47  
48 CHAIRMAN REAKOFF: I think we do have  
49 Catherine back on the phone. Are you there again,  
50 Catherine?

1 MS. MONCRIEFF: Yes, I am.  
2  
3 CHAIRMAN REAKOFF: So try and say  
4 something so we can see if you're actually coming  
5 through.  
6  
7 MS. MONCRIEFF: All right. I am  
8 speaking. Do you hear me?  
9  
10 CHAIRMAN REAKOFF: You are breaking,  
11 but not quite as bad.  
12  
13 MS. MONCRIEFF: I'm going to try  
14 picking up the phone piece. How is the sound now?  
15  
16 CHAIRMAN REAKOFF: The sound is a lot  
17 better.  
18  
19 MS. MONCRIEFF: Okay, great. I will go  
20 ahead then. I wanted to thank you for letting me  
21 participate in your meeting and give this report on  
22 YRDFA's activities. I also wanted to acknowledge Leroy  
23 Peters, who is one of our YRDFA board members who I  
24 think is in the audience and I wanted to encourage you  
25 to please feel free to ask him questions later in the  
26 meeting about YRDFA activities.  
27  
28 So the first thing I wanted to report  
29 on was the king salmon management plan. Starting in  
30 January YRDFA convened a committee of stakeholder  
31 groups to review existing management strategies and  
32 developed potential measures to improve king salmon  
33 management on the Yukon River. The committee included  
34 representatives from the Lower, Middle and Upper Yukon,  
35 including the three Federal Subsistence Regional  
36 Advisory Councils, the Yukon River Panel, the  
37 Association of Village Council Presidents, the Tanana  
38 Chiefs Conference, the Council of Athabascan Tribal  
39 Governments, YRDFA and the processors.  
40  
41 The group identified two top  
42 priorities; formalizing pulse protection and  
43 stipulating that the fishery be managed equitably  
44 across the districts. As you may recall, YRDFA  
45 presented this information along with other ideas that  
46 did not receive consensus but were deemed worth  
47 exploring to the RACs, to the tribes and other  
48 stakeholders in the form of a survey in the spring.  
49 The public agreed with the committee regarding the need  
50 to formalize pulse protection and stipulate that the

1 fishery be managed equitably.

2

3                   Based on this support, YRDFA developed  
4 a proposal to the Board of Fisheries, had it reviewed  
5 by a team of subsistence fishery, science and  
6 management experts and verified that the original  
7 committee supported it. Now we are discussing it at  
8 the fisheries meetings across the drainage as it  
9 represents the management measures that users would  
10 like to see. Nobody wants to be restricted in their  
11 harvest, but if restrictions are necessary, the actions  
12 outlined in this proposal are those that the majority  
13 of people riverwide would prefer.

14

15                   The proposal appears in the Board of  
16 Fish proposal booklet as Proposal Number 131. Your RAC  
17 had representation on this committee that launched this  
18 initiative and we would now like you to officially  
19 support this proposal.

20

21                   The next thing I wanted to report on  
22 was the salmon bycatch and there is a handout that is  
23 at the meeting that I've heard referred to and I know  
24 you guys do have a copy of it. Just some highlights of  
25 it. I wanted to point out that the current numbers for  
26 2012 from the Bering Sea/Aleutian Islands pollock  
27 fishery, the chinook salmon is at 8,714 and chum salmon  
28 is at 16,998 and these numbers are through September  
29 20th, 2012. As a comparison, 2011 numbers, they took  
30 25,500 chinook and 191,446 chum salmon.

31

32                   Some other highlights from the handout  
33 are that the Bering Sea/Aleutian Islands pollock  
34 fishery. For chinook salmon, Amendment 91 was in  
35 effect -- has been in effect since January 1, 2011 and  
36 this includes a minimum of 100 percent observer  
37 coverage in effect. In year two under Amendment 91,  
38 while the overall cap is set at 60,000, actual bycatch  
39 has been far below that.

40

41                   For chum salmon, the Council is  
42 currently in the process of developing chum salmon  
43 bycatch management measures. Their next review is  
44 scheduled for December for their December meeting in  
45 Anchorage. The Council may choose a preliminary  
46 preferred alternative. The alternatives or options  
47 under consideration include a range of hard caps which  
48 would close the fishery when reached. Hard caps  
49 applied in June and July only when Western Alaskan  
50 salmon are caught in higher proportions in the bycatch.

1                   The alternatives also include an option  
2 for the fleet to participate in a rolling hotspot  
3 system as they currently do with the additional option  
4 of a back-stop large closure area which would apply in  
5 addition to the hotspot system. The range of hard caps  
6 being considered is 50,000 to 353,000 chum salmon lower  
7 for June and July only closures. The option for a  
8 rolling hotspot system also includes the ability for  
9 the Council to revise the system from that which is  
10 currently being used.

11  
12                   While new regulations are being  
13 developed, the pollock fishery has adopted a variety of  
14 voluntary measures in the meantime including additional  
15 closures to reduce chum salmon bycatch.

16  
17                   We and other Western Alaskan groups are  
18 still working on a specific position, but it's  
19 important for the Regional Advisory Councils to  
20 continue to tell the Council that reducing chum salmon  
21 bycatch is important.

22  
23                   Continuing on, the next project I  
24 wanted to update you on is our cultural fish camp.  
25 YRDFA received a grant from the Administration for  
26 Native Americans this year to assist five Yukon River  
27 communities, Pilot Station, Nulato, Nenana, Tanana and  
28 Galena to hold community-based fish camps for youth.  
29 This two-year grant has the goal of improving youth  
30 well-being through the sharing of cultural knowledge  
31 from elders to youth and participation in traditional  
32 fishing activities.

33  
34                   Through the camps YRDFA also introduced  
35 a mentoring program designed to assist youth with their  
36 educational and career goals. The fish camps were  
37 designed, organized and implemented within each  
38 community through a committee made up of the tribal  
39 councils, the city councils, the schools, fishers,  
40 elders and youths. YRDFA was able to provide  
41 logistical support and cash to cover camp costs and a  
42 coordinator.

43  
44                   The first camp to take place was in  
45 Nenana where they ran a day camp on the banks of the  
46 Nenana River for nine days in late July and early  
47 August. Their camp had an average of 16 students in  
48 attendance each day and elders there also every day.  
49 Tanana held the next camp, which took place from July  
50 9th to 14th. Theirs was an overnight camp that took

1 place at their spirit campsite with 40 students in  
2 attendance.

3

4                   The Pilot Station fish camp took place  
5 from July 25th to 29th. This was the largest of the  
6 five fish camps and they had 65 students and six elders  
7 in attendance. The next camp was the Nulato fish camp,  
8 which took place from August 13th to 19th and the  
9 Galena fish camp took place in September from the 18th  
10 to the 29th. They had 60 students and five elders. So  
11 we're excited to see these fish camps up and running  
12 and they'll be going again next year as well.

13

14                   Next I'd like to update you on the  
15 inseason management teleconferences. This year YRDFA  
16 held 13 inseason management teleconferences every  
17 Tuesday in June, July and August. The program  
18 shattered past participation figures by roughly 10  
19 percent in terms of number of phone lines used in a  
20 single week and the average number of phone lines used  
21 over the entire season. In other words, loads of  
22 people were calling in to share their views and learn  
23 the status of the salmon runs.

24

25                   Sadly, a dramatic increase in  
26 participation is typically caused by poor salmon  
27 returns. The worse the run, the higher the phone line  
28 usage. In poor years, fishers really need to know  
29 what's going on with the fish and they want to provide  
30 input to managers. However, at least they can count on  
31 this program to give them a direct line to doing this,  
32 so we'll continue to operate the teleconferences. 2013  
33 will be the 20th straight year of the program.

34

35                   The next program is the YRDFA and U.S.  
36 Fish and Wildlife inseason subsistence monitoring  
37 program. Local village interviewers were hired by  
38 YRDFA in 10 communities, Alakanuk, Marshall, Russian  
39 Mission, Holy Cross, Kaltag, Huslia, Galena, Nenana,  
40 Fort Yukon and Eagle, to collect information gauging  
41 the progress towards subsistence harvest goals for  
42 chinook salmon, fishing conditions and the quality of  
43 the subsistence catch. In 2012, 157 households were  
44 interviewed in the 10 participating communities as the  
45 chinook salmon slammed through their villages.

46

47                   As we all know, this was a challenging  
48 year for chinook salmon fishers with low salmon numbers  
49 and fishing closures. All of the communities were  
50 extremely low in meeting their subsistence needs for

1 chinook salmon as compared to 2011. Russian Mission  
2 was the only community that came close to their 2011  
3 harvest completion. I think it's really a reflection  
4 of fishers changing their report to 100 percent once  
5 they were -- when they were ready to conserve and  
6 accept less fish rather than a reflection of actually  
7 meeting their goals.

8

9 The community with the next highest  
10 harvest completion was 79 percent in Alakanuk and 42  
11 percent in Galena. Marshall, Kaltag, Fort Yukon and  
12 Eagle were all under 34 percent, while Holy Cross,  
13 Huslia and Nenana were all under 10 percent for their  
14 harvest completion. I do have exact numbers for each  
15 of those if anybody wants more details.

16

17 That's kind of the end of my report  
18 unless there's any questions I can answer.

19

20 CHAIRMAN REAKOFF: Thanks, Catherine.  
21 Does the Council have any questions on her report. Go  
22 ahead, Eleanor.

23

24 MS. YATLIN: I just had one question  
25 and that's on your -- what you said, they did camps in  
26 Nenana, Nulato, Galena, Tanana and Pilot. Are they  
27 going to do that in the same village next year or other  
28 villages?

29

30 MS. MONCRIEFF: They are going to be in  
31 the same villages. This grant was for two years in  
32 each of these five communities, but we have heard  
33 interest of expanding this program to other communities  
34 and we're certainly interested in exploring that. So  
35 if you'd like us to try and bring this program to your  
36 community, we'd love a further discussion with you.

37

38 MS. YATLIN: Sure. Thank you.

39

40 CHAIRMAN REAKOFF: Did you participate  
41 in that survey? They did it in Huslia.

42

43 MS. YATLIN: Yeah, we did.

44

45 CHAIRMAN REAKOFF: Oh, you did. Okay.

46

47 MS. MONCRIEFF: Can I ask who that was  
48 that spoke.

49

50 CHAIRMAN REAKOFF: That was Eleanor

1 Yatlin from Huslia.

2

3 MS. MONCRIEFF: Okay, yeah. Hi,  
4 Eleanor.

5

6 CHAIRMAN REAKOFF: Any other -- Ray.

7

8 MR. COLLINS: Yeah. In looking at that  
9 bycatch chart on there, we had those high years back in  
10 -- well, on king salmon I guess it was 2008 or '07, in  
11 there. It looks like the fleet took some dramatic  
12 steps in there for about three years to reduce the  
13 catch, but then when they established the goal,  
14 immediately they started climbing again. Am I  
15 misinterpreting the chart? It looks like they were  
16 able to do something about it for about three years  
17 when they were really under pressure and now, with the  
18 pressure off, it started climbing again. Although this  
19 year I guess you say it's down.

20

21 MS. MONCRIEFF: Yes, the numbers seemed  
22 pretty low this year so far.

23

24 MR. COLLINS: I'm wondering what was  
25 done during those low years that they stopped doing.

26

27 MS. MONCRIEFF: Well, let's see if I  
28 can answer that question. I have some information from  
29 Becca, who put this together, but I'm not -- I think  
30 I'm going to have to check with Becca about that and  
31 get some more information and maybe I can call in with  
32 that information later today or tomorrow.

33

34 CHAIRMAN REAKOFF: Okay. Thank you.  
35 Other questions on the YRDFA presentation. Tim.

36

37 MR. GERVAIS: Thank you, Jack.  
38 Catherine, this is Tim Gervais from Ruby. I have a  
39 question about this North Pacific Management Council  
40 agenda. I'm looking at their December meeting and they  
41 have initial review on BS/AI chum bycatch and Gulf of  
42 Alaska king salmon bycatch. Is it worthwhile for the  
43 WIRAC to attend that meeting and testify at that time  
44 or should they wait until February until the final  
45 action is taken on those two items?

46

47 MS. MONCRIEFF: Well, what Becca asked  
48 is that we continue to tell the Council that reducing  
49 chum salmon bycatch is important and I think that every  
50 opportunity you can do that is worthy. Now if the cost

1 is very high to attend this meeting, I can again check  
2 with her and see the value in being at the December  
3 meeting as well as the February meeting if it's a  
4 hardship to attend both. That will be another question  
5 I pose to Becca and call back in with.

6

7 MR. GERVAIS: All right. Thank you. I  
8 just want to comment I appreciate YRDFA's efforts in  
9 trying to bring all the fishermen on the drainage  
10 together. It sure helps a lot when we speak with a  
11 unified voice and a unified goal.

12

13 CHAIRMAN REAKOFF: Other comments or  
14 questions.

15

16 (No comments)

17

18 CHAIRMAN REAKOFF: I also want to  
19 reiterate that I really appreciate all the efforts that  
20 YRDFA does. The conference calls throughout the  
21 season, inseason calls, are very instrumental for the  
22 managers and the subsistence users to understand what's  
23 actually going on in all the various programs.

24

25 I personally feel that this Council, as  
26 an action item, should transmit a letter to the North  
27 Pacific Fisheries Management Council stating a need for  
28 reduction in bycatch of chum salmon and the importance  
29 of chum salmon to the subsistence users on the Yukon  
30 and Kuskokwim River systems.

31

32 The Chair will entertain a motion to  
33 have that letter drafted and transmitted.

34

35 MS. PELKOLA: So moved.

36

37 CHAIRMAN REAKOFF: Moved by Jenny.

38

39 MR. GERVAIS: Seconded.

40

41 CHAIRMAN REAKOFF: Seconded by Tim.  
42 Any further discussion on items to be included in the  
43 letter other than those? Robert.

44

45 MR. R. WALKER: Yes, Jack. Why don't  
46 we put in the letter too like have the dates of when  
47 they're having their meetings. So, like Tim said,  
48 maybe we should -- WIRAC would send somebody to go or  
49 the Eastern, whatever, Lower Yukon, so they could  
50 attend the meetings at the time when they're being

1 done.

2

3 CHAIRMAN REAKOFF: If OSM would provide  
4 funding for one of the Council members to attend the  
5 North Pacific Fisheries Management Council meeting --  
6 it is a fairly long period. It's the 3rd through the  
7 11th and my understanding reading my book is that we  
8 don't have a lot of additional funding for travel.  
9 Tom.

10

11 MR. KRON: Mr. Chairman. Tom Kron from  
12 OSM. Again, I think it's worthy to put in a request to  
13 do this, but I just -- again, I'll be talking more  
14 about it tomorrow, but we're looking at probably a 30  
15 percent reduction in travel, so it's going to be hard  
16 to fund travel outside of the Council meetings is  
17 basically what it comes down to, but I think you should  
18 ask. Again, I think to the extent the Councils can  
19 respond with letters as the Chairman has proposed is a  
20 good start.

21

22 Thank you, Mr. Chair.

23

24 CHAIRMAN REAKOFF: Thanks, Tom. I do  
25 feel it's important to transmit a letter and if we do  
26 get the funding to send somebody also, but I do feel  
27 it's important for the Council to adopt a letter to be  
28 transmitted.

29

30 Tim, discussion.

31

32 MR. GERVAIS: Last meeting didn't we  
33 draft a letter requesting that North Pacific Management  
34 Council inform the various RACs and the tribes of their  
35 -- need to do a better job of informing the river user  
36 groups of these issues affecting salmon. I mean wasn't  
37 that something we requested that they look at through  
38 their -- they call it their rural outreach program, but  
39 from my knowledge they just kind of like go to like the  
40 hubs, go to Nome and Dutch Harbor and just hit these  
41 major hubs and they're not really that big on -- the  
42 did come out -- yeah, they came out to Galena and  
43 they've been out to Nenana for WIRAC and stuff like  
44 that, but as far as like providing an information  
45 stream to the RACs and the tribes, I'm not seeing where  
46 they're saying, okay, this is what's going on this year  
47 with North Pacific Council that affects you guys, this  
48 is your time to comment.

49

50 We also requested that they provide

1 some kind of mechanism where these representatives of  
2 these councils or tribes could show up on a specific  
3 date or provide video testimony so they didn't have to  
4 sit around Anchorage or Dutch Harbor or Kodiak for a  
5 week to 10 days waiting to testify.

6

7 CHAIRMAN REAKOFF: Those are good  
8 points to be included in the letter again. We can  
9 reiterate that. So you would like those included in  
10 this letter?

11

12 MR. GERVAIS: Yeah, but I thought we  
13 already did that.

14

15 CHAIRMAN REAKOFF: We'll reiterate it.  
16 Stuff gets lost in the pile. Stratification method of  
17 filing. Any further discussion on the letter to be  
18 transmitted to the North Pacific Fisheries Management  
19 Council and also with the understanding that the  
20 Western Interior Regional Council will request funding  
21 for one Council member to attend the North Pacific  
22 Fisheries Management Council meeting in December.

23

24 Further discussion.

25

26 (No comments)

27

28 MR. R. WALKER: Question.

29

30 CHAIRMAN REAKOFF: The question is  
31 called. Those in favor of transmitting the letter  
32 requesting reduction of bycatch of chum salmon and the  
33 importance of chum salmon in the rural outreach and  
34 also video presentation to the North Pacific Fisheries  
35 Management Council signify by saying aye.

36

37 IN UNISON: Aye.

38

39 CHAIRMAN REAKOFF: Those opposed same  
40 sign.

41

42 (No opposing votes)

43

44 CHAIRMAN REAKOFF: That letter shall be  
45 drafted and transmitted. I saw the lunch arrive, so I  
46 think it's an appropriate time to break. Did YRDFA  
47 have any further comments, Catherine?

48

49 MS. MONCRIEFF: No, I don't. Thank you  
50 for giving me the opportunity to speak.

1 CHAIRMAN REAKOFF: Okay. I appreciate  
2 your presence here. Thank you.

3  
4 MS. MONCRIEFF: You're welcome.

5  
6 CHAIRMAN REAKOFF: So we're going to  
7 break for one hour until 1:00 o'clock. Thank you.

8  
9 (Off record)

10  
11 (On record)

12  
13 CHAIRMAN REAKOFF: Pollock Simon said  
14 he was going to go down to the post office and be back  
15 in about 10 minutes. So we're going to come back on  
16 the record. We covered the YRDFA call, so we're moving  
17 into the proposals review and make recommendation.

18  
19 The first proposal is FP13-01 rescind  
20 the Federal permit requirements. That would be on Page  
21 18 of the book. Karen is going to give us an overview  
22 on that, introduction of the proposal

23  
24 MS. HYER: Good afternoon. For the  
25 record, I'm Karen Hyer with the Office of Subsistence  
26 Management. I did, over lunch, call back to the office  
27 and they're going to see if they can contact somebody  
28 from the Refuge to give us an update on the Kuskokwim.  
29 There are no Federal regulatory proposals submitted to  
30 OSM for regulatory issues on the Kuskokwim, so  
31 everything that you have before you is for the Yukon  
32 and that's all that we have submitted. I'll start  
33 going over those.....

34  
35 CHAIRMAN REAKOFF: Yes.

36  
37 MS. HYER: .....just for the record.

38  
39 CHAIRMAN REAKOFF: One clarification.  
40 I was looking for sort of a Kuskokwim overview and then  
41 there are some State proposals that we may want to look  
42 at, but we'll be getting to that much later after we do  
43 all these Yukon proposals. Go ahead.

44  
45 MS. HYER: Thanks, Jack. Proposal  
46 FP13-01 was submitted by the Koyukuk National Wildlife  
47 Refuge requests the removal of the Federal subsistence  
48 permit requirement for the Chinook salmon drift gillnet  
49 fishery for Yukon River in 4B and 4C.

50

1                   The Federal subsistence Chinook salmon  
2 drift gillnet fishery was created in 2005 for waters  
3 adjacent to Federal management units in the mainstem  
4 Yukon River in Subdistricts 4B and 4C. A Federal  
5 subsistence fishing permit is required for Federally  
6 qualified subsistence users wishing to operate drift  
7 gillnets for fishing in this fishery.

8  
9                   Currently, the subsistence harvest has  
10 been approximately 50,000 fish annually in the Alaska  
11 portion of the Yukon River between 1981 and 2007.  
12 Recently the subsistence levels of chinook salmon have  
13 declined and we're all aware of that due to the below  
14 average returns. The majority of the qualified  
15 subsistence users fishing with drift gillnets in  
16 Subdistricts 4B and 4C are residents of Galena and  
17 Ruby. In the first seven years of this fishery, an  
18 average of 24 permits have been issued per year, with  
19 an average of 5 permits actually fished.

20  
21                   So, as you can see, it's a pretty small  
22 proportion of the overall catch. A total of 215 Chinook  
23 salmon have been harvested in the seven years of the  
24 fishery, with an average harvest of 31 fish per year.  
25 The amount of salmon harvested in this fishery amounts  
26 to approximately 1 percent of the fish harvested by  
27 Galena and Ruby and approximately 0.3 percent of the  
28 amount harvested in District 4.

29  
30                   So if we removed the permit  
31 requirements, it will likely not increase the interest  
32 in the driftnet fishery, but it will simplify the  
33 process for Federally qualified subsistence users and  
34 it would also align our regulations with other State  
35 and Federal regulations in other places.

36  
37                   So OSM's preliminary conclusion is to  
38 support FP13-01.

39  
40                   CHAIRMAN REAKOFF: Thank you. Any  
41 questions on the proposal. Go ahead, Tim.

42  
43                   MR. GERVAIS: Hi, Karen. Thank you for  
44 that. So I just wanted to clarify that the function of  
45 the permit is only for tracking of the data and by  
46 removing the permit requirement that doesn't put that  
47 fisher in jeopardy of getting outlawed or removed or  
48 anything like that?

49  
50                   MS. HYER: Right. The permit is for

1 tracking the harvest. Initially, in '05 when the  
2 fishery was first created, we didn't know what kind of  
3 interest and what kind of harvest there would be, so it  
4 was important to permit it then so we could follow the  
5 fishery. The fish harvested will still be reported on  
6 the statewide subsistence harvest that are done yearly,  
7 so the harvest will still be reported, not specific to  
8 this fishery though, but the harvest is so low that 31  
9 fish -- we've pretty much established that the harvest  
10 is low, so we're not so concerned about knowing that 31  
11 fish were harvested because that will go into the  
12 overall harvest numbers.

13

14 MR. GERVAIS: Thank you.

15

16 CHAIRMAN REAKOFF: Jenny.

17

18 MS. PELKOLA: I think the reason why  
19 there weren't really many people applying for whatever  
20 is because it was a new thing and people really don't  
21 know -- haven't really tested out the waters around  
22 that -- it's only a 16-mile place. It's not very --  
23 you know. I, myself, would hate to see it go away  
24 because with the -- I don't know if it's -- to me, it's  
25 not hurting anybody to make it available. I know Ruby  
26 -- I don't know how many people would come down from  
27 Ruby to go all the way to Koyukuk to fish if they have  
28 to. It seems like Galena would be closer. I think  
29 people were just beginning to spot out areas in that  
30 16-mile radius for fishery. So I don't know if -- I  
31 mean I, myself, would hate to see it go away.

32

33 CHAIRMAN REAKOFF: Ray.

34

35 MR. COLLINS: Yeah, just clarification.  
36 I think there may be a misunderstanding. Removing the  
37 permit requirements still allows them to do the  
38 drifting, right?

39

40 MR. GERVAIS: Right.

41

42 MR. COLLINS: But they can drift now  
43 without the permit if this is removed, yeah.

44

45 MS. HYER: That's absolutely correct.  
46 We're not interested in eliminating the fishery, just  
47 the permit requirement of the fishers in that fishery,  
48 so now they could just go and fish and they don't have  
49 to get the permit before they go and fish.

50

1 MS. PELKOLA: Thank you.  
2  
3 CHAIRMAN REAKOFF: Don.  
4  
5 MR. HONEA: Thank you, Mr. Chair.  
6 Karen, is it?  
7  
8 MS. HYER: Uh-huh.  
9  
10 MR. HONEA: Yeah, I think just a little  
11 clarification. That goes from below Tanana all the way  
12 to, I think, straight across from Ruby in Federal  
13 waters, so it covers quite an area. Actually, Jenny is  
14 exactly right. It was kind of an experimental thing  
15 because at the time, I mean, the congestion -- if  
16 anyone from Ruby has ever gone down to Koyukuk, below  
17 Koyukuk where -- and I've done that before and it's  
18 really kind of hectic fishing down there with Nulato  
19 and Galena and Koyukuk. So it's kind of a new thing.  
20 They have their area all scouted out and used year  
21 after year, whereas up there above Ruby some people  
22 actually lost nets before in doing that because you're  
23 subject to whatever is under the water there in certain  
24 areas, but I have no problem with eliminating the  
25 permit requirement because, like you said, the number  
26 is minimal and I'm hoping -- we have some proposals  
27 coming up to do with opening up the waters in Galena,  
28 but that's not up for debate right now. I just wanted  
29 to clarify that area.  
30  
31 Thank you.  
32  
33 CHAIRMAN REAKOFF: Thanks, Don. Other  
34 Council clarification of the proposal.  
35  
36 Go ahead.  
37  
38 MR. HAVENER: Thank you, Mr. Chairman  
39 and Council members. I guess I'd just like to make a  
40 quick update. We just finished the 2012 season. To  
41 add to this data, there was seven permits issued and  
42 only two people fished and they caught seven chinook  
43 salmon. We put this proposal in just noticing that  
44 there was very little use and we were kind of just  
45 wanting to make things simplified by not having the  
46 permit requirement so it makes use for subsistence  
47 users a lot easier.  
48  
49 Thank you.  
50

1 CHAIRMAN REAKOFF: Thanks, Jeremy. So  
2 is there any Alaska Department of Fish and Game  
3 comments from anybody online. Is Alaska Department of  
4 Fish and Game on the conference call?

5  
6 MR. CRAWFORD: Yes. This is Drew  
7 Crawford with the Alaska Department of Fish and Game,  
8 Federal Subsistence Liaison Team in Anchorage. I just  
9 wanted to let you know that the State's recommendation  
10 on this proposal is conditional support. If the  
11 Federal Subsistence Board eliminates the Federal permit  
12 -- eliminates the chinook salmon drift gillnet fishery,  
13 it can rescind the Federal subsistence fishing permit  
14 and the Fish and Game managers won't have to track the  
15 drift gillnet catch and effort. Since participation in  
16 catch in this nontraditional drift gillnet fishery over  
17 the last seven years have been small, elimination of  
18 this fishery would have minimal impacts on subsistence  
19 users and Federal and State fishing regulations would  
20 be the same.

21  
22 \*\*\*\*\*  
23 STATE OFFICIAL WRITTEN COMMENTS  
24 \*\*\*\*\*

25  
26 Alaska Department of Fish and Game  
27 Comments to the Regional Advisory Council

28  
29 Fisheries Proposal FP13-01:

30  
31 Rescind the requirement for a federal  
32 subsistence fishing permit to take Chinook salmon  
33 during the weekly subsistence fishing open(s) by drift  
34 gillnet in Yukon River mainstem, subdistricts 4-B and  
35 4-C.

36  
37 Introduction:

38  
39 This proposal, submitted by the Koyukuk  
40 National Wildlife Refuge (refuge), would eliminate the  
41 requirement for a federal subsistence fishing permit to  
42 take Chinook salmon during the weekly subsistence  
43 fishing periods by drift gillnet in Yukon River  
44 mainstem, subdistricts 4-B and 4-C. The federal  
45 Chinook salmon drift fishery (FFYK01) was created in  
46 2005 when it became an allowable subsistence fishing  
47 gear type for waters adjacent to federal management  
48 units in Yukon River mainstem, subdistricts 4-B and  
49 4-C. A federal subsistence fishing permit is required  
50 for subsistence users to operate drift net fishing gear

1 as a regulatory condition of the new fishing  
2 opportunity.

3  
4                   Prior to adoption, there were three  
5 prominent concerns. One was that the Chinook salmon  
6 harvest was already fully allocated. By allowing  
7 another gear type, there was a potential for attracting  
8 new subsistence fishermen who may compete with those  
9 already participating in a long established set gillnet  
10 and fish wheel fishery. Another concern was that the  
11 new fishing gear type may target different Chinook  
12 salmon stocks with unknown implications for upriver  
13 harvesters and escapement potential. Both set gillnet  
14 and fish wheel gears are stationary and bank oriented,  
15 while drift gillnets are operated midstream. By  
16 shifting harvest into midstream locations, exploitation  
17 may shift to Canadian-bound stocks that many people  
18 felt migrated further offshore and at greater depths.  
19 Finally, since drifting is not a traditional gear type  
20 used in this area, it was possible that fishing  
21 conditions might not be appropriate in this location,  
22 resulting in loss of fishing gear and associated ghost  
23 fishing. The Federal Subsistence Board noted these  
24 concerns when it approved the gear type by restricting  
25 drift gillnets to no more than 150 feet in length and  
26 35 meshes deep, as well as requiring each fisherman  
27 using the gear to possess a special use subsistence  
28 fishing permit for gear operation in order to track  
29 shifts in harvest.

30  
31                   Since the Yukon River mainstem,  
32 subdistricts 4-B and 4-C subsistence drift gillnet  
33 fishery was created in 2005, the annual harvest of  
34 Chinook salmon has averaged approximately 30 fish. In  
35 2011, a total of 10 special use subsistence fishing  
36 permits were issued by Koyukuk/ Nowitna National  
37 Wildlife Refuge personnel. Of these, only one  
38 fisherman actually used the permit to harvest 18  
39 Chinook salmon. Fishermen have reported difficult  
40 fishing conditions and lots of snags in the area open  
41 to fishing.

42  
43                   Impact on Subsistence Users:

44  
45                   If this proposal is adopted, federal  
46 subsistence users would be able to take Chinook salmon  
47 during the weekly subsistence fishing openings by drift  
48 gillnet in mainstem Yukon River subdistricts 4-B and  
49 4-C without obtaining a federal subsistence fishing  
50 permit. Since the fishery currently has only one

1 participant, the proponent indicated no need for a  
2 permit requirement for federally-qualified subsistence  
3 users to drift gillnet for Chinook salmon in the Yukon  
4 River mainstem, subdistricts 4-B and 4-C. Removing  
5 this permit requirement is not expected to increase the  
6 amount of interest in drift gillnet fishing in these  
7 subdistricts largely due to a lack of available,  
8 snag-free drifting areas. Removal of this permit will  
9 simplify fishing for subsistence users by eliminating  
10 the permitting requirement for this fishery. This  
11 would align with other remote (i.e.,  
12 nonroad-accessible) state and federally-managed  
13 subsistence fisheries along the Yukon River that do not  
14 have a subsistence permit requirement. This permit has  
15 been required for seven years and has documented that  
16 use did not appreciably increase or shift to new  
17 fishermen ,and further, harvest rates did not increase  
18 significantly enough to alter management practices.  
19 The poor results of this fishery to date, indicates why  
20 this gear type was not traditionally used in this area.

21  
22                                   Impact on Other Users: None noted at  
23 this time.

24  
25                                   Opportunity Provided by State:

26  
27                                   Salmon may be harvested under state  
28 regulations throughout the majority of the Yukon River  
29 watershed, including a liberal subsistence fishery.  
30 Gear types allowed are gillnet, beach seine, hook and  
31 line attached to a rod or pole, handline, and fish  
32 wheel. Although all gear types are not used or allowed  
33 in all portions of the Yukon River drainage, drift and  
34 set gillnets and fish wheels harvest the majority of  
35 fish taken for subsistence uses. Under state  
36 regulations, subsistence is the priority consumptive  
37 use. Therefore, state subsistence fishing opportunity  
38 is directly linked to abundance and is not restricted  
39 unless run size is inadequate to meet escapement needs.  
40 When the Yukon River Chinook salmon run is below  
41 average, state subsistence fishing periods may be  
42 conducted based on a schedule, or period closures may  
43 be implemented chronologically throughout the Alaska  
44 portion of the drainage, which is consistent with  
45 migratory timing as the salmon run progresses upstream.  
46 Federal regulations under Special Actions to restrict  
47 federally-eligible users have been rare and mirrored  
48 the state inseason actions necessary to meet escapement  
49 goals, except where state and federal regulations  
50 differ in subdistricts 4-B and 4-C. Amounts reasonably

1 necessary for subsistence (ANS) Chinook salmon (5 AAC  
2 01.236(b)), as determined by the Alaska Board of  
3 Fisheries (BOF), have not been met the last four years.

4

5 Conservation Issues:

6

7 The Yukon River Chinook salmon stock is  
8 currently classified as a yield concern. Subsistence  
9 harvest levels have not reached the ANS for subsistence  
10 the last four years 2008 2011. A majority of the  
11 Yukon River drainage escapement goals have been met  
12 since 2000, including the Chena and Salcha rivers,  
13 which are the largest producers of Chinook salmon in  
14 the U.S. portion of the drainage. The agreed-to  
15 escapement objective for the Canadian mainstem was met  
16 every year from 2001 through 2006, with 2001, 2003, and  
17 2005 being the three highest spawning escapement  
18 estimates on record. However, the escapement objective  
19 for the Canadian mainstem was not met in 2007, 2008,  
20 and 2010. Exploitation rate on the Canadian-origin  
21 stock by Alaskan fishermen has changed from an average  
22 of about 55% (1989 1998) to an average of about 44%  
23 from 2004 2008 (Howard et al. 2009)<sup>1</sup>. Although the  
24 subsistence harvest was stable at nearly 50,000 Chinook  
25 salmon annually through 2006, the recent five-year  
26 average (2007 2011) was 43,900. Commercial harvests  
27 have decreased over 90%, from an average of 100,000  
28 annually (1989 1998), to the recent five-year average  
29 (2007 2011) of nearly 9,700 fish.

30

31 Enforcement Issues: None noted at this  
32 time.

33

34 Jurisdiction Issues:

35

36 The Federal Subsistence Board does not  
37 have the authority to regulate the  
38 nonfederally-qualified users participating in fisheries  
39 on waters outside of federal subsistence jurisdiction.  
40 While standing on state and private lands (including  
41 state-owned submerged lands), persons must comply with  
42 state law and cannot harvest under conflicting federal  
43 regulations.

44

45 Enforcement difficulties and user  
46 confusion -- concerning where and how federal  
47 regulations that are different than state regulations  
48 apply -- will result unless detailed maps and  
49 explanations specific to the area are provided.

50

1 Other Issues:

2

3 Maps are needed showing the specific  
4 boundaries and areas where federal regulations are  
5 claimed to apply, along with providing the  
6 justification for claiming those boundaries. A large  
7 percentage of the lands along the Yukon River are state  
8 or private lands where federal subsistence fisheries  
9 are not authorized to occur. The federal board does  
10 not have authority to supersede state commercial and  
11 subsistence fisheries regulations unless a full closure  
12 is required for conservation purpose(s) within water of  
13 claimed federal jurisdiction. Changes to state  
14 commercial and subsistence fisheries must be submitted  
15 to the BOF for adoption and implementation. The  
16 proposer also purports that, if the permit requirement  
17 is removed, harvest monitoring information will still  
18 be captured in the household harvest surveys and/or  
19 catch calendars that the state uses to monitor harvest  
20 annually. This argument holds only when reporting is  
21 mandated.

22

23 The Alaska Department of Fish and Game  
24 (ADF&G) conducts an annual study to estimate  
25 subsistence and personal use salmon harvests within the  
26 Alaska portion of the Yukon River drainage (Jallen et  
27 al. 2012)2. Most Yukon Area communities have no  
28 regulatory requirement to report their subsistence  
29 salmon harvest. The ADF&G survey program is voluntary  
30 for these remote communities. Harvest information is  
31 collected through postseason household interviews,  
32 follow-up telephone interviews, postal questionnaires,  
33 and harvest calendars.

34

35 If the fisherman or fishermen who  
36 participate in this subsistence drift gillnet fishery  
37 in Yukon River mainstem, subdistricts 4-B and 4-C  
38 live(s) in a Yukon Area community where household  
39 surveys are conducted annually and they volunteer to  
40 participate in these surveys, the household surveys  
41 would reasonably collect sufficient data to enable  
42 managers to track this gear-type annually. Of  
43 particular importance to this proposal is information  
44 regarding drift gillnet usage and Chinook salmon caught  
45 by this gear type, and changes to drift gillnet effort  
46 or catch over time.

47

48 However, if the fisherman or fishermen  
49 who participate in this subsistence drift gillnet  
50 fishery in Yukon River mainstem, subdistricts 4-B and

1 4-C live(s) in a community outside the Yukon Area or if  
2 they live in a Yukon Area community and choose not to  
3 participate in the ADF&G household surveys, then the  
4 household surveys would not provide fishery managers  
5 with the information needed (e.g., catch, effort, and  
6 changes in each over time) to evaluate and track this  
7 drift gillnet fishery.

8

9 Other Options Considered:

10

11 Elimination of the fishery: The  
12 fishery in question is only newly created and attracts  
13 only one participant, largely due to concerns  
14 originally brought in state comments at the time of the  
15 fisheries creation including the lack of snag-free  
16 areas to fish. The fishery has, in turn, created other  
17 concerns over the years, including the introduction of  
18 ghost nets collecting an unharvestable allocation,  
19 rendering those fish unavailable to spawning escapement  
20 and subsistence users.

21

22 Recommendation:

23

24 Conditional support if the Federal  
25 Subsistence Board eliminates the federal Chinook salmon  
26 drift gillnet fishery (FFYK01), it can rescind the  
27 federal subsistence fishing permit and ADF&G managers  
28 won't have to track the drift gillnet catch and effort.  
29 Since participation and catch in this nontraditional  
30 drift gillnet fishery over the last seven years have  
31 been small, elimination of this fishery would have  
32 minimal impacts on subsistence users and federal and  
33 state fishing regulations would be the same.

34

35 CHAIRMAN REAKOFF: We understand the  
36 State's position has always been opposed to drift  
37 gillnet fishing. Some of the main reasons were that it  
38 was going to cause too high of catch and was going to  
39 jeopardize the fishery, but it's been proven to be  
40 counter to reality, so we do take your comments into  
41 consideration.

42

43 Any other Federal agencies want to  
44 comment on this proposal.

45

46 (No comments)

47

48 CHAIRMAN REAKOFF: Native or tribal  
49 council members. Probably not here.

50

1 (No comments)  
2  
3 CHAIRMAN REAKOFF: Do we have any TCC  
4 comments on this proposal. Alyssa, are you still on  
5 the call.  
6  
7 (No comments)  
8  
9 MR. GERVAIS: Ruby Tribe might still be  
10 on line.  
11  
12 CHAIRMAN REAKOFF: Is Ed Sarton still  
13 on there or Ruby?  
14  
15 MR. JOHNSON: Mr. Chair.  
16  
17 CHAIRMAN REAKOFF: Go ahead.  
18  
19 MR. JOHNSON: Council members. You can  
20 find TCC has provided written comments on all the  
21 fisheries proposals and they are in your materials  
22 books. Let me see if I can identify the page for you  
23 quickly. Thank you, 106. It starts with a summary  
24 table which summarizes TCC's direct feedback on each of  
25 the fisheries proposals and they also have another  
26 table that summarizes feedback from specific villages  
27 on the proposals. Then after that there is an  
28 extensive written document regarding the customary  
29 trade issue in general, so that will apply to some of  
30 the later proposals.  
31  
32 Thank you, Mr. Chair.  
33  
34 CHAIRMAN REAKOFF: So looking at TCC's  
35 comment on the proposal we'll note that they strongly  
36 support the proposal to rescind the permit requirement  
37 for fishing.  
38  
39 Any other tribal comments on this  
40 proposal.  
41  
42 (No comments)  
43  
44 CHAIRMAN REAKOFF: InterAgency Staff  
45 Committee comments.  
46  
47 (No comments)  
48  
49 CHAIRMAN REAKOFF: Advisory Committees.  
50 They've probably not met. Middle Yukon probably has

1 not met on this proposal.

2

3 (No comments)

4

5 CHAIRMAN REAKOFF: Summary of written  
6 comments. Are there other written comments besides  
7 TCC's.

8

9 MR. JOHNSON: There is some written  
10 comments for one of the later proposals, but the only  
11 written comments we have at this time for this proposal  
12 are from TCC, Mr. Chair.

13

14 CHAIRMAN REAKOFF: Okay. Thank you.  
15 Public testimony for the proposal.

16

17 (No comments)

18

19 CHAIRMAN REAKOFF: I see nobody here.  
20 Regional Council recommendations. The Chair will  
21 entertain a motion to adopt Proposal FP13-01.

22

23 MR. HONEA: I so move.

24

25 CHAIRMAN REAKOFF: Moved by Donald.

26

27 MR. GERVAIS: Seconded.

28

29 CHAIRMAN REAKOFF: Seconded by Tim.  
30 Discussion on the proposal.

31

32 I will start the discussion. I was at  
33 the Federal Subsistence Board meeting when our original  
34 proposal finally passed, but there were concerns by the  
35 Assistant Regional Director of the U.S. Fish and  
36 Wildlife that this was going to be -- taking into  
37 account the State concerns and want requested. The  
38 permit requirement, there was speculation that there  
39 would be up to 15,000 chinook taken under this fishery  
40 and some really wild speculations were made.

41

42 I advocated that the fishers that would  
43 be actually taking these fish, Federal rural  
44 subsistence users would be taking these fish anyway.  
45 They were just part of the subsistence use whether they  
46 went all the way down to Koyukuk to get them or  
47 wherever they caught them, they were just part of  
48 subsistence harvest. The State's concerns and the  
49 Assistant Regional Director's concerns have been moot,  
50 so I'm encouraged. This has been very burdensome for

1 Koyukuk/Nowitna to administer this permit and it's  
2 completely unnecessary and so I fully support the  
3 proposal.

4  
5 Any other comments on the proposal.  
6 Jenny.

7  
8 MS. PELKOLA: Now that I understand it  
9 I will support it.

10  
11 CHAIRMAN REAKOFF: Other comments.

12  
13 (No comments)

14  
15 MR. SIMON: Question.

16  
17 CHAIRMAN REAKOFF: The question is  
18 called. Those in favor of the proposal FP13-01 signify  
19 by saying aye.

20  
21 IN UNISON: Aye.

22  
23 CHAIRMAN REAKOFF: Those opposed same  
24 sign.

25  
26 (No opposing comments)

27  
28 CHAIRMAN REAKOFF: Proposal 13-01 is  
29 adopted. FP13-02 is on Page 31.

30  
31 MS. HYER: Mr. Chairman. Council  
32 members. Proposal FP13-02 is submitted by the U.S.  
33 Fish and Wildlife Service, Fairbanks Fish and Wildlife  
34 Field Office and it requests a change in the marking of  
35 chinook salmon taken for subsistence purposes in  
36 Districts 1, 2, and 3 on the Yukon River.

37  
38 Currently State and Federal regulations  
39 are inconsistent in regard to chinook salmon marking in  
40 Districts 1, 2, and 3 and this proposal would align  
41 those regulations. Currently in regulation we remove  
42 the dorsal fin for subsistence caught fish. In  
43 February 2007, the Alaska Board of Fisheries adopted a  
44 proposal that changed the markings and required that  
45 instead of the dorsal fin being clipped the removal of  
46 both tips of the tail fin be clipped. This speaks to  
47 the same harvest of chinook salmon that's approximately  
48 50,000 chinook salmon harvested annually on the Yukon  
49 River. Basically this proposal wouldn't affect that  
50 harvest at all. We just feel it would make it a little

1 bit simpler for users to clip the tail fins instead of  
2 the dorsal fin, so OSM supports this proposal.

3

4 CHAIRMAN REAKOFF: Thank you. Is the  
5 Council clear on the proposal. It's basically to align  
6 with State regulatory change to clip both -- that would  
7 be called the caudal fin, the tail. Clip the lobes off  
8 the tail. Is the Council clear on that. Any questions  
9 on the proposal from the Council.

10

(No comments)

12

13 CHAIRMAN REAKOFF: Agency comments.  
14 Alaska Department of Fish and Game.

15

16 MR. CRAWFORD: Mr. Chairman. This is  
17 Drew Crawford again with the Alaska Department of Fish  
18 and Game in Anchorage. The State also supports this  
19 proposal.

20

21 \*\*\*\*\*

22 STATE OFFICIAL WRITTEN COMMENTS

23 \*\*\*\*\*

24

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

27

Fisheries Proposal FP13-02:

29

30 Revise the marking requirement for  
31 subsistence-caught Chinook salmon in Yukon River  
32 Districts 1, 2, and 3 from removal of the dorsal fin  
33 immediately after landing to removal of both tips  
34 (lobes) of the tail fin before the person conceals the  
35 salmon from plain view or transfers the salmon from the  
36 fishing site.

37

Introduction:

39

40 This proposal, submitted by the U.S.  
41 Fish & Wildlife Service (Service) Fairbanks Field  
42 Office, seeks to revise the marking requirement for  
43 subsistence-caught Chinook salmon in Yukon River  
44 districts 1, 2, and 3.

45

46 Federal marking requirements for Yukon  
47 River Chinook salmon were initially adopted to be  
48 consistent with state regulations current at the time.  
49 However, due to an oversight, this requirement was not  
50 amended in follow-up to the state s 2007 action.

1 Changing the federal marking requirement at this time  
2 will bring this regulation back in line with the state  
3 regulation.

4

5 Impact to Subsistence Users:

6

7 If this proposal is adopted, the  
8 marking requirement change is not expected to alter  
9 salmon harvest because subsistence-caught fish are  
10 still required to be marked.

11

12 Yukon River subsistence users are  
13 required to be aware of many regulations, including  
14 boundaries, equipment, and season dates. Aligning  
15 state and federal marking requirements in regulation  
16 will alleviate burden to subsistence users by reducing  
17 regulatory complexity between federal and state  
18 management.

19

20 Impact to Other Users:

21

22 If this proposal is adopted, it will  
23 also simplify commercial fish buying operations by  
24 reducing the variety of fish markings crews must look  
25 for when accepting deliveries.

26

27 Opportunity Provided by State:

28

29 Salmon may be harvested under state  
30 regulations throughout the majority of the Yukon River  
31 watershed, including a liberal subsistence fishery.  
32 Gear types allowed are gillnet, beach seine, hook and  
33 line attached to a rod or pole, handline, and fish  
34 wheel. Although all gear types are not used or allowed  
35 in all portions of the Yukon River drainage, drift and  
36 set gillnets, and fish wheels harvest the majority of  
37 fish taken for subsistence uses. Under state  
38 regulations, subsistence is the priority consumptive  
39 use. Therefore, state subsistence fishing opportunity  
40 is directly linked to abundance and is not restricted  
41 unless run size is inadequate to meet escapement needs.  
42 When the Yukon River Chinook salmon run is below  
43 average, state subsistence fishing periods may be  
44 conducted based on a schedule implemented  
45 chronologically throughout the Alaska portion of the  
46 drainage, which is consistent with migratory timing as  
47 the salmon run progresses upstream. Federal  
48 regulations under Special Actions to restrict  
49 federally-eligible users have been rare and mirrored  
50 the state inseason actions necessary to meet escapement

1 goals, except where state and federal regulations  
2 differ in subdistricts 4-B and 4-C. Amounts reasonably  
3 necessary (ANS) for subsistence Chinook salmon (5AAC  
4 01.236 (b)), as determined by the Alaska Board of  
5 Fisheries (BOF), have not been met in the Yukon River  
6 drainage the last four years.

7

8 In February 2007, the BOF adopted a  
9 similar action in regulation 5 AAC 01.240(c). Marking  
10 and use of subsistence taken salmon: In Districts 1-3,  
11 from June 1 through July 15, a person may not possess  
12 king salmon taken for subsistence uses unless both tips  
13 (lobes) of the tail fin have been removed before the  
14 person conceals the salmon from plain view or transfers  
15 the salmon from the fishing site. A person may not  
16 sell or purchase salmon from which both tips (lobes) of  
17 the tail fin have been removed.

18

19 The rationale cited in the BOF  
20 committee report was to foster better compliance  
21 because marking would be easier. The regulation would  
22 be consistent with other areas of the state, it  
23 clarified when subsistence marking requirements would  
24 be in place, and it was thought to be a more sanitary  
25 mark that was still needed for enforcement to  
26 discourage subsistence-caught fish from entering the  
27 state s commercial fisheries. The Federal Subsistence  
28 Management Program comment to the BOF at the time was  
29 in support of the proposed change

30

31 Conservation Issues:

32

33 The Yukon River Chinook salmon stock is  
34 currently classified as a yield concern. Subsistence  
35 harvest levels have not reached the ANS the last four  
36 years (2008 2011). A majority of the Yukon River  
37 drainage escapement goals have been met since 2000,  
38 including the Chena and Salcha rivers, which are the  
39 largest producers of Chinook salmon in the U.S. portion  
40 of the drainage. The agreed-to escapement objective  
41 for the Canadian mainstem was met every year from 2001  
42 through 2006, with 2001, 2003, and 2005 being the three  
43 highest spawning escapement estimates on record.  
44 However, the escapement objective for the Canadian  
45 mainstem was not met in 2007, 2008, and 2010.  
46 Exploitation rate on the Canadian-origin stock by  
47 Alaskan fishermen has changed from an average of about  
48 55% (1989 1998) to an average of about 44% from  
49 2004 2008 (Howard et al. 2009)1. Although the  
50 subsistence harvest was stable at nearly 50,000 Chinook

1 salmon annually through 2006, the recent five-year  
2 average (2007 2011) was 43,900. Commercial harvests  
3 have decreased over 90% from an average of 100,000  
4 annually (1989 1998) to the recent five-year average  
5 (2007 2011) of nearly 9,700 fish.

6  
7 Enforcement Issue: None noted at this  
8 time.

9  
10 Jurisdiction Issues:

11  
12 The Federal Subsistence Board does not  
13 have authority to regulate the nonfederally-qualified  
14 users participating in fisheries on waters outside of  
15 federal subsistence jurisdiction. While standing on  
16 state and private lands (including state-owned  
17 submerged lands), persons must comply with state law  
18 and cannot harvest under conflicting federal  
19 regulations.

20  
21 Enforcement difficulties and user  
22 confusion -- concerning where and how federal  
23 regulations that are different than state regulations  
24 apply -- will result unless detailed maps and  
25 explanations specific to the area are provided.

26  
27 Other Issues:

28  
29 (1) Maps are needed showing the  
30 specific boundaries and areas where federal regulations  
31 are claimed to apply, along with providing the  
32 justification for claiming those boundaries; (2) A  
33 large percentage of the lands along the Yukon River are  
34 state or private lands where federal subsistence  
35 fisheries are not authorized to occur; (3) The federal  
36 board does not have authority to supersede state  
37 commercial and subsistence fisheries regulations unless  
38 a full closure is required for conservation purpose  
39 within water of claimed federal jurisdiction; and 4)  
40 Changes to state commercial and subsistence fisheries  
41 must be submitted to the BOF for coordination.

42  
43 Recommendation: Support.

44  
45 In February 2007, the BOF adopted a  
46 similar action in regulation 5 AAC 01.240. Marking and  
47 use of subsistence taken salmon. Changing the federal  
48 marking requirement at this time will bring the Federal  
49 regulation back in line with the state regulation and  
50 be less confusing to the public.

1 CHAIRMAN REAKOFF: Okay. Duly noted.  
2  
3 MR. GERVAIS: Do they want to eliminate  
4 this fishery too?  
5  
6 (Laughter)  
7  
8 CHAIRMAN REAKOFF: Is there any Federal  
9 agency comments on this, U.S. Fish and Wildlife.  
10  
11 (No comments)  
12  
13 CHAIRMAN REAKOFF: Yukon Delta Refuge.  
14  
15 (No comments)  
16  
17 CHAIRMAN REAKOFF: No. Native, tribal  
18 comments. I see TCC on Page 106 supports the proposal  
19 also and we'll note that on the record.  
20  
21 InterAgency Staff Committee.  
22  
23 (No comments)  
24  
25 CHAIRMAN REAKOFF: Advisory Committees.  
26  
27 (No comments)  
28  
29 MR. JOHNSON: Mr. Chair.  
30  
31 CHAIRMAN REAKOFF: Uh-huh.  
32  
33 MR. JOHNSON: Mr. Chair. The Seward  
34 Peninsula Regional Advisory Council did vote on this  
35 proposal at its recent meeting in Nome and voted to  
36 support the proposal.  
37  
38 Thank you, Mr. Chair.  
39  
40 CHAIRMAN REAKOFF: Thank you. Public  
41 testimony.  
42  
43 (No comments)  
44  
45 CHAIRMAN REAKOFF: Regional Council  
46 recommendations. The Chair will entertain a motion to  
47 adopt Proposal FP13-02.  
48  
49 MR. SIMON: So moved.  
50

1 CHAIRMAN REAKOFF: Moved by Pollock.  
2  
3 MS. PELKOLA: Second.  
4  
5 CHAIRMAN REAKOFF: Seconded by Jenny.  
6 Council discussion. Don.  
7  
8 MR. HONEA: Thank you, Mr. Chair.  
9 Council discussion. I don't know, maybe I'm a little  
10 slow. I don't know.  
11  
12 What does this proposal do.  
13  
14 CHAIRMAN REAKOFF: In Districts Y1, 2  
15 and 3 they were taking the dorsal fin off before they  
16 can seal the fish when they're subsistence taking fish.  
17 The Board of Fish has changed it to where they're -- on  
18 the tail they're cutting the lobes off the tail.  
19 They're not cutting the dorsal fin anymore. So all  
20 this proposal does is align the Federal regulation with  
21 the State regulation where they cut the dorsal during  
22 the subsistence fishery -- or, correction, the tail  
23 fin, the caudal fin they call that. So clear?  
24 Basically it's a housekeeping proposal to align with  
25 State regulations.  
26  
27 MR. HONEA: So actually if it's in  
28 District 1, 2 and 3, it's not river wide then.  
29  
30 CHAIRMAN REAKOFF: We're in Y3 here.  
31 Part of it's in the Western Interior Region, so that's  
32 why we're reviewing the proposal. Further discussion.  
33  
34 MR. GERVAIS: Where are these written  
35 comments?  
36  
37 CHAIRMAN REAKOFF: Tim. On Page 106  
38 there was a TCC kind of a cheat sheet and they  
39 supported the proposal. Was there any other written  
40 comments.  
41  
42 MR. GERVAIS: It says following the  
43 analysis of 11-08. I haven't found that place.  
44  
45 CHAIRMAN REAKOFF: It says there's two  
46 written comments that support it. Let's see here.  
47  
48 MR. JOHNSON: Mr. Chair. All of those  
49 comments on Page 104 are regarding Proposal 11-8.  
50

1 CHAIRMAN REAKOFF: We don't show the  
2 letters that must have been received by OSM, but they  
3 must not have been included in our book of support.

4  
5 MR. GERVAIS: That's all right.

6  
7 CHAIRMAN REAKOFF: We'll note there are  
8 two letters of support but we don't have the letters  
9 currently. Other Council discussion on the proposal.

10  
11 (No comments)

12  
13 CHAIRMAN REAKOFF: I support the  
14 proposal so it makes it easier for the subsistence  
15 users to not have disparate regulations with the State  
16 and so it's strictly to mark subsistence fish, so it's  
17 beneficial for subsistence users. Any further  
18 discussion.

19  
20 (No comments)

21  
22 MR. R. WALKER: Question.

23  
24 CHAIRMAN REAKOFF: The question is  
25 called. Those in favor of the proposal signify by  
26 saying -- FP13-02, signify by saying aye.

27  
28 IN UNISON: Aye.

29  
30 CHAIRMAN REAKOFF: Those opposed same  
31 sign.

32  
33 (No opposing votes)

34  
35 CHAIRMAN REAKOFF: The proposal is  
36 adopted by the Western Interior Regional Council. So  
37 we're on Proposal FP13-03 revised harvest limit for  
38 pike on Page 38. Go ahead, Karen.

39  
40 MS. HYER: Proposal FP13-03 was  
41 submitted by the Grayling, Anvik, Shageluk and Holy  
42 Cross Fish and Wildlife Advisory Committee. It  
43 requests that a daily harvest and possession limit be  
44 established at three northern pike taken in all waters  
45 of the Yukon River, from Holy Cross downstream to and  
46 including Paimiut  
47 Slough, and that only one pike may be harvested over 30  
48 inches.

49  
50 Members of the GASH AC are concerned

1 that the State and Federal subsistence fisheries are  
2 taking more pike than is sustainable from the Yukon  
3 River drainage in an area from Holy Cross downstream to  
4 and including Paimiut Slough. They propose limiting  
5 the amount of pike harvested to spread the burden of  
6 conservation amongst all users.

7  
8                   During conversations with the Chair of  
9 the GASH AC and another member from Holy Cross, the  
10 proponent asked to change the original proposal and  
11 actually increase the harvest limit, but because the  
12 analysis was published and already had been released to  
13 the public, this analysis only analyzes the original  
14 proposal that was submitted to OSM.

15  
16                   The area under consideration in this  
17 analysis are the waters of the Yukon River in the area  
18 of Paimiut Slough where there's a popular winter  
19 subsistence fishery. Each year members of the GASH AC  
20 either observe or hear about up to 30 separate groups  
21 of three to six fishermen camping in the area for  
22 several days. While camping, they ice fish for pike and  
23 currently there is no harvest or possession limits in  
24 either the State or Federal fishery.

25  
26                   Since the 1990s, the GASH area  
27 communities have voiced concerns to both State and  
28 Federal managers about an increased presence of sports  
29 fishermen and the possible decline of northern pike,  
30 and a decrease in larger harvests of northern pike from  
31 this area. The subsistence harvest of northern pike  
32 occurs year round in the area. It makes up a  
33 significant component of the non-salmon portion of the  
34 diet for residents in this area.

35  
36                   Neither Federal nor State subsistence  
37 regulations require a permit and there are no harvest  
38 limits or reporting requirements. The harvest has been  
39 estimated through periodic household harvest  
40 interviews. They are collected somewhat sporadically.  
41 In 1990, it was estimated there were 3,246 pike  
42 harvested in this area and in 2002 they estimated 3,445  
43 fish were harvested.

44  
45                   In addition, there's also a sport  
46 fishery in this area and they estimate the sport  
47 fishery between the period of 2000 to 2008 to have an  
48 average annual catch of 7,665 northern pike, but in  
49 general as a catch and release fishery. They estimate  
50 the annual harvest is only about 49 fish.

1                   If FP13-03 were adopted, Federally  
2 qualified subsistence users would be limited to  
3 harvesting and possessing only three pike per day.  
4 Additionally, only one pike could be over 30 inches.  
5 This would hold subsistence users to the same harvest  
6 limits and restrictions as the sport fishery in the  
7 area. Currently OSM opposes this proposal because  
8 although the proposed regulation would decrease fishing  
9 pressure on northern pike within this area, there is no  
10 documented conservation concern and it would limit  
11 qualified subsistence users from harvesting pike.

12  
13                   CHAIRMAN REAKOFF: Thanks, Karen. Is  
14 the Council clear on the proposal. I would really like  
15 some of the public here to comment on this proposal  
16 since it is for this area. So we're going to move down  
17 the list here though. We're going to move to the  
18 Alaska Department of Fish and Game comments.

19  
20                   MR. CRAWFORD: Drew Crawford, Alaska  
21 Department of Fish and Game in Anchorage. The State's  
22 recommendation on this proposal is to defer action.  
23 The reason being is a similar fisheries regulation  
24 proposal has been submitted to the Board of Fisheries,  
25 which will be considered in January 2013. Taking  
26 action following the Alaska Board of Fisheries meeting  
27 could easily be coordinated since both Boards are  
28 scheduled to meet in mid to late January 2013. A  
29 greater degree of information will be available to this  
30 Board at the conclusion of the State process.

31  
32                   Over.

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

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

40  
41                   Fisheries Proposal FP13-03:

42  
43                   Revise the subsistence fishing harvest  
44 limits for northern pike in all waters of Yukon River  
45 from Holy Cross downstream to and including Paimuit  
46 Slough from no bag limit for northern pike to a bag and  
47 possession limit of three northern pike, only one of  
48 which can be over 30 inches.

49  
50                   Introduction:

1                   This proposal, submitted by the  
2 Grayling Anvik Shageluk Holy Cross Fish and Game  
3 Advisory Committee (AC), would establish a bag and  
4 possession limit for northern pike in all waters of the  
5 Yukon River from Holy Cross downstream to and including  
6 Paimuit Slough. The proponent believes too many pike  
7 and too many large female pike are being taken during  
8 the winter subsistence fishery. In the past several  
9 years they have observed multiple (20 40) groups of  
10 people (three to six people per group) coming up and  
11 camping for several days at a time. These groups ice  
12 fish for pike night and day with tip-up poles and when  
13 done, leave with sled loads of fish. Currently there  
14 is no bag limit for this subsistence pike fishery. The  
15 proponent is concerned that this targeted fishing  
16 pressure will deplete northern pike stocks in the Yukon  
17 and Innoko River drainages, and would like to limit  
18 this fishery to ensure that there are pike available  
19 for future generations and for multiple user groups.

20

21                   Impact on Subsistence Users:

22

23                   This proposal, if adopted, will limit  
24 the northern pike harvest and provide protection to  
25 pike larger than 30 inches in length in all waters of  
26 the Yukon River from Holy Cross downstream to and  
27 including Paimuit Slough, which proponents suggest are  
28 currently subjected to excess fishing pressure by  
29 winter subsistence users. Local users report this to  
30 be an area where pike congregate and feed during the  
31 winter months. The area is relatively easy to access,  
32 and provides ample and expedient catch opportunity for  
33 pike.

34

35                   The proponents acknowledge that  
36 changing the pike harvest from unlimited to this  
37 proposed daily bag and possession limit will negatively  
38 impact some subsistence users. Nonlocal subsistence  
39 users intending to harvest pike will be limited from  
40 harvesting as many fish per day or taking as many large  
41 fish on one trip. This limitation will increase the  
42 number of trips, and therefore, time, fuel, and effort  
43 per trip to harvest the same number of pike which they  
44 have previously harvested This proposal was brought  
45 forth by local users who would be affected by a reduced  
46 daily harvest.

47

48                   Impact on Other Users:

49

50                   This proposal may benefit

1 sport/recreational fishermen, as well as local area  
2 subsistence fishermen. Adopting a daily bag and  
3 possession limit with a one-fish limit for those over  
4 30 inches in length for northern pike in this part of  
5 the Yukon River drainage may provide more opportunity  
6 for sport/recreational fisherman to catch northern pike  
7 both quantity and size.

8

9                   There is no commercial fishery for  
10 northern pike in this part of the Yukon River.

11

12                   Opportunity Provided by State:

13

14                   Northern pike may be harvested under  
15 state regulations throughout the majority of the Yukon  
16 River watershed. There are no daily or annual bag  
17 limits for pike, except in the Minto Flats area (see 5  
18 AAC 01.244. Minto Flats Northern Pike Management Plan)  
19 where the bag limit is 10 fish and the possession limit  
20 is 20 fish. Gear types allowed are gillnet, beach  
21 seine, fish wheel, longline, fyke net, dip net, jigging  
22 gear, spear, a hook and line attached to a rod or pole,  
23 handline, or lead. Although all gear types are not  
24 used or allowed in all portions of the Yukon River  
25 drainage, drift and set gillnets and fish wheels  
26 harvest the majority of fish taken for subsistence  
27 uses. Under state regulations, subsistence is the  
28 priority consumptive use. Therefore, state subsistence  
29 fishing opportunity is directly linked to abundance and  
30 is not restricted unless run size is inadequate to meet  
31 escapement needs.

32

33                   Conservation Issues:

34

35                   Currently there are no conservation  
36 concerns for northern pike in waters of the Yukon River  
37 from Holy Cross downstream to and including Paimuit  
38 Slough. However, little is known about the  
39 distribution of northern pike from this overwintering  
40 population and overwintering concentrations of northern  
41 pike can be vulnerable to high harvest rates. Local  
42 fishermen have expressed concern with the current level  
43 of harvest and the harvest of large northern pike in  
44 this fishing area. The northern pike subsistence  
45 harvest in this area is undocumented, particularly for  
46 fishermen from outside Yukon River drainage villages.

47

48                   The state has adopted a management plan  
49 for northern pike in the lakes and flowing waters of  
50 the Minto Flats area of the Yukon River drainage (see 5

1 AAC 01.244. Minto Flats Northern Pike Management Plan)  
2 to provide the department with guidance to achieve the  
3 goals of managing these stocks consistent with  
4 sustained yield principles, providing a reasonable  
5 opportunity for the priority subsistence fishery, and  
6 providing a sport fishing opportunity.

7  
8 Northern pike are top level predators  
9 in aquatic food chains and are highly piscivorous (fish  
10 eating) (ADF&G 2012)1. Northern pike occur naturally  
11 in the Yukon River drainage and they are highly valued  
12 as a subsistence and sport fish. In a balanced  
13 ecosystem with many other fish (e.g., whitefish,  
14 sheefish, suckers, Alaska blackfish, stickleback, char,  
15 and juvenile Chinook, chum, coho, pink, and sockeye  
16 salmon), northern pike are simply another member of the  
17 fish community. However, an abundance of hungry  
18 Northern pike in the Yukon River drainage does not help  
19 reduce the yield concern for the Yukon River Chinook  
20 salmon stock.

21  
22 Enforcement Issues: None noted at this  
23 time.

24  
25 Jurisdiction Issues:

26  
27 The Federal Subsistence Board does not  
28 have the authority to regulate the  
29 nonfederally-qualified users participating in fisheries  
30 on waters outside of federal subsistence jurisdiction.  
31 While standing on state and private lands (including  
32 state-owned submerged lands), persons must comply with  
33 state law and cannot harvest under conflicting federal  
34 regulations.

35  
36 Enforcement difficulties and user  
37 confusion -- concerning where and how federal  
38 regulations that are different than state regulations  
39 apply -- will result unless detailed maps and  
40 explanations specific to the area are provided.  
41 Requests for changes to State of Alaska fishery  
42 regulations must be submitted to the Alaska Board of  
43 Fisheries (BOF) for consideration. The Federal  
44 Subsistence Board does not have the authority to  
45 regulate the nonfederally-qualified users participating  
46 in fisheries on waters outside of federal subsistence  
47 jurisdiction.

48  
49 Other Issues:

50

1 (1) Maps are needed showing the  
2 specific boundaries and areas where federal regulations  
3 are claimed to apply, along with providing the  
4 justification for claiming those boundaries;

5  
6 (2) A large percentage of the lands  
7 along the Yukon River are state or private lands where  
8 federal subsistence fisheries are not authorized to  
9 occur;

10  
11 (3) The federal board does not have  
12 authority to supersede state commercial and subsistence  
13 fisheries regulations unless a full closure is required  
14 for conservation purpose within water of claimed  
15 federal jurisdiction; and

16  
17 (4) A similar fisheries regulation  
18 proposal has been e submitted to the BOF, which will be  
19 considered in January 2013. Taking action following a  
20 the Alaska Board of Fisheries meeting could easily be  
21 coordinated given both boards are scheduled to meet in  
22 mid to late January 2013. A greater degree of  
23 information will be available to this board at the  
24 conclusion of the state process.

25  
26 Recommendation: Defer following BOF  
27 decision on parallel proposal.

28  
29  
30 CHAIRMAN REAKOFF: Thanks, Drew. As  
31 the Chair, I feel that this Council should work on  
32 taking a position on this proposal at this meeting  
33 because I can't show up at the Federal Board meeting  
34 with nothing from this Council. That doesn't do us any  
35 good. So I don't want to see deferral.

36  
37 Is there any tribal council members  
38 here that would like to discuss this proposal from Holy  
39 Cross. Come to the mic.

40  
41 MR. PETERS: I'll make testimony on  
42 this proposal. I would support it because we got some  
43 people coming in from the Kuskokwim side, from Bethel  
44 Region, to travel about 170-something miles and the  
45 comment from the Kuskokwim, Bethel, Kwethluk, Akiak,  
46 Tuluksak and Kalskag and upriver from Aniak. I support  
47 this proposal here. It's just taking too much pike out  
48 of the Yukon River. When we go out there in month of  
49 March, middle of March sometime, it's just our fishing  
50 time and we go out there and fish and we never hardly

1 catch no pike because of the impact of the Kuskokwim  
2 people coming up and the Lower Yukon River people  
3 coming up to catch the pike. Thank you.

4

5 CHAIRMAN REAKOFF: Thank you.  
6 Appreciate your comments.

7

8 MR. GERVAIS: I had a question for  
9 Leroy.

10

11 CHAIRMAN REAKOFF: Oh, go ahead. Got  
12 one question here.

13

14 MR. GERVAIS: Leroy, people are  
15 traveling in to harvest these pike. Are they using it  
16 for human consumption or for dog food? Kind of like  
17 how much per person are they taking?

18

19 MR. PETERS: I can't recall the numbers  
20 on that because there's some people I know they're  
21 catching about 20, 30 fish and you know they're really  
22 good eating fish when the days get long and then they  
23 cut them up and then we hang them up outside and that's  
24 really good fish to chew on. Some people I'm pretty  
25 sure they use it for dog food too.

26

27 MR. GERVAIS: Thank you.

28

29 CHAIRMAN REAKOFF: Leroy, do you think  
30 a three fish limit for local people here is enough fish  
31 to catch every day?

32

33 MR. PETERS: Oh, yeah, I'm pretty sure.  
34 I think it would plenty of fish, three fish a day, you  
35 know, because days get nice and long. Every day people  
36 go out early in the morning sometimes, about 7:00 or  
37 7:30 and that's the time when the pikes are biting  
38 really good, about 8:30 in the morning, 7:30 and 10:30  
39 and 1:30. I support that number 3 on that.

40

41 CHAIRMAN REAKOFF: Thank you. Any  
42 other questions.

43

44 (No comments)

45

46 CHAIRMAN REAKOFF: Any other comments  
47 from the tribal entities here.

48

49 (No comments)

50

1 CHAIRMAN REAKOFF: I will note that on  
2 the TCC comments on Page 106 that TCC also supports  
3 revised harvest limits for pike. Is TCC on the  
4 conference call?

5  
6 (No comments)

7  
8 CHAIRMAN REAKOFF: I heard a bleep  
9 there. I wasn't sure if they were signing back on.  
10 InterAgency Staff Committee comments.

11  
12 (No comments)

13  
14 CHAIRMAN REAKOFF: Neighboring Regional  
15 Council actions.

16  
17 MR. JOHNSON: Mr. Chair. The Seward  
18 Peninsula Council discussed this proposal at its  
19 meeting and they voted to oppose this proposal. Mr.  
20 Chair.

21  
22 CHAIRMAN REAKOFF: Thank you. And so  
23 it's submitted by the local advisory committee, the  
24 GASH Advisory Committee, so that would be their  
25 comment. Summary of written comments. Tim.

26  
27 MR. GERVAIS: What was the Seward  
28 Peninsula's discussion on why they opposed it

29  
30 MR. JOHNSON: Through the Chair. Mr.  
31 Gervais. If I recall correctly, the discussion focused  
32 on a lack of hard information that most of the decision  
33 would be based on anecdotal evidence. They wanted  
34 something a little more firm. Just stories of fish  
35 being taken out in large numbers they didn't feel was  
36 convincing enough and they felt that northern pike are  
37 voracious enough that they would come back quickly.

38  
39 CHAIRMAN REAKOFF: So that answers your  
40 question, Tim?

41  
42 MR. GERVAIS: Yes.

43  
44 CHAIRMAN REAKOFF: So the local  
45 advisory committee supports it. The written comments,  
46 the TCC summary shows it supports and that there's  
47 another -- there's two written supports for the  
48 proposal. So Regional Council recommendation. The  
49 Chair will entertain a motion to support the proposal  
50 FP13-03.

1 MR. SIMON: So moved.  
2  
3 CHAIRMAN REAKOFF: Moved by Pollock.  
4  
5 MR. HONEA: Second.  
6  
7 CHAIRMAN REAKOFF: Seconded by Don.  
8 Council discussion. Robert, do you have some points to  
9 make on this. I'd like your comments.  
10  
11 MR. R. WALKER: Yes, Mr. Chair.  
12 Members of the board. I really feel that we should --  
13 this is time to put this in place here. If you  
14 remember back maybe 10 years ago Shirley Clark from  
15 Grayling was really apt to put some kind of regulation  
16 on pike on the Innoko River because they felt that  
17 being impacted from other villages other than Holy  
18 Chuck, Grayling, Shageluk -- well, Old Village of Holy  
19 Chuck.  
20  
21 Now, when you go down river or even the  
22 past where over at Pike Lake there would be piles and  
23 piles of pike left there where the people would come  
24 and fish them and just leave them there by the  
25 hundreds. Now it's just going on at the lower portion  
26 of 21E where people like Leroy says who lived here all  
27 his life -- I lived here until 1975, but I've seen  
28 people piling here and fish, fish, fish and go home  
29 with sled loads of over pike. I mean a lot of these  
30 fish over 30 inches, 40 inches, they're over 100 years  
31 old and they've been here a long time. Just to see  
32 them going to consume for dog food, well there's a  
33 question there. Maybe there's abundance of pike. I  
34 mean nobody knows what the limits are. Nobody knows  
35 how many there are.  
36  
37 I think it's time we start -- we will  
38 put this into place where not only protect the pike but  
39 have it here for a long time. I know a lot more people  
40 are going to be coming in to this part of the country.  
41 Sustain our way of life. Whoever comes in, urban,  
42 rural. You know, three pike a day. I mean people  
43 don't even eat three pike a day. One a day maybe.  
44 Maybe three a week, not 30, 40 at one time.  
45  
46 Thank you, Mr. Chair.  
47  
48 CHAIRMAN REAKOFF: Thank you, Robert.  
49 Appreciate your perspective as a local user of this  
50 resource. Other Council discussion.

1 Don.

2

3 MR. HONEA: Thank you, Jack. I think  
4 it's admirable that people are trying to protect what's  
5 theirs in the region. I think these numbers are real  
6 awful high to be taking. Even if we did support this  
7 measure, enforceability, I don't know what it's going  
8 to be like, but anytime anybody wants to protect  
9 numbers, whether it's moose, fish, whatever, they have  
10 my wholehearted support.

11

12 Thank you.

13

14 CHAIRMAN REAKOFF: Go ahead, Robert.

15

16 MR. R. WALKER: I forgot to add too,  
17 the pike is a way that the local people use as a  
18 tradition too for potlatches for making fish ice cream  
19 and so forth. This has been in the culture for a long,  
20 long time, as far as I can remember past way back in  
21 the day when probably my dad was born in the '20s and  
22 probably like back in the '70s when the mission was  
23 started here. So this has been around here a long  
24 time. Thank you very much.

25

26 CHAIRMAN REAKOFF: Thanks, Robert.

27 Tim.

28

29 MR. GERVAIS: Thanks, Jack. Robert, do  
30 you have any comments on the -- do you like that number  
31 at three or would you rather see it be five or  
32 something?

33

34 MR. R. WALKER: I think three is fine,  
35 Tim. I mean if you get a 20-pound, 30-pound pike, are  
36 you going to consume three in one day? I mean maybe  
37 give some to your relatives or whatever, but I think  
38 three a day is fine because I know there's going to be  
39 a lot of poaching after hours because people are going  
40 to come and fish at nighttime too. It's dark under the  
41 ice. They don't know if it's day or night or whatever,  
42 but people are going to fish at night anyway. But if  
43 they get caught with more than whatever, that's the  
44 law.

45

46 CHAIRMAN REAKOFF: Thank you. Ray.

47

48 MR. COLLINS: I'd just comment that I  
49 support this because it seems to be a move to make the  
50 fishery more sustainable and that from the local

1 testimony it said that three is adequate a day, so I  
2 would support it for that reason.

3

4 CHAIRMAN REAKOFF: I also support the  
5 proposal because it's generated by local people and  
6 people have been -- at our other meetings we've had  
7 concerns about this pike fishery with the influx of  
8 commercial use, sport use, and even though catch and  
9 release there's still a mortality factor with catch and  
10 release. So if there's concern by local people and  
11 three fish a day would be -- even if people come from  
12 other areas not locally, that's still -- they stay a  
13 few days, that's a lot of fish, especially if they're  
14 10 to 20-pound fish, 30 pounds. So I don't think it  
15 would be restrictive for other users that may have been  
16 using this resource either. I do think that unlimited  
17 use without a daily bag limit would be -- is a point  
18 for concern especially with expanding other user bases.  
19 So I support the proposal.

20

21 Any other discussion.

22

23 (No comments)

24

25 MR. SIMON: Question.

26

27 CHAIRMAN REAKOFF: The question is  
28 called by Pollock. Those in favor of the proposal to  
29 support Proposal FP13-03 signify by saying aye.

30

31 IN UNISON: Aye.

32

33 CHAIRMAN REAKOFF: Those opposed same  
34 sign.

35

36 (No opposing votes)

37

38 CHAIRMAN REAKOFF: The Council supports  
39 the proposal. And so Proposals FP13-06, 07 and 08 have  
40 been clumped to revise the customary trade regulations  
41 on Page 54 of our book.

42

43 Go ahead, Tom.

44

45 MR. KRON: Mr. Chair. Members of the  
46 Council. Proposals FP13-06, 07 and 08 have been  
47 analyzed together. The analysis for these proposals  
48 begins on Page 54. These are all Council proposals.  
49 06 was submitted by the Western Interior Council,  
50 07 was submitted by the Eastern Interior Council, and

1 08 was submitted by the Y-K Delta Subsistence Regional  
2 Advisory Council and they all relate to customary trade  
3 of Yukon River chinook salmon.

4

5                   These proposals respond to  
6 recommendations made by a subcommittee composed of  
7 members from the Western, Eastern and Y-K Delta  
8 Councils. The proponents recognize that runs of Yukon  
9 River chinook salmon have been in sharp decline. They  
10 suggest that limiting customary trade of Yukon River  
11 chinook salmon to Federally qualified rural residents  
12 with current customary and traditional use  
13 determinations for Yukon River salmon would curtail  
14 large customary trade exchanges of chinook salmon that  
15 are reported to occur in urban areas, areas that are  
16 not rural. If these proposals are adopted, then  
17 nonrural residents and urban residents who reside  
18 outside of the Yukon River drainage, would not be able  
19 to participate in customary trade for Yukon River  
20 chinook salmon.

21

22                   The shared element of all three  
23 proposals is to limit customary trade of Yukon River  
24 chinook salmon to those with a current customary and  
25 traditional use determination for Yukon River chinook  
26 salmon.

27

28                   The three proposals are summarized on  
29 Pages 58 and 59, so again you can see the differences  
30 between the three Councils. First of all, I'll give  
31 you a little bit of regulatory history on the customary  
32 trade issue. Title VIII of ANILCA recognizes customary  
33 trade as a subsistence use.

34

35                   In 2000, the Federal Subsistence Board  
36 recognized that Federal regulations regarding customary  
37 trade needed further clarification.

38

39                   In January of 2003, after extensive  
40 public comment and careful review, the Board adopted  
41 regulations which provided a more enforceable  
42 regulatory framework for this long-standing subsistence  
43 practice. This process involved all 10 Councils. The  
44 Chairs of most of the Councils participated in the  
45 process. Subsequent to the initial regulations, Upper  
46 Copper River and Bristol Bay adopted specific customary  
47 trade regulations.

48

49                   In January 2011, the Federal  
50 Subsistence Board received three proposals which

1 attempted to establish regulations of customary trade  
2 in the Yukon River drainage. The Board, as you know,  
3 established a Tri-Regional Advisory Council customary  
4 trade subcommittee to further discuss customary trade  
5 issues and to provide recommendations on customary  
6 trade regulations to their respective Councils. Ray,  
7 Robert, Jenny and Don from this Council all  
8 participated in this customary trade discussion and  
9 development process.

10

11 The Tri-Regional Advisory Council  
12 subcommittee was to be composed of three members from  
13 each of the Regional Advisory Councils. They met on  
14 May 18th and 19th, 2011, in Anchorage and again on  
15 August 23rd and 24th in Fairbanks. At both meetings,  
16 subcommittee members agreed that low runs of chinook  
17 salmon require conservation efforts to extend to  
18 customary trade practices. If chinook salmon runs  
19 return to prior levels, limits to customary trade may  
20 no longer be warranted.

21

22 At its May meeting, the subcommittee  
23 discussed three potential customary trade regulatory  
24 changes. Ray, Robert and Jenny attended this meeting.  
25 The agreements that were reached in May include  
26 precluding all customary trade of Yukon River chinook  
27 salmon between rural residents and others; allowing  
28 customary trade only between rural residents within the  
29 Yukon River drainage, with a \$750 limit per household;  
30 and requiring a permit and recordkeeping form. The  
31 subcommittee's ideas for proposed regulatory changes  
32 were sent out for public review and comment.

33

34 At the August meeting in Fairbanks, and  
35 it's my understanding that Ray and Don attended this,  
36 this meeting discussed the public response to the  
37 proposed regulatory changes. Based on those  
38 discussions, the subcommittee developed two new  
39 recommendations, which were later presented to the  
40 Regional Advisory Councils. Again, there was a  
41 presentation to this Council last fall when you  
42 developed your proposal. The subcommittee strongly  
43 preferred the first recommendation, but developed the  
44 second to address the issue of a significant commercial  
45 enterprise.

46

47 The results from the August meeting,  
48 the recommendations are presented at the bottom of Page  
49 63. Again, I would encourage the subcommittee members,  
50 Ray, Jenny, Don and Robert, to join in with their

1 comments on this issue.

2

3

4 By allowing customary trade only  
5 between Federally qualified rural residents with a  
6 customary and traditional use determination for Yukon  
7 River chinook salmon, the subcommittee hopes that the  
8 cultural practice of customary trade will continue, but  
9 at a lower level, recognizing the need for  
10 conservation. This was the intent of the  
11 subcommittee's preferred recommendation.

12

13 The Western Interior Council met on  
14 October 4th through 6th, 2011 in Aniak. The Council  
15 voted unanimously to support the first recommendation  
16 and not the second.

17

18 If adopted, the proposals would limit  
19 customary trade of Yukon River chinook salmon to those  
20 with a current customary and traditional use  
21 determination for Yukon River chinook salmon. The  
22 cash from customary trades of chinook salmon with those  
23 outside of the Yukon River Drainage would be  
24 eliminated.

25

26 The OSM preliminary conclusion is to  
27 support the Western Interior proposal, Proposal FP13-06  
28 with modification and the modification is simply for  
29 clarification to add at the end that this is for Yukon  
30 River chinook salmon. So, again, OSM's preliminary  
31 conclusion is to support Western Interior's proposal  
32 with that one modification.

33

34 Again, I would refer you to look back  
35 and forth between Page 66 and the original  
36 modifications from the Councils to see the differences.  
37 Again, I would encourage that the subcommittee members  
38 participate in the discussion.

39

40 Thank you, Mr. Chair.

41

42 CHAIRMAN REAKOFF: Thanks, Tom. Is the  
43 Council clear on all three proposals? Each Regional  
44 Council made a slightly different proposal. Any  
45 questions on the presentation.

46

47 (No comments)

48

49 CHAIRMAN REAKOFF: Seeing no questions  
50 there, is there any comments from the Alaska Department  
of Fish and Game.

1 Are you on there, Drew?

2

3 MR. CRAWFORD: Yes, Mr. Chairman. The  
4 State's recommendation regarding this group of  
5 proposals is that we support refining the definition of  
6 customary trade and significant commercial enterprise  
7 to provide clarity for users and enforcement. We also  
8 recommend the implementation of a permit system to help  
9 quantify customary trade and significant commercial  
10 enterprise activities.

11

12 Over.

13

14 \*\*\*\*\*

15 STATE OFFICIAL WRITTEN COMMENTS

16 \*\*\*\*\*

17

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

20

21 Fisheries Proposals FP13-06, 07, 08:

22

23 This group of proposals seeks to refine  
24 definitions of Customary Trade of Yukon River Chinook  
25 Salmon.

26

27 Introduction:

28

29 FP13-06, submitted by the Western  
30 Interior Subsistence Regional Advisory Council  
31 (WI-RAC), seeks to limit customary trade of Yukon River  
32 Chinook salmon to that occurring between federally  
33 qualified rural residents with a current customary and  
34 traditional use determination(C&T). While the proposer  
35 does not qualify the customary and traditional use  
36 determination it may be it is assumed both the trader  
37 and recipient are to have C&T for Yukon River salmon.

38

39 FP13-07, submitted by the Eastern  
40 Interior Subsistence Regional Advisory Council  
41 (EI-RAC), seeks to limit customary trade of Yukon River  
42 Chinook salmon to that occurring between federally  
43 qualified rural residents with a current C&T and  
44 qualifies application to times of shortage when no  
45 Chinook salmon commercial fishery or restrictions on  
46 subsistence fishing are in place.

47

48 FP13-08, submitted by the  
49 Yukon-Kuskokwim Delta Subsistence Regional Advisory  
50 Council (YKD-RAC), seeks to limit customary trade of

1 Yukon River Chinook salmon to that occurring between  
2 federally qualified rural residents with a current C&T  
3 for salmon only in the Yukon River drainage.

4

5                   Impact on Subsistence Users: Defining  
6 customary trade would provide greater understanding of  
7 what is allowable under this practice. Limiting the  
8 scope of customary trade to the specific users  
9 mentioned in the proposals would provide for those  
10 users and exclude other users. Some rural residents  
11 without C&T for Yukon River Chinook salmon who may have  
12 purchased these salmon in trade would suffer a loss of  
13 purchased salmon obtained through cash transactions.  
14 Without the addition of a definition of significant  
15 commercial enterprise , there will be continued  
16 confusion and enforcement issues will remain.

17

18                   Impact on Other Users: None noted at  
19 this time.

20

21                   Opportunity Provided by State:

22

23                   State subsistence users are allowed to  
24 engage in the customary trade of subsistence-caught  
25 fish; however, 5 AAC 01.010 prohibits the sale of  
26 subsistence-caught fish, their parts, or their eggs  
27 unless otherwise specified in state regulation.  
28 Currently, there are only two exceptions listed in  
29 Chapter 5 of state regulations; they are for the Norton  
30 Sound-Port Clarence Area and for Southeast Alaska. 2  
31 Currently, no sale of subsistence-caught fish is  
32 allowed in the Yukon River drainage.

33

34                   Conservation Issues:

35

36                   The Yukon River Chinook salmon stock is  
37 currently classified as a yield concern. Since 2001,  
38 subsistence fishing time in the Yukon Area has been  
39 limited by the windows schedule and then further  
40 restricted in 2008, 2009, and 2011 because of  
41 conservation concerns for Chinook salmon. Subsistence  
42 harvest levels for Chinook salmon have not met the  
43 amounts reasonably necessary for subsistence (ANS)  
44 range the last four years (2008 2011). A majority of  
45 the Yukon River drainage escapement goals have been met  
46 or exceeded since 2000, including the Chena and Salcha  
47 rivers, which are the largest producers of Chinook  
48 salmon in the U.S. portion of the drainage. The  
49 escapement objective for the Canadian mainstem was met  
50 every year from 2001 through 2006, with 2001, 2003, and

1 2005 being the three highest spawning escapement  
2 estimates on record. The escapement objective for the  
3 Canadian mainstem was not met in 2007, 2008, and 2010.  
4 Exploitation rate on the Canadian-origin stock by  
5 Alaskan fishermen has changed from an average of about  
6 55% (1989 1998) to an average of about 44% from  
7 2004 2008 (Howard et al. 2009). Although the  
8 subsistence harvest was stable at nearly 50,000 Chinook  
9 salmon annually through 2006, the recent five-year  
10 average (2007-2011) was 43,900. Commercial harvests  
11 have decreased over 90% from an average of 100,000  
12 annually (1989 1998) to the recent five-year average  
13 (2005 2009) of nearly 9,700 fish.

14

15 Enforcement Issues:

16

17 A refined federal definition for  
18 customary trade would reasonably be expected to reduce  
19 enforcement complications provided the definition  
20 adopted is specific and easily interpreted.  
21 Information outreach will be necessary to adequately  
22 inform the public of any adopted changes to the  
23 definition. Without the addition of a definition of  
24 significant commercial enterprise, confusion and  
25 enforcement issues will remain.

26

27 Jurisdiction Issues:

28

29 While standing on state and private  
30 lands (including state-owned submerged lands and  
31 shorelands), persons must comply with state laws and  
32 regulations and cannot sell subsistence-caught fish  
33 with two exceptions, as specified above. Federal  
34 subsistence regulations, particularly customary trade  
35 regulations, pertain only to fishing on and use of fish  
36 caught on federal public lands and those waters where  
37 federal subsistence jurisdiction is claimed. The sale  
38 of subsistence fish caught on all lands and waters  
39 (federal, state, or private) is limited by state  
40 regulations, except to the extent superseded by federal  
41 law on federal lands. The State of Alaska maintains  
42 jurisdiction of food safety and food processing  
43 regulations based upon DEC regulations.

44

45 Violation of existing customary trade  
46 rules is largely an enforcement problem. What is  
47 needed is more education and an enforceable definition  
48 on what constitutes a significant commercial  
49 enterprise. We also suggest implementing a monitoring  
50 program to produce actual data, and clarifying the

1 roles and responsibilities of federal and state  
2 enforcement agencies.

3

4 Other Issues:

5

6 Adoption of this proposal may provide  
7 enforceable customary trade regulations, including  
8 limits and reporting requirements. Currently, the  
9 extent of customary trade in the Yukon River under  
10 federal regulations is unknown; an enforceable  
11 monitoring program would provide data useful for  
12 management purposes. A permit system is more readily  
13 enforceable than one without permits being required.

14

15 Recommendation: Support refining the  
16 definition of customary trade and significant  
17 commercial enterprise to provide clarity for users and  
18 enforcement. We also recommend the implementation of a  
19 permit system to help quantify customary trade and  
20 significant commercial enterprise activities.

21

22 1 5 ACC 01.010 METHODS, MEANS, AND  
23 GENERAL PROVISIONS (d) Unless otherwise specified in  
24 this chapter, it is unlawful to buy or sell  
25 subsistence-taken fish, their parts, or their eggs,  
26 except that it is lawful to buy or sell a handicraft  
27 made out of the skin or nonedible by-products of fish  
28 taken for personal or family consumption.

29

30 CHAIRMAN REAKOFF: Okay. Thank you.  
31 Appreciate those comments. Are there any other Federal  
32 Agency comments on the proposal.

33

34 (No comments)

35

36 CHAIRMAN REAKOFF: Tribal -- Tom.

37

38 MR. KRON: Just an additional  
39 clarification here. About two-thirds of the waters on  
40 the Yukon River are under Federal jurisdiction. Again,  
41 I think as the members of this Council are aware, this  
42 regulation would only apply to Federal waters. It  
43 would not apply to State waters.

44

45 So just to add that one clarification.

46

47 Thank you, Mr. Chair.

48

49 CHAIRMAN REAKOFF: Thanks, Tom.  
50 Appreciate that clarification. Is there any tribal

1 members here present that would like to comment on  
2 these customary trade proposals. Come to the mic here,  
3 please. No big deal. Just come on up to the mic here.  
4 I'd like to get your comments on the record.

5  
6 State your name.

7  
8 MS. PAUL: Rita Paul. This customary  
9 trade, what does it pertain to? I know I came in as  
10 you were talking about this subject.

11  
12 CHAIRMAN REAKOFF: Do you want to give  
13 her a real quick synopsis there, Tom.

14  
15 MR. KRON: Customary trade would be the  
16 sale of chinook salmon for cash.

17  
18 MS. PAUL: Oh, okay. And that pertains  
19 to commercial fishing? Oh, I see.

20  
21 MR. KRON: For subsistence. This is  
22 not for commercial.

23  
24 MS. PAUL: Way back before this came in  
25 effect from last year there were people that put up  
26 fish and salmon and did their -- you know, sell it  
27 because it was the only kind of income they had besides  
28 their subsistence. All of a sudden, what I heard from  
29 all over the Yukon down and below, they were taking  
30 what they caught and whatever in their freezers, taking  
31 it away from them and that's what they relied on, was  
32 this salmon they put up.

33  
34 I feel that the Federal Fish and  
35 Wildlife Service like you guys are, whoever you are,  
36 excuse me, but it was even way back too my parents, we  
37 did that. We sold our salmon. Like way back then it  
38 was like almost -- just cheap, \$20 a pound, you know.  
39 The last time they sold it was like 35 to 40 pounds,  
40 you know. What I didn't like is that the people were  
41 taking away their fish, taking away from their freezers  
42 and now, being Native as I am, it's just not right, you  
43 know. We are struggling now. You know, tell you the  
44 truth I don't even have one salmon in the freezer and I  
45 have four grandkids. I have to buy my fish now, but  
46 it's under the table like, you know.

47  
48 So I gave it a lot of thought. I know  
49 what you people are doing and I wish you would consider  
50 this big pollock in the high seas. We struggle a lot

1 in Y3 here, this past year, last year, this summer, it  
2 was really hard. Some of us -- there's a majority here  
3 in Holy Cross that don't even have salmon or even boats  
4 go out. We have to depend on our friends and relatives  
5 to get fish. So that was a good trade when we were  
6 selling our salmon caught, you know. It wasn't for our  
7 own use. It was for family. That's all I got to say.  
8 Thank you.

9

10 CHAIRMAN REAKOFF: We appreciate your  
11 comments, Rita. I'd like the Council, if they have any  
12 questions on your comments to be able to -- go ahead,  
13 Tom.

14

15 MR. KRON: Just real quickly. These  
16 regulations would not apply to the village of Holy  
17 Cross, people fishing around here. They would only  
18 apply on Federal lands.

19

20 MS. PAUL: Oh, I see.

21

22 MR. KRON: They're only being done  
23 based on the recommendations of the subcommittee, based  
24 on how poor the chinook run has been. But, again, they  
25 would only apply in Federal waters. Again, the waters  
26 right around Holy Cross are not Federal waters.

27

28 Thank you, Mr. Chair.

29

30 CHAIRMAN REAKOFF: Thanks, Tom. I do  
31 appreciate your comments on customary trade though.  
32 Whether it's Federal or State waters, it's still a  
33 practice, whether denied by the State or not. It's a  
34 practice that continues throughout the state wide on  
35 this Yukon River system, so I appreciate your comments  
36 on that.

37

38 Tim.

39

40 MR. GERVAIS: Rita, how far do people  
41 from Holy Cross travel to set up their fish camps? Is  
42 it all right here or do you go 30, 50 miles away?

43

44 MS. PAUL: Well, I used to have fish  
45 camp -- we used to have fish camp about 18 miles below  
46 here. We still have a camp there, but since my family  
47 -- you know, my mom and dad, they're all passed, closed  
48 it down for about four years -- at least 10 years ago  
49 and right now today there is fish camps at least 18  
50 miles below here. Plus Paimiut, they only fish -- to

1 go fishing when it's open. They go down, set their  
2 nets and then, you know, when it's regulatory opening.  
3 But there's fish camps maybe about half a mile, two  
4 miles from here.

5

6 CHAIRMAN REAKOFF: Tom.

7

8 MR. KRON: Mr. Chair. I guess I would  
9 refer you to Page 27 of the fish regs, the green one.  
10 Basically what you need to look at is the Refuge  
11 boundaries. So the waters between here and Paimiut are  
12 State jurisdiction. When we get down to the Yukon  
13 Delta Refuge and then moving upriver it wouldn't be an  
14 issue until you get to the Innoko. Again, I think I  
15 was referring to the water right around Holy Cross as  
16 being State jurisdiction, but between here and Paimiut  
17 and then up to the Innoko on the upper stream.

18

19 Thank you, Mr. Chair.

20

21 CHAIRMAN REAKOFF: Thanks, Tom, for the  
22 clarification. Fishers that would fish at Paimiut  
23 would be able to sell some of their catch under these  
24 regulations. The proposals primarily would allow  
25 customary trade or selling of salmon on the Yukon River  
26 chinook salmon may only occur between Federally  
27 qualified rural residents with a current customary and  
28 traditional use determination.

29

30 What that actually means is people that  
31 live on the Yukon River all have a use of salmon and  
32 people that fish at Paimiut would be able to sell some  
33 of that catch to other people, maybe in Holy Cross.  
34 That would not preclude them from selling them in Holy  
35 Cross or people that have a customary and traditional  
36 use or people that were fishing up from Grayling, just  
37 between Grayling and Anvik. Up at Grayling, they could  
38 catch fish and sell them at Holy Cross. But people  
39 that fish in Holy Cross couldn't legally sell them.

40

41 That's what these proposals are. So it  
42 allows some people who fish where there are Federal  
43 waters to be able to sell fish. So I think actually  
44 where Jenny's fish camp is you could sell fish under  
45 this regulation and somebody that fishes above Galena  
46 wouldn't be able to until they got above Ruby. So  
47 there's people that would be able to fall under this  
48 sale and people who wouldn't be.

49

50 Tom.

1 MR. KRON: Just to add some  
2 clarification and I would encourage Mr. Crawford to  
3 join in if he has anything to add as well. This has  
4 been a concern. Basically the State does not allow the  
5 sale of subsistence caught fish. The Federal system,  
6 under ANILCA, customary trade is recognized as a  
7 legitimate use and the Federal system has been  
8 struggling with this and, again, has allowed it. This  
9 would restrict the use to just being able to sell  
10 within people on the Yukon because the chinook run has  
11 declined.

12  
13 Again, there is a difference between  
14 State and Federal regulations in this particular case.  
15 Again, our regulations, the regulations that are  
16 promulgated by the Federal Subsistence Program, the  
17 Federal Board and that this Council weighs in on relate  
18 only to Federal waters. So, again, from Paimiut south  
19 and west basically the Yukon Delta and then on up to  
20 Innoko would be State waters.

21  
22 Thank you, Mr. Chair.

23  
24 CHAIRMAN REAKOFF: Thanks, Tom. Is OSM  
25 online? Is there any input from the people who are on  
26 the conference call for further clarification.

27  
28 (No comments)

29  
30 CHAIRMAN REAKOFF: Any other questions  
31 from the Council members for Rita?

32  
33 (No comments)

34  
35 CHAIRMAN REAKOFF: Thanks for your  
36 comments, Rita. I appreciate those.

37  
38 MS. PAUL: Thank you. I'm sorry I was  
39 a little nervous.

40  
41 CHAIRMAN REAKOFF: No problem. I used  
42 to almost have a heart attack when I got in front of  
43 mics.

44  
45 MS. PAUL: Okay. Thank you, Mr. Chair.

46  
47 CHAIRMAN REAKOFF: Look at Page 106 and  
48 see what TCC's position is on this proposal. TCC  
49 opposes all three proposals, but the TCC unfortunately  
50 has not given us any of their reasons why.

1 MR. JOHNSON: Mr. Chair. Starting on  
2 Page 109, TCC has an extensive written justification  
3 for their opposition to the various customary trade  
4 proposals.

5  
6 CHAIRMAN REAKOFF: I'll read through  
7 this real quick. It's too bad she's not online to read  
8 this into the record, but I guess it's in the record.

9  
10 MS. YATLIN: Jack.

11  
12 CHAIRMAN REAKOFF: Go ahead, Eleanor.

13  
14 MS. YATLIN: I was reading this Doyon  
15 and Tanana Chiefs. I guess it's a collective data the  
16 way it sounds, most of it, but the reasons -- I wish  
17 that lady that was with TCC would be on so she could  
18 clarify what they had written, why they opposed this  
19 13-06 to 13-11.

20  
21 What I didn't understand or maybe  
22 really -- trying to figure out the Tri-RAC they studied  
23 in detail Alakanuk, Holy Cross and Tanana. They're  
24 just saying right now that Holy Cross it don't pertain  
25 to them because there are no Federal lands around it.  
26 It's just kind of conflicting to me.

27  
28 Like you said, it's good to hear from  
29 Rita Paul and anybody that lives on the river and  
30 fishes, but I'm not saying I oppose to any of what  
31 they're saying. It's just if they're going to do the  
32 studies, why not go to Jenny's camp or Kathy's camp.  
33 That's just what I'm saying.

34  
35 Thank you.

36  
37 CHAIRMAN REAKOFF: These proposals do  
38 not preclude Holy Cross from participating in customary  
39 trade. It just precludes them from selling fish. It  
40 doesn't preclude them from buying fish because they do  
41 have customary and traditional use of salmon on the  
42 Yukon River. So I can buy fish up in the head of the  
43 Koyukuk because I live on the Yukon River system. This  
44 would include all the way up to the head of the Tanana  
45 River.

46  
47 Any drainage that's on the Yukon River  
48 system has a customary and traditional use  
49 determination and can participate in buying fish, but  
50 they have to have a customary and traditional use

1 determination, which precludes non-subsistence areas.  
2 Like Fairbanks is on the Yukon River system, but it's a  
3 non-subsistence area, so they can't sell fish to  
4 Fairbanks people because they're in a non-subsistence  
5 area.

6  
7                   These proposals were developed because  
8 mainly Eastern Interior was real concerned about  
9 customary trade of having a monetary incentive to  
10 people to harvest a lot of king salmon to sell them in  
11 urban places. That's why the main drive of this  
12 customary trade issue was pushed forward by Eastern  
13 Interior. That was demonstrated in our joint meeting  
14 when we were in Fairbanks and some of the Eastern  
15 Interior Council members were very boisterous with me  
16 on that issue. Almost cussed me out about it when I  
17 was co-chairing that meeting.

18  
19                   So there is a concern for the Yukon  
20 River fishery. There's concern that everybody is  
21 taking conservation measures to protect the fish and  
22 there's concern that those fish being sold outside into  
23 urban areas is a problem. Eastern Interior's proposal  
24 07 states that only during times of shortage would  
25 these restrictions be towards non-customary and  
26 traditional use determination. We couldn't sell it in  
27 Anchorage or Fairbanks or Juneau or some non-  
28 subsistence area.

29  
30                   I want the Council to be aware that  
31 these proposals are going to be taken very seriously by  
32 the Federal Subsistence Board and there's going to be  
33 -- this is going to be a very high profile issue. It  
34 is a high profile issue because the Yukon River chinook  
35 runs continue to not perform very well. So I would  
36 have preferred to have TCC's comments read into the  
37 record why they oppose all the proposals and do not  
38 seem to recognize that there is a conservation concern  
39 for the Yukon River fishery.

40  
41                   Did you want to comment there, Robert.

42  
43                   MR. R. WALKER: Thank you, Mr. Chair.  
44 Are we going to comment on this today or tomorrow or  
45 when are we going to do this? Now?

46  
47                   CHAIRMAN REAKOFF: We're working  
48 through this proposal now.

49  
50                   MR. R. WALKER: Our whole plan, what we

1 did with I, Jenny and Don, when we did meet in  
2 Anchorage, I only attended two meetings before. I  
3 didn't attend the last one, but our intent was there  
4 was so much raw salmon being sold on the market without  
5 having a commercial season was just a mad rush where  
6 St. Mary's there was pallets going out of raw salmon  
7 that was going somewhere, like Louisiana or Southeast  
8 Asia or someplace where it was starting to be a  
9 concern. Even up in Fairbanks at the Haul Road was  
10 being used as a tributary for salmon to move it to the  
11 market outside. That was illegal salmon.

12  
13 We sat down in McGrath and I said I'd  
14 like to spearhead this to get this moving to where we  
15 could have this, we can use it in court, we can justify  
16 it to the people under customary trade, how we can do  
17 this. We did have a very good start on it. I didn't  
18 get to finish it up though. When I talked to a Federal  
19 agent there, James -- I can't remember his last name.  
20 What was Jim's last name?

21  
22 He and the district attorney, the  
23 Federal district attorney were there at our meeting.  
24 We did sit down and talk where we could use this in  
25 court if we catch these people because now there is no  
26 law. You can just do whatever you want. So this is  
27 what we're trying to put a lid on where the local  
28 people could use the \$750 trade to wherever they want  
29 to.

30  
31 The salmon strips were brought up with  
32 the Eastern Interior. I said that Doyon were paying  
33 the local people X number of dollars, but Doyon would  
34 give it back to the people. It was just kind of like  
35 Doyon would have like a local hire deal here where it  
36 worked for them where they gave back to their  
37 shareholders. Don could say that too because he was  
38 there. Jenny was there. Were you there too, Tom?

39  
40 MR. KRON: I wasn't there. David  
41 Jenkins was.

42  
43 MR. R. WALKER: Yeah, David Jenkins.

44  
45 MR. KRON: David Jenkins led the  
46 process. I was not there.

47  
48 Thank you, Mr. Chair.

49  
50 MR. R. WALKER: Okay. See, that's

1 where we wanted to go with this issue and settle it  
2 once and for all, but I don't know if we're going to do  
3 that. I don't know why TCC wants to oppose it because  
4 when I did talk to them I said there is too much fish  
5 going out of the state that's not inside regulation.

6  
7                   Anyway, Don can finish it for me, Mr.  
8 Chairman.

9  
10                   CHAIRMAN REAKOFF: Do you want to make  
11 a quick comment, Eleanor.

12  
13                   MS. YATLIN: I'm just confused. Did we  
14 make a motion to adopt this?

15  
16                   CHAIRMAN REAKOFF: No, we haven't got  
17 to a motion yet.

18  
19                   MS. YATLIN: We're in discussion.

20  
21                   CHAIRMAN REAKOFF: I was trying to  
22 delve into where TCC -- were in the public comments and  
23 the written comments. I was trying to delve into -- I  
24 mean there are people who attend TCC meetings and I was  
25 trying to get comments that Robert and Don might have  
26 here.

27  
28                   Do you have comments, Don.

29  
30                   MR. HONEA: Thank you, Mr. Chair. I'm  
31 going to speak about -- I'm really disappointed TCC is  
32 not on here. It's almost like it's a legal issue. I  
33 mean not a legal issue so much, but -- you know.  
34 Orville was at our meeting in August 2011 was it and  
35 they really did not come out with a public statement.  
36 I was disappointed that they didn't after the fact.  
37 I'm not speaking for TCC, but it's like this is  
38 something we've always done. This is traditional and  
39 they're going by that and date.

40  
41                   I also got the sense that they didn't  
42 like putting a cap on that at 750 and maybe pressure  
43 from within our region, from some of the villages that  
44 have more vested interest in it monetarily. I mean I  
45 missed a couple of these meetings, but I thought we had  
46 the option of one or two and you guys in Aniak if you  
47 voted unanimously to support the first recommendation,  
48 aren't we still on that? Are we meeting here to do  
49 this as a block, all three of them? What are we doing?  
50

1 CHAIRMAN REAKOFF: When we get to  
2 Council recommendation, we're going to have to break  
3 these out and make a motion to adopt one of these  
4 proposals. I was basically trying to look at what TCC  
5 -- I would prefer to have Orville on the phone, but TCC  
6 is not on the phone with us. I want to give them as  
7 much air time here as I possibly can. That's what I'm  
8 looking for.

9  
10 As attending the customary trade  
11 meetings with TCC, I'm looking for Council members here  
12 that interacted with TCC and I'm surprised that they  
13 didn't make some kind of comment when you were at the  
14 customary trade meetings. Jenny.

15  
16 MS. PELKOLA: I would just like to say  
17 I went to the first one. I didn't go to the second  
18 one. That's when Don stepped in for me. We went to  
19 all three of them. I think Ray was the original.  
20 There was Ray, Robert and myself.

21  
22 Anyway, the reason why 750 came about,  
23 Western Interior sits in between Eastern and downriver  
24 and one wanted like 1,500 and one wanted 500, so  
25 Western Interior just said why don't we put a cap at  
26 750 to try and balance and it was -- when we first met,  
27 it was a very intense meeting because we didn't know  
28 what was going to happen, but the intention was to have  
29 rural to rural and not rural to urban or urban to urban  
30 and we were trying to stop the urban people from  
31 fishing. You know what I mean. So it started pretty  
32 well and now it seems like it's getting out of hand, so  
33 I wish it would come back to the original intention.

34  
35 CHAIRMAN REAKOFF: The three proposals  
36 that we have here do not include the \$750. That's not  
37 on the table in any of these proposals. If you look at  
38 Page 54 and 55, those summaries, executive summaries,  
39 there is no dollar amount. When we reviewed the  
40 proposal in Aniak setting a dollar amount dollars  
41 devaluate and that's one of the main reasons that that  
42 went away.

43  
44 Tom.

45  
46 MR. KRON: Mr. Chair. The \$750 is in  
47 Proposal WP13-11, so that will be down the road here.  
48 So again I think what's being discussed here you'll get  
49 a chance to weigh in, make recommendation, vote, but  
50 that isn't part of the current grouping.

1 Thank you, Mr. Chair.

2

3 CHAIRMAN REAKOFF: It's my recollection  
4 we didn't include \$750 in our original proposal and I  
5 was assuming that the other Councils hadn't done that  
6 also. My mistake.

7

8 Ray.

9

10 MR. COLLINS: I want clarification of --  
11 we're trying to pass a regulation that applies to  
12 individuals living in rural areas and what customary  
13 trade is. Now we find out that it depends on which  
14 community they use. Because that salmon, when it swims  
15 so far, then it's Federal. When it gets to that water,  
16 now it becomes State, then it becomes Federal again,  
17 then it becomes State again and so on. So it depends  
18 on where you catch that fish whether or not it can even  
19 come into that and that concept kind of blows my mind.  
20 It's rural subsistence users. It's like what you were  
21 speaking for Anvik on there.

22

23 If we pass this, it won't even apply to  
24 Anvik because your community is not in that area unless  
25 you traveled to one of those others to catch the fish,  
26 you couldn't sell it under it. That's basically what  
27 you're telling us, is that right?

28

29 MR. KRON: (Nods affirmatively)

30

31 MR. COLLINS: I guess the fish will  
32 have to have a label on it then or how are we going to  
33 tell. We'll have to take hats off and on or something  
34 so we can tell where it was caught. That's all I'll  
35 say at this point. I've got other comments when we get  
36 to our comments.

37

38 CHAIRMAN REAKOFF: I think we've.....

39

40 MR. GERVAIS: Jack, I have a question  
41 regarding Ray's comment. So is there no overriding  
42 jurisdiction that we can have these proposals cover all  
43 the fish caught in the Yukon River Drainage? It always  
44 has to be separated out whether it's a Federal or  
45 State?

46

47 CHAIRMAN REAKOFF: We work under the  
48 Federal program and then we have the State that's  
49 opposed to -- or at least on the record they're opposed  
50 to the sale of subsistence caught salmon. They're

1 encouraging recordkeeping for Federal waters. That's  
2 what they were encouraging, but there's no overriding  
3 where we can make it a blanket policy where this is the  
4 way it's going to be because we have two disparate  
5 systems and we have 60 percent Federal waters and 40  
6 percent State waters and we're always going to have  
7 this disparity, so we're going to have to just tough it  
8 out. That's the way it goes. That's just part of the  
9 way this works.

10

11 All of these regulations would allow  
12 salmon that are taken on Federal waters to be sold to  
13 other users throughout the whole Yukon River Drainage.  
14 So it's not precluding receiving salmon. Like Rita  
15 there she can buy fish from people from Paimiut. She  
16 could buy fish and that would all be legal.

17

18 UNIDENTIFIED VOICE: (Indiscernible)  
19 with a fishwheel.

20

21 (Laughter)

22

23 CHAIRMAN REAKOFF: We're looking for  
24 comments from members of the community here. If you  
25 can come up here to the mic here, I'd appreciate any  
26 comments you'd have on.....

27

28 UNIDENTIFIED VOICE: No.

29

30 CHAIRMAN REAKOFF: You don't want to  
31 talk. That's fine. What I'm explaining is that  
32 Paimiut is Federal waters and fish could be sold  
33 customary trade under Federal regulation. They could  
34 be sold to people in Holy Cross. People that live in  
35 Holy Cross and catch a fish right there, they can't  
36 legally sell it under Federal regulations right in  
37 front of this village because this is State waters.  
38 That's what we're talking about.

39

40 We're going to get back on track here.  
41 We've covered public testimony. I don't see anymore  
42 people that want to testify. So we have three  
43 proposals and the Council looks at 13-06, 13-07 and 13-  
44 08. I would like the Council to go around the room and  
45 -- Carl.

46

47 MR. JOHNSON: Pardon me, Mr. Chair.  
48 The Seward Peninsula Regional Advisory Council also  
49 voted on this proposal and voted to oppose it.

50

1 Thank you, Mr. Chair.

2

3 CHAIRMAN REAKOFF: All three proposals  
4 or.....

5

6 MR. JOHNSON: All remaining proposals  
7 on the docket they voted to oppose.

8

9 CHAIRMAN REAKOFF: Okay. Did they take  
10 them up individually or in a block?

11

12 MR. JOHNSON: They did take them up  
13 individually, Mr. Chair.

14

15 CHAIRMAN REAKOFF: Individually FP13-06  
16 is OSM's. That was their preliminary conclusion. That  
17 would be the preferred proposal as modified. What  
18 would be the modification again, Tom?

19

20 MR. KRON: FP13-06. That's the Western  
21 Interior proposal. The suggestion is to add the words  
22 Yukon River chinook salmon to the end for  
23 clarification. Not changing the meaning of Western  
24 Interior's proposal, but just adding that wording for  
25 clarification.

26

27 Thank you, Mr. Chair.

28

29 CHAIRMAN REAKOFF: So the effect of  
30 this proposal, which would be our proposal, would be  
31 that from now on in regulation there would be a  
32 preclusion of sale of salmon to non-rural users. Even  
33 if the salmon run comes back huge, there would still  
34 never be sale to urban, non-subsistence areas.

35

36 The effect of Proposal FP13-07, Eastern  
37 Interior's proposal, this would be in times of shortage  
38 when there's no chinook salmon commercial fishery and  
39 restrictions on subsistence fishing are in place. So  
40 they qualify when the restrictions would be from rural  
41 to nonrural by customary and traditional users on the  
42 Yukon River. At some point of the fishery comes back,  
43 there could be sale to urban areas. So is the Council  
44 clear on that Proposal 13-07.

45

46 13-08 is the Y-K Delta's proposal,  
47 which kind of says something similar to what our  
48 proposal -- what would be the difference in this 13-08,  
49 Tom?

50

1 MR. KRON: Mr. Chair. The wording is  
2 included there on Page 59 and I'll just read it into  
3 the record. Transactions between rural residents.  
4 Rural residents may exchange in customary  
5 trade subsistence-harvested fish, their parts, or their  
6 eggs, legally taken under the regulations, of this  
7 part, for cash from other rural residents -- and then  
8 specifically what Y-K Delta is requesting -- that are  
9 Federally qualified and have a customary and  
10 traditional use determination for salmon only in the  
11 Yukon River drainage, if the individual who purchases  
12 the fish, their parts, or their eggs uses them for  
13 personal or family consumption. If you are not a rural  
14 resident, you may not sell fish, their parts, or their  
15 eggs taken under these regulations.

16  
17 Again, just an overview in answer to  
18 your question, I think it's asking for basically what  
19 you're asking for. They're also putting in there that  
20 the fish would have to be used for personal or family  
21 consumption. Again, just in brief that's a summary.

22  
23 Thank you, Mr. Chair.

24  
25 CHAIRMAN REAKOFF: Thanks, Tom.  
26 Basically what they're saying is a long and convoluted  
27 thing that's already in statute, that subsistence is  
28 for personal and family consumption, so that's already  
29 in ANILCA. They're getting into more definition that's  
30 really necessary. I do like the customary trade  
31 working group's language. It's short and sweet.  
32 That's what's in our proposal 13-06. I don't like the  
33 convoluted language that Y-K Delta has put into their  
34 proposal. I do feel that Eastern Interior Council's  
35 proposal has merit when there's a conservation concern  
36 and to relax that when there isn't.

37  
38 Tom.

39  
40 MR. KRON: Mr. Chair. Relative to the  
41 future when we all hope that the chinook will be  
42 restored. Again there's input included in the analysis  
43 here and I think the Tri-Regional Council Committee  
44 that worked on this were in agreement. To change the  
45 regulation you submit a proposal and it will be changed  
46 for future years. So to change this back when the runs  
47 are restored back, that is what everybody is looking  
48 to.

49  
50 Thank you, Mr. Chair.

1 CHAIRMAN REAKOFF: Thanks, Tom.  
2 Appreciate that clarification. Looking at all three  
3 proposals, we'll take them up individually and keeping  
4 in mind that we have to support one of the proposals.  
5 We can't support all of the proposals. How would the  
6 Council prefer to address this? The Chair will  
7 entertain a motion to adopt one of the three proposals,  
8 keeping in mind that that would be your preference for  
9 the proposal to support.

10  
11 Robert.

12  
13 MR. R. WALKER: Mr. Chair. I would  
14 recommend we support ours and defer the others back to  
15 the home place.

16  
17 CHAIRMAN REAKOFF: Okay. Yeah, we can  
18 do that. So you make a motion to support Proposal 13-  
19 06?

20  
21 MR. R. WALKER: Yes.

22  
23 MS. PELKOLA: Second.

24  
25 CHAIRMAN REAKOFF: Motion by Robert and  
26 seconded by Jenny. Discussion on -- and also the  
27 motion is to defer the other proposals back to region.  
28 Discussion on Proposal 13-06.

29  
30 Any further discussion.

31  
32 Don.

33  
34 MR. HONEA: Thank you, Mr. Chair.  
35 Under discussion, I mean if nothing is changed and you  
36 actually took action on it unanimously in Aniak, I'd  
37 fully support that move.

38  
39 CHAIRMAN REAKOFF: Ray, go ahead.

40  
41 MR. COLLINS: In reading through  
42 Doyon's comments there, I think there's one point in  
43 there that they make that I don't know if we're going  
44 to have all that in the record or not, but I like the  
45 point that it is to support a cultural tradition and  
46 that the sale of some of those fish has become more  
47 important because of those who are going to fish camp  
48 or taking time putting up fish. They have more  
49 expenses now than they did with the price of gas and  
50 outboard motors and so. Some of them are giving up

1 work in order to do that. They get some cash through  
2 traditional sale of these, which is only like --  
3 anybody can still continue to barter and so on or you  
4 can give them to family members who are in town now,  
5 but you can't have cash involved now if they're not  
6 rural residents, but you can still meet those other  
7 needs if they exchange groceries or you're just gifting  
8 them to them. So some of those practices. But there  
9 is some need for people to be able to sell some just to  
10 meet some of their own expenses in carrying on the  
11 activity and I think that's a pertinent point to have  
12 in the record at some point.

13

14 CHAIRMAN REAKOFF: Proposal 13-06  
15 allows for people who customarily and traditionally  
16 relied on the fish and bought fish to be able to  
17 continue to do that on the Yukon River but not to the  
18 urban non-subsistence areas.

19

20 MR. COLLINS: Right, I understand that.

21

22 CHAIRMAN REAKOFF: TCC's comments are  
23 strongly advocating for rural use of the resource.  
24 That's what TCC is advocating for. At this time, as  
25 Tom pointed out, the Western Interior or any Regional  
26 Council can -- when the runs return, we can return --  
27 loosen the regulation. I feel more.....

28

29 MR. R. WALKER: Jack.

30

31 CHAIRMAN REAKOFF: Go ahead, Robert.

32

33 MR. R. WALKER: Mr. Chairman. I would  
34 recommend that when you do go down to testify down at  
35 the Subsistence there you have to emphasize to them  
36 that this is what we would like to see. We don't have  
37 nobody else's proposal coming and directing us how we  
38 should be directing our own material in our own river.  
39 I mean the Lower Yukon has their way of doing things.  
40 We do have our way of doing things here in our -- Holy  
41 Cross all the way up to Tanana. I want to be careful  
42 on how we emphasize this. When you do present it to  
43 the Subsistence Board, I would hope you would make --  
44 this will be our recommendation. We're not going to  
45 follow anybody else's.

46

47 Thank you, Mr. Chair.

48

49 CHAIRMAN REAKOFF: I appreciate those  
50 comments. Looking at what will actually happen if each

1 Yukon Council, Eastern Interior, Western Interior and  
2 Y-K Delta supports each one of their proposals, Y-K  
3 Delta and our proposal actually say the same thing, so  
4 the Federal Board a lot of times goes with the majority  
5 of the Councils. The Eastern Interior would have a  
6 real hard sell for this during the time shortage issue  
7 that they're bringing up. I do feel that adopting our  
8 proposal is the most benefit to the resource, which we  
9 don't know if the resource is going to come back  
10 anytime soon into the subsistence users on the Yukon  
11 River. So I do feel that the work that you did at that  
12 customary trade meeting developing this language is the  
13 direction I feel we should go.

14

15 We're in discussion now. Tim.

16

17 MR. GERVAIS: What if we worked on  
18 adopting this 13-06, but revised it so it had a five or  
19 eight-year sunset on it and then it automatically comes  
20 back for discussion. I don't see the king stock  
21 recovering within five years, so that would give time  
22 to revisit the issue if you ever want to do it again.  
23 If you sunset the proposal.

24

25 CHAIRMAN REAKOFF: We could do that,  
26 but it's not part of the proposal. With the regulatory  
27 process we have now, I'm sure the Councils will, if  
28 they feel there's a need to relax the regulation, can  
29 submit a proposal and advocate -- we want to make it  
30 clear on this record that the Council's concerns about  
31 reverting to a more relaxed regulatory structure in the  
32 future is recognized. So anytime there's a proposal  
33 brought forth they review the record of the Councils.  
34 So if we are firm on the record that if the runs  
35 return, we would intend to make proposals to relax the  
36 regulations, that would be drawn up into the analysis.  
37 Is that clear, Tim?

38

39 MR. GERVAIS: Yeah, that's fine. I had  
40 a comment on YK-Delta's proposal. I feel with their  
41 additional language it seems like they're trying to  
42 address some specific issue that they're seeing  
43 occurring in their region and maybe they're having a  
44 problem with reselling of these salmon products or  
45 something and they're trying to specifically address  
46 that. So if YK-Delta feels they want that language and  
47 they want to have that proposal apply to that section  
48 of the river, I'd be okay with that, but I'm happy with  
49 the work the working group did and I'm happy to go with  
50 our proposal.

1 CHAIRMAN REAKOFF: A lot of their  
2 language is already in the regulation, so it's just  
3 redundancy, so I don't think their proposal is very  
4 clean. It's just redundance. Our proposal is specific  
5 to the problem, so I feel our proposal is the cleanest,  
6 specific, so I feel we should move along with that,  
7 with our proposal.

8  
9 Pollock.

10  
11 MR. SIMON: Thanks, Mr. Chair. I  
12 support our Proposal 13-06. Ten years ago I think there  
13 was a question that came up and he said what is  
14 customary trade, can you define that. Today you're  
15 never even going to come close to answering that  
16 question. Although customary trade has been on every  
17 board, but we have to come to a conclusion sometime.  
18 Mr. Chair, kind of bulked down on this issue.

19  
20 Thank you, Mr. Chair.

21  
22 CHAIRMAN REAKOFF: Any further  
23 discussion. Did you want to make one more comment?

24  
25 MR. PETERS: Yes.

26  
27 CHAIRMAN REAKOFF: Come on up, Leroy.

28  
29 MR. PETERS: On this Proposal FP13,  
30 Robert Walker stated that. I would support that number  
31 one with the customary trade with that 750.

32  
33 CHAIRMAN REAKOFF: We'll get to that  
34 proposal. That's another proposal, the 750. We're  
35 just.....

36  
37 MR. PETERS: Oh, okay. Yeah. Okay, on  
38 number 06, huh? Okay.

39  
40  
41 CHAIRMAN REAKOFF: That will be a  
42 proposal we'll look at here in a little bit. Any  
43 further discussion. The main motion is FP13-06.

44  
45 (No comments)

46  
47 MR. HONEA: Question.

48  
49 CHAIRMAN REAKOFF: The question is  
50 called by Don. Do I have a second.

1 MR. R. WALKER: Second.  
2  
3 CHAIRMAN REAKOFF: Seconded by Robert.  
4  
5 REPORTER: What are you doing?  
6  
7 CHAIRMAN REAKOFF: We're voting on the  
8 motion to adopt -- support FP13-06. Oh, oh, what am I  
9 doing?  
10  
11 (Laughter)  
12  
13 REPORTER: You're voting now.  
14  
15 CHAIRMAN REAKOFF: We're voting.  
16  
17 MR. JOHNSON: The motion had already  
18 been moved and seconded, Mr. Chair.  
19  
20 CHAIRMAN REAKOFF: Oh, it's already  
21 been moved. I don't know where I'm at.  
22  
23 REPORTER: We're going to take a break  
24 after this one.  
25  
26 (Laughter)  
27  
28 CHAIRMAN REAKOFF: So, yeah, I'm  
29 totally screwed up. The question was called. Those in  
30 favor of the proposal FP13-06 signify by saying aye.  
31  
32 IN UNISON: Aye.  
33  
34 CHAIRMAN REAKOFF: Those opposed same  
35 sign.  
36  
37 (No opposing votes)  
38  
39 CHAIRMAN REAKOFF: FP13-06 is supported  
40 by the Western Interior Council. Now we'll take a 15-  
41 minute break.  
42  
43 (Off record)  
44  
45 (On record)  
46  
47 CHAIRMAN REAKOFF: We're going to come  
48 back to order. I hear that YRDFA is back on the call  
49 again and I'll have the Council come back to their  
50 seats. We're going to go back on proposals and that

1 will be Proposal 13-09/10 on Page 75. The Council is  
2 back here. Catherine from YRDFA, you're online there  
3 and you had some information for us.

4  
5 MS. MONCRIEFF: Yes, I have been. I  
6 just didn't want to interrupt the discussion before.

7  
8 CHAIRMAN REAKOFF: Go ahead.

9  
10 MS. MONCRIEFF: Okay. I got some  
11 answers to some of the questions that were asked of me  
12 about the bycatch and what I found out was that those  
13 high years in 2007 and 2008 no one really knows why the  
14 bycatch was so high those years, but according to the  
15 fleet they encountered lots of chinook on the fishing  
16 grounds that year and certainly part of that is why a  
17 portion of -- part of it is that a portion of the fleet  
18 fished a lot in October, which is when the chinook  
19 salmon bycatch is historically high.

20  
21 The theory that the bycatch was not so  
22 high before the cap, she said that's incorrect. Since  
23 the cap has been lower, some of the reduction is due to  
24 individual incentives which are now in place, but the  
25 pollock fishers have also reported for the past few  
26 years that they just aren't seeing as many chinook on  
27 the fishing grounds. Under Amendment 91, which is the  
28 current chinook bycatch management, to get to the  
29 60,000 cap the fleet has to have incentive plan  
30 agreements in place. The agreements are supposed to  
31 drive bycatch down even in low years. So she said the  
32 plans are very complex, but they both include hot spot  
33 closure programs and individual bycatch allowances and  
34 accountability.

35  
36 So I hope that helps with that  
37 question.

38  
39 CHAIRMAN REAKOFF: Did that answer your  
40 questions, Ray?

41  
42 MR. COLLINS: Yeah, yeah.

43  
44 CHAIRMAN REAKOFF: That was very  
45 interesting information. Thanks, Catherine.

46  
47 MS. MONCRIEFF: Good. And then the  
48 second question was about attendance at the December  
49 Council meeting. She said that it's actually -- the  
50 chum bycatch issue is actually not on the February

1 agenda as far as she knows, but is on the December  
2 agenda, chum salmon bycatch. She said that if your  
3 Council has very limited funds to travel, it's probably  
4 more important that somebody come to the meeting where  
5 they're taking final action, but that hasn't actually  
6 been scheduled yet. She said it could be in April 2012  
7 (sic). So probably the best answer would be, if you  
8 could afford it, to come to the December Council  
9 meeting because chum bycatch is on the agenda, but the  
10 funds are super tight. Save it for whenever final is  
11 going to be taken, which could be April 2012.

12  
13 CHAIRMAN REAKOFF: That's very  
14 important information also.

15  
16 MS. MONCRIEFF: Okay. And then one  
17 last final thing. I realized that I was supposed to  
18 include the wording for the king salmon proposal and I  
19 have email that to Carl Johnson and I hope that you'll  
20 have that opportunity to print that out and take a look  
21 at it.

22  
23 MR. JOHNSON: This is Carl Johnson. I  
24 looked at that wording and actually that is already in  
25 a handout that is currently in the Council member's --  
26 what we call their blue folders, so they do have that.  
27 Still, thank you for sending that so I could confirm.

28  
29 MS. MONCRIEFF: Great. Thank you very  
30 much.

31  
32 CHAIRMAN REAKOFF: Okay. Thanks,  
33 Catherine. Does the Council understand all the  
34 information she was giving us. The final action on  
35 chum bycatch will be possibly in April of 2013, but  
36 they're going to discuss levels of bycatch in their  
37 December meeting, so I think -- personally, I think  
38 that letter to be transmitted for their December  
39 meeting reiterating the importance of chum salmon on  
40 the Yukon River and then try to get OSM to allow the  
41 attendance of a RAC member at their meeting in April of  
42 2013, approximately, would be the best strategy.

43  
44 Have you got another line, Tim?

45  
46 MR. GERVAIS: Yes, an extra thought on  
47 that letter to the North Pacific Management Council.  
48 Could we also put in a statement there that although  
49 we're making all these harvesting adjustments in river  
50 and stuff and we know they have this Amendment 91 in

1 place that we're not experiencing a recovery of chinook  
2 stock and we suggest they start -- further action may  
3 be needed to rebuild the stock. This theme I keep  
4 bringing up is like North Pacific Management Council  
5 has been working on this chinook issue, like a  
6 conservation thing, and I believe because of those big  
7 bycatch years 2007/2008 had such a huge harvest of king  
8 salmon in the Bering Sea, the stock has not been able  
9 to recover from those spike years of bycatch.

10

11 I guess the gist I want to communicate  
12 or would like this Council to communicate is that they  
13 -- just because they have Amendment 91 in place, it  
14 doesn't -- at this point in time we're not seeing the  
15 recovery of the king salmon, so further action may be  
16 required.

17

18 CHAIRMAN REAKOFF: That's a good point  
19 of inclusion since we're on bycatch. Is it agreeable  
20 to the Council to include those issues into the letter  
21 that we're going to transmit to the North Pacific  
22 Fisheries Management Council.

23

24 (Council nods affirmatively)

25

26 CHAIRMAN REAKOFF: I see affirmative  
27 head nods. So thanks, Catherine. We're moving on in  
28 our agenda to Proposals 13-09 and 10. They're on Page  
29 75 of our book.

30

31 Go ahead, Tom.

32

33 MR. JOHNSON: Thank you, Mr. Chair.  
34 Members of the Council.

35

36 CHAIRMAN REAKOFF: One moment. You  
37 have a comment there, Carl.

38

39 MR. JOHNSON: Mr. Chair. Although the  
40 Council did vote for 13-06 on the record and stated it  
41 preferred its own proposal, there was no specific  
42 action on the record taken on 13-07 and 08.

43

44 CHAIRMAN REAKOFF: In the original  
45 motion, it was my understanding that Robert was  
46 motioning to defer the other proposals back to region.

47

48 MR. JOHNSON: Okay. I missed that  
49 part. Thank you, Mr. Chair.

50

1 CHAIRMAN REAKOFF: Thanks for that  
2 clarification for the record.

3  
4 Tom.

5  
6 MR. KRON: Mr. Chair. Again, I will  
7 lead you through discussions based on the analysis that  
8 begins on Page 77. Proposal FP13-09 was submitted by  
9 the Eastern Interior Council and requests that the  
10 Federal Subsistence Board prioritize direct personal or  
11 family consumption over customary trade of Yukon River  
12 chinook salmon.

13  
14 Proposal FP13-10 was submitted by the  
15 Yukon-Kuskokwim Delta Subsistence Regional Advisory  
16 Council and requests that the Board prioritize family  
17 consumption over customary trade of Yukon River chinook  
18 salmon.

19  
20 Both proponents seek to limit exchanges  
21 for cash of subsistence-caught Yukon River chinook  
22 salmon in an attempt to prioritize other uses, that is,  
23 to ensure that direct personal or family consumption of  
24 Yukon River chinook salmon comes before customary  
25 trade.

26  
27 Section .803 of ANILCA defines  
28 subsistence uses to mean the customary and traditional  
29 uses by rural Alaska residents of wild, renewable  
30 resources for direct personal or family consumption as  
31 food, shelter, fuel, clothing, tools, or  
32 transportation; for the making and selling of  
33 handicraft articles out of nonedible byproducts of fish  
34 and wildlife resources taken for personal or family  
35 consumption; for barter, or sharing for personal or  
36 family consumption; and for customary trade.

37  
38 Under ANILCA, all subsistence uses are  
39 equally permissible. There are no unimportant  
40 subsistence uses. Both proponents seek another  
41 regulatory exception to the Board's practice that finds  
42 all subsistence uses defined in ANILCA to be equally  
43 permissible and equally important. The proponents seek  
44 to prioritize  
45 one use, human consumption, over another use, customary  
46 trade.

47  
48 Action on other fish proposals  
49 currently under consideration may affect decisions on  
50 this proposal. You already considered

1 Proposals FP13-06/07/08. FP13-11 concerns limiting  
2 customary trade of Chinook salmon in the Yukon River  
3 drainage.

4  
5 The OSM preliminary conclusion is to  
6 oppose Proposals FP13-09 and FP13-10. The Tri-Regional  
7 Advisory Council Customary Trade Subcommittee submitted  
8 specific recommendations to limit customary trade of  
9 Yukon River Chinook salmon. These proposals go beyond  
10 the recommendations of the subcommittee by attempting  
11 to preclude all customary trade of Yukon River  
12 Chinook salmon by prioritizing its use below direct  
13 personal or family consumption, barter, and sharing.

14  
15 As defined in ANILCA, all subsistence  
16 uses are equally permissible and all are equally  
17 important. Under conditions of scarce resources and the  
18 potential of limiting subsistence uses, an ANILCA  
19 Section .804 analysis may be a more appropriate  
20 mechanism for allocating those resources among  
21 subsistence users.

22  
23 Thank you, Mr. Chair.

24  
25 CHAIRMAN REAKOFF: Thanks, Tom. Is the  
26 Council clear on the intent of the proposals by the two  
27 adjoining Regional Advisory Councils? Tim.

28  
29 MR. GERVAIS: Mr. Chairman. Would you  
30 or Tom clarify what that Section .804 part is that Tom  
31 was presenting about, prioritizing the use of the  
32 resource.

33  
34 MR. KRON: Mr. Chair. I'm going to  
35 look to you, Carl. I do not have a copy of ANILCA with  
36 me here, but Section .804 is fairly short. Basically  
37 what an .804 analysis involves is looking at the users,  
38 the subsistence users of a resource when it's very  
39 limited. Essentially making a determination which of  
40 those subsistence users should have priority in a  
41 situation where the resources are very limited. Again,  
42 Carl, could you lead us through this? I'm guessing  
43 that an attorney would be very good at this sort of  
44 thing.

45  
46 CHAIRMAN REAKOFF: This screen behind  
47 you here has Section .804 of ANILCA. Go ahead, Carl.

48  
49 MR. JOHNSON: Since it's going to be  
50 hard to read for some folks who aren't sitting right

1 next to the screen, Section .804 states, except as  
2 otherwise provided, taking on public lands fish and  
3 wildlife for non-wasteful subsistence uses shall be  
4 accorded priority over the taking on such lands of fish  
5 and wildlife for other purposes.

6  
7                   Whenever -- this is the language that's  
8 key to what Tom was talking about. Whenever it is  
9 necessary to restrict the taking of populations of fish  
10 and wildlife on such lands for subsistence uses, in  
11 order to protect the continued viability of such  
12 populations or to continue such uses such as customary  
13 trade, such priority shall be implemented through an  
14 appropriate limitation based on the application of the  
15 following criteria. These are the points that the OSM  
16 Staff would analyze and the Board would look at in  
17 determining whether or not they're going to restrict a  
18 use.

19  
20                   One, customary and direct dependence  
21 upon the populations as the mainstay of livelihood.  
22 Two, local residency. Three, the availability of  
23 alternative resources. So that's the three criteria  
24 that they look at when they're doing an .804 analysis  
25 to determine whether or not they are going to limit or  
26 prioritize a use.

27  
28                   MR. GERVAIS: Thank you.

29  
30                   CHAIRMAN REAKOFF: Does that clarify  
31 what the intent of these proposals is to start an .804  
32 analysis and in this region we have a moose problem in  
33 Unit 19A, so there's a drawing permit for the Federal  
34 hunt and so they would have to make an analysis there's  
35 not enough -- what the proponents are wanting. If  
36 there's not enough fish, there would be some kind of a  
37 reduction in subsistence users. That's what .804 does  
38 and I'm very opposed to the reduction of subsistence  
39 users of chinook salmon on the Yukon River Drainage.

40  
41                   Basically, if you played this out, the  
42 Federal Board would adopt a drawing permit and there  
43 would be people who would put in their name to catch a  
44 king salmon on the Yukon River and some would get  
45 permits and some wouldn't. That's what would happen if  
46 they take the current drawing permit system. I advocate  
47 for a different system. But currently that's what the  
48 Board is using, is a drawing permit system. That's  
49 what these proposals would actually do if they pushed  
50 the Federal Board for an .804 analysis and then they

1 determine that there weren't enough fish for all the  
2 users, then they would have a drawing permit. Is that  
3 the direction we would like to go. Tom, is that my  
4 synopsis.

5

6 MR. KRON: Maybe to add to that a  
7 drawing -- there are a number of drawing permits, but  
8 there are other ways of limiting subsistence users.  
9 Again, they use other systems as well, but drawing  
10 permits are one that are used.

11

12 CHAIRMAN REAKOFF: Looking at what we  
13 have in this region, that's what .804 has been  
14 implemented. I feel there's many more regulatory  
15 changes that can be more equitable for the subsistence  
16 users drainage-wide but specific to the Western  
17 Interior Region and that would be setting harvest  
18 limits. Like Pollock says he needs 10 chinook salmon  
19 and Robert -- well, Don says he doesn't need any.

20

21 MR. HONEA: I didn't say that. I need  
22 some.

23

24 (Laughter)

25

26 MR. HONEA: You better send me some.

27

28 (Laughter)

29

30 CHAIRMAN REAKOFF: Robert, he's cut his  
31 way back from 115 to 20. You could set harvest limits.  
32 You could set beach oriented gear types. You could do  
33 a whole bunch of stuff before we get to .804 where  
34 we're basically cutting subsistence users out on  
35 Federal waters. So I feel that EIRAC and Yukon Delta  
36 are way outside of where we need to be right now. We  
37 don't need to be there. I want the Council to  
38 understand that's what these proposals are doing. I  
39 want the Council to understand what the intent of these  
40 proposals and the effect of these proposals would be on  
41 subsistence users. That's clear what the proposals are  
42 to the Council.

43

44 Any questions. Robert.

45

46 MR. R. WALKER: Tier II. I mean this  
47 was discussed before with the State. I mean where do  
48 we go with this?

49

50 CHAIRMAN REAKOFF: Tier II would be

1 another way of scoring users that have -- Tier II, I  
2 feel, has a lot of merits for some applications. Not  
3 for chinook salmon, but to like moose and others, some  
4 specific hunts. I think Tier II is a more --  
5 recognizes .804 customary and traditional use of the  
6 resources. So the State developed a Tier II system off  
7 of .804. That's where Tier II came from, the original  
8 Tier II, then it got all bottled up in State court and  
9 the State Supreme Court messed it all up, is what  
10 happened with Tier II. But we're not under the State  
11 Supreme Court. This is ANILCA law, so we can do other  
12 things with Tier II.

13

14 We can revert back to -- but we're not  
15 talking about Tier II right now. We're talking about  
16 these proposals and the effect of these proposals and  
17 what the Federal Board would actually have to do to  
18 have an .804 priority use of the chinook salmon on the  
19 Yukon River.

20

21 So we're at the Agency comments. We  
22 have the Alaska Department of Fish and Game online.  
23 What is the Alaska Department of Fish and Game's  
24 position on this proposal.

25

26 MR. CRAWFORD: Alaska Department of  
27 Fish and Game is neutral on FP13-09 and 10.

28

29 \*\*\*\*\*  
30 STATE OFFICIAL WRITTEN COMMENTS  
31 \*\*\*\*\*

32

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

35

36 Fisheries Proposals FP13-09, 10:

37

38 Both proposals seek to prioritize the  
39 use of Yukon River Chinook salmon for subsistence  
40 consumption.

41

42 Introduction:

43

44 FP13-09, submitted by the Eastern  
45 Interior Subsistence Regional Advisory Council (EI-RAC)  
46 seeks to reserve Yukon River Chinook salmon primarily  
47 for subsistence use for human food and personal family  
48 consumption.

49

50 FP13-10, submitted by the

1 Yukon-Kuskokwim Delta Subsistence Regional Advisory  
2 Council (YKD-RAC) seeks to reserve Yukon River Chinook  
3 salmon primarily for subsistence use for human food and  
4 personal family consumption over all other uses, and  
5 notes customary trade among other uses, whenever  
6 returns are below average; are a conservation concern  
7 by management authorities, and subsistence restrictions  
8 are being considered or implemented.

9

10 Impact on Subsistence Users:

11

12 Both of these proposals ask for  
13 prioritizing subsistence use of Chinook salmon for  
14 human food and personal family consumption.  
15 Subsistence uses of Yukon River Chinook salmon for  
16 domestic consumption and food will not be affected.  
17 However, FP13-10 directly suggests that customary trade  
18 and exchange of wild resources for money should be  
19 lower priorities when Yukon River Chinook salmon are a  
20 conservation concern by management authorities, and  
21 subsistence restrictions are being considered or  
22 implemented.

23

24 Impact on Other Users: None noted at  
25 this time.

26

27 Opportunity Provided by State:

28

29 State subsistence users are allowed to  
30 engage in the customary trade of subsistence-caught  
31 fish; however, 5 AAC 01.010 prohibits the sale of  
32 subsistence-caught fish, their parts, or their eggs  
33 unless otherwise specified in state regulation.  
34 Currently, there are only two exceptions listed in  
35 Chapter 5 of state regulations; they are for the Norton  
36 Sound-Port Clarence Area and for Southeast Alaska.  
37 Currently, no sale of subsistence-caught fish is  
38 allowed in the Yukon River drainage.

39

40 Conservation Issues:

41

42 The Yukon River Chinook salmon stock is  
43 currently classified as a yield concern. Since 2001,  
44 subsistence fishing time in the Yukon Area has been  
45 limited by the windows schedule and then further  
46 restricted in 2008, 2009, and 2011 because of  
47 conservation concerns for Chinook salmon. Subsistence  
48 harvest levels for Chinook salmon have not met the  
49 amounts reasonably necessary for subsistence (ANS)  
50 range the last four years (2008 2011). A majority of

1 the Yukon River drainage escapement goals have been met  
2 since 2000, including the Chena and Salcha rivers,  
3 which are the largest producers of Chinook salmon in  
4 the U.S. portion of the drainage. The escapement  
5 objective for the Canadian mainstem was met every year  
6 from 2001 through 2006, with 2001, 2003, and 2005 being  
7 the three highest spawning escapement estimates on  
8 record. The escapement objective for the Canadian  
9 mainstem was not met in 2007, 2008, and 2010.  
10 Exploitation rate on the Canadian-origin stock by  
11 Alaskan fishermen has changed from an average of about  
12 55% (1989 1998) to an average of about 44% from  
13 2004 2008 (Howard et al. 2009). Although the  
14 subsistence harvest was stable at nearly 50,000 Chinook  
15 salmon annually through 2006, the recent five-year  
16 average (2007 2011) was 43,900. Commercial harvests  
17 have decreased over 90% from an average of 100,000  
18 annually (1989 1998) to the recent five-year average  
19 (2007 2011) of nearly 9,700 fish.

20

21 Enforcement Issues:

22

23 Enforcement issues may be alleviated by  
24 providing the greatest clarity to all definitions  
25 regarding subsistence uses.

26

27 Jurisdiction Issues:

28

29 While standing on state and private  
30 lands (including state-owned submerged lands and shore  
31 lands), persons must comply with state laws and  
32 regulations and cannot sell subsistence-caught fish,  
33 with two exceptions as specified above. Federal  
34 subsistence regulations, particularly customary trade  
35 regulations, pertain only to fishing on and use of fish  
36 caught on federal public lands and those waters where  
37 federal subsistence jurisdiction is claimed. The sale  
38 of subsistence fish caught on all lands and waters  
39 (federal, state, or private) is limited by state  
40 regulations, except to the extent superseded by federal  
41 law on federal lands. The State of Alaska maintains  
42 jurisdiction of food safety and food processing  
43 regulations based upon DEC regulations.

44

45 Violation of existing customary trade  
46 rules is largely an enforcement problem. What is  
47 needed is more education and an enforceable definition  
48 on what constitutes a significant commercial  
49 enterprise. We also request implementation of a  
50 monitoring program to produce actual data, and

1 clarifying the roles and responsibilities of federal  
2 and state enforcement agencies. A permit system is  
3 more readily enforceable than one without permits  
4 required.

5

6 Other Issues:

7

8 While subsistence uses are presently  
9 prioritized under both state and federal law, the  
10 Federal Subsistence Board (Board) is afforded purview  
11 to prioritize among those uses, including  
12 distinguishing between human consumption and that of  
13 animals, or family consumption versus trade as noted by  
14 the Solicitor before the Board January 19, 20113.  
15 Other proposals before the Board address such issues as  
16 refining the definition of customary trade and  
17 significant commercial enterprise.

18

19 Recommendation: Neutral.

20

21 Subsistence is already granted priority  
22 under state and federal law. The department recognizes  
23 the value in providing the greatest clarity in all  
24 definitions regarding subsistence uses to the users,  
25 managers, and enforcement personnel.

26

27 CHAIRMAN REAKOFF: Okay. So they're  
28 neutral. It's an allocation issue. They don't care.  
29 The Federal Agencies. Is there any Federal Agency  
30 comments on this proposal.

31

32 (No comments)

33

34 CHAIRMAN REAKOFF: Tribal Council  
35 positions, any local tribal council member care to step  
36 forward to discuss this proposal.

37

38 (No comments)

39

40 CHAIRMAN REAKOFF: I don't see any.  
41 We're on 106. There was TCC comments. We'll look at  
42 those. 09 oppose. Both proposals were opposed by TCC.  
43 Was there any written comments by TCC on this. Carl.

44

45 MR. JOHNSON: The memorandum that  
46 follows covers Proposals 13-06 through 13-11, Mr.  
47 Chair.

48

49 CHAIRMAN REAKOFF: Oh, I see. Their  
50 letter is kind of long and kind of hard to read. I

1 don't see offhand how that's applicable to this  
2 proposal. I, again, would have appreciate TCC to be on  
3 the conference call to address these issues with the  
4 Council.

5  
6 Have Council members read the TCC --  
7 I'm just not picking up these two particular proposals.  
8 I see a lot of the customary trade issue here. I don't  
9 see anything applicable to this proposal.

10  
11 MS. YATLIN: 06 to 11, yeah.

12  
13 CHAIRMAN REAKOFF: This talks about  
14 customary trade. These two proposals are about  
15 customary trade and I'm just not -- and specifically to  
16 an .804 and I don't see where they actually refer to  
17 .804. Has OSM found that? Have you, Vince?

18  
19 MR. MATHEWS: What?

20  
21 CHAIRMAN REAKOFF: Found where TC --  
22 have you read TCC's letter here?

23  
24 MR. MATHEWS: No, I don't know what  
25 your question was.

26  
27 CHAIRMAN REAKOFF: See, we're looking  
28 at tribal comments and TCC sent a letter and it's in  
29 our book here. I was just wondering if you happened to  
30 have read their letter and would see the .804. The  
31 proposals are on .804 and I don't see where that letter  
32 refers to .804.

33  
34 MR. MATHEWS: Well, I can't speak for  
35 Tanana Chiefs Conference, but the reason I've been  
36 talking to different people in the back of the room is  
37 the proposal is on uses, to prioritize use. .804 to my  
38 knowledge is to prioritize users.

39  
40 CHAIRMAN REAKOFF: Right.

41  
42 MR. MATHEWS: So Carl disagrees, but if  
43 you read the language, how can you have a use closer to  
44 a proximity to the resource. I also remember -- and I  
45 know you guys are going to laugh on this, but Polly  
46 used to lecture me quite a bit on uses and users and  
47 it's finally sinking in if that's the correct  
48 interpretation. .804 is to decide amongst the users.  
49 The example is you have three hunters and you only have  
50 two moose. You apply those three criteria to those

1 people, then that determines who gets the two moose.

2

3 CHAIRMAN REAKOFF: Right.

4

5 MR. MATHEWS: So that's .804. That's  
6 like Tier II. But the proposal, in defense of the  
7 proposal, is to say under uses you have family  
8 consumption, you have barter, you have customary trade  
9 and something else I'm leaving out. They want the  
10 Board to say that family consumption is number one,  
11 then your question goes to how they enforce that and  
12 then I drop out. I mean how would you do it. I don't  
13 know.

14

15 CHAIRMAN REAKOFF: That's not the way I  
16 read .804. The Board is going to -- basically they're  
17 requesting to start analyzing. There's not enough  
18 fish, so we're going to have to have an allocator  
19 system for all of the users that have customary and  
20 traditional use determination for salmon. Is that the  
21 way you interpret these proposals to play out, Carl?

22

23 MR. JOHNSON: Mr. Chair. I won't offer  
24 my interpretation, nor how the Board would, but I'll  
25 just point out to what the language of ANILCA states.  
26 ANILCA Section .803 defines subsistence uses. It does  
27 not define subsistence users. Also in Section .804 the  
28 word subsistence user does not appear, however  
29 subsistence uses is what Section .804 focuses on. Mr.  
30 Chair.

31

32 CHAIRMAN REAKOFF: So going back to the  
33 main question here, TCC's letter is unclear to me.  
34 They oppose the proposal, but it's unclear as to why  
35 they're opposing the proposal for an .804 analysis. So  
36 I was just looking for -- I want to get as much  
37 documentation on their position as I can. Carl.

38

39 MR. JOHNSON: In the opening paragraphs  
40 of the letter from TCC generally states that it's  
41 opposed to any restrictions on customary trade. So,  
42 since Proposals 09 and 10 would prioritize a certain  
43 type of use over customary trade, it would seem that  
44 would be the basis for their opposition. Mr. Chair.

45

46 CHAIRMAN REAKOFF: I appreciate that.  
47 Okay. So we've covered tribal comments and the  
48 advisory committees have not met on this. Summary of  
49 written comments. The TCC letter is the only written  
50 comment we have for these proposals.

1 MR. JOHNSON: That's correct, Mr.  
2 Chair.  
3  
4 CHAIRMAN REAKOFF: Public testimony.  
5 Again, I'd call for public testimony here.  
6  
7 (No comments)  
8  
9 CHAIRMAN REAKOFF: And so the Regional  
10 Council recommendation and motion. These proposals are  
11 actually very similar and can be taken as a block. So  
12 the Chair will entertain a motion to support Proposals  
13 FP13-09 and FP13-10 for discussion.  
14  
15 MR. COLLINS: I so move. That just  
16 brings it to the table.  
17  
18 CHAIRMAN REAKOFF: That brings them on  
19 the table.  
20  
21 MR. GERVAIS: Second.  
22  
23 CHAIRMAN REAKOFF: Moved by Ray,  
24 seconded by Tim. Discussion on the proposals.  
25  
26 (No comments)  
27  
28 CHAIRMAN REAKOFF: Any Council  
29 discussion on these proposals.  
30  
31 MR. COLLINS: If we oppose these  
32 proposals, we need to state for the record why we're  
33 opposing, right?  
34  
35 CHAIRMAN REAKOFF: Right. Eleanor.  
36  
37 MS. YATLIN: I would oppose because  
38 going into ANILCA Section .804 and I don't think we  
39 need to go there simply because we'd have to go to Tier  
40 II, right?  
41  
42 CHAIRMAN REAKOFF: Well, we'd have to  
43 go to some regulatory system. They want to prioritize  
44 customary trade out is their objective, but that's not  
45 what this proposal would actually do, so I think they  
46 don't -- I don't feel that they quite understand  
47 what.....  
48  
49 MS. YATLIN: What I'm saying is I just  
50 don't like the language of ANILCA Section .804 on

1 there.

2

3 CHAIRMAN REAKOFF: I'm going to state  
4 for the record my opposition to the proposals is this  
5 Council recognizes that customary trade is a use of  
6 chinook salmon on the Yukon River system by all the  
7 customary and traditional users whether they receive or  
8 buy salmon or whether they catch the salmon. It's all  
9 the same use, and precluding customary trade from  
10 people, elders that buy salmon, precluding that use or  
11 trying to preclude that use, I don't feel that's  
12 customary and traditional of chinook salmon use on the  
13 Yukon River.

14

15 So I'm opposed to the proposal's intent  
16 and I'm also opposed to the proponent's use of .804 to  
17 start an allocator system for subsistence users on the  
18 Yukon River. I have concerns if the Board actually did  
19 what their intent would be they would have to start  
20 allocating resources.

21

22 So I feel that customary trade is a  
23 traditional use of chinook salmon and I feel that there  
24 are other regulatory methods to address declining  
25 chinook runs before we start into an .804 allocation  
26 between subsistence users. So I got that on the  
27 record. That all will be in the transcripts. Any  
28 other discussion on FP13-09 and 10.

29

30 (No comments)

31

32 CHAIRMAN REAKOFF: Is it time for the  
33 question.

34

35 MR. HONEA: Question.

36

37 CHAIRMAN REAKOFF: The question is  
38 called by Don. Those in favor of proposals FP13-09 and  
39 13-10 signify by saying aye.

40

41 (No aye votes)

42

43 CHAIRMAN REAKOFF: Those opposed same  
44 sign.

45

46 IN UNISON: Aye.

47

48 CHAIRMAN REAKOFF: So proposals fail to  
49 be supported. And so we're at Proposal FP13-11, define  
50 significant commercial enterprise. That's on Page 85.

1 Go ahead, Tom.

2

3 MR. KRON: Proposal FP13-11 was  
4 submitted by the Yukon-Kuskokwim Delta Subsistence  
5 Regional Advisory Council and  
6 requests that the harvest of chinook salmon from the  
7 Yukon River drainage used for customary trade be  
8 limited to a cash value of \$750 per household.

9

10 Again, the Council has been discussing  
11 this issue, the customary trade issue, this afternoon.  
12 This issue has been addressed in regulations for the  
13 Upper Copper River and Bristol Bay.

14

15 If adopted, this proposal would limit  
16 the amount of cash a Federally qualified subsistence  
17 user s household could accumulate in one year through  
18 customary trade of Chinook salmon. The limit would  
19 apply to chinook salmon harvested from Federal waters  
20 of the Yukon River only.

21

22 If this proposal is not adopted,  
23 Federally qualified subsistence users could continue to  
24 accumulate more than \$750 per household through  
25 customary trades of chinook salmon.

26

27 The Tri-Regional Advisory Council  
28 Customary Trade Subcommittee recommended setting a  
29 monetary limit of \$750 per household per year on the  
30 customary trade of Chinook salmon with nonrural  
31 residents of the state only. This was the  
32 subcommittee s second recommendation. It was not the  
33 subcommittee s preferred recommendation.

34

35 Not all Regional Advisory Councils  
36 supported the recommendation to impose cash limits on  
37 customary trade. The Western Interior Regional Advisory  
38 Council voted against such limits. The Eastern Interior  
39 Regional Advisory Council also voted against such  
40 limits. For these reasons, and because the proposal is  
41 not what the Tri-Regional Advisory Council Subcommittee  
42 proposed, the recommendation is to oppose this  
43 proposal.

44

45 Thank you, Mr. Chair.

46

47 CHAIRMAN REAKOFF: Thanks, Tom. Does  
48 the Council understand the proposal. Any questions on  
49 the proposal as presented.

50

1 (Council nods affirmatively)

2

3 CHAIRMAN REAKOFF: Seeing no questions,  
4 we'll move to the Alaska Department of Fish and Game  
5 comments.

6

7 (No comments)

8

9 CHAIRMAN REAKOFF: Are you still there,  
10 Drew. I guess Fish and Game has dropped off. Let's  
11 see, ADF&G is blank.

12

13 MR. CRAWFORD: Mr. Chair.

14

15 CHAIRMAN REAKOFF: Go ahead.

16

17 MR. CRAWFORD: This is the Alaska  
18 Department of Fish and Game. The State supports the  
19 definition in this proposal, but defers to monetary  
20 amount of the limit to the Regional Advisory Councils  
21 and the advisory committee in the applicable area.

22

23 Over.

24

25 \*\*\*\*\*  
26 STATE OFFICIAL WRITTEN COMMENTS  
27 \*\*\*\*\*

28

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

31

32 Fisheries Proposal FP13-11:

33

34 The Yukon Kuskokwim Delta Regional  
35 Advisory Council proposal establishes a limit for  
36 customary trade and thereby a definition for  
37 significant commercial enterprise regarding federal  
38 subsistence harvested Chinook salmon from the Yukon  
39 River.

40

41 Introduction:

42

43 The Yukon-Kuskokwim Delta Subsistence  
44 Regional Advisory Council proposes a \$750.00 per  
45 household limit for Customary Trade of subsistence  
46 caught Chinook salmon should be established Yukon River  
47 drainage as a starting point; And exceeding the \$750.00  
48 limit per household would constitute a significant  
49 commercial enterprise for Yukon River Chinook salmon.

50

1 Impact on Subsistence Users: Subsistence users would  
2 benefit from the definition of significant commercial  
3 enterprise.

4

5 Opportunity Provided by State:

6

7 State subsistence users are allowed to  
8 engage in the customary trade of subsistence caught  
9 fish; however, 5 AAC 01.010 prohibits the sale  
10 subsistence caught fish, their parts, or their eggs  
11 unless otherwise specified in state regulation.  
12 Currently, there are only two exceptions listed in  
13 Chapter 5 of state regulations and they are for the  
14 Norton Sound-Port Clarence Area and for Southeast  
15 Alaska. 2

16

17 Conservation Issues:

18

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

46

47 Jurisdiction Issues:

48

49 While standing on state and private  
50 lands (including state-owned submerged lands and

1 shorelands), persons must comply with State laws and  
2 regulations and cannot sell subsistence caught fish  
3 with two exceptions as specified above. Federal  
4 subsistence regulations, particularly customary trade  
5 regulations, pertain only to fishing on and use of fish  
6 caught on federal public lands and those waters where  
7 federal subsistence jurisdiction is claimed. The sale  
8 of subsistence fish caught on all lands and waters  
9 (federal, state, or private) is limited by state  
10 regulations except to the extent superseded by federal  
11 law on federal lands. The State of Alaska maintains  
12 jurisdiction of food safety and food processing  
13 regulations.

14  
15 Violation of existing customary trade  
16 rules is largely an enforcement problem. What is  
17 needed is more education and an enforceable definition  
18 on what constitutes a significant commercial  
19 enterprise. We also suggest implementing a monitoring  
20 program to produce actual data, and clarifying the  
21 roles and responsibilities of federal and state  
22 enforcement agencies.

23  
24 Enforcement Issues:

25  
26 Law enforcement has previously  
27 testified to the benefits of defining significant  
28 commercial enterprise. The current lack of definition  
29 provides avenue for abusers of the resource to unduly  
30 profit at the expense of subsistence users.

31  
32 Other Issues:

33  
34 Adoption of this proposal may provide  
35 enforceable customary trade regulations. The proposal  
36 would benefit from including reporting requirements.  
37 Currently, the level of customary trade in the Yukon  
38 River under federal regulations is unknown; an  
39 enforceable monitoring program would provide data  
40 useful for management purposes.

41  
42 Recommendation: Support definition /  
43 defer monetary amount of limit to Regional Advisory  
44 Councils and Advisory Committees in applicable areas.  
45 1 5 ACC 01.010 METHODS, MEANS, AND GENERAL PROVISIONS  
46 (d) Unless otherwise specified in this chapter, it is  
47 unlawful to buy or sell subsistence-taken fish, their  
48 parts, or their eggs, except that it is lawful to buy  
49 or sell a handicraft made out of the skin or nonedible  
50 by-products of fish taken for personal or family

1 consumption.

2

3 CHAIRMAN REAKOFF: Okay Well,  
4 appreciate that. The State supports some monetary  
5 limit, but to each Council, not a blanket amount for  
6 the whole Yukon River Drainage.

7

8 So the Federal Agencies.

9

10 (No comments)

11

12 CHAIRMAN REAKOFF: Native, tribal,  
13 village or other comments. Any tribal comments from  
14 Holy Cross here.

15

16 (No comments)

17

18 CHAIRMAN REAKOFF: InterAgency Staff  
19 Committee.

20

21 (No comments)

22

23 CHAIRMAN REAKOFF: Advisory committees.

24

25 (No comments)

26

27 CHAIRMAN REAKOFF: Summary of written  
28 comments. TCC opposed the proposal. It indicates  
29 there's two written comment in opposition to the  
30 proposal.

31

32 Any public comments from the general  
33 public.

34

35 (No comments)

36

37 CHAIRMAN REAKOFF: And so the Chair  
38 will entertain a motion to support Proposal FP13-11 for  
39 discussion.

40

41 MS. PELKOLA: So moved.

42

43 MR. COLLINS: I'll second.

44

45 CHAIRMAN REAKOFF: Moved by Jenny,  
46 seconded by Ray.

47

48 Discussion.

49

50 MR. SIMON: Question.

1 CHAIRMAN REAKOFF: Do you want to make  
2 a comment, Ray.

3  
4 MR. COLLINS: Just that I would oppose  
5 it because actually I don't think 750 is a significant  
6 commercial enterprise at today's costs and so on and  
7 the cost of gas and everything. It's meant to define  
8 what is and what is not sufficient and this doesn't  
9 meet that criteria.

10  
11 CHAIRMAN REAKOFF: So we have to  
12 justify reasons for the vote before the Federal  
13 Subsistence Board. I'm opposed to the proposal because  
14 I have always felt that defining -- setting a dollar  
15 amount does not reflect the inflation and devaluation  
16 of the U.S. dollar, so within a very few years a dollar  
17 amount is moot. Fuel costs are climbing faster than  
18 people can keep track of, so I just don't feel that a  
19 dollar amount, especially this dollar amount, reflects  
20 a significant commercial enterprise. 750 bucks, that's  
21 like nothing in rural Alaska, so I oppose the proposal.

22  
23 Tim.

24  
25 MR. GERVAIS: Would some of the tri-  
26 Regional committee members explain the difference  
27 between this proposal and what the subcommittee came up  
28 with so we can better understand the differences and  
29 what happened.

30  
31 MR. COLLINS: That happened at the  
32 first meeting and it was to try to reach a compromise  
33 between somebody wanted 15 and somebody wanted 5 and so  
34 on, but at our future meetings it was rejected. We  
35 didn't come up with a dollar amount after that first  
36 one and after comments came back. It was only in the  
37 first meeting. It was an attempt to kind of reach a  
38 compromise at that point to move forward, but when we  
39 got comments back and so on at the other meetings we  
40 didn't adopt that.

41  
42 That was my understanding.

43  
44 MS. PELKOLA: Uh-huh.

45  
46 MR. GERVAIS: So the subcommittee never  
47 agreed on a dollar amount or a fish amount for the  
48 annual limit.

49  
50 MR. COLLINS: Not after we got

1 feedback. The first meeting, that was put out for  
2 comment. It was a compromise at that point between the  
3 three groups there to try and reach a consensus and  
4 that went out. That was our consensus at that time,  
5 but we didn't support that later especially after  
6 comments and thinking about it.

7

8 CHAIRMAN REAKOFF: Any further  
9 discussion from the -- Don.

10

11 MR. HONEA: Thank you, Mr. Chair. I  
12 believe that's exactly right. That was kind of a  
13 starting point for this. When I attended the meeting  
14 there, I think -- you know, not speaking against TCC,  
15 but they were opposed to setting a limit on the amount,  
16 which I said what you mentioned was ridiculously low.  
17 We kind of voted on the concept of the tri-Councils if  
18 you will, but that we were to bring back to our  
19 respective Councils for a vote on it, but I am still  
20 opposed to putting a price on there.

21

22 Thank you.

23

24 CHAIRMAN REAKOFF: Thanks, Don. Any  
25 other comments. Time for the question.

26

27 MR. COLLINS: Just as an example. I  
28 think when we had that first meeting we were talking \$3  
29 a gallon gas in a lot of our areas and now in McGrath  
30 it's \$7.50. So that's an example of how quickly  
31 inflation can destroy amounts.

32

33 CHAIRMAN REAKOFF: Right. Those are  
34 all valid reasons that should be incorporated into the  
35 record for the Federal Board review.

36

37 Time for the question.

38

39 MS. YATLIN: Question.

40

41 CHAIRMAN REAKOFF: An additional  
42 comment, Tim.

43

44 MR. GERVAIS: Yeah. I was talking to  
45 Robert during the break about this issue and he was  
46 saying when they established the \$750 limit they were  
47 trying to get a benchmark that you could enforce a  
48 violation. If we don't put together some kind of  
49 dollar amount or fish amount, then we still don't have  
50 a way to allow the State to enforce any kind of

1 violations of customary trade. So I'd be interested to  
2 hear if the other Council members are interested in  
3 putting together some kind of poundage or other  
4 criteria that would allow the troopers to enforce the  
5 people that are abusing the resource.

6

7 CHAIRMAN REAKOFF: That would entail a  
8 significant modification of the proposal and I don't  
9 know that -- I feel that currently this proposal, as  
10 written, would take major work and would entail quite a  
11 bit of time of the Council to develop a poundage amount  
12 or -- we could modify the proposal to set a dollar  
13 limit, but then we get into what we just discussed. I  
14 don't know that the Council -- I personally would not  
15 like to spend a lot of additional time on this  
16 proposal.

17

18 MR. HONEA: Call for the question.

19

20 CHAIRMAN REAKOFF: The question is  
21 called. Those in favor of Proposal FP13-11 signify by  
22 saying aye.

23

24 MR. GERVAIS: Aye.

25

26 CHAIRMAN REAKOFF: Those opposed same  
27 sign.

28

29 IN UNISON: Aye.

30

31 CHAIRMAN REAKOFF: We register one vote  
32 in support and the rest in opposition. I appreciate  
33 your position, Tim. How long are we going to go  
34 tonight, Carl?

35

36 MR. JOHNSON: That is at the Chair's  
37 discretion.

38

39 CHAIRMAN REAKOFF: Oh, let's go all  
40 night then. Let's take about a 10, 15-minute break.

41

42 (Off record)

43

44 (On record)

45

46 CHAIRMAN REAKOFF: We're going to come  
47 back to order again. What I was talking about during  
48 break I don't think a lot of people realize that we're  
49 here or they're busy today or something, so I would  
50 like to have an open forum. I will and other Council

1 members can come tomorrow evening at about 7:30. We'll  
2 have Salena here. If people show up and want to talk  
3 about moose, king salmon, whatever they want to talk  
4 about. That's why these Regional Advisory Councils go  
5 to rural villages, so we can gather information on  
6 people's concerns. That's basically why we're here in  
7 Holy Cross.

8

9 I don't think people in this community  
10 realize what this Council is and I'll go over what this  
11 Council does and so forth. I want to take in as many  
12 public comments as I can tomorrow. So the Council  
13 members who would like to attend that can. It's not  
14 an official meeting. We're not going to take any  
15 action, but we do want to record those comments from  
16 individuals.

17

18 So coming back on our agenda. We've  
19 covered -- we're down to Proposal FP11-08 deferred,  
20 prohibit customary trade. That's on Page 92.

21

22 Go ahead, Tom.

23

24 MR. KRON: Mr. Chairman. This proposal  
25 was the original deferred proposal by the Board from  
26 two years ago. Essentially the Board deferred this to  
27 allow them to consider the issue. At the same time  
28 they formed the Tri-Regional Advisory Council  
29 Subcommittee that met and developed recommendations.  
30 Those recommendations formed the basis for the  
31 decisions you've made this afternoon. They formed the  
32 basis for the decision you made on FP13-06, for  
33 example.

34

35 OSM's preliminary conclusion is to  
36 oppose this proposal.

37

38 Thank you, Mr. Chair.

39

40 CHAIRMAN REAKOFF: Thanks, Tom. So the  
41 Alaska Department of Fish and Game. Are you still  
42 online, Drew.

43

44 MR. CRAWFORD: The Alaska Department of  
45 Fish and Game supports this proposal. The Department  
46 supports prohibiting customary trade of chinook salmon  
47 harvested in the Yukon River Fisheries Management Area  
48 during years of insufficient chinook salmon returns.  
49 For example, when there are subsistence fishing  
50 closures or restrictions across the drainage to reduce

1 subsistence harvest of Chinook salmon to achieve  
2 escapement goals, customary trade of Chinook salmon  
3 would be prohibited.

4  
5 Over.

6  
7 \*\*\*\*\*  
8 STATE OFFICIAL WRITTEN COMMENTS  
9 \*\*\*\*\*

10  
11 Fisheries Proposal FP11-08:

12  
13 Prohibit customary trade of Chinook  
14 salmon harvest in the Yukon River Fisheries Management  
15 Area during years of insufficient Chinook salmon  
16 returns.

17  
18 Introduction:

19  
20 The Yukon-Delta Regional Advisory  
21 Council submitted this proposal to prohibit customary  
22 trade<sup>2</sup> of Chinook salmon harvested in federal  
23 subsistence fisheries on the Yukon River during years  
24 when returns are insufficient to satisfy subsistence  
25 user needs and subsistence fishing restrictions are  
26 implemented. The intent was to curb sales of  
27 subsistence harvested Chinook salmon made into strips  
28 while other subsistence fisheries were closed due to  
29 insufficient returns. State regulations expressly  
30 prohibit sale of subsistence harvested fish<sup>3</sup> while  
31 federal regulations allow for cash sales. Under  
32 current state regulations at 18 AAC 34.005, all fish  
33 processed for commerce must be processed at a facility  
34 approved by Alaska Department of Environmental  
35 Conservation.

36  
37 Sales of subsistence harvested fish,  
38 primarily processed, are occurring in both urban and  
39 rural communities in Alaska, contrary to existing state  
40 and federal regulations. A U.S. Fish and Wildlife  
41 Service law enforcement officer provided information at  
42 the November 2010 Federal Subsistence Board meeting  
43 regarding a federal investigation. Discrepancies in  
44 state and federal regulations and state requirements  
45 regarding processing of fish to protect health and  
46 safety of the public may leave some people vulnerable  
47 to citation under state and federal regulations. This  
48 is a significant issue for state resources managers,  
49 law enforcement agencies, and federal agencies that  
50 provide for the subsistence priority of federal lands

1 and those waters where federal subsistence jurisdiction  
2 is claimed. In considering FP-08, the Federal  
3 Subsistence Board has the opportunity to adopt  
4 enforceable customary trade regulations for the Yukon  
5 region that are based on the history and patterns of  
6 this use for this region of the state.

7

8

Impact on Subsistence Users:

9

10

This proposal, if enforced, will reduce  
11 harvest of Chinook salmon for cash sale. It is not  
12 possible, however, to accurately predict how much this  
13 proposal will reduce subsistence harvest because  
14 federal agencies lack information and data regarding  
15 existing levels of harvest and actual sales of  
16 subsistence harvested Chinook salmon. Existing federal  
17 customary trade is limited to whole fish, unless  
18 processed fish are produced in compliance with Alaska  
19 Department of Environmental Conservation food safety  
20 rules. Because state and federal regulations differ,  
21 subsistence fishermen are vulnerable to prosecution  
22 when selling subsistence harvested salmon on lands and  
23 waters outside the boundaries where federal subsistence  
24 jurisdiction is claimed. Adoption of limitations on  
25 cash sales of subsistence harvested salmon that define  
26 significant commercial enterprise, specify fish  
27 weight or number limits, clarify where subsistence  
28 harvested fish may be sold under federal regulations,  
29 and establish reporting requirements for cash sales of  
30 subsistence harvested salmon would clarify federal  
31 subsistence law, facilitate enforcement against  
32 unlawful sales of subsistence harvested salmon, and  
33 reduce the risk of citation of law-abiding subsistence  
34 fishermen in the Yukon River drainage.

35

36

Opportunity Provided by State:

37

38

The department supports subsistence  
39 harvest and use of salmon consistent with existing  
40 state laws and regulations including customary trade of  
41 this resource. However, 5 AAC 01.010 prohibits sale of  
42 subsistence caught fish, their parts, or their eggs  
43 unless otherwise specified in state regulation.  
44 Currently, there are only two exceptions listed in  
45 Chapter 5 of state regulations: Norton Sound-Port  
46 Clarence Area for salmon and Sitka Sound herring roe on  
47 kelp in Southeast Alaska.

48

49

Conservation Issues:

50

1                   The Yukon River Chinook salmon stock is  
2 currently classified as a yield concern. Subsistence  
3 harvest levels have not reached the ANS for subsistence  
4 the last four years 2008 2011. A majority of the  
5 Yukon River drainage escapement goals have been met  
6 since 2000, including the Chena and Salcha rivers,  
7 which are the largest producers of Chinook salmon in  
8 the U.S. portion of the drainage. The agreed-to  
9 escapement objective for the Canadian mainstem was met  
10 every year from 2001 through 2006, with 2001, 2003, and  
11 2005 being the three highest spawning escapement  
12 estimates on record. However, the escapement objective  
13 for the Canadian mainstem was not met in 2007, 2008,  
14 and 2010. Exploitation rate on the Canadian-origin  
15 stock by Alaskan fishermen has changed from an average  
16 of about 55% (1989 1998) to an average of about 44%  
17 from 2004 2008 (Howard et al. 2009)<sup>6</sup>. Although the  
18 subsistence harvest was stable at nearly 50,000 Chinook  
19 salmon annually through 2006, the recent five-year  
20 average (2007 2011) was 43,900. Commercial harvests  
21 have decreased over 90%, from an average of 100,000  
22 annually (1989 1998), to the recent five-year average  
23 (2007 2011) of nearly 9,700 fish.

24

25                   Enforcement Issues:

26

27                   Enforcement of existing state  
28 regulations is difficult because of differences between  
29 federal and state regulations regarding customary  
30 trade. Currently, sale of processed fish without DEC  
31 permits is difficult to enforce because the formal  
32 federal rules lack clarity on this specific subject.

33

34                   Jurisdiction Issues:

35

36                   While standing on state and private  
37 land (including state-owned submerged lands and  
38 shorelands), persons must comply with state laws and  
39 regulations and cannot sell subsistence harvested fish,  
40 with two exceptions as specified above. Federal  
41 subsistence regulations, particularly customary trade  
42 regulations, pertain only to fishing on and use of fish  
43 harvested on federal public lands and those waters  
44 where federal subsistence jurisdiction is claimed.  
45 Sale of subsistence fish harvested on all lands and  
46 waters (federal, state, or private) is limited by state  
47 regulations except to extent superseded by federal law  
48 on federal lands. The State of Alaska maintains  
49 jurisdiction of food safety and food processing  
50 regulations based upon DEC rules, regardless of where

1 fish are harvested.

2

3 Other Issues:

4

5 The Alaska Department of Fish and Game  
6 supports adoption of enforceable federal customary  
7 trade regulations that specify limits on numbers of  
8 fish sold and cash sales and establish reporting  
9 requirements. However, restrictions or regulations  
10 that specify limits and reporting requirements should  
11 be applied drainage-wide.

12

13 Violation of existing federal customary  
14 trade and state fish processing regulations is an  
15 enforcement problem that has significant implications  
16 for subsistence users and the public. More clarity and  
17 education on state and federal regulations and an  
18 enforceable definition on what constitutes a  
19 significant commercial enterprise are needed.

20

21 Recommendation: Support.

22

23 The department supports prohibiting  
24 customary trade of Chinook salmon harvest in the Yukon  
25 River Fisheries Management Area during years of  
26 insufficient Chinook salmon returns. For example, when  
27 there are subsistence fishing closure/restrictions  
28 across the drainage to reduce subsistence harvest of  
29 Chinook salmon to achieve escapement goals, customary  
30 trade of Chinook salmon would be prohibited.

31

32 CHAIRMAN REAKOFF: Thank you. The  
33 Department of Fish and Game supports the proposal. Are  
34 there any Federal agencies that want to comment on the  
35 proposal.

36

37 (No comments)

38

39 CHAIRMAN REAKOFF: Do we have any  
40 tribal, Native or village people that would like to  
41 speak to this proposal.

42

43 (No comments)

44

45 CHAIRMAN REAKOFF: Neighboring Regional  
46 Council actions.

47

48 MR. JOHNSON: Mr. Chair. The Seward  
49 Peninsula Regional Advisory Council took this up at  
50 their recent meeting in Nome and voted to oppose this

1 proposal.

2

3 Thank you, Mr. Chair.

4

5 CHAIRMAN REAKOFF: Summary of written  
6 comments. On the bottom here it says there's one  
7 letter of support and four that oppose this proposal.  
8 There are letters somewhere.

9

10 MR. JOHNSON: Mr. Chair. Those begin  
11 on Page 104 of your meeting materials

12

13 CHAIRMAN REAKOFF: Okay.

14

15 (Pause)

16

17 CHAIRMAN REAKOFF: So a synopsis of the  
18 public written comments would be the support would be  
19 from the Council of Athabaskan Tribal Governments,  
20 James Kelly, acting natural resource director.  
21 Basically they feel that there's lots of closures and  
22 that people should not be basically profiting from the  
23 sale of customary trade.

24

25 Alyson Esmailka from Galena, she's  
26 opposed to the proposal. We have James Roberts from  
27 Tanana Tribal Council feeling that upriver people are  
28 being blamed for customary and traditional practices  
29 for the lack of fish. This is signed by 2nd Chief Don  
30 Honea Jr. Do you want to talk to this letter, Don.

31

32 MR. HONEA: Thank you, Mr. Chair. Boy,  
33 this seems like this was a few years back that this  
34 concept came up. I have no problem with the concept,  
35 but I would -- I kind of like the letter from Galena  
36 there where they oppose it with the modifications in  
37 something in writing there if in any given year that  
38 the number of fish is insufficient to fully satisfy.

39

40 CHAIRMAN REAKOFF: That would have been  
41 Proposal FP13-07, Eastern Interior's proposal that we  
42 did not adopt.

43

44 So then we have a letter from 37  
45 residents of Galena that signed that also opposes this  
46 Proposal FP11-08, which is a deferred proposal and it  
47 is fairly aged.

48

49 So be it known that the Council has  
50 reviewed the written comments for the record. Is there

1 any public testimony on customary trade from the  
2 general public.

3

4 (No comments)

5

6 CHAIRMAN REAKOFF: At this point the  
7 Chair will entertain a motion to adopt of support for  
8 Proposal FP11-08 for discussion.

9

10 MR. SIMON: So moved.

11

12 CHAIRMAN REAKOFF: Moved by Pollock.

13

14 MS. PELKOLA: Second.

15

16 CHAIRMAN REAKOFF: Seconded by Jenny.  
17 Discussion on the proposal. Ray.

18

19 MR. COLLINS: It's interesting. I'm  
20 looking at the one letter that's in support. They say  
21 it doesn't make sense to allow selling while others are  
22 not meeting their need. I would turn that around and  
23 say some are meeting their needs by buying their strips  
24 because that's the only way they can get them if  
25 they're working or if they're older or can't -- so  
26 we've already restricted it or we're proposing that it  
27 only be between subsistence users. If they use this,  
28 it would be using it to meet their needs. That's the  
29 only way some of them can meet their needs is by being  
30 able to -- at least have an option of buying strips.  
31 So I would oppose.

32

33 CHAIRMAN REAKOFF: Right. This  
34 proposal was submitted before the Customary Trade  
35 Working Group worked out various issues. If WIRAC's  
36 proposal FP13-06 passes, that will preclude a lot of  
37 the furor with the sale to urban areas, AFN, et cetera.  
38 So a lot of the concerns in this proposal actually  
39 would be addressed in the Customary Trade Working  
40 Group's proposal.

41

42 MR. R. WALKER: That's what I was going  
43 to say.

44

45 CHAIRMAN REAKOFF: So I'm opposed to  
46 this Proposal FP11-08 on those grounds and that  
47 customary trade is actually supplying.....

48

49 MR. R. WALKER: Question.

50

1 CHAIRMAN REAKOFF: Those in favor of  
2 FP11-08 signify by saying aye.  
3  
4 (No aye votes)  
5  
6 CHAIRMAN REAKOFF: Those opposed same  
7 sign.  
8  
9 IN UNISON: Aye.  
10  
11 CHAIRMAN REAKOFF: So the proposal is  
12 not supported by the Western Interior Regional Council.  
13 Back to our agenda. Review of Board of Fish proposals.  
14 Where would those be found, Carl.  
15  
16 MR. JOHNSON: Those would be in your  
17 blue folder.  
18  
19 CHAIRMAN REAKOFF: So there are various  
20 proposals that have been submitted to the State Board  
21 of Fish. I personally have not had a chance to review  
22 these proposals as I didn't get my proposal book until  
23 just before this meeting, the State proposals, and I  
24 didn't get a chance to look at these. If there are  
25 Council members that have reviewed the proposals and  
26 have proposals that they would like supported or  
27 opposed. I see Proposal 97 is basically that redundant  
28 pike proposal for the Board of Fish. I do feel that we  
29 should take up that proposal and discuss it.  
30  
31 The Chair will entertain a motion to  
32 support State Proposal 97/  
33  
34 MS. YATLIN: So moved.  
35  
36 CHAIRMAN REAKOFF: Moved.  
37  
38 MR. COLLINS: Second.  
39  
40 CHAIRMAN REAKOFF: Seconded. It's  
41 basically the similar proposal to what we adopted for  
42 this area.  
43  
44 MR. HONEA: Question.  
45  
46 CHAIRMAN REAKOFF: The question is  
47 being called. Those in favor of Proposal 97 signify by  
48 saying aye.  
49  
50 IN UNISON: Aye.

1 (No opposing votes)  
2  
3 (Off record comments regarding copies)  
4  
5 (Pause)  
6  
7 MR. COLLINS: 98 is not complete.  
8  
9 CHAIRMAN REAKOFF: There's a supplement  
10 to it there. So 98 is basically also asking for a  
11 reduction in -- or setting a bag limit for pike, but it  
12 delineates the waters a little differently. Proposal  
13 97 is in waters of the Innoko Drainage including all  
14 waters draining into the Yukon River and waters of the  
15 Yukon River. This proposal is from the Yukon --  
16 draining into the Yukon River from Holy Cross  
17 downstream to Paimiut Slough, so 98 gives a smaller  
18 area -- go ahead, Fred.  
19  
20 MR. BUE: Mr. Chairman. 97 refers to a  
21 sportfish regulation whereas 98 is subsistence  
22 regulation. But, you're right, there is a little bit  
23 difference in the range of where they're applied. But,  
24 yeah, 97 references 5 AAC 73.0.  
25  
26 CHAIRMAN REAKOFF: Oh, I see. So 98 is  
27 addressing hook and line fishing under subsistence  
28 regulations.  
29  
30 MR. BUE: Correct. They're both  
31 submitted by the GASH.  
32  
33 CHAIRMAN REAKOFF: Is it clear to the  
34 Council that basically it's to address the same issue  
35 for pike fishing in this area.  
36  
37 MR. HONEA: Move to support.  
38  
39 MS. PELKOLA: Second.  
40  
41 CHAIRMAN REAKOFF: Move to support  
42 discussion on Proposal 98. Robert.  
43  
44 MR. R. WALKER: Mr. Chair. I was at  
45 the GASH meeting in Anvik when this was written up to  
46 specify that there are different regulations here.  
47 We're in Federal waters -- I believe we're in Federal  
48 waters right down here. Look at the lower portion of  
49 Holy Cross here. With due respect to all the people  
50 that use it, but we have to remember like what it says

1 in the proposal that we're going to have to keep this  
2 for the future use.

3

4 We don't want to have it depleted  
5 especially in the springtime, March and April, at  
6 warmer weather. All the females have eggs and a lot of  
7 people just target the eggs. They don't target the  
8 fish. So there is something here that again we've got  
9 to put a regulation on it. I think that would be a  
10 benefit. Again, like I said earlier, if you've got 100  
11 pounds of pike and 10, 15 pounds of eggs, that goes a  
12 long way. If you get 20, 30 fish and you just strip  
13 the eggs, throw the fish back, that's not what we'd  
14 like to see.

15

16 CHAIRMAN REAKOFF: Right.

17

18 MR. R. WALKER: So I'd like to see that  
19 we put a regulation on this, Mr. Chairman, and the rest  
20 of the Board. I'll be voting in favor of this. Thank  
21 you very much.

22

23 CHAIRMAN REAKOFF: Thanks, Robert. Any  
24 further discussion on State Proposal 98 to the Board of  
25 Fish.

26

27 (No comments)

28

29 CHAIRMAN REAKOFF: Time for the  
30 question.

31

32 MR. HONEA: Question.

33

34 CHAIRMAN REAKOFF: The question has  
35 been called. Those in favor of State Proposal 98  
36 signify by saying aye.

37

38 IN UNISON: Aye.

39

40 CHAIRMAN REAKOFF: Those opposed same  
41 sign.

42

43 (No opposing votes)

44

45 CHAIRMAN REAKOFF: Are there any other  
46 proposals that stand out to the Council.

47

48 MR. GERVAIS: Yeah. There's Number  
49 130. Department of Fish and Game is trying to  
50 establish the amount necessary for subsistence. I'm

1 not familiar with these numbers and how significant  
2 they are, but it might be something that we have a  
3 stake in, Page 129. It says they're comparable through  
4 the present day and among years utilized to establish  
5 ANS. Okay. Well, if it goes in 99, we're still at  
6 okay salmon stocks up through about 97.

7

8 Chairman, are you familiar with this  
9 ANS designation and how significant it is to policy?

10

11 CHAIRMAN REAKOFF: ANS amounts. That's  
12 amounts necessary for subsistence. The State Board of  
13 Fish is required to meet subsistence needs and to  
14 adjust -- the Department is supposed to maintain those  
15 subsistence amounts or to recognize subsistence needs  
16 and the regulatory structure is supposed to support  
17 that.

18

19 MR. GERVAIS: So it seems kind of odd  
20 to me they didn't ever state what the -- how these are  
21 adjusted from the current ANS or the existing ANS.

22

23 MR. COLLINS: This is meant to just  
24 reaffirm the amounts, aren't there, that were already  
25 previously established?

26

27 MR. GERVAIS: Yeah, but they're not  
28 saying what the currently active ANS amounts are, just  
29 putting up these new numbers without any reference to  
30 the past numbers. Those can get kind of skewed because  
31 subsistence harvest in the last 10 years has really  
32 been inadequate.

33

34 CHAIRMAN REAKOFF: I'm going to have  
35 Fred come to the mic there. He used to be the chum  
36 salmon manager on the Yukon.

37

38 MR. BUE: I guess I kind of have a  
39 sense of where this is going, but before I do that  
40 since this is a State proposal, Drew Crawford maybe  
41 could speak to it.

42

43 CHAIRMAN REAKOFF: Are you still  
44 online, Drew.

45

46 MR. CRAWFORD: Mr. Chair. I don't have  
47 a whole lot of information on those proposals, but it  
48 says we are currently evaluating the Board of Fish  
49 proposals on today's agenda and don't have positions  
50 yet developed, but we'd be grateful to hear what the

1 RAC has to say about them today. Over.

2

3 CHAIRMAN REAKOFF: Okay. This is an  
4 Alaska Department of Fish and Game proposal. Can you  
5 give us a little more insight.

6

7 MR. BUE: I think certainly we don't  
8 have a position on this at all yet, but I think what  
9 the point is is that they're laying out that this  
10 hasn't been updated for a number of years. The  
11 question is not whether or not they should establish  
12 numbers, these numbers look like they're the same  
13 across the board what's currently in regulation, it's  
14 whether or not they should put it forward for a review  
15 and update the amounts necessary to reflect what's  
16 commonly taken now versus what was taken at an earlier  
17 time.

18

19 MR. GERVAIS: Fred, do you know what  
20 the subsistence harvest was for 2012 on king salmon?

21

22 MR. BUE: No, I don't. That's usually  
23 a post season thing that the State does. Like we said  
24 earlier in one of the reports that historical harvest  
25 recently is around 50,000 for chinook. I think 2009,  
26 when we had a pretty significant reduction, we dropped  
27 it down to like 35 or 38,000. I would anticipate this  
28 would be a fairly -- you know, we didn't close harvest  
29 altogether, but it was significantly reduced. That  
30 harvest would have to come into the analysis as what  
31 impact did management have on what was there and what  
32 impacted relative abundance available for harvest, how  
33 that would fit into the equation.

34

35 So some of this -- you know, for  
36 instance, fall chum. Historically we used to have some  
37 major dog teams and we used to actually use fish quite  
38 a bit more than we do now. Since that 2000 crash, '98,  
39 2000, a lot of the dog teams went away, life has  
40 changed and so some of the arguments and a lot of  
41 discussions. Certainly don't take my word for all  
42 this. This is just limited stuff. Fall chum, people  
43 are harvesting as many as they want. If it falls below  
44 ANS, it maybe isn't because of management, it was  
45 because people didn't want that many. So that's kind  
46 of the sort of thing.

47

48 Where that comes into play is the  
49 management plans and they start allocating what the  
50 surplus is, which user groups use it, so it becomes a

1 bigger picture, but a lot of those plans all revert  
2 back to maybe the ANS, what's necessary for subsistence  
3 first because that's the highest priority use. That's  
4 kind of where that falls, Mr. Chair.

5  
6 CHAIRMAN REAKOFF: The way I read this  
7 proposal and what will happen if nothing is done, the  
8 Board assessment of subsistence salmon harvest relative  
9 to the codified ANS findings will be more challenging  
10 given the observed pattern that subsistence harvest of  
11 summer chum and fall chum salmon tend to fall below the  
12 lower limit of ANS.

13  
14 It appears to me the Department is  
15 trying to get the ANS amounts reduced for summer chum  
16 and fall chum so that they can allocate that to the  
17 commercial fishery, is what that direction would go. I  
18 would be concerned with the declining chinook salmon  
19 run that there's going to be a return to more reliance  
20 on chum salmon by subsistence users and this Council  
21 has been saying that.

22  
23 So I'm a little bit reluctant to change  
24 the ANS amounts when they're specifically referring to  
25 summer chum and fall chum, which are being branded as  
26 kita (ph) on the Lower River commercial harvest, so  
27 they're trying to sell this high-quality kita product  
28 from the Lower River harvest. I'm concerned about  
29 changing the ANS amounts, the amounts necessary for  
30 subsistence, to reallocate that resource towards  
31 commercial harvest especially when we have a conflict  
32 with execution of the directed chum -- summer chum  
33 fishery with chinook and bycatch of chinook already.  
34 So to try to expand the summer chum fishery with  
35 additional commercial allocation could be problematic  
36 to trying to rebuild the chinook salmon runs on the  
37 Yukon River. That's the way I would interpret this  
38 direction of this proposal.

39  
40 Tim.

41  
42 MR. GERVAIS: Mr. Chair. Could we have  
43 Carl look up what the current ANS amounts are and  
44 compare them to what's in the proposal.

45  
46 CHAIRMAN REAKOFF: This is the current  
47 ANS amounts and they're trying to get the Board to come  
48 up with -- in the meeting, it's not actually stating  
49 what they're proposing for new ANS for summer and fall  
50 chum. I don't see -- they haven't changed anything.

1 Basically they're trying to get the Board to come up  
2 with a lot lower numbers for amounts necessary for  
3 subsistence on the Yukon River for summer and fall  
4 chum. That's what their proposal is saying, so I'm  
5 concerned about that. I would like to take the  
6 proposal up.

7

8 So are you making a motion to support  
9 State Proposal 130.

10

11 MR. GERVAIS: Certainly.

12

13 CHAIRMAN REAKOFF: Do we have a second  
14 for the proposal.

15

16 MR. COLLINS: I'll second.

17

18 CHAIRMAN REAKOFF: Under discussion.  
19 I'll just state my opposition to the proposal, which  
20 will be transmitted to the Board of Fish, that I'm  
21 concerned about reallocation of summer chum and fall  
22 chum stocks to the commercial harvest, especially the  
23 summer chum stocks that when the fishery is executed  
24 under the directed summer chum salmon, we have bycatch  
25 of chinook salmon already and we don't need to  
26 exacerbate that problem.

27

28 I feel the subsistence users are  
29 starting to -- as more chinook salmon restrictions are  
30 put in place, there's going to be a large shift towards  
31 especially fall chum and coho salmon. So I don't feel  
32 that the more fall chum salmon fishing that occurs it's  
33 going to start to reduce the numbers of silver and fall  
34 chum in the mainstem, so I'm opposed to the proposal.

35

36 Any further discussion. Does the  
37 Council think along the same lines on that position.  
38 Ray.

39

40 MR. COLLINS: Yeah, I hear what you're  
41 saying, Jack. At the same time, I like the numbers  
42 that are in here for the king salmon because I think  
43 they're realistic based on past years and I'd like to  
44 affirm that we're not meeting those now. They're not  
45 meeting our needs with that. I hope they don't re-  
46 establish the king numbers based on what's happening  
47 right now. You see what I mean?

48

49 CHAIRMAN REAKOFF: If we oppose the  
50 proposal, they won't open these numbers up. These are

1 the numbers that are there. We don't want them to  
2 change any of the numbers. We don't want to open this  
3 can of worms. We like the numbers that are there. We  
4 don't want to see these numbers changed. Further  
5 discussion.

6

7 MR. R. WALKER: Question.

8

9 CHAIRMAN REAKOFF: The question is  
10 called. Those in favor of State Proposal 130 signify  
11 by saying aye.

12

13 (No aye votes)

14

15 CHAIRMAN REAKOFF: Those opposed same  
16 sign.

17

18 IN UNISON: Aye.

19

20 MR. COLLINS: Mr. Chairman. Then 104  
21 is the same proposal only for the Kuskokwim River.  
22 That was in this other handout here and has the numbers  
23 in there, which reaffirm the 64-83,000 on the kings.  
24 So it's the same kind of pattern. I'd assume we'd  
25 oppose that as well.

26

27 CHAIRMAN REAKOFF: You know, I don't  
28 have that one.

29

30 MR. COLLINS: It was in a separate  
31 folder back there. It was in the back of my packet.

32

33 MR. GERVAIS: In the blue folder.

34

35 CHAIRMAN REAKOFF: I don't have that  
36 one. Do you have another one of those, Carl. Let's  
37 deal with these Yukon proposals first and then we'll  
38 move into those as a separate block when we have all  
39 the Kuskokwim proposals before us.

40

41 MR. GERVAIS: 131 is regarding pulse  
42 protection as put forward by YRDFA.

43

44 CHAIRMAN REAKOFF: The Chair will  
45 entertain a motion to support Proposal 131.

46

47 MR. HONEA: I so move to support.

48

49 CHAIRMAN REAKOFF: Move to support. Do  
50 we have a second.

1 MR. R. WALKER: Second.  
2  
3 CHAIRMAN REAKOFF: Seconded.  
4 Discussion on pulse protection. Any Council members  
5 want to discuss it first.  
6  
7 (No comments)  
8  
9 MR. R. WALKER: Question.  
10  
11 CHAIRMAN REAKOFF: I would like to have  
12 a justification for -- I support Proposal 131 pulse  
13 protection. I feel that the State Board of Fish needs  
14 to give direction to the Department on pulse  
15 protection. It's somewhat vague as to what -- that  
16 that's the preferred methodology. The Department has  
17 been utilizing that. I'd also like to have Fred Bue  
18 come up to the mic and talk about his feelings on this  
19 proposal.  
20  
21 MR. R. WALKER: How are your feelings,  
22 Fred?  
23  
24 (Laughter)  
25  
26 CHAIRMAN REAKOFF: He's the inseason  
27 manager for the U.S. Fish and Wildlife. Go ahead,  
28 Fred.  
29  
30 MR. BUE: Thanks, Mr. Chairman. As  
31 manager, what this proposal does or what pulse  
32 protection does we've talked about in some of the work  
33 groups. This isn't necessarily a YRDFA generated  
34 proposal. YRDFA was just facilitating this process and  
35 it's a stakeholder group and a few of us were there.  
36 YRDFA was involved, but it's not necessarily their  
37 proposal.  
38  
39 Pulse protection does seem to be --  
40 speaking with quite a few of the stakeholders  
41 throughout the Yukon Drainage, it seemed like one of  
42 the few common things that people could agree on. So  
43 what it does, early in the season it approaches the  
44 season in a conservative manner thinking that no matter  
45 what, if it's a poor run, at least we're starting out  
46 saving fish right off the bat. It saves fish right off  
47 the bat because there's uncertainty early in the run  
48 before we have good assessment.  
49  
50 By doing that you're delaying a good

1 five days to watch more of the run, which buys you time  
2 to assess the run without risking much of the run.  
3 Then you also have additional time after that to  
4 protect the run further if you need to, but you also  
5 have probably -- well, you have two-thirds of the run  
6 still left. So if you were off and you were overly  
7 conservative on the front end, you can make up for it  
8 pretty fast on the meat of the run there.

9  
10                   Where it does come into -- from a  
11 management standpoint, protecting that portion all the  
12 way to the border is a little bit of a different  
13 scenario. A lot of times we think that the first fish  
14 into the river, a good proportion of them, are Canadian  
15 bound. We also think that a good proportion of them  
16 are males. Once you get above the Tanana River, most  
17 of those fish are Canadian bound, but what you're doing  
18 when you get above the Tanana maybe you're just  
19 protecting the male segment and then when you do open  
20 in the upper river then you're opening on maybe a  
21 higher proportion of females up there.

22  
23                   So it's not a simple thing, but it is  
24 something -- if we have 20 days from the mouth to the  
25 Yukon Flat, maybe we can adjust, so pulse protection is  
26 good. Sometimes we're not certain if it locks us into  
27 something because we may want to do something different  
28 in the upper river, but it does initially start off in  
29 a conservative approach to the season and that's where  
30 we are. Maybe we still have -- as managers, we still  
31 have authority over time and area, so we can change  
32 things even though it may say something. There may be  
33 an exception where we use our emergency authority to  
34 change that.

35  
36                   Mr. Chairman.

37  
38                   CHAIRMAN REAKOFF: Thanks, Fred, that  
39 was good information. Other discussion on the  
40 proposal.

41  
42                   Robert.

43  
44                   MR. R. WALKER: Thank you, Mr. Chair.  
45 We talked about this a few years ago saying that --  
46 somebody put a proposal in and wanted to do away with  
47 the windows. This is something that we have to bargain  
48 with the State or Federal government with the window  
49 here. If there are no fish, they say, well, we have a  
50 window, you can give us two hours, three hours a week

1 where somebody would have to go out and -- let's say  
2 Tim goes out and puts his net out there and gets  
3 caught. Well, the windows were closed or there was no  
4 windows. Now he's breaking the law. With a window  
5 there you're not breaking the law, you can get what you  
6 need and that's it.

7

8 I always think the windows were a good  
9 bargaining chip for the people on the river and I think  
10 that we should never lose it.

11

12 Thank you, Mr. Chair.

13

14 CHAIRMAN REAKOFF: The proposal  
15 wouldn't change. It would just be pulse protection  
16 just to adjust the windows.

17

18 MR. R. WALKER: Right.

19

20 CHAIRMAN REAKOFF: So the windows stay.

21

22

23 MR. BUE: That's my understanding of  
24 the proposal. To be honest, I haven't read it very  
25 closely recently, but the intent was to have our  
26 regular management normally there, but above all  
27 there's going to be this pulse protection that plops  
28 down. We don't know if the pulse is going to be during  
29 a window fishing period or off of a window fishing  
30 period. We're not certain of that. If we do get some  
31 fish in the river, this says lets protect them to the  
32 border.

33

34 CHAIRMAN REAKOFF: Right. I do agree  
35 with you, Robert, that windows are a very important  
36 part of managing the Yukon River fishery.

37

38 MR. R. WALKER: Yeah. If Tim wouldn't  
39 break the law.

40

41 (laughter)

42

43 CHAIRMAN REAKOFF: Any further  
44 discussion on Proposal 131.

45

46 MR. R. WALKER: Question.

47

48 CHAIRMAN REAKOFF: The question is  
49 called. Those in favor of the proposal signify by  
50 saying aye.

1 IN UNISON: Aye.  
2  
3 CHAIRMAN REAKOFF: Opposed same sign.  
4  
5 (No opposing votes)  
6  
7 CHAIRMAN REAKOFF: Anybody spotted any  
8 other proposals.  
9  
10 Tim.  
11  
12 MR. GERVAIS: Yeah, there's a lot of  
13 them. People are getting really deep on this. Gene  
14 Sandone is getting into mesh depth and web size on 133.  
15 Fairbanks Advisory Committee on 132 is -- wants to  
16 eliminate the sale of king salmon. No commercial sale  
17 of king salmon in non-chinook directed fisheries.  
18  
19 Another fellow, Frank Alstrom, is  
20 getting into mesh size and maximum depth for king  
21 salmon. 135 is Gene Sandone again with six inches or  
22 smaller mesh. Trying to get more chum harvest. 136,  
23 Ruby Advisory Committee, is trying to limit the bycatch  
24 of chum -- excuse me, of king salmon during the  
25 directed chum fishery to 2,000 fish or less. Gene  
26 Sandone again on 137, developing optimum escapement for  
27 summer chum.  
28  
29 There's just really all kinds of stuff.  
30 138, Gene Sandone again. I believe the Board of Fish  
31 is meeting before our winter meeting, so this would be  
32 WIRAC's last opportunity to comment on these issues and  
33 there's a lot of stuff here.  
34  
35 CHAIRMAN REAKOFF: There are a lot of  
36 proposals here that would have significant effect on  
37 management. It is late in the day. Without any State  
38 managers to present.  
39  
40 MR. R. WALKER: Mr. Chair.  
41  
42 CHAIRMAN REAKOFF: Go ahead.  
43  
44 MR. R. WALKER: 147 is the Ruby  
45 Advisory Committee and the Middle Yukon Advisory  
46 Committee. Are these two different committees?  
47  
48 CHAIRMAN REAKOFF: Yeah.  
49  
50 MR. R. WALKER: Who is the Middle

1 Advisory Committee?

2

3 CHAIRMAN REAKOFF: Ruby is Ruby itself  
4 and then Middle Yukon would be -- I think it's Kaltag,  
5 Nulato, Koyukuk, Galena. I think that's the  
6 communities that would be in that and then Koyukuk  
7 would be Huslia and above that.

8

9 MR. GERVAIS: Yeah, this is like a day  
10 and a half worth of proposals. And then we've got this  
11 whole Kuskokwim after that.

12

13 CHAIRMAN REAKOFF: Right. We could  
14 probably take a few of these proposals. I just don't  
15 think we have the time to address all of these. We  
16 could review.....

17

18 MR. SIMON: It's 5:00 o'clock now.  
19 We've been sitting here since 8:00 o'clock this  
20 morning.

21

22 CHAIRMAN REAKOFF: I think it would  
23 best be to take some time this evening, look through  
24 the proposals, triage them to the highest effect on our  
25 region and then take up two or three proposals in the  
26 morning. Look through the Kuskokwim proposals and take  
27 a couple of those also and then we have to move on in  
28 our agenda. We can't spend a lot of additional time.  
29 It is 5:00 o'clock.

30

31 What time was dinner supposed to be  
32 over there, Carl? Was there a time on that?

33

34 MR. JOHNSON: That I'm not aware. I  
35 haven't had a chance to run over to the school and  
36 check on that today.

37

38 CHAIRMAN REAKOFF: If the Council is  
39 tired, then we can recess until tomorrow morning at  
40 8:30 and take up some additional State Yukon and  
41 Kuskokwim proposals and then we can move on in our  
42 agenda. We can't take all of these State proposals,  
43 but we can triage them to the most important and have a  
44 quick discussion about which ones would be the most  
45 important.

46

47 So we'll recess until 8:30 tomorrow  
48 morning. Can we leave our things here?

49

50 MR. JOHNSON: Yes, this room will be

1 secure if there's anything you want to leave here.

2

3

CHAIRMAN REAKOFF: Okay.

4

5

(Off record)

6

7

(PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

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

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

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DATED at Anchorage, Alaska, this 20th day of October 2012.

\_\_\_\_\_  
Salena A. Hile  
Notary Public, State of Alaska  
My Commission Expires: 9/16/14