

1 JOINT EASTERN/WESTERN INTERIOR FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING

3  
4 PUBLIC MEETING

5  
6 VOLUME I

7  
8 Fairbanks, Alaska  
9 February 23, 2010  
10 9:00 o'clock a.m.  
11

12  
13 EASTERN INTERIOR COUNCIL MEMBERS PRESENT:

14  
15 Sue Entsminger, Chair  
16 Andrew Bassich  
17 Grafton Biederman  
18 Lester Erhart  
19 William Glanz  
20 Frank Gurtler  
21 Virgil Umphenour  
22 Donald Woodruff

23  
24  
25 WESTERN INTERIOR COUNCIL MEMBERS PRESENT:

26  
27 Jack Reakoff, Chairman  
28 Ray Collins  
29 Timothy Gervais  
30 Carl Morgan  
31 Jenny Pelkola  
32 Eleanor Yatlin

33  
34 YUKON KUSKOKWIM DELTA COUNCIL MEMBERS PRESENT:

35  
36 Lester Wilde, Chairman  
37  
38  
39 Regional Council Coordinator, Ann Wilkinson

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P R O C E E D I N G S

(Fairbanks, Alaska - 2/23/2010)

(On record)

CHAIRMAN REAKOFF: We'll go ahead and get started. Go ahead.

MADAM CHAIR ENTSMINGER: Uh-huh. Okay. I'm going to call the meeting to order of the Western Interior and the Eastern Interior Regional Advisory Councils taking up fisheries proposals on the Yukon River. And I want to welcome everyone. Welcome.

We played musical chairs, Frank. Excuse me for a second.

Okay. We have a new member on our Regional Advisory Council. Excuse me.

Okay. Polly's a big help. Okay.

Again I want to welcome everyone, and Jack and I are going to be chairing this together for the two Councils. And, Jack, do you have any comments yourself. You want to welcome.

CHAIRMAN REAKOFF: Yeah. I'm happy to see that both Councils are together to talk about these fisheries issues on the common issues.

And then we have Lester Wilde. I want to recognize Wilde from the YK-Delta RAC Chair.

And so we're having some problems getting some of our guys into this meeting, but we're hoping for a couple more to show up later on. They got weathered out yesterday.

And so we're going to continue through this agenda. Go ahead, Sue.

MADAM CHAIR ENTSMINGER: Thank you, Jack. I just, too, wanted to welcome Lester and talk to all the people that it's been a big effort for us. We've pushed it at our RAC Chairs to have a working relationship together, and that's what we're trying to do here today, and appreciate everyone with deep respect of each other. And hopefully accomplish some

1 good things at the meeting.  
2  
3 And right now I'd like to ask Ray to  
4 give the invocation. So would everyone stand.  
5  
6 MR. COLLINS: I hope this will pick up.  
7 I guess it will pick up my voice.  
8  
9 (Invocation)  
10  
11 MADAM CHAIR ENTSMINGER: Thank you,  
12 Ray. Okay.  
13 Roll call. I believe Ann will do that.  
14  
15 MS. WILKINSON: Just at the beginning I  
16 will say that Robert Walker and James Walker were not  
17 able to able to attend yet because of weather. Donald  
18 Honea, Jr. of Western Interior and Mickey Stickman of  
19 Western Interior both have excused absences.  
20  
21 So, Tim Gervais.  
22  
23 MR. GERVAIS: Present.  
24  
25 MS. WILKINSON: Ray Collins.  
26  
27 MR. COLLINS: Here.  
28  
29 MS. WILKINSON: Jack Reakoff.  
30  
31 CHAIRMAN REAKOFF: Here.  
32  
33 MS. WILKINSON: Jenny Pelkola.  
34  
35 MS. PELKOLA: Here.  
36  
37 MS. WILKINSON: Carl Morgan.  
38  
39 MR. MORGAN: Here.  
40  
41 MS. WILKINSON: Eleanor Yatlin.  
42  
43 MS. YATLIN: Here.  
44  
45 MS. WILKINSON: Sue Entsminger.  
46  
47 MADAM CHAIR ENTSMINGER: Here.  
48  
49 MS. WILKINSON: Andrew Firmin. Not  
50 here. Grafton Biederman.

1 MR. BIEDERMAN: Here.  
2  
3 MS. WILKINSON: Lester Erhart.  
4  
5 MR. ERHART: Here.  
6  
7 MS. WILKINSON: Andrew Bassich.  
8  
9 MR. BASSICH: Here.  
10  
11 MS. WILKINSON: William Glanz.  
12  
13 MR. GLANZ: Here.  
14  
15 MS. WILKINSON: Frank Gurtler.  
16  
17 MR. GURTLER: Here.  
18  
19 MS. WILKINSON: Donald Woodruff.  
20  
21 MR. WOODRUFF: Here.  
22  
23 MS. WILKINSON: And Virgil Umphenour.  
24  
25 MR. UMPHENOUR: Here.  
26  
27 MS. WILKINSON: Both Councils have a  
28 quorum meeting.  
29  
30 MADAM CHAIR ENTSMINGER: Okay. I'd  
31 like to take the time now to have people introduce  
32 themselves, and if you have -- want to say anything  
33 about where you're from or anything like that. And  
34 we'll start with Lester from YK.  
35  
36 MR. L. WILDE: I'm Lester Wilde with  
37 the Lower Yukon, Y-K RAC. I live in Hooper Bay.  
38  
39 CHAIRMAN REAKOFF: Eleanor. Yes.  
40  
41 MS. YATLIN: My name is Eleanor Yatlin  
42 and I'm from Huslia. My husband I live in camp from  
43 probably starting around this time of the year to  
44 October. And we live the subsistence way of life, so  
45 that's I represent the people from the Koyukuk River  
46 and the lower -- I mean, the Lower Koyukuk and the area  
47 down there. And I am here for the wildlife and fish  
48 that we subsistence on. And I am part of the Doyon and  
49 Tanana Chiefs area.  
50

1 MR. GERVAIS: Good morning. My name is  
2 Tim Gervais from Ruby. I appreciate the opportunity to  
3 have Eastern Interior here to meet with us and also  
4 quite a good number of knowledgeable guests. So I'm  
5 fairly new to the Council process, but as I'm learning,  
6 that it's really beneficial to get the consensus from  
7 all the different affected groups, and I'm really glad  
8 that Lester was able to travel up and give us  
9 information that his user groups are down from the  
10 potential impacts of what we're going to be discussing  
11 during this meeting.

12  
13 And I would just like to communicate  
14 for our communities in the Middle Yukon that there's  
15 debate on what the various conservation measures may be  
16 and what their effectiveness is, but the general wish  
17 and hope and desire of everyone is that we can get this  
18 salmon run and also our other game populations just  
19 maintain good healthy populations into the future. And  
20 we're ready to stand down or whatever it takes to be  
21 able to build back the runs and get the fish back into  
22 healthy population.

23  
24 MS. PELKOLA: Good morning. My name is  
25 Jenny Pelkola, and I'm representing Galena at this  
26 time. I also live a subsistence life from May until  
27 end of September.

28  
29 And I think it's very important that we  
30 work together to work together to preserve our  
31 resources that we have on the river and in the wild.  
32 We need to agree on things and not leave here with our  
33 hearts -- you know, with angry with each other I guess,  
34 but we need to work together, because the lord put  
35 everything on the earth for us to use, and we need to  
36 protect that.

37  
38 Thank you.

39  
40 MR. MORGAN: Good morning. My name is  
41 Carl Morgan. I'm from Aniak.

42  
43 And I'd just like to say that in my  
44 other endeavors that I used to participate in, I'm  
45 pretty much familiar with most of the district in one  
46 form or another. I'm familiar with some of the Lower  
47 Yukon/Lower Kuskokwim area, and part of the Eastern  
48 Interior. I said familiar, not an expert.

49  
50 Thank you. My name is Carl Morgan.

1 MR. COLLINS: My name is Ray Collins.  
2 I live in McGrath. I've been in the area since 1963,  
3 and was introduced to the subsistence lifestyle by the  
4 people in Nicolai there, and have learned from them,  
5 and both my peers and the elders over the years. And  
6 I'm trying to use that information now to help manage  
7 the resources widely and protect them.

8  
9 And I've been on the -- obviously,  
10 living on the Kuskokwim, but I've been on the fisheries  
11 committee, and we've been dealing with management  
12 issues on that river and they're comparable in many  
13 ways to what you're dealing with on the Yukon. So I'm  
14 hoping to be able to contribute.

15  
16 Thank you.

17  
18 CHAIRMAN REAKOFF: So I'm Jack Reakoff.  
19 I've been on the Western Interior Regional Advisory  
20 Council since 1993. I was born in Alaska and I was  
21 raised in the Brooks Range county. I've known lots of  
22 elders in the Upper Koyukuk region, and so I represent  
23 the people. I live in the head of the Koyukuk River in  
24 Wiseman Village. There's 13 people that live there.

25  
26 And so these fisheries issues on the  
27 Yukon as these runs decline have been very contentious  
28 with various people along the river, and so we're  
29 hoping to work together for the betterment of the  
30 resource on various management regimes and without  
31 trying to offend people. That's not what we're here to  
32 do. We're here to work for the resource and work  
33 together.

34  
35 And so I very much appreciate all of  
36 the various people that are attending the meeting,  
37 also, and the two councils and the Chair of the YK  
38 Delta also.

39  
40 So go ahead, Sue.

41  
42 MADAM CHAIR ENTSMINGER: Thank you,  
43 Jack.

44  
45 My name is Sue Entsminger, and I live  
46 near Mentasta Village. We call it Mentasta Pass. I  
47 live on the road system of the Eastern Interior, and a  
48 lot of the people on my RAC are on the river system  
49 which affects the Yukon River. And so I feel like an  
50 outsider somewhat to the Yukon River, although I've

1 worn a lot of hats in my time.

2

3 I was actually tendering on the Lower  
4 Yukon and met a lot of people on the Lower Yukon I  
5 think it was '95. And I also live near Mentasta  
6 Village and share a lot of the resource issues with  
7 them. And we mostly use the Copper River, but I know a  
8 lot of people in my region that do use the Yukon River,  
9 and it's very important to me to see us as Alaskans  
10 work together for the future of our future generations.

11

12 Thank you.

13

14 MR. UMPHENOUR: My name is Virgil  
15 Umphenour. I live in North Pole. I moved there in  
16 1971. I've been on the Eastern Interior RAC since  
17 2001.

18

19 And I want to welcome all the people  
20 here from out of town.

21

22 Thank you.

23

24 MR. BASSICH: Good morning. My name is  
25 Andy Bassich. I'm a subsistence fisherman in Eagle,  
26 Alaska. I've been living there since 1983, and I've  
27 been active in this fisheries issues on the Yukon River  
28 since 1999. I also sit on the Yukon River Panel as a  
29 member there, and I'm the local AC Chair.

30

31 And I just wanted to thank all the  
32 people for taking the time to come here, and I thank  
33 OSM for getting this joint meeting together. It's  
34 something we've been wanting to do for a while, and I  
35 think it's a really productive way to work on these  
36 issues. So I look forward to having good discussion  
37 during this meeting, and I'll save the rest of my  
38 comments for the meeting.

39

40 MR. GURTLER: I'm Frank Gurtler from  
41 Manley Hot Springs. I was born up the Innoko River,  
42 raised in Ruby. And I've been a traditional fisherman  
43 all my life. And I'd like to have some comments on the  
44 traditional use later on.

45

46 Thank you.

47

48 MR. GLANZ: My name is Bill Glanz. I  
49 live in the village of -- the town of Central. I've  
50 been there about 25 years.

1                   And I think this is a fine idea  
2 bringing everybody together. It's just too bad we  
3 can't get more, like Lester, further down all of us get  
4 together and work something so we can all get the --  
5 make it a lot easier for everything. I'll save more  
6 comments for later, guys.

7  
8                   MR. ERHART: I'm Lester Erhart. I'm  
9 from the Village of Tanana on the Yukon. I've been a  
10 -- well, lately I've been a subsistence fisherman, so  
11 that's it.

12  
13                   MR. WOODRUFF: I'm Don Woodruff from  
14 Eagle, and I'm a subsistence fisherman, trapper,  
15 hunter. And I've been living on the Upper Yukon for 31  
16 years. So thank you.

17  
18                   MR. BIEDERMAN: Good morning. My name  
19 is Grafton Biederman. I'm originally from Eagle. I  
20 moved out in '83 and moved to Venetie in '83 until  
21 present. Been married there.

22  
23                   I really appreciate and I'm happy to be  
24 on this Board for Eastern Interior for subsistence.  
25 I've been subsistence off the Yukon since I was born.  
26 And I'm really -- like I say, I appreciate to be on  
27 this Board and represent all the people from off the  
28 Yukon from Fort Yukon to Venetie.

29  
30                   So I really like to say thank you to  
31 everybody that shows up for this meeting and really  
32 wish that everybody else could have come here for the  
33 meeting so I can -- and this is my first time.

34  
35                   So I'd really like to say that I'm a  
36 subsistence user and trap and hunt. So thank you.

37  
38                   MADAM CHAIR ENTSMINGER: Thank you,  
39 Grafton, and welcome. I haven't had an official  
40 meeting with you yet, but I welcome you to the Council.  
41 And if you have any questions during the time, do not  
42 hesitate to ask. Sitting next to you is our recorder,  
43 and if there's any problems, you just need to let us  
44 know what's up and we'll take care of it for you.  
45 Okay.

46  
47                   At this time, Polly reminded me and we  
48 thought this was a good time, so we -- looking at the  
49 agenda, I see we don't have to adopt the agenda today,  
50 so we wanted to hear about the subsistence review from

1 Pat Pourchot from the Secretary of Interior's Office,  
2 and if he was -- is this a good time for you, Pat.

3

4 MR. POURCHOT: Sure.

5

6 MADAM CHAIR ENTSMINGER: Okay. That  
7 would be great.

8

9 MR. POURCHOT: My name is Pat Pourchot.  
10 I'm the special assistant to the Secretary of Interior  
11 in Anchorage.

12

13 Thank you very much for this  
14 opportunity. It's a great privilege to be here and a  
15 great opportunity to learn more about your work and the  
16 work of -- how it relates to our overall Federal  
17 Subsistence Program.

18

19 On behalf of the Secretary of Interior,  
20 I also want to thank you for all of your service on  
21 these RACs. They really are a vital component of the  
22 Federal Subsistence Program and play an integral role  
23 in the rulemaking and the decisionmaking obviously of  
24 the Federal Subsistence Board.

25

26 As most of you know, the Secretary of  
27 Interior at the Alaska Federation of Natives convention  
28 at the end of October announced his intention to  
29 conduct a review of the Federal Subsistence Program.  
30 It was probably -- one of the assumptions was that  
31 after 18 years of wildlife management under Federal  
32 control on Federal lands, and about -- somewhat less  
33 for certain fisheries on certain waters, it was time to  
34 review a program that was started in 1992 with every  
35 intention that the State would amend the constitution  
36 to allow the State to regain management of all fish and  
37 wildlife on all lands of Alaska, both Federal and State  
38 in accord with the provisions of Title VIII of ANILCA.  
39 Obviously that did not happen. Nobody seems to be  
40 talking about that any more at the State level, and the  
41 working assumption on the part of the Secretary of  
42 Interior and the Federal agencies is that Federal  
43 management of subsistence resources on Federal lands  
44 and certain waters are for the long term -- or is here  
45 for the long term. And as such, it seems appropriate  
46 to review the program, see how it's working see if it's  
47 meeting the goals and objectives and the provisions of  
48 Title VIII of ANILCA.

49

50 And so over the last couple of months,

1 or mostly in November/December and into January, my  
2 office has conducted a review of the program. And it  
3 is was clear from the Secretary he was interested in a  
4 bottom up process that started and focused on hearing  
5 from subsistence users and those involved in the  
6 program and, if you will, the beneficiaries of the  
7 program. And we established a website and sent out  
8 lots of letters and with the help of OSM and their  
9 lists of interested parties. We received about 115  
10 written responses and a variety of comments within  
11 those responses on the program.

12  
13 We met in about 14 different locations  
14 throughout the State with -- directly met with about 45  
15 different groups and key individuals long involved in  
16 subsistence and have a real interest in subsistence.  
17 And, by the way, not just subsistence users and rural  
18 groups, but also others in sportsfish and guide  
19 organizations and outdoor groups involved in fish and  
20 wildlife in general and who follow and have an obvious  
21 interest in subsistence management.

22  
23 Part of those meetings were with the  
24 RAC Chairs. And we met once in December and once in  
25 January with virtually all of the RAC Chairs at one  
26 meeting or another including you, Mr. Chair and Madam  
27 Chair, of these two groups, and Mr. Wilde from Y-K.  
28 And in addition we met -- when we were traveling, we  
29 met with additional members of various RACs around the  
30 State. And those comments and that input was very  
31 important and very telling I think of a lot of  
32 different facets of the Federal Subsistence Program,  
33 because witness the people who introduced themselves  
34 today, RAC members are by and large people who have  
35 spent lifetimes if not a very long time in subsistence  
36 user environment and a knowledge of subsistence  
37 resources, and a general knowledge of resources in the  
38 State of Alaska. So we were greatly appreciative of  
39 all that input that we received from the RAC Chairs and  
40 individual RAC members.

41  
42 I think that there's been a little  
43 review sheet passed out to members of the RACs and I'm  
44 not going to go into that, but I would just call your  
45 attention to the attachment on that letter that  
46 outlines many of the things that I said. But the  
47 attachment is a summary listing of all the comments  
48 that we received from a variety of groups. And it is  
49 interesting, and we tried to break them out by logical  
50 topics of the Board, the RACs, the regulatory

1 structure.

2

3                   And as you read through these, you'll  
4 not, probably obvious that they're not all consistent,  
5 that there's, you know, different views expressed on  
6 the same things. And some people expressed concern  
7 about some items where some people feel that things  
8 were working well. And I think that's probably to be  
9 expected in an allocative process as complex as the  
10 Federal Subsistence Program. But it does, I think,  
11 give you a good feel for the array of problems and  
12 concerns and issues that were raised in the process.

13

14                   I would just conclude by saying we are  
15 now well along in the process of analyzing these  
16 concerns, trying to look at different ways that actions  
17 by the Secretary might address some of the concerns.  
18 We hope to meet in the next couple of weeks with the  
19 Secretary in Washington, D.C. and make some  
20 recommendations to him for his consideration. And it  
21 would be my hope that, you know, you there would be  
22 some things announced, you know, sometime in the next  
23 several weeks pursuant to this review.

24

25                   Madam Chair. I would be happy to  
26 answer any questions.

27

28                   MADAM CHAIR ENTSMINGER: I think  
29 everybody might have this question in their mind. Are  
30 you taking comments from the RACs at this time? Like  
31 right now can you still take more comments at these  
32 meetings?

33

34                   MR. POURCHOT: Certainly.

35

36                   MADAM CHAIR ENTSMINGER: Okay. And  
37 when you review what you're taking to the Secretary,  
38 what's the timeline?

39

40                   MR. POURCHOT: Well, not to be vague  
41 about it, but some of it depends on his timeline. And  
42 so I'm not quite sure when we're going to be able to,  
43 you know, physically meet with him. That kind of  
44 depends on his schedule, but we would hope to have our  
45 draft kind of thoughts in mind in the next couple of  
46 weeks.

47

48                   MADAM CHAIR ENTSMINGER: And when you  
49 do your drafts, will that go out to the public again,  
50 or are you just.....

1 MR. POURCHOT: Probably not, because  
2 that would be -- there's a word for it in the  
3 Department, which I keep forgetting. I'm relatively  
4 new to the Department. A pre-decisional drafts or  
5 something like that that's not -- you know, it's for  
6 the Secretary's consideration. It's not an official  
7 document, it's not an official position of the  
8 Department at this stage.

9  
10 MADAM CHAIR ENTSMINGER: Jack, do you  
11 have some questions.

12  
13 CHAIRMAN REAKOFF: I would like my  
14 Council, if they have any questions or comments about  
15 how the Federal program has been working, and I've been  
16 transmitting some of my concerns to the Council, and I  
17 was wondering if any our Council members would like to  
18 speak to those.

19  
20 Ray's been on the Western Interior  
21 Council for quite some time. Have you identified any  
22 issues that you would like to add to these things, Ray.

23  
24 MR. COLLINS: Well, I haven't had a  
25 chance to look through all of these comments in here to  
26 make sure where they're at, but I did sent in a  
27 response to them.

28  
29 I guess one concern I have, and I  
30 expressed it in the comments to you was that you're  
31 looking at how the program's working to date. Are you  
32 looking ahead at how it's going to work with the  
33 changing weather and other factors? Because one of my  
34 main concerns is the lack of flexibility in the Federal  
35 system of making decisions in a timely manner. And I  
36 think that's going to be more of a problem in the  
37 future as things change. By the time a proposal goes  
38 in and is considered and so on, it's already another  
39 year or something down the road. And that's not  
40 putting meat on the table for many subsistence users  
41 when the current regulations don't meet their needs in  
42 a given year.

43  
44 MR. POURCHOT: Through the Chair. Your  
45 comment is a good one. It hadn't been expressed quite  
46 in those general terms like climate change. But where  
47 it was more specific, where that came out, was in the  
48 one-year versus two-year regulatory cycle. And I think  
49 that kind of related. People were, many people were  
50 arguing for a return to the one-cycle, because of some

1 of that flex -- the lack of flexibility and the need  
2 for more rapid response to things that would include  
3 some of the things you're saying, but probably not  
4 quite as broad as you stated. So thank you.

5

6 CHAIRMAN REAKOFF: Thanks, Ray.

7

8 Any other Western Interior Council  
9 members have question or comment on the review of the  
10 program.

11

12 (No comments)

13

14 CHAIRMAN REAKOFF: I see none here.

15 Would you want to ask you Council, Sue?

16

17 MADAM CHAIR ENTSMINGER: I'm asking the  
18 same of you guys. Do you have any questions of Pat or  
19 any comments.

20

21 (No comments)

22

23 MADAM CHAIR ENTSMINGER: Has any of you  
24 -- I guess I would have to ask, how many have had a  
25 chance to review this, what's been set down in front of  
26 you. Is this the first time you've seen it.

27

28 (Council nods affirmatively)

29

30 MADAM CHAIR ENTSMINGER: Yeah. So I  
31 think it's more important for us to be able to look at  
32 this, and maybe at our individual meetings -- I know  
33 you won't be there, Pat, or even at the end of this  
34 meeting, if people have anything that you see in this,  
35 let's -- how long are you going to stay?

36

37 MR. POURCHOT: I'm going to be here all  
38 day, but I won't be here tomorrow or the next day.  
39 However, there's an email address or, I mean, even  
40 phone calls to my office, we would certainly take and  
41 appreciate any comments over the next several days.  
42 There would still be time left.

43

44 MADAM CHAIR ENTSMINGER: Well, I would  
45 just ask all of you on the Councils to try to review  
46 this today at breaks and stuff, and if there's any  
47 questions that you might have, that we bring it up to  
48 him while he's still here. And then at our individual  
49 RAC meetings, we'll have our presentation from the  
50 Chairs. So I think it's important for us all to just

1 get involved in this. There's so much going on right  
2 now, it's kind of hard to stay on top of everything.

3

4 Jack.

5

6 CHAIRMAN REAKOFF: I think that it's  
7 best that the Councils deliberate these things. I've  
8 identified issues and I've been transmitting those to  
9 my Council, and so each Council should review this  
10 letter and at some point during this meeting we could  
11 either transmit additional comments or reiterate the  
12 same comments.

13

14 And so I just wanted to have an  
15 opportunity since you were here at the table to be able  
16 to speak to it. But I do feel that these Councils,  
17 since they're in session should comment on the review  
18 program.

19

20 So thank you.

21

22 MADAM CHAIR ENTSMINGER: Yeah. I had  
23 one other question. I know when I read this off the  
24 internet that you'd have a statement and then one would  
25 contradict the other underneath it, because that's your  
26 differing views.

27

28 I guess for me just right now, I don't  
29 want to take up any time, Pat, so if we could do this  
30 maybe at a break, I'd like to talk about some of the  
31 things I'm seeing underneath the intensive management  
32 and predator control, because I read one there that  
33 says Title VIII does not require or authorize FSB. Is  
34 that a statement from an individual or is that from the  
35 Office of the Secretary?

36

37 MR. POURCHOT: All of these are  
38 opinions or statements from comments. They are not  
39 billed as factual comments necessarily or opinions of  
40 the Secretary's Office.

41

42 MADAM CHAIR ENTSMINGER: Okay. Well, I  
43 don't want to take a lot of time on this, but I'd like  
44 to talk to you about that. Yeah.

45

46 Thank you.

47

48 MR. POURCHOT: That would be great.

49

50 MADAM CHAIR ENTSMINGER: Andy.

1 MR. BASSICH: Yeah. Thank you. I just  
2 maybe in an effort to maybe streamline some of this  
3 through our RACs, maybe the thing to do would be to put  
4 a little bit of time in our agendas to prioritize, go  
5 through this and pick out key issues that are important  
6 to each of our RACs. And that might help you then to  
7 focus your energies on the more key issues. I mean,  
8 this is a great start but, you know, where do you go  
9 once you have this. Every user group has different  
10 concerns, and also agencies. So if they were to  
11 prioritize those major concerns, that might streamline  
12 the process for you and actually get some results out  
13 of this a little quicker that would maybe satisfy the  
14 RACs.

15  
16 Thank you.

17  
18 MADAM CHAIR ENTSMINGER: Okay. Virgil.  
19

20 MR. UMPHENOUR: Okay. There's a recent  
21 court case, and the Board of Fisheries has been  
22 directed by the court to redefine criteria 8 of the 8  
23 subsistence criteria. And Board is going to meet,  
24 that's the State Board of Fisheries, is going to meet  
25 in March 16th, I think, to address this issue. And so  
26 being's the State Board is going to be addressing this  
27 issue, and the Federal Board basically adopts the  
28 State's regulations and their criteria, such as these  
29 eight criteria, then I think that while we have the two  
30 RACs here we should address that today, that issue and  
31 I'd like to see that put on the agenda. And this also  
32 ties in with Mr. Pourchot being here. So it would be  
33 good for us to do that while he's here so that --  
34 because we do need to address this issue. Because the  
35 eight criteria are a joint Board of Fish and Game  
36 regulations. And so a lot of people, myself included,  
37 don't think that one of the Boards should be changing a  
38 regulation that was promulgated by both Boards  
39 together.

40  
41 Thank you. So I would like to put that  
42 on the agenda. Madam Chair.

43  
44 CHAIRMAN REAKOFF: My comment to that  
45 would be that we would have to have somewhat of a  
46 presentation about what they were taking about.

47  
48 And this meeting is not really designed  
49 for the DOI review. This meeting is designed to cover  
50 fisheries proposals that we have before us, and we also

1 have to cover some of the bycatch issues of the Bering  
2 Sea and some other statewide. So I think we can break  
3 out as -- in our breakouts, each Council can review  
4 this.

5  
6 My impression is that the review of the  
7 Federal program is to diverge away from the rubber  
8 stamping. You're saying that the Federal program  
9 rubber stamps everything the State is doing. This is  
10 going to put a different tact on the way the Federal  
11 program is managing, moving away from basically a  
12 rubber stamp, looking at things objectively within the  
13 confines of ANILCA.

14  
15 And so I don't really want to spend a  
16 lot of time on reviewing what the Board of Fish is  
17 doing. We have to address the issues that we have  
18 before us.

19  
20 And you have a comment there, Polly.

21  
22 DR. WHEELER: Yeah. I don't mean to  
23 butt in here, but I just did want to clarify that  
24 whatever the Board of Fish does, whatever the Board of  
25 Game does, that's well within their purview. Our  
26 implementing regulations use the eight factors, so even  
27 if the Board of Game, or the Board of Fish or the Joint  
28 Boards or whatever were change those factors, until our  
29 implementing regulation -- even if they were to do  
30 something completely different on the customary and  
31 traditional use determination side, unless our  
32 regulations are changed, then we would not do the -- I  
33 mean, we're not going to rubber stamp anything, because  
34 our regulations are what are regulations are.

35  
36 Now with that said, there certainly are  
37 some issues with customary and traditional  
38 determinations that have been raised in the review  
39 process which may lead us to change the regulations for  
40 customary and traditional determination, but I suspect  
41 if there were to be made to our implementing  
42 regulations, it wouldn't be tweaking a factor. It  
43 might be doing something a little more dramatic based  
44 on the comments there.

45  
46 So I guess if that helps your or hurts  
47 you, I don't know, but again, whatever the Board of  
48 Fish does or Game does with the eight criteria, it  
49 doesn't mean that -- that has little bearing on what  
50 our implement -- that has no bearing on our

1 implementing regs actually.

2

3 CHAIRMAN REAKOFF: My comment to that  
4 is that any tweaking of the eight criteria would  
5 involve all 10 regions and with very micro looking at  
6 what the ramifications are. This isn't something we're  
7 just going to whip through this edge of this meeting.  
8 This would be something we might dedicate a whole day  
9 to, each Council. And so these are very strategic  
10 changes in the Federal program. We're not going to  
11 rush through this stuff. Pat's spending a lot of time  
12 on this. I've traveled to Anchorage, I've  
13 teleconferenced in to issue, and so we're not going to  
14 just kind of skim over some stuff with what these other  
15 State boards are doing.

16

17 And so I do want the Councils to  
18 realize that this is a very important issue. This is  
19 how our subsistence proposals are going to be viewed  
20 and reviewed and so to make -- to streamline the way  
21 the program's working. There's been -- the program's  
22 not broken. It just needs a little tweaking. We don't  
23 want to throw the baby out with the bath water or  
24 anything. And so that would be my comment.

25

26 So I think we need to move on to our  
27 agenda items here.

28

29 MADAM CHAIR ENTSMINGER: Yes. Okay.  
30 Do you have anything else you'd like to direct us to  
31 bring to you?

32

33 MR. POURCHOT: No, but thank you very  
34 much for this opportunity, and look forward to any  
35 further comments you may have.

36

37 Thank you so much.

38

39 MADAM CHAIR ENTSMINGER: All right,  
40 thank you, Pat.

41

42 CHAIRMAN REAKOFF: I do appreciate your  
43 coming here, Pat, and appreciate all your work you're  
44 doing on this. Thanks.

45

46 MADAM CHAIR ENTSMINGER: All right. As  
47 they say in the Bush, moving rapidly along.

48

49 CHAIRMAN REAKOFF: Ann's got something  
50 there.

1 MADAM CHAIR ENTSMINGER: Yes. Go  
2 ahead, Ann.  
3  
4 MS. WILKINSON: Before we begin on  
5 these proposals, we do need to get the phone set up so  
6 that people can listen in. That hasn't been done yes.  
7  
8 MADAM CHAIR ENTSMINGER: So we need a  
9 five-minute break?  
10  
11 MS. WILKINSON: Yes, please.  
12  
13 MADAM CHAIR ENTSMINGER: Okay. And  
14 then we'll continue.  
15  
16 (Off record)  
17  
18 (On record)  
19  
20 CHAIRMAN REAKOFF: That kind of leads  
21 into where we're going with that proposal.  
22  
23 MADAM CHAIR ENTSMINGER: Okay. All  
24 right. Now we're back. We're having a little  
25 difficulties with the teleconferencing, and I guess  
26 it's not working right now. They can't get it set up.  
27 But we're going to continue on. We think most of the  
28 people that really care about the Yukon Fish are here.  
29 So there are probably a few that would love to be here  
30 and cannot, but we'll hopefully.....  
31  
32 UNIDENTIFIED VOICE: We'll moonlight  
33 (ph), tell them that it's recording.  
34  
35 MADAM CHAIR ENTSMINGER: I heard a  
36 voice.  
37  
38 (Laughter)  
39  
40 MADAM CHAIR ENTSMINGER: Okay.  
41  
42 Next on the agenda is the review and  
43 Staff analysis and making recommendations on the Yukon  
44 River Chinook salmon proposals 09-12 and 09-13.  
45  
46 At this time we were going to get Dani  
47 from Fish and Game to give the presentation regarding  
48 -- she has a PowerPoint presentation which I think she  
49 worked most of the last hour to try and get up and  
50 running.

1                   Just so everybody knows, the PowerPoint  
2 is in the back of the room, and everybody's going to  
3 probably have to turn around in their chairs, or just  
4 their bodies. And, Council members, as she gives this,  
5 if you have any questions -- I mean, we can go closer.  
6 I don't know about you guys, but I can see it pretty  
7 good. I don't think I need to go back to the back of  
8 the room, but anybody that wants to get closer to it,  
9 they certainly can. She has to turn her chair around  
10 to do this.

11  
12                   So if you could explain the report and  
13 its significance to our two proposals, Dani, that would  
14 be great.

15  
16                   MS. EVENSON: Thank you. Good morning,  
17 everyone. For the record, my name is Dani Evenson.  
18 I'm the Arctic/Yukon/Kuskokwim regional research  
19 supervisor for the Department of Fish and Game,  
20 Division of Commercial Fisheries.

21  
22                   And this morning I'm going to be giving  
23 a presentation on mesh size studies and management  
24 options. This was information that was originally  
25 compiled and presented to the Board of Fisheries. And  
26 we thought that it would also be useful to you as you  
27 move forward with your proposals that are quite  
28 similar.

29  
30                   A little bit awkward here presenting  
31 with my back to the Chairs and the Council members, and  
32 being behind all of the public, but we'll make it work.

33  
34                   The next slide, please.

35  
36                   So a quick overview. We were asked by  
37 the Board of Fisheries to present information in  
38 reference to Proposals 89 and 90, and these are very,  
39 very similar to the proposals you have before me [sic],  
40 FP09-12 and 13. I will first discuss the studies  
41 presented to the Board, the gillnet selectivity study  
42 and the Lower Yukon mesh size study. In the second  
43 half of this presentation I will present various  
44 management options the Department brought before the  
45 Board, which could increase the numbers of larger fish  
46 and females on the spawning grounds, and thereby help  
47 to address the Chinook size issue.

48  
49                   Next slide, please. First I will  
50 discuss the net selectivity models created by Dr. Jeff

1 Bromaghin, formerly of the Fish and Wildlife Service,  
2 in 2005. When discussing the selectivity of gear, this  
3 refers to the degree to which that gear targets fish  
4 with certain size characteristics, and that most  
5 fishing gear is at least somewhat selective is widely  
6 believed.

7

8 Click, please. Net selectivity models  
9 allow us to understand what biases certain nets have  
10 for certain fish characteristics. In this case, we're  
11 looking at gillnet mesh size as it relates to Chinook  
12 salmon size, that larger mesh gillnets catch larger  
13 fish makes sense. And that has been confirmed many  
14 times.

15

16 Click. Net selectivity for Yukon River  
17 Chinook salmon was modeled with data from the Pilot  
18 Station test fishery which uses a broad array of mesh  
19 sizes. It is important to emphasize here that the age,  
20 sex and length distributions of Chinook salmon from the  
21 Yukon are unique, so these data are really only  
22 applicable to guiding actions on Yukon-based fisheries,  
23 and could be problematic if used out of context.

24

25 Next slide, please. This is the first  
26 in a series of slides that depict the selectivity  
27 curves currently modeled for the Pilot Station sonar  
28 test fishery with curves for 6-1/2, and that's the far  
29 left-hand curve here; 7-1/2, that's the solid line; and  
30 8-1/2-inch mesh being shown. The way to interpret  
31 these curves is that the peak shows the length of the  
32 fish, the meshes most efficient at catching.

33

34 Click, please. So, for example, the 8-  
35 1/2 net is most effective at catching fish  
36 approximately 830 millimeters in length, or about 33  
37 inches. The way the curve decreases above and below  
38 the peak reflects the degree to which the catchability  
39 decreases as size deviates from the optimum.

40

41 Next slide, please. This graph shows  
42 the length distribution of Chinook salmon in gray. So  
43 this represents the theoretical lengths of fish in the  
44 river. The solid line is the same selectivity curve  
45 for the 7-1/2-inch net that I showed on the previous  
46 slide. The dotted line is the selectivity of the 8-  
47 1/2-inch mesh, which is roughly representative of the  
48 net sizes currently fished in the unrestricted mesh  
49 fishery.

50

1                   It's obvious here that the 8-1/2-inch  
2 mesh net is most selective on the largest individuals.  
3 The peak selectivity or efficiency of the 8-1/2-inch  
4 mesh net is a larger fish than the most abundant size  
5 classes in the river, so that area right up in here.  
6 Also note that to the right of the peak, even though  
7 the selectivity drops off a little, it still remains  
8 higher on the largest size fish.

9  
10                   Meanwhile, the 7-1/2-inch mesh net  
11 selectivity, which is the solid line again, is slightly  
12 more selective on larger individuals, but overall it  
13 more closely represent -- excuse me -- more closely  
14 resembles the length distribution of the population.

15  
16                   Next slide, please. With this graph we  
17 are looking at the estimated escapement of Chinook  
18 undergoing 50 percent exploitation from 7-1/2-inch mesh  
19 nets, the dotted line, and 8-1/2-inch nets, which is  
20 the solid line. So given the net selectivity on the  
21 previous graph, these lines represent what would then  
22 reach the spawning grounds after experiencing that kind  
23 of harvest. The 7-1/2-inch nets produce a broader  
24 distribution of lengths for escapement, whereas the 9-  
25 1/2-inch net escapement are much more skewed and are  
26 disproportionately represented by smaller length  
27 individual.

28  
29                   Next slide, please. An additional  
30 piece of information from Bromaghin's 2005 study is the  
31 catch per unit effort or efficiency of the gear. This  
32 plot illustrates catch per unit effort on the Y axis  
33 and mesh size on the X axis. The nets here are 4-inch,  
34 5-1/4, 6-1/2, 7-1/2, and 8-1/2.

35  
36                   The 7-1/2-inch net actually has greater  
37 catch per unit effort than the 8-1/2-inch net, and the  
38 CPUE of the 6-1/2-inch net is not much less. The way  
39 to think of this is that the 8-1/2-inch net targets  
40 slightly larger Chinook salmon, but the small Chinooks  
41 are a little more abundant, so catches are higher.

42  
43                   Next slide, please. Next I'd like to  
44 shift gears and give an overview of the Lower Yukon  
45 mesh size study. The study located here, and click for  
46 me, please, near the Village of Emmonak was a  
47 cooperative effort between the Alaska Department of  
48 Fish and Game and the Yukon Delta Fisheries Development  
49 Association.

50

1                   The purpose of this study was to better  
2 understand what the fishery would target if mesh size  
3 restrictions were to be enacted. A test fishery was  
4 conducted with the help of local fishermen to  
5 specifically look at the harvest of 7, 7-1/2, and 8-  
6 inch stretch mesh gillnets from 2007 to 2009.

7  
8                   To put this study in perspective, I  
9 will also provide data from the District 1 restricted,  
10 that is less than 6-inch mesh size, and unrestricted  
11 commercial harvest.

12  
13                   And click for me, Steve.

14  
15                   On this map, that's everything  
16 downstream of the white line. So this whole area in  
17 here is District 1.

18  
19                   Because there has been little  
20 commercial harvest in the last three years, I will also  
21 include data from the Lower Yukon test fishery, LYTF.

22  
23                   And click again, Steve, please.

24  
25                   These locations are shown in blue.  
26 This fishery also uses 8-1/2-inch mesh gillnets, and  
27 these data are lumped with the unrestricted commercial  
28 fishery data. Only those data from commercial  
29 fisheries and the LYTF data sets that were collected at  
30 times corresponding to the mesh size study were  
31 included.

32  
33                   Next slide, please. So in particular  
34 we're interested in the effects of mesh size on how  
35 well each mesh size targets Chinook salmon versus other  
36 species, click, the degree to which mesh size targets  
37 older individuals, click again, the degree to which  
38 mesh size targets females, and click, the relative size  
39 of the fish caught in each mesh size.

40  
41                   Next slide, please. The study  
42 collected a total of 1132 Chinook salmon and 1337 chum  
43 salmon using a 7, 7-1/2, and 8-inch mesh kill nets.

44  
45                   Next slide. So I've grouped the  
46 results to correspond to each of the four primary  
47 objectives. And first we'll look at how well each mesh  
48 size targets Chinook salmon.

49  
50                   Next slide, please. This chart shows

1 the Chinook to chum salmon ratio from the mesh size  
2 study and additional information from the commercial  
3 fisheries. In orange, on the far left, are the  
4 restricted commercial fishery catches. In blue are the  
5 catches from the mesh size study, 7-inch mesh, and in  
6 yellow is the 7-1/2-inch mesh, and 8 is in red, and the  
7 unrestricted commercial fishery is in green. And the  
8 average bars are shown in white. The gradations of the  
9 blues, yellows and reds represent the three years of  
10 the study, 2007, 2008, and 2009.

11

12                   The Chinook to chum ratio can vary  
13 substantially within a season and among seasons  
14 depending upon the relative abundance of chum and  
15 Chinook, as well as the timing of the salmon runs.  
16 When we're looking at this graph and thinking about  
17 catch composition, what we are really looking at is  
18 whether or not this ratio is exceeding one. In other  
19 words, whether or not we're consistently catching more  
20 Chinook than chum.

21

22                   Click. So the 7-1/2, 8-inch and  
23 unrestricted mesh sizes are the ones where we typically  
24 get more Chinook than chum. Obviously if we're talking  
25 about a Chinook-directed fishery, fishery, this is  
26 important to know.

27

28                   Among the 7, 7-1/2 and 8-inch meshes in  
29 this study, on average about 40 percent of the 7-inch  
30 mesh catch a Chinook, while about 60 percent of the 7-  
31 1/2-inch and 8-inch mesh catch a Chinook. There's a  
32 significant difference in catch between the 7-inch and  
33 larger mesh sizes.

34

35                   And just to give you a little  
36 perspective, during the timeframe of this study, there  
37 was 44 chum per Chinook in the restricted 6-inch  
38 openings and 5 to 1 in the unrestricted openings.

39

40                   Next slide, please. Next I'd like to  
41 discuss the age composition of the catch.

42

43                   Next slide. Okay. This complicated  
44 bar graph shows harvest by age. The mesh size is along  
45 the X axis and percentage is on the Y axis, ranging  
46 from zero to 100. The middle three bars are the mesh  
47 size study data, and the outer bars are restricted on  
48 the left and unrestricted on the right mesh size nets.

49

50

1                   Age 7 fish are shown in peach, and  
2 that's at the way top of the graph. Age 6 in blue.  
3 Age 5 in green. And in orange. You can see the  
4 percentage of age 6 fish and to a lesser extent age 7  
5 fish generally increases with the mesh size while age 5  
6 and age 4 fish decrease with mesh size.

7  
8                   This pattern is statistically supported  
9 with the chi scorer test and all statistics for this  
10 presentation will be presented in the upper right-hand  
11 corner. Right up here.

12  
13                   Next slide. I'd now like to talk about  
14 the degree to which mesh size target female Chinook  
15 salmon.

16  
17                   Next slide. As with the previous  
18 graph, this bar graph shows mesh sizes along the X axis  
19 and percentages on the Y axis ranging again from zero  
20 to 100 percent. The middle three bars are the mesh  
21 size study data, and again the outer bars are the  
22 restricted and unrestricted mesh nets respectively.  
23 Males are shown in blue and females in red.

24  
25                   The general pattern of increased  
26 percentage of females with increased mesh size is  
27 statistically supported for all data sets using chi  
28 square, but this pattern is primarily driven by the  
29 chum directed or restricted mesh size that you see  
30 here.

31  
32                   Next slide. Finally I'd like to  
33 discuss Chinook size as it corresponds to mesh size.

34  
35                   Next slide. This is a box plot of  
36 length shown on the Y axis for each of the mesh size  
37 study nets on the X axis. For these box plots,  
38 different colored boxes indicate statistically  
39 significant differences among the mesh size used. So  
40 Chinook salmon length is statistically different from  
41 the 8-inch mesh -- I'm sorry, different between the 8-  
42 mesh and the smaller mesh nets in the mesh size study.  
43 For reference, click, please, these yellow boxes  
44 represent the average Chinook salmon length for  
45 restricted and unrestricted meshes.

46  
47                   Next slide. Several studies have shown  
48 declines for large size class Chinook, which we have  
49 defined here as greater than 900 millimeters to be  
50 consistent with other studies that have come before us,

1 and that's approximately 35 inches. Therefore, we  
2 looked at how well each mesh size targets this large  
3 size class. On the Y axis are the different mesh size  
4 categories and on the X-axis is the percentage. A  
5 reduction in mesh to 8-inch or less would likely cut  
6 the degree to which the fishery targets this largest  
7 size class by half or more.

8  
9                   Next slide. Chinook salmon weight  
10 showed significant differences among each mesh size,  
11 with average weight increasing with increased mesh  
12 size. For reference, click, this yellow box represents  
13 the average Chinook salmon weight for unrestricted  
14 meshes.

15  
16                   Next slide. Okay. So just a quick  
17 summary of the mesh size study, looking at these six  
18 things that we looked at, is each mesh size targeting  
19 Chinook. And for 7-inch, that's no, but for 7-1/2 and  
20 8-inch that's a yes.

21  
22                   Click. For age, the 7 and 7-1/2-inch  
23 targeted slightly younger fish, whereas the 8-inch was  
24 roughly equivalent to the current commercial fishery.

25  
26                   Click. For the proportion of females,  
27 and the 7 and 7-1/2-inch targeted slightly fewer  
28 females and the 8-inch net was again roughly equivalent  
29 to the current commercial fishery.

30  
31                   For length, you can see that all three  
32 targeted slightly smaller fish than the current  
33 commercial fishery, but the 7 and 7-1/2-inch targeted  
34 even smaller fish.

35  
36                   And when we look at the greater than  
37 900 millimeter size class, you can see that all three  
38 targeted significantly less than the current commercial  
39 fishery. And, lastly, when we look at weight, you can  
40 see that the 8-inch mesh caught slightly lighter weight  
41 fish, the 7-1/2 even more, and the 7-inch even more  
42 lighter fish.

43  
44                   Next slide, please. So together the  
45 two studies highlighted here indicate that as mesh size  
46 increases, the harvest tends to catch more older fish,  
47 larger fish, and females. Click. Mesh sizes equal to  
48 or smaller than 7 inches fail to harvest more Chinook  
49 than chum, and therefore could not afford protection to  
50 chum stocks in the advent of a poor chum run.

1 Click. Modeling data suggests that  
2 mesh sizes of approximately 7-1/2-inches likely target  
3 the most abundant size classes, whereas large mesh  
4 sizes disproportionately target larger and less  
5 abundant size classes. Click again for me. Eight-inch  
6 or smaller mesh sizes reduce the harvest of the largest  
7 class Chinook. And, lastly, unrestricted mesh size  
8 disproportionately targets larger and older fish.

9  
10 And before I shift gears, I also want  
11 to mention that there was a third study that we didn't  
12 include here that Jeff Bromaghin did on selective  
13 exploitation, and I believe that will be covered by my  
14 colleague, Rich Cannon, and it does appear, for those  
15 who are interested in FP09-12 analysis, in the appendix  
16 beginning on Page 30.

17  
18 So next slide. Okay. The trends in  
19 Chinook salmon size noted by Yukon fishermen and  
20 others, and the volatility of Yukon Chinook runs are  
21 concerning. Whether the changes observed here have  
22 resulted from environmental or fishery-induced  
23 selective pressures or a combination of both cannot be  
24 determined with any certainty.

25  
26 Few management options are available to  
27 counteract these trends. What we can influence is how  
28 many fish are harvested and how they are harvested in  
29 an effort to improve freshwater production. For all  
30 the options I will present, the overall objective is to  
31 reduce exploitation on the largest and oldest component  
32 of the Yukon Chinook run and achieve escapements that  
33 are more representative of the age and size class  
34 structure of the overall run. Large and old Chinook  
35 salmon are particularly important contributors to  
36 freshwater productivity.

37  
38 Next slide. I will present three  
39 options that were provided to the Board of Fisheries  
40 that were identified as having the potential to achieve  
41 this objective: decreasing exploitation rates,  
42 restricting mesh size, restricting mesh depth, and I'll  
43 also briefly touch upon other gear type restrictions  
44 that merit consideration. Any of these options could  
45 provide for spawning escapements that are more  
46 representative of the age and size class structure of  
47 the overall run. And any of these options could  
48 improve freshwater productivity and yield if more  
49 larger and older individuals and females do indeed  
50 reach the spawning grounds.

1                   Next slide, please. One way to achieve  
2 more larger and older fish reaching the spawning  
3 grounds is simply to harvest less. Under this option,  
4 click, please, the harvest rate would be reduced beyond  
5 whatever conservation measures are necessary to reach  
6 escapement. This would achieve more individuals on the  
7 spawning grounds, including larger and older fish.

8  
9                   Current gear regulations could be  
10 maintained with this option. When run abundance is  
11 poor to below average, the commercial fishery would be  
12 closed and the subsistence fishing schedule may have to  
13 be reduced. If there is a surplus of Chinook salmon  
14 beyond subsistence uses, Chinook salmon directed  
15 commercial periods would be reduced in time and area  
16 and/or delayed.

17  
18                   Next slide. This option should be  
19 effective in increasing escapements, including larger  
20 and older fish. All fishermen in the Yukon River main  
21 stem would share the conservation efforts.  
22 Additionally, there would be no direct costs incurred  
23 by fishermen as they would be able to use existing  
24 gear.

25  
26                   Commercial and possibly subsistence  
27 fishing opportunities would be reduced and commercial  
28 fishery value would be affected. In years of low  
29 abundance, there would be disruptions to subsistence  
30 fishing harvest patterns and it could result in reduced  
31 harvest depending on stock composition of individual  
32 runs.

33  
34                   Ultimately this fishing strategy will  
35 often result in higher escapements at or above existing  
36 escapement goal thresholds, thus there will likely be  
37 foregone harvest of fish.

38  
39                   Next slide. In the second option,  
40 gillnet mesh size restrictions will be adopted between  
41 7-1/2 and 8 inches, which is based on the best  
42 available data for Yukon River Chinook. Currently  
43 older and larger individuals are disproportionately  
44 harvested in the unrestricted mesh size fishery, and  
45 this option would make the harvest less selective for  
46 these individuals.

47  
48                   A mesh size reduction could be adopted  
49 only for commercial fishery, which is a lower use  
50 priority, or for both commercial and subsistence

1 fisheries.

2

3                   Next slide. A reduction in maximum  
4 mesh size would decrease the exploitation rate of  
5 larger and older Chinook salmon caught in gillnets and  
6 should increase the escapement of these fish while  
7 minimizing chum harvest.

8

9                   It is less likely that this option  
10 would affect fishing opportunity in terms of reduced  
11 harvest time. Therefore it is less likely that there  
12 will be foregone harvest.

13

14                   Additionally, overall length  
15 distributions of the harvest would likely better  
16 reflect the length distributions of the runs, and,  
17 therefore, escapement would likely be more  
18 representative of the run.

19

20                   Evidence from the Pilot Station net  
21 selectivity models suggest that gear with selectivity  
22 that matches the most abundantly fish in the run  
23 garners a slightly higher CPU. This suggests potential  
24 for fishermen to catch the same numbers of Chinook with  
25 a little less effort.

26

27                   Gear change to a smaller mesh size  
28 would come at a significant cost to subsistence and  
29 commercial fishermen, many of whom would need to buy  
30 new nets. The cost of replacing nets or hanging new  
31 webbing could range between 500 and 1800. Many  
32 fishermen would likely need to replace two or more  
33 shackles of gear.

34

35                   Additionally, the larger fish are more  
36 desirable in both subsistence and commercial fisheries.  
37 If mesh size is reduced in the subsistence fishery,  
38 fishermen may fish longer to catch more large fish,  
39 thus increasing the overall subsistence harvest. As  
40 larger fish are economically more valuable, short-term  
41 economic gain by commercial fishermen could be affected  
42 by having fewer large fish to sell.

43

44                   Fishermen have also raised concerns  
45 that smaller mesh nets could result in increased  
46 Chinook dropouts. The degree to which dropouts occurs  
47 is unknown, and extraordinarily difficult to quantify.  
48 The Chinook Technical Committee of the Pacific Salmon  
49 Commission provides some estimates for Chinook  
50 dropouts, but also emphasizes that uncertainty of these

1 estimates. These range from two to eight percent. We  
2 do not know, however, how a mesh size change would  
3 alter dropouts rate.

4  
5                   Lastly, any action that alters the  
6 nature of the gillnet fishery may reallocate harvest  
7 opportunity to other gear types.

8  
9                   Next slide, please. The efficacy of  
10 options A and B t reduce exploitation on the oldest and  
11 largest components of the run can be compared using a  
12 simple model. In this modeling exercise, we  
13 investigate a hypothetical run. Here I will present  
14 just an example. A run size of approximately 200,000  
15 fish. But it should be noted that the patterns I will  
16 present hold true regardless of the run size.

17  
18                   The harvest response is examined under  
19 four different exploitation rates, 30 percent, 40,  
20 percent, 50 percent and 60 percent, using 7-1/2-inch,  
21 8-inch and unrestricted mesh size. I want to emphasize  
22 that these are hypothetical scenarios to illustrate the  
23 trade-offs between these options.

24  
25                   Next slide. This graph illustrates  
26 some aspects of the tradeoffs between these options.  
27 This is the hypothetical scenario of 200,000 Chinook.  
28 On the X axis are the four exploitation treatments. On  
29 the Y axis is the harvest of large Chinook. So the  
30 more large Chinook that are harvested the fewer will be  
31 available for escapement to the spawning grounds.  
32 Scenarios using 7-1/2-inch mesh gear are shown by the  
33 bars with orange diagonal stripes. Eight-inch are  
34 shown with bars with green dots. And unrestricted mesh  
35 size are the blue with the horizontal stripes.

36  
37                   In the scenario we assume subsistence  
38 harvest of 50,000 fish, which is typical of most years.  
39 And any surplus above that contributes directly to the  
40 commercial fishery; therefore, at 30 percent  
41 exploitation on this 200,000, and that's this right  
42 here, there is a total harvest of 60,000. 50,000 of  
43 these are subsistence, resulting in a commercial  
44 fishery of 10,000.

45  
46                   Here we see, click for me, a decrease  
47 in exploitation rate decreases the harvest of large  
48 Chinook. We also see that fewer large Chinook are  
49 harvested by the smaller mesh sizes compared to the  
50 harvest with an unrestricted mesh size fishery.

1                                   And click one more time. Even when the  
2 exploitation rate for these smaller mesh size fisheries  
3 are doubled, that is, the harvest of large Chinook in  
4 the restricted mesh size at 60 percent, that's these  
5 right here, is less than the harvest in unrestricted  
6 mesh size at 30 percent. This means that because mesh  
7 size reductions address exploitation of the largest  
8 individuals specifically, greater exploitation rates  
9 could be used and still achieve the same objective.

10

11                                   Next slide. In summary, we find that  
12 both methods can be useful for decreasing the harvest  
13 of larger Chinook salmon. And exploitation rate would  
14 need to be reduced substantially to achieve the same  
15 magnitude of large Chinook savings that is possible  
16 with mesh size restrictions.

17

18                                   Next slide. The next option is to  
19 reduce depth of commercial and subsistence gillnets  
20 larger than six-inch stretch mesh to no more than 35  
21 meshes in depth. It is local traditional knowledge  
22 that larger Chinook travel deeper in the water column;  
23 however, there have been no quantitative studies that  
24 we are aware of documenting fish size caught by net  
25 depth.

26

27                                   Under current regulations, gillnet  
28 depth is unrestricted in the subsistence fishery.  
29 Commercial gillnets greater than six inches may not be  
30 more than 45 meshes deep for Districts 1 through 3.  
31 For the commercial fisheries in Districts 4 through 6,  
32 gillnets greater than 6 inches may not be more than 60  
33 meshes deep.

34

35                                   This option could reduce the harvest of  
36 larger fish, and reducing depth of gillnet gear is less  
37 expensive than changing gillnet mesh size. However, we  
38 do not have any quantitative data to demonstrate how  
39 effective reducing gillnet depth will be for increasing  
40 the number of larger and older individuals on the  
41 spawning grounds. A decrease in depth of gillnets may  
42 require fishermen to expend more effort to harvest  
43 salmon needed for subsistence needs. There will be  
44 some cost in time or money to reduce depth of existing  
45 gillnet gear. Again, any action that alters the nature  
46 of the gillnet fishery may reallocate harvest  
47 opportunity to other gear types.

48

49                                   Next slide. Because options A through  
50 C may result in reallocation of harvest from gillnet

1 fisheries to other gear types of fisheries, other  
2 actions such as the modification of fishwheels used and  
3 a size limit on Chinook salmon harvested in the  
4 sportsfishery merit consideration.

5  
6                   Interestingly, fishwheels garnered a  
7 lot of discussion at the Board of Fish.

8  
9                   Unfortunately we do not have adequate  
10 data at this time on these other gear types and  
11 fisheries to determine the effectiveness of such  
12 changes.

13  
14                   Next slide. In summary, various data  
15 have shown declines in the size and age of Yukon River  
16 Chinook salmon. There are few options available to  
17 address these trends, because many of the potential  
18 factors influencing these patterns are beyond the  
19 control of in-river management. Prosecuting the  
20 fishery in a manner that can increase the number of  
21 larger older individuals on the spawning grounds should  
22 increase freshwater production, which is our best  
23 available remedy for counteracting these trends. The  
24 options presented here all have the potential for  
25 obtaining this objective. But because the fisheries  
26 and fish populations are dynamic, it is impossible to  
27 predict with any certainty the success of any action  
28 when it translates to the actual fishery.

29  
30                   Next slide. And I'd just like to  
31 finish by acknowledging the contributors that were  
32 involved in this work that I just presented.

33  
34                   And I thank you for your time, and will  
35 be happy to take any questions.

36  
37                   MADAM CHAIR ENTSMINGER: Thank you,  
38 Dani. Any questions from the Council members.

39  
40                   MS. EVENSON: Madam Chair. If it would  
41 be all right -- are there questions? -- if I called Dan  
42 Bergstrom and Steve Hayes to the table along with to  
43 help answer some of the questions.

44  
45                   MADAM CHAIR ENTSMINGER: Yeah, that  
46 would be fine.

47  
48                   Andy.

49  
50                   MR. BASSICH: Thank you, Madam Chair.

1                   Dani and Dan. You demonstrated there  
2 that by going to 7-1/2-inch mesh we're going to be  
3 increasing the CPUE or the catch per unit effort of  
4 fish. And I'm just hoping maybe you could give us some  
5 insights on how you think that might affect your  
6 management strategies if people are actually more  
7 efficient at catching fish, and we base all of our  
8 escapements on numbers, how are you going to adjust for  
9 that or what do you envision happening? And I realize  
10 once the mesh changes go into effect, it might take a  
11 couple years to really understand how the fisheries  
12 have changed or been affected by this, but can you  
13 maybe just give us some insights how you think, or have  
14 you considered that issue as far as fish passage up the  
15 river? And I hope I was clear with that.

16  
17                   MR. HAYES: Yeah. Through the Chairs.  
18 I think you kind of hit it on the nose, Andy, when you  
19 said it's going to take a little while for us to see  
20 how even fishermen react to these changes and how  
21 they're going to fish their nets possibly differently,  
22 and how that could increase the harvest or possibly the  
23 harvest could remain the same. But over time, we will  
24 have to monitor it, and we have time and area through  
25 our management that if we see that the harvest is  
26 increasing, then we may have to decrease the harvest.  
27 I see it more on the commercial side. On the  
28 subsistence side, since subsistence normally takes on  
29 average 50 to 55,000 fish annual.

30  
31                   CHAIRMAN REAKOFF: And so I -- did that  
32 answer your question there?

33  
34                   MR. BASSICH: Yeah.

35  
36                   CHAIRMAN REAKOFF: We'll go back and  
37 forth across the table here. Western Council, one  
38 question, Eastern.

39  
40                   You've got a Western comment or  
41 question for the State presentation. Go ahead, Jenny.

42  
43                   MS. PELKOLA: Mr. Chair. Dani, is this  
44 study done on drifting or set nets?

45  
46                   MS. EVENSON: Yes. Mr. Chair. The  
47 study was done using drift nets of the three different  
48 mesh sizes. And we had two different study locations,  
49 and the fishermen that participated were local  
50 fishermen.

1 MADAM CHAIR ENTSMINGER: Any other  
2 questions for the Eastern.

3  
4 (No comments)

5  
6 CHAIRMAN REAKOFF: Any questions on the  
7 Western side. Tim.

8  
9 MR. GERVAIS: Thank you, Mr. Chair.

10  
11 Thanks for your presentation, Dani.  
12 Regarding management options on the rationale, you  
13 spoke of two management options being available. And I  
14 feel that the main, most effective management option  
15 was under utilized by the Department. And that was by  
16 having their seat on the North Pacific Council not  
17 adequately address the bycatch issue at the North  
18 Pacific Council meeting last April. That motion  
19 brought forward a 69,000, well above the historical  
20 bycatch number of 29,000 approximately. That was quite  
21 a disservice to this stock and to fishermen that  
22 utilize the stock.

23  
24 So I would like to see in the future  
25 the State take a more proactive step or proactive  
26 approach to protecting these fish in the Bering Sea and  
27 understand that even though we're not as high dog a  
28 fishery as the pollock fleet, that it's still an  
29 important fishery and it's still important stock, and  
30 we should have equal protection and representation in  
31 these --in that management arena for the EEZ.

32  
33 Second item is I believe at the Board  
34 of Fish meeting with some discussion on dropout rates,  
35 someone had referenced a Bristol Bay dropout study, and  
36 that the data from it was inconclusive. Do you -- I  
37 don't -- that the number you threw out from the -- I'm  
38 sorry, I don't remember the commission, the Western  
39 Pacific Salmon Commission or something?

40  
41 MS. EVENSON: That was the Chinook  
42 Technical Committee to the Pacific Salmon Commission.

43  
44 MR. GERVAIS: Okay. That number of 8  
45 percent seems really low. Is there -- i your opinion,  
46 is there any way then in the future this dropout rate  
47 could be further defined, of is it just always going to  
48 be a really ambiguous number?

49  
50 MS. EVENSON: Mr. Chair. Mr. Gervais.

1 Dropout rates as I mentioned are extraordinarily  
2 difficult to quantify. So they change. They're site-  
3 specific. They depend on the gear. they depend on the  
4 weather conditions, what's in the river at the time,  
5 which, you know -- what the size class of those fish  
6 are. So even if we were able to get a handle on it  
7 somewhere, that could change. We see the age  
8 composition, the size composition change year to year.  
9 We also see it change within a year. So it would be  
10 really difficult to get a handle on.

11  
12 Generally speaking, when we think of  
13 dropout rates, when you get closer to the optimum size  
14 class of the run, so the most abundant size class, you  
15 have, and, you know, this is from the literature.  
16 There's not a lot of information, but you see less  
17 dropout rates. And when you start to get smaller and  
18 move away from that is when you start to see that  
19 increasing.

20  
21 But again, you know, it depends on all  
22 these factors. The other thing it depends on is how  
23 you bring in your nets, how carefully you bring them  
24 in. Are you, you know, reeling them in or, you know,  
25 is it hand-over-hand, and all that plays into the  
26 dropout rates.

27  
28 Thank you.

29  
30 MR. GERVAIS: Okay. And my last  
31 question was, on slide 5, on your Y axis, you have  
32 proportion written there. Could you explain that  
33 proportion? It's under the length distribution and net  
34 selectivity slide.

35  
36 CHAIRMAN REAKOFF: I'm going to comment  
37 here. Sue is concerned that Staff is unaware of why we  
38 have the State before us. It's I wanted to see the  
39 State's presentation that they made to the State Board  
40 of Fish and what the State Board of Fish saw, and so  
41 both of our Councils know. We weren't all at the Board  
42 of Fish meeting, and so we want to know what happened  
43 there so that we can move forward with the proposals  
44 that are before us. And so I wanted to clarify that  
45 issue just before you continue.

46  
47 And so go ahead, Dani.

48  
49 MS. EVENSON: Yes. Thank you, Mr.  
50 Chair. And I hope this information is helpful to you

1 as you consider these proposals. We will also be doing  
2 this at the YK-Delta RAC.

3

4 Mr. Gervais, you were asking about  
5 slide 5, and I believe that's the proportion of the  
6 fish that -- in each of those length classes. So it  
7 was taken originally from a histogram. What he's  
8 looking at, I don't -- since I don't have the  
9 PowerPoint next to me, I can't flip on the slide,  
10 unfortunately for everyone. But if you look at that  
11 gray shaded area, that's what it's referring to. So  
12 it's the proportion of fish at each of those size  
13 classes.

14

15 CHAIRMAN REAKOFF: So did that complete  
16 your questions then, Tim.

17

18 MR. GERVAIS: Yes, thank you.

19

20 CHAIRMAN REAKOFF: I have some comments  
21 myself.

22

23 Any questions on the Eastern side  
24 there.

25

26 MR. BASSICH: Yeah. This is more  
27 informational. Can you enlighten us, when you -- you  
28 base a lot of this on 900 millimeter fish. Can you  
29 give us an estimate of weight and fecundity of fish at  
30 that size? Approximately. I realize that there's  
31 variations and everything, but I think it helps, you  
32 know. When we start talking size of fish, most  
33 fishermen don't really get out and do ASL, and they  
34 don't have a real good handle on saying that a 900  
35 millimeter fish is a certain size. I think most  
36 fishermen base most of their knowledge on basically the  
37 weight of the fish or whatever, and I think that's just  
38 an important thing to help people visualize what size  
39 fish you're talking about when you talk about a 900  
40 millimeter fish. Do you have that handy?

41

42 MS. EVENSON: Mr. Chair. Mr. Bassich.  
43 No, I do not have that handy. If I had to hazard a  
44 guess, this is a best guesstimate, I would say that  
45 you're talking above 20 pounds when we talk about 900  
46 millimeter fish, somewhere in the probably 25 to 35  
47 pound range.

48

49 CHAIRMAN REAKOFF: Do you have another  
50 question there.

1 MR. BASSICH: No.  
2  
3 MR. COLLINS: Mr. Chair.  
4  
5 CHAIRMAN REAKOFF: Go ahead, Ray.  
6  
7 MR. COLLINS: Yeah, this study as you  
8 mention was based on the drift fishery in the lower  
9 river there. How can we apply this information to the  
10 upper river where more of it is setnet, fishwheel and  
11 so on. If the goal is to get the larger fish to the  
12 spawning grounds, what of this information can we use  
13 where there isn't as much drifting in the upper river.  
14 Do you see what I mean? We don't know. Do we have any  
15 information on what like setnet size changes is likely  
16 to do in terms of fish size and so on?  
17  
18 MS. EVENSON: Mr. Chair. Madam Chair.  
19 To Mr. Collins. That's an excellent comment and  
20 question, and we don't have that information from  
21 different setnets. We don't have that comparative  
22 information - driftnets, we do collect the daily data  
23 in the summer from our Lower Yukon test fishery, which  
24 is a setnet, but we don't have that comparative  
25 information. Most of the information that has been  
26 collected to date is on drift nets unfortunately. We  
27 are looking more into the other gear types as we move  
28 forward with this, but at this time we don't have that  
29 information. Unfortunately.  
30  
31 MR. COLLINS: And I guess another  
32 question related to that would be what composition of  
33 the run is actually available to setnets if the large  
34 fish are going further are tending to use the middle of  
35 the river, they may be completely passing those. So is  
36 there any idea of -- I mean, we would need to know  
37 something about what percentage of the run are the  
38 setnets tapping into as opposed -- do you see what I  
39 mean in terms of size and so on?  
40  
41 MS. EVENSON: Mr. Chair. Mr. Collins.  
42 I don't have the information unfortunately in front of  
43 me for how many of the users use setnet gear. But  
44 fishermen do tend to set up their nets in eddies when  
45 they're using setnets. We do have setnets throughout  
46 the river, so it's not just the upper river fishermen.  
47 It's also the lower river fishermen. And from our test  
48 fisheries alone, we do see larger fish. We use 8-1/2-  
49 inch gear that's 28 meshes deep in the north, middle  
50 and south mouths of the Yukon, and we get quite a few

1 large fish in that. So it seems that this is an issue  
2 for all gear types.

3

4 CHAIRMAN REAKOFF: Okay. Any questions  
5 on the Eastern side. Go ahead.

6

7 MR. WOODRUFF: I think that John Eiler  
8 did some radio telemetry with archival tags and he has  
9 information on the depth that the fish were running.  
10 And I think that would be valuable information, but I'm  
11 not sure of the status of his reports and stuff.

12

13 And one other comment is that I heard  
14 on the radio this winter that the Governor went to  
15 Whitehorse to apologize for the crash of the Chinook  
16 salmon. And I think that that's a pretty telling thing  
17 of the status of the fisheries that the Governor has to  
18 go to the Province of Canada and apologize that the  
19 fisheries are, you know, not up to par, and that he's  
20 -- his comment was that we're going to have a lot of  
21 new studies done. And in that respect I think it's  
22 important for everyone to sort of try to think out of  
23 the box and not sort of the same old routine that we've  
24 been going through for the past 10 or 15 years of  
25 studying these fish.

26

27 And I think this fish size restriction,  
28 or this mesh size restriction is an important issue to  
29 get the fish up on the spawning grounds, but if we  
30 don't have a memorandum of agreement with Canada -- for  
31 example, in '08 the commercial fisheries was really  
32 restricted on our side, and they opened the fisheries,  
33 the commercial fisheries on the Canadian side. So if  
34 we don't have complete agreement all the way to the  
35 spawning grounds, there's a big conflict there.

36

37 And I think Pat maybe should take that  
38 under advisement, too, because he wanted comment on the  
39 whole process, and I think that's an important thing to  
40 consider is, okay, we get them across the border, but  
41 if the Canadians are commercial fishing right there,  
42 and we don't have a say-so what the Canadians are  
43 doing, it's a big issue.

44

45 Thank you.

46

47 CHAIRMAN REAKOFF: Do you want to  
48 answer that, Dani.

49

50 M. EVENSON: Yes, sir. Mr. Chair. Mr.

1 Woodruff. the first part of your comments was in  
2 regards to John Eiler's radio telemetry and we have  
3 been in contact with him, and we review that data with  
4 him. And there was no clear signature suggesting that  
5 large fish travel with depth. We were seeing fish of  
6 all sizes distributed throughout the water column.

7  
8 And the second part of that is, yes, we  
9 don't control the Canadian fisheries and that's, you  
10 know, a little bit frustrating, but the Canadians have  
11 been more conservation minded and we've seen an advance  
12 in interest in using smaller mesh gear, in live-  
13 releasing fish from fishwheels that are above a certain  
14 age and size class. So they are moving in that  
15 direction and, you know, we do discuss those issues and  
16 work them out through the Yukon River Panel. You  
17 actually have a panel member on the Eastern Interior  
18 RAC who could probably comment more on that, but it is  
19 something that we are working towards with them.

20  
21 CHAIRMAN REAKOFF: Go ahead, Andy.

22  
23 MR. BASSICH: Yeah. Just maybe for  
24 clarification for everyone, when you look at the treaty  
25 with Canada, you almost have to think of it as two  
26 separate runs. When the fish enter the river, the  
27 Alaska Department of Fish and Game and Fish and  
28 Wildlife manage the fisheries within Alaska. And we  
29 have obligations to pass a certain number of fish  
30 across the border to Canada. And once that number is  
31 reached, it's almost like starting the run all over in  
32 Canada. They then can prosecute, if there's an  
33 abundance or a surplus, their commercial fisheries.  
34 And they have the same kind of guidelines set up in  
35 Canada as we do. If the numbers of fish aren't there,  
36 they will impose restrictions on first their commercial  
37 fisheries, then their household fisheries or domestic,  
38 and then what they call aboriginal, which is equivalent  
39 to our subsistence.

40  
41 So the treaty requires us to pass the  
42 fish across the border, and what the Canadians do on  
43 their side is pretty much up to them.

44  
45 But the Yukon River Panel also sets  
46 what the escapement goal is. So even though the  
47 Canadians may be prosecuting a commercial fisheries,  
48 they're still trying to get a certain of fish to the  
49 spawning grounds within the numbers of fish that they  
50 have to work with. So I hope that that clarifies it

1 for people. It's not like they -- just because we get  
2 fish across the border, they harvest that and exploit  
3 it, you know, a fairly high exploitation rate.

4  
5 And I'd like to reiterate what Dani  
6 said. They are far and away ahead of us as far as  
7 stewardship and conservation measures. We really could  
8 learn a lot from the Canadians on taking care of the  
9 resource and curtailing our activities in the name of  
10 conservation.

11  
12 Thank you.

13  
14 CHAIRMAN REAKOFF: Thank you. You've  
15 got a comment there, Tim.

16  
17 MR. GERVAIS: Yes. Dani or Steve or  
18 Dan or anybody, can we get some information to the  
19 Board on what are the mesh sizes along the river that  
20 are being used in commercial and the subsistence  
21 fisheries? I mean, your presentation's referring to  
22 unrestricted, but what -- where -- if we go with a mesh  
23 size restriction, what are we restricting down from?  
24 Is it 9 or is it all 8-1/2?

25  
26 MS. EVENSON: Mr. Chair to Mr. Gervais.  
27 We don't have recent gear study. It's suspected that  
28 most fishermen fish with something between 8-1/4 and 8-  
29 3/4 along the river. I have heard reports of people  
30 using smaller gear than that, and, you know, and all  
31 the way down to 7-1/2 in some locations, but other  
32 people, you know, presumably still use 9. But the  
33 dominant gear type seems to be around 8-1/2, somewhere  
34 between 8-1/4 and 8-3/4.

35  
36 MR. GERVAIS: Mr. Chair. Would it be  
37 appropriate to get Lester's comment on what size gear  
38 they're using or anybody that's.....

39  
40 CHAIRMAN REAKOFF: Sure. Have you got  
41 a comment on that, Lester.

42  
43 MR. L. WILDE: Well, I come from the  
44 coast and I haven't been in the fisheries for about 15  
45 years after I moved out from the river. But at the  
46 time that I was tendering fish, we were using 8, 8-1/4  
47 to 8-1/2.

48  
49 CHAIRMAN REAKOFF: Uh-huh. Good. And  
50 you had a comment there, Frank.

1 MR. GURTLER: Well, what I'm worried  
2 about with that treaty with Canada, they have a  
3 commercial up there, which is fine, probably, if they  
4 have the fish, but those fish are going by us and the  
5 traditional fishermen can't even get them. And that's  
6 what I'm worried about. Could you -- could they  
7 explain to me how do they do that? Is there a way for  
8 them to cut back on their allocation of commercial  
9 fishing or on their quota?

10  
11 MS. EVENSON: Okay. Through the Chair.  
12 The way the treaty works is we have an escapement goal,  
13 and we also have an obligation to pass a certain number  
14 of fish for harvest into Canada. So we take the total  
15 of Canadian fish coming into the river, and we right  
16 now a goal for 45,000. And, for example, let's say  
17 that there were 100,000 Canadian fish coming into the  
18 river, 45,000 automatically need to go across the  
19 border for escapement. Now we have a 55,000  
20 harvestable surplus. The Alaskan fishermen get 80  
21 percent of that harvestable surplus and the Canadians  
22 only get around 20 percent, so that means that we would  
23 have to pass something along the lines of 60,000 across  
24 the border. And so they really are harvesting at a  
25 lower rate. We get 80 percent of that catch for the  
26 harvestable surplus.

27  
28 And the Canadians are very restrictive.  
29 The commercial fishery that Don Woodruff mentioned, in  
30 2009 they took 300 fish. Their First Nations have  
31 voluntarily agreed to restrict themselves to half of  
32 their normal take. And they've done that for the past  
33 couple of years. In 2007 and 2008 we did not meet the  
34 goal in Canada. In 2007 we had a small commercial  
35 fishery on our side and a full subsistence fishery, and  
36 they were restricted. And in 2008 we had some  
37 subsistence restrictions, no commercial fishery, and  
38 they also were restricted.

39  
40 So going into this year a lot of the  
41 First Nations agreed voluntarily, it was completely  
42 volitional, to just take half of their normal harvest.  
43 And even when there was enough fish, a lot of them  
44 still felt that they shouldn't be harvesting at high  
45 numbers, that the spawning grounds needed those fish.  
46 So they are very conservation minded. It's not that we  
47 just pass those fish across the border and they have  
48 huge commercial fisheries. They had a fishery of 300.

49  
50 CHAIRMAN REAKOFF: I also will comment

1 that we prosecuted directed chum fisheries and killed  
2 hundreds, thousands of Chinook salmon in the directed  
3 chum fishery. There was, what was it, 2,800 were  
4 harvested in the directed chum fishery in the fall  
5 portion. There was how many fish were harvested in the  
6 directed fishery for Chinook and then there was an  
7 allowance of sale?

8

9 MR. HAYES: Through the Chairs. In  
10 2009 there was only directed chum fisheries, the summer  
11 chum, in fall season for fall chum. There was a total  
12 of 316 chinook taken last year in all those fisheries.  
13 Sold, I'm sorry.

14

15 CHAIRMAN REAKOFF: Sold. Yeah.

16

17 MR. HAYES: Sold

18

19 CHAIRMAN REAKOFF: That's the number I  
20 wanted to -- I know that there were -- I was trying to  
21 get on the teleconference how many were actually  
22 harvested in the summer chum fisher that were not sold.  
23 There was estimates floating around. And so people  
24 were complaining about having to deal with these fish  
25 down there in the lower river. And so I was wondering  
26 how many fish were harvested in the directed chum  
27 fishery.

28

29 MR. HAYES: Through the Chairs. We  
30 don't have a solid number on that at this time I mean  
31 as those fish are taken home for subsistence uses. We  
32 do have fishermen that do record them, were required on  
33 fish tickets, so we do have some numbers, but they're  
34 not accurate at this time.

35

36 Some fishermen last year that couldn't  
37 use those fish, they were donated to local processors,  
38 Kwik'pak Fisheries and Boreo Fisheries. And I have to  
39 give kudos to those buyers, because they process those  
40 fish, and they had two shipments. One went to Eagle  
41 and one went to Ruby I believe, and they paid for the  
42 whole operation to get those fish to people upriver  
43 that needed those fish for subsistence uses.

44

45 CHAIRMAN REAKOFF: That's what I wanted  
46 to know.

47

48 You had a comment on that, Andy.

49

50 MR. BASSICH: Yeah. I just wanted to

1 make a comment to the panel here. In my mind, the most  
2 important thing that we should be thinking about and  
3 talking about in this issue, and it doesn't matter  
4 whether we're talking about Alaskan fisheries or  
5 Canadian fisheries is quality of escapement. And if we  
6 take care of quality of escapement, then it  
7 automatically begins to achieve the goals that we're  
8 trying to do right now. So it doesn't matter how many  
9 fish we harvest here and there. I mean it does to an  
10 extent, but ultimately what all of these proposals are  
11 aimed at is trying to get better quality. In other  
12 words, more fecund large females up to the spawning  
13 grounds. And so I'd just like to remind everybody  
14 here, that's the goal and, you know, it's real easy to  
15 get sidetracked on who gets what and whatever, but  
16 ultimately that's what we're trying to do through these  
17 proposals in the best manner that we can.

18

19 Thank you.

20

21 CHAIRMAN REAKOFF: Yeah, I do

22 appreciate that also.

23

24 I was defending the Canadian harvest of  
25 Chinook on their side is what I was actually going at.  
26 I mean, we can't be like rubbing their nose in harvest  
27 if we're on our side killing fish, too. So, I mean,  
28 everybody's taking some fish.

29

30 Does Western have any more comments.

31

32 (No comments)

33

34 CHAIRMAN REAKOFF: My comments would  
35 be I understand that the mesh size is steady, the catch  
36 per unit of effort was equal with all three gear types.  
37 Each gear type was fished exactly the same amount of  
38 time. You're going to estimate at a two to eight  
39 percent dropout rate with the appropriate gear type as  
40 has been shown in other studies.

41

42 What my perception is, you can't mix  
43 apples and oranges. You can't take studies that are  
44 designed around using optimum gear type for the fish  
45 that are present and using a two to eight percent drop  
46 out. It's not going to be the same as if you're  
47 fishing the six-inch gear with one and a half inch  
48 smaller gear type. You're going to have phenomenal  
49 amounts of additional dropout. So I appreciate that  
50 number being used as two to eight percent drop out

1 rate. I would like to draw out diagrams for you, to  
2 design dropout nets that could be designed to capture  
3 the dropouts after they fall out of the gear so that  
4 you can enumerate that, and I'll go over that with you  
5 another time and draw you a little picture like I did  
6 with that catch point.

7

8                   And my perception is that you're going  
9 to have to reduce the amount of fishing time, because  
10 you've increased efficiency fairly -- the number of  
11 fish harvested. Catch per unit of effort is going to  
12 increase. So you have to reduce fishing time.

13

14                   You also have to -- the objective is to  
15 take a chunk out of the run and let the fish pulse go  
16 through, and protect certain portions of that run. And  
17 so the flaw is that the fish, the telemetry work that  
18 we've done previously, the fish move at different rates  
19 depending on how fast the water's running and so it  
20 starts to blur as it moves up the river.

21

22                   So my opinion is that the Department  
23 needs to have telemetry implanted throughout each pulse  
24 so you can track where that pulse is, and so you keep  
25 putting some telemetry on fish. And so you have sort  
26 of an idea where the protected portion of the pulse is  
27 as it progresses up the river. That is going to be  
28 almost imperative with the kind of demands for meeting  
29 escapement and protecting certain portions of the run.  
30 We're going to take out certain pieces and we're going  
31 to protect certain pieces, and so we get large healthy  
32 fish across the border, and we don't to get mixed up on  
33 where they're at on the river and start hammering them  
34 in certain other portions of the river.

35

36                   My opinion is that telemetry needs to  
37 be used in conjunction with reducing your fishing  
38 efforts.

39

40                   And so those would be my comments on  
41 where we're at at this time.

42

43                   And so do you have any comments, Sue.

44

45                   MADAM CHAIR ENTSMINGER: Well, I think  
46 I would like to just, you know -- I'm not as familiar  
47 with the Yukon as everyone here, so just for people  
48 that might be new to this whole process, I think it's  
49 important to say what the Fish Board has done and what  
50 it means to the fishery currently as we go into the two

1 proposals on the Federal side.

2

3 MADAM CHAIR ENTSMINGER: So any final  
4 comments from the State.

5

6 MR. HAYES: Well, through the Chairs.  
7 I mean, there were quite a few proposals that were in  
8 front of the Board of Fishery. I mean, obviously not  
9 all of them passed. Some passed amended, different  
10 language. We do have a news release that we issued  
11 that ha the proposals and the action that the Board of  
12 Fishery took on these proposals.

13

14 I guess I would say the two big ones  
15 were the mesh size restriction and the depth  
16 restriction. The mesh size was passed, amended, with  
17 7-1/2-inch mesh, and that would go into effect in 2011  
18 for both subsistence and commercial. And the depth  
19 proposal did not pass.

20

21 And as I said, we have a news release  
22 with all the proposals.

23

24 And also as we did in 2009, which was  
25 done with cooperation from all the user groups,  
26 fishermen, on the first pulse closure, the Department  
27 now through regulation has the authority, you know, to  
28 protect that first pulse if needed, to have closures  
29 around that.

30

31 CHAIRMAN REAKOFF: Andy.

32

33 MR. BASSICH: Thank you. Yeah. Just  
34 following up on what you just said. I would like to  
35 ask the Chairs that after we're through our agenda  
36 here, or at some point if we could take a little bit of  
37 time with this body to discuss the pulse protection and  
38 management and how they envision that or plan on  
39 putting that into a working management plan. I think  
40 it's a real -- you brought up a very, very important  
41 point. I think it's something that there's a lot of  
42 consensus on, and I think it's an area that we should  
43 spend some time trying to develop consensus that might  
44 help managers with decisionmaking. So I think it's a  
45 really important thing for us to discuss today, since  
46 we are talking so much about fisheries and quality of  
47 escapement.

48

49 CHAIRMAN REAKOFF: Right. I'm  
50 concerned about, you know, trying to drop the hammer on

1 the commercial fishery without proper data and so  
2 forth, and so first pulse protection and how we're  
3 going to protect that pulse is -- I think that the  
4 Councils, all three Councils should figure out how  
5 we're going to do that.

6

7 And did you have a final comment, Tim.  
8 You were fidgeting over there.

9

10 MR. GERVAIS: No, I just do that  
11 naturally, but I'd like to get Dan, Steve's comments on  
12 how these new actions passed by Board of Fish are going  
13 to affect the management scheme of the river, if they  
14 feel it's adequate or they want to see something  
15 different or more or less.

16

17 MR. HAYES: Well, through the Chairs.  
18 As I said earlier, it's going to take us some time to  
19 see what kind of affect the mesh size change is going  
20 to have on our management in the future, We have to  
21 see how fishermen are going to react to it, how they're  
22 going to fish their nets differently. Is their harvest  
23 going to increase, and how are we going to deal with  
24 that.

25

26 But one other thing that I need to  
27 mention is that even with the, you know, pulse closure,  
28 on March 10th YRDFA will be hosting a teleconference,  
29 which we did last year, the preseason meetings, to get  
30 fishermen, the Department, Fish and Wildlife Service,  
31 all the agencies together to present the outlet for  
32 2010, and kind of our thoughts on what we think the run  
33 might be doing, and get input from fishermen on what  
34 they think, you know, how we should manage the run, to  
35 get it like we did last year, and it worked out really  
36 well. So we'll be doing it again this year starting in  
37 March with the teleconference.

38

39 And as I said, it's going to take time  
40 to see what these changes, how they affect the run and  
41 how we're going to handle it all with management.

42

43 And, you know, I think it's fair to  
44 say, too, that it really depends on the run sizes. I  
45 mean, you know, if we have run sizes that can sustain  
46 subsistence harvest and commercial, well, then I think  
47 our management scheme will be a lot less restrictive.  
48 If we have poor runs as we had in '07 and '08, we're  
49 going to be more restrictive. It really depends on the  
50 run sizes.

1 CHAIRMAN REAKOFF: Okay. And Lester  
2 wanted to have a comment there. Go ahead, Lester.  
3  
4 MR. L. WILDE: How much of a change --  
5 I could probably do this mathematically, but with the  
6 mesh size change to 7-1/2, how much would that bring  
7 your mesh depth down to. Do you have a calculator  
8 there we could calculate? As opposed to the other mesh  
9 sizes.  
10  
11 MS. EVENSON: Yes. Mr. Chair to Mr.  
12 Wilde. If you think of the current commercial fishery  
13 as 8-1/2-inch mesh, this would bring it down about  
14 three and a half feet to seven -- if you went to 7-1/2-  
15 inch mesh -- I mean, it would be three and a half feet  
16 less deep than it currently is.  
17  
18 CHAIRMAN REAKOFF: If they were fishing  
19 45 mesh, it would.....  
20  
21 MS. EVENSON: Right. It's still 45  
22 mesh in the Board of Fish.  
23  
24 CHAIRMAN REAKOFF: And if you drop it  
25 once inch, you're going to have 45 inches of reduction  
26 in depth. That's what it would come out to be. It's  
27 an inch per -- it's a reduction of one-inch in mesh  
28 size per mesh, so it will be 45 inches shallower.  
29  
30 MADAM CHAIR ENTSMINGER: Which is  
31 almost four feet.  
32  
33 CHAIRMAN REAKOFF: Right. Approaching  
34 four feet.  
35  
36 So I think we've probably covered the  
37 State's presentation, and we really appreciate hearing  
38 what you provided for the Board of Fish and what the  
39 Board of Fish saw and then the Federal Subsistence  
40 Board is also going to be fairly interested in how that  
41 progressed. So I personally wanted to see that the  
42 Councils saw that. And then our Staff also has  
43 reviewed their analysis, and so our Staff also has  
44 additions to that presentation, so I appreciate those  
45 also.  
46  
47 So thank you.  
48  
49 MADAM CHAIR ENTSMINGER: Thank you.  
50

1 CHAIRMAN REAKOFF: And do you want a  
2 little break now, Sue for a minute?  
3  
4 (Off record)  
5  
6 (On record)  
7  
8 CHAIRMAN REAKOFF: So we're still going  
9 to come back to order again. We want to find our  
10 Council members, wherever they may be. Let's see,  
11 where did Andy go.  
12  
13 MADAM CHAIR ENTSMINGER: Is that him in  
14 the back? Yeah, he's in the back.  
15  
16 CHAIRMAN REAKOFF: We're bringing this  
17 meeting back to order again.  
18  
19 MADAM CHAIR ENTSMINGER: We always  
20 threaten to have a gavel, but we don't have one.  
21  
22 (Pause)  
23  
24 MADAM CHAIR ENTSMINGER: Okay. I'm  
25 sorry about the musical chairs. Okay.  
26  
27 We're going to go into the analysis and  
28 we have Rich and Larry here. Go ahead and introduce  
29 yourselves.  
30  
31 MR. CANNON: Yes. Council Chairs and  
32 Regional Council members. My name is Richard Cannon.  
33 I work with the Office of Subsistence Management. I'm  
34 the Yukon River fisheries biologist.  
35  
36 And seated next to me is Larry Buklis  
37 who is the chief of the fisheries division with OSM.  
38  
39 The two proposals by the Eastern  
40 Interior Advisory Council would change gillnet  
41 specifications, reducing mesh size and depth for  
42 commercial and subsistence fisheries in Federal public  
43 waters of the Yukon River. These changes have a long  
44 history of consideration and debate before the Federal  
45 Subsistence Board as well as the State Board of  
46 Fisheries.  
47  
48 The purpose for both proposals is to  
49 address growing concerns about declining size and  
50 productivity of Yukon River Chinook salmon. For the

1 Federal process it's important to note that most  
2 commercial fishing and over half of subsistence harvest  
3 takes place in Federal public waters of the Yukon  
4 River.

5  
6 This complex history is summarized in  
7 the draft Staff analyses.

8  
9 It is also important to note that a  
10 riverwide consensus about the scope of these concerns  
11 or solutions has not yet emerged.

12  
13 The proposals were last considered by  
14 the Federal Board in December 2007.

15  
16 CHAIRMAN REAKOFF: Can I stop you there  
17 for a second, Rich.

18  
19 For the Council members' information,  
20 we have an informational packet, and in that packet is  
21 our proposals, the 12 and 13. And so they're in the  
22 folder on the side.

23  
24 Go ahead, Rich.

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

27  
28 Does everyone have the two analyses in  
29 front of them?

30  
31 MR. BUKLIS: They're still looking for  
32 it.

33  
34 CHAIRMAN REAKOFF: Everybody set?

35  
36 MR. CANNON: The proposals were last  
37 considered by the Federal Board in December 2007.  
38 Neither of the proposals were adopted at that time.  
39 Both were resubmitted by the Eastern Council in 2008.  
40 Their request was based on new information available to  
41 the Board at that time.

42  
43 Proposal 12 would reduce the maximum  
44 gillnet mesh size to 7-1/2 inches and Proposal 13 would  
45 reduce depth of gillnets greater than 6 inches to 35  
46 meshes deep for commercial and subsistence Chinook  
47 salmon fisheries in Federal public waters of the Yukon  
48 River. In 2009 the Councils requested a modification  
49 of Proposal 12 to reduce maximum mesh size to 6 inches,  
50 but were told that their initial proposal would have to

1 be considered first and a new proposal submitted on  
2 mesh size during the next Federal regulatory cycle  
3 beginning in February of 2010.

4  
5 The Federal Board met in January 2009  
6 and agreed to a request made by the Alaska Department  
7 of Fish and Game to delay any action on these proposals  
8 until the Alaska Board of Fisheries had the opportunity  
9 to consider the issue of gear selectivity during its  
10 January 2009/2010 meeting.

11  
12 The Council also submitted proposals to  
13 the Board of Fisheries to reduce maximum gillnet mesh  
14 size to 6 inches and a maximum depth to 35 meshes for  
15 their 2009/10 meeting.

16  
17 I will provide an overview of the more  
18 detailed information in the written draft analysis for  
19 Proposal 12 first, take your questions and then take up  
20 Proposal 13.

21  
22 The draft Staff analysis for Proposal  
23 12 that requests a maximum mesh size limit of 7-1/2  
24 inches updates the regulatory background, harvest and  
25 stock status information for Yukon River Chinook salmon  
26 provided the Board when it considered this proposal in  
27 December 2007. The analysis also provides new  
28 information from studies that have been recently  
29 concluded, some additional analysis of available data,  
30 an update on public studies and recent actions by the  
31 Alaska Board of Fisheries regarding size, selective  
32 fisheries. And I'll go over the Staff's assessment of  
33 the effect of the proposal, and then finally the OSM  
34 Staff recommendation.

35  
36 The Council's proposal would be phased  
37 in over a three-year period for subsistence users and a  
38 one-year for commercial users to reduce the economic  
39 burden and match the useful life of most nets, which  
40 the Council identifies as three to four years.

41  
42 A summary of the recent Board of  
43 Fisheries actions is presented on Page 6 of your  
44 analysis. The State Board was given basically the same  
45 information by ADF&G Staff and a special presentation  
46 by Dr. Jeff Bromaghin with USGS that is provided in  
47 this analysis. And you heard just before my  
48 presentation that information from the State Staff.

49  
50 After extensive public testimony from

1 stakeholders, Yukon River Advisory Committees and  
2 Regional Councils, the State Board reduced the maximum  
3 mesh size of gill nets for Yukon River subsistence and  
4 commercial fisheries to 7-1/2-inch mesh. A one-year  
5 phase-in period was given Yukon fishermen to make this  
6 change in gillnet mesh size to begin in 2011.

7  
8 In addition the State Board adopted  
9 regulatory language giving State managers emergency  
10 order authority to establish fisheries closures on  
11 tentative pass pulses of Chinook salmon through Alaskan  
12 fisheries to upper river spawning areas with little or  
13 no harvest. The intent is to protect the first pulse  
14 of Chinook salmon known to contain a high percentage of  
15 upper river spawning fish. Fishermen from all areas of  
16 the river testified during the State Board's committee  
17 process that this rolling closure protecting the first  
18 pulse as it migrated upriver seemed to be effective.  
19 Upper river fishermen reported seeing larger numbers  
20 and larger sized fish in 2009.

21  
22 The biological background of the  
23 analysis begins on Page 9. The draft analysis provides  
24 a summary of historic catches, exploitation levels and  
25 escapement and fecundity information, and this is Pages  
26 9 through 13. This information provides some basic  
27 information about stock status and the harvest.

28  
29 Key points from the new information are  
30 for the ADF&G age consistency study findings presented  
31 on Page 13. The age fish, and this is a study that was  
32 done to look at the consistency of aging fish,  
33 comparing how ADF&G aged fish through their historic  
34 scale aging data base with three other labs. The age 8  
35 and a portion of the age 7 fish were the source of the  
36 greatest inconsistency in scale aging based on this  
37 study.

38  
39 The inconsistency was caused by a  
40 reading of a second freshwater annuli on the scales.  
41 All aged fish have this annuli and in some years a high  
42 percent of the age 7 fish can have it as well. This  
43 means that it's difficult to substantiate claims that  
44 the age 8 fish have been extra big. In addition the  
45 inter-annual comparisons of age 7 fish in some cases  
46 may not be reliable for some time periods when a high  
47 percentage of these two freshwater annuli fish are  
48 observed.

49  
50 Age 7 fish are an important though

1 variable and usually small component of the run. So  
2 age 7 fish do exist, most of them only have the one  
3 year fresh water annuli.

4  
5 Information documenting declining size  
6 of Yukon River Chinook salmon is presented on Pages 14  
7 through 15. Although limited time series available  
8 from commercial harvest and escapements do show a  
9 decline in size for larger, older fish. The ADF&G  
10 analysis by Dr. Hamazki that was presented at the Board  
11 of Fisheries showed what appears to be a decadal  
12 fluctuations in the larger, older fish would suggest a  
13 response to changing environmental conditions as well  
14 as he showed there was an overall gradual decrease in  
15 size over time. It's hard to separate environment from  
16 other potential causes.

17  
18 However, observational data cannot  
19 confirm what the causes of declines in size might  
20 actually be. Both Dr. Bromaghin and Dr. Hamazki told  
21 the State Board that subtle changes in inheritable  
22 characteristics like size or age at maturity of  
23 animals, including wild salmon, would likely be masked  
24 by highly environmental responses. So like I was  
25 saying, it's hard to separate these out.

26  
27 The State Board was told that fisheries  
28 scientists have raised the concern about size-selective  
29 effects of fishing gear for many years, and that  
30 numerous recent modeling studies were raising strong  
31 theoretical warnings to managers about the long-term  
32 impact of selective removal of larger, older, more  
33 fecund spawning stock from the gene pool.

34  
35 The Federal analysis discusses this  
36 information on Pages 15 through 17.

37  
38 Specific treatment of Yukon River  
39 Chinook salmon modeling studies were presented to the  
40 State Board in a written report by Dr. Howard with  
41 ADF&G and Dr. Bromaghin's modeling of long-term  
42 consequences of selective gillnet fishing. The  
43 analysis presents this information on Pages 16 and 17  
44 with a more detailed summary of Dr. Bromaghin's long-  
45 term modeling study provided in Appendix A beginning on  
46 Page 30.

47  
48 Dr. Howard presented a comparison of  
49 management options employing gillnet mesh size and  
50 fishery exploitation. Now, this was just presented to

1 you by Dani Evenson, this information on comparing mesh  
2 size with different exploitation, so you've actually  
3 seen that presentation.

4  
5           The comparison showed that although  
6 both reducing mesh size and declining exploitation  
7 could effectively reduce harvest of larger, older fish,  
8 the reduction in mesh size would also allow more  
9 fishing opportunity.

10  
11           The draft Federal analysis attempts to  
12 highlight findings from Dr. Bromaghin's model of the  
13 effect of long-term highly size-selective gillnet mesh  
14 size harvest on a modeled Yukon salmon population based  
15 largely on parameters, different inputs, that were  
16 relevant to Yukon River Chinook salmon under various  
17 management scenarios. Dr. Bromaghin's study showed  
18 that a modeled Chinook salmon population would --  
19 decreased in length and age at maturity rapidly over a  
20 50-year period when subjected to selective fishing with  
21 8-1/2-inch size gillnets. And then it would stabilize  
22 over the next 150 years.

23  
24           As a result fecundity and stock  
25 productivity would also decline. This is in a modeled,  
26 you know, theoretical situation.

27  
28           However, when steps in the model were  
29 evaluated to rebuild the stocks to their pre-fishery  
30 conditions, reduction of mesh size to use 7-1/2-inch in  
31 addition to reduction of harvest rates and exceeding  
32 the escapement levels, producing maximum sustained  
33 yield were needed to restore the stocks. So you need  
34 both a change in mesh size and steps to improve the  
35 quality of escapement with regard to lowering  
36 exploitation rates, putting more of those larger, more  
37 fecund fish up on the spawning grounds. Both of those  
38 things were needed in his model. That's an important  
39 message from what he did.

40  
41           Pages 17 through 23 provides an  
42 analysis of gillnet mesh sizes that would optimally  
43 reduce the size of Chinook salmon captured, maintaining  
44 harvest efficiency for Chinook salmon, but not  
45 dramatically increasing summer chum salmon harvest.  
46 And in my analysis it compared 8-1/2 and 7-1/2 inch  
47 mesh. You saw a number of similar kinds of analyses in  
48 the presentation that Dani Evenson provided you,  
49 similar, from the same source, pretty much the same  
50 kind of information.

1                   This analysis determined that reducing  
2 mesh size to no larger than 7-1/2-inch would increase  
3 the size of Chinook salmon reaching the spawning  
4 grounds while modestly increasing summer chum salmon  
5 harvest. That's the key point there is the 7-1/2-inch  
6 allows you to actually harvest in the run that's coming  
7 into the river, the size distribution without overly  
8 harvesting, you know, too many chum salmon.

9  
10                   This analysis is based on a large data  
11 set collected by ADF&G at the Pilot Station sonar site  
12 with their test fisheries, but this may not be  
13 representing fishing methods employed by commercial and  
14 subsistence fishermen.

15  
16                   Related to this information, Appendix  
17 B, found on Pages 35 through 37, provides a discussion  
18 of gillnets, how they are measured and how they catch  
19 fish.

20  
21                   What is known about dropout mortality  
22 of gillnets is also provided on Pages 36 and 37. And  
23 this is the same source that Dani Evenson talked to you  
24 about on this committee that works with the US/Canada  
25 process.

26  
27                   The lower river mesh size study  
28 conducted by ADF&G employed local commercial fishermen  
29 and was sponsored by the Yukon Delta Fisheries  
30 Development Corporation. And YRDFA also participated  
31 in that. This was done from 2007 to 2009. The  
32 conclusions from this work are presented on Pages 22  
33 and 23, and you just had a presentation on that  
34 information. I'll just recap it.

35  
36                   In the ADF&G study the results  
37 demonstrated that reducing gillnet mesh size to 7  
38 inches would change the species composition -- reducing  
39 the mesh size to 7 inches would change the species  
40 composition of the fisheries with many more chum salmon  
41 being caught, and the catch would be composed of  
42 smaller, younger Chinook salmon. Changing to 8 or 7-  
43 1/2-inch mesh would decrease the composition of the  
44 catch compared to the present fishery. However,  
45 reduction to 7-1/2-inch mesh would target younger and  
46 smaller fish and fewer larger, older fish, again  
47 without harvesting a large number of chum salmon.

48  
49                   On Page 23 the effects of the proposal  
50 are summarized. Positive effects include increased

1 size and age at maturity of the escapement, increased  
2 fecundity and productivity and increased genetic  
3 resiliency. Negative effects include cost of replacing  
4 and modifying the existing gear and the need to find  
5 markets for increased harvest of summer chums.

6  
7 On Page 28 the OSM preliminary  
8 conclusion and justification to support a modification  
9 of the Council's proposed regulatory change is  
10 presented. The modified regulatory language would  
11 establish a maximum 7-1/2-inch mesh size limit for  
12 gillnets for subsistence fisheries in Federal public  
13 waters with a one-year phase in to align Federal and  
14 State regulations, to take effect during the 2011  
15 fishing season. So this would bring the -- the  
16 preliminary conclusion would bring the two, the State  
17 and the Federal together.

18  
19 That concludes my overview on the  
20 analysis. I'd be happy to take any of your questions.

21  
22 MADAM CHAIR ENTSMINGER: Yeah.  
23 Questions. Jack.

24  
25 CHAIRMAN REAKOFF: Oh, you've got a  
26 question there. Go ahead, Lester.

27  
28 MADAM CHAIR ENTSMINGER: Go ahead,  
29 Lester. Yeah.

30  
31 MR. L. WILDE: Rich, I might have  
32 missed something, but according to this table on Page  
33 17, with a 7-inch mesh you're 697 chums; is that  
34 correct? And with a 7-1/2-inch a total of 747 chum?

35  
36 MR. CANNON: Through the Chair. Which  
37 page are you referring to?

38  
39 MR. L. WILDE: Page 17.

40  
41 MR. CANNON: Through the Chair to Mr.  
42 Wilde. Those are showing the selectivity curves and  
43 the length of the fish, not numbers of fish.

44  
45 MR. L. WILDE: Oh, okay. Thank you.

46  
47 CHAIRMAN REAKOFF: I have a couple  
48 questions. Mainly this revolves around what is the  
49 endurance of this mesh size that we're discussing, the  
50 unrestricted mesh size. Is there any idea when 8-1/2,

1 8-3/4-inch gear was initiated on the Yukon River? And  
2 also when was drift gillnet fisheries instituted on the  
3 Yukon River?

4

5 Those are two questions that I have. I  
6 want to know basically how long has -- if we're talking  
7 about generational harvest, when did we start taking  
8 all the larger fish out of those runs? Do you have an  
9 idea about that?

10

11 MR. CANNON: Mr. Chair. Yes. The  
12 Yukon fishery under State management has never had a  
13 restricted mesh size, so it was unrestricted from about  
14 1961 onward. And the question was when was the drift?

15

16 CHAIRMAN REAKOFF: When was drift  
17 gillnet -- when ere the majority of drift gillnet begin  
18 being used as a primary harvest on the Yukon River, on  
19 the lower end?

20

21 MR. CANNON: Mr. Chairman. What I  
22 remember -- that question came up at the Board of  
23 Fisheries meeting, and I remember Virgil Umphenour had  
24 an answer to that. He probably could answer it for  
25 you.

26

27 CHAIRMAN REAKOFF: Go ahead, Virgil.

28

29 MR. UMPHENOUR: 1980.

30

31 CHAIRMAN REAKOFF: And so there has  
32 been no TEK or discussion with people what different  
33 mesh sizes have been used. You got an answer to that  
34 question? Over time, you know, basically -- I'm sure  
35 that people didn't use 8-3/4 forever. I mean, did  
36 they?

37

38 Go ahead, Lester.

39

40 MR. L. WILDE: The use of drift  
41 gillnets was a lot before 1980, because we had Point  
42 Adams Cannery down in Alakanuk prior to that, and prior  
43 to that we had fisheries in the middle mouth, in the  
44 Bugomowik mouth, for salted salmon. So that use of  
45 those 8 to 8-1/2 mesh nets was a lot longer before  
46 1980s.

47

48 CHAIRMAN REAKOFF: You've got  
49 clarification there, Virgil.

50

1 MR. UMPHENOUR: Actually they started  
2 using drift gillnets at Carlisle Cannery in 1918.  
3 That's when the first commercial fishery for export,  
4 which means the fish were salted, canned, and et cetera  
5 to get shipped out. But then after the disaster in  
6 1919 and Hudson Stuck went to Washington, D.C. and  
7 testified before the House Commerce Committee, they --  
8 Congressman White was the Chairman. That's why the act  
9 was called the White Act. They closed the commercial  
10 fishery in the Yukon. But with the advent of the  
11 airplane, then they opened it back up in 1931, because  
12 they didn't need so many fish for dogs any more to haul  
13 the mail and et cetera.

14  
15 And then the State took -- we had under  
16 Federal management a maximum of 60,000 fish was the  
17 most allowed until statehood. 50,000 in the lower  
18 river and 10,000 in the upper river. And then after  
19 statehood that went out the window and so they started  
20 harvesting up in the neighborhood of 100,000 fish.  
21 However, the majority of the fishery was done with set  
22 gillnets.

23  
24 In the late 70s, early 80s people  
25 started using drift gillnets. The Department did a  
26 study in '83 and '85 of how deep they were, I won't go  
27 into that, and we'll do that on the next proposal. And  
28 so the drift gillnets did not really being utilized  
29 until the late 70s and early 80s.

30  
31 And then if you go back to Bromaghin's  
32 report, and in the report referenced in here, where  
33 Ricker from 1981 is talking about the gillnet  
34 selectivity. The report that was presented to the  
35 Board of Fisheries in January of 1981 when they reduced  
36 gillnet mesh size to nothing larger than 6 inches in  
37 Cook Inlet and referred to studies done on the Yukon  
38 River on gillnet selectivity and fecundity.

39  
40 Then the report that was just  
41 referenced a while ago or the study done by  
42 Dr. Bromaghin actually mirrors, as far as the timeline  
43 goes, Dr. Ricker's report that was given to the Board  
44 of Fisheries in 1981 as far as what has happened to the  
45 size of the king salmon and the age classes of king  
46 salmon on the Yukon. He says about four or five  
47 generations and they're in the toilet. That is where  
48 we're at. You go from 1980 to present, that's 30  
49 years.

50

1 MADAM CHAIR ENTSMINGER: But as far as  
2 the drift gillnet.....

3  
4 MR. UMPHENOUR: That mirrors that, yes.

5  
6 CHAIRMAN REAKOFF: So my question was  
7 when did the drift gillnet begin being used, which would  
8 move offshore and get into the larger age classes that  
9 are traveling offshore. And I would prefer to have  
10 seen some kind of a chronology of the mesh sizes used  
11 over time on the Yukon River, but that may not be  
12 available.

13  
14 MS. PELKOLA: Mr. Chairman.

15  
16 CHAIRMAN REAKOFF: Go ahead.

17  
18 MS. PELKOLA: I have a comment here. I  
19 remember in 1949 we moved to a new fish camp. Prior to  
20 that we were below Koyukuk and we never got any Chinook  
21 salmon because we had the fishwheel. And we didn't  
22 have any -- we didn't get any in our wheel there. So  
23 we moved to a new location which is called Bishop Rock  
24 and I'm still there today yet.

25  
26 I remember growing up and most of the  
27 fish nets in my area, I don't know about any other  
28 area, but my area was all homemade. Mom made all our  
29 fish nets and they weren't very long, because you have  
30 to make them from -- she use, I don't know what you  
31 call it. Burlap sacks. She ripped them out and  
32 somehow twined them together and made a fish net out of  
33 that. But she used to measure her hand, so however  
34 long. You know, she had a smaller hand than I did. So  
35 whatever the -- that was how big she made it. They  
36 fished like that for years.

37  
38 And I moved away from home for about 17  
39 years, and when I got back, they had store-bought nets,  
40 so, you know-- and I don't really know that much about  
41 the mesh sizes and all this stuff, because what I fish  
42 with is with what I bought. And I think it's probably  
43 about an 8-1/4, 8-whatever, that area, I mean that, you  
44 know.....

45  
46 Just a comment.

47  
48 CHAIRMAN REAKOFF: Thanks, Jenny,  
49 appreciate that.

50

1 And so -- Andy.

2

3 MR. BASSICH: Yeah. Thank you, Mr.

4 Chair.

5

6 Rich, can you go to Page 13 and the  
7 first paragraph under that chart there. It's basically  
8 the paragraph's talking about fecundity and the  
9 relationship between upper river stocks and lower river  
10 stocks. And when I'm reading that, about the fourth  
11 line down, it says 29 and 52 percent. Is that a typo?  
12 Should that be 29 to 52 percent? I'm just trying to  
13 understand what point you're trying to make there.

14

15 MR. CANNON: That refers to the two  
16 different stock groups. So lower river as opposed to  
17 upper river. It's middle and lower.

18

19 MR. BASSICH: Middle and lower as  
20 compared to upper.

21

22 MR. CANNON: Middle and upper, excuse  
23 me.

24

25 MR. BASSICH: Okay. I guess the reason  
26 I'm bringing that up, and I really want to understand  
27 that is I think the last sentence in that paragraph  
28 really gets to the crux of, in my mind, what this issue  
29 is all about. And I'm just going to read it.

30

31 It says, the authors suggest that the  
32 productivity of middle and upper river spawning fish  
33 may be more dependent on their size composition, which,  
34 you know, it's what I was getting to earlier. It's  
35 quality of escapement and passing -- you know, we base  
36 all of our escapement on shear numbers right now, and  
37 we have been, and that's our method, and that's what we  
38 have to live with, but this is basically saying -- in  
39 my mind, this is saying that the upper river fish are  
40 much more susceptible, and because they are generally  
41 carrying less fecundity, it's a more critical factor to  
42 protect those stocks. So I just wanted to get that out  
43 there.

44

45 CHAIRMAN REAKOFF: I appreciate  
46 pointing that out. I picked that up when I read this  
47 analysis, and I felt that that was a very important  
48 issue that I had not read is that the further the fish  
49 go in on a long run like that, their productivity falls  
50 off with distance. And that's a very important thing

1 that I didn't know, and so I highly appreciate that  
2 being in this analysis.

3  
4 I wasn't picking on you about the  
5 chronology of this mesh size. The State has -- I don't  
6 know that the State has -- can produce a chronology of  
7 mesh size on the Yukon River either. I wasn't  
8 particularly picking on you, I just wanted to bring  
9 that out, that it's kind of an important aspect of  
10 generational harvest at high exploitation of those  
11 larger age classes.

12  
13 Go ahead, Rich.

14  
15 MR. CANNON: Mr. Chairman. In looking  
16 at the history of the fishery, I didn't put it in this  
17 analysis, but I did find a report by Mr. Geiger, who  
18 was the Lower Yukon area manager back in the early 80s,  
19 70s and 80s, and the report that he provided, he said  
20 that for at least the lower river fisheries, that it  
21 was common to have, you know, 9 to 9-1/2-inch mesh nets  
22 used, larger mesh nets have been used in the past.

23  
24 MR. COLLINS: Mr. Chairman.

25  
26 CHAIRMAN REAKOFF: One more comment. I  
27 would like to know how long that large a mesh, has it  
28 always been that big? No? I wouldn't think so, that  
29 they would use that large a mesh, target -- basically  
30 try and catch only large fish for that amount of time.  
31 And I'd like to know what our starting point is, when  
32 we've been exploiting the largest of the fish and for  
33 how long of duration. If you get into 10 generations  
34 or -- et cetera. And so it would be longer than 1980,  
35 but I also see some of these data sets showing this  
36 declining in the 70s and 80s, and so it would be --  
37 just looking at the other portions of this analysis,  
38 that it's apparent that large mesh was started in the  
39 late 60s or early 70 it would appear. That would be my  
40 speculation.

41  
42 You have a comment there, Ray.

43  
44 MR. COLLINS: Yeah. Mr. Chairman. I  
45 think this flags the importance of our understanding  
46 historically what's going on in the fisheries both in  
47 the Kuskokwim and the Yukon, that the Department -- or  
48 the subsistence division ought to be doing some  
49 research while we still have elders around that would  
50 document how the fisheries were carried out over the

1 years and the changes, because those changes are what  
2 is affecting what's happening today. I know like  
3 historically in the Yukon River, there was no drifting  
4 in the middle historically down there. It was in the  
5 side streams and setnets and so on. And the fall-off  
6 on the upriver obviously started happening when they  
7 started fishing midriver and so on. But we don't have  
8 good data on that, and we ought to get it while we have  
9 an opportunity. There's still people around to have  
10 that historical information.

11  
12 The other one was you mentioned in the  
13 report that, one of the gentlemen there, that the 7-  
14 1/2-inch was optimum for harvest, but that that alone  
15 would not allow for a rebuilding of the larger fish in  
16 the stocks on there, that other measures in addition  
17 had to be taken. Were any of those documented in  
18 there? Like one that was used was the windows early on  
19 to get a slug up, but at some point we need to know  
20 what other options could be added to mesh size that  
21 could possibly restore the runs of bigger fish.

22  
23 MR. CANNON: Mr. Chairman. Through the  
24 Chair to Mr. Collins. In Bromaghin's study, which is a  
25 theoretical, it's a modeled population, what he looked  
26 at was changing the mesh size to 7-1/2-inch, but he  
27 also looked at different types of the resulting size of  
28 the escapement. And so he considered both those  
29 factors. And in order to put more fish up into the  
30 escapement, you would have to change the exploitation  
31 of the fishery depending on the size of the run that  
32 came back each year.

33  
34 MADAM CHAIR ENTSMINGER: Donald had a  
35 question.

36  
37 MR. WOODRUFF: Yeah. To answer Jack's  
38 question. I bought my first commercial king net, it's  
39 considered a 100-foot net, and in 1977 from Donaldson.  
40 I didn't know anything about fishing at that time. I  
41 just called them up and said I wanted, you know, a 100-  
42 foot king net, and it was an 8-1/2-inch. And I still  
43 have that net, and it's not in great shape, but it  
44 still works. So there you go. That's the standard --  
45 if anybody called up Donaldson's, they were the, you  
46 know, net people. That's what you would get.

47  
48 CHAIRMAN REAKOFF: Right. And what  
49 year was that again?

50

1 MR. WOODRUFF: '77.  
2  
3 CHAIRMAN REAKOFF: '77. Right. And  
4 so, yeah, I guess we better call Donaldson. They  
5 probably know exactly what the mesh sizes were.  
6  
7 MR. WOODRUFF: That's right.  
8  
9 CHAIRMAN REAKOFF: Larry.  
10  
11 MR. BUKLIS: Thank you, Mr. Chairman.  
12 Larry Buklis, Office of Subsistence Management.  
13  
14 Mr. Collins spoke to the need for  
15 gathering elder knowledge and local knowledge. And I  
16 just want to remind the Councils that this fall we will  
17 have our next call for fisheries information and  
18 monitoring program, and we'll be coming to these two  
19 Councils and the other eight Councils before that call  
20 for proposals is released in November with priority  
21 information needs draft material for your feedback.  
22 And that's the kind of thing we could build into the  
23 priority information needs, which doesn't limit the  
24 range of proposals, but promotes the kinds of proposals  
25 we're looking for.  
26  
27 Thank you. Mr. Chairman.  
28  
29 CHAIRMAN REAKOFF: I would at least  
30 from the Western side suggest that an analysis of the  
31 chronology of the mesh size of the Yukon River be --  
32 TEK should be employed in conjunction with the  
33 commercial manufacture knowledge of mesh size on the  
34 Yukon, because we've got to know where the starting  
35 point is, when we started harvesting the large portion  
36 of the Chinook run. That would be my comment. Comment  
37 on the Eastern side.  
38  
39 MADAM CHAIR ENTSMINGER: Yeah. Just  
40 before Andy, I would add to that I think the history of  
41 the driftnet. Now me here, I'm not hearing anything  
42 solid other than some information that people are  
43 throwing out here. You need to have solid information  
44 for us to tell us if it's significant about drift  
45 versus setnet, but we need to hear about when those  
46 nets were put in and how many or whatever. If it's  
47 significant, we need to hear about it.  
48  
49 Andy.  
50

1 MR. BASSICH: Thank you, Madam Chair.  
2 I think this kind of segues into another key issue for  
3 me, and something I'm always trying to advocate. And  
4 that is that we really need to do some long-term  
5 planning on what kind of long-term data sets we need in  
6 this fisheries so that we can look back in time in 20  
7 years from now and see how things are changing. And  
8 what really highlights that to me was the attempt, and  
9 a pretty darn good job of Hyer/Schleusner report a  
10 number of years ago. They went back in time and tried  
11 to track the changing size of salmon, but because we  
12 didn't have long-term data sets consistently on key  
13 points in the river, upper river, middle and lower, it  
14 made it difficult for them.

15  
16 And so I really think, you know, the  
17 onus is on all of us to whenever we're involved in  
18 programs or deciding what programs are going to be put  
19 in place, or in our advisory role to the different  
20 agencies to try and promote long-term data sets. I  
21 know they're sometimes costly, and you don't  
22 necessarily have to do them every year, but I really  
23 think we need to develop a long-term strategy for those  
24 types of projects and that type of data collection so  
25 that we're not caught in the position we're in right  
26 now where we want all these answers, but we don't have  
27 the data to really look at it scientifically.

28  
29 So I just had to stand on my bandstand  
30 for a minute and say that, because I think in all of  
31 our minds it's pretty obvious that's what we need to  
32 do, but sometimes there again we forget about this when  
33 we start talking about things. We tend to think about  
34 things right now, we want to fix things right now. And  
35 we have to always be looking -- because salmon life  
36 cycles are so long and protracted, we really always  
37 have to be thinking about 10 to 30 years in the future.

38  
39 MADAM CHAIR ENTSMINGER: And, Frank. I  
40 would also like to add just to this thought that you  
41 mentioned the fisheries monitoring, we're volunteers  
42 and sometimes things fall through the cracks if we're  
43 not reminded that, you know, you brought this up at  
44 your meeting and this is something you guys might want  
45 to think about, and make sure we're reminded and not to  
46 fall through the cracks.

47  
48 MR. GURTLER: Yes. I'm Frank Gurtler  
49 from Manley.  
50

1                   One of the things that bothers me is  
2 the fish size. I'm trying to figure out how many fish  
3 hatcheries are there along the coast putting fish back  
4 into the ocean and where them fish are going and where  
5 they're eating, the hatchery fish. That's one of my  
6 concerns. And I think that has a lot to do with the  
7 fish size the way it looks to me.

8

9                   Thank you.

10

11                   MADAM CHAIR ENTSMINGER: Lester.

12

13                   MR. L. WILDER: Thank you. If I may, I  
14 guess in all the studies except for two areas of study,  
15 it showed that there was a decline in the size of our  
16 fish throughout the state, not just on the Yukon.

17

18                   And I've got to make one point, you  
19 know. Being from Hooper Bay and being totally  
20 dependent on that summer chum fisheries in Hooper Bay  
21 and Scammon Bay. Those are our eating fish. You know,  
22 other people might consider them something else, but  
23 that's what we harvest to eat. And since we're -- the  
24 unemployment rate down there is about 90 percent in the  
25 two villages, Chevak and Hooper Bay. And any kind of  
26 decision that might reduce the amount of the summer  
27 chums coming into our area, excuse me, because we're  
28 totally dependant on the winds down in Hooper Bay.

29

30                   You know, if we're -- the last about  
31 four years ago, if I might, we didn't get a single chum  
32 salmon in Hooper Bay, and all we got was pinks. But  
33 out there the pinks in the ocean are the best eating  
34 fish I think. They're even better than the other  
35 salmon.

36

37                   I just wanted to put -- let you know  
38 that, you know, we're -- our people down there depend  
39 totally depend on the summer chum. And if there's any  
40 incidental catch, that would harm the returns of those  
41 chums, along with the problem of Area M being able to  
42 get those chums, you know. It's a fight that we're  
43 eventually going to have with Area M as you know. That  
44 is probably going to be something that's going to be  
45 closely looked at.

46

47                   And I thought I'd better make that  
48 comment.

49

50                   CHAIRMAN REAKOFF: Go ahead.

1 MADAM CHAIR ENTSMINGER: Okay. No?  
2  
3 CHAIRMAN REAKOFF: No, I don't.  
4  
5 MADAM CHAIR ENTSMINGER: You didn't  
6 want to speak to that? Okay.  
7  
8 CHAIRMAN REAKOFF: Well, the managers,  
9 you know, these are subsistence fisheries is what we're  
10 referring to here, and so they select -- there will be  
11 additional summer chum harvest with the 7-1/2-inch gear  
12 size. But those would also go into the subsistence  
13 fishery on the Yukon River. And so if there was an  
14 extreme hardship for the summer chum, there may be  
15 management restrictions to protect those stocks also.  
16 I mean, the objective is to maintain the fishery stocks  
17 of both species.  
18  
19 So, go ahead.  
20  
21 MR. L. WILDE: If I may, you might  
22 remember when we had problems with returns of chums in  
23 our area, and that was really a hardship on those other  
24 coastal villages.  
25  
26 CHAIRMAN REAKOFF: Uh-huh. Andy.  
27  
28 MR. BASSICH: Thank you. I'm sitting  
29 here and I'm trying to figure out where we're going.  
30 There's a lot of really good discussion here and  
31 everything. And I guess maybe if the Chairs could  
32 clarify for me what it is we're going to try and  
33 accomplish here in regards to these proposals. Are we  
34 going to try and build consensus on these proposals  
35 between the two RACs or are these something that we're  
36 going to take back to our individual RACs and make a  
37 decision on. What's our goal right here on these  
38 particular -- these two proposals.  
39  
40 CHAIRMAN REAKOFF: My perception is  
41 that we're going to go over all the presentation and go  
42 through a lot of the informational -- when it comes  
43 down to the Councils' deliberation and recommendations,  
44 we'll break out and vote on those separately and vote  
45 our conscience separately. But right now to facilitate  
46 these proposals, we're just going over all the  
47 information together and sort of listening to each to  
48 each other discuss them.  
49  
50 MADAM CHAIR ENTSMINGER: Well, I was

1 wondering -- I guess I didn't have the same perception.  
2 I thought maybe we would try to come to something  
3 together, and if it doesn't work then go into the  
4 Council.

5  
6 CHAIRMAN REAKOFF: Well, in discussion  
7 with Ann there last night, the Board is going to want  
8 to know what each Council voted on. Each Council.  
9 They don't want -- you know, we can't have divided  
10 votes and we don't know who was on which side of the  
11 issue and so each Council has to vote on the proposals.  
12 If one votes for it and one votes against, or whatever,  
13 and therefore it's clear to the Federal Board what the  
14 positions being taken.

15  
16 MADAM CHAIR ENTSMINGER: Okay.

17  
18 CHAIRMAN REAKOFF: So that's the way.  
19 But as far as -- I think it's excellent that both  
20 Councils are talking across the table and question,  
21 deliberate -- or gathering information as this goes on.

22  
23 Andy.

24  
25 MR. BASSICH: Yeah. I guess I'm trying  
26 to think of how this can be streamlined and get the  
27 best benefit of the joint Council here. And I guess  
28 what would help me as a member would be when we're  
29 talking say on Proposal 12 here, if I could hear  
30 concerns from Western and the lower river, what their  
31 concerns are about this proposal. I mean, I think  
32 everybody understands why the Eastern RAC has proposed  
33 these. I guess that's advocating for these. But I  
34 would like to hear what the other Councils have as far  
35 as their concerns about these, and how they potentially  
36 could impact the users in those areas. That would  
37 really help me and hopefully that way we can get a  
38 little bit of a dialogue going there to build some  
39 trust and some consensus.

40  
41 CHAIRMAN REAKOFF: I'll speak for the  
42 deliberations we've had on this issue on the Western  
43 Council. When we had meetings in Galena and various  
44 places, and we have certain Council members, that the  
45 main concern was the expense of replacement of the net  
46 was one of the primary issues that was discussed at  
47 many of the meetings what we had. That was a big, big  
48 issue, was the replacement issue.

49  
50 Nobody wanted to -- the selectivity

1 analysis was another issue. They didn't know what  
2 would be the appropriate gear size. They didn't want  
3 to start into a certain mesh size and then the  
4 Department comes up with eight-inch or some other gear  
5 size.

6

7 With the definition of what the State  
8 Board of Fish has done and the mandates of the Board of  
9 Fish, it's clarified that issue quite a bit, what the  
10 gear size is going to be, and what people are, or if  
11 mandated, are going to rehang their nets with.

12

13 And so that would be my impression of  
14 all of the deliberation, although our Council did not  
15 make any motion or vote on this proposal previously.

16

17 Carl.

18

19 MR. MORGAN: Yeah. If I can recollect  
20 right, we used to have a pretty good commercial opening  
21 at the lower river, and it was probably either late 70s  
22 or early 80s that upriver, you know, like where I'm  
23 front, we started noticing the kings was running --  
24 getting smaller and lower. So the big issue was the  
25 lower fishing, fisheries, commercial openings was  
26 there, or were they targeting kings or they were  
27 targeting chum. Come to find out they were targeting,  
28 supposedly targeting chum. It was a chum fishery  
29 opening. The bycatch was kings. Kings were the  
30 bycatch fish. They were not supposed to be targeting  
31 kings.

32

33 So if my recollection serves me, I  
34 think they dropped that mesh size from 8-inch to 6-inch  
35 mesh size. And, my God, the king runs up in the upper  
36 river improved.

37

38 But by -- with Lester, there is no  
39 consideration on the bycatch. Lo and behold, many  
40 years down the road we had a chum failure.

41

42 And anytime about conservation, I  
43 always kind of cringe, you know, listening. Gee, how  
44 many more conservation issues do the in-river system  
45 has to take with other fisheries just the bycatch.  
46 Look that happened to those numbers on the pollock.

47

48 I think like everybody else here, I'm  
49 getting really frustrated that I -- what I'm looking  
50 at, mainly limiting the in-river fishery, well, I know

1 we have no hearsay or any action we take here is going  
2 to affect the bycatch, but I think we should never let  
3 it -- put it under the burner.

4  
5 But just for your information, we did  
6 have that mesh change in the Kuskokwim, and it did  
7 improve the numbers on the kings.

8  
9 CHAIRMAN REAKOFF: We'll switch side,  
10 and then we've got Eleanor over here is wanting to be  
11 -- has something to say

12  
13 MS. YATLIN: No, I wasn't.

14  
15 MADAM CHAIR ENTSMINGER: Okay. Go  
16 ahead.

17  
18 MR. BASSICH: Okay. I attended the  
19 Board of Fish meeting, and at that meeting I was  
20 informed by Ragner Elstrom who leads the CDQ group down  
21 in the lower river, that they would be funding the  
22 lower river as far as replacement of nets. And I'm not  
23 sure, I think Tim Andrew is present in this room, and  
24 he might have something to talk about as far as what  
25 their agency or their group -- I shouldn't say agency,  
26 what their group is willing to do along that line.

27  
28 And I think this might be a really  
29 appropriate time just to talk about what some of these  
30 tribal entities or organizations or corporations might  
31 be able to do to alleviate some of the hardship of  
32 buying these nets and address that issue of net costs.

33  
34 CHAIRMAN REAKOFF: I think we'll get to  
35 that in a second.

36  
37 You had a comment there, Larry. And  
38 then I'm going to go to Eleanor here.

39  
40 MR. BUKLIS: Thank you, Mr. Chairman.  
41 Yes, I did.

42  
43 It was to contribute to your discussion  
44 on process steps. The agenda you're working from, the  
45 joint meeting agenda for today, we're on item number 3,  
46 review the analyses and make recommendations on  
47 Proposals 09-12 and 13. Unfortunately, that doesn't  
48 detail the normal steps. So in each of your Council  
49 books, Eastern and Western, Page 2 for the meeting that  
50 begins tomorrow and beyond, does detail the normal

1 steps when you move into your wildlife proposals, and  
2 presumably you'd use this same sequence of steps for  
3 the fisheries proposals here before you today jointly.

4

5 Now, I'm not going to speak to whether  
6 you vote together or separately. I understand that's a  
7 unique situation today.

8

9 But we were presuming you were going to  
10 move through the normal steps on Proposal 12. And  
11 your information gathering goes beyond the work that  
12 we've done as Federal Staff, you move on to ADF&G  
13 comments, other agency, et cetera, including public  
14 testimony. And that forms together the body of  
15 information. Others we're talking about, they wanted  
16 to hear how various members of the Council feel about  
17 all the information. Just remind you, you haven't  
18 gotten to all the information yet. So whether you stop  
19 at eight, which is public testimony and then take  
20 Number 13 to the top and go down, or deliberate  
21 together is not what I'm advising you on. But just the  
22 informational steps are outlined on Page 2 of your  
23 books.

24

25 CHAIRMAN REAKOFF: Thanks for the point  
26 of order there, Larry. I appreciate that.

27

28 I want to concentrate our discussions  
29 revolving around the Staff analysis and presentation  
30 and any further questions to the analysis.

31

32 You had a comment there, Eleanor.

33

34 MS. YATLIN: Yeah. Mr. Chairman. This is just  
35 a comment. You were talking about TEK and Larry was  
36 mentioning that this fall they're going to do some  
37 gathering on data, and then discussion about, you know,  
38 collective data. I heard what Virgil say, and, you  
39 know, we could get that from the history books. But  
40 then, you know, the TEK is important, too, because of  
41 Jenny's comment and Ray's and in that sense, you know,  
42 how they used to make fish nets, you know, they use  
43 willow, you know, the inside of the willows, the willow  
44 bark on the beach. You know, that's what my mother  
45 said.

46

47 And I have the different sizes of the  
48 tools they use. A whitefish net, when they made the  
49 whitefish nets.

50

1                   And so if that's collective  
2 information, you know, I have that. That was handed  
3 down from, you know, my husband's grandmother, and  
4 she's from the early 1900's. So if that's information,  
5 that's, you know, -- and that's all the way up to the  
6 largest size net they made.

7  
8                   So that's it. Thank you.

9  
10                  CHAIRMAN REAKOFF: Yeah. That's  
11 excellent information. And the future projects that  
12 may come forward, that's very important. Those tools  
13 that are used in making nets.

14  
15                  So any further comment on the  
16 presentation of the analysis by the Staff.

17  
18                  (No comments)

19  
20                  CHAIRMAN REAKOFF: Any questions on  
21 that presentation.

22  
23                  (No comments)

24  
25                  CHAIRMAN REAKOFF: And so we're going  
26 onto, staying on the order here, we're going to go into  
27 the Alaska Department of Fish and Game comments on the  
28 proposal.

29  
30                  MR. WOODRUFF: Jack.

31  
32                  CHAIRMAN REAKOFF: Oh, go ahead.

33  
34                  MR. WOODRUFF: To answer one of your  
35 burning concerns about funding for replacement of nets,  
36 my wife just returned from Nulato. She's on the YRDFA  
37 Board. And she told me that I'm supposed to gather up  
38 my 8-1/2-inch nets, because we're to trade them in, and  
39 they're going to get some funding to help us make the  
40 transition.

41  
42                  CHAIRMAN REAKOFF: Okay. We'll go.....

43  
44                  MR. WOODRUFF: Not my old raggies, you  
45 know. Good nets that I wouldn't necessarily be using.

46  
47                  CHAIRMAN REAKOFF: Right. Well, I  
48 think we'll go over some of those aspects a little  
49 further on in our discussions. But we've got to stay  
50 on the order here.

1                   And so we're going to take the Alaska  
2 Department of Fish and Game's comments on Proposal 12.  
3 Are they combined 12 and 13 comments or just 12? Okay.  
4 Go ahead.

5  
6                   MR. PAPPAS: Thank you, Mr. Chair,  
7 Madam Chair.

8  
9                   A lot of information's been covered  
10 today with the presentations. So we have three  
11 choices. I could read our entire comments starting on  
12 Page 38; I can cover just the information that hasn't  
13 been touched on today; or I can jump to the conclusion.  
14 It's your choice.

15  
16                  CHAIRMAN REAKOFF: We've had extensive  
17 presentation from the State, so if you have addition to  
18 what's been presented and your conclusion, it would be  
19 appreciated.

20  
21                  MR. PAPPAS: On Page 38 under the impacts, if  
22 this Proposal FP09-12 is not adopted and the Federal  
23 regulations differ from the State regulations, there  
24 will be a conflicting patchwork of waters under State  
25 and Federal regulations which will create confusion  
26 amongst subsistence users.

27  
28                  Although use of fishwheels would not be  
29 directly affected, adoption of this proposal could  
30 result in effectively reallocating some harvest of  
31 larger Chinook salmon from gillnet users to fishwheel  
32 operators.

33  
34                  On the bottom of Page 39 under other  
35 issues, maps are needed to show the specific boundaries  
36 and areas where Federal regulations need to apply,  
37 along with providing justification for those  
38 boundaries.

39  
40                  A large percentage of the lands along  
41 the Yukon River are State or private lands where  
42 Federal subsistence users cannot use legal gear types  
43 -- excuse me, gear types illegal under State  
44 regulations.

45  
46                  And the Federal Subsistence Board does  
47 not have the authority to adopt gillnet mesh size  
48 regulations that would apply to State commercial and  
49 subsistence fisheries.

50

1                   The Department's recommendation.  
2 Support with modification to become effective in 2011  
3 for Federal subsistence fisheries.

4  
5                   The Federal Subsistence Board deferred  
6 taking action on these proposals in 2008 until the  
7 Board of Fish reviewed the results of the three-year  
8 study, which you heard today, and Alaska Board of  
9 Fisheries did adopt the maximum size of 7.5 inches for  
10 the subsistence and commercial gillnet fisheries  
11 effective in 2011 in the Yukon area at its meeting in  
12 January of 2011.

13  
14                   Thank you, Mr. and Madam Chair.

15  
16                   CHAIRMAN REAKOFF: Thanks, George.  
17 That was concise.

18  
19                   MADAM CHAIR ENTSMINGER: Good job.

20  
21                   CHAIRMAN REAKOFF: And any questions  
22 for the State on their position this proposal.

23  
24                   (No comments)

25  
26                   CHAIRMAN REAKOFF: I don't see any.  
27 Those are.....

28  
29                   MR. L. WILDE: I had a comment, but my  
30 memory doesn't serve me very well, today, so it might  
31 come up later.

32  
33                   (Laughter)

34  
35                   MADAM CHAIR ENTSMINGER: Actually,  
36 Jack, I do have.

37  
38                   CHAIRMAN REAKOFF: Go ahead, Sue.

39  
40                   MADAM CHAIR ENTSMINGER: I hope I'm not  
41 having that brain problem that you just spoke of.

42  
43                   I notice that it doesn't take effect  
44 this season. It takes effect in 2011.

45  
46                   And the State spoke earlier of the  
47 Board of Fish coming up with this pulse, the first  
48 pulse not having an opening then. That would be in  
49 effect this year?

50

1 MR. BERGSTROM: Through the Chair.  
2 That's right, that regulation that was adopted  
3 regarding the first pulse, it's basically outlining  
4 that the Department may implement a closure during a  
5 portion of the run so it's not specifically actually  
6 just to the first pulse, but during a portion of the  
7 run. That will be affective this coming summer.

8  
9 MADAM CHAIR ENTSMINGER: Can you  
10 explain to me, is that something that you work jointly  
11 with the Federal managers?

12  
13 MR. BERGSTROM: Through the Chair.  
14 That's correct. The management is cooperative in that  
15 we, the State and Federal managers, talk about the  
16 management strategies and what the run size is so  
17 there's all that discussion.

18  
19 I think that also in the wording it was  
20 kind of based on for the most part we kind of were  
21 looking at it as a preseason type of thing to do if  
22 you're going to do the first pulse, so it would be  
23 based on the run projection preseason to take that kind  
24 of action.

25  
26 MADAM CHAIR ENTSMINGER: Do you see the  
27 State making that -- losing that effort in the future.

28  
29 MR. BERGSTROM: Oh, I think, through  
30 the Chair, I think we did find that it was successful  
31 in moving fish this last year. That was a big part of  
32 the discussion at the Board of Fisheries. All the  
33 fishermen saw the result, that, you know, it can move  
34 fish through and that that would change what gets to  
35 the spawning area, because you know, it's unfished on.

36  
37 I think the primary thing we've looked  
38 at is that it's certainly -- if you have a poor run,  
39 you want to do that just to make escapement goals. And  
40 that, you know, there would be that potential with, you  
41 know, the difficulty in assessing the run size totally  
42 is that you might move more fish through like we did  
43 this last year, so you might go higher on your  
44 escapement, but that's an effective way in a poor run  
45 scenario to move fish through to make escapement goals.  
46 And it does have that added benefit that you, you know,  
47 don't fish on those fish, they get a wide range of fish  
48 sizes that make it to the spawning grounds.

49  
50 MADAM CHAIR ENTSMINGER: I have another

1 question here. Andy.

2

3 MR. BASSICH: Thank you, Madam Chair.

4

5 Dan, since we have you up at the table  
6 here, can you very briefly touch on statistical areas  
7 within the Yukon drainage? You know, we have districts  
8 where we have fishing districts, but under the State  
9 management you also have what you call statistical  
10 areas. Could you kind of define those and maybe  
11 explain to this body what those are and how they are  
12 used?

13

14 MR. BERGSTROM: Yeah. Through the  
15 Chair. All of the districts have either -- some of the  
16 districts have subdistricts such as an Upper Yukon  
17 portion, but nearly all the districts, we have  
18 statistical areas and it's to break down the harvest a  
19 little more specifically where it's taken particularly  
20 in regard to the commercial fisheries, so like in  
21 District 1 there's like eight subdistricts so that you  
22 get a specific catch by location, which mouth fish are  
23 caught in.

24

25 And I think what you're alluding to is  
26 that in trying to move fish through along the entire  
27 length of the river is to be a little more targeted  
28 where you're doing it so that you can make sure that  
29 that group of fish makes it through each place. And so  
30 subdistricts or statistical areas could be used to try  
31 and do that as you move up along the river to make sure  
32 you save the fish that you want in that one group. And  
33 with the time/area authority that the Department does  
34 have with emergency order authority, we can designate  
35 locations other than what's in a state area, too. You  
36 know, we can move closures along the river more  
37 specifically to target a group of fish.

38

39 MR. BASSICH: I just want to elaborate  
40 on that. So as I'm -- I think you did a good job of  
41 explaining that. And as I see this as a possible  
42 management tool. In summary, basically it allows them  
43 to surgically, much more surgically protect pulses or  
44 protect certain groups of fish that they want to try  
45 and pass up the river, or fish those stocks as well.  
46 So I just wanted everybody to be aware of that ability  
47 by Fish and Game. They do have the authority to use  
48 the stat areas to further their efforts in management.

49

50 CHAIRMAN REAKOFF: I appreciate that

1 point, Andy.

2

3 Do we have anybody on the Western side  
4 here with comment to the State's position.

5

6 (No comments)

7

8 CHAIRMAN REAKOFF: My comment would be  
9 issue 1, maps are needed. I thought we had maps of  
10 where Federal jurisdiction occurred along the route of  
11 the fish, the fisheries on the Yukon River. Is the  
12 State unclear about those conservation, associated  
13 conservation units and so forth that fall under the  
14 definition of Federal waters? George.

15

16 MR. PAPPAS: That is correct, Mr.  
17 Chair.

18

19 CHAIRMAN REAKOFF: Is there a reason  
20 why you're unclear about that since they've been  
21 published for many years?

22

23 MR. PAPPAS: Mr. Chair. This comment's  
24 been -- you've seen many times, sir. This particular's  
25 been in many times now. As a subsistence fisherman, a  
26 fisher person on the grounds, some of those maps might  
27 be difficult -- the ones that are included in the  
28 books, the ones that are released to the public, the  
29 ones that are published on the walls at these meetings  
30 might be difficult to follow as a subsistence user if  
31 the regulations are differing, plus or minus 100 yards,  
32 wherever the markers are.

33

34 Thanks. Mr. Chair.

35

36 CHAIRMAN REAKOFF: Yes. We have had  
37 discrepancies in the fisheries in 4A and 4B -- 4B and  
38 4C, and so those definitions were drawn out on maps.  
39 And so I didn't feel that this was an appropriate  
40 comment as an issue since we have had this definition  
41 if did have a discrepancy. And so I just wanted to  
42 clarify that to the Councils, that the Federal program  
43 has been providing map definitions to the fishers if  
44 there is a difference in fishery regulations.

45

46 And so that would be all my comments.  
47 And I appreciate yours also.

48

49 MADAM CHAIR ENTSMINGER: May I ask a  
50 question.

1 CHAIRMAN REAKOFF: Go ahead, Sue.  
2  
3 MADAM CHAIR ENTSMINGER: I just wanted  
4 to ask Jack a question, because of my unfamiliarity. I  
5 guess I interpreted that to mean that, because I look  
6 at our game regulations and if you had checkerboarded  
7 areas that you have differing, you know, rules and  
8 regulations, that's what's really difficult to  
9 understand.  
10  
11 CHAIRMAN REAKOFF: Right. Well, what  
12 we're talking about on the Yukon River is there's areas  
13 that are considered Federal waters and they have  
14 specific points where there's lines, basically lines,  
15 and any commercial fishery or any fisheries got  
16 district boundaries with definition. If there's a --  
17 there is no real -- it's not nearly as hard as if  
18 you're back in the swamps and a checkerboard on Native  
19 and Federal lands, trying to figure out where you're  
20 at. You could have beach, range markers on the beach  
21 that define where those areas are at. And so not kind  
22 of considered a real big issue myself, because.....  
23  
24 MADAM CHAIR ENTSMINGER: And the people  
25 know this well.  
26  
27 CHAIRMAN REAKOFF: And the people know  
28 exactly where those boundaries are.  
29  
30 MADAM CHAIR ENTSMINGER: All right.  
31 Thank you.  
32  
33 CHAIRMAN REAKOFF: So I don't consider  
34 that as a huge issues or anything.  
35  
36 So we've covered the State question.  
37  
38 Go ahead, Frank.  
39  
40 MR. GURTLER: Yeah, I'd just like to  
41 make a comment on these regulations and laws we're  
42 putting in. I don't think we should go for quantity.  
43 I think we should go for quality on making these  
44 decisions, and if everybody would think about that.  
45  
46 Thank you.  
47  
48 CHAIRMAN REAKOFF: I appreciate that.  
49 I, too, feel that quality is a bit issue these days.  
50

1                   So we're at about lunch. And so I  
2 don't think we have any further questions of the State.  
3 Our other Federal, State and Tribal agencies comments  
4 will be up right after lunch, and so I think it's time  
5 to break for lunch. Do you agree, Sue?

6  
7                   MADAM CHAIR ENTSMINGER: Yes.

8  
9                   CHAIRMAN REAKOFF: And so, yeah, about  
10 1:00 o'clock back here.

11  
12                   (Off record)

13  
14                   (On record)

15  
16                   MADAM CHAIR ENTSMINGER: We have a few  
17 announcements to make, so we might as well let her make  
18 them, because it doesn't mean a quorum for  
19 announcements. We're going to see how many are here  
20 and if we don't have a quorum, we have some  
21 announcements that need made. So I think it would be  
22 fine, Ann, if we make those announcements.

23  
24                   MS. WILKINSON: All right. There are  
25 two announcements I need to make. First of all, anyone  
26 who has not signed in today, there's a sign-in sheet on  
27 the table over here. Please do that. That's Staff,  
28 Council members, and public. It's for the record so  
29 that we know who attended the meeting.

30  
31                   MADAM CHAIR ENTSMINGER: Council  
32 members also need to sign it?

33  
34                   MS. WILKINSON: Yes. Yes.

35  
36                   MADAM CHAIR ENTSMINGER: Maybe you  
37 ought to take a piece of paper and hand it around for  
38 us.

39  
40                   MS. WILKINSON: Okay.

41  
42                   MADAM CHAIR ENTSMINGER: Yeah.

43  
44                   MS. WILKINSON: And the other thing is  
45 that the catering office here in the hotel has  
46 volunteered to make soup and sandwich for our people  
47 tomorrow for \$8. That way you can just have it here  
48 and won't have to try to go some place else and wait  
49 forever. I just need a show of hands of people who  
50 would be interested in having soup and sandwich here

1 tomorrow. (Counting) Okay. Thank you.

2

3 MADAM CHAIR ENTSMINGER: And then  
4 you're just getting a number, that's what you're doing?  
5 You might want to ask other people when they come in.  
6 Yeah. We can handle that later.

7

8 Okay. Polly told me that she just got  
9 her meal sometime after 1:00 o'clock. We were going to  
10 try to wait for her, but I think just -- Council  
11 members, there's some other stuff that you need to sign  
12 I guess. Did you get your vouchers?

13

14 CHAIRMAN REAKOFF: There weren't any  
15 vouchers. I only got -- there are only four of us  
16 here.

17

18 MADAM CHAIR ENTSMINGER: So we don't  
19 have a quorum until you get your.....

20

21 CHAIRMAN REAKOFF: Western doesn't have  
22 a quorum yet. We need Eleanor and Jenny.

23

24 MR. BASSICH: They're on their way  
25 back.

26

27 CHAIRMAN REAKOFF: Did you just see  
28 them?

29

30 MR. BASSICH: They're on their way  
31 back.

32

33 CHAIRMAN REAKOFF: Okay. They're going  
34 to be back here in a second. Any housekeeping things  
35 to go over.

36

37 MADAM CHAIR ENTSMINGER: So if you  
38 haven't signed this sign-in sheet as a Council member,  
39 you need to sign this.

40

41 CHAIRMAN REAKOFF: Didn't you bring  
42 your joke book, Sue?

43

44 MADAM CHAIR ENTSMINGER: I bring him,  
45 he's right here.

46

47 (Laughter)

48

49 MADAM CHAIR ENTSMINGER: I'm just  
50 kidding.

1 (Pause)

2

3 MADAM CHAIR ENTSMINGER: Well, I know  
4 something we can talk about. You know, Council  
5 members, this isn't really -- well, you can tell me if  
6 it is, let me whisper to Jack a second.

7

8 (Pause)

9

10 MADAM CHAIR ENTSMINGER: Yeah. We were  
11 just discussing. We didn't really officially get to  
12 say good-bye to our last coordinator, Vince Mathews,  
13 and he's here. And I wanted to thank him for all the  
14 work he did for us, and did a good job for us there,  
15 Vince. Really appreciate it.

16

17 Jack.

18

19 CHAIRMAN REAKOFF: Yeah, Vince was with  
20 our Council, the Western Council at least for many,  
21 many years and did an excellent job for the Council.  
22 Ann stepped up to the plate to try and fill in.

23

24 Could you give us sort of an update on  
25 that position?

26

27 But I do want to reiterate that Vince  
28 did an excellent job for our Council, and so we're very  
29 happy that we're going to still be working with him  
30 with refuges in the future. Thanks a lot, Vince.

31

32 (Applause)

33

34 CHAIRMAN REAKOFF: Are the Councils  
35 going to receive sort of an update on what the  
36 publishing of that coordinator position for the two  
37 RACs?

38

39 MS. WILKINSON: When I get back from  
40 this meeting I'm going to start advertising, so  
41 sometime probably mid next week I'll be able to  
42 advertise. I plan to advertise for at least a month,  
43 and we're advertising statewide so we can have a  
44 broader range of people to select from.

45

46 CHAIRMAN REAKOFF: Okay. Yes, I think  
47 the Councils are appreciative to know what's going on.  
48 And so we should have a coordinator by this fall then.

49

50 MS. WILKINSON: Oh, yes.

1 CHAIRMAN REAKOFF: You'll make sure.  
2  
3 So I have quorum now. Jenny and  
4 Eleanor have returned, and so we can continue on with  
5 the agenda here.  
6  
7 Do you want to go ahead, Sue?  
8  
9 MADAM CHAIR ENTSMINGER: Virgil just  
10 had one quick question about the coordinator position.  
11 Go ahead, Virgil.  
12  
13 MR. UMPHENOUR: Okay. I heard that  
14 they were going to station our coordinator in  
15 Anchorage, and I would object to that vehemently. It's  
16 really good when the coordinator's accessible to the  
17 RAC members. And Fairbanks, it's much more accessible  
18 than Anchorage, because Fairbanks is the hub for all of  
19 Eastern RAC and the majority of the Western RAC. So my  
20 question is, do they plan on the person being in  
21 Fairbanks that replaces Vince or Anchorage.  
22  
23 MS. WILKINSON: No, that position will  
24 be in Anchorage.  
25  
26 MR. UMPHENOUR: Who do we object to,  
27 because I'm going to object. I don't like that.  
28  
29 MADAM CHAIR ENTSMINGER: We waited for  
30 you, Polly. We were just trying to.....  
31  
32 DR. WHEELER: Thanks a lot. I hear  
33 your objection, Virgil, loud and clear. And that's all  
34 I'll say on the record. But I hear your objection.  
35 And we make decisions -- you know, there's questions of  
36 personnel management, managing people in remote offices  
37 versus managing them on site. There's advantages to  
38 being on site, there's disadvantages to being not close  
39 to the area. But we have made the decision that the  
40 position will be in Anchorage. And I will let Pete  
41 know of your displeasure, but I guess I would ask that  
42 you recognize that we thought long and hard about  
43 making a decision, and we made the decision that we did  
44 and would ask that if there are issues that you think  
45 aren't being addressed,  
46  
47 I mean, keep in mind that every  
48 coordinator position that we have is based in  
49 Anchorage. There are remote places all over the place.  
50 I mean, the North Slope coordinator position, for

1 example, is in Anchorage, and we do work those  
2 positions out. We make people available if they need  
3 to be.

4  
5 So I guess what I need to know from you  
6 is down the road when we do hire somebody, if that  
7 person isn't doing what you need them to do, where you  
8 need them to be, then we need to hear that.

9  
10 MADAM CHAIR ENTSMINGER: I guess there  
11 is one though, Southeast has that coordinator in  
12 Southeast?

13  
14 DR. WHEELER: There's a coordinator in  
15 Southeast. That person works through the Forest  
16 Service. They don't work for OSM. And we do also have  
17 a position out in Bethel, although I expect when that  
18 position, if that position, opens up, we would likely  
19 consider moving that back to Anchorage as well.

20  
21 MADAM CHAIR ENTSMINGER: There's  
22 objection in the audience.

23  
24 CHAIRMAN REAKOFF: Polly, my position  
25 would be, I would hate to preclude somebody that has a  
26 home in Fairbanks that would be highly qualified and  
27 preclude them by their unwillingness to move to  
28 Anchorage. That would be my concern primarily about  
29 that.

30  
31 MADAM CHAIR ENTSMINGER: Ditto.

32  
33 DR. WHEELER: We hear your concerns.

34  
35 MR. GLANZ: Also, Polly, I notice that  
36 the Department of the Interior was talking earlier here  
37 that inaccessibility, that's just playing right into  
38 the inaccessibility even more so for upper areas here.  
39 So I object also.

40  
41 MADAM CHAIR ENTSMINGER: Okay. I think  
42 we should move along.

43  
44 CHAIRMAN REAKOFF: Right.

45  
46 MADAM CHAIR ENTSMINGER: And we're on  
47 number 3 if you were looking at your Page 2 in your  
48 books, right in the middle it says the presentation  
49 procedure for proposals. And we're now at the other  
50 Federal, State and Tribal agency comments. I have one

1 raised hand there on the Federal, State and Tribal  
2 agency comments.

3

4 MR. ANDREW: Thank you, Mr. Chairman.  
5 For the record my name is Timothy Andrew. I'm the  
6 director of natural resources for AVCP. And I'd like  
7 to make a few comments on Fishery Proposal 09-12.

8

9 As in the Board of Fisheries process,  
10 most -- in fact all of our Lower Yukon communities  
11 opposes this proposal, primarily because it's very  
12 invasive, very costly to replace the nets that most of  
13 us have. We don't just utilize one net; we utilize  
14 several nets over the course of the summer, because it  
15 would be foolish for an individual to bank on only one  
16 net for either a commercial or subsistence fishery,  
17 just because -- for a drift fishery. And when we do go  
18 out and drift, a lot times we rip up a net so terribly  
19 within a 16-hour subsistence opening it's not practical  
20 go back to shore and mend the net. It's just better to  
21 go back and get another net and then continue fishing.

22

23 We base our objection to Proposal No.  
24 09-12 primarily because there was a system that worked  
25 this past summer when the State and Federal fisheries  
26 managers instituted a closure on the first pulse and  
27 continued with a windows regulation. We made our  
28 escapement into Canada and most of the escapement  
29 projects in the upper part of the Yukon River were able  
30 to achieve their escapement goals. And also many  
31 people in the Canadian portion, also in the upper river  
32 villages, also saw a better quality of escapement come  
33 or better quality of catch come into their harvest.

34

35 And also at the Board of Fisheries, we  
36 had submitted RC No. 84 which received broad support of  
37 the people that were attending from the mouth of the  
38 Yukon River to the middle part of the Yukon River, up  
39 to Grayling and Nulato and some of the communities.  
40 And the proposed substitute action read as follows:

41

42 We the resident subsistence commercial  
43 fishermen of the Lower, Middle Yukon River in  
44 consultation with our elders in attendance submit the  
45 following to the Board to consider as substitute for  
46 the remaining proposals. And it reads as follows:  
47 Maintain status quo in mesh size and mesh depth  
48 restriction -- or regulation; institute a five to  
49 seven-day closure on the first pulse through the entire  
50 river; provide Alaska Department of Fish and Game, and

1 in this case it would be the Federal manager with the  
2 emergency order authority to open and close the Chinook  
3 subsistence commercial fishery prior to, during and  
4 after the five to seven-day closure. And this  
5 management mandate by the Alaska Board of Fisheries  
6 will sunset upon the removal of Yukon River Chinook  
7 salmon stock of concern or sooner at the discretion of  
8 the Board.

9

10 And as I have indicated, this similar  
11 authority last summer in our opinion resulted in the  
12 desired results the proponents of the above-listed  
13 proposals are pursuing. This similar management action  
14 in the summer of 2009 resulted in what I said earlier  
15 basically. And this was the least possible -- or least  
16 costly and the least invasive proposal that we  
17 submitted to the Board for their consideration  
18 considering all the subsistence and commercial net  
19 fishermen all along the Alaskan portion of the Yukon  
20 River.

21

22 The other thing that will happen if we  
23 were utilize the 7-1/2 mesh gear is the potential  
24 reallocation of the larger fish from the net fishermen  
25 to the fishwheel operations. There is no restriction  
26 at this point for the fishwheel operators. so we'll  
27 likely see an increase in harvest in the larger fish in  
28 the fishwheels.

29

30 And as indicated in Dani Evenson's  
31 presentation, the causes of the trend continue to be  
32 unknown. It's not -- they can't really point it at the  
33 large -- as a result of the large mesh.

34

35 And it is also reflected in the Staff  
36 analysis of this proposal as well is that you can't  
37 really point it to the mesh sizes of the Yukon River.  
38 It might be environmental.

39

40 And the Staff analysis also says that,  
41 you know, the 7-1/2-inch mesh restriction may not be  
42 the cure. You know, what do we do after we initiate  
43 this regulation and find out that, you know, the mesh  
44 sizes is not the problem. You know, it could possibly  
45 be another cause. And by then we would have imposed a  
46 significant cost on a lot of people along the Alaska  
47 side of the Yukon River.

48

49 And on Page 23 of the Staff analysis,  
50 the second paragraph down, it indicated that -- let's

1 see. One, two, three -- on the third sentence I  
2 believe it was, reducing the maximum allowable mesh  
3 size for harvesting Chinook salmon will shift  
4 exploitation toward the most abundant age class and  
5 should allow a higher proportion of the larger and  
6 older age classes, including the larger and more fecund  
7 females, to span.

8

9                   And like I said earlier in my  
10 testimony, it will just be a reallocation to the -- or  
11 allow the fishwheel operators to harvest the larger  
12 salmon. You know, most of the females may not be able  
13 to spawn.

14

15                   Additionally, in talking to Mr. Sandone  
16 about the subsistence harvest of the Chinook salmon  
17 along the Yukon River, the lower part of the river  
18 harvested approximately 31 percent, and the remaining  
19 69 percent is from the upper portion of the Yukon  
20 River. I realize that the majority of the net  
21 harvesting occurs down in the lower river, but the  
22 proportion of the Canadian-bound salmon is much smaller  
23 in the lower river than it is further up the river.  
24 When you get into District 5, it can range anywhere  
25 from 76 to 100 percent. The closer you get to the  
26 Canadian border, the more Canadian-bound fish you tend  
27 to harvest. And the instances of harvesting large fish  
28 as they escape the lower river is likely to occur in  
29 District 5.

30

31                   And I believe that concludes my  
32 testimony. Mr. Chair. And I would be happy to answer  
33 any questions.

34

35                   MADAM CHAIR ENTSMINGER: Council  
36 members, let's stick to questions of the people, and  
37 we'll save our comments for the deliberations.

38

39                   So are there any questions. Okay.  
40 Lester.

41

42                   MR. ERHART: These fishwheels you're  
43 talking about there, if they dip -- they have to dip  
44 over 12 feet in order to catch kings up in Y-5. You  
45 hardly see any more of those. If you want to fish  
46 chums, you're in the 8 to 10-foot area. But I don't  
47 see fishwheels catching big females. They usually  
48 catch the jacks and maybe 20-pounders and that's about  
49 it.

50

1 MADAM CHAIR ENTSMINGER: Andy.

2

3 MR. BASSICH: Yeah. Thank you, Tim,  
4 for your comments. Given the recent action by the  
5 State in adopting 7-1/2-inch mesh, I'm just wondering  
6 -- you know, this is a reality now at this point. And  
7 I guess what I'd like to hear from you, is it more  
8 important for you to try and maintain -- for the people  
9 of your region, I should say, for you to maintain  
10 larger mesh net to fish with or would you rather see an  
11 alignment between Federal and subsistence regulations  
12 to simplify that.

13

14 MR. ANDREW: Sorry. It's kind of a  
15 hard question to answer, to be quite honest. You know,  
16 people along the lower river want to see more returns  
17 of salmon, just as everybody else along the entire  
18 Yukon River. But, you know, we believe that the --  
19 allowing people to maintain status quo in the gear that  
20 they have would be the lost cost alternative in  
21 addressing this conservation or management concern.

22

23 The -- I don't know. I lost my train  
24 of thought. Sorry about that.

25

26 MR. BASSICH: May I follow up?

27

28 MADAM CHAIR ENTSMINGER: Andy.

29

30 MR. BASSICH: Yeah. I'd like to just  
31 follow up. Also the data that we get from Bromaghin's  
32 report and what ADF&G gave us in a presentation earlier  
33 today showed that 7-1/2-inch mesh, it was actually a  
34 more efficient gear, so fishermen using that gear  
35 should expect to catch more fish with less effort under  
36 those conditions. And one of the things that I've  
37 heard over the years from a number of the lower river  
38 fishermen is that gas prices are very expensive, and  
39 it's becoming very difficult for them to do some of  
40 their subsistence activities because of the cost of  
41 fuel and all that. So I'm just wondering if going to a  
42 more efficient gear might offset some of the costs of  
43 having to be out there as long, or go out and do  
44 additional drifts. So maybe just to comment on that.  
45 I mean, to me, if I was a fisherman, I would rather  
46 spend less time out there fishing and catch more  
47 poundage and not worry about catching a certain size of  
48 fish. So I'm just curious what your thoughts are on  
49 that.

50

1 MR. ANDREW: The flip side of that is  
2 we have varying abundance of summer chum that occur on  
3 the lower part of the Yukon River as they go up into  
4 the middle part of the Yukon. And sometimes we get  
5 millions of chums. You go out there and set a king  
6 salmon net, even the 8-1/2, 8-3/4 nets, you do a drift,  
7 you can easily catch maybe 100 chums to just a few  
8 kings. But if we were to go to a 7-1/2 and people are  
9 wanting to get kings in a year that we have incredible  
10 abundance of summer chum, you know, what are people  
11 going to do with the summer chum that they harvest?  
12 You can only process so much into your smokehouses.  
13 You can only give so much away before you fill up your  
14 smokehouses.

15  
16 In District Y3 they probably have the  
17 highest percentage of Chinook harvest in their  
18 subsistence harvest than the other two districts in the  
19 Lower Yukon. And for those people, it will be an  
20 incredible hardship for them in a year of high chum  
21 abundance to, you know, harvest and focus on their king  
22 salmon needs in that area.

23  
24 You know, as far as the efficiency, it  
25 will probably be a lot more efficient to go out with  
26 the 7-1/2-inch, yes, I do agree with that.

27  
28 MR. BASSICH: Okay. And just for  
29 clarification, your summer chum that come up at that  
30 time are very fit for human consumption as well,  
31 correct?

32  
33 MR. ANDREW: They are fit for human  
34 consumption. This past summer, because of the closure  
35 on the first run, and the gear restrictions that was  
36 imposed on the Lower Yukon, people had to put up summer  
37 chums. It is not the best quality of salmon that  
38 people pursue. You know, people need the fat of the  
39 king salmon during the summer -- or during the winter  
40 when they're out doing their subsistence activities  
41 during the winter. And, so, you know, summer chum is  
42 not a good replacement for the king salmon.

43  
44 CHAIRMAN REAKOFF: Tim.

45  
46 MR. GERVAIS: Tim, on the RC that was  
47 submitted during the Board of Fish, was that action for  
48 the pulse, was that by emergency order or by  
49 regulation?

50

1 MR. ANDREW: We had submitted that as  
2 an emergency authority by the Department to close that  
3 five to seven-day period. And then they can open and  
4 close -- let me get to that RC. They can -- and give  
5 them the authority to open and close the Chinook  
6 subsistence and commercial fishery prior to, during and  
7 after the five to seven-day closure if they determine  
8 that the run abundance is far exceeding their goals or  
9 their escapement level, or provide for escapement and  
10 subsistence further up the river. If they see that  
11 happening, they would have the authority to open or  
12 liberalize the subsistence fishery and perhaps a  
13 limited commercial fishery as well.

14  
15 MADAM CHAIR ENTSMINGER: Virgil had a  
16 question.

17  
18 MR. UMPHENOUR: Okay. At the Board of  
19 Fish meeting I saw an RC that Yukon Delta Fisheries  
20 Development Association submitted that said that if the  
21 proposal past, that they were going to buy new nets.  
22 And so my question is, do you know if they're still  
23 planning on buying all the fishermen new nets.

24  
25 MR. ANDREW: I don't have an immediate  
26 answer to that question. There is a Yukon Delta  
27 Fishery Development person and I believe he is going to  
28 be testifying, and you can perhaps ask that question  
29 when he does testify.

30  
31 MADAM CHAIR ENTSMINGER: Okay. We'll  
32 let him answer it when he comes up.

33  
34 Are there any other questions.

35  
36 MR. UMPHENOUR: Right.

37  
38 MADAM CHAIR ENTSMINGER: Oh, one more.

39  
40 MR. UMPHENOUR: Okay. You also said  
41 that, you know, this petition that you were just  
42 talking about was to do it the way they did this year.  
43 But didn't the Department restrict the fishing to 6-  
44 inch mesh nets when they did have a subsistence opening  
45 this year?

46  
47 MR. ANDREW: I believe the 6-inch mesh  
48 restriction was there, yes. And as a result -- you  
49 know, the 6-inch mesh restriction was all the way up  
50 the river as far as I know, and everybody suffered the

1 same amount during the closure and also during the  
2 windows as well. And nobody really benefitted from the  
3 closure at all. I mean, everybody had foregone  
4 subsistence harvest and at no additional cost to them  
5 or to their family for buying new nets.

6  
7 MR. UMPHENOUR: Right. But they used  
8 their 6-inch mesh nets when they did fish though,  
9 correct?

10  
11 MR. ANDREW: Yes, for the commercial  
12 fishery.

13  
14 MR. UMPHENOUR: So why -- if it worked  
15 this summer, why can't it work in the future?

16  
17 MR. ANDREW: Well, this summer was  
18 probably one of the years that we had a severe  
19 conservation concern to where we were wanting to get  
20 fish to the Canadian border. We wanted to get fish to  
21 the escapement grounds.

22  
23 But in years of high Chinook salmon  
24 abundance, you know, everybody's happy. You're happy,  
25 I'm happy, and, you know, the Canadians are happy.  
26 And, you know, there's -- people just get along with  
27 each other when there's more of the resource to go  
28 around.

29  
30 MR. UMPHENOUR: Thank you, Tim.

31  
32 MR. ANDREW: You're welcome.

33  
34 MADAM CHAIR ENTSMINGER: Are there any  
35 other questions.

36  
37 (No comments)

38  
39 MADAM CHAIR ENTSMINGER: Okay. Thank  
40 you, Tim.

41  
42 MR. ANDREW: Thank you, Madam Chair.

43  
44 MADAM CHAIR ENTSMINGER: You're  
45 welcome. Other Tribal agency comments or State or  
46 Federal. I thought I saw a hand there.

47  
48 MR. SMITH: Well, I'm Mike Smith,  
49 Tanana Chiefs. I certainly couldn't let Tim go without  
50 me responding just a little bit. Once again my name is

1 Mike Smith of Tanana Chiefs Conference.

2

3                   And TCC has been supportive of  
4 conservative efforts on the Yukon River king for a  
5 long, long time now. One of the things we need to  
6 remember I think during these discussions is I always  
7 want to make sure we do. And that is we've been facing  
8 this disaster if you will at least since the year 2000,  
9 the last time around.

10

11                   Now, we've implemented a huge lot of  
12 efforts to help curb this decline, to help foster the  
13 runs and to improve the situation. It's been almost 10  
14 years now, and all those efforts haven't improved the  
15 run at all, and in some instances, that run has gotten  
16 worse.

17

18                   And so with that backdrop in mind, we  
19 supported the reduction of the net sizes to six-inch,  
20 and a couple of reasons why I guess. If the intent of  
21 these proposals are to conserve salmon, then six-inch  
22 is the tool to use. If the intent of these proposals  
23 are to increase opportunity and allow increased  
24 exploitations of the remaining fish we have in the  
25 Yukon River, well, then that's a different issue.

26

27                   TCC had always thought that these  
28 proposals were intended to be conservation efforts, and  
29 that's we were opposed to the adoption of the 7-1/2-  
30 inch mesh, because if they are conservation efforts,  
31 then it didn't seem quite right to us that we would end  
32 up targeting the last remaining big fish in the run,  
33 and increase the opportunity and the efficiency of  
34 those nets to increase the harvest. It just didn't  
35 make sense if in fact these were conservation efforts.

36

37                   Now, TCC, of course, was concerned  
38 about the effect of such proposals. One of the things  
39 we also need to remember I think in the net selectivity  
40 studies that we to remember is that those were based  
41 upon some rather optimistic age structures within those  
42 runs. Those models. If you look at our age structure  
43 now and apply those same models, things look quite a  
44 big different. You know, our seven-year-old component,  
45 whether it was really an eight-year-old or whether it's  
46 a seven didn't really matter. It used to be well above  
47 25 percent of that run. So some of those figures and  
48 those estimates are based upon those type of  
49 assumptions, and right now that seven-year-old  
50 component is way below I think three percent now. So

1 we need to remember that when we look at those studies  
2 on those net selectivities. And I think that it might  
3 change the issue.

4

5 But regardless of that, it does point  
6 out that we increase the exploitation rate on the  
7 remaining big fish. And I'm not sure if that was what  
8 was the intent of this Council the Western and the  
9 Eastern Councils' intent of their resolution was.  
10 Their original proposal was to actually increase  
11 harvest and efficiency of those nets.

12

13 As far as net replacement goes, TCC has  
14 heard a lot of comments about that and the cost of  
15 that, the possible cost of that to fishermen. So did  
16 like I think anybody else would do in this day and age,  
17 we got on the internet, looked up some net companies,  
18 called them out and asked them some quotes. We just  
19 asked them what it would cost to replace our nets. And  
20 while I know the net sizes are a little different down  
21 river as opposed to what we utilize up here, 150-foot  
22 net, I just a quote two days ago, 150-foot long net, 6-  
23 inch or 7-1/2-inch, 35 meshes to 45 meshes deep with  
24 floats and lead line, I just got a quote for \$207. I  
25 asked -- I got another quote. My thought was, well,  
26 maybe we should just buy the mesh and allow people to  
27 utilize their existing float lines and their existing  
28 lead lines, so what would the mesh cost. And in this  
29 region if we were to replace 1,000 nets with a variety  
30 of actual mesh sizes, but everything below 7-1/2, just  
31 getting the mesh up here would only be about \$44,000.

32

33 So in essence if -- you know, a lot of  
34 our guys use smaller than 150-foot nets and stuff like  
35 that, so if I was just to, for the sake of argument,  
36 purchase 1,000 nets in this region, 150-foot long, 35  
37 or 45 meshes deep, it would cost me somewhere around  
38 20, \$25,000. So I'm not sure if that is a huge cost to  
39 the fishermen along the river or not.

40

41 And then the other thing with the 7-1/2  
42 inch mesh is I kind of wanted to -- I'm not sure why  
43 people are opposed to this. You know, one of the  
44 issues is, of course, they'll catch more fishes using a  
45 7-1/2 inch mesh. Secondly, they get paid by the pound,  
46 the commercial guys down river. Secondly, the issue of  
47 the bycatch of summer chums, certainly in the  
48 commercial fishery they could sell those fish if they  
49 were to catch them. And in the subsistence fishery,  
50 there's certainly things we could do to facilitate the

1 usage of those summer chums that may be incidently  
2 caught. We're not sure exactly how much it's going to  
3 be, but the overall amount I don't think are going to  
4 be that significant to really force us to conserve our  
5 conservation efforts on Yukon River king salmon. I  
6 think most people would gladly give up a few summer  
7 chums to maintain our king salmon fisheries.

8

9 So with that, Mr. Chairman, if there's  
10 any questions, I'd be more than happy to answer them.

11

12 MADAM CHAIR ENTSMINGER: Any questions.  
13 Do you want to go first, and then we'll get Andy?

14

15 MR. GERVAIS: Mike, when you were  
16 talking about the seven-year-old component, I think you  
17 said 25 percent?

18

19 MR. SMITH: Yeah.

20

21 MR. GERVAIS: Where are you getting  
22 that?

23

24 MR. SMITH: Those are from the ADF&G  
25 figures. I'm not sure exactly what report it is, but I  
26 mean I've got it at the office. And historically they  
27 were as high as 25 to I think almost 28 percent at one  
28 time.

29

30 MADAM CHAIR ENTSMINGER: Andy.

31

32 MR. BASSICH: Thank you, Mike. In  
33 talking about the net replacements and the costs, is  
34 TCC also looking into possibly providing its  
35 constituents with nets in the future?

36

37 MR. SMITH: Ms. Chairman. We, of  
38 course, were a little hesitant to try to commit to  
39 something like that, because of the concern we have at  
40 the same time, of course, of the cost. But at the cost  
41 we are now seeing, it certainly seems like a certain  
42 clear possibility that we can replace those nets one  
43 way or the other. And TCC is certainly actively  
44 looking at the options we have available for us to do  
45 that.

46

47 MADAM CHAIR ENTSMINGER: Frank.

48

49 MR. GURTLER: I notice you said that it  
50 was 200 and some dollars for each net, but, you know,

1 there's different kinds of webbing for the river, and I  
2 was just wondering. Some of the webbing will pick up  
3 all the drift and all the little moss and everything in  
4 the river and some, the other type nets, won't do that.  
5 Did you put a study on that and see which nets they  
6 were going to end up this way, if they did?

7

8 MR. SMITH: Through the Chair. Yes.  
9 No, I mean, we asked for Yukon River king salmon nets.  
10 You know, and we -- you know, one of the quotes I got  
11 was from the people that Donaldson actually gets their  
12 nets from, so they knew exactly what we were talking  
13 about.

14

15 And then as far as the other one goes,  
16 it's a multi-filament 65-pound test twine, much like  
17 everything that we utilize all the time.

18

19 CHAIRMAN REAKOFF: So, Jenny, you've  
20 got a question there.

21

22 MS. PELKOLA: Yes. Mike, I know that  
23 the nets that we get from outside are Donaldson's.  
24 They're not very good quality. They say Yukon River  
25 nets, but they're not. You use them one or twice and  
26 they're torn.

27

28 Also you're talking about replacing  
29 nets now. I know that people that don't fish will  
30 probably get nets. And as Tim was saying we don't have  
31 one nets, we have many nets, because we have to keep  
32 replacing with them with the drift on Yukon and just  
33 everything in the water. And it sounds rosy right now,  
34 but I'm looking at the long -- the big picture. And I  
35 hate to see people jump into something that in the end  
36 won't work, you know.

37

38 I, myself, I've been fishing for years  
39 at Bishop Rock, and that's a good spot for a set net.  
40 I don't know how long you've been fishing, or have you  
41 ever fished, but working at set nets is really hard  
42 work, harder than drifting, I mean, to me, because I  
43 did both.

44

45 But I'm very concerned about this  
46 making pictures, or making it look rosy right now. I  
47 mean, you probably -- I'm looking at it different than  
48 you are. But I'm trying to look at the big picture  
49 instead of just all the pile of free nets like, you  
50 know. That's my concern.

1 MR. SMITH: Through the Chair. Jenny,  
2 yes, I have had the opportunity to fish on the Yukon  
3 River. But, not, the rose is not -- the picture is not  
4 rosy at all. You know, TCC is extremely concerned  
5 about the continued viability of this Yukon River king  
6 salmon run. And as far as the availability or the  
7 possibility that we might be able to purchase nets,  
8 that's simply to a large extent in response to the  
9 Board of Fish just changing the regulations so that our  
10 people who are fishing will continue to have the  
11 opportunity to fish without having to purchase new  
12 nets. I'm not sure, but that's what that's all about,  
13 and that's what we're attempting to do there is just to  
14 assure that our fishermen continue to fish.

15  
16 MADAM CHAIR ENTSMINGER: Do we have any  
17 other questions of Mike. Donald.

18  
19 MR. WOODRUFF: Mike, I applaud the  
20 Tanana Chiefs for really going the extra mile to  
21 conserve the fisheries. And I think the Eastern RAC's,  
22 if I can recall, we've been talking about smaller mesh  
23 size for six years, and I voted then and I'm going to  
24 keep voting for smaller mesh size. And I don't think  
25 it's our intent or anyone's intent to try and target  
26 the last of the big fish with a 7-1/2-inch net. I  
27 think it's a step towards conservation for everyone.  
28 And I applaud you folks to help us.

29  
30 Thank you.

31  
32 MADAM CHAIR ENTSMINGER: We'll try to  
33 stick to questions. Did you have a question, Ray.

34  
35 MR. COLLINS: Yes. Mike, you talked  
36 about providing nets, and I heard Jenny's comments  
37 there. Was there any thought given that you would  
38 actually replace nets that people have rather than just  
39 give out nets, because then you'd be -- a lot of people  
40 would accept them and so on. But if somebody did have  
41 three or four nets, if they turned in three or four, do  
42 you think the program would replace three or four then?  
43 Because that would keep it in balance with replacing  
44 the nets that are actually being used.

45  
46 MR. SMITH: I'm sorry. Through the  
47 Chair. Ray, we haven't really got into that much of  
48 detail right now. The application that the  
49 Congressional Staff is working for the application to  
50 Commerce for the disaster declaration isn't quite to

1 that level yet. But as far as the -- actually we had  
2 to come up with some estimate of how many nets we were  
3 thinking we were needing. We came up with the idea of  
4 approximately 1,000 nets that we would replace,  
5 essentially offering, you know, 1,000 households,  
6 fishing households nets, replacement nets to adhere to  
7 the new State regulations.

8  
9 As to the idea of people turning in  
10 multiple nets and stuff like that, as to whether or not  
11 we just purchase nets or replace, I mean, I think  
12 that's why we looked at the opportunity of just  
13 replacing the webbing so that people who really showed  
14 an interest in changing over gear and is willing to put  
15 the time and effort into swapping their nets out, we  
16 could have them that opportunity. But then, of course,  
17 when I first thought of that, I was thinking of a cost  
18 a lot higher than I thought it was. Right now, if in  
19 fact we can get that many nets for that cheap of a  
20 price, you know, brand new nets with lines and sinkers,  
21 it's hard to make kind of a village project out of it  
22 by having people replace their webbing.

23  
24 But, you know, I mean it's not that  
25 it's impossible, it's just that the cost changes. But  
26 that's why we looked at the webbing cost, is just  
27 purchasing webbing. Because there is that issue of  
28 what do we do with, you know, the old nets and what do  
29 we do with the old lines and floats and stuff.

30  
31 MADAM CHAIR ENTSMINGER: Mike, we've  
32 been -- or I've been asked to clarify, did I understand  
33 that you support this proposal, No. 12?

34  
35 MR. SMITH: We've supported the  
36 reduction to six-inch mesh all along since, you know,  
37 it's been first introduced however many years ago it  
38 was.

39  
40 MADAM CHAIR ENTSMINGER: You support  
41 six-inch. Do you support 7-1/2?

42  
43 MR. SMITH: We understand that that is  
44 what the State of Alaska Board of Fish adopted. But we  
45 had real concerns as expressed earlier about the impact  
46 of that proposal. So as it stands now, with the only  
47 option you kind of have currently have available in  
48 front of you right now is the adoption of 7-1/2,  
49 because certainly that's what the State is going -- or  
50 that's what the State wants, and that's what Federal

1 Staff wants you to adopt right now to align both State  
2 and Federal regulations up.

3

4 MADAM CHAIR ENTSMINGER: So, Mike, in  
5 the short answer, it is 7-1/2, yes? Do Tanana Chiefs  
6 support it or not?

7

8 MR. SMITH: No, Mrs. Chairman. We  
9 support a six-inch mesh restriction.

10

11 MADAM CHAIR ENTSMINGER: Okay. I'm  
12 sorry, I didn't mean to cut you off. We were trying to  
13 clarify.

14

15 MR. SMITH: No, I'm sorry I was long-  
16 winded about it. I just wanted to be clear that, you  
17 know, we understand where the Councils are now. We  
18 understand the political -- politically where we are in  
19 this State right now with this net restriction issue.

20

21 Now, we agree that, you know, it's a  
22 step in the right direction. We don't think it's a  
23 step far enough, but that we certainly think that any  
24 conservation efforts are warranted at this time.

25

26 MADAM CHAIR ENTSMINGER: Okay. Are  
27 there any other questions.

28

29 (No comments)

30

31 MADAM CHAIR ENTSMINGER: All right.  
32 Thanks, Mike.

33

34 I'm going to give the chairmanship over  
35 for the next one to Jack.

36

37 CHAIRMAN REAKOFF: Did you want to  
38 comment, Stanley.

39

40 (No comments)

41

42 CHAIRMAN REAKOFF: No. Any other  
43 native organizations or other comments under this  
44 class.

45

46 (No comments)

47

48 CHAIRMAN REAKOFF: And so we're going  
49 to the InterAgency Staff Committee comments. And who  
50 is making that presentation. Polly.

1 DR. WHEELER: Thank you, Mr. Chair.  
2 I'm the Chair of the InterAgency Staff Committee and  
3 the InterAgency Staff Committee has no comments at this  
4 time. The comments will be forthcoming.  
5  
6 CHAIRMAN REAKOFF: Okay. Thank you.  
7 And so the Subsistence Resource Commission comments.  
8  
9 The Gates of the Arctic Subsistence  
10 Resource Commission has not reviewed this issue, and I  
11 sit as Vice-Chair of that commission. Have you  
12 reviewed this, Ray?  
13  
14 MR. COLLINS: Which?  
15  
16 CHAIRMAN REAKOFF: The Subsistence  
17 Resource Commission, have they reviewed this Proposal  
18 12?  
19  
20 MR. COLLINS: You mean the working  
21 group on the Kuskokwim River?  
22  
23 CHAIRMAN REAKOFF: Well, I guess you  
24 probably wouldn't have, since.....  
25  
26 MR. COLLINS: No.  
27  
28 MADAM CHAIR ENTSMINGER: SRC.  
29  
30 MR. COLLINS: No, we hadn't looked at  
31 that particular one.  
32  
33 CHAIRMAN REAKOFF: I mean, part of the  
34 Denali extension would extend it to the Yukon.  
35  
36 MR. COLLINS: No.  
37  
38 CHAIRMAN REAKOFF: And so you haven't?  
39  
40 MR. COLLINS: Denali didn't  
41 specifically look at that, no. No, the SRC.  
42  
43 MR. COLLINS: Does Eastern SRCs.  
44  
45 MADAM CHAIR ENTSMINGER: We have the  
46 Wrangell-St. Elias, so it's not in our region. I'm  
47 sorry. I didn't have the mic on.  
48  
49 CHAIRMAN REAKOFF: And so we're at the  
50 Fish and Game Advisory Committee comments.

1                   The Koyukuk River Advisory Committee,  
2 what I sit on, reviewed what the Board of Fish had  
3 done. And the Koyukuk River Advisory Committee  
4 commented and is wanting to write a letter that will be  
5 forthcoming to the Commissioner of Fish and Game that  
6 will state that they felt it was very important to  
7 protect the first pulse of Chinook salmon to meet  
8 escapement needs on the Koyukuk River, because this  
9 year was the first year in many years we saw very many  
10 king salmon on the Koyukuk.

11  
12                   And did you want to speak to that,  
13 Eleanor.

14  
15                   MS. YATLIN: Mr. Chairman. It was --  
16 from what I saw and, you know, the people I talked  
17 with, there was a lot of kings coming up the river past  
18 some. In our camp we did okay.

19  
20                   CHAIRMAN REAKOFF: So the Koyukuk River  
21 Advisory Committee is very supportive of protection of  
22 the first pulse and wants to see that EO used to the  
23 fullest extent to meet escapement needs throughout the  
24 whole first pulse. And so that's the position of the  
25 Advisory Committee.

26  
27                   As regarding the 7.5, we reviewed that  
28 proposal and people were ambiguous to it. I mean, they  
29 have some gear sizes that they use for sheefish that  
30 would be able to fish for that, for kings with that  
31 size gear. And that would be the position of the  
32 Koyukuk River Advisory Committee on this proposal, not  
33 really having taken up this particular proposal per se.

34  
35                   And so, Andy, do you have AC?

36  
37                   MR. BASSICH: Yeah. Eagle AC. One  
38 thing that they wanted to make sure that was shared  
39 with everyone is that the quality of escapement past  
40 Eagle into Canada this year was the best quality of  
41 escapement we've seen in over 10 years as far as the  
42 size of the fish was good, the quality of the fish was  
43 good, and there seemed to be a better mix of age  
44 classes. However, it was noted that through our ASL  
45 collection there in Eagle that we noticed that there  
46 was a much larger component of six-year-old fish there,  
47 so that might play a little bit more of a factor. But  
48 the overall quality of run was the best that we had  
49 seen in over a decade. So we're happy to report.

50

1                   In the other years, I believe it 2001  
2 when windows was first enacted. I believe it was 2001  
3 fishery season. That was another year that we saw this  
4 same type of an event where we saw more larger fish and  
5 maybe a better representation of the entire run through  
6 sizes and age classes.

7  
8                   So just mainly that we wanted to share.

9  
10                  CHAIRMAN REAKOFF: Did you vote per se  
11 on this Proposal 12 on the net size regulation?

12  
13                  MR. BASSICH: Well, we've talked a lot  
14 about mesh size, and I think, you know, we're pretty  
15 conservation minded and we recognize that different  
16 parts of the rivers fish differently, use different  
17 type of gear. And up in our area fish are very bank  
18 oriented, and you can catch king salmon with a six-inch  
19 mesh almost as well as you can with a larger mesh net,  
20 because of the way they morph and their teeth and jaws  
21 get tangled up. So it's not as critical to us as far  
22 as the efficiency of the gear. And a lot of people are  
23 starting, trying to shift over to smaller gear or use  
24 their chum gear to try and reduce harvest of the larger  
25 fish.

26  
27                  And then as far as fishwheel operations  
28 go in our area, which is a pretty predominate gear in  
29 our area, most of our fishwheels -- in fact, all of  
30 fishwheels are basically built for catching chum  
31 salmon. They only fish seven -- about the deepest,  
32 seven feet deep. And fishwheels can be very easily  
33 managed to catch larger or smaller fish simply by  
34 either fishing deeper or getting them out farther in  
35 the river and covering more of the river.

36  
37                  My personal experience with fishwheels  
38 is that there's a direct relationship between velocity  
39 of current and the fish that are in that particular  
40 part of the water column, so we tend to catch a lot of  
41 small fish, and a lot of -- well, to give you an  
42 example, our ASL data for the last couple years has  
43 been right around a 10 to 11-pound average for the  
44 total Chinook harvest in our area, so we tend to catch  
45 smaller fish with our fishwheels.

46  
47                  CHAIRMAN REAKOFF: Okay. So you didn't  
48 vote on any mesh size proposal in particular.

49  
50                  (No comments)

1 CHAIRMAN REAKOFF: Any other ACs. Go  
2 ahead, Bill.

3  
4 MR. GLANZ: Yes. Central AC, we had a  
5 meeting February 10th and it was unanimous. We are for  
6 No. 12. And they also instructed me to make sure that  
7 everybody knows that we are for the pulse protection  
8 like we had last year.

9  
10 CHAIRMAN REAKOFF: Thank you.  
11 Fairbanks. Go ahead, Virgil.

12  
13 MR. UMPHENOUR: Yeah. Of course the  
14 Fairbanks AC was the author, or co-author of the 6-inch  
15 proposal that the Board of Fish amended and made it 7-  
16 1/2 inch. We haven't really addressed the 7-1/2-inch,  
17 although that was our proposal three or four years ago.  
18 And so the Fairbanks AC basically would support  
19 anything that is going to reduce the harvest of the  
20 older age classes of king salmon in the Yukon River,  
21 although we did not specifically address this proposal,  
22 because we preferred the six-inch mesh.

23  
24 CHAIRMAN REAKOFF: All right. Thank  
25 you. Any other advisory committees meet?

26  
27 Did you have advisory committees meet  
28 down there, Lester?

29  
30 MR. L. WILDE: (Shakes head negatively)

31  
32 CHAIRMAN REAKOFF: No. So I think  
33 we've completed that portion.

34  
35 Summary of written public comments, and  
36 so then we'll have public testimony immediately after  
37 that. Do we have any written comments, Ann?

38  
39 MS. WILKINSON: We do have one. As you  
40 know, Harry Wilde was expected to be here today, and he  
41 wasn't able to make it in because of the weather, but  
42 he did fax in his comment. And he says that he does  
43 not support the 7-1/2-inch mesh, and does not support  
44 the 35-mesh depth.

45  
46 He also would like to have prohibit  
47 drift gillnet for subsistence and commercial split --  
48 I'm sorry, I got it backwards there. He doesn't  
49 support prohibiting drift gillnet for subsistence and  
50 commercial in the Lower Yukon. He says, Lower Yukon

1 fishermen and women say no money to buy new nets. We  
2 have a hard time even when we try to get subsistence  
3 food. What little money we get goes to gas and oil.  
4 We also try to save money for winter and for our  
5 families.

6  
7 Our nets and fishwheels have been taken  
8 away. This proposal prohibits using drift gillnet for  
9 subsistence and commercial use in the Lower Yukon  
10 River. In the Lower Yukon, the water change and the  
11 eddies are hard to find unless fishers move to the  
12 outside of mouth of the Yukon River. Then we can set  
13 nets out there.

14  
15 Thank you, Mr. Chairman and Federal  
16 Advisory Councils, for your time.

17  
18 CHAIRMAN REAKOFF: Thank you. And you  
19 can tell Harry that we really appreciate his comments.

20  
21 And that was the only written comment  
22 we had?

23  
24 (No comments)

25  
26 CHAIRMAN REAKOFF: And so we're going  
27 to move into the public testimony. And we have a blue  
28 card here from Gene Sandone. Did you want to come up  
29 and speak to us, Gene.

30  
31 And also that if we have public members  
32 here that just want to speak to the Councils on this  
33 proposals, you also can just raise your hand and come  
34 to the mic after Gene's done here.

35  
36 Go ahead, Gene.

37  
38 MR. SANDONE: Mr. Chair. I don't have  
39 a lot to say about the proposals, but I did want to  
40 talk about customary trade. I don't think it's  
41 appropriate to do that now.

42  
43 CHAIRMAN REAKOFF: No, this is not the  
44 correct time for that.

45  
46 MR. SANDONE: So will there be public  
47 testimony for it?

48  
49 CHAIRMAN REAKOFF: Well, after we get  
50 done with these two proposals, it's our intent to get

1 into some other business with fisheries and expand  
2 those as much as we can.

3

4 MADAM CHAIR ENTSMINGER: It's on our  
5 agenda.

6

7 MR. SANDONE: Okay. So in a nutshell,  
8 I'm Gene Sandone of G. Sandone Consulting, LLC. I'm  
9 representing Yukon Delta Fisheries Development  
10 Association.

11

12 And we support the State's stance on  
13 this proposal and the other proposal as well. So we  
14 support with modifications according to the State on  
15 Proposal 12, and on 13 we oppose it.

16

17 CHAIRMAN REAKOFF: Okay. Any questions  
18 about that from the Council members. Virgil.

19

20 MR. UMPHENOUR: Gene, Yukon Delta  
21 Fisheries Development Association submitted an RC  
22 during deliberations at the Board of Fish stating that  
23 they were going to buy the fishermen in the Lower Yukon  
24 new nets. Do you know if they're still planning on  
25 doing that?

26

27 MR. SANDONE: Virgil. Mr. Chair.  
28 Virgil, to the best of my knowledge the answer is yes.  
29 I was supposed to get some information for them by a  
30 deadline, which I did, and it was basically an  
31 affirmation to go ahead and purchase the nets. I don't  
32 know if they have been purchased, but the last report  
33 that I had, the plan was to purchase 7-1/2-inch, 45-  
34 mesh deep nets for lower river commercial and  
35 subsistence users, and the nets will be purchased in  
36 time for this season. Now, that's to the best of my  
37 knowledge.

38

39 MR. UMPHENOUR: Thank you. Mr. Chair.

40

41 CHAIRMAN REAKOFF: Other questions for  
42 Gene.

43

44 (No comments)

45

46 CHAIRMAN REAKOFF: I don't see any.  
47 Gene, thanks.

48

49 MR. SANDONE: Thank you.

50

1 CHAIRMAN REAKOFF: And any other public  
2 testimony. Anybody else in the room wish to speak to  
3 the Councils regarding this proposal, Fisheries  
4 Proposal FP09-12.

5  
6 (No comments)

7  
8 CHAIRMAN REAKOFF: No. And so we move  
9 into the Regional Council deliberations and  
10 recommendations and the justifications. We've bantered  
11 around how we're going to -- the Councils vote on this.  
12 I feel that the Councils can -- we can have a roll call  
13 vote and make sure that we get it on the record which  
14 Councils are speaking to what, or vote down both sides  
15 of the room simultaneously. One way or another, I  
16 don't think we have to break into a separate session at  
17 all.

18  
19 MADAM CHAIR ENTSMINGER: No.

20  
21 CHAIRMAN REAKOFF: So I didn't have  
22 that intention. And so the Chair will entertain a  
23 motion to adopt Proposal FP09-12.

24  
25 MR. GLANZ: I would like to make a  
26 motion to that effect that we adopt it. Have a vote.  
27

28 MR. WOODRUFF: And I'll second that.  
29

30 CHAIRMAN REAKOFF: Okay. For  
31 discussion. And so the Proposal FP09-12 is to restrict  
32 mesh size on the Yukon River to 7-1/2-inch stretch mesh  
33 for subsistence and commercial salmon fishing on  
34 Federal public waters of the Yukon River drainage. And  
35 so that's the justification -- and so that's the  
36 proposal before the Councils. And so we'll go into  
37 discussion, and we'll go down both sides of the room.

38  
39 Go ahead, Frank.

40  
41 MR. GURTLER: Is that the same as the  
42 State's then we're adopting?

43  
44 CHAIRMAN REAKOFF: Basically. It will  
45 be -- the State has now adopted that, and that will  
46 apply on all State waters. The only area that is open  
47 for discussion right now is the Federal waters.

48  
49 MR. GURTLER: Okay. Is this the same  
50 wording? Nothing's changed?

1 CHAIRMAN REAKOFF: Yeah. The wording  
2 that I just read was right off the proposal, the  
3 Federal proposal that the Federal Subsistence Board  
4 will review in mid April.

5  
6 MADAM CHAIR ENTSMINGER: Jack. I think  
7 what you're asking is, Frank, if it's the same as what  
8 you think happened at the State Board.

9  
10 MR. GURTLER: State. Uh-huh.

11  
12 MADAM CHAIR ENTSMINGER: And to my  
13 understanding it's slightly different, the wording on  
14 this? Yes. Okay. Larry, you look like you could help  
15 us out.

16  
17 MR. BUKLIS: Thank you. Madam Chair.  
18 I know I can't intrude once you have a deliberation  
19 under way on a motion, but it wasn't completely clear  
20 what the content of the motion is. But on Page 1, the  
21 executive summary, it shows the proposal as submitted  
22 and received, and that talks about 7-1/2-inch stretch  
23 mesh, which has been the focus of discussion. But it  
24 goes on to speak to subsistence and commercial, Federal  
25 public waters, three-year phase in, one year phase in.  
26 That's the proposal we had.

27  
28 As you recall, I know it's several  
29 hours ago, but when we did our Staff review, our  
30 preliminary conclusion was to support with  
31 modification. And the modification, given the State  
32 action by the Board of Fish process, was to focus on  
33 Federal managed subsistence in Federal jurisdiction,  
34 and to match the one-year phase-in period. And so our  
35 conclusion was what I just described, which is support  
36 with those modifications.

37  
38 So you might want to be clear on your  
39 motion beyond the 7-1/2 inch mesh, those other  
40 features.

41  
42 CHAIRMAN REAKOFF: Yes. I was reading  
43 off the general description at the top of the page. My  
44 mistake. I was not reading the proposed regulation.

45  
46 And the basic difference would be the  
47 phase-in period for three-year instead of the one year.  
48 And so that would be the main difference.

49  
50 MR. COLLINS: So what does the mover --

1 does the mover go along with that and seconder.  
2  
3 MADAM CHAIR ENTSMINGER: Yeah, that's  
4 what we have to clarify. The motion on the floor, Jack  
5 read it as the general description, but it is -- the  
6 wording on the first page, you saw the wording there,  
7 is the three-year -- it includes a three-year phase in.  
8  
9 CHAIRMAN REAKOFF: Right. And so.....  
10  
11 MADAM CHAIR ENTSMINGER: So we would  
12 have to modify it to change it.  
13  
14 CHAIRMAN REAKOFF: There can be a  
15 motion to modify the proposal. It's on the floor now  
16 for discussion. We can modify it.  
17  
18 MR. GLANZ: Can I change my motion to  
19 modify it to go along with -- to make it a one year?  
20  
21 CHAIRMAN REAKOFF: You can make an  
22 amendment to the motion.  
23  
24 MR. GLANZ: Okay. I'd like to do it  
25 that way then.  
26  
27 MADAM CHAIR ENTSMINGER: Make an  
28 amendment to the motion.  
29  
30 MR. GLANZ: Make an amendment to follow  
31 in the State. In my opinion, is the old KISS, when I  
32 use to fly a lot, was keep it simple, stupid. I mean,  
33 let's make it, you know, where it's all equal all up  
34 and down.  
35  
36 CHAIRMAN REAKOFF: Right. So we've got  
37 a second -- is it agreeable for the second for that?  
38  
39 MR. WOODRUFF: Yes, the same second.  
40  
41 CHAIRMAN REAKOFF: To align with the  
42 State, basically what the State Board of Fish has done.  
43 And so now we're into discussion. Basically we now  
44 have the same regulation proposal that the State has at  
45 the State Board of Fish.  
46  
47 MADAM CHAIR ENTSMINGER: You have an  
48 amendment that we're going to be discussing.  
49  
50 CHAIRMAN REAKOFF: Right. Amended

1 proposal.

2

3 MADAM CHAIR ENTSMINGER: Amended.

4 Yeah. Yeah, we're in discussion of the amendment,  
5 correct?

6

7 CHAIRMAN REAKOFF: Uh-huh. And the  
8 proposal as amended. And so.....

9

10 MR. BUKLIS: Mr. Chairman.

11

12 CHAIRMAN REAKOFF: Go ahead, Larry.

13

14 MR. BUKLIS: Thank you. Mr. Chairman.  
15 Again Mr. Cannon in his review referenced Page 28, but  
16 it -- actually Page 24. On Page 24 is the OSM  
17 preliminary conclusion. So if you're looking for exact  
18 language to cite, it's Page 24.

19

20 And, you know, for the record, if you  
21 say you want to do what the State Board of Fish did,  
22 the State Board of Fish took action on commercial and  
23 State-managed subsistence throughout the river, so it  
24 is different. So specifically in the Federal program,  
25 it's on Federal lands and then our preliminary  
26 conclusion was to focus in on Federally-managed  
27 subsistence, because of the actions the State took, we  
28 didn't need to get into other fisheries on Federal  
29 lands.

30

31 And then, finally, the one-year phase  
32 in, strictly speaking, we don't need to put that in the  
33 regulations, because literally that would mean in your  
34 regulation book you'd have a statement that said one-  
35 year phase in, but after a year that would be out of  
36 date. So we can handle the phase in by simply having  
37 the regulation read as it does on Page 24, and we can  
38 make it effective for 2011, if that's your intent. So  
39 the regulatory language that we landed on is in bold  
40 towards the top of Page 24, and that captures the 7-  
41 1/2-inch mesh, it captures jurisdiction for Federal  
42 subsistence. And the phase-in period would match the  
43 State system, and we don't need to put that in the  
44 regulatory book.

45

46 MADAM CHAIR ENTSMINGER: Right.

47

48 CHAIRMAN REAKOFF: Go ahead, Sue.

49

50 MADAM CHAIR ENTSMINGER: We have an

1 amendment -- or a motion of an amendment and that's  
2 what we're discussing at this time. And if I get the  
3 wording correctly, on the top of Page 24, maker of the  
4 amended motion, this is the language. Would you like  
5 to read it, Bill?

6

7 MR. GLANZ: Yes. Well, my motion was  
8 to make it coincide with the State, so it automatically  
9 goes in 2011, the one I was making, by reading it  
10 earlier. But did you want me to -- would it be easier  
11 to.....

12

13 MADAM CHAIR ENTSMINGER: This is on  
14 Federal waters.

15

16 MR. GLANZ: This is on Federal waters.

17

18 MADAM CHAIR ENTSMINGER: This is on  
19 Federal waters. and what you're going to do.....

20

21 MR. GLANZ: Supporting Proposal F09-  
22 12.....

23

24 MADAM CHAIR ENTSMINGER: .....is not  
25 the three-year phase in.

26

27 MR. GLANZ: Right. Well, yes. But,  
28 no, here's what I was talking about, Andy. The date.  
29 I was withdrawing the three-year phase in myself when I  
30 made the motion. I was wanting to make it effective  
31 the 2011 season to coincide with the State, that's what  
32 I meant.

33

34 MADAM CHAIR ENTSMINGER: Yeah. You  
35 want to see the regulations be similar across the  
36 river.

37

38 MR. GLANZ: Would be the same. Keep it  
39 all simple. Similar.

40

41 MADAM CHAIR ENTSMINGER: Yeah. And  
42 help me out, Staff. It would be best to read this,  
43 right?

44

45 MR. BUKLIS: Yes, Madam Chair.  
46 Capturing the principles that are being stated, towards  
47 the top of Page 24 in bold where it says, (a), in the  
48 Yukon River drainage, the maximum mesh size, the  
49 maximum gillnet size is 7-1/2-inch stretch mesh for  
50 subsistence salmon fishing in Federal public waters.

1 MADAM CHAIR ENTSMINGER: Because that's  
2 all we have.

3  
4 MR. BUKLIS: That captures what you're  
5 saying. And all I said is, the one-year phase in  
6 doesn't have to be written in regulation. We  
7 understand that's your purpose, and so it is to us as  
8 analysts, and that can be done through implementation  
9 of the regulations, making them effective beginning  
10 2011.

11  
12 MADAM CHAIR ENTSMINGER: Yeah. And I  
13 just want to make sure everybody understands what's on  
14 the floors.

15  
16 Any questions of this amendment, how it  
17 reads. Everybody have that straight in their mind.  
18 I'd be happy to help you, Eleanor. Do you feel that  
19 you understand it?

20  
21 CHAIRMAN REAKOFF: Are you on.....

22  
23 MS. YATLIN: Okay. I'm (mic not on).

24  
25 CHAIRMAN REAKOFF: Are you on Page 24?

26  
27 MS. YATLIN: I looked at Page 24.

28  
29 CHAIRMAN REAKOFF: So this language  
30 here in A, in the Yukon River drainage, maximum gillnet  
31 size is 7-1/2 stretch mesh for subsistence salmon  
32 fishing in Federal public waters, and that's -- we  
33 should have went back to the OSM preliminary conclusion  
34 when we started to make those motion.

35  
36 MADAM CHAIR ENTSMINGER: So we didn't  
37 have two motions.

38  
39 MR. GLANZ: Madam Chair. Is it too  
40 late to withdraw my motion and second and just redo it  
41 so we don't have to go through all these amendments.

42  
43 MADAM CHAIR ENTSMINGER: No, if  
44 they.....

45  
46 CHAIRMAN REAKOFF: Let's go right  
47 ahead. Let's clean it up.

48  
49 MADAM CHAIR ENTSMINGER: You both pull  
50 it? You both concur?

1 MR. WOODRUFF: I agree.  
2  
3 CHAIRMAN REAKOFF: If you'd like.  
4  
5 MADAM CHAIR ENTSMINGER: Okay. Now  
6 both are gone, so it's brand new.  
7  
8 MR. GLANZ: All right. To make it real  
9 simple, my proposal is in the Yukon River drainage, a  
10 maximum gillnet size of 7.5-inch stretch mesh for  
11 subsistence salmon fishing in Federal public waters.  
12  
13 MADAM CHAIR ENTSMINGER: And there's a  
14 second.  
15  
16 MR. WOODRUFF: Second.  
17  
18 MADAM CHAIR ENTSMINGER: Okay. Now it  
19 should be clear where we're at. That is what we're  
20 discussing.  
21  
22 CHAIRMAN REAKOFF: So now I would like  
23 to see thorough discussion of this proposal with both  
24 Councils, and people put their heart out on the table  
25 now and discuss this proposal, because the Federal  
26 Subsistence Board needs both Councils' deliberation.  
27  
28 So anybody on the Western side want to  
29 speak. Go ahead, Tim.  
30  
31 MR. GERVAIS: Thank you, Mr. Chairman.  
32 One thing that I would like to hear some other comments  
33 from various Board members is according to the Staff  
34 report, this mesh size restriction alone potentially  
35 would not bring the run back to its historic size  
36 factor and age class factor. Is it appropriate to  
37 amend this proposal to include some form of pulse  
38 protection as part of it.  
39  
40 MADAM CHAIR ENTSMINGER: I think so,  
41 yes.  
42  
43 CHAIRMAN REAKOFF: Yes, I think that  
44 that would be appropriate if the Councils feel that  
45 additional measures as wa described by the State and  
46 Federal presenters that what part -- how much  
47 protection of the run and how much of the run of fish  
48 actually rebuilds the stock sooner.  
49  
50 Do you have additional comment.

1 MR. GERVAIS: Well, just something that  
2 probably needs to be addressed for that is as these --  
3 as this matter was discussed in Board of Fish meeting,  
4 there was some -- some of the user groups wanted to see  
5 it put into regulation, but biologists expressed  
6 concern that by mandating it without having any kind of  
7 option to get out of the pulse protection in the event  
8 of an abundant return of king salmon, there needs to be  
9 some kind of mechanism to allow the pulse protection to  
10 be removed in cases where there's abundant Chinook  
11 return.

12  
13 CHAIRMAN REAKOFF: If I may speak, it  
14 would seem to me that there needs to be thresholds set  
15 where the escapement in Canada, and there are agreement  
16 amounts, are factored in, that there's no restriction  
17 on subsistence before protection of the first pulse can  
18 be released. And so those have to be -- if they're  
19 going to make a protection of the first pulse, they  
20 have to be able to release the managers in case it's a  
21 huge -- I mean, they've gotten 150,000 on the first  
22 pulse, then they have to be able to be released, and so  
23 you have to have some mechanism, otherwise the State's  
24 going to be screaming at the Federal Board meeting.  
25 And so we've talked on this.

26  
27 Go ahead, Andy.

28  
29 MR. BASSICH: Thank you, Mr. Chairman.  
30 Yeah, Tim brought up an interesting point, but I think  
31 for me personally, we're talking about this proposal,  
32 and I would love to talk about pulse protection a  
33 little bit later in this meeting. I think it's a  
34 really important thing to talk about. I think it's  
35 important to mention in conjunction with this proposal  
36 as a conservation measure, but I think it would  
37 probably be more prudent to try and keep our discussion  
38 right to this proposal.

39  
40 And I was wondering, you know, in other  
41 Council, or in other meetings, we've had kind of a  
42 cheat sheet on what OSM would like to have us document  
43 on the record when we support or do not support a  
44 proposal, and I don't have that in front of me. I was  
45 wondering if that was given anywhere in our packet.  
46 It's basically kind of -- it was always on the back of  
47 our card, and it was kind of a little cheat sheet on  
48 what you would like to have -- how you would like us to  
49 present our position. Is that available at all? It  
50 may be something we could kind of work on getting on

1 it. I'm just trying to help streamline OSM's work in  
2 what we're doing here.

3

4                   But anyway, as far as the proposal  
5 goes, I have some mixed emotions that I'd like to share  
6 about this, but overall I'm in support of it. I do  
7 believe that this is a good first step in providing  
8 some conservation measures towards larger fecund female  
9 fish.

10

11                   I'm a little bit concerned that we  
12 might be targeting the most abundant next largest age  
13 class of fish; however, I think that can be lessened,  
14 the impacts of that can be lessened through the  
15 practice -- depending on how management prosecutes  
16 their fisheries and how they allow us to fish, whether  
17 they allow us to fish on the pulse, the back of the  
18 pulses, the front of the pulses. So a lot of that  
19 could be mitigated, I think, by how management conducts  
20 the management policies.

21

22                   And going to what Tim was saying, I  
23 also think that, you know, providing that first pulse  
24 protection will also alleviate that.

25

26                   But I do think that, you know, this is  
27 a slow process, both the State and the Federal process  
28 is slow, and many of us have been, you know, working  
29 very diligently for 10 years on this. And I do see the  
30 State's actions to recognize that his run needs  
31 protection, it needs some action on the basis of  
32 conservation, and the willingness to take that first  
33 step. I believe that's a very positive first step.  
34 And so I will be in support of this.

35

36                   As far as the hardship to users, I  
37 think we have demonstrated through some of these NGOs  
38 that they are possibly willing to provide nets for  
39 fishers along the Yukon River, and I think that's an  
40 important step in reducing the hardship to fishers.

41

42                   And one final comment I'd like to make  
43 is one of the things I've been trying to promote is  
44 that we begin to educate people that when we have poor  
45 Chinook runs that the emphasis then be put on the more  
46 abundant species available. And in this case that  
47 would be summer and fall chum, and utilize those when  
48 they're in abundance to a greater extent. So I think  
49 the onus is on users to be flexible when fisheries are  
50 suffering in certain areas, and to be adaptable and do

1 utilize those resources that are abundant and lay off  
2 the ones that are having problems. And that's  
3 something that we all as fishermen need to take back to  
4 our communities, educate our communities and our  
5 fishermen and help them to understand that in the long  
6 run will do more for the long-term benefit of these  
7 resources.

8

9 Thank you.

10

11 CHAIRMAN REAKOFF: Thanks, Andy. I do  
12 agree that, you know, we shouldn't couple to the pulse  
13 production. This proposal should be deliberated on its  
14 own standings.

15

16 And so, Virgil, you've got a comment.

17

18 MR. UMPHENOUR: Right. The number of  
19 years I've been addressing this issue is in -- you  
20 can't count on your fingers. And so naturally I  
21 support this, only I share the same concerns that Andy  
22 does, is that what we're going to be doing, because  
23 there's so few of the older age classes, the larger  
24 fish left, that we're going to be targeting the next  
25 most abundant and productive fish stocks, which are  
26 basically the six-year-olds.

27

28 The fecundity issue and productivity,  
29 and then the issue that's new information, that the  
30 fish traveling the furthest up the river have less eggs  
31 than the ones that don't have to swim as far up the  
32 river, which if you're speaking to the Canadian stocks  
33 is half the fish. And then the middle river stocks,  
34 which is the Tanana River stocks, which is the next  
35 highest -- or next largest producer in the Yukon River  
36 drainage, they have less eggs as well. And so this is  
37 going to hopefully protect those fish, salmon, we're  
38 going to not address it right now, but address windows,  
39 closures, whatever you want to call it, after we're  
40 finished with these two proposals we're addressing.

41

42 That has to go along with it, because I  
43 look at Bromaghin's report and I've looked at that as  
44 much as anyone in this room probably, and it's the  
45 report that was given to the Board in 1981, that's the  
46 State Board, and what the ramifications are of changing  
47 just selective older age classes and how those genes  
48 are passed down from generation to generation. And  
49 then I think of Larry Ingall, who I serviced with on  
50 the Board of Fisheries, and him being involved in a

1 study in the 60s with the University of Washington  
2 where they actually took these small male king salmon  
3 and bred them to the older, larger female king salmon,  
4 and 75 percent of the fish that came back were small  
5 fish. They proved it in the 60s. I think about these  
6 things and I hate to be a person that says I told you  
7 so, but I guess it's my turn to say that now.

8

9 I fully support this. Thank you. Mr.  
10 Chair.

11

12 CHAIRMAN REAKOFF: Thanks, Virgil.

13

14 Comments on the Western side. Ray.

15

16 MR. COLLINS: Well, yes, I'm in support  
17 of this. It's a move in the right direction.

18

19 So I have some of the same concerns  
20 that have already been mentioned, but at least we know  
21 it's going to take some number fewer than staying with  
22 the current 8-1/2 of those large fish. But I'm also  
23 living at the headwaters of the Kuskokwim and so I have  
24 the same concern about getting big fish upriver.

25

26 So this is a move in the right  
27 direction so I would support it.

28

29 CHAIRMAN REAKOFF: Okay. Thank you.  
30 Other comments from Eastern Council.

31

32 Go ahead, Frank.

33

34 MR. GURTLER: I support this proposal.  
35 I'm from the Tanana River, but I support it.

36

37 CHAIRMAN REAKOFF: Okay. Any other --  
38 Jim.

39

40 MR. GERVAIS: I'm going to go ahead and  
41 support this proposal based on an intent for trying to  
42 get the older aged class of fish up the river; however,  
43 as a fisherman it's not immediately obvious that this  
44 will effectively do that. It has the potential to do  
45 that and I'm supporting it as -- for that potential. I  
46 really want to evaluate closely how it performs, and  
47 hopefully it will work. I'm just going ahead with it  
48 on the pretense that it has the potential to have a  
49 good effect. And I can't say at this time that I think  
50 it is for sure going to be a cure, but I hope it does.

1 So I feel it's worth the effort to try to produce the  
2 effect.

3

4 CHAIRMAN REAKOFF: Thank you.  
5 Appreciate those comments.

6

7 Frank, you had a comment.

8

9 MR. GURTLER: Yes. I wouldn't have  
10 supported the 6-inch mesh, but I did support the 7-1/2  
11 inch.

12

13 CHAIRMAN REAKOFF: Okay. Appreciate  
14 that comment.

15

16 Any other comments on this side.  
17 Jenny.

18

19 MS. PELKOLA: Well, I guess I'll be the  
20 only one that's not for this. I oppose for the simple  
21 reason that Tim said, I don't think, he doesn't think  
22 it's going to work, and I honestly don't think it's  
23 going to work. Probably in a couple more years now  
24 they'll be going back to the bigger mesh. So I just  
25 wanted to put it on the record that I oppose.

26

27 CHAIRMAN REAKOFF: Okay, thank you. Go  
28 ahead, Carl.

29

30 MR. MORGAN: Yeah. Good afternoon. I,  
31 like Jenny, have questions, and I think like Tim had  
32 questions on this. Are we doing something just to do  
33 something? It's just a wash. I'm looking at this  
34 sample size that the Department of Fish and Game gave  
35 on mesh sizes. Mesh size 7.5/8-inch. Eight-inch, and  
36 I think it's on this page, Page 3, it says when they  
37 went down to 7-1/2 inches on Chinook, they caught 388;  
38 8-inch, 344. Chum salmon, 325, 7-1/2; 8-inch, 298. It  
39 seemed like if you want to catch fish, move it to 7-1/2  
40 and you're going to catch a good variety. I, like Tim,  
41 I'm concerned. I just don't want to do anything just  
42 to do something. I'd like to see it more biologically  
43 sound that it's going to work. To do something to make  
44 me feel good, I'm just not comfortable with it right  
45 now, that we're just wash -- it's just a wash.

46

47 So therefore, I, like Jenny, is not  
48 going to support this.

49

50 CHAIRMAN REAKOFF: Go ahead, Bill.

1 MR. GLANZ: I just want to tell  
2 everybody, I support that myself. You know, I feel  
3 like Tim does, we've got to do something rather than  
4 nothing. Sitting on our hands has not worked for the  
5 last six years that I've been involved with this stuff.

6  
7 CHAIRMAN REAKOFF: Thank you. Other  
8 comments from Council members. Eleanor, you have a  
9 comment.

10  
11 MS. YATLIN: Well, I was listening to  
12 the public, the different agencies, and I've been  
13 writing down what Tim had to say, Tim Andrews, and TCC  
14 and the other Board members. We're all from different  
15 regions and different areas and being on the Koyukuk.  
16 I read Page 24 over and over and it says the Yukon  
17 River drainage, so that includes Koyukuk River. And,  
18 you know, we never get kings up there to begin with for  
19 a long time. So, you know, I wouldn't -- I'm just  
20 basing it on, you know -- I'm basing it on listening to  
21 everyone more or less. So the more people that say I  
22 support it or don't support it, I would base it on that  
23 more or less. But I probably wouldn't just vote for it  
24 just to vote for it. I would probably -- it would  
25 have to come from me and where I'm coming from. And I  
26 probably won't. I feel like I don't want to support  
27 it. That's the way -- that's just me though.

28  
29 Thank you.

30  
31 CHAIRMAN REAKOFF: Virgil.

32  
33 MR. UMPHENOUR: Right. I'd like  
34 everyone to grab this book up, the little handout that  
35 the State had. Turn to Page 5 of it and look at the  
36 table where it says catch of large Chinook. Percent of  
37 Chinook salmon catch larger than 900 millimeters. If  
38 you look at the unrestricted mesh, which is the current  
39 gear allowed, 16 percent of the fish caught were larger  
40 than 900 millimeter. If you look at the 7-1/2-inch  
41 mesh, less than 6 percent were. Those are the older,  
42 larger fish that we want to get up the river so that  
43 they can go to the spawning ground. To me, that 10  
44 percent difference, that's over 2-1/2 times as many  
45 more of them get up the river and have the chance to  
46 spawn with the 7-1/2-inch mesh compared to what is  
47 currently in effect, the unrestricted mesh. That is  
48 addressing the problem that we have direction, which is  
49 putting the older king salmon on the spawning grounds  
50 so they can pass on their traits and be more

1 productive, because those older, larger fish have on  
2 average about two and a half times more eggs in them  
3 than the smaller one. And that's been proven in  
4 numerous studies done by various agencies and science.

5  
6 And so I am fully in support of it,  
7 because that one little table there demonstrates what  
8 the results are that potentially are going to get to  
9 the spawning grounds.

10  
11 Thank you.

12  
13 CHAIRMAN REAKOFF: So I haven't weighed  
14 in on this issue myself. And so everybody's spoken a  
15 few times, I'm going to talk now for a second.

16  
17 I'm in favor of this proposal and have  
18 been in favor of this proposal for many years. The  
19 Western Interior did not deliberate the proposal before  
20 and so I've never been able to speak on the proposal.

21  
22 The reality is when you fish large mesh  
23 gear, you're straining off the big fish as you see in  
24 the large catch figure here on Page 5. But what really  
25 is happening is you're sending a whole bunch of small  
26 fish through the gear. And people are trying to meet a  
27 certain amount of fish, so they keep fishing to meet  
28 their needs. Fishing 7-1/2-inch gear, if you look on  
29 our Staff analysis on Page 21, that Richard's provided  
30 us, the Bromaghin graph, shows that 7-1/2-inch gear  
31 optimizes the harvest right on what's present. So  
32 people take what's there. You're not straining any one  
33 type of fish off.

34  
35 And I used to fish down Bristol Bay  
36 with 7-1/2-inch gear, and I caught 50-pound kings with  
37 7-1/2-inch mesh, so you don't have any problem catching  
38 big fish with that size net. You won't catch all big  
39 fish, but you'll catch all kinds of different fish.

40  
41 So the reality is you have less  
42 expense, you have more catch per unit of effort, and  
43 you take out a chunk of that run, and it's important to  
44 protect, to take windows of harvest of harvest and  
45 protect other portions of the run. It has to be  
46 coupled together. You can't have a protracted fishery.  
47 And that's what's been happening. We've had this long  
48 harvest, people trying to meet subsistence needs with  
49 large mesh gear, and they're straining off all the big  
50 fish, all the little fish are going off to spawn, and

1 so you've strained off all the big ones, and you've  
2 left a whole bunch of little ones. If you take out a  
3 chunk, everybody works less time on the water, you do  
4 less damage to the fishery, and we have to protect  
5 certain unfettered portions of the run.

6

7 And so I'm in full support of this if  
8 coupled with harvest windows and protection windows.  
9 That has to be in place. And so that's -- the harvest  
10 windows is a totally different issue.

11

12 I'm supported of, as graphed here --  
13 it's my experience from fishing 7-1/2-inch gear that it  
14 does harvest the majority of the fish that are present.  
15 And so I'll speak to that issue.

16

17 And so I'm fully supportive of this  
18 proposal, FP09-12. I've been in support of it and feel  
19 that it will start to meet subsistence needs in a  
20 shorter time frame without taking off all of the big  
21 fish off the top of the run. And so that's my  
22 position.

23

24 So we can continue to discuss the  
25 proposal from this point. And so go ahead, Frank.

26

27 MR. GURTLER: Yes, I think what will  
28 happen with this 7-1/2-inch mesh, I think it will give  
29 us a little better in a few years on what's going on,  
30 because if we don't adopt this, they're going to have  
31 emergency closures on us for subsistence and  
32 commercial. And I think with this 7-1/2-inch mesh, and  
33 give it a try, and see what happens, but I think what  
34 would happen is they're going to have emergency  
35 closures on it if we don't come up with more fish  
36 upriver, bigger fish.

37

38 Thank you.

39

40 CHAIRMAN REAKOFF: That's a  
41 possibility. Other comments.

42

43 MADAM CHAIR ENTSMINGER: Eastern, are  
44 there other comments. Yeah, go ahead and give your  
45 points of view how you feel about the proposal.

46

47 MR. BIEDERMAN: Yes. Chairmen. I'd  
48 like to say that I'm supportive of this. Everything  
49 that I've heard through the Western and Eastern, and  
50 with the proposal that you have for the 7-1/2 gillnets,

1 I'll be for that.

2

3 Thank you.

4

5 MADAM CHAIR ENTSMINGER: I'd like to  
6 hear from Donald and Lester also.

7

8 MR. WOODRUFF: Thank you. Mrs.  
9 Chairman. I have to agree with some of the Western RAC  
10 members in that if -- this is not just one conservation  
11 method that's going to, you know, bring us back to a  
12 healthy population. And if we can protect that first  
13 pulse as much as possibility with whatever method we  
14 have, whether emergency order or windows or whatever, I  
15 think that -- I found when I fished this summer that  
16 the first pulse where it's -- you know, when they get  
17 up toward Eagle, they're kind of stretched out. It's  
18 not just a big spike of fish, but they let us fish like  
19 a week after a closure and I did, you know, some 25-  
20 pound fish. And the quality was excellent, and I  
21 filled all my jars in just three or four day. And so  
22 I'll be eating those fish for the next couple of years,  
23 because I'm cutting my fish voluntary back 50 percent.

24

25 So I'm definitely in favor of this.  
26 Any conservation measure that's going to have king  
27 salmon for my grandchildren.

28

29 Thank you.

30

31 MR. ERHART: Yeah. I'm in full  
32 support, too, of this.

33

34 MADAM CHAIR ENTSMINGER: Yeah. I also  
35 would like to give some comments. I also support this  
36 proposal. I know I've heard a lot of things and I rely  
37 on the people that live there. I understand that it  
38 can be contentious, but to me, conservation is vital.

39

40 And I, interesting, talking early --  
41 listening to Jack, I worked with his family in Bristol  
42 Bay. And I can ditto what he says about catching the  
43 fish.

44

45 And I guess one of my biggest concerns,  
46 number 1 is conservation, and number 2 is I don't like  
47 to see the Federal subsistence be confusing to the  
48 user. I think it's really important that they  
49 understand the regulations and they're clear. And to  
50 have differing regulations, I think it's a little so

1 confusing that you don't understand. And maybe in this  
2 case it might be different, but I just don't see it  
3 myself.

4  
5 So for those reasons I'm in support of  
6 it also.

7  
8 CHAIRMAN REAKOFF: And my final  
9 statement is since in light of what the State has done,  
10 the State Board of Fish, there's really no -- it's  
11 going to be so overwhelmingly difficult to enumerate  
12 where -- which communities are going to be able to fish  
13 what kind of gear. There's going to be people who  
14 would be able to fish larger mesh gear that live near  
15 conservation units, and there's going to be people who  
16 would have to fish 7-1/2, and so you'd make  
17 disparancies among subsistence users, and you basically  
18 allocate large fish to people who lived near Federal  
19 water, and that's not really what conservation is  
20 really all about.

21  
22 And so at that point the Chair would  
23 entertain a question on the amended.....

24  
25 MR. BASSICH: So move.

26  
27 CHAIRMAN REAKOFF: The question's being  
28 called. We should vote, Maybe we should just vote  
29 Eastern Interior first and then we'll vote Western  
30 Interior and we'll count the votes from there.  
31  
32 Go ahead, Sue, call your.....

33  
34 MADAM CHAIR ENTSMINGER: I believe Ann  
35 will do that. Okay.

36  
37 MS. WILKINSON: I will do that.

38  
39 MADAM CHAIR ENTSMINGER: The  
40 coordinator usually does that for us. Yeah.

41  
42 MS. WILKINSON: All right. Lester  
43 Erhart.

44  
45 MR. ERHART: I support.

46  
47 MS. WILKINSON: Yes.

48  
49 MS. HILE: Turn your mics on.

50

1 MR. ERHART: Aye. Okay.  
2  
3 MS. WILKINSON: Andy Bassich:  
4  
5 MR. BASSICH: I support it.  
6  
7 MS. WILKINSON: Frank Gurtler.  
8  
9 MR. GURTLER: I support it.  
10  
11 MS. WILKINSON: Bill Glanz.  
12  
13 MR. GLANZ: I support.  
14  
15 MS. WILKINSON: Donald Woodruff.  
16  
17 MR. WOODRUFF: I support. Thank you.  
18  
19 MS. WILKINSON: Virgil Umphenour.  
20  
21 MR. UMPHENOUR: Yes.  
22  
23 MS. WILKINSON: Okay. Grafton  
24 Biederman.  
25  
26 MR. BIEDERMAN: Yes, I support.  
27  
28 MS. WILKINSON: Okay. And Sue  
29 Entsminger.  
30  
31 MADAM CHAIR ENTSMINGER: I support.  
32  
33 MS. WILKINSON: Okay. Motion carries  
34 -- excuse me. The motion carries unanimously.  
35  
36 CHAIRMAN REAKOFF: Now we'll vote the  
37 Western Interior Council.  
38  
39 MS. WILKINSON: Okay. Timothy Gervais.  
40  
41 MR. GERVAIS: I support.  
42  
43 MS. WILKINSON: Ray Collins.  
44  
45 MR. COLLINS: I support, yes.  
46  
47 MS. WILKINSON: Jack Reakoff.  
48  
49 CHAIRMAN REAKOFF: Support.  
50

1 MS. WILKINSON: Jenny Pelkola.  
2  
3 MS. PELKOLA: I don't support.  
4  
5 MS. WILKINSON: Carl Morgan.  
6  
7 MR. MORGAN: Nay.  
8  
9 MS. WILKINSON: Eleanor Yatlin.  
10  
11 MS. YATLIN: No.  
12  
13 MS. WILKINSON: Mr. Chair, your motion  
14 fails, because it's a tie vote.  
15  
16 CHAIRMAN REAKOFF: Tie vote. And so  
17 those recommendations shall go forward to the Federal  
18 Subsistence Board and be noted on the record at that  
19 meeting.  
20  
21 And so we're going to -- do you want to  
22 go for a break for a second?  
23  
24 MADAM CHAIR ENTSMINGER: Might as well.  
25  
26 CHAIRMAN REAKOFF: Go for a short  
27 break, and then we'll go onto Proposal 09-13.  
28  
29 (Off record)  
30  
31 (On record)  
32  
33 CHAIRMAN REAKOFF: We want to bring  
34 these two Councils back to order. Come back to your  
35 seats.  
36  
37 (Pause)  
38  
39 MADAM CHAIR ENTSMINGER: Okay. We have  
40 everybody in? Ann, go ahead.  
41  
42 MS. WILKINSON: This is back to lunch  
43 tomorrow. Tina had a good idea. She has a sign-up  
44 sheet over there. And if someone wants soup and  
45 sandwich for lunch tomorrow, please go and sign up so  
46 we'll know who to make sure gets it.  
47  
48 And then if I may, when you get ready  
49 to address the proposals, if you'd like to, I could  
50 speak to what Andy was talking about, the .805c

1 criteria after proposal consideration.

2

3 MADAM CHAIR ENTSMINGER: All right.  
4 You know, Ann, I think you should just do that right  
5 now. Okay?

6

7 MS. WILKINSON: Okay. I will read  
8 these. These are from Title VIII, .805c. I'll preface  
9 this though with the understanding that this is written  
10 to the Board, not to the Councils. So this is the  
11 criteria the Board has to use when it want to oppose or  
12 not follow a Council recommendation. This does not  
13 mean that the Councils have to fulfill all of these. I  
14 mean, it makes sense that you would, but this is what  
15 proof they have to use legally, not you. Okay.

16

17 And that is that the Board would have  
18 to say that the Council's recommendation is not  
19 supported by substantial evidence, or that it violates  
20 recognized principles of fish and wildlife  
21 conservation, or it would be detrimental to the  
22 satisfaction of subsistence needs. So it's those three  
23 things.

24

25 Do you want me to read it again?

26

27 MADAM CHAIR ENTSMINGER: No.

28

29 MS. WILKINSON: Okay. Thank you.

30

31 MADAM CHAIR ENTSMINGER: Okay. Next on  
32 the agenda is 09-13. And you might just wait one  
33 second, Richard.

34

35 Go ahead, Virgil.

36

37 MR. UMPHENOUR: I move we take no  
38 action on FP09-13.

39

40 MR. GLANZ: I second that.

41

42 MADAM CHAIR ENTSMINGER: Okay. Virgil,  
43 would you like to speak to your motion.

44

45 MR. UMPHENOUR: Okay. Speaking to my  
46 motion, this is our proposal; however, based on the  
47 actions taken by the State Board of Fish and on the  
48 recommendations by the Office of Subsistence  
49 Management, I think we have more important things that  
50 we can utilize our time for based on our agenda that we

1 have. There's no way we're going to get through our  
2 agenda. And so I think it's in the best interest of  
3 the two RACs, because we very seldom get together, to  
4 address the next issue on our agenda, because I don't  
5 think that based on what I just said, actions taken by  
6 the State Board and by the recommendations by the  
7 Federal Department, that the proposal is going to pass  
8 anyway.

9

10 Madam Chair.

11

12 MADAM CHAIR ENTSMINGER: Thank you,  
13 Virgil.

14

15 Do I hear any objection to taking no  
16 action? If there is, would you please raise your hand.

17

18 (No Council member raises hand)

19

20 (No comments)

21

22 MADAM CHAIR ENTSMINGER: Okay. Moving  
23 along. I'll give it back to you, Jack.

24

25 CHAIRMAN REAKOFF: Okay. And I think  
26 that was a fairly -- I agree wholeheartedly with that  
27 analysis that the 35-mesh depth is -- or the -- yeah,  
28 35-mesh is not going to make it.

29

30 So we're going to go into the  
31 identified issue of pulse protection and the protection  
32 of unharvested windowed fish. That's a very important  
33 issue that these two Councils have identified.

34

35 And so go ahead, Virgil.

36

37 MR. UMPHENOUR: Yeah. When I was on  
38 the Board of Fisheries in 2001 we addressed the same  
39 identical issue. 2000 was the poorest run of Chinook  
40 salmon on record for the Yukon River. The chum salmon  
41 was as well. And so what the Board at that time did,  
42 we had a proposal before us to go to 6-inch mesh. It  
43 failed by a three to four vote. The only reason why it  
44 failed was because one Board member, Dan Coffey,  
45 thought it would be too much of a financial burden for  
46 the fishermen to buy new nets. That's why it failed.

47

48 And so what we did was we went to Plan  
49 B, the next best thing that we could think of. And  
50 that was to create what we call windows, a windowed

1 fishing schedule. We spent a lot of time developing  
2 the amount of time necessary to provide reasonable  
3 opportunity for subsistence. And then we came up with  
4 this windowed schedule. And that was implemented in  
5 the summer of 2001. It went all the way through the  
6 summer.

7  
8 And that year I know I talked to a lot  
9 of people upriver, in Canada, all the way up to Teslin  
10 that said they saw more larger king salmon that year  
11 than they had seen in years. Well, the same thing  
12 happened this past year when they had true windows  
13 again, is people all the way up to Teslin say they saw  
14 bigger fish than they had seen in years.

15  
16 And I know people that live in Huslia  
17 on the Koyukuk River, I know the majority of the people  
18 that actually do fish there. There's about a half a  
19 dozen of them. And I know that this past year that two  
20 individuals that fish there, normally they catch 10 to  
21 15 king salmon a year. This year they made salmon  
22 strips for the first time in years because they caught  
23 -- the two guys that share with other families in the  
24 village of Huslia caught over 200 king salmon this  
25 year. And this is because of the windows.

26  
27 And so what we need to do, the  
28 Department took our windows proposal, that I don't  
29 remember whether it was just the Eastern Interior RAC  
30 proposal or a Fairbanks Advisory Committee proposal, I  
31 know I wrote the proposal, and modified it or amended  
32 our windows proposal to require the Department to have  
33 true windows and not throw the windows out the window  
34 like they've been doing. Because they did that. The  
35 Department got the Board to change that proposal that  
36 we passed in 2001 in 2004 so that as soon as there's a  
37 commercial opening, whether it's for chum salmon or  
38 king salmon, it doesn't make any difference what, they  
39 quit going by the window schedule in the lower river,  
40 but keep the window schedule in the upper river.

41  
42 And so what we need the Department --  
43 we need to do is we need to make sure that we have true  
44 windows, because if you -- if we have closures, say  
45 like if we protect this one pulse of salmon, then it  
46 needs to be protected all the way to the spawning  
47 grounds. However, now this is a big concern of mine  
48 and other people have addressed this concern as well.  
49 If we let one pulse go, say the first pulse, or the  
50 Department does, and then fish hard on the other fish,

1 and that's what happened this year. The second pulse  
2 never showed up at the rapids. And then fish hard on  
3 the other fish, then there may be discrete stocks there  
4 that we are hammering really hard. And I know that in  
5 the last four years I believe, except for this past  
6 year, '99 [sic], but the three or four years prior to  
7 that, there was no commercial fishery in the Tanana  
8 River drainage for one reason. The Chena River.  
9 There's a tower there and they count the fish. Until  
10 the Department got escapement on the Chena River, there  
11 was no commercial fishery on the Tanana River even  
12 though there had been a commercial fishery in the rest  
13 of the Yukon River.

14

15                   And so my concern is that we need to  
16 make sure that even though the gillnet size has been  
17 reduced and going by the Bromaghin report, is that  
18 reducing mesh size alone is not going to bring the  
19 stocks back. We have to reduce the exploitation rate,  
20 and in order to reduce the exploitation rate, we need  
21 to make sure have proper window. I'm done.

22

23                   CHAIRMAN REAKOFF: Okay. Virgil,  
24 you're singing to the choir here.

25

26                   And so we're going to -- I would like  
27 these two Councils to sort of formulate a letter of  
28 recommendation to the Federal Subsistence Board  
29 stressing the protection of the first pulse, possibly  
30 overriding any commercial opening that may threaten the  
31 integrity of the escapement and protection of that  
32 first pulse to meet our obligations for clean quality  
33 escapement into Canada, and also clean escapements --  
34 as Virgil's talking about, some clean escapements at  
35 strategic in the other two pulses. And so this is sort  
36 of a strategizing of how we're going to do that.

37

38                   And you had a comment there, Lester.  
39 Go ahead.

40

41                   MR. L. WILDE: Yeah. My comment is  
42 that, you know, this is something that we can agree on,  
43 having that first pulse go all the way up. And, you  
44 know, we sacrificed a lot to get that fish going up,  
45 and we'd like to see that make it to the destination  
46 that it's supposed to be going.

47

48                   CHAIRMAN REAKOFF: Right. Appreciate  
49 that, Lester.

50

1                   Comments. Okay. We'll go Andy and  
2 then we'll go back to this side of the table.

3

4                   Go ahead, Andy.

5

6                   MR. BASSICH: Thank you, Mr. Chairman.  
7 At the Board of Fish meeting a couple weeks ago, in  
8 discussing some of these restrictions like we just did  
9 with a lot of the people in the middle and lower river,  
10 we kind of put our heads together, and I wrote up this  
11 and submitted it as an RC to the Board of Fish. And I  
12 think it helped them to come up with their emergency  
13 order. I don't know what the proper term would be, but  
14 basically that was one of the issues that they  
15 addressed. They didn't put it into regulation as  
16 strictly as my RC proposed to do, but it was kind of I  
17 think the catalyst for them to recognize that we had to  
18 have some kind of protection.

19

20                   And I did put that up on the screen  
21 back there. I'm sorry I don't have copies of it, but I  
22 do have it here in the computer, so we could use this  
23 as just kind of a framework maybe to help craft it.  
24 But I'll just read what I have here, and hopefully  
25 you'll be able to follow along.

26

27                   And it's the first pulse protection  
28 action which we acronymed to PPA to be in place by  
29 regulation. From ice out until the first pulse,  
30 current fishing periods will be in place. Commercial  
31 harvest will begin at the mid point of the run if  
32 surplus fish are available above subsistence and  
33 escapement needs. So there's no change on either of  
34 these two issues to the current practices.

35

36                   The Department shall protect the first  
37 Chinook pulse up river from the mouth to the Canadian  
38 border from all fishing effort by tracking and stat  
39 area closures -- and that's referring to those  
40 statistical areas that Dan had told you about earlier  
41 -- stat area closures to ensure that little or not  
42 harvest is prosecuted on the first pulse.

43

44                   If the Department misses the first  
45 pulse, the full measure of the PPA protection shall be  
46 prosecuted on the second pulse. And the reason for  
47 that line in there is that oftentimes the first pulse,  
48 some years it doesn't come in as a real strong  
49 indicator. Sometimes the Department will miss it,  
50 because it's not a real good, strong first pulse. It's

1 just the way they conduct their test fisheries,  
2 sometimes they miss that. So this is a way of ensuring  
3 that at least the second pulse would be protected.

4  
5           The PPA shall be prosecuted every year  
6 regardless of protected run strength. And that's where  
7 the Board of Fish differed. They wanted to give more  
8 flexibility to managers. I put that in because I feel  
9 that this a conservation effort that should just be put  
10 into practice irregardless. It's a great way of  
11 getting a good representation of the runs coming into  
12 the Yukon River to make it all the way upriver, and it  
13 goes towards genetic integrity through all age classes  
14 and size of fish. So I think this is something that we  
15 should -- I'm very strongly advocating that all fishers  
16 on the Yukon River learn to live with as a permanent  
17 fixture in our fisheries. Others might disagree with  
18 me, but I think it's important.

19  
20           This is a conservation measure to  
21 ensure quality of escapement of Canadian-bound Chinook.  
22 Further, this PPA will provide for a consistent  
23 conservation practice to be established and allow for  
24 fishers to have a year-by-year consistent pattern of  
25 fishing early in the run.

26  
27           What I'm trying to get to there is I've  
28 heard a lot of people in the lower river talk about  
29 they really know exactly when they're going to be able  
30 to fish. And every year seems to a little different,  
31 and there's often times confusion. And I think one of  
32 the things that would benefit those fishers and fishers  
33 up and down the river is to understand that from the  
34 time the ice goes out until that first pulse comes,  
35 they're going to be allowed to fish.

36  
37           CHAIRMAN REAKOFF: On the schedule.

38  
39           MR. BASSICH: On the schedule. On the  
40 schedules. And then once that first pulse comes in,  
41 they'll be shut down, and they'll know that from year  
42 -- every year -- and I would say the Department could  
43 probably speak to this, but I think within four to five  
44 days every year, the first pulses tend to come in  
45 around the same time, so people would know  
46 approximately the time of year they're going to be shut  
47 down. And then once this first pulse goes through,  
48 then fishing would resume under whatever management  
49 decides they want to do.

50

1                   But what it would do, it would  
2 establish an early consistent pattern of fishing which  
3 I think would help fishers in that region. I've heard  
4 a lot of them talk about early in the year is the best  
5 time of year to dry fish, and it's important for them  
6 to fish early in the run.

7  
8                   And then the final paragraph here, this  
9 proposal is the most effective and equitable  
10 conservation tool available to the Board which has  
11 riverwide user agreement and support. And that's what  
12 I'm hoping we can develop at this meeting is some  
13 consensus that this is something that we would want to  
14 try and enact, and make a regular practice in our  
15 conservation management efforts on the Chinook salmon.

16  
17                   So anyway I'm sure we can play with  
18 this, but this I'm hoping will help this group put some  
19 meat into a letter that would go to the Federal  
20 Subsistence Board.

21  
22                   That's all I have. Thank you.

23  
24                   CHAIRMAN REAKOFF: That has good basic  
25 points, and then we can revolve discussions around  
26 those basics.

27  
28                   Does anybody on this side of the table  
29 -- Eleanor.

30  
31                   MS. YATLIN: Mr. Chairman and Madam  
32 Chairman. Last year there was a lot of confusion about  
33 the first pulse. So is there any definition on either  
34 the State of the Fed, their definition or definition by  
35 -- because they didn't know -- even they stated that,  
36 you know, the agencies stated that they didn't know if  
37 it was the first pulse that was coming through or the  
38 later one was the first pulse. So I don't know, I just  
39 wanted it cleared.

40  
41                   CHAIRMAN REAKOFF: Right. Does anybody  
42 want to speak to that.

43  
44                   (No comments)

45  
46                   CHAIRMAN REAKOFF: You know, basically  
47 the fish start to trickle in and then they come in a  
48 great big bump and that's when they define the first  
49 pulse. Is that correct?

50

1 MR. L. WILDE: Yeah It usually depends  
2 on the wind coming in a the mouth. If you have a good  
3 wind coming in, they'll usually have a good -- at high  
4 tide is when the big pulse comes in.

5  
6 CHAIRMAN REAKOFF: Yeah, the push, it  
7 gets a good push behind them. And so then they can  
8 track that as they go across the sonar and through the  
9 test fisheries and so forth and they know when it goes  
10 through and when it starts to die down, and that's the  
11 basics of protection of the Canadian portion. That's  
12 what they're referring to as this first pulse.

13  
14 Any comments on this side. Go ahead,  
15 Frank.

16  
17 MR. GURTLER: Yes. I have a concern  
18 about that, because the Tanana River is a different  
19 fisheries. It's a swift river, and in the springtime  
20 you have a lot of drift. And I've noticed that you  
21 only have about a week's fishing there before the fish  
22 start getting bum. Maybe 10 days sometimes, but  
23 usually about a week, and then right after that they  
24 all -- you get all the pale ones and soft ones that  
25 aren't any good to eat.

26  
27 CHAIRMAN REAKOFF: Go ahead, Andy.

28  
29 MR. BASSICH: Yeah, I think when we're  
30 talking about pulse protections, we're talking about  
31 main stem fisheries, not the Tanana River. It's a  
32 terminal fisheries. Once the fish enter the Tanana  
33 River, then they're going up into the Chena, Salcha,  
34 and other tributaries. What we're trying to do is  
35 protect the Canadian bound fish. They have a longer  
36 migration and they're more susceptible to the hammering  
37 all the way up the fisheries. So this is aimed at main  
38 stem salmon fisheries.

39  
40 CHAIRMAN REAKOFF: Thanks for the  
41 clarification.

42  
43 Go ahead, Ray.

44  
45 MR. COLLINS: No.

46  
47 CHAIRMAN REAKOFF: Oh, go ahead.

48  
49 MR. GURTLER: Would that pertain to the  
50 7-1/2-inch mesh, too, on the -- for the Tanana River?

1 CHAIRMAN REAKOFF: Yeah.

2

3 MS. PELKOLA: Mr. Chair. I have a  
4 little confusion here. I guess like Eleanor I was  
5 confused about the pulse, because when the fish was  
6 coming up, we had a steady flow of fish and all of a  
7 sudden we had a rush of fish. And it seems like during  
8 the rush of fish is when they closed the season. In  
9 our area, the fish gets there about July 4th. That's  
10 when it's -- around that week it's really good fishing,  
11 and it seems like in our area that's when it was  
12 closed. And I don't know about down the river or up  
13 the river, when the fish reaches them, but every year  
14 since I've been a little girl, that's about the time we  
15 get our fish. And it seems like that's always when  
16 it's closed in our area.

17

18 CHAIRMAN REAKOFF: Well, that's --  
19 yeah, those fish that come in that big surge are the  
20 ones that are going to Canada and they're the ones that  
21 are having a problem. And the reason it's closing is  
22 that they're trying to protect that one. They want  
23 fishing to let that one go through and then catch the  
24 next big bump that comes behind that. That's what this  
25 protection of the first pulse is really referring to.  
26 That's -- if it's working correctly, you would see that  
27 it's closing just about the time they start to get  
28 there. That's -- if the managers are doing it right,  
29 the fish are moving up the river at 30 to 50 miles a  
30 day, and they're keeping track of them. They are  
31 spreading out a little bit, and they try and make the  
32 closures -- start the closures when that first pulse  
33 gets there. Everybody down river has also been on that  
34 same closure on that same pulse. And so that it keeps  
35 going all the way to Canada. And that's what this  
36 discussion is revolving around.

37

38 Yeah, it's a bumper when the fish first  
39 start getting there and then you've got to shut down,  
40 but that's what the thing's about.

41

42 And any other -- any ideas on this  
43 letter formation. Andy's kind of laid out a baseline  
44 letter that we can -- it would be nice to have it in  
45 front of us, but we don't have that.

46

47 Tim.

48

49 MR. GERVAIS: Yeah. Thank you, Mr.  
50 Chair. The users in our area understand that there

1 needs to be some conservation measures implemented to  
2 get the run back, and they're willing to stand down on  
3 this pulse to get the stocks back to their historical  
4 levels. So our region fully supports what Andy's got  
5 there as written.

6

7 CHAIRMAN REAKOFF: One question I had  
8 on this. You know, you actually referred to it as a  
9 permanent fixture. It's my perception that the  
10 protection of the first pulse is to rebuild the run,  
11 and once we've rebuilt the run, then we can begin to  
12 harvest on that portion of that run again. And what do  
13 you foresee as, you know, we start going 80, 90,  
14 150,000 over-escapement into Canada. I mean, that  
15 can't keep going on indefinitely. We have only a  
16 certain obligation. We have to be able to harvest  
17 some. You know, we're basically in a rebuilding  
18 stance.

19

20 Sidney Huntington spoke to our Council  
21 down there in Galena, and he said that we should  
22 protect at least one life cycle of the Chinook salmon.  
23 First, he wanted a complete closure on the Yukon, but  
24 we went with a complete closure for the first pulse.

25

26 Do you want to speak to that, Andy?

27

28 MR. BASSICH: I'd love to. My personal  
29 feeling is if we really want to rebuild these stocks,  
30 it's probably going to take just as long to rebuild  
31 them or longer than it did to, if you believe the  
32 science, that it took to deplete them to this level,  
33 which is five generations, which is about 30 years.  
34 So, you know, putting this in place, you know, I would  
35 say an absolute minimum of two life cycles if what  
36 would be needed, and even that's not going to guarantee  
37 a full recovery. I think this is just a good  
38 conservation means.

39

40 And the thing that worries me about the  
41 way it's not into regulation right now is you do have  
42 turnover of staff. You do have turnover of management,  
43 different managers come in at different times. Who's  
44 to say in 10 years or five years from now that the  
45 managers coming in have the history and the background  
46 on the issues that we've been working on. And what I  
47 don't want to see happen is for us to make very  
48 positive steps in rebuilding our stocks only to have a  
49 group of managers maybe down the future -- in the  
50 future that don't have this history, this background,

1 begin to have heavy harvest rates or exploitation rates  
2 which would send us right back down into the same  
3 scenario.

4  
5                   And, you know, once something like this  
6 goes in obviously if the runs start coming back, if the  
7 ocean environment changes, if all the factors make  
8 productivity much better, they can certainly under  
9 Board action and Federal Subsistence Board and the  
10 Board of Fish, they have the opportunity to readdress  
11 the issue.

12  
13                   I would hate to see us not do  
14 conservation for the fear of not being able to get rid  
15 of conservation. I think it's a lot easier to get more  
16 oriented towards harvest or exploitation than it is to  
17 get towards conservation.

18  
19                   So I just -- you know, this is a long-  
20 term rebuilding effort, and all the science points  
21 towards the fact that we are in a low productivity  
22 regime, and that coupled with all the actions that we  
23 take, it's going to be a slow process. And we just  
24 have to resign ourselves to the fact it's a slow  
25 process.

26  
27                   One of the things I do want to point  
28 out to other people here, that if they're not real  
29 familiar with this fisheries is that the early part of  
30 the run in the Yukon River is very heavily weighted  
31 with Canadian-bound fish. That's why this first pulse,  
32 the early pulse as the fish coming up are so important,  
33 because they're primarily composed of Canadian-bound  
34 fish.

35  
36                   And what a lot of people don't realize  
37 is that the Canadian component, the overall amount of  
38 fish that are spawned in Canada is 50 percent of the  
39 entire run in the Yukon River. So if we don't take  
40 care of that 50 percent of the run, we're not taking  
41 care of the part of the run that we generally harvest.  
42 Normally, on a good fishing year when we have  
43 commercial and subsistence, we're harvesting somewhere  
44 between 40 and 50 percent of the run. And so  
45 basically what we're doing is we're harvesting the  
46 equivalent of what either the U.S. or Canada would be  
47 producing. And that's how important it is. And I  
48 don't know if I'm really making that clear, but both  
49 components, both the Alaskan component and the Canadian  
50 component have to remain healthy if we want to have

1 commercial fisheries in the future.

2

3                   And the goal is to protect the salmon  
4 to the extent that they're coming back in abundance so  
5 that we have both subsistence and commercial fisheries.  
6 We're being restricted now on subsistence because we're  
7 getting so low. But the goal is to get the numbers up  
8 so that we can have a consistent commercial fisheries.  
9 That's really important in commercial fisheries.

10

11                   So if we take care of the fish, we take  
12 care of everybody, and it's going to take some  
13 sacrifice, and it's going to take some long-term  
14 sacrifice, but, you know, we're adaptable. We're all  
15 fishermen, and fishermen are incredibly adaptable  
16 people. Whatever restrictions come our way, we'll  
17 learn how to maximize it. And there's a long history  
18 of that. And so I have a lot of faith in the ability  
19 for fishermen to do that right thing once they're  
20 educated and understand that it's for the good of  
21 everybody and themselves in the long run. And they  
22 will adapt to this. You know, we have other species we  
23 can go towards.

24

25                   CHAIRMAN REAKOFF: My concern is that,  
26 my personal perspective is that we overprotect the  
27 Canadian component and, as Virgil says, we continue to  
28 harvest heavily on the down river stocks. And I feel  
29 that there should be possible language of protection  
30 for commercial harvest of the first pulse, but at  
31 certain threshold levels there has to be able -- we  
32 have to have -- we can't completely protect them even  
33 if they're going sky high way over-escapements. We  
34 have to be able to subsistence use those fish once  
35 we've met those escapement goals. Those escapement  
36 goals are for returns. And so once we have met those  
37 escapement goals and we've put plenty of fish into  
38 Canada, there can be a calculation that maybe we can  
39 nibble off the -- for subsistence, little short  
40 openings off the back of that first pulse eventually,  
41 once we start rebuilding it.

42

43                   I would like to see full protection as  
44 long as long as it's barely meeting escapement needs,  
45 just like we -- we went a little bit over this year, no  
46 big deal, because we were under-escapement for two  
47 years previous to that. But if we start to go way over  
48 escapement, I feel that as for subsistence users,  
49 you're not actually providing subsistence use of that  
50 pulse any more. We're just putting them into

1 escapement and more or less wasted escapement. And we  
2 may be beating the tar out of the downriver stocks  
3 trying to meet our subsistence needs on those downriver  
4 stocks.

5  
6                   And so we need to have the -- I feel  
7 that there should be the mechanism for control of the  
8 commercial fishery on the first pulse. Take that away  
9 from the Department so then we won't be afraid that  
10 they're going to have commercial opening right off the  
11 bat on the first pulse. And then have the ability to  
12 nibble off the back of the first pulse if it shows that  
13 its passage is adequate for some subsistence use. Why  
14 are we protecting it if we're never going to use it  
15 again. And so I don't understand that part. I don't  
16 want to see the second or third pulse bear up, because  
17 this has now become a sacred cow, the first pulse. And  
18 so we have to have some mechanism for harvest,  
19 subsistence use of the tail end of the first pulse.  
20 That's my perspective on that issue.

21  
22                   And so any other comments from around  
23 the table here.

24  
25                   MR. COLLINS: Yeah. Mr. Chairman, I  
26 hear what you're saying, but I think it's a lot easier  
27 if we have the idea of using this more than one or two  
28 years, to have that in place. It's always easy to  
29 modify, open it up or change it. But if we go into  
30 this with the idea that we're going to be protecting  
31 that first pulse over a period of time, if we get into  
32 the scenario you're talking about where all of a sudden  
33 you've got an excess going into Canada, it's pretty  
34 easy to change. They can change that in one year to  
35 start allowing the other mechanism to come into play.

36  
37                   CHAIRMAN REAKOFF: Well, I mean, we  
38 have the precision to decide where that pulse is in the  
39 river. Jenny's saying, they just showed up and we got  
40 a closure. If we've got the precision to know where  
41 they're at, we also have the precision to know where  
42 the tail of that run is. And so we need to be able to  
43 nibble. If we got 150,000 fish in the first pulse  
44 going for Canada, we should be able to have little  
45 short openings on the tail end of that run. So you  
46 have everybody up the river shares the tail end and we  
47 protect the main strong first edge of that. I feel  
48 strongly that there has to be some way of harvesting  
49 the sustainable portion of that run.

50

1 MS. PELKOLA: Mr. Chair.

2

3 CHAIRMAN REAKOFF: Go ahead.

4

5 MS. PELKOLA: I have a speculation  
6 here. When we talk about Canadian fish, has anyone  
7 ever seen a Canadian fish?

8

9 UNIDENTIFIED VOICE: Yeah.

10

11 MS. PELKOLA: Are they more slender?  
12 Okay. We hardly get any of those at our camp. And I  
13 believe that fish like humans have trails in the river  
14 that they follow. So when we get -- they talk about --  
15 I'm all for the closing of the first pulse, you know.  
16 I think that's a great idea to get fish up there. But  
17 a lot of times we don't -- they don't even come by our  
18 camp. I think they go right up the middle of the  
19 river. And once in a great while we get this different  
20 kind of fish in. We just assume that it's Canadian  
21 fish, because they look different than our regular  
22 fish.

23

24 I was just talking to Councilman Frank  
25 over there, and we -- I told him last summer we got a  
26 couple fish that were -- I don't know if it was king  
27 salmon or what, but it was about this long, and it was  
28 different. It wasn't a -- maybe it was half king  
29 salmon and half something else. So I didn't know what  
30 it was, but it was -- we caught it anyway and it was  
31 okay. So we had a couple of those, maybe I should say  
32 up to 10 of those fish, and we didn't -- we couldn't  
33 tell the species.

34

35 But again I just like to say that the  
36 Canadian fish, we don't get them in our fish camp. Or  
37 we do, but we don't really. To us they look different,  
38 so we don't -- we're not too much for those.

39

40 CHAIRMAN REAKOFF: Got a comment there,  
41 Andy.

42

43 MR. BASSICH: Yeah. I just -- I agree  
44 with what you're saying about the future and once the  
45 runs begin, and, boy, I certainly hope that that's the  
46 case. And I do think that maybe if we had a manager up  
47 here that would explain some of the methodology they  
48 use on conducting their fisheries that they are  
49 oftentimes trying to hit either the front end or  
50 generally speaking the back end of a pulse when they

1 have openings, especially commercial opening. So  
2 management has the tools i place right now to conduct  
3 their -- or to prosecute their fisheries for  
4 commercial, and hopefully will in the future develop  
5 even more surgical techniques for doing that. So there  
6 again I would caution us not to forego doing a very  
7 meaningful conservation, long-term conservation effort  
8 simply because we don't maybe have the information or  
9 the understanding of how the managers actually figure  
10 out when they're going to have those things.

11  
12 CHAIRMAN REAKOFF: I think you're  
13 right, so I would like to call Fred Bue and Steve Hayes  
14 up here to the mic and we'll talk about this issue  
15 since we have those manager right here with us. So did  
16 Steve leave? Oh, we've got Dan. Well, Dan's here,  
17 he's good.

18  
19 (Laughter)

20  
21 CHAIRMAN REAKOFF: Steve's boss. And  
22 so the question is, do the managers have the precision  
23 to protect the first pulse for escapement as the  
24 primary, and if the stock proves strong enough to  
25 nibble the back edge off. Because it's impression,  
26 having caught lots of fish, that the weaker ones are  
27 trailing on the back edge of that, and so if we take  
28 off the back end of those. The strong are going to be  
29 out front. And so if we take of the back edge of that  
30 pulse, do you have the precision to be able to have  
31 short openings up on the back end of the first pulse.  
32 So that would be the basic question.

33  
34 MR. BERGSTROM: Sure.

35  
36 (Laughter)

37  
38 CHAIRMAN REAKOFF: What do you think,  
39 Fred.

40  
41 MR. BERGSTROM: I've got a little  
42 memory of this last year going around in my head, but,  
43 you know, we have some of the tools and we can kind of  
44 tell. And this last year didn't work very well, as I  
45 think Jenny noticed, that, you know, it was difficult  
46 to even see the first pulse, but we had such high water  
47 and debris and we had a lot of issues. In more typical  
48 years, you know, you can see when a pulse comes in.

49  
50 The hardest places to know is in Y1,

1 because it's right on the coast, so by the time you see  
2 it there, they could already be in a subsistence  
3 period. So as far as, you know, timing of when the  
4 pulse is there, we can usually -- should be able to see  
5 those.

6  
7                   Getting the stock contribution, we can  
8 kind of do that through genetic samples from the test  
9 fishery or from Pilot Station catches to get an idea of  
10 what the proportion of Canadian so we can kind of get  
11 there. That number of fish gets a little more  
12 difficult, we saw that last year with Pilot Station  
13 trying to get, you know, is there 50,000, is it 30 or  
14 70. It gets a little more difficult. But I think one  
15 of the things you have to use a little more is, you  
16 know, what the fishermen are seeing, too, at times if  
17 they are fishing on it so you can get a better handle  
18 of how many.

19  
20                   But there is, you know, as you're  
21 moving up the river and doing these closures, it's how  
22 long you have them, whether, you know, if you're more  
23 concerned it doesn't look good, you have a longer  
24 closure, and if you think it looks pretty strong, you  
25 can just have that one short period of time. And so I  
26 think that's how you would do that, and your harvest  
27 management would be just how long your closure is.

28  
29                   CHAIRMAN REAKOFF: All right. Do you  
30 have a comment, Fred.

31  
32                   MR. BUE: Yeah Thank you, Mr.  
33 Chairman. Again my name is Fred Bue, Fish and Wildlife  
34 Service.

35  
36                   You know, we've done that for a long,  
37 long time, especially on the commercial side, and what  
38 -- you know, depending on how much fish we want to  
39 harvest, what's our estimate, we want to take 10,000.  
40 Well, sometimes you may want to put them on a pulse and  
41 sometimes you may want to fish in between pulses. And  
42 we've done that with the State during the commercial  
43 period.

44  
45                   What gets difficult is on the  
46 subsistence side is that we try to treat everybody the  
47 same. You know, certainly as the fish move upriver, we  
48 have a better idea of the strength of that pulse, how  
49 many are in there. We're tracking the speed, we're  
50 gauging where they are and what time they're going to

1 be at the next location and the next concentration of  
2 fishermen, what their harvest is. And a lot of times  
3 we're looking at those windows and saying, well, when  
4 it gets in front of Bishop Rock, they're going to --  
5 that period, that closed window is going to coincide  
6 with when the fish are passing. So, yeah, they may not  
7 have the -- they may have the same amount of fishing  
8 time, but when they're open, they're at either side of  
9 the pulse, so they just plain miss it. And that  
10 happens a lot.

11  
12                   And so what we get into the problem  
13 with subsistence is treating everybody fairly. And  
14 part of the windows is the luck of the draw. And some  
15 of it is timing it with as the fish move up, or do we  
16 just time it based on the luck, you know. We said that  
17 -- Stan Zuray said that in the rapids they were fishing  
18 on the pulse, but I think Tanana missed it, you know,  
19 and there's a day and a half travel difference there.  
20 And so last year there was a discrepancy a little bit  
21 even though those fishing locations are close.

22  
23                   We can watch it, but it's treating  
24 everybody the same, and it's really picky.

25  
26                   CHAIRMAN REAKOFF: Well, that's why I  
27 made a suggestion that they implant telemetry  
28 throughout the first pulse so that you know  
29 approximately where the pulse is. It gives you a  
30 little more precision. There's -- and it may have some  
31 individual fish that are lagging around because of  
32 having a transmitter stuffed down its throat, but it  
33 will give you a little more precision about where those  
34 fish are.

35  
36                   I would feel uncomfortable personally  
37 putting an indefinite protection on the first pulse  
38 without having the ability to be able to -- if there's  
39 like a huge pulse and not being able to take some of  
40 that for subsistence on the tail end. And so that's  
41 just my personal opinion about that.

42  
43                   I mean, this letter before us, or this  
44 RC 94 that Andy's typed up for the Board of Fish, I  
45 mean, this has got a real nice baseline to it, and I'm  
46 in full support of protection of the first pulse, and  
47 assuring those escapement needs into Canada, but I also  
48 feel that, you know, our job here is to provide for  
49 subsistence and not to -- to look at the resource, and  
50 so it gets into this fine line of do we really want to

1 beat up the downriver stocks and make this a sacred  
2 cow.

3

4                   So that's kind of where we're at here,  
5 and it's not nearly as precision as I would hope it  
6 would be.

7

8                   But we need to kind of move on with  
9 this letter. And so how are Council members about  
10 this, the basic of this RC 94 letter here. Go ahead,  
11 Bill.

12

13                   MR. GLANZ: Mr. Chair. I believe that  
14 we'd probably be unanimous with here, but we just have  
15 to work on that every year deal there. And it's not in  
16 stone. I mean, I understand that. But I don't know  
17 how we'd do it, if we could just eliminate it that. I  
18 mean, I know it's totally against what Andy wants to  
19 do, but, I mean, if we just go along with what those  
20 fellow there say, it would probably carry very easily.

21

22                   CHAIRMAN REAKOFF: Andy.

23

24                   MR. BASSICH: Yeah. I think, you know,  
25 there's going to be teleconferences a little bit later  
26 on next month, and I think Jason could probably speak  
27 to that. But, you know, what worked really well last  
28 year, I was very pleasantly surprised, was these pre-  
29 season teleconferences and the meetings that we had  
30 with managers by the user to give input and suggestions  
31 and have consensus on how we as users would like to see  
32 management try to accomplish the goal of meeting  
33 escapement needs as well as meeting our subsistence and  
34 if possibly commercial needs. And so when I came to  
35 this meeting, what I was really hoping we could do here  
36 would be build consensus between the three RACs, and  
37 obviously we have two of them here, that we are in  
38 support of this protection of this first pulse.

39

40                   And I don't think we have to get into  
41 too much detail right now about exactly how the  
42 mechanics of it are going to work. I think managers  
43 will understand that. And the message that I would  
44 like to see go to the managers is that users riverwide  
45 are in support of this idea and would like to see it  
46 implemented in times of -- especially in times of low  
47 abundance, which in my personal view is going to be for  
48 probably a little while. We might get one year where  
49 the runs come back strong, but that's -- by no means  
50 one year isn't going to rebuild our stocks.

1                   So I think the general idea is to get  
2 the message to managers that we do have consensus on  
3 this and that we would like to see them implement that  
4 as possible for the foreseeable future. And I think if  
5 we can accomplish that, that would help managers, that  
6 would help fish, and that would help build some  
7 consensus and cooperation riverwide.

8  
9                   CHAIRMAN REAKOFF: I'm in full  
10 consensus with you on protection of the first pulse.  
11 It's just, you know, to the extent, the length of time,  
12 and that can be addressed in future meetings of the  
13 boards.

14  
15                   Do we have comments from this side of  
16 the table. Tim.

17  
18                   MR. GERVAIS: Yeah, because we have  
19 these two boards here and a representative from  
20 downriver, why don't we take advantage of the situation  
21 and put a number on it, and it can be adjusted later if  
22 it's not right. Put 150,000 or something in there and  
23 let's take some action instead of -- If we don't do  
24 anything, we're just going to be in this another decade  
25 of poor fishing.

26  
27                   CHAIRMAN REAKOFF: Right. And so we do  
28 need to take on this. And what would be a comfortable  
29 ceiling for protection of the first pulse? 100,000  
30 Chinook salmon? Frank.

31  
32                   MR. GURTLER: What's the strength of  
33 the first pulse mostly? How many fish about?

34  
35                   CHAIRMAN REAKOFF: Well, that's a  
36 question for the managers. They've had run strengths  
37 as heavy as 250,000, you know, 300,000 Chinook and so  
38 100,000 fish is a lot of fish. On the first pulse  
39 theoretically, the Canadian component is 50 percent of  
40 the run, so that would be a lot of fish.

41  
42                   MADAM CHAIR ENTSMINGER: Have him  
43 support it.

44  
45                   CHAIRMAN REAKOFF: Would you feel that  
46 100,000 fish protection for the first pulse is  
47 completely adequate for meeting obligations and so  
48 forth, the question to the managers. The Councils are  
49 wrestling with a ceiling figure, and to make the  
50 Council comfortable.

1                   Go ahead, Andy.

2

3                   MR. BASSICH: I think we're going about  
4 it the wrong way. I don't think the -- the way the  
5 dynamics of in-season management works, you can't put  
6 numbers on it and expect to do anything that year.  
7 We're always going be one year behind on our  
8 management. Always.

9

10                   So I think if we want to put  
11 limitations on first pulse protection, you have to put  
12 it on so many years or so many life cycles. The  
13 dynamics of the fisheries on the Yukon River changes so  
14 dramatically every year, you can't expect managers to  
15 in-season adjust that quickly. It's going to make it  
16 unfair for one user group or another.

17

18                   So the whole purpose of this is to do a  
19 long-term conservation matter. And the whole purpose  
20 is to try and let managers know that they can be  
21 comfortable with prosecuting these long-term  
22 conservation methods for everyone.

23

24                   Because the managers are -- man, they  
25 get hammered. They're getting hit no matter what they  
26 do by people every single year. And this is something  
27 that we can build consensus on and let them know this  
28 is something that we want. Do it to the fullest extent  
29 that you can do it. And I think that's the way to do  
30 it.

31

32                   I won't work if you try to put numbers  
33 and try to do it in-season I guarantee that. That will  
34 be a total failure. This is a long-term commitment by  
35 users and managers.

36

37                   CHAIRMAN REAKOFF: I fully understand  
38 your concerns about protection of these pulses, and I  
39 don't think that we have all of the information to set  
40 any caps or limits. I think that it's just -- we  
41 should just agree that we want to protect the first  
42 pulse. The Boards will meet in a couple, three more  
43 years and we can address those issues at that time.  
44 But I think it's conducive of these two Councils, and  
45 possibly the Y-K, that we agree to protect the first  
46 pulse for the near future at least.

47

48                   Lester.

49

50                   MR. L. WILDE: We don't necessarily get

1 run, the pulses, too. You know, there are times when  
2 we have fish coming in that are not pulses. They just  
3 a steady flow. I think this happened a couple years  
4 ago. And there are times when the fish come in that  
5 way to where you don't get a pulse. I thought I'd  
6 throw that out.

7

8 CHAIRMAN REAKOFF: Okay. Go ahead.

9

10 MR. BASSICH: I'd like to just offer  
11 maybe some direction. Rather than -- I mean, I think  
12 writing a letter is good, but maybe what might be  
13 worthwhile trying to do would be just draft a -- you  
14 know, use this as a template, we can change some of  
15 wording, but draft a resolution that would go to the --  
16 from the different RACs to the Federal Subsistence  
17 Board and would also be sent to State managers and the  
18 Board of Fish basically showing our support for this  
19 type of conservation measure. And maybe that would be  
20 our best course of action at this point in time.

21

22 CHAIRMAN REAKOFF: I agree with that,  
23 you know, to expedite this issue today. Should we make  
24 a vote on this as both Councils? I think it holds more  
25 weight.

26

27 MR. GLANZ: Do you want that in the  
28 form of a motion?

29

30 CHAIRMAN REAKOFF: I would like to see  
31 a motion to transmit the wishes of these two Councils  
32 to the Federal Subsistence Board and the State managers  
33 and Federal managers as to the wishes of protection of  
34 the first pulse, and for the foreseeable future until  
35 we can regain those stocks to adequate levels.

36

37 MR. BASSICH: Well, okay, I'll make a  
38 motion. I guess the motion would be to draft a  
39 resolution showing support for the protection of the  
40 first pulse by managers and that this resolution would  
41 be sent to the Federal Subsistence Board, State  
42 management and the State Board of Fish.

43

44 MR. GLANZ: I'll second it for Andy.

45

46 CHAIRMAN REAKOFF: Further discussion  
47 on that.

48

49 MR. L. WILDE: Mr. Chairman.

50

1 CHAIRMAN REAKOFF: Yes, Lester.  
2  
3 MR. L. WILDE: Could you also send a  
4 copy to our RAC of this?  
5  
6 CHAIRMAN REAKOFF: Yes.  
7  
8 MR. L. WILDE: Thank you.  
9  
10 MR. BASSICH: Mr. Chairman. I would  
11 recommend what would be worthwhile, if we're going to  
12 draft this resolution, it could probably be done, since  
13 we have some basics here, fairly quickly, and maybe it  
14 could be accomplished this afternoon during a meeting  
15 break, or in the evening, but I think it would be very  
16 good if a representative from all three RACs was part  
17 of a committee along with someone from OSM that could  
18 help us draft this resolution. And then it might even  
19 be able to be individually distributed at the later  
20 meetings this week, and voted on by each RAC.  
21  
22 CHAIRMAN REAKOFF: Yes, that's a great  
23 idea. Would you be willing to work on that, Lester,  
24 what's your -- this afternoon?  
25  
26 MR. L. WILDE: Yeah, I guess, I'm here.  
27  
28 CHAIRMAN REAKOFF: Right.  
29  
30 (Laughter)  
31  
32 MR. BASSICH: I'll work with you.  
33  
34 CHAIRMAN REAKOFF: Okay.  
35  
36 MR. BASSICH: What about somebody from  
37 Western.  
38  
39 CHAIRMAN REAKOFF: Would you care to do  
40 that?  
41  
42 MR. GERVAIS: Yeah, I'd like to work  
43 with it.  
44  
45 CHAIRMAN REAKOFF: Tim worked at the  
46 Board of Fish, so Tim will work for us.  
47  
48 MR. BASSICH: And, Ann, can we have  
49 direction on who we can work with on this?  
50

1 MS. WILKINSON: I'll have to find --  
2 excuse me. Yes, we.....  
3  
4 CHAIRMAN REAKOFF: Polly?  
5  
6 MS. WILKINSON: Okay. Polly.  
7  
8 MR. BASSICH: Okay. It's a dinner date  
9 I guess.  
10  
11 MADAM CHAIR ENTSMINGER: Or a break  
12 date.  
13  
14 CHAIRMAN REAKOFF: So that covers that  
15 deliberation of that motion. Each Council will vote on  
16 the letter once it's been formulated by the  
17 subcommittee and brought back before the RACs and that  
18 will be at our break-out sessions.  
19  
20 Go ahead, Andy.  
21  
22 MR. BASSICH: Yeah. Just maybe for  
23 what we need to do, I would assume right now is we  
24 probably should have a vote on forming -- we have a  
25 motion on the floor, but we haven't voted on it, so I  
26 think we ought to have a vote, roll call vote by each  
27 individual RAC again to support the motion to draft the  
28 resolution.  
29  
30 CHAIRMAN REAKOFF: Yea. I could move  
31 that forward and then the final vote will be to approve  
32 the letter.  
33  
34 Any more discussion on that.  
35  
36 (No comments)  
37  
38 CHAIRMAN REAKOFF: And so we'll vote  
39 down the Eastern side here. Do you want to call the  
40 roll, Ann.  
41  
42 MR. BASSICH:  
43  
44 CHAIRMAN REAKOFF: Yes, go ahead, Andy.  
45  
46 MR. BASSICH: Just for clarification  
47 for Council members, a yes vote would be to support a  
48 resolution and a no vote would be not to support a  
49 resolution.  
50

1 CHAIRMAN REAKOFF: Thank you. Go  
2 ahead, Ann.  
3  
4 MS. WILKINSON: Okay. Sue.  
5  
6 MADAM CHAIR ENTSMINGER: Yes.  
7  
8 MS. WILKINSON: Grafton Biederman.  
9  
10 MR. BIEDERMAN: Yes.  
11  
12 MS. WILKINSON: Lester Erhart.  
13  
14 MR. ERHART: Yes.  
15  
16 MS. WILKINSON: Andrew Bassich.  
17  
18 MR. BASSICH: Yes.  
19  
20 MS. WILKINSON: Bill Glanz.  
21  
22 MR. GLANZ: Yes.  
23  
24 MS. WILKINSON: Frank Gurtler.  
25  
26 MR. GURTLER: Yes.  
27  
28 MS. WILKINSON: Donald Woodruff.  
29  
30 MR. WOODRUFF: Yes.  
31  
32 MS. WILKINSON: And Virgil Umphenour.  
33  
34 MR. UMPHENOUR: Yes.  
35  
36 CHAIRMAN REAKOFF: Okay. Thank you,  
37 Ann. Western.  
38  
39 MS. WILKINSON: Excuse me. That  
40 carries unanimously for Eastern Interior.  
41  
42 CHAIRMAN REAKOFF: And so the Western  
43 roll call vote.  
44  
45 MS. WILKINSON: Okay. Tim Gervais.  
46  
47 MR. GERVAIS: Yes.  
48  
49 MS. WILKINSON: Ray Collins.  
50

1 MR. COLLINS: Yes.  
2  
3 MS. WILKINSON: Jack Reakoff.  
4  
5 CHAIRMAN REAKOFF: Yes.  
6  
7 MS. WILKINSON: Jenny Pelkola.  
8  
9 MS. PELKOLA: Yes.  
10  
11 MS. WILKINSON: Carl Morgan.  
12  
13 MR. MORGAN: Yes.  
14  
15 MS. WILKINSON: Eleanor Yatlin.  
16  
17 MS. YATLIN: Yes.  
18  
19 MS. WILKINSON: All right. Mr.  
20 Chairman, that also passes unanimously for Western  
21 Interior.  
22  
23 CHAIRMAN REAKOFF: And so the  
24 subcommittee will formulate that letter, and that that  
25 will come before the Councils for a vote and  
26 transmitted to the Y-K Delta Council also, although  
27 Lester will be working on it.  
28  
29 So at this point where should we  
30 proceed.  
31  
32 Let's move along with additional agenda  
33 items here. We've had a request from the public, Gene  
34 Sandone, to talk about customary trade, it's somehow in  
35 conjunction with these proposals, and so did you have  
36 some comments there, Polly.  
37  
38 DR. WHEELER: Yeah. Mr. Chair. Thank  
39 you. When Ann had told me that this agenda item -- or  
40 that you all had requested that this be put on the  
41 agenda, I just developed some Staff talking points that  
42 I wanted to speak to this issue, the customary trade  
43 issues.  
44  
45 CHAIRMAN REAKOFF: Okay. That's great.  
46  
47 DR. WHEELER: But I can hold off until  
48 you're ready to hear it, or if you want to move  
49 forwards, that's fine.  
50

1 CHAIRMAN REAKOFF: Give us your talking  
2 points and then we'll hear Gene's. Gene Sandone wanted  
3 to talk to us about this customary trade.

4  
5 DR. WHEELER: Right. Yeah, this issue  
6 has come up before the Federal Subsistence Program on  
7 several occasions, and I just wanted to give a few  
8 cautionary words.

9  
10 Under the Federal subsistence  
11 management regulations, customary trade refers to the  
12 traditional exchange of cash for subsistence harvested  
13 fish and wildlife. Under Federal regulations, an  
14 individual may trade fish, their parts or their eggs  
15 take under Federal subsistence regulations for cash  
16 from individuals other than rural residents, if the  
17 individual who purchases the fish, their parts or their  
18 eggs uses for personal or family consumption.

19  
20 A person may not sell fish, their parts  
21 or their eggs taken under these regulations to any  
22 individual, business or organization required to be  
23 licensed under Alaska Stature 43.75.011.

24  
25 And I should have mentioned that, Mr.  
26 Chair, there are some general comments in your fish  
27 regulations book, the handy-dandy on Page 20 on  
28 customary trade. It's the -- what's this color, peach  
29 colored book, fish regulations, 2009 to 2011.

30  
31 The important point in all this, Mr.  
32 Chair, is that customary trade should not be confused  
33 with large-scale sale or a significant commercial  
34 enterprise of subsistence-caught fish. This is illegal  
35 under both State and Federal regulations. So  
36 oftentimes when we hear these discussions about  
37 customary trade, there's this sort of everything's  
38 included in the discussion of customary trade.  
39 Customary trade isn't the large scale sale of  
40 subsistence-caught fish. Customary trade is separate  
41 from that. And the large-scale sale of subsistence-  
42 caught fish is a significant commercial enterprise;  
43 that is illegal under State and Federal subsistence  
44 regulations.

45  
46 If you might remember, last year OSM  
47 received two requests to suspend customary trade of  
48 Chinook salmon from rural to others in the Yukon area  
49 because of conservation concerns. These two requests  
50 were received prior to the season beginning.

1                   Again, customary trade is a legal  
2 subsistence use. And as a matter of practice in an  
3 interest of maintaining a priority for subsistence  
4 uses, the Board typically closes other uses, that is,  
5 commercial sport, before subsistence users are  
6 restricted.

7  
8                   And the two requests that we received  
9 last year to suspend customary trade were not  
10 accompanied by a request to close other uses.

11  
12                   And I can go on, but I just wanted to  
13 make that initial point, please don't confuse customary  
14 trade with the illegal sale of -- or large scale sale  
15 of subsistence-caught fish, because that's illegal  
16 under State and Federal regulations, and it's not  
17 customary trade.

18  
19                   CHAIRMAN REAKOFF: And that's defined  
20 as a significant economic endeavor or whatever the  
21 language is.

22  
23                   DR. WHEELER: Significant commercial  
24 enterprise.

25  
26                   CHAIRMAN REAKOFF: Commercial  
27 enterprise. And so there's a lot of confusion about  
28 what customary trade is, and so we have many new  
29 Council members that haven't gone through that  
30 customary trade issue. We have new members here on  
31 both sides.

32  
33                   And so any comments from the Councils  
34 about customary trade, questions about customary trade.

35  
36                   (No comments)

37  
38                   CHAIRMAN REAKOFF: And so I think it's  
39 fairly clear that it's not a commercial, a significant  
40 enterprise. It's basically.....

41  
42                   Go ahead, Sue.

43  
44                   MADAM CHAIR ENTSMINGER: Yeah. I do  
45 have a question. Have they identified the word or the  
46 meaning of significant?

47  
48                   DR. WHEELER: No. I will say that  
49 several of the regions, if you look on Page -- in again  
50 the peach colored handy-dandy, there are some regional

1 differences. The Federal Subsistence Board recognizes  
2 regional differences and regulates customary trade  
3 differently for separate regions of Alaska. And to  
4 date the Board has adopted region-specific regulations  
5 for customary trade for the Bristol Bay fishery  
6 management area and the Upper Copper River district.  
7 And if you go to those two specific areas, you can find  
8 they've put in place monetary amounts. But the Board  
9 itself has not defined significant commercial  
10 enterprise.

11  
12 MADAM CHAIR ENTSMINGER: That leads to  
13 another question. Then how would you pinch somebody?

14  
15 MR. BUKLIS: Madam Chair. I think that  
16 would be a matter of an enforcement officer's judgment  
17 to bring a citation. And then when the case is  
18 brought, it would be a judicial assessment of whether  
19 it crossed that line of significant commercial  
20 enterprise. So it would be through the case law that  
21 we would find what that line is.

22  
23 MADAM CHAIR ENTSMINGER: Through the  
24 courts you're say?

25  
26 MR. BUKLIS: Correct.

27  
28 MADAM CHAIR ENTSMINGER: Yeah. Uh-huh.  
29 Okay.

30  
31 CHAIRMAN REAKOFF: So this -- Gene  
32 Sandone wanted to speak to this issue, and so I would  
33 like to give him the floor now since he's put this on  
34 this sign up card here, and what were you -- what were  
35 your concerns about this, Gene, from the Yukon Delta  
36 Fisheries Development Association?

37  
38 MR. SANDONE: I'm Gene Sandone, Gene  
39 Sandone Consulting, representing Yukon Delta Fisheries  
40 Development Association.

41  
42 And I think there's two issues. First  
43 off, as Dr. Wheeler said, you know, significant  
44 commercial enterprise is illegal under Federal  
45 regulations, and also under State regulations there's a  
46 State prohibition for sale of subsistence-caught fish.

47  
48  
49 And I want to reference two pieces of  
50 paper that I've handed out, or Ms. Wilkinson handed out

1 earlier. One is the Yukon Delta Fisheries Development  
2 Association letter to Mr. Pat Pourchot, and I use that  
3 as a reference. And the other one is, and I don't have  
4 my name on this one, I'm sorry, is a fishery regulatory  
5 proposal, and this is basically a straw dog proposal  
6 that I would hope the RACs would kind of take up and  
7 run with it.

8  
9                   You know, I'm concerned about customary  
10 trade and I'm also concerned about the illegal  
11 activities on the Yukon River concerning the large  
12 scale sale of subsistence-caught fish, whether it be  
13 caught in Federal public waters or State waters. Right  
14 now I believe that there's the -- that customary trade  
15 is unlimited, unregulated and unenforceable, that  
16 there's no definition for a significant and commercial  
17 enterprise. Last year commercial fishermen made an  
18 average of \$2,000 for the whole season. So, you know,  
19 what is a significant commercial enterprise may even  
20 vary from year to year.

21  
22                   I believe that more specific definition  
23 and standards and enforcement mechanisms are necessary  
24 to ensure enforceable limits on this rapidly growing  
25 trade. And I believe it's rapidly growing, especially  
26 with the decline in the commercial fisheries.

27  
28                   Note that under Federal regulations  
29 both the Bristol Bay management area and the Copper  
30 River district limits the total cash value per  
31 household of salmon. And in the Bristol Bay management  
32 area, it looks to me, and I'm not good at reading these  
33 regulations, but it looks like trade to rural residents  
34 may not exceed \$500 annually, and then that trade to  
35 other people, other individuals, may not exceed \$400  
36 annually. And in the Copper River the total number of  
37 salmon per household taken and exchanged in customary  
38 trade to rural residents may not exceed 50 percent of  
39 the annual harvest of salmon by household, and that  
40 also is for trade to other individuals, but that doesn't  
41 exceed the 50 percent. And that's about \$500 annually.

42  
43  
44                   So I'm not sure whether there's a \$500  
45 or \$400 limit, or there's a \$500 and \$900 limit, but  
46 there is a limit. And it appears to me that it's under  
47 \$1,000.

48  
49                   Enforcement within Yukon management of  
50 the State prohibition on the sale of subsistence-taken

1 fish has become increasingly problematic because of the  
2 complex patchwork of waters where State only and dual  
3 State and Federal management authority exists.  
4 Basically a successful prosecution of violators really  
5 needs to include assurances that the fish sold were  
6 taken in State only managed water, and this is not  
7 possible considering the complex patchwork of State and  
8 dual State/Federal management regime of the Yukon  
9 River. Accordingly, enforcement by the State has come  
10 to an abrupt halt.

11  
12 Further, the Federal Government  
13 regulations contain no enforcement or tracking  
14 mechanism to ensure that sales are limited to fish that  
15 have been legally taken in a Federal subsistence  
16 designated waters.

17  
18 And if you take a look at that straw  
19 dog proposal that I crafted, I basically took the  
20 template for Norton Sound and inserted Yukon River and  
21 made a few other adjustments. You know, I'm not sure  
22 whether, you know, number of fish or pounds or cash  
23 value is the way to go. I'm kind of thinking now that  
24 cash value may be the way to go. And I think that with  
25 the Bristol Bay and the Copper River regulations, the  
26 sale has to be immediately recorded on the form, so  
27 anybody who wants to trade fish, customary trade fish  
28 in the Yukon area needs to get a record under this  
29 straw dog proposal, and then all the other information  
30 is recorded immediately when the sale is made.

31  
32 And I kind of put on the back why this  
33 should be and what impacts this change will have on  
34 fish populations. And I'd be willing to work with any  
35 and all RACs regarding this proposal and try to get it  
36 through at least to the Federal Subsistence Board.

37  
38 Mr. Chair.

39  
40 CHAIRMAN REAKOFF: Thanks, Gene.

41  
42 Does any of the Council members have  
43 questions on the straw dog proposal that he's brought  
44 before the two Councils. Yeah, go ahead, John.

45  
46 MR. WOODRUFF: So, Gene, on 3B, you're  
47 proposing that it be limited to 200 pounds, well, if I  
48 have 10 20-pound salmon and I strip them and make dry  
49 fish out of them and I trade that, what would be my  
50 weight?

1 MR. SANDONE: Mr. Chair. Mr. Woodruff.  
2 I understand that. I was thinking -- you know, as I  
3 said before, I don't know which is the correct value to  
4 use, whether it be numbers, pounds, or cash value. And  
5 I was thinking when I put 200 pounds down, I thought  
6 that would be a conservative correction value that  
7 could be used, but that might get into intricacies that  
8 we don't want to get into. So maybe the cash value  
9 would be the best way to go, especially if it's  
10 recorded immediately at the time of sale.

11  
12 CHAIRMAN REAKOFF: Andy, go ahead.

13  
14 MR. BASSICH: I'd just like to respond  
15 to your question, Don. Basically you would be busted,  
16 because it's illegal to process subsistence-caught fish  
17 and sell it. You are allowed to sell whole fish in the  
18 round, and that's the issue that we're dealing with.  
19 There is illegal -- not only illegal sales, but illegal  
20 processing and sale of these fish, and that's what we  
21 need to get a handle on.

22  
23 And I'd like to hear other people's  
24 points of view, but I do -- at some point in this  
25 discussion, I have some points out I'd like to bring  
26 out, but I really would like to hear other RAC members'  
27 views on this issue.

28  
29 CHAIRMAN REAKOFF: Does other RAC  
30 members have comments on that.

31  
32 (No comments)

33  
34 CHAIRMAN REAKOFF: I'll speak to that.  
35 Our Western Interior Regional Council has gone over  
36 this issue. It's recognized in the Western Interior  
37 Region that there's people that illegally process fish  
38 and have harvested fish. And at one point it was part  
39 of the discussion about customary and I've always done  
40 that traded fish for cash or other things, especially  
41 in-region. It's how fish is disseminated throughout  
42 the region away from the river.

43  
44 So the Western Interior RAC recognizes  
45 that as part of customary trade, whether the State does  
46 not recognize the processing facilities of people along  
47 the river bank, that's a different issue.

48  
49 This Regional Council feels that that's  
50 appropriate uses and dissemination use of subsistence-

1 caught fish, whether the Federal Government can  
2 tolerate it or the State can tolerate it, we consider  
3 that as customary use, as harvesting fish and using  
4 some and trading some for gas to go catch more fish,  
5 and so that's how fish gets to elders, and it's just  
6 the way it works.

7

8                   And where this thing gets all wrapped  
9 around their axle and cross threaded is when some  
10 people show up down in Anchorage with huge boxes full  
11 of smoked fish and it's all being traded at AFN.  
12 That's when things get out of whack.

13

14                   And so that's been the Western  
15 Interior's position throughout the deliberation about  
16 customary trade is that we recognize those uses whether  
17 they're legal or not legal. And that's been our  
18 position. The Federal Subsistence Board has ruled that  
19 it's unprocessed fish and noncommercial in nature as  
20 Polly Described here.

21

22                   And so your wishes are that these  
23 Councils will adopt or work on promulgation of a  
24 proposal along these lines. I don't know that this  
25 Western Council would do that. I don't know that the  
26 -- there's a lot of driving force for that.

27

28                   And so what would you say to this, Ray.

29

30                   MR. COLLINS: Well, I was on the  
31 Federal group that was put together to deal with the  
32 customary, and I was amazed at the differences around  
33 the state. And that's why the work group or the task  
34 force that was put together came up and left it back to  
35 the individual RACs to define, because you couldn't  
36 come up with a statewide definition.

37

38                   In Southeast Alaska let's say, on the  
39 eulachon fish there I guess out of Ketchikan, there's  
40 two or three commercial that go out and catch the fish  
41 now and bring them in and sell them at the dock. And I  
42 guess they're doing or something else, but that's the  
43 way they get their eulachon down there, because nobody  
44 can go out to the camp and do it now. And I guess you  
45 would say that would be significant. There's probably  
46 quite a few poundage in there.

47

48                   But in terms of the king salmon, when  
49 that came up on there, well, there was a member from  
50 Ketchikan who said, well, I get my fish at AFN from the

1 -- at AFN. And a lady from Nome says, well, we've got  
2 our fish from the Yukon for years. They've been buying  
3 them out there, because they don't have king salmon out  
4 there. So there's been a wide distribution of these,  
5 and a lot of them are going to subsistence users in  
6 other areas.

7  
8 I live in the Upper Kuskokwim, and we  
9 haven't -- when the fishwheels stopped, they stopped  
10 getting king salmon, because not everybody is out there  
11 using nets. And if they use a net they get a lot of  
12 fish besides kings, so a lot of the local residents on  
13 the Upper Kuskokwim are now buying their fish either  
14 from the Yukon or from downriver for subsistence needs.

15  
16 And then there are a lot of people that  
17 are working now that can't go out, but still depend on  
18 the strips. So it really gets complicated when that's  
19 the way people are getting their subsistence fish now  
20 is by paying those who are taking the time to go to  
21 camp.

22  
23 But I understand there are abuses,  
24 because there's some individuals I understand that are  
25 selling hundreds of pounds of that processed fish. But  
26 I know I guess I've been guilty, too, because what  
27 limited amount we use, we end up buying strips from  
28 somebody.

29  
30 And the other thing is if you do put a  
31 monetary amount on it, you have to recognize that  
32 inflation is going on. The cost of those strips have  
33 gone up, and the cost of gas that people are using to  
34 go out and get them goes up. So you can't just stick a  
35 monetary and expect that to stand forever, too. You'd  
36 have to adjust it for inflation if you're talking about  
37 the same quantity. So I don't know whether you'd take  
38 -- well, I guess we can't put pound limits on the  
39 number of that you could sell if it's illegal to sell  
40 any of them, because they're not in the whole any more.

41  
42 I don't know how we'd proceed I guess.

43  
44 CHAIRMAN REAKOFF: I appreciate Ray  
45 describing the quandary that this Council has been in.  
46 And it's just like up at Point Barrow. There's some --  
47 a Federal enforcement officer came to arrest a guy for  
48 shooting duck. Well, everybody showed up with a duck.  
49 It's like everybody's guilty. I've eaten salmon strips  
50 that I bought. I'm guilty, too.

1 I mean, it's just the way it is in the  
2 Western region. People purchased fish from people who  
3 are on the river, and they go to a lot of expense to  
4 catch the fish. And it's a lot of work, anybody knows  
5 that's cut fish, and I've cut fish. It's a lot of work  
6 cutting fish. And it's not that they're making huge  
7 amounts of money or anything. And so it's the way the  
8 fish is disseminated. And so we're in quandary on the  
9 western side. And this is how people get fish.

10

11 And, you know, the significant  
12 commercial enterprise is the rub. And so there's  
13 people that put up a lot of fish have a tremendous  
14 amount of use and that gets into the enforcement action  
15 and so forth.

16

17 Other comments. Virgil.

18

19 MR. UMPHENOUR: When I was on the Board  
20 of Fisheries, I was on a committee that met with the  
21 Federal Subsistence Board on subsistence when the  
22 Federal Government was first taking over subsistence.  
23 And I can remember asking the Chairman of the Federal  
24 Subsistence Board when I was on the Board of Fisheries,  
25 and this has probably been at least 15 years ago, I  
26 don't know how long ago it's been, when they're going  
27 to define what constitutes significant commercial  
28 enterprise.

29

30 Then I got off the Board of Fisheries.  
31 Well, I got on this RAC in 2001 before I got off the  
32 Board of Fisheries. But anyway, so our RAC, the  
33 Eastern Interior RAC, six or seven years ago we  
34 addressed this issue. And we got Corky Roberts who was  
35 the head of enforcement for Fish and Wildlife Service  
36 in Fairbanks to come to our meeting, and we actually  
37 wrote up a proposal and wrote what we thought would be  
38 a definition of it. That went to the Federal  
39 Subsistence Board and they changed it and so we still  
40 don't have a definite. I don't know if we're ever  
41 going to get a definition. I seriously doubt it. And  
42 so until there's a definition of that, I don't really  
43 know what can be done.

44

45 Now, we had a proposal, the Fairbanks  
46 Advisory Committee, to just have reporting on  
47 subsistence harvest that the Board of Fish heard last  
48 month and rejected. And so -- because, of course, it  
49 says here in Gene's letter that, you know, that  
50 reported subsistence harvest is suspect, the numbers

1 are, that no one really knows how accurate they are.  
2 Of course, people that are really abusing the system  
3 are not going to naturally report how many fish they  
4 caught, especially if they're, you know, the one  
5 personally sold enough to buy a new crew cab truck.  
6 They're not going to report that. You know, all income  
7 tax free income and et cetera.

8  
9 So I don't know what, you know, we can  
10 do. The leadership has to come from the top down I  
11 think on this. I don't think the RACs are in the  
12 position to really do anything. This RAC has attempted  
13 to do something. We attempted to write a definition of  
14 what means, you know, substantial commercial  
15 enterprise, and the Federal Board changed our  
16 definition and it's still just as vague as it was prior  
17 to attempting to address this issue. But we did  
18 attempt to do it head on. And three of us sitting  
19 right there participated in that. And the Federal  
20 Board rejected it.

21  
22 Thank you.

23  
24 CHAIRMAN REAKOFF: Don.

25  
26 MR. WOODRUFF: For years I've been  
27 drying fish, and I happen to have my birthday every  
28 year at the fish camp, and so I would send some dry  
29 fish up to the store owner, she'd make me a birthday  
30 cake and send me a bag of potatoes. And I've been  
31 illegal doing that for years apparently, and I've had  
32 Park Service deliver the cake. So they're culpable as  
33 well.

34  
35 (Laughter)

36  
37 CHAIRMAN REAKOFF: Gene.

38  
39 MR. SANDONE: Mr. Chair. Mr. Woodruff.  
40 I believe and maybe Federal Staff could tell me if I'm  
41 wrong or not, but I don't believe it's illegal under  
42 Federal law to cut the fish. It's illegal to process  
43 the fish under State law. It's under DEC regulations.  
44 They have to be processed in a DEC-approved facility,  
45 and I don't believe that the State is prosecuting  
46 anybody under that.

47  
48 CHAIRMAN REAKOFF: You got a point  
49 there.  
50

1 Virgil.

2

3 MR. UMPHENOUR: Okay. I'm a processor.  
4 I have to comply with State DEC regulations, but most  
5 importantly I have to comply with the Food and Drug  
6 Administration from the U.S. Government. They'll show  
7 up at my plant, like the last time they showed up at my  
8 plant, it was 6:30 in the morning, and I'm serious, I  
9 had just got there, and my wife and I, and I got the  
10 fish from the smoker, started the smoker. They stayed  
11 four straight days. They don't tell you they're coming  
12 or nothing.

13

14 If fish goes into commerce, it should  
15 be under Food and Drug Administration regulations. I  
16 asked these guys, and they'd come up from Seattle, I  
17 says, well, you know, you guys have basically attempted  
18 to put me out of business, given me all kinds of  
19 horrible publicity, because of a listeria test done by  
20 the State lab. I've talked to all kinds of scientists  
21 and you guys have a zero tolerance. That means one  
22 germ and they're going to condemn a whole damn batch.  
23 They're going to put out a press release that goes  
24 nationwide. They're going to make you recall that  
25 batch of fish, smoked fish.

26

27 And I says, but you just totally turn  
28 your head on these salmon strips that are getting sold  
29 at AFN. Over here at the Fairbanks hospital they're  
30 even selling them. And all over the place. Why is it  
31 that you don't do anything about that? Well, we don't  
32 care about that. We only care about you, because you  
33 are a bona fide processor that, you know has insurance,  
34 product liability insurance, all these other overhead  
35 expenses. And so we're going to really cost you some  
36 money. That's basically what they do.

37

38 They spend four damn days there. They  
39 take 98 bacterial samples. No, I'm serious. And send  
40 them off to a testing lab and try to get them analyzed.  
41 Of course, that time they all came back zero. I told  
42 them, I says, you know, except for the samples they  
43 took off the bottom of the mop and in the floor drains.  
44 They came back with bacteria on them.

45

46 But there are regulations that prohibit  
47 sale of fish into interstate commerce, and it's Federal  
48 Food and Drug Administration's regulations, but they  
49 don't want to enforce their own regulations unless  
50 you're a bona fide processor.

1                   CHAIRMAN REAKOFF: So I think these two  
2 Councils are at an impasse right now, and we can't  
3 really move. We've got agenda items here. And so I'm  
4 seeing no movement in any real positive direction.

5  
6                   You've got something to say there,  
7 Andy.

8  
9                   MR. BASSICH: Yeah. I do. I think  
10 this is a really important issue, and I think we  
11 haven't even scratched the surface here. I think that  
12 the issue here is how can we get the State and the  
13 Federal law enforcement people to do their job. And  
14 that is to prosecute those that are abusing this  
15 resource. If we don't stop this right now, this is a  
16 cancer. And this is a cancer that's going to affect  
17 our entire fisheries run. Everything that we just did  
18 at the beginning of this meeting will be for nothing if  
19 we don't get a hold of customary trade, because if you  
20 don't have commercial fisheries going on, and people  
21 need to make some money and they see their neighbor  
22 money and not being prosecuted, it's human nature.  
23 They're going to do it. And it is completely  
24 unregulated, it's unrecorded, it's completely  
25 uncontrolled and in my view, it's completely  
26 unacceptable when we are having subsistence  
27 restrictions in place on the Yukon River.

28  
29                   Now, if we were in the.....

30  
31                   CHAIRMAN REAKOFF: I.....

32  
33                   MR. BASSICH: No, let me finish. I  
34 don't want to be interrupted. Excuse me, Mr. Chair.  
35 This is really important.

36  
37                   This issue is going to make or break  
38 the recovery of our fisheries. And I don't care if we  
39 spend -- quite frankly, if we're here until 12:00  
40 o'clock at night, we need to hammer this out and at  
41 least get some kind of consensus along the river that  
42 customary trade is an important issue that needs to be  
43 addressed. We need to get this message to the Federal  
44 Subsistence Board and they in turn need to make sure  
45 that State and Federal law enforcement agents begin to  
46 do something about this. And I'm serious as a heart  
47 attack. This will be the demise of king salmon on the  
48 Yukon River unless we take care of this issue to  
49 whatever extent we can right now. I guarantee it, and  
50 I know I'm not wrong on this. And I know in your heart

1 every single person in this room right now knows  
2 exactly what I'm saying is true.

3  
4 CHAIRMAN REAKOFF: I appreciate your  
5 compassion with that issue, and I, too, feel that there  
6 needs to be enforcement of the significant commercial  
7 enterprises. That is a very important issue. I feel  
8 that when there are subsistence restrictions in any way  
9 that there should be no customary trade outside of the  
10 region. I feel that strongly. I've said that at  
11 meetings.

12  
13 And so who's -- what.....

14  
15 MADAM CHAIR ENTSMINGER: I'd like to  
16 ask Andy.

17  
18 CHAIRMAN REAKOFF: Oh, go ahead, Sue.

19  
20 MADAM CHAIR ENTSMINGER: Yeah. Andy, I  
21 really appreciate also what you have in your heart  
22 there that you feel. Have you given much thought as  
23 ideas of how we could go about making some changes and  
24 hammering things out?

25  
26 MR. BASSICH: In a positive way to try  
27 and advocate, yes. I think the first thing that we can  
28 do as a Council and as all the Councils, Lester's  
29 Council as well, is to show our support, that we  
30 recognize customary trade needs to be brought under  
31 control. And, you know, we need -- talking at the  
32 Board of Fish with law enforcement, they say it's  
33 unenforceable. Well, let's make it enforceable. Let's  
34 get law enforcement involved, say what do you need,  
35 what tools do you need in place in regulation, in law,  
36 whatever to make it enforceable to you so that they can  
37 do it. Because that's the problem. They don't want to  
38 get caught up in a situation where they can't prosecute  
39 someone for the energies that they're putting in. So  
40 we have to do that.

41  
42 We have to do -- quite frankly, I think  
43 we need to do public education, you know. Every person  
44 that buys fish at AFN that's caught from the Yukon  
45 River, it's taking away from subsistence users, you and  
46 me, all of us in this room. It's taking away from us.  
47 And we need to educate the entire public that when you  
48 do that, you're hurting the resource long term. You're  
49 hurting the very people that you're buying it from.  
50 Your own family. You know, that's not being

1 communicated to people. That's another tool that we  
2 can do.

3

4 We've got to make it enforceable, so  
5 the main thing we need to do is right here we need to  
6 begin to brainstorm on how we can get the regulation  
7 enforceable, and encourage the Federal Subsistence  
8 Board to apply pressure. And if we need to, we need to  
9 get the Governor involved. I mean, look how much money  
10 we're spending on this, on Yukon River kings. Millions  
11 and millions, tens of millions of dollars on research  
12 and studies and meetings. You know, if we -- what's  
13 the point if we're not going to protect it and at least  
14 identify and take action on the one thing that has the  
15 greatest potential to destroy it.

16

17 MADAM CHAIR ENTSMINGER: You've hit on  
18 two things, enforcement and education. Did you have  
19 any others?

20

21 MR. BASSICH: No, I'm too upset right  
22 now to think about it. Sorry.

23

24 MADAM CHAIR ENTSMINGER: Well, maybe we  
25 ought to call a short break.

26

27 CHAIRMAN REAKOFF: Let Gene say  
28 something.

29

30 MR. SANDONE: I just want to clarify to  
31 Mr. Chair Reakoff is that this proposal wasn't aimed at  
32 eliminating customary trade. It was just a tool for  
33 enforcement to use to bust the guys who are abusing the  
34 resource. I mean, it doesn't matter what value you put  
35 in here -- I guess it does matter, but I mean, it could  
36 be -- it doesn't have to be \$500 or \$1,000. It is what  
37 you want it to be. But, you know, it could be much  
38 lower than the abusers at this time, and it would give  
39 enforcement the tool to go out and bust the people who  
40 are abusing the resource.

41

42 Thank you.

43

44 MR. COLLINS: Yeah. I have a comment  
45 that we might think about is if you would approach it  
46 -- what if we did it in terms of the percentage of your  
47 catch that would go into that. That way you would look  
48 at the individual family and their needs, because the  
49 people that are putting up the fish are going through  
50 certain expense just to get out to fish camp, and

1 they're giving up other opportunities from employment  
2 and so on, but would a definition work that you can  
3 only -- if you go beyond a certain percentage of the  
4 fish that you're putting up, then you're starting to  
5 get into the commercial area. I don't know if it would  
6 work or not, but just something to think about.

7

8 MR. SANDONE: Well, Mr. Chair. Mr.  
9 Collins. I think it works in other areas, because I  
10 think other areas have a limit on the number of fish  
11 they could take where in the Yukon it's unlimited.  
12 And, you know, the percentage could keep on going up  
13 and up. I mean, it depends on the size of your family  
14 and really how much you say you need. So I see a  
15 problem there.

16

17 MADAM CHAIR ENTSMINGER: We're going to  
18 have a short break and talk about this a little bit and  
19 come back with it. So 10 minutes.

20

21 (Off record)

22

23 (On record)

24

25 CHAIRMAN REAKOFF: .....session's up  
26 here at the top of the table. So we've had long  
27 discussions about the two regions with various Council  
28 members trying to come up with a possible co-proposal.  
29 That does not seem like it's going to happen.

30

31 I feel that as Polly told us, the  
32 fisheries proposals call is open now. Each Council can  
33 submit a proposal for customary trade to the Federal  
34 Subsistence Board.

35

36 Some points that I feel were palatable  
37 and I would like the Eastern Interior to understand  
38 that I feel they're palatable is rural to rural  
39 customary trade is part of the dissemination of the  
40 fish throughout the region, especially along the river.

41

42

43 I think that a request to the Federal  
44 U.S. Fish and Wildlife Service law enforcement on what  
45 they require for prosecution as the Federal Subsistence  
46 Board currently defines a significant commercial  
47 enterprise is necessary. And so that should be -- that  
48 request may be necessary as one of your actions.

49

50 And education of the users during times

1 of decline, and educating the subsistence users as to  
2 the sensitivity to this issue would be another aspect.

3

4                   Since we're open for calls for  
5 proposals and neither Council can come to a consensus  
6 in this short of timeframe, each Council is going to  
7 break out and formulate a proposal and submit that  
8 proposal to the Federal Board, and then we'll have  
9 plenty of time to discuss that in the future. And so  
10 that would be my points and positions at this time.

11

12                   Do you concur with that, Sue.

13

14                   MADAM CHAIR ENTSMINGER: Yes, I do.  
15 Yeah. I'm going to push for them to put together a  
16 proposal that we can deal with it in the next few days.

17

18                   CHAIRMAN REAKOFF: And I welcome -- I  
19 don't want the Eastern Interior to feel that we have  
20 animosity or anything of the sort. The Western  
21 Interior has deliberated this type of thing for many,  
22 many years and we welcome your proposal to come before  
23 the various Councils so that we can work out these  
24 various issues with the Federal Subsistence Board. And  
25 you're right, there are abusers of the system and we  
26 need to address those.

27

28                   And so at this time I think we're  
29 finished with that issue. So we're going to continue  
30 on with this agenda. We want to finish up some of  
31 these fisheries issues.

32

33                   And so we were supposed to have a  
34 presentation from Dave Andersen on subsistence-caught  
35 fish for feeding sled dogs on the Yukon River drainage.  
36 Hello, Dave.

37

38                   MR. ANDERSEN: Mr. Chair. Thank you  
39 for this spot on the agenda. I'm going to let Polly  
40 boot my PowerPoint up back there, and I'll just do a  
41 brief introduction and then turn my back to you I  
42 guess.

43

44                   I'm Dave Andersen. I'm a private  
45 researcher now. I was formally with the Department of  
46 Fish and Game, Subsistence Division for 22 years, and  
47 your RACs approved the funding on this project about  
48 two years ago and I just wanted to give you a courtesy  
49 call. We're just wrapping it up now. I'm about four  
50 weeks away from having a final report done.

1                   So I wanted to take a minute to  
2 acknowledge the expertise that you have on your  
3 committees here on the feeding of fish to dogs. I feel  
4 a little bit funny making this presentation to the  
5 likes of Lester Erhart and Andy Bassich who have been  
6 doing this a lot, and a lot more familiar with this  
7 than I am. but hopefully even individuals like that  
8 will get some information out of the State -- or the  
9 drainagewide perspective here. And some interest in  
10 attaching numbers to this thing they're so familiar  
11 with.

12  
13                   DR. WHEELER: Back here on the screen  
14 if people want to move back and to ask questions they  
15 can because it's clear back here in the middle of the  
16 room.

17  
18                   MR. ANDERSEN: Okay. We're calling  
19 this an update, because we had a previous data set that  
20 gave us good numbers of sled dogs and how they were  
21 being used and how they were being fed from 1991. And  
22 knowing the importance of salmon for dog food and the  
23 problems that we've had with salmon runs on the Yukon  
24 for the past decade and a half, we thought it was worth  
25 taking a second snapshot of this important user group  
26 and getting an update of what might have changed along  
27 the river since 1991. So much of what I'm going to  
28 present is a comparison between 1991 and 2008 data.

29  
30                   Go ahead, Polly, next slide.

31  
32                   The seven study communities that we  
33 went to were Fort Yukon, Manley, Tanana, Huslia,  
34 Kaltag, Russian Mission and St. Mary's. So these were  
35 chosen for the 1991 study and since we were trying to  
36 get a comparable data set for 2008, we went back to the  
37 same seven study communities.

38  
39                   And our methodology was to go in, work  
40 with a hired local assistant to compile a list of all  
41 the people who had sled dogs, conduct a short survey  
42 with those mushers, and then we did some in-depth  
43 recorded interviews with long-time mushers as well.

44  
45                   Okay. Next slide.

46  
47                   We went into this study knowing that  
48 dog numbers were down a little bit. Now, this one is  
49 the one slide I was worried about that's going to be  
50 kind of hard to see from this distance, but you can see

1 the number of mushing households in the seven study  
2 communities declined from 95 in 2001 to 42 in 2008, a  
3 decline of 56 percent. The number of dogs went down  
4 from 1363 I think it is to 671, a loss of almost 700  
5 dogs, a decline of 51 percent. And you look at a  
6 community like Kaltag, Kaltag went -- here's a  
7 community that's an Iditarod checkpoint, long history  
8 of involvement in mushing and they went from 11 mushing  
9 households in 1991 to zero and from 113 sled dogs to  
10 zero. So a big decline along the river.

11

12 Next one, Polly.

13

14 A little bit on the size of these dog  
15 yards we're talking about. They ranged in size from 4-  
16 dog kennel to 80, but you can see the vast majority of  
17 these village teams are less than 15 dogs. So  
18 predominantly small kennels. And this was almost  
19 exactly the same distribution of kennel sizes we had  
20 1991. So it appears that the people who have pulled  
21 out of mushing in the last 17 years are across all  
22 kennel sizes. So we've lost some big one and some  
23 medium and small ones as well.

24

25 Next one.

26

27 A little bit on how dog are used. Not  
28 big changes, but some important ones here. This is  
29 another one that's hard to see from this distance, but  
30 I can -- in 1991 the top three use categories, and we  
31 asked mushers how their dogs were used, this one is  
32 general transportation, the next one is hauling wood  
33 and water, and sprint racing. Those were the top three  
34 categories in 1991. They're still the top three  
35 categories in 2008, but there's been kind of a flip.  
36 Sprint racing moved from the number 3 category to the  
37 number 1 use category selected. And one of our biggest  
38 losses was in trapping, use of dogs on trap lines went  
39 from 44 percent of teams in '91 down to 22 percent in  
40 '08. So it looks like there's been a shift toward  
41 sprint racing and away from some of the more utility  
42 uses like trapline.

43

44 Next one.

45

46 Okay. On the central question of what  
47 sled dogs eat, fish are really important. 78 percent  
48 of the mushers we talked to said that fish made up one-  
49 half or more of their dogs' diet. But having said  
50 that, virtually nobody is trying to feed their dogs

1 just on fish. They're all buying to some extent, the  
2 extent their budget will allow these other things, bulk  
3 grains like rice, commercial dry dog food. Some of the  
4 more -- mushers involved more in competitive racing are  
5 buying dog grade meats, lamb, chicken, beer.  
6 Everyone's buying supplements and vitamins. And a lot  
7 of other wild food sources as well. Furbearer  
8 carcasses, game cutting scraps, bear meat, beaver meat  
9 and things like that. So this mixed bag of resources  
10 that mushers are feeding their dogs is an important way  
11 that they've been able to weather these poor salmon  
12 years that we've had, because they're not strictly  
13 dependent on one single source, and they can crank up  
14 the use of these other things.

15  
16 Okay. The quantities of fish used are  
17 pretty impressive. We converted everything the mushers  
18 told us to pounds. These are round weight pounds. And  
19 in 1991 you can see it was -- now, this is just in the  
20 seven study communities, 1,212,000 pounds of fish used  
21 for dogs. 87 percent of that was salmon, 13 percent  
22 non-salmon species, and the average dog consumed 889  
23 pounds of fish.

24  
25 Now, with the big drop in the number of  
26 dogs, you would naturally expect that to go down, and  
27 it did. In 2008 we've got a little less than a half a  
28 million pounds of fish total, and there's an important  
29 shift there. 72 percent salmon and what is that, 23  
30 percent? 28 percent non-salmon. And 734 pounds of  
31 fish per dog.

32  
33 So what this graphic tells me is that  
34 there's been a shift away from -- among the salmon fed  
35 to dogs there's a shift of about 15 percent away from  
36 salmon to non-salmon, and that dogs in 2008 are  
37 slightly less reliant on fish than the dogs were in  
38 1991.

39  
40 One of the important things we saw was  
41 definite geographic differences in the feeding  
42 patterns. On the lower river, the lower river pattern,  
43 and this would be from Grayling on down, non-salmon is  
44 really the name of the game down there. Two-thirds of  
45 the fish fed to dogs is non-salmon. Most of it was  
46 pike and whitefish, but they have these other things.  
47 These are the lamprey, Arctic lamprey, and blackfish  
48 that make great late season alternatives to salmon that  
49 those guys take full advantage of down there. Only a  
50 third of the fish fed to dogs in the lower river was

1 salmon, and the average consumed 444 pounds in the  
2 lower river.

3  
4                   You contrast that with the upper river.  
5 Salmon is definitely the name of the game in the middle  
6 and upper river. Three-quarters of the fish fed to  
7 dogs is salmon. Most of that is chums, a little bit of  
8 coho, and king salmon cutting scraps make their way in  
9 there. It's significant enough that it shows up in the  
10 harvest figures, too. The other quarter is non-salmon,  
11 and again mostly it's largely whitefish, but you have  
12 other things like sheefish, burbot, pike that are in  
13 there as well. But the dogs in this middle and upper  
14 river are much more dependent on fish. It's 786 pounds  
15 per dog.

16  
17                   So drainagewide estimates. We used our  
18 numbers with some other sources to come up with an  
19 estimate of 1650 active sled dogs in rural Yukon  
20 drainage community. And one of the things what becomes  
21 really apparent when you start looking at numbers is  
22 the lopsided distribution of dog. We estimate there's  
23 less than 200 sled dogs in the lower portion of the  
24 river below Grayling, 174 dogs, and almost 1500 dogs in  
25 the middle and upper river. So it's really lopsided to  
26 the middle and upper river.

27  
28                   If you use these dog numbers and the  
29 fishing patterns I just talked about, the average pound  
30 figures, we come up with 1.2 million pounds of locally-  
31 caught fish being used on an annual basis for dogs. And  
32 if I work backwards and I pull out just the poundage  
33 for years for salmon in 2008 and I work backwards with  
34 our conversion figures, I come up with 122,000 small  
35 salmon. Most of those would be chum, some coho.

36  
37                   So what we can conclude here I think is  
38 that village dog teams continue to be highly reliant on  
39 fish. Between [sic] 1991 there's been some major  
40 changes. There's been this precipitous drop in the  
41 number of dogs over all. There's been a little bit of  
42 a shift towards racing and away from some of the  
43 utility uses. There's been a shift in the feeding  
44 practices, a little bit less salmon and more non-salmon  
45 being used, and dogs are slightly less dependent on  
46 fish overall than they were. But I think by anyone's  
47 measure, even though it's dropping, if 1.2 million  
48 pounds is anywhere close to the actual figure, I think  
49 you can conclude that this important user group is a  
50 significant driver of subsistence fisheries in the

1 drainage.

2

3 So that's what I got, and I'd be glad  
4 to answer any questions anybody has about fish for  
5 dogs.

6

7 (Applause)

8

9 CHAIRMAN REAKOFF: Thanks, Dave. That  
10 was a great presentation. That was very, very  
11 interesting data. And one question that came to mind  
12 was did you analyze the age class of the mushers with  
13 the decline of the dog team or dogs use.

14

15 MR. ANDERSEN: I missed that. Yeah.  
16 Polly, if you -- I have some back-up slides. The last  
17 bar graph at the -- I think it's four clicks down  
18 you'll find it. That's it.

19

20 You can see on this one the blue bars  
21 are the age of mushers in '91. The biggest spike there  
22 is for the age group 30 to 39. The red spikes are the  
23 2008. And this tells one of the stories. The biggest  
24 group was age 50 to 59. And what I was hearing from  
25 mushers is that there's very few young people coming  
26 into it. There's no one waiting in the wings to take  
27 over their teams, and so we're losing mushers through  
28 attrition. That's the age of it.

29

30 I think the bigger part of the decline  
31 is from village economics, that the cost of living in  
32 the villages become so extreme that people are being  
33 forced to leave the community to go work. And when a  
34 dog musher makes that choice, they're making the choice  
35 to either give up a fishing season, so they can't fish  
36 for their dogs, or they can't dog their dogs, care for  
37 their dogs. So we have people dropping out because of  
38 the economics involved, too.

39

40 But age is another big hit factor. So  
41 good question.

42

43 CHAIRMAN REAKOFF: Interesting point.  
44 Thank you.

45

46 Any Council members on this. Ray.

47

48 MR. COLLINS: Yeah. Dave, so you would  
49 anticipate that there's going to be further dramatic  
50 decline then because of that aging population

1 obviously. It looks like it's going to keep going down  
2 rather dramatically.

3

4 MR. ANDERSEN: Well, I think there's  
5 room for it to go down more. I don't think it's going  
6 to go away completely. There's some families on the  
7 river that are so entrenched into it that they claim  
8 they're always going to -- and, you know, we have  
9 mushers like Josh Cadzow who just placed in the money  
10 and rookie of the Quest from Fort Yukon. There are a  
11 few young guys that are keeping it going, but it  
12 certainly has a ways to go down. There are a bunch of  
13 mushers my age or older that are kind of wondering  
14 what's going to happen in a few years with their teams.

15

16 MADAM CHAIR ENTSMINGER: Any other  
17 questions. Frank, did I see your hand.

18

19 MR. GURTLER: Yes. I see a lot of the  
20 mushers getting fish for their dogs. Is that a  
21 commercial enterprise?

22

23 MR. ANDERSEN: No. It fits under --  
24 both Federal and State subsistence laws allow fish  
25 under subsistence regulations to support transportation  
26 which includes dogs.

27

28 MADAM CHAIR ENTSMINGER: Andy.

29

30 MR. BASSICH: Thank you, Madam Chair.

31

32 Dave, thanks for doing that. I  
33 remember working with you many years ago on some of the  
34 preliminary studies, and I was often interested in what  
35 those results were going to be in 10 years. So it was  
36 really nice to see that the effort was made to do this.  
37 There again it kind of goes back to these long data  
38 sets and what you can really achieve by having these  
39 long data sets or long study periods to look at  
40 something.

41

42 And I guess looking at that, I feel a  
43 little heartbroken I guess. And Don Woodruff and  
44 Lester and I, we're all an endangered species now. And  
45 I'm wondering if maybe ought to get a Federal act to  
46 protect the endangered species here.

47

48 (Laughter)

49

50 MR. BASSICH: But the reason I joke

1 about that is because it's something that's pretty near  
2 and dear to me, and it points to something that we  
3 often forget. And that is that Alaska has a certain  
4 lifestyle to me anyway. Alaska was built on a certain  
5 lifestyle, and many of us in this room live subsistence  
6 or traditional, whatever you want to call it, but it's  
7 a way of living and this was an integral part of that.  
8 And it's kind of saddening for me to see that that's  
9 solely dying of attrition, because I think we lose a  
10 lot as Alaskans when we lose those parts of our roots  
11 and our heritage and our cultural ways in the State,  
12 and I think that really clearly to me, because I'm a  
13 dog musher, that really hits home and really drives  
14 home the point of how we are losing this very slowly,  
15 and oftentimes we don't realize what those impacts are.

16  
17 But thank you for following through,  
18 and very interesting. And I hope maybe in another five  
19 or six years or something we can get another update on  
20 this just to see where that trend's going further.

21  
22 MADAM CHAIR ENTSMINGER: Any other  
23 questions from the Council members. Virgil.

24  
25 MR. UMPHENOUR: I just have a piece of  
26 trivia. That is in 1919 when the fish run failed, the  
27 Commander at Fort Gibbons had to order up 44 tons of  
28 bacon from Seattle to make up for not having enough  
29 fish for the army's dogs. That's at Tanana.

30  
31 MR. ANDERSEN: In 1920 there was a  
32 report from the U.S. Bureau of Fisheries in 1920 that  
33 estimated 1 million Yukon chum salmon being used for  
34 dogs in an average year back in the heyday of the mail  
35 teams. So I mean 122,000 small salmon might seem like  
36 a lot to us today, but the Yukon was supporting a  
37 magnitude higher, you know, decade ago -- or a century  
38 ago.

39  
40 MADAM CHAIR ENTSMINGER: That's great  
41 trivia questions or information.

42  
43 Any other questions.

44  
45 MR. BASSICH: Sue.

46  
47 MADAM CHAIR ENTSMINGER: Andy.

48  
49 MR. BASSICH: I'd just like to make one  
50 more point. You know, later on in the separate

1 Councils review of some of these proposals, there are  
2 some proposals in there that are looking at changing  
3 the triggers for harvesting of fall chum and all that.  
4 And I guess although I'm not necessarily opposed to it,  
5 one of the concerns that I have on that proposal that I  
6 would like to share with both Councils is that in the  
7 past we had some fairly poor runs of fall chum. And  
8 sometimes what was happening in the past was that the  
9 fall chum would come in, they looked like they were  
10 fairly strong. Subsistence and some commercial harvest  
11 were put upon those stocks and then later pulses didn't  
12 come in, the run never materialized. And the people in  
13 the upper river were then restricted to the harvesting.

14  
15 And one of the things that this really  
16 points out is the importance of those fish to those  
17 upper river communities. The farther up the Yukon you  
18 go, as this report shows, the more important that fall  
19 chum fisheries is to that subsistence lifestyle. It's  
20 absolutely essential in my community.

21  
22 So I just want Council members to  
23 recognize that that's a really, really important  
24 resource the farther upriver you go, and keep that in  
25 mind when they're looking at these proposals how that  
26 might impact those people upriver.

27  
28 MADAM CHAIR ENTSMINGER: Anyone else.

29  
30 (No comments)

31  
32 MADAM CHAIR ENTSMINGER: Thank you.

33  
34 MR. ANDERSEN: Thanks again.

35  
36 MADAM CHAIR ENTSMINGER: You're  
37 welcome.

38  
39 Okay. The next thing on our agenda is  
40 an update on the issue of salmon bycatch by the Bering  
41 Sea/Aleutian Island pollock fishery. OSM Staff. Larry  
42 Buklis.

43  
44 MR. BUKLIS: Thank you, Madam Chair.  
45 Mr. Chair. This is a fairly brief presentation. I  
46 think you've received a briefing document. The  
47 briefing document should be a two-page briefing and a  
48 related two-page letter from the Federal Subsistence  
49 Board Chair to the National Marine Fisheries Service.  
50 It's blue.

1 Thank you.

2

3 Okay. I'll highlight a few key points.

4 For chum salmon, the North Pacific Fishery Management  
5 Council has begun work on alternatives for chum salmon  
6 bycatch management measures. And this will be part of  
7 an environmental assessment or environmental impact  
8 statement which is yet to be determined which course  
9 they'll approach with the analysis.

10

11 The range of numbers being considered  
12 for development at this point for a hard cap on the  
13 bycatch for chum salmon, the range is 50,000 to  
14 353,000. So that's sort of the range at this point.  
15 For trigger caps, the range being considered for  
16 analysis would be 25,000 to 200,000. And the trigger  
17 caps close specific areas, and the hard cap closes the  
18 fishery.

19

20 The briefing outlines a schedule  
21 through 2011, and this leads to recommendation to the  
22 Secretary of Commerce on the preferred alternative.

23

24 And as for the process on Chinook  
25 salmon, our intent at OSM is to provide travel support  
26 for relevant Councils, and Eastern and Western Interior  
27 and the Yukon Delta are three of those, to each send  
28 one person to testify at key meetings in the process.  
29 So we anticipate the same kind of support and  
30 involvement on the chum issue that you had on the  
31 Chinook issue.

32

33 For Chinook salmon, that's further  
34 along. The Chinook salmon environmental impact  
35 statement was finalized and released to the public at  
36 the end of 2009. There was a comment period on that  
37 final EIS that closed February 16th, and a record of  
38 decision is expected in May 2010. That series of steps  
39 of developing an environmental impact statement and a  
40 record of decision is part of the National  
41 Environmental Policy Act, the NEPA process.

42

43 There's also a rulemaking process, and  
44 I'll conclude with a point on that in a moment. But  
45 the environmental impact statement was concluded and  
46 there was a comment period that ended about 10 days ago  
47 or less. A letter from the Federal Subsistence Board,  
48 which you have with your briefing, was submitted before  
49 the deadline on behalf of the Federal Board and the  
50 Councils. Because the Councils were going to be

1 meeting after the deadline and couldn't act as Councils  
2 in time, we drew upon the record of your views and  
3 recommendations and developed a letter for the  
4 signature of Mike Fleagle, Chair of the Federal  
5 Subsistence Board. And you've got that in your packet.  
6

7 And in that letter, he reminded the  
8 North Pacific Council and the Department of Commerce  
9 that we had recommended as a program a hard cap of  
10 about 29,000 Chinook and we stated again that both hard  
11 caps in the preferred alternative which is the focus of  
12 the EIS in the end, 60,000 and the 47, 48,000 both are  
13 too high. The 60,000 cap is related to when what they  
14 call incentive plan agreement's in place, and the lower  
15 cap is if those are not in place.  
16

17 And I'm not familiar with all the  
18 features of these marine fishery regulations, but I'm  
19 just trying to report the main points.  
20

21 And then finally on the rulemaking,  
22 it's reported that rulemaking will begin soon with the  
23 issuance of a proposed rule on the Chinook bycatch.  
24

25 Mr. Chairman and Madam Chair. That's a  
26 summary of your briefing statement and letter.  
27

28 MADAM CHAIR ENTSMINGER: Any questions.  
29

30 CHAIRMAN REAKOFF: So at the public  
31 comment on the proposed rule, the Councils will again  
32 see what is proposed and will be able to make  
33 meaningful comment, or is it pretty much -- they're  
34 pretty much set on what they're going to do there?  
35

36 MR. BUKLIS: There's two aspects to  
37 that question. First, in terms of timing and literally  
38 with your FACA notice will you be involved. If the  
39 rulemaking is to be launched soon and you next meet in  
40 September or October, I'm going to speculate that you  
41 would not be within that 30 to 60 day window for  
42 proposed rule comment period. We would probably once  
43 again draw upon the record and submit a comment in the  
44 rulemaking process on behalf of the program.  
45

46 In terms of how responsive will the  
47 Department of Commerce be to that rulemaking, what can  
48 I say to that question. There's been a lot of process  
49 in place. They're going through a rulemaking and  
50 technically they have to be open to the comments they

1 receive. They've gotten a lot of comment and they're  
2 at the 60,000 and 48,000 caps. I don't know how much  
3 flexibility there is in that then.

4

5 CHAIRMAN REAKOFF: I just wanted your  
6 take on that.

7

8 Do you have something there, Jason?  
9 You're kind of raising your pen.

10

11 MR. HALE: Yeah. I now it's so late, I  
12 felt bad about raising my entire hand. I said, God,  
13 these guys are tired, they don't want to see hands up,  
14 so a tentative pen.

15

16 Yeah. Becca Robbins-Gisclair with our  
17 office did ask that I read out a little something I  
18 think some of you guys might have already seen. She  
19 just wanted to share, and these are her words exactly,  
20 there is another opportunity to comment, and Larry, you  
21 know, indicated this, comment on the Council's decision  
22 on Chinook salmon bycatch. The fishery management plan  
23 amendment for Chinook bycatch, otherwise Amendment 91,  
24 has been published and is open for comment until April  
25 19th. This is the opportunity to tell the Secretary of  
26 Commerce why the Council's decision should be rejected  
27 and the lower cap, in other words the caps that the  
28 RACs originally supported, should be put into place  
29 instead.

30

31 It is very important that we have lots  
32 of letters in and Becca is available if anyone needs  
33 help with specific language. So she very much  
34 recommended that a letter come out from the RACs as  
35 well as any other letters, you know, the supporters of  
36 lowering the cap.

37

38 MADAM CHAIR ENTSMINGER: I call this a  
39 to-do item, and we must do.

40

41 Andy.

42

43 MR. BASSICH: Yeah. I'd like to build  
44 on that a little bit. Jason's absolutely correct, and  
45 really what gave us even a little bit of leg hold at  
46 those Council meetings, I went to just about every one  
47 them, was the large support that we got from Western  
48 Alaska on this issue. That had a very big impact,  
49 although the actual results maybe didn't reflect it.  
50 It is very important and to my understanding of the

1 process, it is the Commerce Department that has the  
2 ability to either change -- not necessarily change that  
3 regulation, but force it to be reconsidered or a  
4 different action taken.

5  
6 So this is kind of our check in the  
7 checks and balance process. So it is very important  
8 not only for the RACs to make comment, but ACs. Go  
9 back and have your ACs make comment and your tribal  
10 councils, your village councils. Those are all  
11 entities that really need to take the time to submit  
12 letters. And Becca is very good at helping people to  
13 get the key points. She's been following this issue  
14 from the very beginning. She's very well versed on it,  
15 and she knows and can help people to craft the proper  
16 points, key points to address in those letters, but  
17 really all Council members here need to go back and  
18 really make sure that that happens. Don't let that one  
19 fall through the cracks, because this is a pretty  
20 important opportunity for us to make good on something  
21 that really wasn't that good for us. Or at least have  
22 the attempt to.

23  
24 MADAM CHAIR ENTSMINGER: So, Andy, did  
25 I hear a motion?

26  
27 MR. BASSICH: Are you speaking towards  
28 this group Council or are you speaking towards each  
29 individual RAC doing something?

30  
31 MADAM CHAIR ENTSMINGER: Both.  
32 Actually more letters the better. So if there was one  
33 jointly, that would be great I think, and then if there  
34 was another one from each of us later, I think that's  
35 all well and good. So as a joint Council meeting now,  
36 I was going to have Jack saying something else.

37  
38 CHAIRMAN REAKOFF: I feel that the  
39 joint Council meeting, if we are in total agreement  
40 that a letter needs to be sent to basically ask the  
41 Secretary of Commerce to adhere to the recommendations  
42 of the Office of Subsistence Management of 29,323 and  
43 the points made in the OSM's letter, it would hold much  
44 more weight than just one Council. It would be a  
45 complete agreement of both Councils. And so I feel  
46 that a motion to write a letter using this as -- the  
47 OSM's letter as a template would cover the issues that  
48 I have from the Western Interior Council. Eastern can  
49 discuss that. That would be my point.

50

1 MADAM CHAIR ENTSMINGER: So did I hear  
2 a second.  
3  
4 MR. COLLINS: I'll so move.  
5  
6 MADAM CHAIR ENTSMINGER: I'm sorry, we  
7 need.....  
8  
9 MR. COLLINS: You need a motion.  
10  
11 MADAM CHAIR ENTSMINGER: Yeah. So the  
12 motion is to write a letter from both Councils.  
13  
14 MR. BASSICH: I'll second that.  
15  
16 MADAM CHAIR ENTSMINGER: And it's been  
17 seconded. Discussion.  
18  
19 MR. BASSICH: Yeah. I agree with what  
20 you're saying, Jack, and fully support that. However,  
21 having been a part of this process, what really carried  
22 a lot of weight was the personal testimony from  
23 villages, their councils, from individuals that took  
24 the time to come to these meetings. Those personal  
25 accounts and those personal kind of anecdotal  
26 information on how this is impacting them, how it's  
27 changing their lives on the Yukon River really carried  
28 a lot of weight. And I really think, not to diminish  
29 what OSM would be contributing, by far what has a  
30 greater impact on this is individuals and tribal  
31 councils' responses to that. It doesn't -- at least  
32 from my own perspective, when it's not coming from an  
33 agency, when they see that people taking time to  
34 address an issue like this, it lends itself to having  
35 far more impacts, profound impacts than just another  
36 agency response.  
37  
38 CHAIRMAN REAKOFF: A misunderstanding.  
39 I said that we would not just resubmit the OSM letter,  
40 but we would take the points from this letter under the  
41 letterhead of both Councils. And so they're asking for  
42 written comments by April 19th, and that was what I was  
43 stating. If other village councils and so forth can  
44 also testify and write letters in support of the  
45 Councils' positions, that would be great. It would be  
46 great if the Yukon Delta also did a similar -- that a  
47 letter will be promulgated using this as the template,  
48 all of the points. That was what I was referring to.  
49  
50 MADAM CHAIR ENTSMINGER: We both -- I

1 think you guys also wrote a letter in the past?

2

3

CHAIRMAN REAKOFF: Uh-huh.

4

5

MADAM CHAIR ENTSMINGER: With these caps, so do we -- I need some help from Staff. Would we pull up the same letters and make some changes, or do you want to work with Becca and come up with another one? I need some help here, you guys.

10

11

CHAIRMAN REAKOFF: I feel that OSM has done a really nice job laying out what the main points are. I don't think that we'd have to reinvent the wheel. We're just writing to a new entity as the Secretary of Commerce, and so I feel that using this letter with all our names as from these Councils would be easily accomplished.

18

19

MADAM CHAIR ENTSMINGER: Tim.

20

21

MR. GERVAIS: I think that the joint letter needs to contain specific language that states that these other numbers with a 60,000 and a 47,000 are -- they are averaging in the years of extremely high bycatch and that's well above the sustainable level of bycatch, and that's why there needs to be -- the letter needs to address that the 29,323, even though that may not be sustainable where it's at, that's quite a bit more representative of what this trawl catch fleet bycatch was, not including those high catch years in their average.

32

33

MADAM CHAIR ENTSMINGER: So would everybody agree with what he's proposing to add to the letter.

36

37

CHAIRMAN REAKOFF: Yeah, clarification of the timeframe.

39

40

MADAM CHAIR ENTSMINGER: Okay. And Staff will help us write the letter. Yes, go ahead, Larry.

43

44

MR. BUKLIS: Thank you, Madam Chair. We as Staff can develop the letter you've described in the record. We're making some notes and we'll have the record as well, and we can develop a letter for the joint Councils and for the Federal Board, another letter for the Board, that we can run the Board letter through that process and your letter back to you for

1 review.

2

3 MADAM CHAIR ENTSMINGER: Right.

4

5 CHAIRMAN REAKOFF: Okay. Sounds good.

6

7 MADAM CHAIR ENTSMINGER: But as far as  
8 the joint Council on this, and the letter will go  
9 forward?

10

11 MR. BUKLIS: Yes. You can vote in  
12 principle, and we can work out the details with you,  
13 and you can clear the draft before its processed.

14

15 MADAM CHAIR ENTSMINGER: Okay.

16

17 CHAIRMAN REAKOFF: Yeah. Any further  
18 clarifications, Andy, on that letter.

19

20 (No comments)

21

22 CHAIRMAN REAKOFF: Any other Council  
23 members want points of clarification. Lester.

24

25 MR. L. WILDE: Could you also draft up  
26 a letter for the YK RAC for our review?

27

28 MR. BUKLIS: Madam Chair. Yes, we can.  
29 And I know you're meeting next week, so you can  
30 reconfirm on the record there.

31

32 MR. L. WILDE: (Nods affirmatively)

33

34 MADAM CHAIR ENTSMINGER: I guess the  
35 other question I would have is, is it possible that it  
36 could be from all three?

37

38 MR. BUKLIS: Madam Chair. Yes, we  
39 could draft a letter for the three Councils and next  
40 week when they meet, they could put on the record their  
41 views and interest, and it could be a three-party  
42 letter, and we could run it through the three Chairs  
43 for finalization.

44

45 MADAM CHAIR ENTSMINGER: Would  
46 everybody agree to that.

47

48 CHAIRMAN REAKOFF: We can vote on it as  
49 the joint meeting in session and with the contingency  
50 that if Y-K Delta also was a signature to that letter,

1 that they could join onto the same letter.

2

3 MR. L. WILDE: I don't think you'll  
4 have any problems with that.

5

6 CHAIRMAN REAKOFF: Okay. We have  
7 assurance from the Y-K Delta Chair that that will go  
8 forward.

9

10 And so any further discussion.

11

12 (No comments)

13

14 CHAIRMAN REAKOFF: Those in favor of  
15 submitting this letter to the Secretary of Commerce  
16 using the OSM's letter to Robert Meachum as a template  
17 with definition of the timeframe of when this 29,323  
18 fish occurred signify by saying aye.

19

20 IN UNISON: Aye.

21

22 CHAIRMAN REAKOFF: Those opposed same  
23 sign.

24

25 (No opposing votes)

26

27 CHAIRMAN REAKOFF: Unanimous consent of  
28 both Councils, and that will be transmitted to the  
29 Yukon Delta RAC also.

30

31 MR. COLLINS: Mr. Chairman.

32

33 CHAIRMAN REAKOFF: Go ahead.

34

35 MR. COLLINS: Would there be value in  
36 the individual Councils when they meet to send in  
37 another on, or should we just let this joint letter  
38 stand for us? What about the idea of resubmitting the  
39 letter that we sent before to the Secretary of Commerce  
40 or something, because he hasn't seen what we said  
41 before, or he may not, so that -- I don't know if  
42 there's value in that or not.

43

44 MR. BASSICH: Yes.

45

46 MR. COLLINS: Maybe there's more  
47 individual comments on how its affecting our area in  
48 those letters.

49

50 MADAM CHAIR ENTSMINGER: The squeaky

1 wheel gets the grease I say. The more the better I  
2 would think.

3

4 CHAIRMAN REAKOFF: We could draw out  
5 our letter of record from this that was transmitted to  
6 the National Marine Fisheries Service and we could use  
7 -- we could resubmit that to the Secretary of Commerce  
8 assuring that those hard cap numbers are in place of  
9 29,323 as agreed upon by the three Councils. And, so,  
10 yeah, we can do that, that's not a problem. There may  
11 be slight language changes on one point here or there.  
12 It wouldn't hurt.

13

14 Any further discussion there, Sue.

15

16 MADAM CHAIR ENTSMINGER: No.

17

18 CHAIRMAN REAKOFF: And so I think we're  
19 down to the end of our long day of agenda here, it's  
20 6:00 o'clock, for the joint meeting.

21

22 And I've appreciated meeting with the  
23 Eastern Interior Council. I appreciate your heartfelt  
24 concerns for the fishery. We also have the same  
25 concerns, but we're also here for the protection of our  
26 subsistence uses which are the users uses of the  
27 resources. And so we may have differing points, but I  
28 think we all have the same position in our hearts that  
29 we want to see the resource return of the Chinook  
30 salmon on the Yukon River. We also want to see the  
31 protection of the chum salmon also.

32

33 And there's some other issues that I  
34 would have liked to have gotten through, one of those  
35 being the Area M 1.7 million chum salmon that was  
36 caught this season and then we came up short on the  
37 return of the Yukon. I would have liked to have  
38 discussed that issue with the Eastern Interior Council,  
39 but we're running out of time.

40

41 Go ahead there, Lester.

42

43 MR. L. WILDE: Thank you, Mr. Chairman.  
44 I'd like to thank you for inviting me over here and,  
45 you know, to get to know or to meet with the people  
46 that you deal with over here. And I'll make sure that  
47 whatever we learned here is passed on to our RAC.

48

49 And, you know, I've always been -- I've  
50 always had the idea that my grandfather taught me was

1 to conserve because there are times when you're going  
2 to need what you conserve. And he also taught me that  
3 a loss is not always a loss. And even though we did  
4 lose on this proposal that we were discussing, I think  
5 in the long run that we're going to be winners.

6

7 And I want to thank you very much for  
8 having me participate in this meeting.

9

10 CHAIRMAN REAKOFF: Thank you very much  
11 for attending, Lester. You've added some very  
12 important points and we've appreciated your  
13 perspective. It gives continuity to the whole  
14 deliberations of these proposals. Thank you.

15

16 Sue.

17

18 MADAM CHAIR ENTSMINGER: I just want to  
19 add one thing. It's really unfortunate that we don't  
20 get to know you more personally. We stay so busy we  
21 don't have a chance, but it's been wonderful, and I  
22 hope that we could get together again with the  
23 different RACs like this. I think it's a learning  
24 process for all of us, and I really appreciate you guys  
25 willingness to work with us, and especially you,  
26 Lester, for showing up. I loved to have you here and  
27 it's been great.

28

29 So do you think anyone else wants to  
30 say anything else at the end here. Any more comments.

31

32 CHAIRMAN REAKOFF: Any RAC members  
33 final comments to the joint meeting.

34

35 (No comments)

36

37 CHAIRMAN REAKOFF: I see none. I also  
38 want to thank the State and other presenters here for  
39 the various programs that were presented, that were in  
40 process and finalized. And so I do appreciate all of  
41 the resource from the State. I felt that the analysis  
42 for Proposal 12 was excellent and had a lot of very  
43 important information for my deliberation on that  
44 issue.

45

46 And so that would be my final comment  
47 and so we'll adjourn the joint meeting of the Eastern  
48 and Western, and we'll reconvene at is it 8:30  
49 tomorrow? And we'll be separating this room into two  
50 halves and one will be on one side and one will be on

1 the other. I don't know who's where.

2

3 And so do you have any final comments,  
4 Ann, before we adjourn.

5

6 MS. WILKINSON: No, I don't.

7

8 CHAIRMAN REAKOFF: So we're adjourned  
9 for the joint meeting and reconvene as individual RACs  
10 tomorrow morning at 8:30.

11

12 Thank you.

13

14 (Off record)

15

16 (END OF PROCEEDINGS)

