

1 SEWARD PENINSULA FEDERAL SUBSISTENCE  
2 REGIONAL ADVISORY COUNCIL MEETING

3  
4 PUBLIC MEETING

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6  
7 VOLUME I

8  
9 Aurora Inn  
10 Nome, Alaska  
11 October 7, 2014  
12 11:00 a.m.

13  
14 Members Present:

- 15  
16 Timothy Smith, Acting Chairman  
17 Reggie Barr  
18 Peter Buck  
19 Tom Gray  
20 Ted Katcheak  
21 Scott Lockwood  
22 Charles Saccheus  
23 Elmer Seetot

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28 Acting Regional Council Coordinator - Robert Larson  
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P R O C E E D I N G S

(Nome, Alaska - 10/7/2014)

(On record)

CHAIRMAN SMITH: I'd like to call the meeting to order. I guess we've already talked about the reason that I'm chairing the meeting rather than Louis, and his son was really injured. If anybody wants to contribute, their family is pretty hard up for money, if anybody wants to contribute they set up an account at Wells Fargo for them so you can deposit money in that account to help them out. We had a big fundraiser on Friday night that brought in -- it was really well attended, probably one of the best ones I've ever seen, it brought in quite a bit of money but it looks like this is going to be a really long-term thing for them. So any help you could give them, that'd be appreciated.

Could we have a roll call, Mr. Secretary.

MR. BUCK: Okay. Ted Katcheak.

MR. KATCHEAK: Here.

MR. BUCK: Or Theodore Katcheak. Peter Buck here. Louis Green, Jr.

(No comment)

MR. BUCK: Tom Gray.

MR. GRAY: Here.

MR. BUCK: Reggie Barr.

MR. BARR: Here.

MR. BUCK: Scott Lockwood.

MR. LOCKWOOD: Here.

MR. BUCK: Fred Eningowuk.

(No comment)

MR. BUCK: Elmer Seetot, Jr.

1 MR. SEETOT: Yes.  
2  
3 MR. BUCK: Charles Saccheus.  
4  
5 MR. SACCHEUS: Here.  
6  
7 MR. BUCK: And Timothy Smith.  
8  
9 CHAIRMAN SMITH: Here. Scotty, one  
10 thing we forgot to tell you is that whenever you say  
11 something you need to hit this little button here and  
12 make your red light come on so that the recording  
13 equipment can get what you say.  
14  
15 MR. LOCKWOOD: Okay.  
16  
17 CHAIRMAN SMITH: And so, you know, we  
18 all forgot it and we'll probably remind you but, you  
19 know, when the red light's on the microphone is live  
20 and then as soon as you're done just hit the  
21 button.....  
22  
23 (Laughter)  
24  
25 CHAIRMAN SMITH: Just like I just did  
26 and it doesn't record when you have it off.  
27  
28 We have a quorum and so the meeting is  
29 called to order and so do we need any more  
30 introductions. I guess do you want to -- let's go  
31 around the room starting with those seated in the back  
32 and introduce yourselves, please.  
33  
34 MR. SEPPI: Good morning. I'm Bruce  
35 Seppi with the Bureau of Land Management, Anchorage  
36 Field Office.  
37  
38 MS. PETRIVELLI: I'm Pat Petrivelli.  
39 The Bureau of Indian Affairs Subsistence anthropologist  
40 and I work out of Anchorage.  
41  
42 MS. INGLES: I'm Paula Ingles. I'm  
43 with OSM and the Partners Program.  
44  
45 MR. RIVARD: My name is Don Rivard.  
46 I'm a fish biologist with the Office of Subsistence  
47 Management in Anchorage.  
48  
49 MR. ADKISSON: Good morning. My name  
50 is Ken Adkisson. I'm with the National Park Service

1 based here in Nome.

2

3 MR. ARDIZZONE: Good morning. I'm  
4 Chuck Ardizzone. I'm the new Deputy at Office of  
5 Subsistence Management.

6

7 CHAIRMAN SMITH: Tom, do you want to  
8 start us off with the Council.

9

10 MR. GRAY: Tom Gray, I represent Nome  
11 on the Board.

12

13 MR. SEETOT: Elmer Seetot, Jr. I'm  
14 from Brevig Mission.

15

16 MR. BARR: Reggie Barr, Brevig Mission.

17

18 MR. KATCHEAK: Theodore Katcheak,  
19 Stebbins.

20

21 MR. LOCKWOOD: Scott Lockwood, St.  
22 Michael.

23

24 MR. SACCHEUS: Charles Saccheus, Elim.

25

26 MR. BUCK: Peter Buck, White Mountain.

27

28 CHAIRMAN SMITH: And I'm Tim Smith, I'm  
29 a Nome resident.

30

31 MR. LARSON: And I'm Robert Larson, I'm  
32 the acting Council coordinator for this meeting.

33

34 REPORTER: I'm Nathan.

35

36 CHAIRMAN SMITH: So, I guess, next,  
37 we'll review the agenda. Does everybody had a chance  
38 to look it over.

39

40 There are some additio -- oh, wait, one  
41 more thing before we go on. We have some people on  
42 line on the telephone, could you introduce yourselves,  
43 those who are on teleconference.

44

45 MR. SHARP: Yeah, good afternoon, this  
46 is Dan Sharp with Bureau of Land Management in  
47 Anchorage.

48

49 MR. CRAWFORD: Good morning, this is  
50 Drew Crawford. Alaska Department of Fish and Game in

1 Anchorage.  
2  
3 CHAIRMAN SMITH: I guess that's all we  
4 have.  
5  
6 MR. NICK: Good morning. This is Alex  
7 Nick, Bethel.  
8  
9 CHAIRMAN SMITH: Oh, good morning,  
10 Alex. Is anybody else on line.  
11  
12  
13 (No comments)  
14  
15 CHAIRMAN SMITH: I guess not. And so  
16 Louis may be joining us later today or tomorrow, he  
17 wasn't sure what his schedule was going to be like but  
18 there may be other people -- and other people calling  
19 in too since this is open for teleconference.  
20  
21 Now, review and adopt the agenda.  
22  
23 There's a couple of additions.  
24  
25 Does anybody have any additions or.....  
26  
27 MR. SEETOT: Mr. Chair. I'd like to  
28 move to adopt the agenda as presented.  
29  
30 CHAIRMAN SMITH: Do we have a second.  
31  
32 MR. GRAY: Second.  
33  
34 CHAIRMAN SMITH: Moved by Elmer,  
35 seconded by Tom Gray.  
36  
37 Anybody have any additions.  
38  
39  
40 (No comments)  
41  
42 CHAIRMAN SMITH: One thing I'd like to  
43 add is -- oh, go ahead.  
44  
45 MR. ADKISSON: Mr. Chair. Ken  
46 Adkisson, National Park Service. I talked to you  
47 earlier, are you including the Park Service's  
48 presentation of those regs on the agenda?  
49  
50 CHAIRMAN SMITH: Why don't you describe

1 it.

2

3

MR. ADKISSON: I will.

4

5

Mr. Chair. Council members. The National Park Service, I apologize for sort of bringing this kind of at a late date but due to scheduling issues and the complexity and trying to juggle a whole lot of different events, the Park Service would like to bring to your attention today three areas of proposed changes to National Park Service regulations that do have connections to subsistence uses. And we'd like to provide those basically as information and a couple of the topics or so, we'd actually like some -- maybe some input from you on the -- as an initial sort of review. This presentation will be part of a larger effort that includes opportunities to comment on the proposed regulations through the internet, over the web page, through a series of public hearings and so forth but this is one way to get them to your attention and give you an initial look at them and provide you with some opportunity to comment on them.

22

23

24

One of the topics will be dealing with the collection and use of plant materials and shedded, discarded and naturally occurring animal products like horns and antlers and things that you find in the field for personal use and making of handicrafts. It was mentioned earlier through your orientation that there are certain aspects of subsistence uses that fall within the jurisdiction of the individual agencies. And this kind of thing that we're talking about, with the collection and use of these objects or materials are one of those and so what we're trying to do is legalize existing practices and make sure that those kind of things can continue.

36

37

38

So that'll be one of them.

39

40

The other one is that largely in response to increasing sort of liberalization, I guess, would be one way of putting it through the State system of taking brown bears over bait. The Park Service is considering prohibitions on that practice on Park Service lands and the Park Service would like to give you folks a chance to comment on any traditional practices or traditional knowledge related to taking and preferences to taking brown bears over bait.

47

48

49

50

The third area is more complex and

1 deals with a series of wildlife regulatory  
2 restrictions. Again, largely, as a response to  
3 liberalizations to general hunting by the State in  
4 terms of seasons, harvest limits and so forth.  
5 However, there are some aspects of that regulation  
6 package that update a number of subsistence regulations  
7 and we'll talk about those when the time comes and we'd  
8 like your input on that.

9

10 And, Clarence Summers, from our  
11 regional office, will eventually be dialing in here and  
12 basically presenting that material to you. And during  
13 a break or whenever I can provide you with some handout  
14 materials. I'm hoping that that whole thing with the  
15 -- all three topics wouldn't require more than about a  
16 half hour.

17

18 CHAIRMAN SMITH: Well, are there any  
19 objections to including that in the agenda then?

20

21 (No objections)

22

23 CHAIRMAN SMITH: If there aren't any  
24 objections why don't we put it in -- I mean we can move  
25 right through the fisheries proposals, let's put it  
26 right in after the fisheries proposals in new business.

27

28 Does that sound okay.

29

30 MR. LARSON: Or agency reports.

31

32 CHAIRMAN SMITH: During agency reports.

33

34 MR. LARSON: Is there any business  
35 associated with those?

36

37 CHAIRMAN SMITH: Well, I mean that  
38 might be an appropriate time to do it, too, Ken, what's  
39 your preference?

40

41 MR. ADKISSON: Mr. Chair. I guess  
42 preference-wise, we'd rather put it earlier in the  
43 meeting rather than the agency reports which often come  
44 at the end of the time and you get kind of rushed, and  
45 I do have a short agency report for the Park Service  
46 that I will deal with under that part of the agenda,  
47 but -- and I'll try to keep that very short, especially  
48 in relationship to asking for additional time on the  
49 regular agenda but if we could get it somewhere other  
50 than at the end of the meeting would be better.

1 CHAIRMAN SMITH: Okay. Let's do it  
2 right after the fisheries proposals, I think we'll  
3 breeze right through those. They're not really -- they  
4 shouldn't be that controversial for us. But let's put  
5 it under new business right before the fisheries -- or  
6 right after the fisheries proposals.

7

8 Is there any other additions.

9

10 (No comments)

11

12 CHAIRMAN SMITH: I have one. One of  
13 the most important issues, I think, is extra-  
14 territorial jurisdiction. And it came up at the  
15 Federal Subsistence Board meeting this spring when I  
16 was there. Unfortunately, it ran so long that most of  
17 us had to leave before we got to that, that was the  
18 last thing at the meeting, and so I didn't hear what  
19 they came up with and so I've asked Bob to give us a  
20 report on that. What that means is that the Secretary  
21 of Interior could reach out and take action in  
22 fisheries -- where fish are in their migratory range  
23 off of Federal lands. You know it's been used before,  
24 it's been used very -- it hasn't been used very  
25 liberally but the Secretaries have that authority. And  
26 I'm thinking with salmon management. You know, both  
27 interception at Area M and in bycatch that we might  
28 want to impeach the -- or plead.....

29

30 (Laughter)

31

32 CHAIRMAN SMITH: .....plead to the  
33 Secretary of Interior to enact, adopt restrictions  
34 affecting those fisheries because it affects  
35 subsistence users on the Seward Peninsula and in other  
36 parts of Western Alaska. So I've asked Bob to give us  
37 a report, unless there's objections.

38

39 (No objections)

40

41 CHAIRMAN SMITH: Well, hearing none,  
42 let's put that in new business right after Ken's  
43 addition.

44

45 MR. GRAY: What are we calling this?

46

47 CHAIRMAN SMITH: Extra-territorial  
48 jurisdiction.

49

50 Is there anything else.

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(No comments)

CHAIRMAN SMITH: Then let's vote  
to.....

MR. CRAWFORD: Mr. Chair. This is Drew  
Crawford, Fish and Game in Anchorage.

CHAIRMAN SMITH: Yes, go ahead, Drew.

MR. CRAWFORD: Yeah, I just have a  
little bit of information I'd like to share with you at  
this time. The timing of your meeting this year has  
kind of caught our normal wildlife staff at a bad time.  
Tony Gorn is out of time and the other folks here are  
out working with muskox but I was notified by Letty  
Hughes that she prepared -- she and Tony prepared a  
three page informational sheet for the RAC and said  
that they were going to deliver it to the Aurora this  
morning so that you could take a look at it. They also  
said that you were familiar with this type of a format,  
in what she's provided to you, but she indicated that  
if you have any questions or concerns about the handout  
which pertains to wildlife in the Seward Peninsula  
area, you can either relay them to me or through your  
Council coordinator, get your questions to me and I  
will get in touch with our staff here to try to answer  
them for you later during the Fish and Game agency  
reports.

Over.

CHAIRMAN SMITH: Thank you, Drew. Do  
you anticipate having anybody here today or tomorrow?

MR. CRAWFORD: No. That there's just  
nobody available for this particular meeting. Tony  
also added, he said, this is the first time in 15 years  
that nobody from their group has been able to make your  
meeting and he apologizes.

CHAIRMAN SMITH: Yeah, we understand.  
There's a herd of muskoxen in town and they're probably  
out trying to chase them away.

MR. ARDIZZONE: Hey, Drew, this is  
chuck Ardizzone. I just wanted to let you know that  
that document was dropped off this morning and we'll  
get it passed out to the Council and if there's any

1 questions we'll make sure we relay that to you. Okay.  
2  
3 MR. CRAWFORD: Okay, that'd be great.  
4 Thanks Chuck.  
5  
6 CHAIRMAN SMITH: Is there anything else  
7 for the agenda.  
8  
9  
10 (No comments)  
11  
12 MR. BUCK: Question.  
13  
14 CHAIRMAN SMITH: Okay, call for the  
15 question.  
16  
17 MR. BUCK: Yes.  
18  
19 CHAIRMAN SMITH: Any opposed.  
20  
21 (No opposition)  
22  
23 CHAIRMAN SMITH: Then the agenda is  
24 adopted as amended.  
25  
26 One more person just walked in, John  
27 Handeland is here, member of the public and you can  
28 provide your testimony here in a few minutes, we're  
29 just about there. We got a couple reports to do and  
30 then we'll give you the floor.  
31  
32 MR. HANDELAND: Okay.  
33  
34 MR. LARSON: Can I say something.  
35  
36 CHAIRMAN SMITH: Yes.  
37  
38 MR. LARSON: Thank you, Mr. Chair. I  
39 have a couple of -- just some details. There is a  
40 signup sheet, I appreciate that everybody that attends  
41 the meeting that is not a Council member, go ahead and  
42 put their name on the signup sheet, we need that for  
43 our records.  
44  
45 Chuck is distributing that document  
46 talking about wildlife that was mentioned by Drew right  
47 now.  
48  
49 Normally we have a whole series of blue  
50 cards that are for the public to testify, with only one

1 member of the public to testify, I don't know that we  
2 need to have a long discussion about the blue cards and  
3 the way that we.....

4  
5 CHAIRMAN SMITH: Yeah.

6  
7 MR. LARSON: .....put ourselves in the  
8 cue for testifying to the Council. But if it appears  
9 that there's more members of the public I'll get those  
10 blue cards out and we'll have that discussion.

11  
12 I do have the per diem for Council  
13 members, they should take time here at the next break  
14 and see me.

15  
16 CHAIRMAN SMITH: Okay. Is there  
17 anything else?

18  
19 (No comments)

20  
21 CHAIRMAN SMITH: If not, then let's  
22 take a few minutes and read the minutes, if you haven't  
23 read them already, let's go through the minutes and  
24 we'll approve or amend them.

25  
26 (Pause)

27  
28 CHAIRMAN SMITH: Peter.

29  
30 MR. BUCK: Mr. Chair. There's a typo  
31 on Page 10, middle, right in the middle of the page,  
32 they have Berry Mendenhall.

33  
34 CHAIRMAN SMITH: Oh, okay, Berry needs  
35 to be changed to Perry, P-E-R-R-Y.

36  
37 (Pause)

38  
39 MR. KATCHEAK: I move to adopt the  
40 minutes as written.

41  
42 CHAIRMAN SMITH: Ted Katcheak moved to  
43 adopt the minutes as written. A second.

44  
45 MR. BUCK: Second.

46  
47 CHAIRMAN SMITH: Seconded by Peter  
48 Buck.

49  
50 Has everybody had a chance to go

1 through them.

2

3

Go ahead, Tom.

4

5 MR. GRAY: I guess the only question I  
6 have is on Page 11, the last paragraph, about the  
7 middle of it, it says Mr. Smith moved to resolve Alaska  
8 Fish and Game not relax the line blah, blah, blah, and  
9 I seconded it; and then we go on in discussion, and I  
10 make a motion to do something and it's seconded and  
11 there's no action taken on the initial motion, so  
12 that's going to stand out somewhere that -- I don't  
13 know if it needs to be addressed or reviewed or what  
14 happened to your motion.

15

16 CHAIRMAN SMITH: Can we -- is there any  
17 way we can check the transcripts to see -- I mean I'm  
18 sure we voted on it but fortunately we've got the  
19 transcripts so they're able to check.

20

21 MR. LARSON: And what page is that on?

22

23 MR. GRAY: Page 11, the last paragraph  
24 about the middle.

25

26 MR. LARSON: Mr. Smith then moved to  
27 resolve, is that it -- seconded by Mr. Gray, the  
28 Council then clarified that they would wish to send a  
29 letter to ADF&G asking them not to relax the crab line  
30 in the future and submit a proposal in three years.....

31

32 CHAIRMAN SMITH: Yeah, I take it that  
33 that.....

34

35 MR. LARSON: Mr. Gray moved to submit a  
36 letter that would ask ADF&G not to relax the crab line  
37 in the future at all, the motion was seconded by Mr.  
38 Buck, the motion was carried unanimously.

39

40 CHAIRMAN SMITH: Okay. So did that  
41 letter get sent out, do you know?

42

43 MR. LARSON: Oh, that's the question  
44 is, is did the letter get sent?

45

46 MR. GRAY: No, the question I had is  
47 there was a motion originally made by Tim and I had  
48 seconded it and then we went on to discussion and then  
49 all of a sudden I made a motion and it was seconded and  
50 passed. It's going to reflect that we have improper

1 procedure it seems to me by not addressing that first  
2 motion. And maybe I'm reading it wrong, I don't know.

3

4 CHAIRMAN SMITH: I think maybe moved is  
5 not the right word on Page 12, you know, you -- you  
6 know there was already a motion on the floor and we  
7 were discussing that motion and so I think moved is the  
8 -- what needs to be done is maybe change move to  
9 recommended, how's that. I think that would resolve  
10 that. Because we did unanimously move to express our  
11 opinions on moving the line, and I wish we had somebody  
12 from Fish and Game here. We asked, you know, we never  
13 get anybody from fisheries to attend our meetings and  
14 we asked specifically for them again this year and they  
15 specifically are not here. They didn't move the crab  
16 line in this summer. They got enough crabs, they were  
17 able to catch the quota outside the line, but they have  
18 the authority -- the Board of Fisheries gave them the  
19 authority to move the line into within three miles of  
20 shore, which I think is not something that we would  
21 support. We really need to hear from the managers on  
22 this, this is -- this is done by emergency order. You  
23 know we need to hear from Scott and Jim about -- and we  
24 need to -- well, not so much hear from them, but to  
25 tell them what our feelings are on doing that when the  
26 time comes.

27

28 MR. GRAY: Right.

29

30 MR. ARDIZZONE: Mr. Chair. I just  
31 wanted to mention that Drew Crawford is on the phone if  
32 you have specific questions or issues you can address  
33 Drew and hopefully he can help clarify the issues for  
34 you, that's what he's here to help us with.

35

36 CHAIRMAN SMITH: Okay. Thanks for that  
37 reminder. Drew, did you hear what I just said about  
38 that issue.

39

40 MR. CRAWFORD: Yes, I did. If you have  
41 any specific questions for Jim and his staff I can  
42 relay them and get back to you on that.

43

44 CHAIRMAN SMITH: Well, our concerns  
45 are, as Tom pointed out, subsistence users and  
46 wintertime crab fishermen feel that relaxing that  
47 commercial closed area in the summer is going to  
48 negatively impact wintertime king crab fishing and so  
49 we'd prefer that they don't do that. The reason for  
50 putting the line in in the first place was to protect

1 the winter fishery. And last summer they didn't relax  
2 the line but the summer before they relaxed it twice  
3 and we -- this Council has opposed that and I guess we  
4 also need to find out whether the letter went out and  
5 if it didn't, maybe that's something we want to add to  
6 the agenda today. Because, you know, we got another  
7 crab season coming up.

8

9 Go ahead, Tom.

10

11 MR. GRAY: I would suggest that we have  
12 Staff look and make sure that they get back to us  
13 before this meeting's over with and give us a copy of  
14 the letter if it actually was put together.

15

16 Thank you.

17

18 MR. BUCK: Mr. Chair.

19

20 CHAIRMAN SMITH: Go ahead Peter.

21

22 MR. BUCK: On the top of Page 12, Mr.  
23 Gray moved to submit a letter to Fish and Game and then  
24 I seconded and then the motion passed, but your motion  
25 didn't have any action on it. I think it was the same  
26 motion.

27

28 CHAIRMAN SMITH: It was basically the  
29 same motion. And I don't see that as a huge problem.  
30 You know I think we got -- I guess the thing to find  
31 out now is if the letter went out, if it didn't then we  
32 need to make sure that one goes out and let's put that  
33 on new business. Let's just do it again, just to be on  
34 the safe side because we got another crab season coming  
35 up and we just need to make sure that we express our  
36 opinions on allowing summertime commercial fishing in  
37 close to shore.

38

39 So I don't know exactly what happened,  
40 we can review the transcripts if we want, we should do  
41 that -- we probably should do that and use that and  
42 correct the minutes. Maybe we shouldn't approve the  
43 minutes until we do that, we'll save that for later on.  
44 And let's see if we can find out if there were actually  
45 two motions on the same subject and if there was, it  
46 was a mistake, we will reconcile it later on in this  
47 meeting.

48

49 So let's just hold off until we can get  
50 word on that approving the minutes, let's go on to the

1 next thing.

2

3 MR. KATCHEAK: Mr. Chair. A question,  
4 are we going to move to approve the minutes?

5

6 CHAIRMAN SMITH: No, it's just kind of  
7 deferred until later so the motion to approve will --  
8 once we resolve that then we'll go ahead and do it  
9 later, we'll try not to forget to do that later on in  
10 the agenda.

11

12 This moves us on to Council member  
13 reports. Do we have any reports from the Council  
14 members.

15

16 MR. GRAY: I guess in the past we  
17 usually go around the table and talk about anything  
18 that we've seen or occurred.

19

20 You know, oogruk hunting, all of our  
21 seasons went pretty well. Berrypicking there wasn't so  
22 much salmonberries. But I had plenty of fish in my  
23 river, you know, I struggle a little bit with silver  
24 salmon but there was tons of king salmon, first time in  
25 20 years that we had so much kings show up in our river  
26 system.

27

28 Moose hunting, you know, everybody's  
29 fighting over a couple of moose out there so it was  
30 kind of a hurry up and get it or you don't get it.  
31 We'd like to see more moose.

32

33 The caribou, you know, some guys are  
34 saying they got caribou up in Serpentine, in that area,  
35 caribou really haven't shown up yet. They usually show  
36 up in late October. The stragglers that are here,  
37 that's what people are getting now, I guess.

38

39 The beluga hunting went really good for  
40 us, lots of belugas.

41

42 The fall weather has been exceptional.  
43 We've had really good weather compared to last year.

44

45 So, anyway.

46

47 MR. SEETOT: Elmer Seetot, Brevig. Not  
48 much happened on Federal lands other than we're seeing  
49 changes that we have talked about in the past, longer  
50 springs, a little colder springs. A little bit dry

1 conditions for berries in our area. Ice conditions are  
2 not thick enough during early spring so everyone has to  
3 kind of scramble to get their resources during the  
4 season. Oogruk in the springtime, walrus in the  
5 springtime. Plant gathering, berrypicking throughout  
6 the summer.

7

8 But things have pretty much changed.  
9 Our freeze up used to be, 30 years ago, the first or  
10 second week in September, we didn't get our first  
11 snowfall until three days ago back home, so things have  
12 really changed. We have seen more calmer weather in  
13 Port Clarence Bay this year compared to last year but  
14 it has been a little bit drier for plants and for  
15 berries to grow the way they've been growing. So it's  
16 dry weather. Colder temperatures in the springtime and  
17 then pretty much longer warmer temperatures late in the  
18 fall. So that's what is pretty much right now.

19

20 That's all I have.

21

22 Thank you.

23

24 MR. BARR: Reggie Barr, Brevig. I'm  
25 still complaining about the lack of reds and king  
26 salmon in our area. We haven't -- well, since 2006,  
27 around that time, we haven't seen a lot of reds and  
28 kings in the Teller and Brevig area. And I don't know  
29 what it will take to have people realize this, that  
30 we're catching a lot of chums and we're not used to  
31 chums that much. And I'm always talking about salmon,  
32 the lack of reds and kings in our area.

33

34 And then also this summer there's been  
35 a lack of moose in our area. We have to go all the way  
36 up to Agiapuk to get moose now and there's a lot of  
37 bear up around that area, brown bear in our area now.

38

39 That's all.

40

41 MR. KATCHEAK: Ted from Stebbins. It's  
42 been sort of a short summer for me because I managing a  
43 herd for Stebbins and St. Michael in my herd and I  
44 haven't done very much subsistence but listening to the  
45 reports from Norton Sound and other parts of Alaska  
46 that there were lots of kings and a couple of years ago  
47 there were very few kings, mostly jacks and now we have  
48 -- we heard there's a lot more kings than we've had for  
49 a long time.

50

1                   Otherwise we're doing pretty good. We  
2 had a pretty good summer. It rained for awhile but  
3 it's back to, I guess, normal times.

4  
5                   Thank you.

6  
7                   MR. LOCKWOOD: Scott Lockwood from St.  
8 Michael.

9  
10                  To me, as a hunter, I've seen like the  
11 populations of a certain subsistence wildlife in our  
12 area on the up -- the salmon runs are stronger. The  
13 way our reindeer herd is looking, within the next five  
14 years they'll be beyond our control, which means  
15 they'll be close to being overpopulated for the area.

16  
17                  The geese that come into our lands,  
18 they come by the millions in the spring and in the  
19 fall. We have a very successful bird hunts in the  
20 spring and the fall. But the thing about this spring  
21 hunt, spring came earlier, it's the first time in my  
22 whole lifetime that I've been out boating in the canals  
23 in the first week of May when usually, you know, we're  
24 still using our snowmachines to go out hunting all the  
25 way into June so it's a real big change in the weather  
26 for us and that was kind of a dramatic spring for me.

27  
28                  That's all, thank you.

29  
30                  MR. SACCHEUS: I'm Charles Saccheus  
31 from Elim. And our spring came early. Anyway we had a  
32 good spring and got quite a few beluga, maybe about 20  
33 or so. And duck hunting was good, brant and geese.

34  
35                  The ice went out early and it gave us a  
36 good summer. This summer the commercial fishing was  
37 good, way above average and we got, first time, in  
38 maybe 40 years our fishing was -- commercial fishing  
39 was good because we got a lot of chum and hardly any  
40 pink salmon and in August the silver salmon started  
41 running and it was just perfect for most of the  
42 commercial fishermen at Elim. And after the fishing  
43 was over, the beluga they started showing up about the  
44 second week of September as they usually do every year  
45 and all the animals that they -- they catch about maybe  
46 -- maybe about 30 beluga down there and all of them  
47 were pretty healthy -- healthy animals and they catch  
48 them with net, they never used -- they never chased  
49 them anymore with boat and motor because it's  
50 impossible to get beluga if you go out and chase them

1 with a rifle and a motor so everybody in Elim are  
2 starting to use whale nets and they get their whale  
3 nets from Kachemak in Homer and some of them even got  
4 maybe like 500 feet to 1,000 feet nets and pre-hung and  
5 -- but anyway our fall was -- our summer was pretty  
6 mild until September. Then in October maybe a few days  
7 ago we started seeing snow on our mountains and moose  
8 season was super this year.

9  
10 And there was hardly any berries this  
11 fall. But there was a lot of cranberries and  
12 blackberries but -- anyway, I'm very thankful for what  
13 the Good Lord bring us this summer, and, thank you.

14  
15 CHAIRMAN SMITH: Charles, what size  
16 mesh do they use?

17  
18 MR. SACCHEUS: Pardon.

19  
20 CHAIRMAN SMITH: What size mesh are  
21 those beluga nets?

22  
23 MR. SACCHEUS: Beluga nets, everybody  
24 used 21 inch stretch mesh and that's what they used 21  
25 inch stretch mesh and they never used more mesh because  
26 you just get -- mostly when you use small nets you get  
27 mostly grey ones and the young ones and it's better to  
28 get both then just -- I mean a calf and a mother. That  
29 way you won't be -- call them -- I think the little  
30 ones always -- if you take the mother and you leave the  
31 -- the little calf, that calf will come back and get  
32 caught again on your net, reset it.

33  
34 That's all I have.

35  
36 CHAIRMAN SMITH: Go ahead, Peter.

37  
38 MR. BUCK: I'm Peter Buck from White  
39 Mountain. This spring our ice in front of White  
40 Mountain went out undramatically. The water just came  
41 up a little bit and the ice rotted and then just left  
42 without any crashing or anything like that, it just  
43 kind of floated away and that's the first time that's  
44 happened in a long time, where the water didn't really  
45 come up but the ice just kind of melted and floated  
46 away.

47  
48 Our fish was satisfactory this summer.  
49 The weather was a lot better than it was last year and  
50 we did put away a lot of fish.

1                   No salmonberries, a few blackberries, a  
2 few cranberries.

3

4                   Our beluga harvest was satisfactory. I  
5 think everybody got what they wanted.

6

7                   And last year our river didn't freeze  
8 until November 10th or 15th. This year it froze  
9 October 4th, which is regular time to freeze. But  
10 we're just watching the weather to see if it's going to  
11 change. One time the ice froze on the 8th and we were  
12 out fishing on top of the ice and on the 11th we were  
13 boating again. So we're just watching the weather  
14 again this fall to see how it is.

15

16                   And that's all I have, thank you.

17

18                   CHAIRMAN SMITH: Okay. I guess that's  
19 the Council reports -- yes, go ahead.

20

21                   MR. GRAY: If you don't mind I'd like  
22 to add. One thing I heard earlier was snow conditions  
23 and then I never heard it again, is the Seward  
24 Peninsula had very little snow this year, very little  
25 snow. My bear -- my bear hunting this spring, the low  
26 lands melted out quick and then it got cold and slowed  
27 down and as a result, like Peter Buck was saying,  
28 everything went out just kind of in a fart, the rivers  
29 went out. But we had no snow. This is the first year  
30 I've seen this terrible of snow conditions.

31

32                   CHAIRMAN SMITH: Yeah, I think that  
33 snow -- lack of snow affected everything badly. You  
34 know, snow is really important here and I think I'm not  
35 seeing any rodents at all and the ptarmigan seem to  
36 have had a terrible year. I think snow is really  
37 important.

38

39                   The change in climate, the change in  
40 weather here is just impacting everything. It has an  
41 awful big impact on subsistence.

42

43                   That brings us to the .805(c) report,  
44 who's going to do that Bob.

45

46                   MR. LARSON: Well, that's usually you  
47 but it's.....

48

49                   (Pause)

50

1 CHAIRMAN SMITH: On Page 16 there's a  
2 letter from Tim Towarak, I suppose I should just read  
3 it then, is that usually the -- is that the best or  
4 just let the Council members read it them -- I'll just  
5 read it.

6

7

Dear Mr. Green.

8

9

10

Enclosed with this letter is a report  
of the Federal Subsistence Board nine  
consensus agenda action items at its  
April 15th, 2014 meeting regarding  
proposed changes to subsistence  
wildlife regulations and customary and  
traditional use determinations.

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29

In total the Board accepted the  
recommendations of the Subsistence  
Regional Advisory Councils, in whole or  
with modifications in 48 out of the 52  
proposals on the agenda. Details of  
these actions and the Board's  
deliberations are contained in the  
meeting transcripts. Copies of the  
transcripts may be obtained by calling  
our toll free number and are available  
on line at the Federal Subsistence  
Management Program Website.

30

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40

The Board uses a consensus agenda on  
those proposals where there is  
agreement among the affected  
Subsistence Regional Advisory Councils,  
a majority of the InterAgency Staff  
Committee and the Alaska Department of  
Fish and Game concerning proposed  
regulatory action. These proposals  
were deemed non-controversial and did  
not require a separate discussion.

41

42

43

44

45

46

47

48

49

50

There was one statewide proposal on the  
consensus agenda, WP14-01, trapping,  
which the Board rejected consistent  
with the Councils recommendations. The  
proposals on the consensus agenda for  
the Seward Peninsula region were WP14-  
36, Unit 23 muskox and WP14-41 Unit 23  
muskox, which the Board adopted  
consistent with the Council's  
recommendations.

1 The Federal Subsistence Board  
2 appreciates the Seward Peninsula  
3 Subsistence Regional Advisory Council's  
4 active involvement in and diligence  
5 with the regulatory process. The 10  
6 Regional Advisory Councils continue to  
7 be the foundation of the Federal  
8 Subsistence Management Program and the  
9 stewardship shown by the Regional  
10 Advisory Council Chairs and their  
11 representatives at the Board meeting  
12 was noteworthy.

13  
14 If you have any questions regarding the  
15 summary of the Board's actions please  
16 contact Alex Nick, Council coordinator.

17  
18 And, you know, I attended the April  
19 15th meeting and I am very impressed by the way the  
20 Federal Subsistence Board works. These consensus items  
21 were, you know, things that nobody disagreed with and  
22 so they just moved right through them, they just  
23 adopted them. And you never have anything like that  
24 with the State system. It really is, for rural people,  
25 a much better system. You know, and the State system  
26 -- the State system is so dominated by urban  
27 recreational hunters and fishermen, and the commercial  
28 fishermen and so I really think it's a very good  
29 system.

30  
31 Go ahead, Chuck.

32  
33 MR. ARDIZZONE: Mr. Chair. I was just  
34 going to say if you flip to Page 18/19, and 21 that  
35 gives you explanations of the Board's action and you  
36 can see, I think, for 38 and 39 it talks about why they  
37 didn't make the recommended changes that the Council  
38 recommended in that little justification paragraphs.  
39 So if you look on Page 19 under 14-38 there's a  
40 justification and that kind of explains why the Board  
41 didn't fully go along with the RAC's recommendation.

42  
43 CHAIRMAN SMITH: Okay. Maybe it would  
44 behoove us to go through those a little bit.

45  
46 MR. ARDIZZONE: Okay.

47  
48 CHAIRMAN SMITH: You know, you can read  
49 them yourself. But since I was there let's go ahead  
50 and talk about them.

1                   WP14-33. They -- hmm, the Board, in  
2 general, on our muskox proposals didn't adopt the  
3 season changes because they found that that would  
4 impact subsistence opportunity. You know, I think we  
5 could have done a better job of providing a background  
6 for that but I think we still would have had that  
7 problem because it does reduce opportunity without a  
8 strong conservation reason. The reason we recommended  
9 those changes, those delayed opening dates was that  
10 meat quality is poor in August, you know, that's  
11 something we all learned that rutting bulls in August  
12 are not very particularly good to eat, and so avoiding  
13 that would provide a better quality of meat for  
14 subsistence. We couldn't sell that as a conservation  
15 -- a conservation change and so that didn't pass. If  
16 we want to do it we need to do it through the regular  
17 regulatory process and we could submit proposals to do  
18 that.

19  
20                   MR. ARDIZZONE: Mr. Chair. I think  
21 you're exactly correct. I think, you know, the seasons  
22 had been established for a long time with those dates  
23 and the Board felt that, you know, limiting it down  
24 could affect some subsistence users who may harvest  
25 early so they -- that's the reason I think they kept  
26 the longer season.

27  
28                   CHAIRMAN SMITH: And also it makes  
29 Federal muskox hunting rules inconsistent with State  
30 rules, which is probably the biggest issue, in that,  
31 there's so little Federal land and most of the harvest  
32 is taking place on State land and that would create an  
33 inconsistency that would create a problem and it's also  
34 so hard to tell who's land you're on. And so it  
35 probably was the right thing to do, though, I think it  
36 would be best to not hunt muskoxen August, it's really  
37 not the way to go for meat quality.

38  
39                   Let's see what else did they do. I  
40 think that's it. Those were all the muskox. Well,  
41 we've got some crossover proposals. A crossover  
42 proposal is something that affects more than one  
43 region. And so even though these were not specific to  
44 the Seward Peninsula, we -- some of our communities  
45 might be affected by it, like hunting on the Mulchatna  
46 Caribou Herd. Some of those animals go onto the Yukon  
47 Kuskokwim Delta, it's conceivable that somebody from  
48 our region would be hunting those. And so we commented  
49 on those and they were adopted without objection.  
50

1                   So I guess you can just read those  
2 yourselves. The crossover proposals weren't  
3 particularly important to us, I didn't think, but we  
4 commented on all of them.

5  
6                   Are there any questions on that report.

7  
8

9                   (No comments)

10  
11                   CHAIRMAN SMITH: Hearing none, I guess  
12 we'll move on to the next agenda item.

13  
14                   Do we have our reply -- which page is  
15 the reply to our annual report?

16  
17                   MR. LARSON: It's on Page 23.

18  
19                   CHAIRMAN SMITH: Okay, on 23 you'll  
20 find -- you know, as the people who have been on the  
21 Council and for Scott's benefit, each year the Council  
22 drafts an annual report on what issues that we think  
23 are the most important and what we want the Federal  
24 Subsistence Board to do for us and the Federal  
25 Subsistence Board reviews our recommendations, not just  
26 in the annual report, but what we've done at meetings  
27 and then they respond telling us whether they were able  
28 to address our concerns or that they're not able to  
29 address our concerns and this is the response.

30  
31                   Maybe I should just go ahead and read  
32 it here.

33  
34                   Dear Chairman Green, and this is from  
35 Tim Towarak.

36  
37                   This letter responds to the Seward  
38 Peninsula Subsistence Regional Advisory  
39 Councils fiscal year 2013 annual  
40 report.

41  
42                   The Secretaries of the Interior and  
43 Agriculture have delegated to the  
44 Federal Subsistence Board the  
45 responsibility to respond to these  
46 reports.

47  
48                   The Board appreciates your effort in  
49 developing the annual report. Annual  
50 reports allow the Board to become aware

1 of the issues outside of the regulatory  
2 process that affect subsistence users  
3 in your region. We value this  
4 opportunity to review the issues  
5 concerning your region.  
6

7 Issue One.  
8

9 Generally decreased abundance and  
10 availability of fish and populations  
11 important to subsistence users in the  
12 Seward Peninsula and Norton Sound. The  
13 Council previously identified  
14 significantly reduced harvest  
15 opportunities throughout the Seward  
16 Peninsula and Norton Sound region  
17 resulting from declining moose, muskox,  
18 reindeer and caribou populations. The  
19 Council believes predation by brown  
20 bears and wolves may be contributing to  
21 reduce productivity and survival of  
22 these populations.  
23

24 Okay, and this is -- and we write --  
25 the Council urges the Board to work  
26 with the Alaska Board of Game and State  
27 and Federal agencies, the regional  
28 directors that sit on the Board, to  
29 reduce brown bear and wolf populations  
30 experimentally in order to evaluate the  
31 effectiveness of predator reduction  
32 strategies as a means of restoring and  
33 preserving a sustainable balance  
34 between predator and prey populations.  
35 The ultimate goal of this effort would  
36 be to fulfill the mandate of Title VIII  
37 of ANILCA to provide for continued  
38 subsistence opportunities by residents  
39 of this region.  
40

41 And the response from the Federal  
42 Subsistence Board is:  
43

44 The Board acknowledges that the  
45 Councils have raised the issue of  
46 revisiting predator control on several  
47 prior occasions. At the urging of the  
48 State of Alaska, the Board addressed  
49 the predator management policy during  
50 its June 8, 2013 work session in

1 Anchorage. During that meeting the  
2 Board reaffirmed the position stated in  
3 its predator management policy, which  
4 is based on regulation that the Federal  
5 Board administers the subsistence  
6 taking of wildlife for nonwasteful  
7 harvest of fish and wildlife by  
8 Federally-qualified rural residents  
9 consistent with the maintenance of  
10 healthy populations of harvested  
11 resources. Wildlife management  
12 activities other than the subsistence  
13 take of fish and wildlife like predator  
14 control and habitat management are the  
15 responsibility of and remain within the  
16 authority of the individual management  
17 agencies. As such the Board will  
18 forward your concerns to the  
19 appropriate land managers that are  
20 under the supervision of the regional  
21 agency directors who serve on the  
22 Board.

23  
24 And this jives nicely with what Bob  
25 told us this morning that, you know, all the Federal  
26 Subsistence Board can do is pass these concerns on to  
27 the agencies if we expect to have a Federal control.  
28 But at least we got our wishes on the record.

29  
30 Resource management jurisdictions  
31 affecting fish and wildlife resources  
32 in the Seward Peninsula and the Norton  
33 Sound region.

34  
35 The Council recognizes that the  
36 majority of land and inland waters in  
37 the Seward Peninsula and Norton Sound  
38 region are managed by the State of  
39 Alaska. Land and waters managed by the  
40 State are important for the taking of  
41 fish and wildlife for subsistence use  
42 along with commercial, sport and  
43 personal use.

44  
45 The migratory ranges of many of the  
46 fish and wildlife species that are  
47 harvested for these uses span areas of  
48 land managed by several State and  
49 Federal agencies. One of the most  
50 important ongoing issues for the

1 Council is the persistent long-term  
2 declines in Western Alaska salmon  
3 stocks and the concurrent decrease in  
4 salmon harvesting opportunity for all  
5 users. The causes of these declines  
6 are poorly understood. Understanding  
7 salmon ecology requires a comprehensive  
8 approach to research throughout the  
9 migratory range of the salmon  
10 populations, independent of land  
11 ownership patterns and agency  
12 jurisdictions. Currently some of the  
13 Federal research funding programs are  
14 limited to studies conducted on Federal  
15 lands.

16  
17 Which we also talked about earlier this  
18 morning.

19  
20 Now, here's the recommendation from the  
21 Federal Subsistence Board -- or the recommendation from  
22 the Council.

23  
24 The Council recommends the State and  
25 Federal fish and wildlife resource  
26 management agencies work cooperatively  
27 in managing fish and wildlife resources  
28 in the Seward Peninsula and Norton  
29 Sound regions. The Board, the Alaska  
30 Boards of Fisheries and Game, and the  
31 North Pacific Fishery Management  
32 Council should establish methods for  
33 communicating regularly and effectively  
34 in order to set regulations for  
35 comprehensive management of fish and  
36 wildlife populations throughout their  
37 ranges. Additionally, Federal funds  
38 should be made available for research  
39 studies of fish and wildlife  
40 populations in the Seward Peninsula and  
41 Norton Sound region whenever they occur  
42 independently of land ownership,  
43 particularly because funds for research  
44 are becoming increasingly limited.

45  
46 And here's the response from the  
47 Federal Subsistence Board.

48  
49 Some of the coordination you desire  
50 currently does occur but at the

1 Staffing level, not the agency director  
2 level. For example, OSM Staff  
3 regularly attend meetings of the North  
4 Pacific Fishery Management Council to  
5 monitor the activities of the Council.  
6 Communication does occur at the agency  
7 level but typically in the form of a  
8 letter, like recent letters that the  
9 Board has sent to the Council. There  
10 are several examples of working groups  
11 that have been established that provide  
12 for coordinated management efforts of  
13 specific populations, such as the Unit  
14 23 caribou Working Group; the Unit 17  
15 Moose Working Group; and the Fortymile  
16 Caribou Working Group. While good  
17 examples across jurisdiction  
18 cooperative management efforts, these  
19 efforts require the initiative of an  
20 organized or a group of individuals to  
21 get started, as well as funded.

22  
23 Currently the Fisheries Resource  
24 Monitoring Plan is the Federal  
25 Subsistence Board's sole vehicle for  
26 funding biological research and  
27 monitoring projects and exclusively for  
28 fisheries. Projects funded through the  
29 Fisheries Resource Monitoring Program  
30 must have a direct association to a  
31 subsistence fishery within a Federal  
32 Conservation Unit. This program has  
33 funded many projects where the fishery  
34 does not occur in Federal public waters  
35 but the information is linked to  
36 Federal public lands and provides  
37 information for Federal subsistence  
38 management decisions.

39  
40 In the past the Federal Subsistence  
41 Board has discussed developing Wildlife  
42 Research and Monitoring projects with  
43 the Regional Advisory Councils. Given  
44 stable or declining Federal budgets, if  
45 any Council wanted money dedicated to  
46 wildlife research and monitoring it  
47 would likely decrease the amount of  
48 funding available for fisheries  
49 research and monitoring. Many of the  
50 Regional Advisory Councils have

1 expressed concern about decreasing  
2 funding allocated to fisheries  
3 projects.

4  
5 In addition to the Fisheries Resource  
6 Monitoring Program, the Arctic Yukon  
7 Kuskokwim Sustainable Salmon  
8 Initiative, AYKSSI, could be a  
9 potential source for additional  
10 research. The AYKSSI is a proactive  
11 science-based program working  
12 cooperatively to identify and address  
13 the current salmon research needs  
14 facing the region. The AYKSSI is the  
15 largest example of a co-management of  
16 research funding addressing salmon  
17 within the Pacific Rim and one of the  
18 largest programs of its kind in North  
19 America.

20  
21 If you want to pursue this as a  
22 potential option, make sure to  
23 communicate your request to your  
24 subsistence Council coordinator.

25  
26 That's really not an option. The  
27 AYKSSI is a research -- scientific research funding  
28 organization and we can't just draft something on a bar  
29 napkin and send it to them, it has to be a well thought  
30 out, well designed program with the expertise to carry  
31 it out. And there's just no way that we can  
32 participate in AYKSSI. And unfortunately we haven't  
33 fared well at all with them. All the research money  
34 from AYKSSI is going down to the Yukon and Kuskokwim  
35 because there's such a serious problem there but we're  
36 just pretty much left out in the cold.

37  
38 So that's really not an answer for us,  
39 I don't think.

40  
41 And then the last issue from the  
42 Council was extra-territorial jurisdiction and we're  
43 going to get a report from Bob on that today.

44  
45 The Seward Peninsula Norton Sound  
46 region salmon stocks important to  
47 Federally-qualified subsistence users  
48 are taken as bycatch in Federally-  
49 managed groundfish trawl fisheries and  
50 intercepted and targeted mixed stock

1 commercial and subsistence salmon  
2 fisheries managed by the State of  
3 Alaska at locations many miles from  
4 their spawning grounds. The impacts of  
5 these harvests on individual salmon  
6 stocks and local subsistence harvesting  
7 opportunities are unknown and because  
8 of its magnitude the bycatch has the  
9 potential to adversely affect salmon  
10 stocks and harvest.

11  
12 Recommendation.

13  
14 The Council recommends that the  
15 Secretaries exert extraterritorial  
16 jurisdiction to reduce bycatch and  
17 intercept fisheries harvest on Seward  
18 Peninsula Norton Sound salmon stocks in  
19 order to preserve and sustain the  
20 subsistence salmon harvest  
21 opportunities for Federally-qualified  
22 subsistence users in the region.

23  
24 And here's the response from the  
25 Federal Subsistence Board.

26  
27 As you correctly noted, management of  
28 the Bering Sea groundfish trawl fishery  
29 is outside the Board's jurisdiction.  
30 The Federal Subsistence Board's  
31 jurisdiction on the Norton Sound Port  
32 Clarence area is limited with the only  
33 actively managed Federal subsistence  
34 fishery being the Unalakleet River.  
35 But it is the Secretaries, not the  
36 Board, that would exert  
37 extraterritorial jurisdiction.  
38 Extraterritorial jurisdiction is the  
39 way for the Federal government to reach  
40 into and exert management authority on  
41 on-Federal lands and waters where  
42 activities on those lands and waters  
43 are impacting subsistence on Federal  
44 public lands.

45  
46 There are two previous examples where  
47 parties petitioned the Secretaries to  
48 exercise extraterritorial jurisdiction,  
49 Area M, and Angoon.

50

1 In 2004 Secretary of the Interior Gale  
2 Norton declined to exercise  
3 extraterritorial jurisdiction in Area M  
4 noting a high threshold for  
5 justification would have to be met  
6 before a decision to extend  
7 jurisdiction beyond Federal lands is  
8 made, and that the Federal government  
9 would not interfere with State  
10 management unless there was a clear  
11 demonstration that the State's action  
12 constitutes a substantial and  
13 impermissible interference with the a  
14 Federally-protected right.  
15

16 As for the Angoon petition which was  
17 filed in 2012, the Secretaries have  
18 deferred action for three years to  
19 allow for development of a local  
20 solution through mediation by a neutral  
21 third party.  
22

23 The Board has established a procedure  
24 entitled -- procedures addressing for  
25 Secretarial extension of jurisdiction  
26 for the implementation of a Federal  
27 subsistence priority. If any party  
28 wishes to see the Secretaries exert  
29 extraterritorial jurisdiction they  
30 would have to follow the procedures set  
31 forth in that document, and it's  
32 enclosed.  
33

34 In closing, I want to thank you and  
35 your Council for your continued  
36 involvement and diligence in matters  
37 regarding the Federal Subsistence  
38 Management Program. I speak for the  
39 entire Board in expressing our  
40 appreciation for your efforts in our  
41 confidence that the subsistence users  
42 of the Seward Peninsula region are well  
43 represented through your work.  
44

45 So I think those are good responses.  
46 You know we've had these concerns for a long time and I  
47 think their responses are good.  
48

49 I think extraterritorial jurisdiction  
50 is something that's probably going to be coming, not so

1 much on our behalf but because of what's happened on  
2 the Yukon and Kuskokwim. Those are such serious  
3 problems that I think it's likely that -- well, I guess  
4 I don't know how likely it is, but there sure is a need  
5 for somebody else to step in and deal with bycatch and  
6 interception.

7

8                   Go ahead, Tom.

9

10                   MR. GRAY: Well, I guess I have a  
11 couple of questions for our coordinator.

12

13                   First off, these responses, I just get  
14 lost in the -- all this verbiage and stuff. I guess to  
15 me if we had just a little sentence that says here's  
16 our response, boom, instead of a page of response, that  
17 would really help me to understand what the issues are.

18

19                   And let me go back to the beginning,  
20 under Issue One, the recommendation is the Council  
21 urges the Board to work with Fish and Game, and their  
22 response, I guess in all these responses from the Board  
23 it was almost like, yep, there's something out there  
24 but good luck in a sense. And that's what I'm trying  
25 to figure out is, is in these responses, you know, I  
26 guess my thought is there needs to be some follow up  
27 here, where are we going to go from here. And if we  
28 just drop it then we've accomplished nothing.

29

30                   So, anyway, I'm throwing it kind of in  
31 your ballpark, where do we go from here.

32

33                   MR. LARSON: The issues that are  
34 important to Councils often have a process that they  
35 need to go through where you feel that there's an issue  
36 with predators, you know, impacting the -- I think it  
37 was the -- is it moose that we're talking about here,  
38 moose and muskox, reindeer, caribou.....

39

40                   MR. GRAY: Yeah.

41

42                   MR. LARSON: .....so the response --  
43 the suggestion by the Council is that we have this  
44 issue and our suggestion is, and I'm paraphrasing this,  
45 that they work with the State to do predator control.  
46 Well the response is, you know, clearly like I  
47 referenced, that they can't do predator control. So  
48 that puts the ball -- it doesn't put the issue to bed,  
49 what it does is it more clearly defines boundaries of  
50 that issue and who, in fact, is the appropriate person

1 to have that discussion with. Clearly it's not the  
2 Board. If you wanted to have a discussion of predator  
3 control with the State it's the State. If you wanted  
4 to do it on Federal public lands, then it's the land  
5 management agency, so it would be in your -- in your  
6 case it looks like it's the Bureau of Land Management  
7 or the Park Service. So those are the agencies. And  
8 what this response is, is frame the discussion so it  
9 puts a finer point on it, but it doesn't put it to bed  
10 and it doesn't seem like it's a, you know, solution, it  
11 just frames it a little bit better.

12

13 MR. GRAY: And I guess, you know, I've  
14 sat on this Board for years and years and there's a lot  
15 of times we get responses back like this and it's  
16 forgotten, it's dropped. And I'll give you an example,  
17 we talked about Federal lands up in the Bendeleben  
18 Mountains which would justify bringing in Federal  
19 dollars in doing studies in the Fish River and we  
20 requested that of the Board. I mean that went to the  
21 Board level and here I am five, six years later, I  
22 still have yet to see a dollar spent in Fish River. So  
23 that's why I'm kind of jumping on the bandwagon, waving  
24 a flag, okay, where do we go now. What -- we got the  
25 response and we know the issues but, you know, is it --  
26 is it justified for this Board to go straight to Fish  
27 and Game, do we have to go through the Board again to  
28 address this differently, the big Board, where do we go  
29 from here on issues, period.

30

31 MR. BUCK: Mr. Chair.

32

33 CHAIRMAN SMITH: Go ahead, Peter.

34

35 MR. BUCK: On Page 25 on the second  
36 paragraph, the last four lines on that second paragraph  
37 it says, if any Council wanted money dedicated to  
38 wildlife research and monitoring it would likely  
39 decrease the amount of funding available for fisheries  
40 research and monitoring. That seems like a no to me,  
41 you know.

42

43 CHAIRMAN SMITH: Well, Peter, I think  
44 it's just a recognition of the reality is that, you  
45 know, Federal funding -- Federal spending is being cut  
46 back because it has to be and I think that's just a  
47 recommen -- there's a limited -- the pie is getting  
48 smaller and you can only slice it so thin and so I mean  
49 that's just something we're going to have to live with.

50

1 Any other comments on this report.

2

3 Go ahead, Tom.

4

5 MR. GRAY: I keep coming back to this  
6 thing, where do we go from here?

7

8 MR. LARSON: Mr. Chair.

9

10 CHAIRMAN SMITH: Yeah, go ahead Bob.

11

12 MR. LARSON: I could respond  
13 specifically to your comments regarding the Fish River  
14 and, you know, I do not know where the Fish River is,  
15 but I don't think that's germane, but what is important  
16 is to realize that there is a pot of money and it can  
17 be allocated according to the preferences of the  
18 Council but there has to be some mechanism to do that.  
19 For instance if you wanted to have a wildlife program  
20 for some thing you'd have to recognize that you need to  
21 subtract it out of any monies that might be available  
22 for fisheries research. It's just a pot of money. And  
23 if you have priority needs, there'll be a place in the  
24 agenda later on to have that discussion, but if we were  
25 just talking about a specific item -- the way that the  
26 Fisheries Resource Monitoring Program works is that  
27 there is a need identified by the Council, it's  
28 prioritized, that need is advertised and then there has  
29 to be somebody that volunteers to do that project. If  
30 there's not a group, an agency, a mechanism, some  
31 person, some organization that is willing to actually  
32 do that project and if they don't submit a proposal,  
33 then that particular information need does not get  
34 addressed.

35

36 So there's this process of identifying  
37 a need, prioritizing that need, having funding  
38 available for those needs, those projects, advertising;  
39 but actually then you have to have somebody willing to  
40 step up and do them. If you don't have the  
41 investigative plan submitted for approval and  
42 valuation, then it doesn't go forward.

43

44 CHAIRMAN SMITH: I wrote the annual  
45 report this year and I spent quite a bit of time on it.  
46 I tried to get -- I tried to distill what we talked  
47 about down to three issues, you know, because it makes  
48 it manageable. And I'm pretty sure that we can take  
49 these issues and carve them into a stone tablet because  
50 they're always going to be our three main issues. And

1 we just -- and I agree with what you're saying, Tom, is  
2 we have to figure out a way to move forward. I'm not  
3 very satisfied with the response from the Federal  
4 Subsistence Board, you know, they're saying basically  
5 there's very little that they can do for us. And, you  
6 know, what you're saying, Bob, is that kind of that  
7 throws it back on to us but we're not able to get these  
8 things done, we can't get research -- we can't big --  
9 these are big research projects, these are not  
10 something that your high school class can go out and  
11 do, these are really expensive, really difficult  
12 research projects to determine what's going on with  
13 salmon, to determine why we don't have any moose with  
14 more. Those are expensive projects. And they would  
15 require professionals to do them, we don't have that,  
16 we don't have the infrastructure to do that.

17

18                   We really need some help from somebody.

19

20                   My goal in writing this and getting the  
21 response is to just show where that leaves us, we're  
22 just swinging in the wind like we have been for many,  
23 many years. These projects -- these problems didn't  
24 just emerge over night. There's been a steady decline  
25 in subsistence harvesting opportunity for a long time  
26 here and really when you come right down to it, very  
27 little is being done. All we're doing is counting fish  
28 and game and determining how bad the situation is.  
29 Counting harvests. You know, we're probably doing a  
30 better job of counting harvest and counting the  
31 resources but all that shows us is how badly we're  
32 doing in management. And so in order to manage we need  
33 scientific information, and we don't have it. And in  
34 order to manage we also need funding and personnel to  
35 do the management, and we don't have that either.

36

37                   And so there we are.

38

39                   And so, once, again, we get this  
40 response back that says, hey you guys are screwed. You  
41 guys are just screwed until something changes nothing's  
42 going to happen. And that's not a very good -- that's  
43 not a very satisfying answer for me.

44

45                   MR. ARDIZZONE: Mr. Chair. I  
46 apologize, I had to step out to make a phone call so I  
47 missed some of this conversation so if I'm off base  
48 just let me know.

49

50                   So my understanding is you were talking

1 about predator control and also the FRMP.

2

3                   So predator control, like you said it's  
4 -- the Council could write a letter to the land  
5 management agencies and request predator control and  
6 they can also request some sort of predator control  
7 program from the State but just, as you said, you know,  
8 because of funding and personnel I don't know what the  
9 -- you know, the probability of those is probably not  
10 very high, but that's about the next steps you could do  
11 for predator control.

12

13                   The FRMP, we're going to have a  
14 discussion later in the meeting on priorities. I mean  
15 the big thing there will -- the Council will have to  
16 clearly articulate what their priorities are or what  
17 they would like accomplished. I think Don will walk  
18 you through that and, you know, there's no guarantee on  
19 how the funding will go and who would step up to do a  
20 project. And that's the biggest problem we have. Our  
21 Staff doesn't do any of the research, our Staff just  
22 basically manages the projects, funds the projects so  
23 we have to have the needs that you want addressed, but  
24 then we also have to have, you know, another agency,  
25 you know, another entity step up to do the research and  
26 without that, that's kind of the Catch-22 we're in  
27 right now, and it's getting all the stars aligned for  
28 predator control and FRMP projects.

29

30                   CHAIRMAN SMITH: I hear what you're  
31 saying. Though, I think the only thing this Council  
32 can do is just continue to let everybody we can know  
33 that this is what we think needs to be done and,  
34 hopefully, somebody will step up because things don't  
35 seem to be getting better by themselves.

36

37                   MR. ARDIZZONE: Mr. Chair.

38

39                   CHAIRMAN SMITH: Go ahead.

40

41                   MR. ARDIZZONE: I was going to say, you  
42 know, we do have plenty of projects that are, you know,  
43 Native Corporations have stepped up with and paired  
44 with the University and stuff to do projects. I mean  
45 maybe there's -- you have some influence here in the  
46 area that you could get maybe someone from the  
47 University and a corporation or something to step up  
48 and pair together to try and pull a project together,  
49 you know, based on needs that are advertised in the  
50 call but, you know, besides that I'm not sure what else

1 we can do to help get a researcher up here.

2

3 MR. GRAY: Again, I guess, my  
4 question.....

5

6 REPORTER: Tom. Tom.

7

8 MR. GRAY: Again, you know, we've got a  
9 response back from the big boys and we have a wish list  
10 of things that we really didn't the response that we  
11 need so, you know, and I don't know what the job of the  
12 coordinator is but it seems to me that there's going to  
13 be a process that we take what we've got and turn it  
14 into something and go somewhere with it and, I guess,  
15 that's what I'm kind of fishing for here.

16

17 CHAIRMAN SMITH: Go ahead.

18

19 MR. LARSON: Mr. Chair, if I could  
20 address that directly. We will have a discussion of  
21 2014 annual report topics and I can provide you with  
22 some counsel on how to refine those recommendations  
23 such that people can actually act on them and I do have  
24 some suggestions and there are organizations here that  
25 maybe we could solicit some -- once we have our needs  
26 identified for the FRMP that, you know, there's people  
27 here that have contacts in the -- the non-profit  
28 corporation, you know, they might be looking for a  
29 project to do. There might be other, you know,  
30 organizations that I'm not that familiar with that you  
31 are that could be the responsible entities for doing  
32 the work, there could be partners. If you find  
33 partners with a little bit of money you can take  
34 Federal monies and combine it with State and other  
35 agency monies for -- you know to really amplify  
36 whatever the contributions you get from the FRMP  
37 process.

38

39 So, you know, there is a way. You  
40 know, it takes a little bit of thought but there is a  
41 way and it's a process, nothing gets done instantly.  
42 So we'll work through that and I can provide you with,  
43 I think, some advice that is appropriate when that time  
44 comes.

45

46 Thank you.

47

48 CHAIRMAN SMITH: Yeah, I think the  
49 problem, Bob, you know, I know you're new to this area  
50 but I think the problem here is, you know, there are

1 fewer than 9,000 people on the Seward Peninsula and we  
2 don't have the infrastructure, we don't have an  
3 independent Fish and Wildlife management unit, there's  
4 no, you know, -- there's no private non-profit that  
5 does fish and wildlife issues very effectively, you  
6 know, they don't have the ability to conduct studies,  
7 they don't have the ability to do predator control  
8 programs, they really don't even have the ability to  
9 recommend those programs in a way that will get it  
10 done. You know to get -- you know, that's the problem.  
11 We can't over -- there's a hurdle. In order to get  
12 something to happen you got to push it to the point  
13 where the agencies will take you seriously. We don't  
14 even have that level of infrastructure here. So all we  
15 can do is plead that these are needs, these are our  
16 needs. Somebody else is going to have to help us. If  
17 it gets done it won't be because local people do it, we  
18 just can't do it.

19

20                   You know, I could go independently and  
21 say these things to the agency people. Tom can do it,  
22 we can go talk to the Board of Fish, Board of Game, the  
23 Council, which we do, but it's not an organized enough  
24 effort that anything ever happens. You know, these  
25 problems have been going on for many, many, many years  
26 and we haven't made any progress that I can see.

27

28                   And so I don't know where I'm going  
29 with this but we do -- you know, we need some outside  
30 help and we're appealing to the Federal Subsistence  
31 Board to find us the help that we need.

32

33                   MR. ARDIZZONE: Mr. Chair. We  
34 understand the issues. We'll try and help the Council  
35 the best we can within the limits we have to help with  
36 these situations. I can't guarantee anything but, you  
37 know, while Robert's here, while I'm here, we can do  
38 what we can.....

39

40                   CHAIRMAN SMITH: Yeah.

41

42                   MR. ARDIZZONE: .....but I can't make  
43 any promises because, you know, there are rules and  
44 regulations we have to follow as well.

45

46                   CHAIRMAN SMITH: Yeah. Okay, well, I  
47 guess -- do you have anything else to say Tom.

48

49                   MR. GRAY: No.

50

1 CHAIRMAN SMITH: Anybody else.  
2  
3 (No comments)  
4  
5 CHAIRMAN SMITH: Okay, let's move on to  
6 the next item.  
7  
8 John, can you do that other stuff, do  
9 you want to give your -- we'll take (no microphone on)  
10  
11 Why don't you just step up and give  
12 these guys a -- John, I'm sure has got something that  
13 directly deals with the issues we've just been talking  
14 about.  
15  
16 MR. HANDELAND : Thank you, Mr.  
17 Chairman and members of the Board, welcome to Nome,  
18 good to see you all, and also to the Staff and agency  
19 coordinators that are here.  
20  
21 My name is John Handeland. I was born  
22 and raised in Nome. I am not a hunter or a fisher.  
23 But I enjoy those bounties from my friends and are glad  
24 that those resources are available in our area.  
25  
26 The issue that I'm here to talk about  
27 today is muskox. And it's something that you folks  
28 have addressed in the past and I'm pleased to see that  
29 it is in your annual report, that muskox and other  
30 subsistence resources in our area are being impacted by  
31 the wolf and bear population.  
32  
33 Nome has had several meetings here in  
34 the community. There has been an ongoing discussion on  
35 social media and we've -- I've -- I'm sorry that Tony  
36 and his folks can't be here today to hear this, from  
37 Alaska Fish and Game, but they're probably, as the  
38 Chairman said, out chasing muskox out of Nome, again.  
39 It has been a major and ongoing problem all summer  
40 long, or at least at the beginning of summer. We did  
41 have representatives from Alaska Fish and Game come up  
42 to Nome and basically they told us that it was a big,  
43 long argues process to get anything done about these  
44 issues.  
45  
46 They have been trying various  
47 techniques to move muskox away from the community but  
48 that still is not -- they're back. And, unfortunately,  
49 they were not here during the couple of weeks that Fish  
50 and Game actually sent representatives to Nome and I

1 think that it was one of those things where it wasn't a  
2 problem at the time so it didn't really impact the  
3 community and we just didn't have a huge turnout for it  
4 but we did spend a couple hours talking with State  
5 managers that managed to show up here about that issue.

6  
7           Bruce and Ann Davis were also present  
8 at this meeting and have repeatedly said that their  
9 reindeer herds are being impacted by bear and wolves  
10 and so it's not just an issue of folks within the  
11 community here that are having problems with muskox  
12 attacking animals, muskox being in the graveyard,  
13 muskox tearing down people's crosses and those types of  
14 issues. I've read that Deering has had similar  
15 problems, they've had problems in Unalakleet, it's not  
16 just a Nome issue, but it seems more so that in Nome,  
17 muskox coming right into our community is becoming a  
18 major, major problem.

19  
20           There have been numerous pets that have  
21 been killed while they've been chained to their front  
22 porches, and there have been folks, as they've been out  
23 walking on the roads with animals that the muskox have  
24 followed and endangered them. It's got to a point  
25 where parents who used to allow their children out to  
26 play in some of the surrounding areas, no longer feel  
27 safe to do that. And Fish and Game did say, yeah,  
28 predator control, doing something with bears is  
29 something that needs to be done, that muskox  
30 populations themselves are declining so they're  
31 reluctant to do anything about minimizing that  
32 population right in our area. And as Chairman Smith  
33 said, Nome on its own, does not have the ability to do  
34 studies and follow this argues and very cumbersome  
35 process that Alaska Fish and Game has in order to get  
36 anything changed or done in this process.

37  
38           It is very frustrating to this  
39 community, to myself, and I must say that I don't speak  
40 for everyone here, there are folks in the town that  
41 think wildlife and muskox in their backyard or their  
42 front yard is just fine, but there certainly is a  
43 segment of the population and I would say that the  
44 segment that dislikes them being here is probably  
45 bigger than those that like them and regardless those  
46 that dislike them are the vocal side that definitely  
47 feel that the potential in the future for something  
48 serious to happen can occur.

49  
50           I would recommend and request that this

1 Council, again, forward the issue that you raised in  
2 your annual report. Basically the State, I don't think  
3 they're really going to move unless the squeaky wheel  
4 continues to squeak and that might be the one that gets  
5 the grease. And by your continuing to advocate and  
6 note this as an issue in our region, I think it will be  
7 helpful, not just to Nome, but to the surrounding  
8 areas.

9  
10 I do understand that they've made some  
11 changes in the unit where bears around Unalakleet,  
12 where they can take more bear than they used to be able  
13 to, and in talking to some people from Unalakleet,  
14 they've seen a rebound on their moose. We would hope  
15 that that same thing could happen in other areas around  
16 here who are suffering from the lack of these  
17 subsistence resources, we're having to go even further  
18 away to hunt every year. You know, muskox were extinct  
19 and then reintroduced here. And the -- you know, 30,  
20 40 years ago, whenever they came in, if we had known  
21 what was going to happen today, I think that people  
22 would have been a little more vocal about, hell, no, we  
23 don't want them here.

24  
25 But they're here. They're good eating.  
26 I think there should be changes made to the regulations  
27 to allow for additional hunting of the muskox. And I  
28 am not in favor of them being exterminated altogether,  
29 but certainly to have them managed, to have them kept  
30 away from the community and anything that your  
31 organization can do to assist the -- with  
32 recommendations, to have Federal assistance in this  
33 would be greatly appreciated.

34  
35 You know, we get the same thing from  
36 the State, well, we just don't have the money, we don't  
37 have the resources, and we -- they actually did send  
38 some extra people into town, or at least one person  
39 here to Fish and Game to help herd these muskox out of  
40 town but they're out, two, four, six in the morning  
41 several days a week and there are other things that are  
42 important just as far as managing wildlife and insuring  
43 that we have the proper regulation of the -- all of the  
44 resources in our area. We can't have our biologists  
45 spending all their time chasing muskox out of this  
46 community.

47  
48 So with that, I appreciate you taking  
49 my testimony out of order and allowing me to take just  
50 a second of your lunch.

1                   But, again, appreciate the work that  
2 you do and I'm sorry that there aren't others from the  
3 community that are here today but I think that we also  
4 recognize and have trust and faith in the  
5 representatives that are on this Council. And, again,  
6 I really appreciate you being here and hearing my  
7 concerns.

8

9                   Thank you.

10

11                   CHAIRMAN SMITH: Thank you, John. Does  
12 anybody have questions for John.

13

14                   MR. GRAY: I just -- I don't have any  
15 questions but I have some support.

16

17                   Just yesterday we had probably 40  
18 muskox go by my house one of those muskox was eating  
19 grass that had grown right on the edge of the house  
20 where the skirting meets the ground. We go out and  
21 pull our dog in because we don't want the muskox  
22 killing him. I'm about ready to turn my dog lose on  
23 those muskox. I have a bear dog and I'm not worried  
24 about it getting hurt as long as it's loose, if it's  
25 tied up I do have a problem with it. But you are  
26 right, we need these animals -- I guess my thoughts  
27 are, why don't they have a management plan, especially  
28 when they're around Nome. There should be some kind of  
29 a management plan that they will address, okay, they're  
30 inside of the Nome River, we're going to Plan B, or  
31 Plan C or D or whatever it is. You know these animals  
32 -- I ran reindeer for 25 years and if I wanted my  
33 reindeer in a certain place I would start three months  
34 ahead and put them in that place to keep them there.  
35 They should be pushing these animals in March, getting  
36 them down by Solomon or somewhere on the road system  
37 that they're happy so they can see them but get them  
38 away from Nome. I sit on the Board Advisors for Fish  
39 and Game and I've told those guys if one of my  
40 grandkids gets hurt I'll kill every one of those  
41 animals on that mountain. And, you know, there's no  
42 reason for it. A little bit of planning, they could  
43 get these animals out of this area.

44

45                   So I appreciate you coming to us and  
46 bringing this out and I would like to see us do  
47 something, whether it's in writing or whatever, you  
48 know, continue to address this thing.

49

50                   MR. HANDELAND: And it did sound like

1 -- as I mentioned before, the State was going to go  
2 back and see what they could do as far as getting some  
3 additional resources to try to do some management. I  
4 mean I do want to thank Tony Gorn and his Staff here  
5 for their efforts. I think they've been diligent in  
6 trying to move them away but to get an actual plan in  
7 place and any regulation changes that might need to be  
8 done, you know, they -- they can do all kinds of things  
9 by emergency order, I don't know why they can't get  
10 these darn animals out of the community by emergency  
11 order if there's something else in the process that,  
12 you know, it shouldn't take a year, or two or three to  
13 address a problem, you know, and especially when it has  
14 impacted numerous people, numerous families and  
15 numerous pieces of property.

16  
17 CHAIRMAN SMITH: Any other comments or  
18 questions for John.

19  
20 (No comments)

21  
22 CHAIRMAN SMITH: Well, you know, thanks  
23 for coming in. I think you pretty much addressed the  
24 concerns. This has been a real lively debate on  
25 FaceBook and it's -- you know I don't know that having  
26 more people say the same thing would help. The  
27 solutions are not easy that's the problem. Actually we  
28 do have a muskox plan. The plan was developed before  
29 any of this happened. I started studying muskox in  
30 1972, I got a Master's Degree on muskox behavior,  
31 studying muskox behavior on Nunivak Island. I never,  
32 in a million years, would have anticipated this  
33 happening. It hasn't happened any place else in the  
34 world. Something has come together, you know, and  
35 there's a lot of speculation, you know, the idea that  
36 the bears and wolves are driving them into town. It  
37 could be true but it's still, who knows. You know,  
38 unless the muskox tell us why they come into town we'll  
39 never really know.

40  
41 I think it's really a bad idea to set  
42 your dog on them. I think that's the problem. I think  
43 that really is the problem, is that, too many --  
44 they've been chased too many times by loose dogs,  
45 there's a lot of loose dogs around Nome and I think  
46 they've just had enough of it, you know, that they  
47 don't like being harassed by dogs and they can do  
48 something about it. Because this doesn't happen  
49 anyplace else. There's no place like Nome.

50

1                   It's a terrible -- it's a serious  
2 problem, I agree with you. I wouldn't like having my  
3 dog attacked and we got to do something, I just don't  
4 know what it is, John.

5  
6                   MR. HANDELAND: Thank you, again, for  
7 your time. Appreciate it.

8  
9                   CHAIRMAN SMITH: Well, with that we  
10 probably should take a lunch break.

11  
12                   The restaurants are kind of slow so  
13 let's see, 12:40, should we come back at 2:00 o'clock  
14 -- okay, we're recessed until 2:00 o'clock then.

15  
16                   (Off record)

17  
18                   (On record)

19  
20                   CHAIRMAN SMITH: Okay, you guys ready.

21  
22                   (Pause)

23  
24                   CHAIRMAN SMITH: I guess I'll call the  
25 meeting back to order.

26  
27                   This brings us to the Chair's report.  
28 And I'm going to say stuff that I've said before but I  
29 think it deserves saying again.

30  
31                   Well, let me start out by saying, I  
32 went to the April Federal Subsistence Board meeting and  
33 it was one of the most disturbing things, I think, that  
34 I've ever participated in in a body like this. And  
35 what we did is shut down the subsistence fishery on the  
36 -- shut down king salmon fishing on the Kuskokwim River  
37 to everybody except qualified Federal subsistence  
38 users.

39  
40                   Now, the interesting thing about the  
41 way Federal Subsistence Board works is that the RAC  
42 Chairmen are at the table. We're almost on a par with  
43 the Federal Subsistence Board people, you know, we sit  
44 at the table, we talk during discussion periods, we  
45 don't get to vote. So I felt like I was part of it and  
46 I hated it. I hated every minute of it, you know, the  
47 -- that was the largest king salmon subsistence fishery  
48 in the world. They took 250,000 king salmon a year up  
49 until just a few years ago. You know, 250,000 king  
50 salmon harvested and now it's done. And there's no

1 reason to think that it's ever going to get better,  
2 that's the sad thing. Productivity down, you know,  
3 they've got the same problems we got here. Nobody  
4 knows exactly what's happening. Production is very  
5 low, you know, they're barely -- the fish are barely  
6 replacing themselves, nobody knows what to do. And we  
7 have, you know, reduced bycatch somewhat in the pollock  
8 trawl fisheries, but really nobody knows what to do,  
9 there's no commercial fishing down there anymore, there  
10 may never be commercial fishing down there anymore and  
11 subsistence is really, really restricted.

12

13                   And I mean I just -- I just can't  
14 believe this is happening, really. I never -- you  
15 know, I spent some time on the Kuskokwim and I never in  
16 a million years would have thought that this would  
17 happen.

18

19                   So, anyway, I mean it's -- what  
20 happened here is bad and we're not even on the radar  
21 anymore. It's been -- we've been depleted -- our  
22 salmon stocks have been depleted for so long that  
23 everybody thinks that this is normal for Norton Sound.  
24 Norton Sound used to be one of the big producers of  
25 salmon. It was the big producer for pink salmon. And  
26 now it's not. And the problem is spreading. It spread  
27 to the Yukon, it spread to the Kuskokwim. It's all  
28 over Western Alaska, and I don't see that we're doing  
29 anything effective about it now.

30

31                   I just spent the last week repairing my  
32 roof on my shop and what happens is, you know, I've got  
33 these little strips of foam rubber in the ridge cap  
34 that keeps the snow out, you know, and the doggone  
35 ravens in there and they pick all that foam out and  
36 then the snow gets in and so this is the third time  
37 I've done it and it's a big job. And so as I was  
38 working up there I was making a list of all the  
39 wildlife -- fish and wildlife populations that are  
40 important to subsistence users around here that are  
41 good and the ones that are bad, in my mind, you know,  
42 and ravens are abundant. We've got lots of ravens  
43 here. We've got lots of gulls. There's very good gull  
44 populations. We've got a lot of grizzly bears, you  
45 know, that's been -- not many people understand that,  
46 that was a wildlife management success story. You know  
47 three guys Sterling Miller, Harry Reynolds, and Chuck  
48 Schwartz, you know, decided that they were going to  
49 increase grizzly bear numbers in Alaska and they were  
50 very successful. They were a couple of Bob and my

1 peers in school and they were very successful. They  
2 managed to bring grizzly bear populations, which were  
3 very depleted at statehood because of predator control  
4 programs, very depleted, back up to, you know, maybe  
5 close to carrying capacity now. They seem -- I don't  
6 know if they're growing or not but there's a lot of  
7 bears around there's no question about that. There  
8 weren't a lot of bears at the time of statehood. They  
9 had Federal wildlife control agents out here poisoning,  
10 aerial guiding predators on the Seward Peninsula up  
11 until the '50s to protect reindeer, and so they reduced  
12 everything. They were putting out poison bates, they  
13 were putting out these little coyote getters that, you  
14 know, have cyanide in them and putting out -- dropping  
15 strychnine baits out of aircrafts and gunning wolves  
16 from the air and there were no wolves and no bears and  
17 plus the reindeer herders and the miners were killing  
18 predators every opportunity, too, and so there were no  
19 -- there were no predators and things really boomed.  
20 We had a lot of big game -- large mammal game animals.  
21 When I first came to the Seward Peninsula in 1980 this  
22 was the best place in the state for moose hunting,  
23 there were a lot of moose here. Moose were fairly new  
24 in the area. They'd come in in the '70s and they found  
25 abundant food resources and they really, really boomed.

26

27                   Back to my list.

28

29                   We've got a lot of beavers. Beavers  
30 are another new species, they're exploiting an untapped  
31 habitat, they're doing pretty well.

32

33                   We've got quite a few killer whales.  
34 Nobody's hunting killer whales and they seem to be  
35 quite abundant.

36

37                   We've got a lot of foxes. They kind of  
38 cycle naturally, there's really no harvest on foxes to  
39 speak of.

40

41                   We have -- we have increasing numbers  
42 of wolves. You know when I first came here I'd fly --  
43 you know, I was flying lots of hours doing wildlife  
44 surveys, I'd go about three years without seeing a  
45 single wolf. Now, all of a sudden I can go out right  
46 now and find a wolf pack, no problem, I mean there's  
47 just a lot more wolves than there used to be. I don't  
48 think they're really extremely numerous but there's  
49 quite a few -- there's a hell of a lot more than there  
50 used to be.

1                               We've got herring. Lots of herring.  
2 And we've got a lot of tomcods.  
3  
4                               Now, can anybody think of anything else  
5 on the list that's really good out here, any fish or  
6 wildlife population that's really abundant out here  
7 because I really can't.  
8  
9  
10                              (No comments)  
11  
12                              CHAIRMAN SMITH: But if you notice on  
13 this list, a lot of these things are predators. You  
14 know, a lot of the animals that are abundant here are  
15 predators.  
16  
17                              You go to the other side, the things  
18 that are bad, moose, reindeer, caribou. You know, the  
19 Western Arctic Herd is plummeting, you know, it's --  
20 and nobody knows why, again, the numbers are going way  
21 down and going down fast. We've seen this before. We  
22 saw this in the mid-70s, the Western Arctic Herd was  
23 down to, you know, 76,000 animals possibly.  
24  
25                              There's no mountain sheep at all.  
26  
27                              Muskoxen. The muskox population is  
28 declining rapidly.  
29  
30                              All the ice seals are either listed as  
31 threatened or being considered to be listed as  
32 threatened, and that would be ring seals, ribbon seals,  
33 bearded seals and spotted seals.  
34  
35                              Walrus are half of what they were in  
36 1980. I participated in a walrus survey, a range-wide  
37 walrus survey in 1980, they're half what we estimated  
38 them to be in 1980 according to the latest information,  
39 for what good it is, those aren't great counts, but  
40 there's no doubt that the walrus population is way  
41 down.  
42  
43                              King salmon on the Seward Peninsula are  
44 going extinct and looking really bad every place.  
45  
46                              Chum salmon have never recovered,  
47 despite what you might see in the press releases, these  
48 -- you know, the commercial fishermen got 118,000 chum  
49 salmon this year, that's not a good harvest. You know  
50 124 permitholders, 118,000 fish, do the math, you know,

1 you can't make a living at that.

2

3                   Silvers are off and on. Our target  
4 goal is a commercial harvest of 100,000, they got  
5 54,000 this year, about half what we targeted.

6

7                   Scott, you know, you've got access to  
8 good waterfowl migrations and so you see a lot of  
9 waterfowl, but I see the resident waterfowl -- it seems  
10 to me that the numbers are way down and, you know, I  
11 was hoping that somebody from the Fish and Wildlife  
12 Service would be here to tell us if they have any  
13 counts. I kind of doubt that they do, I don't think  
14 they count waterfowl in this area. But it looks to me  
15 like the resident waterfowl are down.

16

17                   So those are my two lists.

18

19                   The bad is much worse than the good.  
20 There's a lot more important species for subsistence  
21 users on the bad list than there are on the good list,  
22 and we're not doing nearly enough about it in my  
23 opinion, neither the State nor the Feds are actually  
24 managing wildlife in a way that convinces me that we're  
25 going to be harvesting a lot more of anything in the  
26 near future unless it's bears. You know everybody  
27 wants us to harvest more bears and you can do that if  
28 you want to but I don't particularly want to.

29

30                   And what I'm proposing for the future  
31 is a salmon hatchery program for the Bering Sea. We  
32 haven't had one, they've been very successful in other  
33 parts of the state. Fish and Game seems to want to  
34 draw the line at the Alaska Peninsula. You know, there  
35 are no -- we have the only hatchery -- we've got a  
36 little hatchery up here 16 miles north of here, the  
37 only hatchery in the entire Bering Sea, as strange as  
38 that may sound, there's just -- the Russians don't even  
39 have one. And I don't think Fish and Game, the people  
40 that are calling the shots at Fish and Game really want  
41 a hatchery program in the Bering Sea, but they haven't  
42 actually said that. So, anyway, I think that's what  
43 we're going to have to -- the way we're going to have  
44 to go, whether that's the answer for the Yukon and the  
45 Kuskokwim king salmon, I don't know, it's a tall order.  
46 But I don't know that anything else, just continuing to  
47 count fish and hope that things will improve on their  
48 own, I don't think that's a very good plan.

49

50                   And I think we need some form of

1 predator control. And I wouldn't say that we're ready  
2 to go to a predator control program per se, I think we  
3 need to do some kind of applied research first. We  
4 know that we've got a productivity problem with all the  
5 wildlife species, moose, reindeer, caribou, everything,  
6 muskox and they're all having a hard time producing  
7 calves that survive. That could be predation, it could  
8 be something else. I think what we need to do is to  
9 designate an area and do a predator removal program and  
10 see how that affects reproduction. And so I'm going to  
11 be pushing for that in the future.

12

13 Well, that's my report.

14

15 Anybody have any questions.

16

17 (No comments)

18

19 CHAIRMAN SMITH: Apparently not. Go

20 ahead, Bob.

21

22 MR. LARSON: Thank you, Tim. There's a  
23 couple of things that I wanted to mention.

24

25 The first is that there is some  
26 brochures on the back table that deal with the student  
27 art council [sic] so I would encourage members of the  
28 Council to pick up some materials, bring it back to  
29 your communities and hopefully we could have lots of  
30 entries in the student art council [sic]. Those are an  
31 activity that the Board values and they make a big deal  
32 out of it at their winter Board meeting. So if you  
33 could pick up an application and encourage some young  
34 people in your communities to participate that'd be  
35 great.

36

37 The other is that you have a Council  
38 member that has served 20 years on the Council and  
39 Chuck Ardizzone has a few words for Elmer Seetot.

40

41 CHAIRMAN SMITH: Oh, yeah.

42

43 MR. LARSON: And a small token of  
44 recognition for him.

45

46 CHAIRMAN SMITH: By all means, go  
47 ahead, yes.

48

49 MR. ARDIZZONE: Mr. Chair. I just  
50 wanted to say, you know, thank you to Elmer and thank

1 you to all the RAC members. Your participation in this  
2 program is very important. The Board looks forward to  
3 your recommendations, you know, you guys are the people  
4 on the ground that know what's happening out here, the  
5 Board sits in Anchorage so your opinions and your  
6 recommendations are very important and we appreciate  
7 everybody. But I'm here to say we especially  
8 appreciate Elmer today for his 20 years of service and  
9 I have a couple gifts for him from our office. There's  
10 a print from the student art contest and a nice knife,  
11 hopefully it will be used in your subsistence  
12 activities.

13

14 MR. SEETOT: Okay.

15

16 CHAIRMAN SMITH: Was this the winner of  
17 the.....

18

19 MR. ARDIZZONE: This one, I'm afraid to  
20 take it out because -- but I'm not sure if this was the  
21 winner but I think it's one from this region but I  
22 don't want to take it all the way out because of the  
23 packaging here so thank you very much for your  
24 participation.

25

26 (Applause)

27

28 CHAIRMAN SMITH: Take it out.

29

30 MR. GRAY: There you go.

31

32 MR. ARDIZZONE: It says presented to  
33 Elmer Seetot, Jr., on October 7th, 2014 in recognition  
34 of 20 years of service on the Seward Peninsula RAC and  
35 a lifetime of dedication to subsistence in the region.  
36 And like I said I'm not sure, I think this is from up  
37 here in the region, if I'm not mistaken.

38

39 (Applause)

40

41 MR. SEETOT: Thank you very much.

42

43 MR. ARDIZZONE: You're welcome.

44

45 CHAIRMAN SMITH: I got a question for  
46 you, Elmer, what prompted you to initially get on the  
47 RAC?

48

49 MR. SEETOT: I guess with this  
50 observation of wildlife in our area and then looking at

1 conflicting reports, you know, like Fish and Game  
2 saying this number is this and that or the numbers are  
3 off a little ways, I think our area 22D, Subunit 22D  
4 has had a lot of resources that are being used by  
5 everyone within the state of Alaska, pretty much I'm  
6 talking about Imuruk Basin.

7

8 CHAIRMAN SMITH: Yeah.

9

10 MR. SEETOT: That is an important  
11 resource area, along with across -- or south of Port  
12 Clarence Bay there's a strip that is a major waterfowl  
13 area during the spring and falltime. And also a  
14 staging area for all these wildlife resources, and then  
15 also Port Clarence Bay is also a resting stop for all  
16 the ice seals that come and go during their migration.

17

18 Anyway, just to, I think, preserve what  
19 was said to me over the years and then, you know, try  
20 to put it into regulation or at least on record. I  
21 have said a lot about traditional ecological -- TEK,  
22 you know, that it's not being used or it's not being  
23 used with Western Science. So what we have seen a lot  
24 is reports from community members not being taken  
25 seriously by the scientific community and I thought  
26 this would be a forum to address most of the issues  
27 that the State really can't resolve or just say, oh, i  
28 think we'll just skip that procedure because you are  
29 exclusive use for the resource, we'll give that -- you  
30 know, it's pretty much just for the state of Alaska  
31 that they have, you know, a one track mind on that, but  
32 just to preserve resources for our younger generation.  
33 I have participated in many food gathering activities,  
34 whether it be plants, berries, or hunting or fishing  
35 from land, sea or air.

36

37 So my main focus was just pretty much  
38 keep these areas intact and without the help of the  
39 Seward Peninsula Regional Advisory Council, that that's  
40 pretty hard to do because each region has its own  
41 unique characteristics of wildlife resources, they have  
42 their own knowledge of the area that they use and with  
43 that they're able to put a picture on the whole  
44 southwest community.

45

46 But I still say if you want the muskox  
47 population to disperse, you know, you just argue about  
48 the resource, that's TEK. The more you use the more it  
49 will be there for you, the more you argue about it,  
50 that's what I think. In some instances that these

1 issues aren't being resolved, because it not only  
2 pertains to Alaska Natives, it pretty much pertains to  
3 everyone in general, except they have a different  
4 perception on what is waste not, want not, stuff like  
5 that.

6

7 But I'd like to thank the RAC over the  
8 years, you know, even though there's been a lot of  
9 members. I told Alex that this would be my last year  
10 to at least trying to be on the Federal Subsistence  
11 Board -- I mean on the Seward Peninsula Regional  
12 Advisory Council, and I thank you very much.

13

14 CHAIRMAN SMITH: Thank you. That's a  
15 lot of years.

16

17 That brings us to public and tribal  
18 comments on non-agenda items.

19

20 (No comments)

21

22 CHAIRMAN SMITH: I don't think we have  
23 anybody here.

24

25 So is there anybody that wants to  
26 comment as a member of the public.

27

28 (No comments)

29

30 CHAIRMAN SMITH: That brings us to old  
31 business, customary and traditional use determination,  
32 an update from -- who's going to give that -- okay.

33

34 MS. INGLES: Good afternoon, Mr. Chair,  
35 and Council members. I'm Palma Ingles. I am the  
36 coordinator for the Partners for Fisheries Monitoring  
37 Program, and I'm also an anthropologist at OSM.

38

39 And normally I work with the  
40 Northwestern Interior RAC but since I am coming here to  
41 present information on the Partners Program, I am going  
42 to read the statement that Pippa put together for this  
43 on customary and traditional use determination.

44

45 If you look in your book on Page 30 we  
46 have a chart that explains a little bit of it, although  
47 it's still a little bit confusing, even to me. First  
48 off let me say this is not an action item. This  
49 presentation is to tell you where the Federal  
50 Subsistence Management Program is in its review of the

1 customary and traditional use determination process.

2

3 In 2010 the Secretary of the Interior  
4 asked the Federal Subsistence Board to review with the  
5 Councils input the customary and traditional use  
6 determination process and present recommendations for  
7 regulatory changes. In 2011 all 10 Regional Advisory  
8 Councils reviewed the process. Nine of the 10 Councils  
9 recommended no change to the process, however, that  
10 said, the Southeast Council asked the other nine  
11 Councils to review the customary and traditional use  
12 determination process once again, which they did, in  
13 2013 and in 2014.

14

15 In the fall of 2013 your Council here  
16 for the Seward Peninsula adopted a motion to eliminate  
17 customary and traditional use determinations, instead,  
18 use, when necessary, ANILCA .804 criteria.

19

20 These two processes are described on  
21 Page 30. If you look in your book we have a chart and  
22 so we've tried to lay it out to show you what the  
23 difference is between .804 and the C&T process.

24

25 So at your winter 2014 meeting the  
26 Southeast Council submitted its proposal to the Federal  
27 Subsistence Board to make changes to the customary and  
28 traditional use determination process. The letter  
29 begins on Page 31 of the Council book, where they made  
30 their proposal. So in the winter of 2015 OSM Staff are  
31 planning to present an analysis of the Southeast  
32 Council's proposal to all 10 Councils for their review  
33 and recommendation to the Federal Subsistence Board.  
34 In 2015 the Federal Subsistence Board may decide to  
35 make a recommendation to the Secretary of the Interior  
36 and the Secretary of the Agriculture to change the  
37 process for all 10 Councils, from using customary and  
38 traditional use determination and change that out for  
39 an .804 process.

40

41 So that concludes my report.

42

43 CHAIRMAN SMITH: Are there any  
44 questions.

45

46 (No comments)

47

48 CHAIRMAN SMITH: Well, you did a great  
49 job of summarizing it.

50

1 Do we have anything coming up for this  
2 area that you know of for C&T determinations.

3  
4 MS. INGLES: Mr. Chair. I do not know  
5 the answer. Chuck is sitting down beside me so I  
6 assume he does.

7  
8 MR. ARDIZZONE: Currently there's no  
9 C&t determination proposals. I mean if there was it  
10 would be in the book at this time. I don't believe any  
11 of the fishery proposals address C&T. And then, you  
12 know, currently there's no wildlife proposals in to  
13 change any C&t.

14  
15 But, you know, this is a pretty  
16 important issue. You know, the Southeast Council  
17 believes that we should just do away with the C&ts and  
18 use the .804 process as defined in ANILCA. Some  
19 Councils, I think, support that idea, others don't. It  
20 varies and that's why they're trying to do an analysis  
21 of Southeast's proposal and bring that back to the RACs  
22 at their next meeting so they can support, modify or  
23 whatever the RAC would like to do for this region or  
24 what they recommend for the whole state. I mean  
25 there's kind of a, I guess, a dichotomy among the  
26 different Councils because some Councils really like  
27 C&T and others would prefer to do the .804 process,  
28 which is, like I said, defined right in ANILCA and not  
29 in our regulations -- well, it is in our regulations  
30 but it's pulled from ANILCA directly.

31  
32 CHAIRMAN SMITH: If I recall correctly  
33 we didn't support Southeast's proposal last round and  
34 did they change it at all.

35  
36 MR. ARDIZZONE: Mr. Larson would know  
37 better than I but I do believe the Council tweaked what  
38 -- or at least came up with some language, some  
39 recommended language, I don't know if that was before  
40 the Council's last meeting or not, but I think it was  
41 more a question of should we go to .804 versus C&T this  
42 time, and I think Southeast actually has some proposed  
43 language, I believe.

44  
45 MR. LARSON: And, Mr. Chair, I was  
46 looking for the proposed language and it -- I was just  
47 trying to become familiar with where exactly it is, but  
48 if you look on Page 31 in the third paragraph, it talks  
49 about what it is the Southeast Council would like the  
50 Board to do and what it is that -- what powers that the

1 Councils should have regarding a customary and  
2 traditional use determination.

3

4                   As a background, what the Southeast  
5 Council found particularly disturbing was that how the  
6 C&T determinations -- first of all, why they were being  
7 made, you know, it's a carryover from a State process  
8 that has really little relevance to the Federal  
9 process. So they've taken a regulatory suite of  
10 proposals that talks about determining a  
11 characterization of an activity under State law and  
12 under State law it's a huge effect, because it  
13 determines whether or not those activities by those  
14 people are protected by their subsistence statute. So,  
15 in fact, do those activities have a preference or not.

16

17                   So under the State rules you have this  
18 fairly rigorous exercise to determine whether or not  
19 those activities in that place by those people are, and  
20 they've done away with the people, but those activities  
21 in that place should be protected and given a  
22 preference.

23

24                   So that's the reason that they do that  
25 under State rules. But what the Federal government has  
26 done i incorporated those rules into ours but we don't  
27 have that reason to do a C&T because the statute Title  
28 VIII of ANILCA already says rural residents will have  
29 preferential use for consumptive use of fish and  
30 wildlife plus all those other reasons on Federal public  
31 lands.

32

33                   So why do we do them. Well, we do them  
34 because we have the regulations. What are the effects.  
35 The effects is that they're used to exclude other  
36 members, well, it's a closure. But that's not the -- I  
37 mean the Southeast Council said, well, if it's a  
38 closure well let's not call it a C&T, let's call it a  
39 closure. If we want to close an area to some other,  
40 you know, if we want to have a C&T for Stebbins and not  
41 for Teller, if we have a C&T for Stebbins and not for  
42 Teller, then we close it to all residents of Teller.

43

44                   CHAIRMAN SMITH: Uh-huh.

45

46                   MR. LARSON: If that's what we want to  
47 do let's call it that, let's not call it something  
48 different.

49

50                   So, anyway, that's the basis and the

1 background for the Southeast Council's concern, is  
2 that, the result of the C&T determinations are a series  
3 of closure and they may or may not be necessary. They  
4 may be closure in times of abundance. They're not  
5 based -- none of the criteria is really based on  
6 abundance.

7

8 So that's kind of the background.

9

10 And where we are now, or where we had a  
11 joint meeting with the Southcentral Council last spring  
12 and as a result of that the Southeast Council wrote the  
13 letter that you see on Page 31 that talks about the C&T  
14 determinations, they should be specific to the regions,  
15 restrictions should be not automatic, but instead  
16 reflect the instructions that are given in .804, C&T  
17 determinations should be -- well, it starts on Page 31  
18 and the actual language is on -- is it on Page 35 or  
19 36.

20

21 MR. ARDIZZONE: Robert, Page 36 shows  
22 edited language.

23

24 MR. LARSON: Oh, yeah, so that is, in  
25 fact, what the regulation would look like, is on Page  
26 36. But that's what it's for.

27

28 And Pat Petrivelli is very cognizant of  
29 exactly what this means and how it's -- and the issue  
30 itself because the issue itself is really hard to get  
31 your head around. It's very confusing to even those of  
32 us that have talked about it for a long time.

33

34 CHAIRMAN SMITH: Go ahead, Pat, you're  
35 up.

36

37 MS. PETRIVELLI: I just wanted to add  
38 something, just besides -- I mean, Bob gave a good  
39 explanation of the Southeast proposal, but I think  
40 there was some confusion with what Pippa read -- or  
41 what Palma read what Pippa wrote, that she -- that  
42 Pippa wrote that your Council wanted to give up C&Ts  
43 and do the .804, and that's not what the minutes say  
44 and that's not what the transcript says, but that you  
45 like -- you said that you like the C&t determination  
46 process as it was and the status quo.

47

48 CHAIRMAN SMITH: Right.

49

50 MS. PETRIVELLI: But this Southeast

1 proposal allows those regional variations so that each  
2 region that wants the status quo could keep the status  
3 quo, and that analysis has to occur to see if that's  
4 possible, if there could be regulatory language that  
5 would be developed that would say one region could do  
6 this, and another region could do that, you know,  
7 Southeast could get rid of C&T if they wanted to, and  
8 Seward Penn and all the other regions that want to keep  
9 the status quo could keep it. So OSM Staff and other  
10 people have to look at that proposal and see how the  
11 regulatory language would actually -- I mean Southeast  
12 has written some proposed language but we would have to  
13 look at the actual effect of that language and see how  
14 it would be implemented and what other implications  
15 would be in there, if it's possible to really allow  
16 such a sweeping change to have such extreme variation.

17  
18 I mean there is pretty liberal  
19 variation now because the Federal Board listens to each  
20 separate region and their recommendations and each  
21 separate region has their own way of looking at C&T.  
22 So in practice there is regional variation. But what  
23 Southeast wants to do is put it in regulations and have  
24 it recognized.

25  
26 But I just wanted to clarify that your  
27 region did say they liked the status quo.

28  
29 CHAIRMAN SMITH: What does the Federal  
30 Solicitor say about this. It seems like there might be  
31 due process, or 14th Amendment issues here, you know,  
32 we have different ways of doing things under Federal  
33 regulations in different areas.

34  
35 MS. PETRIVELLI: Well, I think region  
36 variation might be allowed but I don't think we've ever  
37 looked at it, you know, because right now for  
38 designated hunting there's certain regional variations  
39 for designated hunting permits. In some places we  
40 allow for certain designated hunting you can have two  
41 limits in possession when you go out so you could go  
42 designated hunting for like -- and have two limits, but  
43 in other areas when you have designated hunting you can  
44 only have one limit in possession. And for customary  
45 trade we have regional variation. But those are  
46 specific instances, yeah, I don't know about the  
47 processes, I guess that's the thing that we haven't  
48 really -- we've allowed regional variation is to  
49 specifics but not processes.

50

1 CHAIRMAN SMITH: Well, it seems to  
2 me.....  
3  
4 MS. PETRIVELLI: And Chuck would answer  
5 that question.  
6  
7 CHAIRMAN SMITH: I'm sure he will. But  
8 it seems to me that the difference here is that you're  
9 allowing access -- you're allowing these regional  
10 boards to determine who has access to the populations,  
11 and maybe I don't understand, I haven't really studied  
12 this so maybe I'm not understanding it real well.  
13  
14 MR. ARDIZZONE: I was just coming up to  
15 say, he hasn't weighed in, is all I was going to say.  
16  
17 MS. PETRIVELLI: Yeah.  
18  
19 MR. ARDIZZONE: I mean we would have to  
20 do the proposal analysis before, you know, the  
21 Solicitor's office and then they would give us guidance  
22 on how they felt things should go but there hasn't been  
23 any official analysis of this proposal, the Solicitor  
24 didn't say it couldn't work that way, but he didn't say  
25 it would be feasible so I guess he hasn't, you  
26 know.....  
27  
28 CHAIRMAN SMITH: Go ahead, Robert.  
29  
30 MR. LARSON: Thank you, Tim. I think  
31 the take home message here is that this is a very  
32 confusing but highly charged topic. I would encourage  
33 this Council to look at this material between Page 30  
34 and Page 37 with the idea that they need to understand  
35 why we're talking about it, but it's not an action  
36 item, this is an informational item. This is a way to  
37 convey these pages worth of information to the Council  
38 at this stage with the idea that the Office of  
39 Subsistence Management is, right now, thinking about  
40 this and the best way to present some analysis of what  
41 it means but they're going -- you're not going to see  
42 it again until the winter meeting.  
43  
44 CHAIRMAN SMITH: Uh-huh.  
45  
46 MR. LARSON: And there's nothing that  
47 -- they're going to be doing the work between now and  
48 then. It's up to the Councils and all the Councils are  
49 going to have this same advice, is to take this time to  
50 really digest exactly what it is that these guys are

1 going to be talking about, and they're going to come  
2 back with, very likely, a request for some input and  
3 some advice from the Council. So you just need to be  
4 kept aware of this process, it's ongoing. Some  
5 Councils care about it more than other Councils, but  
6 it's something that will be on your plate here in the  
7 future.

8

9 CHAIRMAN SMITH: Could you summarize  
10 what Southeast is trying to accomplish. What -- you  
11 know it isn't clear to me what they're trying to do,  
12 what do they want to have different than what we're  
13 doing now.

14

15 MR. LARSON: They -- and I think it's  
16 pretty well explained on Page 31 in that third  
17 paragraph. But their concern that people have  
18 different expectations regarding what it is and why we  
19 do C&T determinations, you know, there's no reason to  
20 do C&T determinations, there's no direction in ANILCA  
21 to do C&T, this is an internally made up process that  
22 we just adopted from the State because at the time we  
23 thought it made sense. But what the Southeast Council  
24 is concerned of though is that it really doesn't seem  
25 to make any sense and it doesn't do what people thought  
26 it was designed to do and it needed to be reviewed.

27

28 CHAIRMAN SMITH: Okay.

29

30 MR. LARSON: So that's where we are  
31 right now. We have identified -- they've identified a  
32 problem, they've been trying to communicate their  
33 vision of this problem that it's being used  
34 inappropriately and they have a suggestion and they  
35 even have a suggested regulatory change. They've had a  
36 long in-depth discussion during their joint meeting  
37 with the Southcentral Council, you know, last spring,  
38 and the Office of Subsistence Management is going to do  
39 a thorough Staff analysis of exactly what this means  
40 and whether we should be doing it or not and it's going  
41 to be talked about during our winter meetings, but it's  
42 not one of those things that a person can digest right  
43 away, you have to kind of warm up to it.

44

45 So that's where we are.

46

47 CHAIRMAN SMITH: Uh. You have  
48 something else.

49

50 MR. ARDIZZONE: Yes, I was just going

1 to say, I think, you know, all the different Councils  
2 are on a different page here, you know, some are really  
3 versed on it, like Southeast, I think Southcentral's  
4 pretty much there now, but other Councils like North  
5 Slope, I think they wanted some more additional  
6 information so we're just trying to plant the seed in  
7 everybody's mind to start thinking about this and if  
8 you look at the table on Page 30 that's pretty much  
9 boils it down, you know. On the left-hand side is  
10 what's in ANILCA, .804, what's on the other side is C&T  
11 use determinations and that's, like what Robert said,  
12 we kind of adopted that from the State, you know, I  
13 think Southeast feels, and others probably feel that  
14 that's not a needed process, it's extra burdensome, you  
15 know, it excludes people unnecessarily and ANILCA  
16 already defined a way -- you know if you look at the  
17 left-hand column, .804, on a way to do the same thing  
18 if there's a shortage or the pool of users needs to be  
19 limited down. So if you look at that you can see, you  
20 know, like Robert said, that one, two, three, that  
21 fourth column, or fourth row down, there's quite a few  
22 different factors, I guess we'd call them or -- yeah,  
23 do we call them factors or.....

24

MS. INGLES: It's.....

25

26

MS. PETRIVELLI: Factors.

27

28

MR. ARDIZZONE: .....yes, factors.

29

30

31

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study it some more. I don't claim to understand what

1 they're trying to accomplish really. But I see -- one  
2 thing that comes to mind is I was involved in C&T  
3 determinations for muskoxen twice, you know, the State  
4 did it twice. The first time they found negative C&T,  
5 it's an introduced species so it is very, very  
6 arbitrary, you know, and then the second time they did  
7 it they found a positive C&T, so it's a very arbitrary  
8 process.

9

10 And I can see that -- I think that what  
11 Southeastern is looking at wouldn't work at all with  
12 something like muskox. You know, they think it's  
13 really simple and it is for most things but not  
14 something like muskox and that may come up again.

15

16 The rural determination process review.  
17 If you'll recall we looked at that at our last meeting  
18 and it's very contentious.

19

20 I was at the Federal Subsistence Board  
21 discussions and everybody takes this very, very  
22 seriously. The big topic was Saxman. But there are  
23 other communities that are concerned. Kodiak is  
24 probably the most concerned because it's the most  
25 likely to lose its rural determination because of  
26 numbers, the population size. It's at a place where  
27 they could potentially lose their rural determination.  
28 But Saxman wanted in, they were lumped with Ketchikan  
29 and they didn't think that that was fair. And I guess  
30 I misstated earlier that they -- that hasn't been  
31 resolved but I think it's going to be, in favor of  
32 Saxman.

33

34 So are you doing that Chuck.

35

36 MR. ARDIZZONE: Yes, Mr. Chair. If you  
37 turn to Page 38, I'll read this briefing and answer any  
38 questions. I hate to read it verbatim but I hate to  
39 get off -- I want to make sure all the Councils have  
40 the same information.

41

42 In October 2009 the Secretary of  
43 Interior Salazar announced a review of the Federal  
44 Subsistence Program. The review was intended to insure  
45 that the program was best serving rural Alaskans and  
46 that the letter and spirit of Title VIII are being met.  
47 Secretary Salazar with the concurrence of Secretary of  
48 Agriculture Vilsack requested that the Federal  
49 Subsistence Board initiate a number of actions, one of  
50 which was to develop regulations for regulatory changes

1 to the process of making rural/non-rural determinations  
2 in Alaska.

3

4                   At its January 2012 public meeting the  
5 Board elected to conduct a global review of the  
6 rural/non-rural determination process starting with the  
7 public and subsistence Regional Advisory Council input.  
8 Logically a global review required the Board to stay  
9 its 2007 final rule, whose rural provisions would  
10 otherwise would have gone into effect on May 12th,  
11 2012. The Board determined that in 1991, the  
12 rural/non-rural determinations would remain in place  
13 pending the outcome of its review of the rural  
14 determination process. The conclusion of the review  
15 and the determinations of the rural status must be  
16 completed by March 2017.

17

18                   Two areas of Alaska, the community of  
19 Saxman and the Kenai Peninsula have proven difficult  
20 for the Board to categorize under the current rural  
21 determination process. The Board has gone back and  
22 forth on whether these locations should be rural or  
23 non-rural. Based on the Secretaries directive and  
24 these high profile back and forth changes in the rural  
25 status, using the current rural determination process  
26 the Board decided to engage in a year long public  
27 review of the current process. In December 2012 the  
28 Board identified five elements in its rural  
29 determination process for public review.

30

31                   Population thresholds.

32

33                   Rural characteristics.

34

35                   Aggregation of communities.

36

37                   Timelines and information sources.

38

39                   The Board posed eight general questions  
40 for public input concerning these five elements and one  
41 question requesting any additional information.

42

43                   The comment period was open in November  
44 2013 and was extended to December 2013 because of the  
45 Federal government shutdown in October.

46

47                   The Councils were briefed on the  
48 Federal Register notice during their 2013 meetings,  
49 their winter meetings, at their fall 2013 meetings the  
50 Councils provided a public forum to hear from residents

1 of their regions to deliberate on the rural  
2 determination process and provide recommendations for  
3 changes to the Board. Testimonies from the members of  
4 the public were also recorded during separate hearings  
5 held to solicit comments on rural determination  
6 process. The Board held hearings in Barrow, Ketchikan,  
7 Sitka, Kodiak, Bethel, Anchorage, Fairbanks, Kotzebue,  
8 Nome and Dillingham. Government to government  
9 consultations on the rural determination process were  
10 held between members of the Board and tribes and  
11 additional consultations were held between members of  
12 the Board and Alaska Native Corporations formed under  
13 the Alaska Native Claims Settlement Act.

14  
15 In aggregate the Board received 475  
16 comments from various sources including citizens,  
17 members of Regional Advisory Councils and other  
18 entities or organizations such as non-profit Alaska  
19 Native Corporations and borough governments. Based on  
20 Council and public comments, government to government  
21 and Alaska Native Corporation consultations and  
22 briefing materials from the Office of Subsistence  
23 Management the Board developed a recommendation that  
24 simplifies the process of rural/non-rural  
25 determinations.

26  
27 The Board recommended to the  
28 Secretaries to make the following change in Secretarial  
29 regulations.

30  
31 The Board shall determine which area or  
32 communities in Alaska are non-rural.  
33 All other communities and areas are  
34 therefore rural.

35  
36 The Board also recommended eliminating  
37 from Secretarial regulation the specific criteria  
38 previously relied upon by the Board in making rural  
39 determinations, which include:

- 40  
41 Population thresholds.  
42  
43 Population data sources.  
44  
45 Rural characteristics.  
46  
47 Community aggregation.  
48  
49 10 year review process.  
50

1                   So then there's some next steps listed  
2 here.

3  
4                   If the Secretaries adopt the Board's  
5 recommendation a series of steps are required in order  
6 to meet the March 2017 deadline. The Secretaries may  
7 decide to propose a rule to change the current rural  
8 determination process based on the Board's  
9 recommendation. The Secretaries would need to act upon  
10 this recommendation as it affects 36 CFR 242 and then  
11 50 CFR 100, which are under Secretary Purview. The  
12 public, Regional Advisory Councils, tribes, Alaska  
13 Native Corporations would have the opportunity to  
14 comment or consult during that rulemaking process. The  
15 Secretaries could then publish a final rule specifying  
16 the rural/non-rural determination process, the revised  
17 process would appear in Subpart B of the subsistence  
18 regulations under Secretarial authority.

19  
20                   The Board would then use that rule to  
21 make rural/non-rural determinations publishing those  
22 determinations in a proposed rule. Then there would be  
23 a comment period on that and then the Board would  
24 publish a final rule with the revised rural/non-rural  
25 determinations. The revised rural/non-rural  
26 determinations would appear in Subpart C of the  
27 subsistence regulations which are under authority of  
28 the Board. If no new rulemaking is completed by March  
29 2017, then the 2007 rule will become enforceable.

30  
31                   So basically where we are the Board  
32 made a recommendation based on all the input from the  
33 Councils and the public to the Secretaries, they sent a  
34 letter to the Secretaries recommending what is stated  
35 there in that little paragraph that says the Federal  
36 Subsistence Board recommendation and we're just  
37 awaiting a response back from the Secretaries on what  
38 they would like to do, they can either proceed, they  
39 can maintain the status quo, but it's in the  
40 Secretaries hands at this moment. So hopefully we'll  
41 hear something sooner rather than later and we'll be  
42 able to move on from this issue.

43  
44                   CHAIRMAN SMITH: Are there any  
45 questions from Council members for Chuck on this issue.

46  
47                   (No comments)

48  
49                   CHAIRMAN SMITH: We had a fair number  
50 of comments when we considered it at our last meeting

1 and I passed those on to the Federal Subsistence Board  
2 and I think their solution was pretty good. You know  
3 everybody's rural unless they're determined to be not  
4 rural; it seems to be the way to go.

5  
6 MR. ARDIZZONE: Mr. Chair. Just so  
7 everybody knows, if you look on Page 40 and you go all  
8 the way to Page 70, that's the information that was  
9 provided to the Board. It's the summary of all the  
10 comments that we received and just so the Council's  
11 aware of what actually the Board got to look at. It's  
12 all right here, what the Board saw you can see in this  
13 book right now.

14  
15 CHAIRMAN SMITH: It's very painful to  
16 tell people that they can't subsistence hunt and fish  
17 and that came across loud and clear from Saxman. If  
18 it's going to be imposed on anybody else, you know,  
19 it's going to be very, very painful, too, you know, and  
20 so I think the Board is aware of that.

21  
22 That brings us to new business.  
23 Priority information needs for the FRMP and I see it's  
24 Don Rivard, rather than Karen Hyer, today.

25  
26 MR. RIVARD: Thank you, Mr. Chair.  
27 Again, as you stated, my name is Don Rivard, I'm a fish  
28 biologist with the Office of Subsistence Management.  
29 I've been to one other prior Seward Peninsula Council  
30 meeting. This is not my regular area that I cover,  
31 Karen Hyer has been the Staff fish biologist for this  
32 region, and she's not here today because she's in Kiana  
33 at the Northwest Arctic meeting. So somebody needed to  
34 cover this one and I'm here and I'm glad to be here  
35 again. I've been to Nome a couple of times, and it's  
36 nice to be here again in front of all of you.

37  
38 We're going to start on Page 59, with  
39 just a quick overview of the Fisheries Resource  
40 Monitoring Program is about.

41  
42 As you can see the mission of the  
43 Monitoring Program is to identify and provide  
44 information needed to sustain subsistence fisheries on  
45 Federal public lands for rural Alaskans.

46  
47 The Fisheries Resource Monitoring  
48 Program is unique to Alaska. It was established in  
49 1999 under Title VIII of ANILCA and is run by the  
50 Office of Subsistence Management. The Monitoring

1 Program is a competitive funding source for studies on  
2 subsistence fisheries that are intended to expand the  
3 understanding of subsistence harvest, traditional  
4 knowledge of subsistence resources and the populations  
5 of subsistence fish resources. Gathering this  
6 information improves the ability to manage subsistence  
7 fisheries in a way that will insure the continued  
8 opportunity for sustainable subsistence use by rural  
9 Alaskans on Federal public lands.

10

11 So if we go now to -- starting on Page  
12 62, every two years the Office of Subsistence  
13 Management invites submission of proposals for  
14 fisheries investigation studies, and in this case it's  
15 for studies to be initiated under the 2016 Fisheries  
16 Resource Monitoring Program. Taking into account  
17 funding commitments for ongoing projects and contingent  
18 on Congressional funding we anticipate approximately \$4  
19 million will be available in 2016 to fund new  
20 monitoring and research projects that provide  
21 information needed to manage subsistence fisheries for  
22 rural Alaskans on Federal public lands. Funding may be  
23 requested for up to four years duration.

24

25 So we -- they call it now a notice of  
26 funding opportunity. It's been called in the past, a  
27 call for proposals, so that's what we're going to be  
28 doing late this year, doing a call for proposals. And  
29 what we've put together in this document you have in  
30 front of you is what we call priority information  
31 needs. In your last meeting, I believe Karen asked you  
32 if you had any priority information needs, we listened  
33 to the Councils, we put together this document from  
34 throughout the state from all the Councils. Your  
35 Council falls into the Northern Alaska region, which  
36 starts on Page 64. We have all the other regions in  
37 here in order for you to see the variety of information  
38 needs that are asked throughout the state, that might  
39 help you formulate some of your own ideas on what you  
40 might be able to do in this region.

41

42 So for the Northern Region, the 2016  
43 notice of funding availability is focused on the  
44 following priority information needs.

45

46 And, Mr. Chair, if you'd like, I could  
47 list those -- I could read those for.....

48

49 CHAIRMAN SMITH: Which section, the  
50 whole thing?

1 MR. RIVARD: Just Page 64.....  
2  
3 CHAIRMAN SMITH: Sure.  
4  
5 MR. RIVARD: .....under your region.  
6  
7 CHAIRMAN SMITH: Okay, yeah, go ahead.  
8  
9 MR. RIVARD: Just the Northern Alaska  
10 region, which is made up of the areas that are covered  
11 by the Seward Peninsula, Northwest Arctic and the North  
12 Slope Regional Advisory Councils.  
13  
14 CHAIRMAN SMITH: Okay, before you do  
15 that, can I ask who made this list?  
16  
17 MR. RIVARD: Well, Staff does it, OSM  
18 Staff and we do it by soliciting from the Councils  
19 themselves, what their priority information needs are,  
20 we also speak with the Federal land managers, like the  
21 Refuge managers, the Park Rangers but also just from  
22 what we're hearing in general, we also, you know, know  
23 what's going on with what the State's doing. We try  
24 not to duplicate effort so we communicate State and  
25 other funding agencies so that we don't duplicate  
26 efforts, we want to make sure we try to be discreet  
27 with our program.  
28  
29 So then this list comes together, as  
30 you see, throughout -- for all the different regions  
31 and we bring it back to you right now to say did we  
32 capture it, did we define it well, did we put it in the  
33 words that make sense and maybe at this time you also  
34 might have another priority information need that, you  
35 know, should be included -- you think should be  
36 included in this call for proposals coming up.  
37  
38 Okay, so that's the process we use.  
39  
40 So I've got -- I'm at a loss, in that,  
41 I don't know if any of these ones that are listed under  
42 the Northern have come from your Council or not, Karen  
43 would know that, I don't. But I'll read the ones that  
44 come from the Northern Alaska Region starting on Page  
45 64.  
46  
47 The first one is understanding  
48 differences in cultural knowledge,  
49 beliefs, and perceptions of subsistence  
50 resources between fisheries managers

1 and subsistence users in Northwestern  
2 Alaska.  
3  
4 The local and cultural knowledge about  
5 locations of perceptions of abundance  
6 and harvest monitoring for coastal  
7 lagoon whitefishes.  
8  
9 A description and analysis of sharing  
10 networks, customary trade of salmon in  
11 villages in Northern Alaska.  
12  
13 Reliable estimates of chinook salmon  
14 escapement for the Unalakleet River  
15 drainage.  
16  
17 The fifth is on the top of Page 65.  
18  
19 Abundance, location and movement of  
20 Arctic grayling in the Point Hope and  
21 Wainwright area.  
22  
23 Next is abundance, location and  
24 movement of whitefish in the Meade  
25 River.  
26  
27 And then the next one is abundance,  
28 location and movement of smelt in the  
29 Wainwright area.  
30  
31 Mapping chum distribution in Northern  
32 Alaska.  
33  
34 Documentation of longevity, and age of  
35 maturity and the abundance of fish of a  
36 given size range or maturity status for  
37 lake trout in the Upper Anaktuvuk  
38 River.  
39  
40 The next one is Arctic cisco population  
41 assessment, including distribution,  
42 migration and age structure in Northern  
43 Alaska.  
44  
45 Next is changes in Dolly Varden  
46 abundance in relation to water levels  
47 in overwintering pools.  
48  
49 Next is changes in fish health  
50 associated with climate change in

1 Northern Alaska.

2

3 The last one is identification of  
4 overwintering areas for Dolly Varden in  
5 Northern Alaska rivers, identification  
6 of demographic qualities of  
7 overwintering fish and estimating  
8 overwintering fidelity of fish.

9

10 I think that may be oversight fidelity  
11 is what they meant to say there.

12

13 So those are the ones, again, as Mr.  
14 Chair, you stated earlier today, I believe, these are  
15 possible priority information needs. It's not -- I  
16 don't think all of them will be in the call for  
17 proposals. We usually try to limit it to maybe three  
18 to four per region because we want to really make sure  
19 we get the priority information needs addressed. And  
20 it's all contingent upon some organization or group,  
21 like a university or Kawerak seeing these priority  
22 information needs and say, yes, we'd like to do that  
23 and we'll put in a proposal to do that work to find  
24 this information out. So even though we put out the  
25 call, that doesn't guarantee that somebody's going to  
26 say, yes, we'll put in a proposal to address that  
27 specific information need. It's a competitive process  
28 and these are the things that we would like to see done  
29 based on the information input we get from others,  
30 including Councils, but it's no guarantee that we're  
31 going to get proposals for these. It is a competitive  
32 process so if some organizations come up with some  
33 really well thought out, well written proposals,  
34 they're liable to be funded more likely than other ones  
35 that don't do as good a job.

36

37 So.....

38

39 CHAIRMAN SMITH: The proposals are due  
40 in November?

41

42 MR. RIVARD: No, probably the call for  
43 proposals will be advertised before the end of this  
44 year and then they'll probably be due, we've been  
45 giving people more time, so it's probably going to be  
46 sometime, I think, in mid-March, that they would be due  
47 and then it's -- these will come back to you next year  
48 at this time for the ones that are being recommended  
49 for funding or not recommended for funding and you'll  
50 have a chance to weigh in on those again for your

1 region.

2

3 Thank you.

4

5 CHAIRMAN SMITH: Any questions.

6 Comments.

7

8 Tom.

9

10 MR. GRAY: I have a question. I guess  
11 your list here goes out to the public in December, did  
12 I hear, or November?

13

14 MR. RIVARD: Sometime towards the end  
15 of this year, not this entire list, not all these will  
16 go out, these are going to get pared down a little bit  
17 more based on what we hear from the Councils because we  
18 want to focus our call for proposals in each region so  
19 the ones that are most urgent to address. So right now  
20 these are the possibilities that you have in front of  
21 you as well as something else that you may come up  
22 with. But, yeah, the advertisement, the call for  
23 proposals will go out the latter part of this year and  
24 then people will have about three months to respond,  
25 write their proposals and submit them back to us  
26 probably by mid-March.

27

28 MR. GRAY: Okay. And, you know, I was  
29 going through this trying to figure out what -- what is  
30 going to touch the Norton Sound region, and looking at  
31 this there's probably one proposal -- or one thing on  
32 the list that is going to touch us. You know, I guess  
33 my concern, again, is if you look at the history of the  
34 Norton Sound we have had very bad salmon runs, some of  
35 the runs may be recouping a little bit but some rivers  
36 are just dead in this area that were thriving years  
37 ago. And I don't 'see on this list how do we get some  
38 -- how do we get something on this list?

39

40 MR. RIVARD: Well, you know, I have to  
41 admit it's been a struggle and your Chair pointed this  
42 out a little earlier, that this particular region, the  
43 Seward Peninsula region doesn't have a lot of Federal  
44 land in it and there has to be that Federal connection.  
45 So if you were trying to do some research around Nome,  
46 the Federal government, our program is not going to  
47 fund it unless you can show how it's connected to the  
48 use of a Federal subsistence resources, fisheries  
49 resource.

50

1 MR. GRAY: Okay. Let's take Fish  
2 River, for example, and I'll show you a map right here  
3 that there's Federal land right there that salmon are  
4 going into and are spawning in and this has been  
5 something that we've talked about at Board level here  
6 in the past, that these fish go through State land and  
7 they spawn in Federal lands and how do we get dollars  
8 assigned to work on this fish population. I mean we've  
9 got all kinds of -- look at the Federal lands here, you  
10 know, everybody tells us we don't have Federal lands  
11 and the State has State jurisdiction and yadda-yadda-  
12 yadda but we still have Federal lands that are there,  
13 and we have fish going into those Federal lands and we  
14 can't get anything going here. We need to get  
15 something on this list so we can get projects in the  
16 areas that do have Federal -- I mean these fish are  
17 going into Salmon Lake area, they're coming through  
18 Federal lands. There's got to be a way of working and  
19 getting some projects going in this region.

20  
21 MR. RIVARD: Okay. So the question is,  
22 what's the priority information need? What do you need  
23 to know about that population of fish? See that's what  
24 we're asking you right now.

25  
26 MR. GRAY: Well.....

27  
28 MR. RIVARD: You don't do projects just  
29 to do projects, you're addressing a priority.....

30  
31 MR. GRAY: Okay, let's -- let's.....

32  
33 MR. RIVARD: .....information need of  
34 some sort, so can you.....

35  
36 MR. GRAY: Well, let's.....

37  
38 MR. RIVARD: .....articulate your  
39 information need.

40  
41 MR. GRAY: Let's look at the users of  
42 silver salmon, for example. Silver salmon come into  
43 Golovin Bay, they're hit by subsistence users, they're  
44 hit by commercial fishermen, they go into the river,  
45 they're hit by another village, subsistence users, they  
46 come up this river and they're hit by another village,  
47 they go on up and they actually spawn in Federal lands  
48 further up. There's got to be something in that  
49 justification that will help us work on the silver  
50 salmon runs in this region.

1 Chum runs. I had a fish counting tower  
2 on my property and when it first came to this region,  
3 the tower, there was runs of 80,000 chums going by my  
4 property. Today we're lucky to have 25,000. So, you  
5 know, if we can't justify spending Federal dollars,  
6 something's wrong here.

7

8 CHAIRMAN SMITH: Okay, Pat.

9

10 MS. PETRIVELLI: I can't help but  
11 notice, but I think you're pointing at lands that  
12 aren't within the conservation unit and the way this --  
13 I know it's frustrating, but with the Federal Resource  
14 Monitoring Program, they spend money on areas where the  
15 Federal government has Federal jurisdiction, and on  
16 water -- on wildlife we do have jurisdiction on the BLM  
17 lands that aren't in a conservation unit but for  
18 fisheries we only have jurisdiction when the waters are  
19 located within or adjacent to boundaries of  
20 conservation units. So for BLM, that's Unalakleet Wild  
21 and Scenic River. And then the other question is the  
22 Park, within the boundaries of the Park. And the Fish  
23 River is not in the boundaries of a Federal  
24 conservation unit so that's why you won't see the Fish  
25 River on our list.

26

27 MR. GRAY: Well.....

28

29 MS. PETRIVELLI: Someone could submit a  
30 proposal for there but we wouldn't fund it because it's  
31 not within the boundaries of a Federal conservation  
32 unit area, if it's yellow and.....

33

34 MR. GRAY: Okay. Is it possible -- I'm  
35 sorry.....

36

37 MS. PETRIVELLI: No, go ahead, and  
38 finish, yeah.

39

40 MR. GRAY: Is it possible for us to get  
41 a map that shows this Federal conservation districts or  
42 whatever it is so I can look at a map and see that  
43 there's no fu -- well, I guess what I'm hearing is  
44 there's basically going to be no funding on the Seward  
45 Peninsula and that concerns me, yeah.

46

47 MS. PETRIVELLI: Well, I think you've  
48 raised the issue in your annual report because I mean  
49 -- but the area would be the pink lands because I think  
50 they're parks and purple lands that might be Fish and

1 Wildlife Service but the only yellow lands would be on  
2 the Unalakleet River. So any yellow land in that map  
3 that you're seeing is Unalakleet and that's why  
4 Unalakleet got on the list. But I think that's -- you  
5 know, that's just the place where there's Federal  
6 jurisdictions. But within there or adjacent to  
7 boundaries of the other conservation units such as the  
8 Park lands or the Fish and Wildlife Service or whatever  
9 color.....

10

11 MR. ARDIZZONE: Unalakleet's on there  
12 because it's a wild and scenic river.

13

14 MR. RIVARD: Right, the upper part of  
15 it.

16

17 MS. PETRIVELLI: yeah.

18

19 MR. ARDIZZONE: Right.

20

21 CHAIRMAN SMITH: Pat, doesn't  
22 navigability of the waters affect this in some way.  
23 We've talked about this at a past meeting and it seemed  
24 to me that that was an issue that I don't remember -- I  
25 don't recall exactly what the answer was.

26

27 MS. PETRIVELLI: Initially, I think,  
28 when the -- the State was -- I think that had to do  
29 with -- when we first took over management there was a  
30 lot of discussion of navigability of waters and non-  
31 navigability, that if there was non-navigability -- if  
32 the waters were not navigable -- I can't remember,  
33 there was just a lot of arguing between the State and  
34 the Feds -- oh, Bruce might answer it better -- because  
35 I think the BLM deals with this issue a lot.

36

37 MR. SEPPI: It's navigable if.....

38

39 MS. PETRIVELLI: You have to come up to  
40 the.....

41

42 MR. ARDIZZONE: Come up here.

43

44 MR. SEPPI: My understanding is --  
45 Bruce Seppi with BLM Anchorage Field Office. If it's  
46 navigable it's under State jurisdiction, and if it's  
47 non-navigable it's under Federal jurisdiction and  
48 that's why the Unalakleet, only the upper part, which  
49 is the wild and scenic is actually Federal waters, the  
50 rest is State.

1 CHAIRMAN SMITH: And that's because the  
2 upper river is non-navigable, is that what?

3

4 MR. SEPPI: Yes.

5

6 MR. RIVARD: That's case specific,  
7 that's not universal throughout the State. You want to  
8 add to that Bob.

9

10 MR. LARSON: I think I can add to that,  
11 sure.

12

13 So what we're talking about, and what  
14 Bruce is talking about is ownership title to the  
15 streams. All waters inside of a Federal conservation  
16 unit, without regard to who owns those waters, are  
17 under fisheries -- are under the authority of the  
18 fisheries -- Federal fisheries management.

19

20 CHAIRMAN SMITH: Is that a result of  
21 the Katie John case, is that.....

22

23 MR. LARSON: Katie John II.

24

25 CHAIRMAN SMITH: Oh, okay.

26

27 MR. BUCK: Mr. Chair.

28

29 CHAIRMAN SMITH: Go ahead, Peter.

30

31 MR. BUCK: The Native Village of White  
32 Mountain and the White Mountain Native Corporations,  
33 the State was trying to take over on the Fish River --  
34 the State was trying to take over our water rights and  
35 then we opposed them with House Bill 77. But we do a  
36 lot of research on the Fish River, not the Federal  
37 money but with other grants of NSEDC and some State  
38 grants and determined water temperature of the river  
39 and everything else so that -- and we went against  
40 House Bill 77 to protect our water rights here and we  
41 got our water rights back which is good. But even  
42 though we have water rights and we have grants to  
43 monitor the king salmon for the Fish River we got some  
44 money from NSEDC to start on fish hatcheries and stuff  
45 but the weather turned bad on us last year, too high of  
46 water, there was no eggs to put out anyway so that --  
47 that shut us down for the hatchery so even if we do  
48 have the money sometimes the weather don't cooperate.

49

50 The ownership of the land, White

1 Mountain -- Native Village of White Mountain and the  
2 White Mountain Native Corporation tried to protect  
3 their land as much as possible, stop mining, stop and  
4 make sure that -- make sure that our subsistence rights  
5 are protected and we've kept track of the water  
6 temperature, keep track of the fish up in different  
7 areas of the river just to make sure that our  
8 subsistence rights are protected and we have  
9 documentation to do it. And I think if the Federal  
10 government can work with the IRA Council, you can  
11 probably get more done instead of arguing about Federal  
12 and State land.

13

14 CHAIRMAN SMITH: Yeah, Tom.

15

16 MR. KATCHEAK: Mr. Chair.

17

18 CHAIRMAN SMITH: Ted, go ahead.

19

20 MR. KATCHEAK: Ted. I have a problem  
21 that this thing between the Federal and State land, one  
22 of them being BLM, I always thought that BLM was  
23 Federal land organization or is it State.

24

25 CHAIRMAN SMITH: Federal.

26

27 MR. KATCHEAK: Federal. So it -- so  
28 Fish and Wildlife Service I see it has pink and these  
29 are usually -- I recognize them right away but whenever  
30 we speak of the BLM, I always thought that was a State  
31 organized organization but thank you for explaining to  
32 me that this is a Federal organization -- organized  
33 organization. So listening to Mr. Gray, he explained  
34 that there's BLM land -- or Federal lands within the  
35 White Mountain selection area, I only see BLM land and  
36 the rest is white, what -- how do you explain that,  
37 whether it's white -- why the BLM land is there and  
38 there's no restrictions on these lands or are they? I  
39 guess the point I'm trying to make is that the problem  
40 making a distinction between BLM lands as Federal land  
41 or State and Fish and Wildlife Service I'm sure, I've  
42 known it has been a Federal organization.

43

44 MR. LARSON: Mr. Chair.

45

46 CHAIRMAN SMITH: Yes, Bob.

47

48 MR. LARSON: And I'm looking to the  
49 audience now for some buy-in on what I'm going to say  
50 and so for fisheries, we're not -- for wildlife I think

1 it's very clear if you're on Federal public land you  
2 have authority for subsistence management of wildlife.  
3 For fisheries, if you are inside of a conservation unit  
4 then the Federal Program has responsibility and  
5 authority for managing fish for subsistence. So  
6 subsistence management of fish inside of a Federal  
7 conservation unit is -- we have authority for that.  
8 There are some BLM lands and it's not a clear  
9 distinction, maybe we should think about that next time  
10 we print this map, that some of those lands that are in  
11 yellow in this map, where there is -- where there is  
12 authority for management of wildlife there is no  
13 authority for management of fish because they're not  
14 inside of a conservation unit, they're just either  
15 owned or administered by the Bureau of Land Management.  
16 Within these yellow lines, this area that's colored in  
17 yellow, the only conservation unit that's administered  
18 by BLM is in the upper waters of the Unalakleet River.  
19 Now, unfortunately that piece is not somehow colored or  
20 identified separately. But that is the only piece of  
21 this yellow where we have management authority for  
22 fish.

23

24 MS. PETRIVELLI: On BLM lands.

25

26 MR. LARSON: On BLM lands -- right, on  
27 BLM lands, right.

28

29 Yeah, is that -- I think I stated that  
30 correctly.

31

32 CHAIRMAN SMITH: Tom.

33

34 MR. GRAY: Okay. And all I'm trying to  
35 do is figure out a way of getting a project in my area,  
36 and projects, and I think we are justified in the fact  
37 that we do need some help with our salmon fishery. So  
38 I'm going to try and take a stab at a couple of  
39 different angles here and if it doesn't work, it  
40 doesn't work but I heard earlier that if you go into a  
41 non-navigable river, doesn't matter whose land  
42 ownership it is we can spend Federal dollars in there.

43

44 Okay.

45

46 MR. RIVARD: That's not a correct  
47 statement.

48

49 MR. GRAY: Okay. Okay. And you may  
50 have a different.....

1 MR. SEPPI: We spend a lot of time  
2 determining if -- you ask yourself, you know, you say  
3 Federal land or non-Federal land, we can ask the same  
4 question with fish, is it Federal waters or non-Federal  
5 waters and we spent a lot of time, BLM that is,  
6 determining navigability and if it's non-navigable it's  
7 Federal land and if it's navigable it's State land. So  
8 you could have an area completely BLM with a navigable  
9 river in the middle of it like the Yukon or the  
10 Kuskokwim and that's State jurisdiction. You have no  
11 say on that. But in the non-navigable areas it becomes  
12 under Federal waters.

13

14 MR. RIVARD: If it's in Federal lands.

15

16 MR. SEPPI: Yes.

17

18 CHAIRMAN SMITH: Okay.

19

20 MR. LARSON: Then I stand corrected.

21 What I said.....

22

23 MR. SEPPI: With that distinction.

24

25 MR. LARSON: .....was in error.

26

27 CHAIRMAN SMITH: Let me -- before you  
28 speak, address Tom's problem, some of the upper streams  
29 that he's talking about up in the Fish River Flats are  
30 probably non-navigable, I don't know. I would guess  
31 they're non-navigable going through BLM land, owned  
32 lands, that would put them in Federal jurisdiction,  
33 isn't that correct.

34

35 MR. SEPPI: Yes, if it's surrounded by  
36 unselected, unencumbered BLM land, yes.

37

38 CHAIRMAN SMITH: I think it is. Some  
39 of the headwaters in the Fish River Flats are in that  
40 status, non-navigable waters in -- within BLM lands and  
41 so you might be able to do something up there Tom.

42

43 MR. RIVARD: Mr. Chair. Even though  
44 they may be BLM lands, it's still they're not a Federal  
45 conservation unit. For example, a conservation unit is  
46 a wildlife refuge, a National Park or Preserve, BLM  
47 lands, except for like a wild and scenic area of a  
48 river, that's considered a Federal conservation unit,  
49 other than that they're not.

50

1 CHAIRMAN SMITH: But doesn't that --  
2 doesn't that Federal conservation unit only pertain to  
3 navigable waters, not non-navigable waters?

4  
5 MR. RIVARD: No. I mean there are  
6 both, probably, in a lot of wildlife refuges and Parks  
7 there's probably navigable waters and non-navigable  
8 waters, they're all within the boundary of that Federal  
9 conservation unit, they're all Federal lands and  
10 waters.

11  
12 CHAIRMAN SMITH: Well, Tom, I guess  
13 that doesn't get us anywhere.

14  
15 MR. GRAY: Okay. Well, I guess a  
16 couple of points.

17  
18 One is I look at this map and I see  
19 places where salmon go into Federal lands and, you  
20 know, whether they're part of a conservation district  
21 or not, you know, I'm sure Unalakleet wasn't part of a  
22 conservation system or scenic or whatever at one point,  
23 you know, the -- the folks controlling the purse  
24 strings obviously want to do a project in Unalakleet so  
25 they worked with those folks to do a project. I guess  
26 my point here is if there's an area that needs help,  
27 it's our area, region around Nome here. And, you know,  
28 I've pleaded before that work with us and let's get  
29 something going to work on the salmon runs and so I'd  
30 just throw it back on the table again. You know, I'm  
31 not going to bang my head against the wall, I keep  
32 getting the same answer from the same folks and nobody  
33 seems interested in this resource. But, you know, I go  
34 to my fish camp and I intercept fish going up river and  
35 at the point I take them they're State fish but I know  
36 darn well they're going to be Federal fish in about a  
37 week's time because they're going to go into Federal  
38 lands.

39  
40 So, you know, the fish doesn't know any  
41 different. I put it in my freezer and I eat it in the  
42 winter but, you know, again, if we can get something  
43 going, you know, I think we need to work on it and get  
44 -- work on it together and try and get something going,  
45 you know, Pete brought out a good point that, hey,  
46 we've got a Native IRA Council, we've got a Native  
47 Corporation, I'm the Chairman of the Council Native  
48 Corporation, I'm more than happy to work with folks on  
49 trying to get something going in our region.

50

1                   But, anyway, you know, it's a little  
2 bit frustrating going after projects and funding and  
3 trying to work on the resource and, you know, I've  
4 heard this no, no, no for probably eight or 10 years.

5  
6                   CHAIRMAN SMITH: Yeah, go ahead.

7  
8                   MR. RIVARD: Mr. Chair. Mr. Gray. I  
9 guess an apology is due to your Council when I look at  
10 this situation because in a way we're kind of  
11 misleading you, not intentionally, but we ended up kind  
12 of misleading you. Because the only real Federal lands  
13 that we can do any project on is happening on the  
14 Unalakleet because there's the Federal conservation  
15 unit, the wild and scenic portion that's administered  
16 by the BLM and if there's -- if it's not being done  
17 there, I don't see where there's any other possibility  
18 to do any projects in this region because we don't have  
19 the Federal land connection. So, you know, I guess we  
20 need to just be more clear about that, that if you've  
21 got some project you want to do on the Unalakleet, and  
22 they are doing salmon enumeration there, it's a  
23 combination of the Feds and the State and I think a  
24 local organization up in Unalakleet that's doing this  
25 project. And that's why you see the one on there, it  
26 says, enumeration of salmon on the Unalakleet.

27  
28                   So I apologize because I think, you  
29 know, we're asking you to provide some information,  
30 priority information needs and you do have them in your  
31 region but it's got to be funded by some other  
32 organization than the Office of Subsistence Management.  
33 And so I can help or Karen can help your Council to  
34 maybe connect with the right people to talk about that,  
35 like the State's got the Chinook Salmon Initiative  
36 that's going on. I don't know how much chinook is  
37 important here, you mentioned that the runs have  
38 improved a little bit in a couple of areas, so those  
39 kind of things we should direct you guys to, where you  
40 might be able to get funding to do something here in  
41 your region, but the Office of Subsistence Management,  
42 it has to be a Federal connection. And the BLM lands  
43 are not a Federal connection, other than that one small  
44 portion of the wild and scenic part of the river on the  
45 Unalakleet.

46  
47                   So, I apologize.

48  
49                   CHAIRMAN SMITH: You know, I think it's  
50 important to realize that you have little to no say in

1 how this is done but I'd have to say that, you know,  
2 counting fish on the Unalakleet River is not one of my  
3 highest priorities. You know it's too bad that, you  
4 know, that's the only thing we can apparently do but  
5 that wouldn't be even on my list of high top  
6 priorities. I think we know the numbers of fish in the  
7 Unalakleet River well enough to know that there's a  
8 serious problem, we need to look at other things.

9  
10 But this brings us back to issue two in  
11 our annual report, and I think this is a very, very  
12 important point, and, that is, you know, years ago  
13 there was a crises with waterfowl, hunting, you know,  
14 depleted waterfowl in the Lower 48 and so we got the  
15 Migratory Bird Treaty and no one would think of  
16 studying waterfowl just in a portion of their range  
17 based on land ownership, no one would do that, you  
18 know, we study migratory waterfowl throughout their  
19 range, you have to do the same with salmon. You know  
20 the thinking, the philosophy in this process that we're  
21 talking about now would apply fine to lake -- fish in  
22 lakes or fish with very limited range but it doesn't  
23 work at all with salmon and our management of salmon  
24 shows it, the mentality is just not -- you can't manage  
25 salmon just on a portion of the range and that's what  
26 the State is trying to do and the Feds aren't managing  
27 at all and so we get what we got, you know, you're  
28 catching them in large numbers as bycatch in the  
29 Federally-managed fisheries and nobody's worrying about  
30 that because the North Pacific Fishery Management  
31 Council doesn't have jurisdiction. We need -- you know  
32 we're probably intercepting large numbers of salmon in  
33 the Area M salmon fisheries as interception, and we're  
34 not really dealing with that and so it's just not  
35 working out.

36  
37 If I were going to add something to  
38 this list and I know it won't fly but what I would add  
39 to the list for Norton Sound is a study on the impacts  
40 of Eastern Norton Sound commercial fisheries on other  
41 streams, on streams that have stocks of concern. I  
42 can't believe that it's possible to take large numbers  
43 of, especially silver salmon in marine waters without  
44 impacting our rivers. And we've -- you know, in a  
45 fairly good silver salmon year we had dismal silver  
46 salmon runs here in the Nome area and even worse in  
47 your area, Elmer, they just -- the silvers just aren't  
48 coming in and I think they're getting intercepted.  
49 Now, I don't see how you're going to make a Federal  
50 case out of that, but somebody needs to study that.

1 MR. GRAY: I want to thank you for  
2 offering to take our suggestions and move it on to the  
3 State's arena, so to speak, or some other arena, that  
4 maybe funding is available because this is the first  
5 time in all these years that somebody's stepped up to  
6 the plate and made an offer like that. So my  
7 suggestion is let's get, you know, you just talked  
8 about something to add to the list, let's take a  
9 project and put it -- if it has to go on the list or go  
10 to him, let's get it in his ballpark and let him move  
11 it on.

12  
13 CHAIRMAN SMITH: Yeah, it doesn't hurt  
14 to ask, you know, and I understand what you're saying  
15 but, you know, I think we need -- we're never going to  
16 get anywhere with salmon management as long as we do it  
17 piecemeal, you know, the studies and the management  
18 need to be done throughout the range of the stock or  
19 it's just not going to work.

20  
21 MR. GRAY: So do we need a motion or  
22 what do we need to put this forward so it's going to  
23 his plate so to speak.

24  
25 CHAIRMAN SMITH: Well, I think -- you  
26 know, correct me if I'm wrong, but I think we can just  
27 develop a list of things that we really think are  
28 priorities and then we can submit them and let them do  
29 with it as they will.

30  
31 I doubt if we're going to get them  
32 funded because of what you've already told us but it  
33 sure won't hurt to ask.

34  
35 MR. LARSON: Mr. Chair. This is one of  
36 those opportunities where I have a chance to provide  
37 some counsel to you and this is an action item.  
38 They're looking for a specific proposal and to identify  
39 that proposal and to prioritize it with those other  
40 information needs that have been identified in this  
41 document. If you have a proposal and you have a  
42 project that you want to get done, this is the time  
43 when you clearly identify exactly what it is, the scope  
44 of the project, where it needs to get done and, more  
45 importantly, why it needs to get done, and how it  
46 satisfies the needs of subsistence users.

47  
48 And then, you know, once that is done,  
49 as a Council action item, then Don and other Staff at  
50 the Office of Subsistence Management can deal with it

1 at that point and see if it's possible and they'll put  
2 it on a list and you will see it again this winter.  
3 But this is the time to be specific and very clear in  
4 what your intentions are.

5

6 MR. BUCK: Mr. Chair.

7

8 CHAIRMAN SMITH: Go ahead, Peter.

9

10 MR. BUCK: I'll go back to White  
11 Mountain, the Native Village of White Mountain. This  
12 says recognize the Federal government and also BIA, now  
13 we have a fisheries IGAP project program for White  
14 Mountain and -- well, they wanted to do hatcheries for  
15 king salmon and stuff like that and also a study on the  
16 river, and our BIA program which is -- got with the IRA  
17 and they worked at the river and they fund -- BIA money  
18 was put into the IGAP (ph) program so that we can do  
19 our program on the river. I don't see why the  
20 Fisheries Resource Monitoring Program can't also  
21 contribute funding from them into IRA for programs that  
22 we want.

23

24 MR. GRAY: I guess, okay, my suggestion  
25 is going to be let's -- let's get together, some of us,  
26 you know, we have had these projects or issues put into  
27 our annual report, maybe we can review some of those  
28 annual reports and tomorrow let's address this very  
29 issue. And, you know, I don't -- I understand the  
30 system that he's talking about well enough that we're  
31 not probably going to get anything out of his system,  
32 but if the proposal, the letter is put together  
33 correctly if can be moved on to the next guy that maybe  
34 can fund this thing, and that's where I'm a little bit  
35 hopeful.

36

37 So, anyway, I hate to do something in a  
38 hurry right here. Let's chew on this thing and develop  
39 it and do it right.

40

41 CHAIRMAN SMITH: Well, the proposal I  
42 talked about, I've thought it about enough that what  
43 I'm looking at is a tagging study, either with, you  
44 know, radio tag, some kind of radio tag or just a  
45 visual tag put on in fish caught in the commercial  
46 fishery in Eastern Norton Sound, you just tag them,  
47 release them, there's enough counting operations around  
48 Norton Sound, now -- now that we can recover them and  
49 so we determine where those fish would have gone if  
50 they hadn't gotten caught in those commercial

1 fisheries. It's an easy study. It's basically what we  
2 did in, you know, 1987 with the False Pass study, the  
3 study in False Pass. You know, we're looking at a  
4 fishery a thousand miles away as an intercept problem,  
5 you know, maybe we should be looking a little closer to  
6 home, too. You know when you put nets in saltwater,  
7 you know, you don't know what you're going to catch.  
8 And, you know, it just really struck me this year when  
9 we got a fairly good silver run in most places, they  
10 didn't sho -- you know 1,300 silvers in the Snake  
11 River, you know, I think they're getting caught in  
12 other -- in our local commercial fisheries. Those guys  
13 have just gotten better and better at intercepting  
14 fish. And so I'm just looking at it -- it's a fairly  
15 basic, you know, study, a tagging study, probably PTT  
16 tags would be the easiest thing to do and take fish out  
17 of the nets, let them go with a tag on them and see  
18 where they go.

19

20 And that is -- there is a connection to  
21 the Unalakleet River, that would -- you know, if they  
22 are intercepting fish then -- then reducing that  
23 harvest would affect their ability to catch fish so I  
24 mean there is a weak connection.

25

26 But, yeah, Tom, that's -- you know,  
27 we'll talk about it some more tomorrow. I agree with  
28 you 100 percent that we should come up with some  
29 things. We got so many things we need information on,  
30 I'm disappointed that none of them are on this list.

31

32 MR. GRAY: And if I may, I thank you  
33 for bearing with me, you know, some of us don't  
34 understand the intrigues of all this, and, you too, and  
35 even though I've been hammering away at this year after  
36 year I'm still struggling with how to put this all  
37 together. And, you know, the bottom line is it's my --  
38 I have a camp that's -- we do subsistence fishing at it  
39 and that's my love and my joy and without fish, you  
40 know, the declines I've -- I've seen our fish stocks  
41 decline probably 75 percent in the last 25 years and  
42 it's kind of frustrating. So thank you for bearing  
43 with us.

44

45 CHAIRMAN SMITH: Well, before we go on  
46 to the Federal fisheries regulatory proposals we  
47 probably should take a quick break. But, yeah, I agree  
48 with you, Tom, it's -- you know, the most -- and  
49 probably the most disturbing thing about this whole  
50 thing is having to listen to year after year of news

1 reports, news releases from Fish and Game saying how  
2 great everything was, you know, it's not good to me.

3

4 (Laughter)

5

6 CHAIRMAN SMITH: It's not good at all.

7

8 (Laughter)

9

10 CHAIRMAN SMITH: It's not good to any  
11 fisherman I know. No local fisherman I know thinks  
12 salmon fishing is any good around here and, yet, we get  
13 the press releases on we're having a record run again  
14 every year.

15

16 (Laughter)

17

18 MR. KATCHEAK: Mr. Chair. Ted, just  
19 briefly.

20

21 CHAIRMAN SMITH: Go ahead.

22

23 MR. KATCHEAK: I would like to make a  
24 comment; in two different issues of Nome Nugget, I read  
25 that they had good salmon run, commercial fishing. And  
26 I'm wondering if that's how some of the fish are being  
27 intercepted.

28

29 CHAIRMAN SMITH: Uh-huh.

30

31 MR. KATCHEAK: Thank you.

32

33 CHAIRMAN SMITH: Very good point, Ted,  
34 I think that's exactly what's happening.

35

36 Okay, let's take about a 10 minute  
37 break and then we'll move on to Federal fisheries  
38 regulatory proposals and I think we can move through  
39 these fairly quickly. They're not directly related to  
40 Norton Sound.

41

42 (Off record)

43

44 (On record)

45

46 CHAIRMAN SMITH: Okay, then Federal  
47 fisheries proposals. Are you going to do that.

48

49 MR. RIVARD: Thank you, Mr. Chair. Don  
50 Rivard, Office of Subsistence Management. I just want

1 to correct a little something that I said earlier. You  
2 do have some Federal conservation units in your region.  
3 The Bering Land Bridge National Preserve there in the  
4 northern part of your region, and then you have some of  
5 the Yukon Delta National Wildlife Refuge as well. So  
6 there are some Federal lands, and I misspoke earlier.

7  
8 Now, we're going to go into the  
9 fisheries proposals, these are action items for your  
10 Council.

11  
12 The first one starts on Page 71 in your  
13 book, it's Proposal FP15-01.

14  
15 I'll give you kind of a summary of  
16 these along with the OSM preliminary conclusion,  
17 recommendation and assuming that people have read this  
18 so I'm not going to go word for word with all this, I'm  
19 just going to summarize these.

20  
21 Proposal FP15-01 submitted by the  
22 Southcentral Alaska Subsistence Regional Advisory  
23 Council requests that the definition of hook be  
24 described in regulation as "a hook with or without a  
25 barb." The proposed language would clarify the type of  
26 fishing hook that could be used under Federal  
27 subsistence fisheries regulations where hooks are an  
28 authorized methods and means to take fish. The  
29 proponent requests a change to existing statewide  
30 regulatory language to eliminate the potential for  
31 adoption of default method and means restrictions of a  
32 Federal subsistence fishery to the use of barbless  
33 hooks.

34  
35 In many parts of Alaska standalone  
36 Federal subsistence fisheries regulations do not exist.  
37 Federal subsistence fisheries methods and means  
38 regulations are the same for taking of fish under State  
39 of Alaska sportfishing regulations unless specifically  
40 modified under Federal regulation. In other words, if  
41 the State of Alaska adopts fisheries regulations such  
42 as requiring barbless hooks in a fishery where Federal  
43 subsistence fisheries regulations do not exist or do  
44 not address what type of hook is allowed, Federal  
45 subsistence regulations would default to State  
46 regulations resulting in Federal subsistence users  
47 being restricted to barbless hooks.

48  
49 Now, over the years numerous proposals  
50 requesting restriction of sportfisheries methods and

1 means to barbless hooks have been submitted to the  
2 Alaska Board of Fisheries. The Alaska Board of  
3 Fisheries adopted an amended Proposal 48 recently for  
4 the Kenai River chinook salmon sportfishery requiring  
5 barbless hooks as a conservation measure when the  
6 fishery is restricted to catch and release only. The  
7 Kenai River chinook salmon sportfishery is the first  
8 fishery in Alaska with a barbless hook regulation. At  
9 their March 12th, 2014 meeting the Southcentral  
10 Regional Advisory Council was made aware of the new  
11 State sportfishery regulation and how it could, by  
12 default, impact the Federal subsistence chinook salmon  
13 rod and reel fishery in the Kenai River. In response  
14 to the Alaska Board of Fisheries action the  
15 Southcentral Regional Advisory Council submitted this  
16 proposal you have in front of you right now.

17  
18                   The Southcentral Regional Advisory  
19 Council indicated adoption of this proposal if  
20 submitted as a statewide proposal would benefit  
21 Federally-qualified subsistence users throughout Alaska  
22 allowing the continued use of barbed hooks in all  
23 Federal subsistence fisheries where use of hooks is  
24 authorized will benefit subsistence users by reducing  
25 the chance of losing a fish hooked on a barbless hook  
26 as subsistence fishing is categorized by a efficiency  
27 of harvest.

28  
29                   Now, an alternative to consider for  
30 Proposal FP15-01 is to support the proposal with  
31 modification by incorporating the regulatory language  
32 offered in this proposal with the regulatory language  
33 adopted by the State of Alaska. Supporting Proposal  
34 FP15-01 with the modification of mirroring the State of  
35 Alaska statewide definition of a barbless hook will  
36 reduce regulatory complexity enforcement concerns. And  
37 the language that they're talking about is kind of in  
38 the middle of Page 74, the following is an alternative  
39 proposed regulatory language reflecting the above  
40 suggested modification.

41  
42                   Now, if this proposal is adopted, and  
43 we're talking about defining fishing hook as with or  
44 without a barb, if this proposal is adopted it would  
45 maintain Federally-qualified subsistence users ability  
46 to select the type of fishing hooks, with or without  
47 barbs, they want to use. Adoption of this proposal  
48 will not change the impacts Federal subsistence users  
49 have on Alaska's fisheries resources because Federal  
50 subsistence users most likely utilize barbed hooks

1 where hooks are authorized to increase harvest  
2 efficiency because a subsistence fishery, again, is  
3 characterized by the efficiency of the harvest.

4  
5                   If this proposal is not adopted,  
6 Federally-qualified users will be restricted to the use  
7 -- to use the type of hook specified and defined by  
8 State of Alaska because there's no Federal definition  
9 of hook.

10  
11                   So the Office of Subsistence  
12 Management's preliminary conclusion is to support  
13 Proposal FP15-01 restricting subsistence users from  
14 harvesting fish with barbed hooks would be an  
15 unnecessary restriction to existing fishing practices  
16 statewide. Adoption of this proposal would protect  
17 Federal subsistence fishermen's choice to use either  
18 barbed or barbless hooks. Adoption of this proposal  
19 would not result in impacts to Alaska fisheries  
20 resources by Federal subsistence fishermen.

21  
22                   Thank you, Mr. Chair. That concludes  
23 my presentation.

24  
25                   CHAIRMAN SMITH: : Okay. Do we have a  
26 motion to adopt this.

27  
28                   MR. BARR: I will move to adopt that  
29 proposal.

30  
31                   CHAIRMAN SMITH: A second.

32  
33                   MR. BUCK: Seconded.

34  
35                   CHAIRMAN SMITH: Moved by Reggie and  
36 seconded by Peter. Is there any discussion. Pat.

37  
38                   MS. PETRIVELLI: Mr. Chair. With the  
39 regulatory proposals, isn't there the procedure where  
40 you listen to the State of Alaska and other.....

41  
42                   CHAIRMAN SMITH: Oh, I'm just getting  
43 that, we're disparate here.....

44  
45                   MS. PETRIVELLI: Oh, okay, Bob's going  
46 to give that to you but.....

47  
48                   CHAIRMAN SMITH: I've got a great  
49 memory but it doesn't go.....

50

1 MS. PETRIVELLI: Yeah. So the  
2 discussion would come after you've heard all the  
3 comments.  
4  
5 CHAIRMAN SMITH: Yes.  
6  
7 (Pause)  
8  
9 CHAIRMAN SMITH: Do we have the --  
10 let's see we had Don's presentation, do we have any  
11 consultations with the tribes or ANCSA Corporations.  
12  
13 (No comments)  
14  
15  
16 CHAIRMAN SMITH: Do we have any Board  
17 consultations with the tribes or ANCSA Corporations.  
18  
19  
20 (No comments)  
21  
22 CHAIRMAN SMITH: I guess not. Agency  
23 comments on this proposal.  
24  
25  
26 (No comments)  
27  
28 CHAIRMAN SMITH: No agency comments.  
29 Any advisory group comments that we need to hear about.  
30  
31 (No comments)  
32  
33 CHAIRMAN SMITH: Any written public  
34 comments.  
35  
36 MR. LARSON: I don't think so.  
37  
38 CHAIRMAN SMITH: Does any member of the  
39 public wish to provide testimony.  
40  
41 (No comments)  
42  
43 CHAIRMAN SMITH: Anybody on line.  
44  
45 MR. LARSON: Mr. Chair. There are two  
46 written public comments. The first is from the AHTNA  
47 Corporation and I will -- they have comments and I'll  
48 read them verbatim.  
49  
50 Support Proposal 15-01 to add a new

1 definition to hook which is defined as a single shanked  
2 fish hook with a single eye constructed with one, two  
3 or three points, with or without barbs.

4

5 It says Federally-qualified users who  
6 fish with rod and reel do not fish  
7 recreationally for salmon. Those who  
8 choose to fish with rod and reel under  
9 Federal subsistence rules in the Upper  
10 Copper River District keep harvested  
11 salmon. They most likely do not catch  
12 and release salmon that are caught with  
13 rod and reel. The average last 10 year  
14 -- the 11 year average harvested in our  
15 area with rod and reel for sockeyes and  
16 chinook is five sockeyes and nine  
17 chinook salmon. Damage to the sockeye  
18 and chinook that would be caused by  
19 barbed hooks is minimal since the  
20 subsistence users most likely retain  
21 all the hooked fish for consumption.

22

23 Signed Gloria Stickwan, AHTNA  
24 Corporation.

25

26 The other is from the Southeast Alaska  
27 Fishermen's Alliance in Juneau Alaska,  
28 that's a commercial fisheries advocacy  
29 group. They support 15-01. This will  
30 make it very clear that a hook can have  
31 barbs in Federal subsistence fisheries  
32 unless otherwise specified in  
33 regulation for a particular  
34 conservation issue.

35

36 Those are the two Federal public  
37 comments that we have.

38

39 And it was my understanding that there  
40 was a Federal tribal comment during the consultation  
41 with the Board but I -- that was the Board's  
42 consultation and I don't have a record of what that is.  
43 I believe that it was in support but I just don't know.

44

45 MR. ARDIZZONE: Robert, if you give me  
46 a minute I'll see if I can find it, I think I might  
47 have the email.

48

49 MR. LARSON: Okay.

50

1 CHAIRMAN SMITH: In the meantime is  
2 there anybody on line who would like to comment on  
3 this, a member of the public who would like to comment  
4 on this proposal.

5  
6 (Pause)

7  
8 MR. CRAWFORD: Mr. Chair. This is Drew  
9 Crawford with the Alaska Department of Fish and Game in  
10 Anchorage and I can provide you with the State's  
11 position if you're ready.

12  
13 Over.

14  
15 CHAIRMAN SMITH: Yes, Drew, go ahead.

16  
17 MR. CRAWFORD: Yes, the State's  
18 recommendation for Fisheries Proposal 15-01 is we  
19 support this proposal with modification to adopt  
20 similar criteria for hooks as defined in State's  
21 regulation. And the State definition has three  
22 definitions for hooks here.

23  
24 Single hook. It's defined as a fish  
25 hook with only one point with or  
26 without a barb.

27  
28 Multiple hook. And this is a fish  
29 hook with two or more points with or  
30 without a barb.

31  
32 And then the latest definition is  
33 barbless means the hook is manufactured  
34 without a barb, or the barb has been  
35 completely removed or compressed so  
36 that the barb is in complete contact  
37 with the shank of a hook.

38  
39 Now, the North Slope RAC had a little  
40 bit of a concern about this definition with the word  
41 manufactured in there. Apparently most of the fish or  
42 many of the fish that they catch during the wintertime  
43 are caught with homemade barbless hooks which they make  
44 out of a nail and they were concerned that perhaps that  
45 this wording would not encompass their type of hook  
46 which is used primarily in the wintertime. However,  
47 the American Heritage Dictionary defines manufactured  
48 to make or process a raw material into a finished  
49 product so this would also encompass homemade barbless  
50 hooks. So that satisfied their concern.

1 Over.

2

3 CHAIRMAN SMITH: Drew, could you  
4 explain the -- I didn't catch the difference between  
5 the State's definition of hook and the one in the  
6 proposal, it seemed to me that they were -- could you  
7 explain what the difference would be?

8

9 MR. CRAWFORD: I read all of the  
10 State's definitions. There's a single hook, with or  
11 without a barb, a multiple hook, with or without a barb  
12 and then barbless, if we keep those definitions similar  
13 people will be less likely to be confused and it's also  
14 beneficial to law enforcement.

15

16 Over.

17

18 CHAIRMAN SMITH: Okay. Okay. It looks  
19 like they covered that, though, you may have worded it  
20 slightly different. If you look at Page 74, it does  
21 look like they covered the multiple hook issue, but  
22 maybe I missed something.

23

24 MR. CRAWFORD: Well, if you modify it  
25 to your position on this proposal -- modify it to  
26 adopt similar criteria for hooks as defined in State  
27 regulations you cover it.

28

29 CHAIRMAN SMITH: Okay, sounds good.

30

31 Is there anything else on this  
32 proposal.

33

34 (No comments)

35

36 CHAIRMAN SMITH: Okay. Then.....

37

38 MR. LARSON: Mr. Chair.

39

40 CHAIRMAN SMITH: Yeah.

41

42 MR. LARSON: I've been looking at the  
43 tribal consultation notes and the summary of ANCSA  
44 Corporation testimonies and the one instance where the  
45 ANCSA Corporation provided consultations with the Board  
46 was the AHTNA Corporation and you heard their public  
47 testimony. It's pretty much the same.

48

49 CHAIRMAN SMITH: Okay, thank you. So I  
50 think we've covered all the bases.

1                   We already have a motion and a second.  
2  
3                   Now, to develop the record; is there a  
4 conservation concern and how will the -- we're open for  
5 discussion and so, you know, let's keep in mind the  
6 criteria that we need to establish. Is there any  
7 discussion on this proposal.  
8  
9                   MR. KATCHEAK: Yes.  
10  
11                  CHAIRMAN SMITH: Go ahead, Ted.  
12  
13                  MR. KATCHEAK: Mr. Chair. Ted. It  
14 seems to me if you make a definition on type of hook  
15 that you're using to harvest a fish, in a barbless hook  
16 most of the time if you hook a fish it escapes and I'm  
17 wondering if the reason why they included hook with  
18 barb on it is because they want to guarantee the fish  
19 is caught and doesn't escape.  
20  
21                  CHAIRMAN SMITH: Yeah, and that's what  
22 the proposal is about, is to make sure they don't  
23 escape, so, yeah, they talked about that.  
24  
25                  Anything else.  
26  
27                  MR. LARSON: Mr. Chair.  
28  
29                  CHAIRMAN SMITH: Yeah.  
30  
31                  MR. LARSON: Of course the reason while  
32 we need a definition of barb or barbless hook in our  
33 regulations is that in those instances where the Board  
34 of Fisheries would designate a barbless hook, then our  
35 subsistence rules would default to the State because we  
36 do not identify that a hook could be barbed or  
37 barbless. So in that case we would already have a  
38 definition of hook in our regulations so it would not  
39 default by accident to what the Board of Fisheries  
40 does, if they have an issue where they want to go to a  
41 barbless hook in their sportfishery. And that's the  
42 impetus for this and specifically it's king salmon in  
43 the Kenai River, that's what we're talking about. Will  
44 the people of Ninilchik need to use barbless hooks if  
45 the sportfishery in the Kenai River goes to a barbless  
46 hook restriction. If we pass this regulation then it's  
47 not an automatic. We need to take action to do that.  
48 We could but it's not an automatic thing, we don't have  
49 the State of Alaska dictating what we can use for gear  
50 in the subsistence fishery.

1                   That's what that's about.

2

3                   CHAIRMAN SMITH: Let me just run  
4 quickly through these things.

5

6                   Is there a conservation concern how the  
7 recommendation addresses this concern -- and I don't  
8 think there is a conservation concern here. I don't  
9 think it'll make any difference.

10

11                   Is the recommendation supported by  
12 substantial evidence such as biological and traditional  
13 ecological knowledge, yeah, people are very familiar  
14 with -- been using barbs on hooks for thousands of  
15 years.

16

17                   Will the recommendation be beneficial  
18 or detrimental to the subsistence needs or users and I  
19 would say, yes, because fishing with a barbless hook is  
20 going to take everybody a lot longer and you lose a lot  
21 of fish and so it's going to make subsistence fishing  
22 more efficient than fishing with a barbless hook.

23

24                   Will the recommendation unnecessarily  
25 restrict other uses and I would say, no, I don't see  
26 how it would.

27

28                   So if there's nothing else, does  
29 anybody have any more discussion.

30

31                   (No comments)

32

33                   MR. GRAY: Question.

34

35                   CHAIRMAN SMITH: There's a call for the  
36 question.

37

38                   All in favor say aye.

39

40                   IN UNISON: Aye.

41

42                   CHAIRMAN SMITH: Opposed.

43

44                   (No opposing votes)

45

46                   CHAIRMAN SMITH: Proposal passes  
47 unanimously. On to the next.

48

49                   MR. RIVARD: Thank you, Mr. Chair.  
50 We're moving on to Page 76 in your book.

1                   The next three proposals, FP15-02, 03  
2 and 04 are coming before your Council because the  
3 community of Stebbins has customary and traditional use  
4 determination for salmon under question in the Yukon  
5 River.  
6

7                   So Proposal FP15-02 submitted by  
8 Rampart Village Council requests at least two 48-hour  
9 fishing periods per week in the Yukon River Subdistrict  
10 5C and you can see that on Page -- on the map on Page  
11 79 where 5C is located. Rampart is sort of right in  
12 the middle of Section 5C on the Yukon River. And  
13 there's only a little bit of Federal land jurisdiction  
14 there that's in the Yukon Flats National Wildlife  
15 Refuge, sort of on the -- I guess that would be sort of  
16 the western -- excuse me, the eastern end of 5C.  
17

18                   The proponent states that the community  
19 of Rampart situated in Subdistrict 5C relies year-round  
20 on fish that is harvested for subsistence in the summer  
21 by allowing at least two 48-hour fishing periods per  
22 week there will be more food for Rampart families and  
23 winter living will be easier because of food security.  
24 Furthermore, the proponent anticipates that every  
25 subsistence user in the community would support this  
26 proposal.  
27

28                   It should be noted that there is never  
29 a complete closure to all subsistence fishing in the  
30 area. State regulations currently allow for two 49-  
31 hour fishing periods per week for salmon in  
32 Subdistricts 5A, 5B and 5C, however, for salmon in  
33 recent years the regular fishing schedule consisting of  
34 two 48-hour weekly periods have been closed for long  
35 periods in June and July in order to protect chinook  
36 salmon. The majority of chinook salmon typically move  
37 up stream of Subdistrict 5C by late July.  
38

39                   Federal public waters in Subdistrict 5C  
40 are limited to about six miles of the Yukon River,  
41 approximately 60 miles up river from Rampart, so that's  
42 that little section I was pointing out to you, just  
43 about six miles there that are actually in a Federal  
44 conservation unit. And that's where the Federal  
45 regulations would apply, they don't apply in other  
46 parts of 5C.  
47

48                   CHAIRMAN SMITH: Really, only a portion  
49 of 5C.  
50

1 MR. RIVARD: Correct. It has to be in  
2 a Federal conservation unit. The other parts between  
3 the Nowitna National Wildlife Refuge and the Yukon  
4 Flats National Wildlife Refuge, that would be under  
5 State regulations.

6  
7 Okay.

8  
9 Now, the effects of the proposal. If  
10 this proposal is adopted it would likely increase the  
11 opportunity for subsistence users to harvest salmon  
12 and/or other fish species during times of conservation.  
13 Continued harvest of salmon or other fish during the  
14 times of conservation when restrictions are necessary  
15 could result in insufficient numbers of fish for  
16 spawning and, therefore, thereby threaten the  
17 continuance of subsistence uses of over harvested  
18 salmon or other fish species in the future.

19  
20 So the OSM preliminary conclusion is to  
21 oppose FP15-02 and the justification for that is that  
22 for the Yukon area, Federal subsistence fishing  
23 schedules openings, closings and fishing methods are  
24 the same as those issued for subsistence taking of fish  
25 under State issued emergency orders unless superseded  
26 by Federal special action or regulation. State  
27 regulations currently allow for two 48-hour fishing  
28 periods per week in Subdistricts 5A, 5B and 5C.  
29 Beginning the first week of April in both -- excuse me,  
30 beginning the first week of August in both 2013 and  
31 2014 fishing seasons, subsistence fishing schedules  
32 have been liberalized to at least a five day per week  
33 schedule allowing the use of fishwheels or gillnets  
34 with a mesh size of 7.5 inches or smaller. However, as  
35 cited in regulation the Commissioner may alter fishing  
36 periods by emergency order if the Commissioner  
37 determines that preseason or in-season run indicators  
38 indicate it is necessary for conservation purposes.  
39 Fisheries managers have the ability to manage both time  
40 and area and to liberalize or restrict fishing.

41  
42 So just to kind of summarize.

43  
44 What the proponent is asking is that  
45 basically they be guaranteed these two 48-hour fishing  
46 periods per week regardless of run strength and that's  
47 why it's being opposed is because fisheries managers  
48 base their decisions on whether to open or restrict  
49 fishing based on the run strength.

50

1 Thank you, Mr. Chair.

2

3 CHAIRMAN SMITH: Do we have a report on  
4 Board consultations, tribes of ANCSA Corporations.

5

6 MR. LARSON: Mr. Chair. We don't have  
7 any record of a tribal consultation addressing this  
8 proposal.

9

10 CHAIRMAN SMITH: Are there comments  
11 from the agencies. Drew, would you like to weigh in on  
12 this one.

13

14 MR. CRAWFORD: Yes, Mr. Chair. The  
15 State also opposes Fisheries Proposal 15-02 for the  
16 same reasons as specified by OSM.

17

18 Over.

19

20 CHAIRMAN SMITH: Thank you. Do we have  
21 any other agency comments.

22

23

24 (No comments)

25

26 CHAIRMAN SMITH: Do we have comments by  
27 the other Advisory Councils, or other advisory groups.

28

29 (No comments)

30

31 CHAIRMAN SMITH: Any written comments,  
32 Bob.

33

34 MR. LARSON: We have a clarification  
35 from Mr. Green, and his clarification was that this is  
36 not just for salmon but it's to provide an opportunity  
37 to fish for all species.

38

39 CHAIRMAN SMITH: And I take it that all  
40 nets have to have been out of the water during these  
41 closures, it was a complete closure to net fishing; is  
42 that what happened -- that -- that's what the proponent  
43 is trying to address?

44

45 MR. RIVARD: Well, I think what the  
46 proponent is trying to address is that they be  
47 guaranteed two 48-hour fishing periods per week.

48

49 CHAIRMAN SMITH: Well, it must -- what  
50 spurred this was that a complete closure of net fishing

1 for some period of time to protect king salmon?

2

3 MR. RIVARD: There's -- yeah, there's  
4 been severe restrictions in the last couple of years on  
5 chinook salmon fishing, yes.

6

7 CHAIRMAN SMITH: But what I'm getting  
8 at, did they close all net fishing at some time?

9

10 MR. RIVARD: No, I don't believe so. I  
11 think it's been.....

12

13 CHAIRMAN SMITH: Oh, okay.

14

15 MR. RIVARD: .....either reduced to  
16 like 6 inches mesh or maybe even down to four inches  
17 but it's never been completely closed to all fishing.

18

19 CHAIRMAN SMITH: Okay. And do we have  
20 any public testimony.

21

22 (No comments)

23

24 CHAIRMAN SMITH: Is anyone on line that  
25 would like to testify to this.

26

27 (No comments)

28

29 CHAIRMAN SMITH: Okay. Can we get a  
30 motion from a Council member to adopt.

31

32 MR. GRAY: For discussion I'll move to  
33 adopt.

34

35 CHAIRMAN SMITH: Is there a second.

36

37 MR. BUCK: Seconded.

38

39 CHAIRMAN SMITH: Moved by Tom and  
40 seconded by Peter. Is there discussion.

41

42 Go ahead, Tom.

43

44 MR. GRAY: I guess I'm trying to read  
45 between the lines in this proposal and I'm trying to  
46 look at it from the local Native that's sitting on the  
47 riverbank wanting to go fishing; what's going on here.  
48 And if I'm reading it correctly, I would -- and maybe  
49 somebody could answer this, I would say that this area  
50 is closed until a certain time in the season, which is

1 later in the season, they open it to these 48-hour  
2 periods which is -- the majority of the run has already  
3 passed by it; is that what's going on. Do you  
4 understand what I'm saying. The main run, let's say  
5 goes by June and first week of July, and the -- has it  
6 been closed until later where they open it up and  
7 expected the main run to go by, or already passed.

8

9 CHAIRMAN SMITH: I guess we'll get an  
10 answer here soon.

11

12 But what this would do would be to, you  
13 know, prohibit that, you know, it would not allow the  
14 fisheries managers to close fishing anywhere in 5C,  
15 you'd have to have at least two 48-hour openings a week  
16 everywhere in 5C, if I understand this proposal  
17 correctly, and that seems a little bit overreaching to  
18 me.

19

20 MR. GRAY: Well, again, what I'm trying  
21 to dig for is, has there been fishing during the prime  
22 time, so to speak, so people have opportunity or has it  
23 been totally closed until later in the run.

24

25 CHAIRMAN SMITH: Do you know, Don, the  
26 answer to Tom's questions.

27

28 MR. RIVARD: Well, I don't know if I'm  
29 going to directly answer it but I'm just going to try  
30 to lay out the scenario.

31

32 Right now in regulation it's defaulted  
33 to the State, unless the Federal government -- the  
34 Federal in-season manager believes something different  
35 ought to be done. But right now the default position  
36 for that area of the river has been two 48-hour periods  
37 per week, but because of the low chinook runs it's had  
38 to be restricted to less than that, sometimes no  
39 fishing for some periods for chinook. And what the  
40 proponent is trying to do is to say, no, give us --  
41 guarantee us those two 48-hour periods per week.

42

43 CHAIRMAN SMITH: Yeah.

44

45 MR. RIVARD: That's what they're asking  
46 for. So that's the ramifications if that's allowed and  
47 you're not basing it on run strength, whether you leave  
48 it open or you restrict further, okay, so I don't know  
49 if I've answered your question.

50

1 MR. GRAY: (Shakes head negatively)  
2  
3 MR. RIVARD: I haven't. Okay, you want  
4 to state it.....  
5  
6 CHAIRMAN SMITH: Go ahead, Tom.  
7  
8 MR. GRAY: And, I guess, you know, I --  
9 it would be -- if we're going to make a decision like  
10 this, you know, we -- my feeling is we need somebody  
11 coming to the table that has, like the State, for  
12 example, we have X amount of salmon go by, we didn't --  
13 we wanted this much escapement, we got that much  
14 escapement and this is our justification of doing what  
15 we did and, you know, we're just picking at the sky  
16 right now if we pass or deny this thing.  
17  
18 You know, everybody knows there's a  
19 weak king run but we have no -- we're making a decision  
20 on information that isn't there. So.....  
21  
22 CHAIRMAN SMITH: Don, go ahead.  
23  
24 MR. RIVARD: Mr. Chair. Maybe this  
25 will help a little bit with Mr. Gray's concerns here.  
26  
27 If you look on Page 82, at the top of  
28 the page, this is the scenario that we were facing this  
29 year. The chinook salmon return to the Yukon River in  
30 2014 was expected to be extremely poor and likely  
31 insufficient to meet all escapement goals. The outlook  
32 was for a run size range of 64,000 to 121,000 chinook  
33 salmon. The 2014 chinook run on the Yukon River was  
34 estimated to be 137,000 based on counts taken at Pilot  
35 Station sonar as of June 30th. So they were able to  
36 see -- their estimate was actually better than what  
37 they thought they might get back. The upper end of the  
38 border passage agreement of 55,000 chinook salmon was  
39 met on approximately July 27th based on Eagle sonar  
40 counts.  
41  
42 So they were dealing with, this year,  
43 as they did in 2013, an extremely poor outlook on the  
44 size of the run for chinook salmon this year, so they  
45 reacted accordingly and the managers restricted fishing  
46 quite a bit both years. Their actions this year  
47 allowed the -- the run was a little bit larger than  
48 what they had put in their range, it was higher than  
49 the upper range of their estimate and they were  
50 actually to surpass, it looks like, the agreement with

1 Canada as to how many fish should pass into Canada.  
2 But it was all based on this preseason run forecast.

3  
4 So that's why they put in the  
5 restrictions during the season.

6  
7 CHAIRMAN SMITH: Yeah, Tom, I think  
8 that we can act on this. You know, I just don't see  
9 how you could tie the managers in-season, tie their  
10 hands like this, you know, they're made -- if you have  
11 a very, very weak runs you have to close fishing and  
12 so, you know, regardless of net size and I just don't  
13 think it's a good -- in general I don't think it's a  
14 good proposal because of conservation concerns. The  
15 concern would be that they would overharvest salmon,  
16 you know, because they wouldn't be able to close the  
17 season if they needed to and, you know, that's just  
18 kind of basic fish management.

19  
20 CHAIRMAN SMITH: Tom.

21  
22 MR. GRAY: Okay, well, he just showed  
23 us gives us a little bit of meat and a little something  
24 to chew on. And I agree, Tim, that we don't -- you  
25 know, if we throw in another two 48-hour periods it's  
26 just going to make things worse, I agree.

27  
28 But on the flip side of it, if there  
29 was good runs going by and everything was restricted to  
30 where they're forced to fish later in the system and  
31 there's lots of fish, you know, I have a problem with  
32 that because, you know, it's -- it's -- it's like -- it  
33 would be like me at my camp saying, okay, you can take  
34 50 fish today and 100 fish in two weeks after they're  
35 no good anymore, or they've gone by.

36  
37 But, you know, this gives -- it looks  
38 like the numbers of fish that went by was kind of what  
39 they expected, so to speak, but to me these numbers are  
40 not very good. So I -- anyway.

41  
42 CHAIRMAN SMITH: Don, do you want to  
43 address that.

44  
45 MR. RIVARD: Yeah. I just want to  
46 point out, again, in the justification, if you look on  
47 Page 8 [sic], the concern was -- the restriction was on  
48 chinook salmon. Once the salmon were basically done  
49 running by those Subdistricts 5A, 5B, 5C as you see in  
50 the middle of the justification, it says, beginning the

1 first week of August in both 2013 and 2014, subsistence  
2 fishing schedules were liberalized to at least five  
3 days per week. So they opened it up once they got  
4 their chinook pass.

5  
6 And then the other thing I wanted to  
7 point out, again, if you look on the map on Page 79,  
8 we're talking about a very short.....

9  
10 CHAIRMAN SMITH: Yeah.

11  
12 MR. RIVARD: .....portion of the river,  
13 six miles, and I'm not sure that the community of  
14 Rampart or the proponent realized that the only place  
15 this could take place under Federal regulations would  
16 be within that little six mile stretch that's 60 miles  
17 up stream from Rampart.....

18  
19 CHAIRMAN SMITH: Uh-huh.

20  
21 MR. RIVARD: .....which they're  
22 probably not going to go all that way.....

23  
24 CHAIRMAN SMITH: Yeah.

25  
26 MR. RIVARD: .....to fish. I know that  
27 there's fishwheels that they use around Rampart.....

28  
29 CHAIRMAN SMITH: Okay.

30  
31 MR. RIVARD: .....and so they're not  
32 going to go up there to driftnet fish or whatever. So  
33 I guess that's my point, thank you.

34  
35 CHAIRMAN SMITH: Okay. And, Tom, I  
36 think what happen in the scenario you described were  
37 there an abundance of fish that the season would be  
38 open.

39  
40 MR. GRAY: Yeah.

41  
42 CHAIRMAN SMITH: Yeah, the only reason  
43 they would close it is if the manager thought there  
44 weren't enough fish to make escapement.

45  
46 MR. GRAY: Yeah, and I don't have a  
47 problem opposing it.....

48  
49 REPORTER: Tom. Tom.

50

1 MR. GRAY: I don't have a problem  
2 opposing it, I was just concerned that opportunity for  
3 the Federal users, if there was an abundance of fish  
4 that opportunity was passed up and instigated too late  
5 in the season; you understand what I'm saying.

6  
7 CHAIRMAN SMITH: Yeah.

8  
9 MR. GRAY: And this August thing, you  
10 know, it's like saying to me go fish dog salmon in your  
11 river in September well, there ain't no fish in  
12 September. So some of this stuff you got to kind of  
13 read between the lines and figure it out. But I agree  
14 we don't have enough fish for four 48-hour periods, two  
15 State ones and two Federal ones, so I'll vote against  
16 it.

17  
18 CHAIRMAN SMITH: Is there any more  
19 discussion on this one.

20  
21 (No comments)

22  
23 CHAIRMAN SMITH: All those in favor say  
24 aye.

25  
26 IN UNISON: Aye.

27  
28 CHAIRMAN SMITH: Hang on a second, hang  
29 on a second, I made a mistake here now.

30  
31 (Laughter)

32  
33 CHAIRMAN SMITH: We need to restate the  
34 motion. And the motion would be to adopt the -- it's a  
35 positive motion, so the motion is to adopt this  
36 proposal, which would require two 48-hour openings per  
37 week. If you want that say aye, if you don't want that  
38 then we'll vote nay.

39  
40 So all those in favor say aye.

41  
42 (No aye votes)

43  
44 CHAIRMAN SMITH: All those opposed,  
45 same sign.

46  
47 IN UNISON: Nay.

48  
49 CHAIRMAN SMITH: I guess we say aye  
50 when we mean no, okay, so -- we're positive.

1 Move on to the next proposal.

2

3 MR. RIVARD: Thank you, Mr. Chair. Don  
4 Rivard again.

5

6 The next proposal is FP15-03 and it  
7 starts on Page 87 in your book.

8

9 Proposal FP15-03 submitted by the  
10 Eastern Interior Regional Advisory Council requests the  
11 elimination of the use of drift gillnet fishing gear  
12 for the targeting of chinook salmon in Yukon River  
13 Districts 1 through 4 and if you look on the map, the  
14 next page, Page 88, you'll see where Districts 1  
15 through 4 are, it goes up to about the boundary there,  
16 the eastern boundary of the Nowitna National Wildlife  
17 Refuge in the middle of your page, so that's 1 through  
18 4.

19

20 MR. GRAY: On this one? Oh, I see, way  
21 down.....

22

23 MR. RIVARD: Right in the middle of the  
24 page is the Nowitna National Wildlife Refuge and the  
25 boundary between four and five is right -- sort of  
26 right there on the eastern boundary of the Refuge.

27

28 MR. GRAY: Oh.

29

30 MR. RIVARD: It's not exact but it's  
31 close.

32

33 This proposed regulatory change is  
34 intended to eliminate the use of driftnets for the  
35 targeting of chinook salmon in the Yukon River in  
36 Districts 1 through 4. The proponent states that  
37 escapement goals have not been met for chinook salmon  
38 in recent years and this change in regulation should  
39 improve overall chinook salmon escapement throughout  
40 much of the Yukon River drainage.

41

42 Now, directed commercial fishing for  
43 Yukon River chinook salmon has been discontinued since  
44 2007 and subsistence fishing opportunities have been  
45 increasingly restrictive in an effort to conserve  
46 chinook salmon. In 2013 fisheries managers reduced  
47 subsistence fishing opportunity to limit harvest to  
48 approximately 25 percent of historical levels.  
49 However, even with reduced subsistence harvest most  
50 escapement objectives were not met. The 2013 chinook

1 salmon run was one of the poorest runs on record. The  
2 chinook salmon return to the Yukon River in 2014 was  
3 forecasted to be extremely poor and likely insufficient  
4 to meet all escapement goals. Fishermen throughout the  
5 drainage were advised ahead of the season to not expect  
6 fishing opportunity to harvest chinook salmon and to  
7 consider using other more abundant fish resources  
8 available to them to supplement their subsistence  
9 needs. The 2014 season began with no subsistence,  
10 sport or commercial fisheries anticipated for chinook  
11 salmon in the US portion of the Yukon River drainage.  
12 Subsistence fishing opportunities for species other  
13 than chinook salmon were available throughout the 2014  
14 season and the majority of subsistence fishing  
15 restrictions that occurred were during June and July to  
16 protect chinook salmon as they moved up river to  
17 spawning areas.

18  
19 Now, if this proposal were adopted it  
20 would remove drift gillnets as a gear type for this  
21 Federal subsistence harvest of chinook salmon in Yukon  
22 River Districts 1 through 4 and could reduce the  
23 fishing efficiency for harvesting chinook salmon in the  
24 US portion of the Yukon River in those districts.  
25 Eliminating the use of driftnets for the targeting of  
26 chinook salmon in Yukon River Districts 1 through 4  
27 could benefit chinook salmon during times of  
28 conservation concerns if it effectively reduced harvest  
29 efficiency to the extent that it reduced overall  
30 harvest. However, the elimination of this gear type  
31 could also be detrimental to subsistence users whose  
32 harvest of chinook salmon during years of strong  
33 chinook salmon runs may be more effective with the use  
34 of driftnets. State regulations allow the taking of  
35 salmon with drift gillnets in State waters within  
36 Districts 1 through 4, therefore, Federally-qualified  
37 users fishing under State regulations could still  
38 utilize drift gillnets.

39  
40 The OSM preliminary conclusion is to  
41 propose FP15-03. The justification for this  
42 preliminary conclusion is that this proposal would  
43 remove a fishing gear option that is currently relied  
44 upon by one segment of the fishing community and would  
45 not affect the fishing practices of others.  
46 Additionally, if the intention is to reduce the harvest  
47 of chinook salmon during times of conservation need  
48 this could be achieved through existing regulatory  
49 authorities that allow in-season managers to open or  
50 close Federal subsistence fishing periods or areas

1 provided under codified regulations and to specify  
2 methods and means.

3

4 Thank you, Mr. Chair.

5

6 CHAIRMAN SMITH: Thank you, Don. I  
7 have a question. Would this have any real affect --  
8 wouldn't everybody who wanted to fish with drift  
9 gillnets still be able to do so under State  
10 regulations.

11

12 MR. RIVARD: Yes. As long as the  
13 Federal Program didn't impose Federal jurisdiction over  
14 the -- if they just kept it under State management and  
15 went along with the State management.

16

17 CHAIRMAN SMITH: I guess if we did what  
18 we just did to the Kuskokwim that would -- yeah, that  
19 would kick in, wouldn't it.

20

21 Are there any agency comments.

22

23 Drew, would you like to comment on  
24 this.

25

26 MR. CRAWFORD: Yes, Mr. Chair.  
27 Regarding Fisheries Proposal 15-03, the State's  
28 recommendations are oppose for Districts 1 through 3  
29 and Subdistricts 4A; we support this proposal for  
30 Subdistrict 4B and 4C. Our manager said that -- salmon  
31 fisheries managers already have the tools needed to  
32 provide protection to and manage the harvest of Yukon  
33 River chinook salmon conservatively and thus this  
34 prohibition of drift gillnet gear is unnecessary.  
35 Drift gillnets are not allowed -- already not allowed  
36 in Yukon River Districts 5 and 6 by State or Federal  
37 regulations. State regulations also do not allow drift  
38 gillnets in Subdistricts 4B and 4C. Prohibiting drift  
39 gillnets in Yukon River Districts 4B and 4C in Federal  
40 regulations would algin State and Federal regulations.

41

42 Over.

43

44 CHAIRMAN SMITH: What would happen --  
45 are Federal subsistence users able to drift gillnet  
46 today in 4B and 4C?

47

48 MR. CRAWFORD: Yes.

49

50 CHAIRMAN SMITH: Is that something the

1 State feels -- is there a need to eliminate that  
2 option?

3

4 MR. CRAWFORD: It's not allowed under  
5 State regulation.

6

7 Over.

8

9 CHAIRMAN SMITH: Do you think that  
10 there's -- is there a concern that it needs to be  
11 prohibited under Federal regulations too?

12

13 MR. CRAWFORD: Our point here would be  
14 to align the regulations, we're in favor of that.

15

16 CHAIRMAN SMITH: Okay, thank you.

17

18 Do we have any other agencies that  
19 would like to comment on this.

20

21 (No comments)

22

23 CHAIRMAN SMITH: Advisory group  
24 comments.

25

26 (No comments)

27

28 CHAIRMAN SMITH: Written public  
29 comments.

30

31 MR. LARSON: There are no written  
32 public comments, nor am I aware that there are tribal  
33 or ANCSA Corporation comments.

34

35 CHAIRMAN SMITH: Ant members of the  
36 public want to testify on this proposal.

37

38 (No comments)

39

40 CHAIRMAN SMITH: Anybody on line.

41

42 (No comments)

43

44 CHAIRMAN SMITH: Do we have a motion to  
45 adopt.

46

47 MR. GRAY: I'll move to adopt this so  
48 we can have a little discussion.

49

50 CHAIRMAN SMITH: Are you moving to

1 adopt it except for 4B and 4C as recommended by the  
2 State?

3

4 MR. GRAY: No, I'm not concerned about  
5 the State's wishes because, you know, this is a Federal  
6 issue we're dealing with and Federal subsistence users,  
7 we have a tool in place and I think it needs to stay in  
8 place.

9

10 CHAIRMAN SMITH: Is there a second.

11

12 MR. BUCK: Seconded.

13

14 CHAIRMAN SMITH: Moved by Tom, seconded  
15 by Peter. Now open for discussion.

16

17 Go ahead, Tom.

18

19 MR. GRAY: My feeling is there's a tool  
20 in place to use a driftnet and it can be -- and that  
21 driftnet can be managed by the managers through  
22 emergency order so my suggestion is leave it alone.

23

24 CHAIRMAN SMITH: Anyone else.

25

26 (No comments)

27

28 CHAIRMAN SMITH: My -- you know my  
29 family lives in Units 1 and 2 and most of them are  
30 driftnetters and so this would really impact their  
31 method of fishing. The areas where you can setnet on  
32 the Yukon are few and far between and they're all taken  
33 by somebody and so driftnetting gives you an  
34 opportunity to fish where you wouldn't have an  
35 opportunity to fish if you had setnet, there's just not  
36 a lot of good sites. And so I'm opposing this. I  
37 don't really see -- I don't see that it satisfies any  
38 conservation concerns. You know, driftnetting is a  
39 traditional method, it's been used for many years, not  
40 thousands of years, but it's been used for a long time.  
41 And I think it would be detrimental to subsistence  
42 users because it would make it a lot harder for some  
43 people who want to use driftnets to get fish and I  
44 think it would -- it would not unnecessarily restrict  
45 other uses but it would restrict subsistence users. I  
46 suppose that people who commercial fish with drift  
47 gillnets would have to have gear for setnetting so I  
48 guess it would, somewhat, they wouldn't be able to use  
49 their same gear that they use for commercial fishing  
50 for subsistence, so I guess it would restrict other

1 users. And so I'm opposed to this motion.

2

3 Any further discussion.

4

5 (No comments)

6

7 CHAIRMAN SMITH: All those -- I'll  
8 restate the motion. The motion would be to adopt this  
9 proposal to prohibit gillnets in Unit 1 through 4 on  
10 the Lower Yukon River and so if you vote to support the  
11 proposal you would be eliminating gillnetting, if you  
12 oppose it you would maintain the status quo.

13

14 So all in favor say aye.

15

16 (No aye votes)

17

18 CHAIRMAN SMITH: All opposed same sign.

19

20 IN UNISON: Aye.

21

22 CHAIRMAN SMITH: Motion passes

23 unanimously.

24

25 Next proposal, Don.

26

27 MR. RIVARD: Thank you, Mr. Chair. The  
28 final one for you to take up today is Proposal FP15-04  
29 and it starts on Page 107 in your book.

30

31 Proposal FP15-04 submitted by the  
32 Eastern Interior Regional Advisory Council seeks to  
33 allow Federal subsistence users to continue using set  
34 gillnets to harvest salmon in the Yukon River drainage  
35 when drift gillnet salmon fisheries are closed.

36

37 The proponent's intent is to give the  
38 Federal manager the authority to independently  
39 differentiate between gear types by allowing set and/or  
40 drift gillnets during fishing periods and in areas  
41 targeting summer chum salmon while at the same time  
42 allowing only set gillnets during fishing periods in  
43 areas targeting chinook salmon or during times during  
44 chinook salmon conservation.

45

46 According to the proponent this  
47 proposal would provide for some subsistence harvest of  
48 chum salmon while reducing impacts to chinook salmon by  
49 fishing close to shore with setnets where chinook  
50 salmon are less likely to be abundant and, if present,

1 are usually smaller jacks. The use of setnets in place  
2 of driftnets may improve the quality of chinook salmon  
3 escapement due to the incidental harvest of chinook  
4 salmon being located closer to shore where smaller  
5 chinook salmon tend to run avoiding mid-river deep  
6 drifts, which the proponent states tend to catch  
7 larger, more fecund chinook salmon should improve  
8 escapement for larger more fecund chinook salmon. The  
9 in-season manager currently has the delegated authority  
10 to manage gear types in a manner consistent with this  
11 proposed action.

12

13                   Okay.

14

15                   Again, the in-season manager already  
16 has this ability to distinguish between the use of  
17 drift gillnets and setnets.

18

19                   Now, if this proposal is adopted it  
20 would be anticipated to reduce the fishing efficiency  
21 for harvesting salmon in the Yukon River by allowing  
22 only set gillnets during fishing periods in areas  
23 targeting chinook salmon or during times of chinook  
24 salmon conservation. This proposal would remove a  
25 fishing gear option that is currently relied upon by  
26 one segment of the fishing community and it would not  
27 affect the fishing practices of others. Without a  
28 shift in allocation the fishery manager would be  
29 required to judge how new variable combinations of time  
30 and area without use of drift gillnets might offset the  
31 previously observed harvest performance when gillnets  
32 were utilized. According to the proponent, this  
33 proposal would provide for some subsistence harvest of  
34 chum salmon while reducing impacts to chinook salmon by  
35 only fishing close to shore with setnets where chinook  
36 salmon are less likely to be abundant and are usually  
37 smaller jacks. The use of setnets in place of  
38 driftnets may improve the quality of chinook salmon  
39 escapement due to the incidental harvest of chinook  
40 salmon being located closer to shore where smaller  
41 chinook salmon tend to run.

42

43                   The OSM preliminary conclusion is to  
44 take no action on Proposal FP15-04. The justification  
45 for this recommendation, this conclusion, is that the  
46 proposed action is not needed as the delegated  
47 authority is granted to the Federal in-season managers  
48 by the Board of -- the Federal Subsistence Board  
49 already allow what the proponent is asking for. It  
50 applies to waters within the Yukon River drainage and

1 permits the opening or closing of Federal subsistence  
2 fishing periods, areas, specification of methods and  
3 means, permit requirements and setting of harvest and  
4 possession limits for Federal subsistence fisheries.  
5 This delegation may be exercised only when it is  
6 necessary to conserve fish stocks or to continue  
7 subsistence uses.

8

9 Thank you, Mr. Chair.

10

11 CHAIRMAN SMITH: Thank you, Don. Do we  
12 have a report on Board consultations with tribes or  
13 ANCSA Corporations.

14

15 MR. LARSON: Mr. Chair. We do not have  
16 neither written public comments or reports from the  
17 tribal consultations on this proposal.

18

19 Thank you.

20

21 CHAIRMAN SMITH: Drew, would you like  
22 to comment on this proposal.

23

24 MR. CRAWFORD: Yes, Mr. Chair. Drew  
25 Crawford, Alaska Department of Fish and Game,  
26 Anchorage.

27

28 The State is neutral on Fisheries  
29 Proposal 15-04. The Alaska Board of Fisheries would  
30 have to take action on a regulation proposal to adopt a  
31 similar State regulation. This may be a new fisheries  
32 management tool for Yukon River salmon managers. In a  
33 very poor salmon run this regulation may be used as a  
34 method to give chinook salmon allowing a limited  
35 fishing opportunity with setnets only. But to be  
36 effective it would have to be approved and adopted by  
37 the Alaska Board of Fisheries and the Federal  
38 Subsistence Board for the Yukon River area.

39

40 Currently the State managers don't have  
41 this authority.

42

43 Over.

44

45 CHAIRMAN SMITH: Thank you, Drew.

46

47 Do we have any advisory group comments.

48

49 MR. LARSON: Mr. Chair. We do not have  
50 any other Advisory Committee comments.

1 Thank you.  
2  
3 CHAIRMAN SMITH: Okay. Is there any  
4 public testimony. Would any member of the public like  
5 to provide testimony on this proposal.  
6  
7 (No comments)  
8  
9 CHAIRMAN SMITH: Do we have a motion to  
10 adopt.  
11  
12 MR. KATCHEAK: So moved. Mr. Chair, I  
13 move to adopt.  
14  
15 CHAIRMAN SMITH: Is there a second.  
16  
17 MR. SEETOT: Second.  
18  
19 CHAIRMAN SMITH: Moved by Ted and  
20 seconded by Elmer.  
21  
22 Is there discussion.  
23  
24 (No comments)  
25  
26 CHAIRMAN SMITH: You know I think  
27 there's no conservation concern because the manager  
28 already has authority. I think that the benefits are  
29 questionable. From my experience on the Yukon you can  
30 easily catch king salmon close to shore if you set in  
31 the right place. Some people do really, really well  
32 setnetting. So I think the benefits are really  
33 questionable. Will the recommendation be beneficial or  
34 detrimental subsistence needs and users; I don't think  
35 it will be beneficial or detrimental. Will the  
36 recommendation unnecessarily restrict other uses; I  
37 don't think it will.  
38  
39 So is there any additional discussion.  
40  
41 (No comments)  
42  
43 CHAIRMAN SMITH: To restate the  
44 proposal then, if you support the proposal you vote aye  
45 to support the proposal, it would allow the Federal in-  
46 season managers to limit drift gillnets -- or to allow  
47 set gillnets during times when drift gillnetting was  
48 closed. If you vote to oppose the proposal, then it  
49 would -- you know, it would revert to the existing  
50 regulations which allows them to do that anyway. So it

1 really has little or no effect.  
2  
3 All those in favor of this motion say  
4 aye.  
5  
6 (No aye votes)  
7  
8 CHAIRMAN SMITH: All those opposed.  
9  
10 IN UNISON: Aye.  
11  
12 CHAIRMAN SMITH: And so the motion  
13 passes unanimously [sic].  
14  
15 (Laughter)  
16  
17 CHAIRMAN SMITH: No, the motion is  
18 opposed unanimously. I'm getting tired, sorry. It's  
19 just after 5:00 and we're through the fisheries  
20 proposals, maybe we should recess until tomorrow, does  
21 that sound good.  
22  
23 (Council nods affirmatively)  
24  
25 CHAIRMAN SMITH: Okay, we're recessed  
26 until 9:00 o'clock tomorrow.  
27  
28 (Off record)  
29  
30 (PROCEEDINGS TO BE CONTINUED)

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C E R T I F I C A T E

UNITED STATES OF AMERICA )  
 )ss.  
STATE OF ALASKA )

I, Salena A. Hile, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 02 through 112 contain a full, true and correct Transcript of the SEWARD PENINSULA FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, taken electronically on the 7th day of October 2014 at Nome, Alaska;

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

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

DATED at Anchorage, Alaska, this 24th day of October 2014.

\_\_\_\_\_  
Salena A. Hile  
Notary Public, State of Alaska  
My Commission Expires: 09/16/18